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|------------------------------------|---|-----------------------------------|--|
| Item No. 7.3 | Classification: Open | Date: 07 September 2021 | Meeting Name: Planning Committee |
| Report title: | Development Management planning application: Application 21/AP/0239 for: FULL PLANNING PERMISSION Address: WICKWAY COMMUNITY CENTRE ST GEORGES WAY LONDON SE15 6PL Proposal: Redevelopment of the site comprising the demolition of existing building and the erection of two buildings at 9 storeys in height providing 458 sq. metres Community Centre (Class F1a), a 105 sq. metre nursery (F1b) and residential accommodation including 86 units; (24 x 1 bed, 46 x 2 bed and 16 x 3 bed) together with associated communal facilities and highway improvements, landscaping car and cycle parking | | |
| Ward(s) or groups affected: | Peckham | | |
| From: | Director of Planning | | |
| Application Start Date | 26/01/2021 | Application Expiry Date | 27/04/2021 |
| Earliest Decision Date | 02/03/2021 | | |

RECOMMENDATIONS

1. That planning permission be granted subject to conditions and to a unilateral undertaking.
2. That if a unilateral undertaking is not completed by 31 January 2022 the director of planning be authorised to refuse planning permission, if appropriate, for the reason detailed in paragraph 116 of this report.

BACKGROUND INFORMATION

Site location and description

3. The application site comprises 0.63 hectares (ha) of previously developed land and is located to the immediate south of Burgess Park. The site is bounded by St Georges Way to the north, Cator Street to the east and Ebley Close and the Gloucester Grove Estate to the south. The site is not located in a conservation area but is adjacent to the Cobourg Road Conservation Area, with the nearest statutory listed building being the New Peckham

Mosque.

The site is located within the Peckham and Nunhead Action Plan with the Core Old Kent Road Action Plan Area to the east and the Aylesbury Action Plan Area to the north east. Burgess Park a Site of Important Nature Conservation and Designated Open Space (Metropolitan Open Land is located across the road to the north.

4. The existing building on the site is set back from St Georges Way and comprises a one and two-storey community centre building and nursery with a pitched tiled roof. The site is currently operating as the Wickway Community Centre and Little Angels Nursery. The site can be accessed via St Georges Way and Ebley Close.

Aerial view of existing site



5. The site is located within:
 - Urban Density Zone
 - Peckham and Nunhead Action Area (PNAA)
 - Air Quality Management Area
6. The post-war architecture of the site varies in scale, height, and massing, with two taller tower blocks giving way to shorter, longer blocks towards the Southern end of the estate. The existing blocks vary in height between 10 and 5 storeys in height. The estate also contains a substantial amount of green space, including play areas, and a number of trees.
7. The site has a Public Transport Accessibility Level of 2.

The surrounding area

8. The surrounding area is predominantly residential in character with a mixture of housing densities. Opposite to the north of the site is Burgess Park. To the east on the opposite side of the road is the 2 storey building occupied by Southwark Inclusive Learning Service. To the south of the site is immediately to the rear separated by Ebly Close, lies the 6 storey residential Westonbirt Court.

Details of proposal

9. The proposal is for the demolition of the existing building on the site to facilitate the construction of a pair of residential blocks with replacement community facilities on the ground floors of each block. The blocks would be 9 storeys in height, the existing community centre and nursery would be re-provided.
10. The blocks would contain 86 new residential units (39 units in Block A and 47 units in Block B), the tenure of the units when distributed by habitable rooms would be 51% social rented and 47% private sale. A total of 9 units would be designed to wheelchair standards, these will be split to form 7 social rented and 2 available for private sale. The housing mix of these units would be as follows:

| Unit type | Total | Percentage of total |
|------------------|-----------|---------------------|
| 1b2p | 17 | 28% |
| 1b2pWA | 7 | |
| 2b3pWA | 2 | 53% |
| 2b4p | 44 | |
| 3p5p | 16 | 19% |
| All units | 86 | 100% |

Table 1- housing mix

11. Block A would contain:
- 74 cycle parking spaces
 - 8 x 1100L communal eurobins
 - 1 x 360L wheelie bin
 - 1 x 170L wheelie bin
 - 5sq metres bulky waste provision
12. Block B would contain:
- 74 cycle parking spaces
 - 8 x 1100L communal eurobins
 - 5sq metres bulky waste provision

13. The ground floor of Block A would provide a new community centre with a area of 542 sq. metres this would comprise an office, an IT hub, a reception lounge space, workshop or training space, storage and toilets.
14. The remainder of the ground floor within Block A would contain the plant for the residential units as well as an entrance lobby leading to the stair and lift access to the flats above as well as the refuse and cycle storage.
15. Block B would be occupied by the replacement children's day nursery on the ground floor, with the remaining space taken with the entrance lobby, plant and cycle and refuse storage.
16. In the immediate area around the car park site, communal amenity space and children's play space for 0-4 year olds would be provided, with further landscaping enhancements to be provided around the Rennie Estate. Three parking spaces for blue badge holders are also proposed.

Planning history

17. See Appendix 1 for any relevant planning history of the application site.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

18. The main issues to be considered in respect of this application are:
 - Principle of the proposed development in terms of land use;
 - Environmental impact assessment;
 - Tenure mix, affordable housing and viability ;
 - Dwelling mix including wheelchair housing;
 - Density;
 - Quality of residential accommodation;
 - Design, layout, heritage assets and impact on Borough and London views;
 - Landscaping and trees;
 - Outdoor amenity space, children's playspace and public open space;
 - Impact of proposed development on amenity of adjoining occupiers and surrounding area;
 - Transport and highways;
 - Noise and vibration;
 - Energy and sustainability;
 - Ecology and biodiversity;
 - Air quality;
 - Water resources and flood risk;
 - Archaeology;
 - Wind microclimate;

- Socio-economic impacts;
 - Planning obligations (s106 undertaking or agreement);
 - Community involvement and engagement;
19. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

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

Planning policy

National Planning Policy Framework 2021

22. 2. Achieving sustainable development
 5. Delivering a sufficient supply of homes
 6. Building a strong, competitive economy
 8. Promoting healthy and safe communities
 9. Promoting sustainable transport
 11. Making effective use of land
 12. Achieving well-designed places
 14. Meeting the challenge of climate change, flooding and coastal change
 15. Conserving and enhancing the natural environment
 16. Conserving and enhancing the historic environment

The London Plan 2021

23. GG1 Building strong and inclusive communities
 GG2 Making the best use of land
 GG3 Creating a healthy city
 GG4 Delivering the homes Londoners need
 GG6 Increasing efficiency and resilience
 D1 London's form, character and capacity for growth
 D3 Optimising site capacity through the design led approach
 D4 Delivering good design
 D5 inclusive design
 D6 Housing quality and standards
 D7 Accessible housing
 D8 Public realm
 D9 Tall buildings
 D11 Safety, security and resilience to emergency

D12 Fire safety
D14 Noise
H1 Increasing housing supply
H2 Small sites
H4 Delivering affordable housing
H5 Threshold approach to applications
H6 Affordable housing tenure
H7 Monitoring affordable housing
H 10 Housing size mix
H11 Build to rent

S4 Play and informal recreation
S5 Sports and recreation facilities
G1 Green infrastructure
G5 Urban greening
G7 Trees ad woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 4 Managing heat risk
SI 7 Waste capacity and supporting the circular economy
T2 Healthy streets
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6 1 Residential parking
T7 Deliveries, servicing and construction

Core Strategy Strategy 2011

24. Strategic Policy 1 – Sustainable development
Strategic Policy 2 – Sustainable transport
Strategic Policy 4 – Places for learning, enjoyment and healthy lifestyles
Strategic Policy 5 – Providing new homes
Strategic Policy 6 – Homes for people on different incomes
Strategic Policy 7 – Family homes
Strategic Policy 11 – Open spaces and wildlife
Strategic Policy 12 – Design and conservation
Strategic Policy 13 – High environmental standards

The Southwark Plan 2007 – Saved Policies

25. Policy 2.5 – Planning Obligations
Policy 3.1 - Environmental Effects
Policy 3.2 – Protection Of Amenity
Policy 3.3 – Sustainability Assessment
Policy 3.4 – Energy Efficiency
Policy 3.6 – Air Quality
Policy 3.7 – Waste Reduction
Policy 3.8 – Waste Management
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 3.19 – Archaeology
 Policy 3. 20 – Tall Buildings
 Policy 3.28 – Biodiversity
 Policy 4.2 - Quality Of Residential Accommodation
 Policy 4.3 - Mix Of Dwellings
 Policy 4.4 - Affordable Housing
 Policy 4.5 - Wheelchair Affordable Housing
 Policy 5.1 - Locating Developments
 Policy 5.2 - Transport Impacts
 Policy 5.3 – Walking And Cycling
 Policy 5.7 – Parking Standards For Disabled People And The Mobility Impaired

Nunhead Action Area Plan

26. Policy 7 Community Facilities
 - Policy 11 Active Travel
 - Policy 15 Residential Parking
 - Policy 16 New Homes
 - Policy 17 Affordable and Private Homes
 - Policy 18 Mix and Design of New Homes
 - Policy 19 Public space and sites of importance for nature conservation (SINCS)
 - Policy 20 Trees
 - Policy 21 Energy
 - Policy 22 Waste, water, flooding and pollution
 - Policy 23 Public realm
 - Policy 25 Built form
 - Policy 26 Building heights

Supplementary Planning Documents and Guidance

27. 2015 Technical Update to the Residential Design Standards (2011)
 - Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD 2015
 - Mayor of London Housing SPG 2016

Emerging planning policy

New Southwark Plan

28. The New Southwark Plan (NSP) was submitted to the Secretary of State in January 2020. The Examination in Public (EiP) for the NSP took place between February to April 2021 when the amendments within the Proposed

Changes to the Submitted New Southwark Plan were considered along with the consultation responses received at each stage of public consultation. The proposed main modifications to the draft plan arising from the EIP (and as agreed with the EIP planning inspectors) will be consulted on in September/October. It is anticipated that the plan will be adopted later in 2021 following the EIP main modifications consultation and the new plan will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy.

Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

Strategic Policies

SP 1 Quality affordable homes

SP 2 Social regeneration to revitalise neighbourhoods

SP 6 Cleaner, greener, safer

DM Policies

SP 1 Quality affordable homes

SP2 Regeneration that works for all

SP5 Healthy, active lives

SP6 Cleaner, greener, safer

P1 Social rented and intermediate housing

P2 New family homes

P7 Wheelchair accessible and adaptable housing

P12 Design of places

P13 Design quality

P14 Residential design

P15 Designing out crime

P17 Efficient use of land

P44 Healthy developments

P46 Community uses

P48 Public transport

P49 Highway impacts

P50 Walking

P52 Cycling

P53 Car Parking

P54 Parking standards for disable people and mobility impaired people

P55 Protection of amenity

P59 Biodiversity

P60 Trees

P64 Improving air quality

P65 Reducing noise pollution and enhancing soundscapes

P66 Reducing water use

Consultation responses from members of the public

29. Six comments have been received in relation to this application from members of the public, Five objections from local residents and one from the Friends of Burgess Park as summarised below:

Comments from residents:

- The new units will block light to the existing flats and further marginalise the existing community.
- The proposal would increase parking stress on the surrounding streets
- The development would remove land used by school children at Angel Oak School removing space for them to exercise, play and learn.
- The works will bring noise, dust and misery to existing residents.
- Height of the proposed buildings detrimental to existing residents in terms of daylight and sunlight
- Significant shadow cast upon Burgess Park, height of the proposed blocks should be reduced
- Would like landscaping to be improved to provide green corridors.

30. Objection from the Friends of Burgess Park

Trees

The proposal would result in the loss a Category A tree, 11 Category B trees and 10 Category C trees, with a loss of 1074 sq metres of tree canopy, which will not be replaced by new trees – not all of which will be on the development site unit 2050.

Harm to the Site of Importance for Nature Conservation (SINC)

Friends of Burgess Park consider that the 9 storey bocks along with other buildings in planning south of Burgess Park will harm it as a site of Importance for Nature Conservation. The London Plan also points out that developments should establish a good relationship with the character of the surrounding area.

The park should respond to the park edge and existing trees/biodiversity. The design does not satisfy any of the above criteria.

Nursery

The nursery garden is small and adjoins roads and will be overshadowed by the tall buildings next to it, currently the nursery space is open and sunny.

The entrance to the nursery is located close to parked vehicles which seems unsafe.

Community Centre

The new facility appears to lose circulation space, useful for mingling and for providing a safety zone outside the nursery before children left the building. The size of the hall is reduced in the plan so that the hall will no longer be able to cater for a number of sports.

Green / Brown roofs

The green / brown roofs may not provide the biodiverse benefits suggested.

Design

Fails to complement the existing estate and will mask the award winning glass entrance atriums.

31. The application has been referred to the GLA, who have indicated that they are unlikely to raise objections, however the stage 1 report has not yet been issued.
32. These matters are considered in the main body of the report below.

ASSESSMENT

Principle of the proposed development in terms of land use

33. The site is currently used as a community centre and nursery within use class E. The proposal would retain the existing uses with a reduction in the total floorspace of 88sq.m. from 651sq.m. to 563sq.m. Saved policy 2.1 (enhancement of community facilities) does not allow for the loss of the use of a community facility unless the facility is surplus to requirements or there is another locally accessible facility with similar or enhanced provision. Draft policy P46 (community uses) of the New Southwark Plan says that development must retain community facilities. The policies do not protect the amount of floorspace but the use; the use here would be protected with a more efficient and modern facility and continue to be used by the Wickway Community Centre Association. The proposal complies with the protection of community uses in the Development Plan. Housing is proposed on floors above and complies with land use policies for the site. The principle of the development in terms of land use complies with the Development Plan.

Tenure mix and affordable housing.

34. The proposal would provide 86 new units, 51% of the habitable rooms equating to 39 units would be affordable for social rent. The remainder would be for private sale. The provision of new council homes represents a significant contribution towards the council's affordable housing targets, and towards meeting the needs of the boroughs residents. As such, this aspect of the scheme is welcomed and acceptable.

Dwelling mix including wheelchair housing

35. As per the table 1 under Details of Proposal, the housing mix would be 28% 1b2p units, 58% 2 bedroom units and 19% 3 bedroom units. The mix is not strictly in compliance with current policy, (Strategic Policy 7 [Family Homes] of the Core Strategy 2011) requires 20% of the units to be 3 + bedrooms. However when considering the unit size split in the affordable offer this comprises 13% 1 beds, 46% 2 beds and 41% 3 beds. A local housing needs survey was conducted by the TMO in April 2020 which found that there was

a higher demand for 3 bed units.

It is considered that given the overall benefits of the scheme and the relatively higher proportion of 3 beds homes in the social rented offer, that the minor shortfall in 3+ units

36. Nine units would be wheelchair accessible, comprised of 27 habitable rooms. This would equate to 10% based on unit numbers in accordance with the policy requirements of the Saved Southwark Plan.
37. In summary, the proposal would provide a compliant tenure mix in terms of the numbers of 1 and 2 bed homes. There would be a small shortfall in 3+ bedrooms, (1%) in respect of the Saved Southwark However 3 bed provision in the social rented offer would be entirely policy compliant. Given the significant overall benefits of the scheme the minor shortfall in 3 bed units is considered acceptable.

Density

38. The proposed blocks would be comprised of a total of 306 habitable rooms. This would in turn equate to 485 habitable rooms per hectare on site.
39. This figure is within the range of 200-700 habitable rooms per hectare limit within the urban zone under Strategic Policy 5 [Providing New Homes] of the Core Strategy.

Quality of residential accommodation

40. The proposed dwellings would be spacious all meeting or exceeding, (with the exception of some of the one bedroom units within the private block) exceeding the space standards of the Residential Design Standards SPD. These dwellings would largely be dual or triple aspect, offering excellent access to natural light, and cross ventilation. All of the 3 bed units would benefit from a minimum of 10sqm of private outdoor amenity space in the form of balconies, or gardens. Within the social rented block the smallest size of balcony would be 9 sq. metres. The private block would have some balconies to the 1 bedroom units that would be 6 sq. metres, the 2 bed room units within this block would be a minimum of 9 sq. metres. The shortfall in the amenity space would be included within the communal amenity space. Therefore, the proposed quality of accommodation would be of a high standard.

Example 3 bed unit



Example 1 bed unit



41. In summary, the proposed quality of accommodation would be excellent, and is a positive aspect of the scheme.

Design, layout, open space and heritage assets

42. The proposed scheme consists of twin nine storey 'mansion' blocks with a public space and route through to Burgess Park between them. The juxtaposition of two blocks standing forward of the more linear 6 storey existing estate buildings will produce a successful and attractive composition. In particular the strong gap between the proposed buildings with community uses on the ground floors of the buildings opening out onto it will allow for views and routes through to the Park and will enable the space to act as a public foyer. The form of the blocks is such that they will form suitably elegant frontage to the park, not dissimilar in concept to juxtaposition of mansion blocks with parks elsewhere in London. The orientation and placing of the blocks in respect of Burgess Park ensures that the openness of the MOL is maintained, any overshadowing is limited and transitory and that the MOL is not harmed. Given their scale and location the buildings would not harm the character appearance of the adjacent Coburg Road conservation area. The New Peckham Mosque is on the north side of the park and the setting and special architectural and historic character of the building would not be affected by the proposals. The impact on the setting of the listed St Georges Church to the west would be limited given that the new buildings would be seen in the context of the existing 6 storey linear estate blocks.
43. At a maximum of 37.6m high, the proposed new blocks would be defined as a tall building under the Council's policies. The NPPF requires good design as a key aspect of sustainable development. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
44. In terms of the locational requirements for tall buildings the site is not situated within a highly accessible location, an Opportunity Area or a town centre. it is still necessary to test the current application against the requirements of saved policy 3.20 of the Southwark Plan, which requires that all tall buildings should:
- i. Make a positive contribution to the landscape; and
 - ii. Be located at a point of landmark significance; and
 - iii. Be of the highest architectural standards; and
 - iv. Relate well to its surroundings, particularly at street level

Contribute positively to the London skyline as a whole consolidating a cluster within that skyline or providing key focus within views.

45. The New Southwark Plan Policy P16 Tall Buildings identifies specific

locations for tall buildings, again within town centres opportunity areas, action area cores and CAZ. In this regard the site is not within any of these specific locations, however the proposed two 9 storey buildings are not out of kilter with the existing buildings which in the immediate context are 6-8 storeys. The buildings would not cause harm upon any strategic views and are considered to respond positively with the local townscape as well as providing publically accessible space and communal facilities for residents and the wider community.

Architectural expression

46. The facades of the scheme will feature hexagonal bays to flats as a key component of the architectural expression of the scheme. This is derived partly from the cranked footprint of estate blocks behind and partly from the form of existing 'mansion' blocks of similar bulk. There were subtle differences between the arrangement of bays on each block to reflect different flat layouts and mixes. The materials would be predominantly brick with exposed concrete soffits and balcony edges, again as a modern day interpretation of the mansion block architecture.
47. Like many traditional buildings, including mansion blocks, the facades of the two buildings divided into a base, a middle and a top. The base features colonnades to the central space which will give additional status as an active public space. The east facing block will have an equally strong base of a canopy that shelters open space to the eastwards facing community hall and the nursery in this location.
48. Overall, the architectural expression of the buildings is a successful re-interpretation of traditional Edwardian mansion block aesthetic.

Layout of residential floors

49. The bay windows will provide really interesting and delightful layouts to each flat. The flexibility of the plan forms in allowing circuits through rooms and spaces was also noted and supported. The Design Review Panel did however note that the subdivision of kitchens and hallways reduced the feeling of space within each flat. The units have a mix of both open plan and separate kitchens within both tenures. Officers consider that it was important to deliver some flats with separate kitchen spaces. Each block will have a generous double height entrance hall and generous stairwell going up through each building. This will introduce a sense of luxury to the internal communal spaces of each building.
50. In addition, the position of the stairwell also gave opportunities for an interesting architectural expression on the facades of the building. However, at the DRP a discussion of the stairwell led to speculation about its use and about the juxtaposition of family units with other smaller non-family units. It was suggested that family units should be clustered lower down the buildings. This would also mean that families would not disturb other building users to the same extent and that there would be easier access for families via lifts or

the stairwells to the communal space between the buildings and to Burgess Park. This has not been incorporated within the final design, as the units are stacked over all floors, however the mixing the units is not considered a significant issue.

Proposed CGI view from St George's Way



Nursery and Community Centre

51. The nursery would be located at the base of the eastern block, set back towards the existing estate. It is near the existing estate buildings from where many people will come, and a projecting canopy will give its entrance a strong and obvious presence. In addition, its location allows for the creation of a private nursery garden/ outdoor space immediately to the east. It will be a pleasant space to use. It has been demonstrated in the daylight and sunlight report that the garden will receive sunlight in accordance with the BRE guidelines.
52. The community centre is spread across the base of both blocks, with a hall, kitchen and toilets at the base of the west block, and workshop/ meeting room, toilets, IT hub, office and reception/café at the base of the west block. Both will open out on the central public space and both will have access (and could do much to bring this space alive) and both will have access to their own private gardens. Although the splitting of community functions across both blocks may seem a little odd, there is a logic to having a hall that is separated from what is likely to be a more intensely used suite of rooms. Spreading the function across both buildings has also allowed for a greater overall area of community space.
53. The design of both the community space and the nursery have been carried out in conjunction with both end user groups taking into account current and

potential future requirements.

Landscaping, trees and urban greening factor

54. The submission included an arboricultural assessment, which has been reviewed by the council's Urban Forester. The proposal would see the loss of 22 trees on site. The proposal would remove 1 category A tree, 11 category B trees and 10 category C trees. Some replanting would be undertaken on the wider site as part of the wider landscaping plan. The loss of trees would be required as they are located on the developable land.
55. The arboricultural impacts assessment confirms that a total of 1913 cm stem girth would be removed with 300cm proposed for replacement via seven new trees, giving a net loss of 1613cm.

This equates to £55,200 in stem girth to be provided off-site. That figure is based on Southwark's term contractor unit cost for 14-16cm girth sized trees.

Landscaping

56. The landscaping within the site would be extended across the site to include the public realm areas between the two blocks, the nursery garden located between St George's Way and Cator Street, the community centre garden to the north.
57. The communal garden would be located on the corner, with St George's Way to the front and Ebley Close to the side and rear. Despite the overall loss of trees on the site to enable the construction of the new housing the new landscape design, will deliver new wildflower planting, green roof and sustainable urban drainage, achieving an urban greening factor of 0.4 as recommended by the London Plan. As set out in paragraph 100 the landscaping, which has been reviewed by our ecology officer will enhance bio diversity on the site.

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

58. Based on the population yield calculator provided by the GLA, the proposal would have an estimated child population of 59.5, with the following breakdown:

0-4 year olds: 25.1
5-11 year olds: 19.7
12-15 year olds: 9.6
16-17 year olds: 5.1

59. The total play space required at 10sq metres per child is 595 sq. metres. The

proposal would provide a dedicated area of 618 sq. metres, which includes 90 sq. metres within the public realm of within the courtyards and spaces to the south of the new buildings. This would meet the 10sqm per child playspace requirements as set out in the S106 and CIL SPD.

60. It is proposed to provide a new community garden for use by all residents to the north of the site at the junction of St Georges Way and Ebley Close. This new garden provides approximately 280 sq metres of communal open space. The required amount of communal space is 50 sq metres for each block plus 18.3 sq metres to address the shortfall of private amenity space for the West Block and a shortfall of 72 sq metres in respect of the East Block totalling 190.3 sq. metres. Therefore the space allocated would be in excess of what would be required under the residential design standards.
61. In summary, the scheme would offer an excellent provision of communal amenity space and playspace for new and existing residents of all ages.

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

Daylight/sunlight

62. The BRE sets out three detailed daylight tests. The first is the Vertical Sky Component test (VSC), which is the most readily adopted. This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that the daylight (VSC) can be reduced by about 20% of the original value before the loss is noticeable.
63. This is supplemented by the No Sky Line (NSL) or Daylight Distribution (DD) method which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of more than 20% in the area of sky visibility, daylight may be affected.
64. In considering the impact upon sunlight, the test is based upon a calculation of annual probable sunlight hours (APSH) for all window faces within 90 degree of due south. The BRE guidelines state that a window should receive a minimum of 25% of the annual probable sunlight hours, of which, 5% should be received in winter months. Where window sunlight levels fall below this recommendation, the window should not lose more than a 20% of its former value and the reduction in sunlight over the whole year should not be greater than 4% of the ASPH.

65. The Mayor of London's 'Housing SPG' (March 2016) advises that the BRE guidelines should be applied with an appropriate degree of flexibility and sensitivity to higher density development, especially in opportunity areas, town centres, large sites and accessible locations. It suggests that account should be taken of local circumstances, the need to optimise development and scope for the character and form of an area to change over time.
66. The applicant has submitted a daylight/sunlight assessment as part of this application, which has assessed the impact of the proposed blocks on surrounding properties in terms of daylight/sunlight access. Findings vary depending on the properties assessed and are set out below.
67. The following properties have been assessed and were found to remain compliant in terms of daylight and sunlight, as these properties would still retain target values as set out in the BRE Guidelines for daylight in terms of Vertical Sky component (VSC) and daylight distribution and sunlight, Annual Probable Sunlight Hours (APSH).

17 -29 Cator Street (odd)
 20-30a Sumner Road (even)
 17-35 Davey Street (odd)

Vertical Sky Component
 Table 1 VSC calculations

| Buildings Assessed | Windows Tested | Non-BRE Compliant (VSC) | Compliant |
|--------------------------|----------------|-------------------------|------------|
| 1 – 36 Quedgeley Court | 90 | 4 | 86 |
| 1 – 30 Westonbirt Court | 150 | 61 | 89 |
| 1 – 118 Wickway Court | 20 | 1 | 19 |
| 15 – 23 Cator Street | 8 | 0 | 8 |
| 15A -23A Cator Street | 8 | 0 | 8 |
| 17 – 29 Cator Street | 40 | 0 | 40 |
| 20 – 30A Sumner Road | 48 | 0 | 48 |
| SILS School Davey Street | 27 | 20 | 7 |
| 17 – 35 Davey Street | 20 | 0 | 20 |
| Total | 411 | 86 | 325 |

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Table 2 No Sky Line Calculations

| Buildings Assessed | Rooms Tested | Non-BRE Compliant (NSL) | Compliant |
|--------------------------|--------------|-------------------------|-----------|
| 1 – 36 Quedgeley Court | 54 | 4 | 50 |
| 1 – 30 Westonbirt Court | 90 | 1 | 89 |
| 1 – 118 Wickway Court | 12 | 0 | 12 |
| 15 – 23 Cator Street | 4 | 0 | 4 |
| 15A -23A Cator Street | 4 | 1 | 3 |
| 17 – 29 Cator Street | 20 | 0 | 20 |
| 20 – 30A Sumner Road | 24 | 0 | 24 |
| SILS School Davey Street | 21 | 0 | 21 |
| 17 – 35 Davey Street | 20 | 0 | 20 |
| | | | |
| Total | 249 | 6 | 243 |

68. In terms of daylight and sunlight, these properties would the target values as set out in the BRE Guidelines for daylight in terms of Vertical Sky component (VSC) and daylight distribution and sunlight, Annual Probable Sunlight Hours (APSH).

17 -29 Cator Street (odd)
 20-30a Sumner Road (even)
 17-35 Davey Street (odd).

69. Quedeley Court

The assessment shows that 86 of the 90 windows analysed met the BRE target VSC value with the proposal in place. Additionally 50 of the 54 rooms meet the BRE target value for daylight distribution. The windows face 90 degrees of due north and so do not need to be considered for sunlight as per the BRE guidelines.

70. Notwithstanding the shortfalls experienced which are to ground floor rooms and possibly a circulation space the reductions would still equate to no more than 30% from their existing level. As such the retained levels of daylight and sunlight would still be good within an urban area.

71. In terms of daylight distribution 3 of the 4 rooms experience reductions beyond 20%, with the fourth room serves a first floor bedroom, which is seen as less important with regard to daylight distribution. The rooms affected all experience reductions of less than 30%, which are considered acceptable in the location.

72. In summary, while there would be a modest impact on some habitable rooms within Quedeley Court, this would be to an acceptable level on balance.

73. Westonbirt Court

In daylight terms 89 out of 150 windows analysed met the target value for VSC with the proposal in place and 89 out of 90 rooms met the target value for daylight distribution. As all of the windows analysed are 90 degrees due north they do not need to be considered for sunlight.

74. There are reductions beyond 20% to 61 windows in Westonbirt Court, however all windows retain at least 19% VSC, the majority of windows within this block would retain VSC levels in excess of 27%. In respect of daylight levels within rooms all but one room experiences less than 20% reduction in daylight distribution, (24%).

75. Overall the level of daylight experienced to rooms and windows within Westonbirt Court would not be harmful and a reasonable level of light will be retained to the building.

76. Wickway Court

In daylight terms 19 out of the 20 windows tested would comply with the BRE Guidelines. The window that is close to but does not meet the target is within a room served by another window, so when testing the daylight within the room there is no change. Overall, there is not considered to be a significant impact to these properties.

77. 15 – 23A Cator Street

In daylight terms all of the windows tested would comply with the BRE guidelines for VSC. Within the rooms 3 of the 4 rooms met the BRE target, with one room experiencing a 21% reduction this represents a minor reduction and as such there is not considered to be any significant impact to these units.

78. SILS School Davey Street

Though not a residential property, the use of the school as an educational establishment would necessitate reasonable access to natural light for staff and pupils. As such, the school has also been assessed as part of the wider daylight/sunlight assessment.

79. In terms of daylight 7 out of the 27 windows met the VSC target, however all of the rooms met the BRE guidance for daylight distribution within the rooms. In relation to sunlight 21 of the 25 windows analysed for sunlight met the BRE target for annual sunlight, with all of the windows meeting the target for winter sunlight. Given the close proximity of the development to the school site it is likely that any significant development would impact the school. However the retained levels of daylight and sunlight are considered to be acceptable and considered to be good in an urban context. Thus, the impact to the school would be to an acceptable degree.

Daylight and Sunlight within the proposed development

80. The Average Daylight Factor (ADF) is a more detailed assessment and considers the amount of sky visibility on the vertical face of a window, but also the window size, room size and room use. The recommendations for ADF in dwellings are 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. The BRE recommends that whilst ADF is an appropriate measure for new buildings.
81. In terms of daylight within the proposed development all 256 rooms analysed met the ADF target value set out in the BRE Guidance.
82. The scheme would generally provide dwellings with good access to daylight and the majority of dwellings also enjoying good levels of sunlight.

Overshadowing

83. Shadow path testing conducted as part of the daylight/sunlight assessment has determined that in relation to Burgess Park there is only minimal additional shadow cast onto the parkland between March and September. Where shadow does occur during these months, it is broadly confined to small areas and passes quickly across the space. In December, when less outdoor activities occur, there is some additional shadow from the proposal across the parkland between 10am and 2pm, although this passes relatively quickly across the main section of park.
84. In relation to the newly created amenity areas the tests undertaken demonstrate that these areas will retain at least 2 hours of sunlight on 21st March to at least 50% of its area. As such, the proposal would not present a risk in terms of overshadowing to nearby amenity spaces.

Privacy

85. The two blocks would be slightly set back from Ebley Close with the flank elevation of Wickway Court closest to Block A. It is noted that the only glazing to this elevation is to the curved lightwell serving the access core. There are therefore no issues associated with privacy in this regard. Block B would be located in front of Westonbirt Court and would be approximately between 18 to 19 metres from the building line of this block. In terms of privacy Southwark Residential Design Guidance suggests that where units are separated by a road the minimum distance for overlooking is 12 metres across a street-Ebley Close in this case.
86. There would be a level of overlooking between the two blocks, as they sit opposite one another with the courtyard walkway separating them. There would be around 20 metres in distance between them which would be 1 metre below the 21 metres recommended within the Southwark Residential Design Guidance. The small shortfall would compromise residential amenity as the units would have windows with multiple aspect and has resulted from a need to provide good quality public realm and pavement widths around the site.

Loss of outlook

87. As previously mentioned Block A would sit opposite the largely blank side elevation of Wickway Court, whilst the curved glazed brick stair core would be impacted there is no real outlook from this space. Similarly, while Block B would sit more directly in front of Westonbit Court the distance between the two blocks combined with the shorter elevation and chamfered corners of the new block, would minimise the impact on outlook. It is acknowledged Westonbit Court did for the most part enjoy a fairly open aspect with views onto Burgess Park and this outlook would be interrupted as a result of the proposal, however the level of harm would not outweigh the overall benefits of the scheme.
88. The outlook from Quedgley Court would also be impacted in terms of outlook as it sits at a slight angle and would have some outlook onto Block B however this is not seen as harmful as it is stepped further away from the new buildings and would still benefit from views onto Burgess Park.

Sense of enclosure

89. Each block would be of taller in height but less wide than the existing blocks within the estate; notwithstanding the differences the blocks maintain reasonable separation distances from existing units. Thus, the proposal is not considered to create a significant sense of enclosure for surrounding properties.

Noise

90. The creation of the new external balconies and amenity areas are not considered to generate a significant additional amount of noise which would

impact on nearby occupiers, due to the distance of the proposed block from nearby properties, and the use being akin to the existing residential towers within the estate.

Energy and sustainability

91. The energy assessment included as part of this application details the range of energy saving measures incorporated into the scheme through the energy hierarchy (Be Lean, Be Clean, Be Green), which result in a 56% carbon emission saving over Part L of Building Regulations.
92. The scheme has included a range of measures including high performance building fabric, high performance lighting (part of Be Lean), and air source heat pumps (as part of Be Clean, and Be Green) which provide the majority of the carbon savings.
93. The site is adjacent to the proposed extension of the SELCHP district heating network. It is therefore proposed to include a designated space within the development for the necessary heat exchange plant and incoming mains connections to future heat networks.
94. It is considered the scheme has assessed a broad swathe of options and where possible implemented measures to achieve a good reduction in carbon emissions. However, the scheme would not achieve a 100% reduction in emissions, and the remaining reductions would be compensated for via an offset payment as part of the S106 agreement. This offset figure would be set at £125,619 in respect of the residential element of the scheme and £15,567 in respect of the non residential uses. Subject to this, the proposal would be acceptable in terms of energy and sustainability.

Ecology and biodiversity

95. The proposal has incorporated a number of features to improve biodiversity around the site as part of the landscaping enhancements to the estate. These measures including planting for pollinating insects, and wildflower meadows. Further improvements shall be secured by condition including bird and bat boxes. Overall, the proposal offers a good opportunity to enhance the ecological value and biodiversity of the estate. The application has been assessed by the ecologist who is satisfied that the proposal would not be harmful to the adjacent Burgess Park.
96. The London Plan 2021 Policy G5 requires developments to include urban greening methods as a means of increasing green cover when designing new buildings and developments. The application scheme achieves the target score of 0.4 through the incorporation of green roofs, tree planting and varied

planting within the scheme.

Water resources and flood risk

97. The applicant has supplied a flood risk assessment as part of this proposal. The site lies within Flood Zone 3. The proposed uses are defined as more vulnerable, however the Strategic Policy 13 of the Core Strategy allows development to occur in the protected Thames flood zone as long as it is designed to be safe and resilient to flooding. The policy further requires major development to reduce surface water run-off by at least 50%.
98. Surface water from the development is proposed to be managed through a combination of sustainable drainage systems (SuDS), including bio-retention tree pits. The surface water discharge rate from the site will be restricted to 4/s/which represents the minimum runoff rate possible for the site.

Transport and highways

Cycle parking

99. Each Block would have its own cycle storage space located on the ground floor of the block. Access would be available internally with direct access to the central courtyard. The residential parking includes 28 single tier Sheffield stands. There will be two single tier stands provided at the end of the central rows of cycle parking. These will provide extra spacing to accommodate larger cycles.
100. A total of 148 residential cycle spaces would be provided, this would accord the London Plan standards.

6 long stay cycle parking spaces are provided for the community facility and nursery with an additional 20 short stay spaces included within the site.

101. Long stay cycle parking for the community centre and nursery is provided as a free-standing secure and covered store incorporated into the proposed play space. Twenty short stay visitor cycle parking will be provided for all uses within the public realm as Sheffield stands.

Car parking (Residential)

102. The proposal would be car-free, except for the 9 new disabled parking bays. The remaining residential units will be car-free and not entitled to residents parking permits within either the surrounding CPZ, (to be secured via legal agreement) or any future Estate Permit Parking scheme, (to be secured via rental or lease agreements). The new wheelchair parking bays will be equipped with active electric vehicle charging points.

Car parking (Nursery)

103. The nursery does not currently have a designated drop-off area, and parents currently park with the unrestricted Ebley Close parking or kerbside. The proposal would widen the street to 6 metres which would allow vehicles to park kerbside without obstructing traffic flow, to facilitate a safe and efficient drop-off and pick up a dedicated 6 m inset bay will be provided. There are no proposed changes to the capacity of the nursery and the levels of vehicular activity at the start and end times are expected to remain constant. The proposal should therefore be an improvement on the current situation.
104. There is a current demand for 4 staff parking spaces, it is proposed that 4 staff permits be made available for staff to apply for parking permits when the estate parking scheme is implemented. This will be included within the details of the legal agreement.

Car parking (Community Centre)

105. There is currently no parking available serving the community facility and this will remain unchanged with the current proposal. The existing pay by phone parking is available to visitors.
106. A condition requiring the provision of a minimum of two electric vehicle charging points in the car parking area is recommending. Subject to this and the considerations above the proposal is acceptable in this regard.

Servicing and deliveries

107. Delivery vehicles to the site will be able to service dwellings from multiple locations depending on the size of vehicle. The widening to 6 metres and one way operation of Ebley Close will enable delivery vehicles to stop kerbside without obstructing traffic flow. The proposed drop off /loading bay will accommodate car and LGV deliveries for servicing. The majority of deliveries are likely to occur outside peak nursery pick up/drop off times and there is not expected to be a capacity constraint.

Refuse

108. Separate refuse stores for the residential blocks, community centre and nursery are provided within the southern extent of the buildings. These will each have a dedicated direct access to the south. Direct links with dropped kerbs are provided between the refuse stores and Ebley Close. Drag distances to the new stores do not exceed 10m, in line with Waste Management Guidance Notes for Residential Developments.

Emergency Vehicles.

109. The site layout has been designed in accordance with Manual for Streets (DfT, 2007) and is able to accommodate a fire engine.
110. In summary, the proposal is considered to have appropriately addressed the

delivery and servicing needs of the new units, and these are not deemed to present a risk to the local transport or highways networks.

Planning obligations (S.106 undertaking or agreement)

| Planning obligation | Mitigation | Applicant's position |
|---|--|----------------------|
| Local Economy and Workspace | | |
| Local economy: Construction phase jobs/ contributions | Place a minimum of 19 Unemployed Borough Residents into Sustained Construction Industry Employment Train a minimum of 19 Borough residents using Short Courses; Provide a minimum of 4 new Construction Industry Apprenticeships or NVQ Starts; Ensure that their contractors and sub contractors shall work with the Construction Workplace Co-ordinator and with local employment and skills agencies approved by the council to recruit Borough residents into Construction Industry Apprenticeships; and Produce the Construction Industry Employment and Training Report. | Agreed |
| Housing, Viability and Amenity Space | | |
| Affordable (social rent and intermediate) housing | 39 x Social Rent units | Agreed |

| | | |
|---|--|--------|
| Provision | | |
| Wheelchair housing provision | 9 x wheelchair units | Agreed |
| Transport and Highways | | |
| Highway works | S 278 works to make good the paving around the site | Agreed |
| Energy, Sustainability and the Environment | | |
| Carbon off-set fund (residential) | £125 ,619 | Agreed |
| Carbon off-set fund (non residential) | £15,567 | |
| Trees | | |
| Arboricultural contributions | £55,200 | Agreed |
| Administration fee | Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum. | Agreed |

111. If in the event that a unilateral undertaking has not been agreed by 31 March 2022 then the Director of the planning and growth be instructed to refuse planning permission for the following reason:

In the absence of a signed legal agreement, the proposal would fail to provide suitable mitigation in terms of planning gain, contrary to saved policies 2.5 (Planning Obligations) 3, SP14 (Implementation and Delivery) of the LB Southwark Core Strategy 2011, and 8.2 (Planning Obligations) of the London Plan 2016, and the LB Southwark Section 106 Planning Obligations/CIL SPD 2015.

Mayoral and borough community infrastructure levy (CIL)

112. Based on the floor areas provided in the agent's CIL Form dated -21, the gross amount of CIL is approximately £xxxx consisting £xxx of Mayoral CIL and £xxx of Borough CIL. It should be noted that this is an estimate, and the floor areas will be checked when related CIL Assumption of Liability Form is submitted after planning approval has been obtained.

In addition, there is potential for the council to claim full CIL social housing relief for this 100% affordable housing proposal, as the landowner and developer. All CIL relief claim must be submitted by the project manager prior the commencement of development.

Community involvement and engagement

113. The Developer's Charter included as part of this application submission outlines the positive steps taken by the applicant in engaging the local community. This includes details of meetings with Tenants and Residents Associations (T&RAs), local ward members, and open public events to explain and understand resident's concerns around issues including design and daylight/sunlight impacts. It is considered that the applicant has actively engaged with the local community and adopted their comments and concerns into the final proposal, which is welcomed.

Consultation responses, and how the application addresses the concerns raised

Community impact and equalities assessment

114. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
115. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
116. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 2. The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who

share a relevant protected characteristic that are connected to that characteristic

- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

3. The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

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

The lack of affordable housing disproportionately impacts on people from Black, Asian and Minority Ethnic backgrounds. The provision of over 50% social rented housing will help address this. The nursery and community centre on the site provides a valuable social resource for the local community, these will be re provided, avoiding any potential harm to groups with protected characteristics.

Human rights implications

118. 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.
119. This application has the legitimate aim of providing new affordable 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.

Positive and proactive statement

120. 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.
121. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions

that are in accordance with the application requirements.

Positive and proactive engagement: summary table

| | |
|--|--|
| Was the pre-application service used for this application? | YES |
| If the pre-application service was used for this application, was the advice given followed? | YES |
| Was the application validated promptly? | YES |
| If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval? | YES |
| To help secure a timely decision, did the case officer submit their recommendation in advance of the statutory determination date? | A time extension has been sought to allow for the completion of the unilateral undertaking and referral to the GLA |

CONCLUSION

122. The proposal would result in 86 much needed homes which will contribute towards the council's target of 11,000 new council homes, and be of a high standard of accommodation and design for residents. The proposal would have a minimal impact on nearby neighbouring amenity and the adjacent Burgess Park Metropolitan Open Land; and, subject to appropriate mitigation measures, would have an acceptable and management impact on the local transportation network. In addition, the proposal would improve landscaping bio-diversity and play facilities across the Estate to the benefit of the wider estate and community.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|--|--|--|
| Southwark Local Development Framework and Development Plan Documents | Chief Executive's Office 160 Tooley Street London SE1 2QH | Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 5354 Council website: www.southwark.gov.uk |

APPENDICES

| No. | Title |
|------------|---------------------------------|
| Appendix 1 | Consultation undertaken |
| Appendix 2 | Consultation responses received |
| Appendix 3 | Planning History |
| Appendix 4 | Recommendation |

AUDIT TRAIL

| | | |
|---|--|--------------------------|
| Lead Officer | Colin Wilson, Head of Strategic Planning | |
| Report Author | Sonia Watson, Team leader | |
| Version | Final | |
| Dated | 24 August 2021 | |
| Key Decision | No | |
| Consultation with Other Officers / Directorates / Cabinet Member | | |
| Officer Title | Comments Sought | Comments included |
| Strategic Director of Finance and Governance | No | No |
| Strategic Director of Environment and Leisure | No | No |

| | | |
|--|----|------------|
| Strategic Director of Housing and Modernisation | No | No |
| Director of Regeneration | No | No |
| Date final report sent to Constitutional Team | | 24/08/2021 |