

Contents

Contents	1
EXECUTIVE SUMMARY	3
BACKGROUND INFORMATION	5
Site location and description	5
Details of proposal	8
Planning history of the site, and adjoining or nearby sites	14
KEY ISSUES FOR CONSIDERATION	14
Summary of main issues	14
Legal context	15
Planning policy and material considerations	15
ASSESSMENT	16
Principle of the proposed development in terms of land use	16
Environmental impact assessment	17
Housing mix, density and residential quality	17
Affordable housing and development viability	22
Amenity space	23
Children’s play space	24
Design	25
Heritage considerations	32
Impact of proposed development on amenity of adjoining occupiers and surrounding area	34
Transport and highways	46
Environmental matters	50
Ecology and biodiversity	52
Energy and sustainability	52
Planning obligations (S.106 agreement)	54
Mayoral and borough community infrastructure levy (CIL)	59
Other matters	59
Community involvement and engagement	60
Consultation responses from members of the public and local groups	60
Consultation responses from external and statutory consultees	68
Consultation responses from internal consultees	71
Community impact and equalities assessment	72

Human rights implications	73
Positive and proactive statement	73
CONCLUSION	74
BACKGROUND INFORMATION	75
BACKGROUND DOCUMENTS	75
APPENDICES.....	75
AUDIT TRAIL.....	75

Item No.	Classification:	Date:	Meeting Name:
7.1	OPEN	30 November 2021	Planning Committee
Report title:	Development Management planning application: Application 20/AP/3285 for: Full Planning Application Address: 40-46 SOLOMONS PASSAGE, LONDON, SOUTHWARK, SE15 3UH Proposal: Demolition of all buildings on the site and construction of a development of 91 residential units within four buildings (a 7-storey Block A building, a 6-storey Block B/C building and two buildings in Block D of 2- and 4-storeys), together with alterations to the retained basement, provision of car and cycle parking and landscaping.		
Ward(s) or groups affected:	Peckham Rye		
From:	Director of Planning and Growth		
Application Start Date: 11/11/2020		PPA Expiry Date: 28/2/2022	
Earliest Decision Date: 10/4/2021			

RECOMMENDATION

1. That planning permission be granted subject to conditions and the applicant entering into an appropriate legal agreement.
2. In the event that the requirements of paragraph 1 above are not met by 31 May 2022, the Director of Planning and Growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 229.

EXECUTIVE SUMMARY

3. The application proposes to demolish all buildings on the site, which despite their relatively recent construction have substantial faults. Four replacement residential blocks A-D are proposed, which are larger, taller and of improved architecture when compared to the existing buildings. This application has been made by the site's new owner, Henley. It follows on from two 2017 applications by the previous owner, Wandle Housing Association, that were granted permission; firstly to demolish two blocks and replace with a larger building, and secondly to carry out extensive renovations to the other two blocks. These 2018 permissions have not been implemented.
4. The current application was amended twice in response to neighbour objections and officer comments, particularly to the detail of block D's heights, windows and balconies near to the boundary with the Waveney Avenue properties. The affordable housing offer was increased from 35% to 40%.

5. The special circumstances of the existing structures requiring replacement so soon after construction are accepted in this case, particularly as the site has continued to deteriorate since the earlier applications were presented to the Planning Committee in June 2018. The current proposal provides an improved residential quality and design compared with the existing flats and the approved scheme. The six additional homes would contribute to the borough's housing targets. The proposal would achieve a 44.3% reduction in carbon emissions, and the full redevelopment of the site would enable a more sustainable construction to replace these buildings. The new homes would be better quality, well-insulated and ultimately more carbon-efficient homes, capable of long term beneficial use.

6. The public responses to the initial consultation and two re-consultations were mainly in objection, focussed on the history of redevelopments on this site, harm to neighbour amenity, unacceptable design, lack of affordable housing, transport impacts (particularly on-street parking pressure), pollution, sustainability issues, and lack of engagement by the applicant at pre-application stage. The applicant has worked with some of the closest neighbours on the boundary height, detailing of windows and balconies and surveyed heights for the final scheme design. Two objections and one support comment were received to the last consultation.

7. The proposal complies with adopted policies, and provides 40% affordable housing in the tenure split of emerging New Southwark Plan policy P1. It would have an acceptable impact on neighbour amenity and heritage assets in the area, and has taken sufficient account of sustainability considerations, transport and highways, tree and biodiversity impacts. The application is recommended for approval, subject to conditions and completion of a legal agreement.

Planning summary tables

Housing

Homes	Private Homes	Private HR.	Aff.SR Homes	Aff.SR HR	Aff.Int Homes	Aff.Int HR	Homes Total (% of total)	HR Total
Studio	4	8	0	0	0	0	4 (4.4%)	8 (2.7%)
1 bed	21	44	3	6	2	4	26 (28.6%)	54 (18.3%)
2 bed	26	85	11	40	5	16	42 (46.2%)	141 (47.8)
3 bed	8	40	8	37	3	15	19 (20.9%)	92 (31.2%)
4 bed +	0	0	0	0	0	0	0	0
Total and (% of total)	59 (65%)	177 (60%)	22 (24%)	83 (28%)	10 (11%)	35 (12%)	91 (100%)	295 (100%)

Parks and child play space

	Existing sqm	Proposed sqm	Change +/-
Public Open Space	0	0	0
Play Space	0	123	+123

Environmental, carbon neutrality, trees

CO2 Savings beyond part L Building Regs.	44.3%
Trees lost	Class A (0) Class B (5) Class C (1).
Trees gained	7

	Existing	Proposed	Change +/-
Urban Greening Factor	(unknown)	0.32	+
Greenfield Run Off Rate	146.3 l/s	6 l/s	-140.3 l/s
Green/Brown Roofs	0sqm	780sqm	+780sqm
EVCPS (on site)	0	8	+8
Cycle parking spaces	Approx. 50	238	Approx. +188
Car parking spaces	62	40	-22

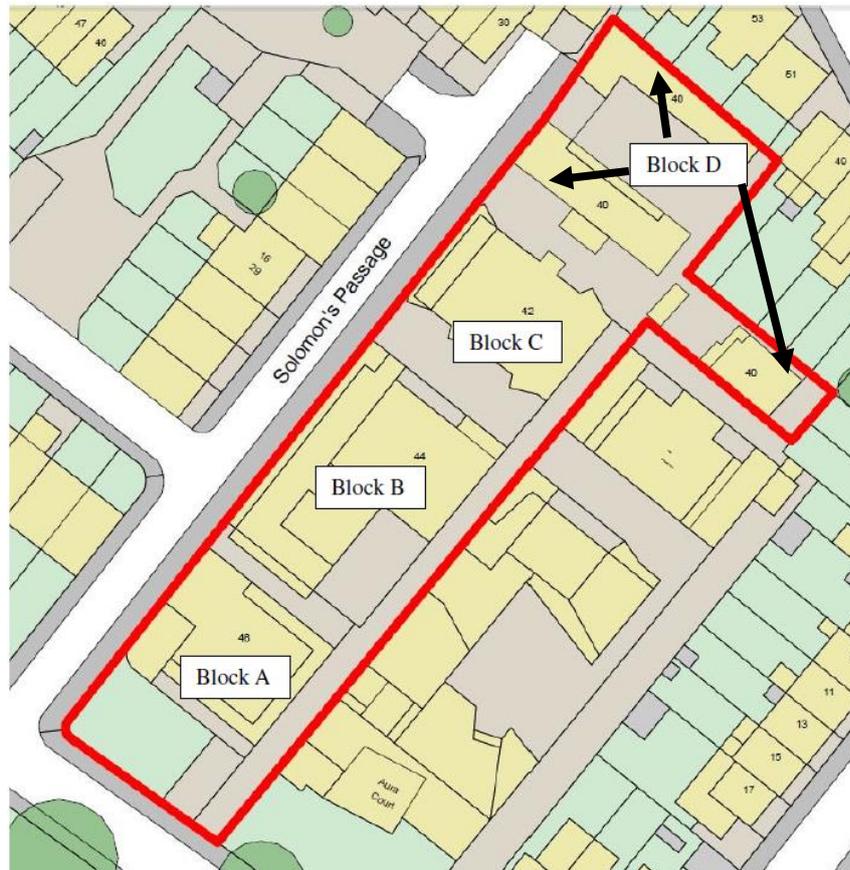
CIL and S106 (or Unilateral Undertaking)

CIL (estimated)	£548,944.45
MCIL (estimated)	£127,253.67
S106	£241,892.14

BACKGROUND INFORMATION

Site location and description

- The application site of nos. 40, 42, 44 and 46 Solomons Passage has an area of 0.35 hectares, and fronts Peckham Rye to the south, and Solomons Passage to the west. It encompasses four blocks known as A, B, C and D. The site is surrounded by hoarding and most of the 85 flats are vacant.



Existing site layout plan of blocks A to D



Existing block A (centre) as seen from Peckham Rye, with neighbouring Aura Court on the right-hand side and the dark brown cladding of block B on the left

9. Block A (no. 46 Solomons Passage) is at the southern end of the site, facing onto Peckham Rye and Solomons Passage. It is a five storey block, with a sixth storey corner element, and contains 23 flats.
10. Block B (no. 44) has four storeys fronting Solomons Passage with a fifth storey

set back from the front elevation, and is six storeys high on the eastern side (close to the boundary with Aura Court). It contains 31 flats.



Block C on the right and block D on the left.

11. Block C (no. 42) is three- and four-storeys high on the Solomons Passage frontage, with set back fourth and fifth storeys on the eastern boundary with Williamson Court. It provides 17 flats.
12. Block D (no. 40) is at the northern end of the site and is bounded by the rear gardens of the Waveney Avenue. Despite being referred to as block D, there are actually two separate buildings. The larger C-shaped building fronts onto Solomons Passage, has two and three storeys and contains 12 units (7 flats, 1 maisonette and 4 small two-storey houses). The smaller, two-storey building is set further to the east between Williamson Court and Waveney Avenue and contains two flats.
13. The existing buildings all have a combination of white render and horizontal timber-cladding to the elevations, with metal balcony railings. A store building on the Peckham Rye frontage takes up part of the front garden.
14. Solomons Passage is a cul-de-sac of residential properties. On the north-western side of Solomons Passage, facing the site are three- and four- storey blocks of flats. To the north of the application site are two-storey residential terraced properties along Waveney Avenue.
15. To the south and east of the application site are two blocks of flats - Aura Court and Williamson Court. Aura Court is a large C-shaped block of 50 flats, 5- to 7-storeys high which fronts Peckham Rye, constructed in white render, timber cladding and aluminium cladding. Williamson Court is set behind Aura Court further back from Peckham Rye and is 4- to 5-storeys high, also in white render. Aura Court and Williamson Court are of similar age to the application site.
16. The site is within the urban density zone. The site is not within a conservation area, although the Nunhead Green Conservation Area is very close, only 10m to the north of the site and includes the Carden Road properties. The nearest listed

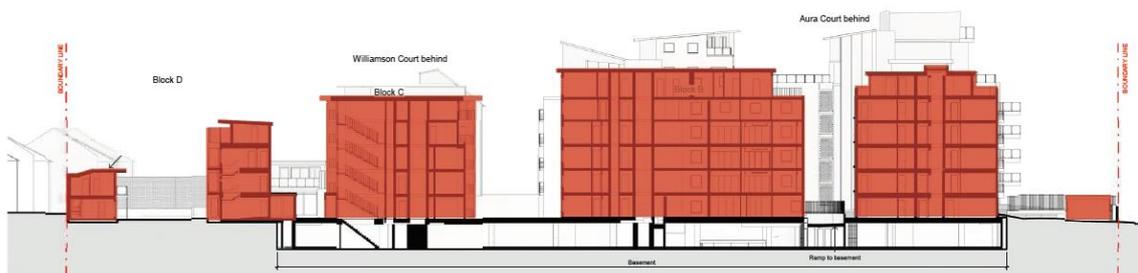
buildings are nos. 141-153 Peckham Rye, which are grade II listed and are 51m to the west of the site. The site is not within an archaeological priority area, and there are no protected trees on or near to the site. Peckham Rye is a Site of Importance for Nature Conservation and Metropolitan Open Land, and a grade II listed registered park.

Details of proposal

17. This application follows on from two earlier applications considered by the Planning Committee on 4 June 2018 made by the former owner, Wandle Housing Association. Those planning permissions were issued in October 2018. The permissions approved works to re-clad and substantially renovate blocks A and D (ref. 17/AP/2326), and to demolish and redevelop blocks B and C as one larger block (ref. 17/AP/2330). Wandle has since sold the site to Henley, the current applicant, in 2020. Henley is now proposing to redevelop all the buildings on the site and build 91 new flats and houses.
18. The current application seeks to demolish all buildings on the site, including the plant store at the front of the site and a cycle store. The basement car park and vehicle ramp down would be the only retained structures on the site.

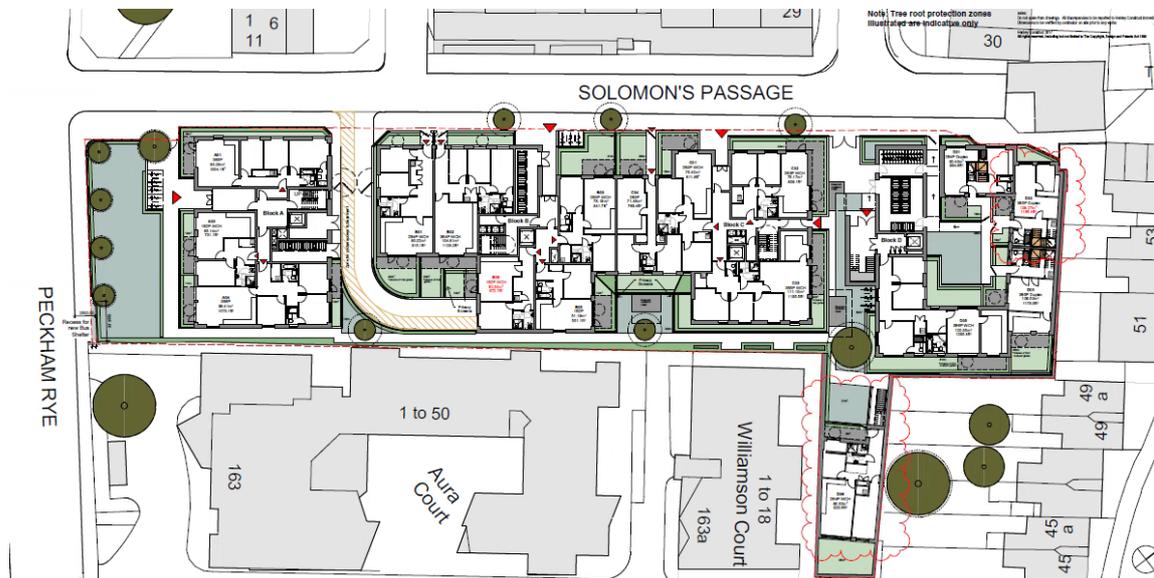


Proposed floorplan showing the blocks and store buildings to be demolished in red



Existing section through the site showing in red the demolition of all building above ground level

19. Five new buildings are proposed, one on Peckham Rye in the same location as block A, one long central building to replace blocks B and C, one at the northern end to replace block D, and a smaller block D building at the rear. The layout is shown below.



Proposed site plan

20. A total of 91 residential units are proposed, 6 more than the 85 flats and houses in the current buildings (and 4 more than approved in the 2018 permissions). Of these 91, 59 would be market tenure, 10 intermediate tenure and 22 social rent. A brief description of each proposed building is set out below along with some of the submitted visuals.



Visual of block A

Block A

21. Block A at the front of the site, facing onto Peckham Rye, would be have a shoulder height of five storeys, with two further floors set back from the side and front walls to give a total height of seven storeys. It would measure 24m wide and 17m deep (although the projecting balconies that stretch around the corners increase these dimensions), with a shoulder height of 16.9m, roof height of 22.4m, and maximum height of 23.2m for the lift shaft.
22. It would provide 26 flats and one duplex unit, all of which would be market housing. A ground floor bin store is proposed at the rear. All units would have a garden, balcony or a roof terrace. The existing front plant store alongside the Peckham Rye pavement would be demolished, allowing a larger front garden area to be created (as communal amenity space and playspace).



Visual of part of block B/C in the centre and righthand side, and block D on the left

Block B/C

23. The largest proposed building would replace two buildings at the centre of the site, blocks B and C. It would have two cores: the south-western part (block B) would be private tenure providing 32 flats, while block C at the north-eastern end would be 20 social rent flats.
24. It would measure 54m wide and varies in depth from 12.6m to 23.5m. It would be three- to six-storeys high. The heights of the different parts of the building step from 10.6m at the three-storey front bays, 13.8m for the four-storey frontage, 16.9m for the five-storey main building parapet, the main roof at 19.5m, the lift overruns at 20.9m and plant enclosure at 21.2m.
25. The ground floor flats would have gardens, and the flats in the upper levels would

have balconies or roof terraces. A ground level bin store is proposed for block B, while block C would share one with block D in the neighbouring building.



Visual of part of block D on the left, and block B/C in the centre

Block D main building

26. The larger building of block D would be set around a courtyard. The building would have a maximum width of 23.7m and be 26.6m deep. Its two-storey height on the northern boundary would be 6.3m when viewed from the front of the site, and rise to 13.1m for the four-storey part next to block B/C (with lift overrun at 13.8m). It would provide 3 houses and 7 flats, each with a garden or balcony. A cycle store and refuse store would be provided at the ground floor base of the building. These units would be intermediate tenure.

Block D smaller building

27. A small two-storey block of two flats is proposed at the rear of the site, next to Williamson Court, to replace the current building in the same location. It would be 8m wide, 14.7m deep, and 6.6m high when viewed from Williamson Court, or 5.1m high when viewed from Waveney Avenue due to the change in levels. These two flats would be social rent tenure.

Architecture

28. All the proposed buildings would share a common architecture and palette of materials with a darker brick at the base, lighter buff brick for most of the height, and bronze metal for the recessed top floors to blocks A and B/C. String courses within the brickwork, metal balustrades to the balconies, patterned wall tiles to

the core entrances and metal window frames are further design elements. The visual below shows these features.



Image of the suggested materials and architectural features (the example shown is Block A's front elevation)

Landscaping, amenity space and play space

- 29. The front garden on Peckham Rye would provide communal amenity space and playspace. All but one of the existing trees would be removed, with replacement tree planting shown here and in other parts of the site. The spaces between the blocks would provide smaller areas of landscaping, linking pathways and visitor cycle parking.
- 30. The courtyard in the centre of the main block D would be divided to provide the access to the front doors of the three houses, defined private amenity space for the ground floor units and a small communal area in the middle.
- 31. Green roofs are proposed to block B/C and the two buildings of block D, with PV panels to the larger roofs.

Car and cycle parking

- 32. The existing basement that extends across most of the site is to be retained, along with its entrance ramp down from Solomons Passage between blocks A and B. The layout of the car parking spaces would be amended, allowing the provision of disabled parking spaces, bulk storage and cycle parking. There would be a reduction from 62 existing car parking spaces, to 40 proposed including 7 blue badge spaces.

Amendments to the application

33. Two rounds of design amendments were made to the proposal to respond to consultee comments, neighbour objections and officer comments. The main amendments are summarised as:
- Changes to block D including reduced height of main building on the boundary with Waveney Avenue, alterations to some of its balconies and windows (including adding louvres to restrict views towards Waveney Avenue), and reduced height of the small building at the rear.
 - Addition of solar panels to the roofs of blocks B/C and D and confirmation of the green roof planting.
 - Amendments to the internal room layouts of some flats in blocks A, B/C and D.
 - Revised basement layout including additional cycle parking.
 - Proposing the removal of the trees in the front garden of block A and revised proposed landscaping in this area.
34. The following documents were amended:
- The Design and Access Statement was updated to reference the changes. Further information on why blocks A and D are proposed to be demolished, in addition to the previously approved demolition of B and C.
 - The daylight and sunlight report was updated to show the impacts of the final scheme massing.
 - An addendum to the Energy and Sustainability Statement to detail how the air source heat pumps would be extended to serve a portion of block D's heating demand, and to include more PV panels to the flat roofs of B/C and D. These measures have increased the carbon reduction measures from 35% to 44.3%.
 - The arboricultural impact assessment was revised to show the trees in the garden in front of block A being removed (to align with other submitted documents that showed their removal) and to include the street tree protection measures.
 - The construction environmental management plan was revised following comments from TfL to remove reference to relocating the bus stop during construction.
 - The air quality assessment was updated in line with the amended Energy and Sustainability Statement.
 - The transport assessment and travel plan were updated.
35. The applicant increased the affordable housing offer from 35% to 40% on a habitable room basis, and updated the accommodation schedules accordingly.

Consultation responses from members of the public and local groups

36. There have been three rounds of consultation on this application, the initial

consultation and then two re-consultations on the amendments. At each stage the following numbers of responses were received:

- First consultation - 61 objections were received regarding the history of redevelopments on this site, harm to neighbour amenity, unacceptable design, lack of affordable housing, transport impacts (especially regarding on-street parking pressure), pollution, sustainability issues, and lack of engagement by the applicant. 5 neutral comments and 1 in support were also received.
- Re-consultation - 16 objections again maintaining the issues with neighbour amenity, design and transport, and 2 comments.
- Second re-consultation - 2 objections raising a variety of issues previously made, and 1 in support.

37. The consultation undertaken and responses received are set out in Appendix 4, Appendix 5 and paragraph 234 onwards, with the responses summarised in more detail later in this report.

Planning history of the site, and adjoining or nearby sites.

38. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report, especially the two 2018 permissions refs. 17/AP/2326 and 17/AP/2330. The application follows on from pre-application advice ref. 20/EQ/0154 with the council's response letter uploaded with the application on the planning register. A fuller history of decisions relating to this site is provided in Appendix 3.

39. The recent planning history of surrounding sites mainly relate to house and flat extensions, replacement windows, and replacement cladding to Aura Court. These are also listed in Appendix 3.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

40. 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
- Housing mix, density and residential quality
- Affordable housing and development viability
- Amenity space and children's play space
- Design, including layout, heights and architectural design
- Heritage considerations
- Impact of proposed development on amenity of adjoining occupiers and surrounding area, including privacy, daylight and sunlight
- Transport and highways, including servicing, car parking and cycle parking
- Environmental matters, including construction management, flooding and air quality
- Ecology and biodiversity

- Energy and sustainability, including carbon emission reduction
- Planning obligations (S.106 undertaking or agreement)
- Mayoral and borough community infrastructure levy (CIL)
- Other matters
- Consultation responses and community engagement
- Community impact, equalities assessment and human rights.

41. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

42. 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 2021, the Core Strategy 2011, Peckham and Nunhead Area Action Plan 2014, and the Saved Southwark Plan 2007. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within conservation areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the local planning authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.

43. 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 and material considerations

44. The statutory development plans for the borough comprise the London Plan (2021), Southwark Core Strategy (2011), saved policies from the Southwark Plan (2007) and the area action plans, such as the Peckham and Nunhead Area Action Plan (2014). The National Planning Policy Framework (2021) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies and material considerations which are relevant to this application is provided at Appendix 2. The adopted and emerging planning policies which are particularly relevant to the consideration of this application are highlighted in the Assessment section of the report below.

45. The site is located within the urban density zone and within the area of the Peckham and Nunhead Area Action Plan (2014).

46. The site is not within a conservation area, although the Nunhead Green Conservation Area is very close, only 10m to the north of the site and includes the Carden Road properties. The nearest listed buildings are nos. 141-153 Peckham Rye, which are grade II listed and are 51m to the west of the site.

47. Peckham Rye is a Site of Importance for Nature Conservation and Metropolitan Open Land, and a grade II listed registered park.

48. The site is not within an archaeological priority area, and there are no tree

preservation orders on or near to the site.

49. The northern part of the site (including both buildings in block D) is within the viewing corridor of borough view 1 The London Panorama of St Paul's Cathedral from One Tree Hill.
50. The site is not an allocated site in the adopted development plan nor in the emerging New Southwark Plan.

ASSESSMENT

Principle of the proposed development in terms of land use

51. The application site is in residential use, but mainly vacant as a result of the significant build quality issues uncovered in these relatively new buildings. All the previous long-term residents from when Wandle Housing Association owned the site have moved out, with a few flats having temporary occupants in place to help protect the site. There is no policy issue with the continued residential use of this site.
52. The application proposes the demolition of all buildings above ground level to redevelop the site. Construction of the current buildings finished in 2011-2012 and demolition only 10 years later is a rare proposal. The 2018 permissions approved the demolition of blocks B and C due to the significant structural issues and surveyed defects in these relatively new buildings, which remain in the buildings three years on. Intrusive surveys found many instances of very poor construction detailing leading to water ingress, water damage to the timber structure, roof defects, rotting, high levels damp and mould throughout, safety issues with the timber cladding, poor drainage of rainwater, upgrading needed to the gas supply, wiring and other services, as well as insufficient fire proofing (resulting in fire warden patrols at all times). Blocks A and D were to have substantial renovation works under the 2018 permission, to strip the blocks back to leave only the timber frame, and replace the internal walls and fittings, the external walls, roof and balconies.
53. Since the 2018 permissions were issued, the site has remained as it was but with fewer occupants and now has hoarding around it. The 2018 permissions have not been implemented and the site has new owners. The buildings have deteriorated further since the schemes were presented to the June 2018 Planning Committee. The blocks continue to be damp, with water damage to the fire protection measures and the timber frames exposed by the removal of cladding or balconies. While blocks A and D were intended in the 2018 permissions to be substantially renovated, the new site owners consider it unviable and that working within the retained timber frames would limit the quality of the homes. Renovating blocks A and D would likely raise difficulties with obtaining insurance and building warranty for the renovation work to the retained timber structures, particularly ones in a poor state. A complete rebuild would be safer by allowing full compliance with current building regulations and fire safety measures, and would provide a better quality of homes by achieving current size standards.

54. The buildings are not listed and not in a conservation area. They do not enhance the setting of the nearby heritage assets of the Nunhead Green Conservation Area, the grade II listed buildings of nos. 141-153 Peckham Rye nor the registered Peckham Rye park. Therefore there are no heritage reasons to resist demolition. The applicant has set out how the proposed design will do better than the minimum on-site carbon reductions and has considered circular economy matters as part of the wider sustainability of this redevelopment (more detail is included below).
55. The demolition of blocks B and C was approved in the 2018 application, and substantial renovation works to blocks A and D (including recladding all the buildings and redoing the internal fit out). In this very specific case, it is considered acceptable to allow the demolition of all of these relatively new buildings, which are not fit for long-term habitation due to the structural and build quality problems that have continued since the 2018 permissions were granted. The reasons are understood and full demolition of the existing buildings would allow the redevelopment scheme to bring the site back into use without the risk of safety issues of retained structures, and provide a better quality housing (set out in further detail below).
56. As well as replacing the 85 poor quality, near-uninhabitable homes with new units, the 6 additional units proposed would make a small contribution towards the borough's housing needs. The sections below consider the implications for density, affordable housing, housing quality, neighbour amenity and other material planning considerations in detail, and make comparison with both the existing site and the 2018 approved development.

Environmental impact assessment

57. The scale of development proposed by the current application does not reach the minimum thresholds established in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 that would otherwise trigger the need for an environmental impact assessment. As with the two previous applications, the proposal's location and nature do not give rise to significant environmental impacts in this urban setting, nor when the cumulative impacts are considered with other development proposed in the surrounding area. An EIA is not required for the proposal.

Housing mix, density and residential quality

Mix

58. The proposed housing mix complies with adopted policy (strategic policy 7 of the Core Strategy) by providing no more than 5% as studios, more than 20% as three-bedroom units, and over 60% of units with two-bedrooms or larger, as shown by the table below. The mix of the affordable housing (5 x 1-bedroom, 16 x 2-bedroom and 11 x 3-bedroom homes) favours the larger units compared with the private tenure.

Unit size	Number	Percentage
Studio	4	4.4%
1-bedroom	26	28.6%
2-bedroom	42	46.1%
3-bedroom	19	20.9%
Total	91	100%

59. While this mix does not reflect the 25% of homes with three or more bedrooms in the urban zone sought by draft New Southwark Plan policy P2, as the application has been in since November 2020, it exceeds the minimum adopted policy requirement, and includes 34% of the affordable homes as 3 bed units, this is not considered to be a justifiable reason for refusal.

Density

60. Core Strategy policy 5 “Providing new homes” sets the expected density range for new residential development across the borough. Saved Southwark Plan policy 3.11 states that all developments should ensure that they maximise the efficient use of land, whilst ensuring that, among other things, the proposal ensures a satisfactory standard of accommodation and amenity for future occupiers of the site. It also goes on to state that the council will not grant permission for development that is considered to be an unjustified underdevelopment or over-development of a site. This site is within the urban density zone, where a density of 200-700 habitable rooms per hectare is anticipated, and the Peckham and Nunhead Area Action Plan repeats this in policy 16.
61. The proposal contains 266 habitable rooms in the 91 units across this 0.348 hectare site and therefore has a density of 764 habitable rooms per hectare. This exceeds the expected density range for the urban area in adopted policy. Officers have had regard to the indicators of exemplary residential quality set out in the Residential Design Standards SPD.
62. The density is however comparable to, and slightly lower than, that of the current blocks. The existing habitable room count of 273 habitable rooms in the current buildings, equates to a density of 784 habitable rooms per hectare. This is despite the larger number of homes proposed, which is likely due to the inclusion of studios in the proposal, with more 1-bedroom units and fewer 2-bedroom units than the existing buildings.
63. This small change in density also occurred in the 2018 permissions where despite an extra two units being proposed, the proposed density was almost the same, at 787 habitable rooms per hectare across the whole site.
64. It is noted that the London Plan 2021 and emerging planning policies in the New Southwark Plan do not contain the density matrices and ranges of the adopted (older) policies. London Plan policy D3 refers to optimising site capacity through a design led approach. The density calculation alone does not determine whether a proposal is acceptable, and as the sections below set out, the quality of the proposed units, the architecture, the townscape impacts, neighbour amenity impacts, and transport implications must also be considered. These are set out in later parts of this Assessment.

Residential quality

Unit sizes

65. All the units would achieve, and 88 of the 91 would exceed, the minimum floor area for the number of bedspaces for the flats and houses. The ranges of unit sizes and their amenity spaces are set out in the tables below. Achieving and exceeding the current minimum unit size standards would be an improvement to the quality of the existing units (many are smaller than current standards, for example, 2-bedroom flats which are 4-6sqm smaller than the current minimum size standard, 3-bedroom flats being 5sqm smaller than the current standard, and 2-bedroom houses 7-12sqm smaller than current standard), and this is an indicator of exemplary design in the Residential Design Standards SPD.

Market tenure units

Units	SPD minimum sqm	Proposed unit sizes sqm	SPD minimum amenity space sqm	Proposed amenity space sqm
Studios	39	40.1	10	5
1-bedroom flat	50	50.1-65	10	5-18
2-bedroom flat	61/70	65-85	10	7-69
2-bedroom two storey duplex	79	82	10	57
3-bedroom flat	86/95	90-104.8	10	12-78

Affordable tenure units

Units	SPD minimum sqm	Proposed unit sizes sqm	SPD minimum amenity space sqm	Proposed amenity space sqm
1-bedroom flat	50	53-56	10	5-8
2-bedroom flat	61/70	62-83.7	10	8-32
2-bedroom house	79	90.3	50	11
3-bedroom flat	86/95	98-120	10	10-56
3-bedroom house	93	102.5	50	13

66. Most proposed rooms meet or exceed the SPD's recommended minimum room sizes for living rooms, combined living/kitchen/dining rooms (LKDs), kitchens and bedrooms for the size of unit: there are 9 LKDs in 1- and 2-bedroom flats that fail to meet the recommended room sizes by 0.5sqm-2.3sqm however the overall quality of these flats is considered to be good, and generally well above the minimum unit sizes.
67. Nine wheelchair units are proposed within all tenures, that are sized to meet the larger minimum floor areas of the Residential Design Standards SPD, and one other flat would be wheelchair adaptable. These represent 11% of the proposed units to comply with London Plan policy D7. This is an improvement on the

existing buildings that contain no wheelchair units.

68. Each block would have a central lift core access to the upper floor flats without the need for long corridors, except one first floor flat to the smaller block D that would have an external staircase, as the existing building has. In block A, a maximum of five units per floor would share a core. In block B, a maximum of six per floor, in block C a maximum of four, and in block D a maximum of two. In this regard the proposal achieves one of the indicators of an exemplary design of minimising corridor lengths.
69. The proposed units would benefit from ceiling heights of 2.5m, which would be an improvement on the current buildings (which have ceiling heights of 2.3m) and is another indicator of an exemplary design.

Aspect

70. As 64 of units (70%) would be dual or triple aspect, the proposal achieves a predominance of dual aspect units which is another indicator of exemplary design. Of the 27 single aspect flats, 5 would have an enhanced outlook from the side-facing balcony door. Ten other flats in block B could have had a secondary outlook if their side windows didn't need to be obscured to protect the privacy of Aura Court; these side windows would allow for some cross ventilation of these flats. The single aspect flats have 1- or 2-bedrooms and would have a reasonable outlook looking across Peckham Rye (facing south-west) or Solomons Passage (facing north-west), or with a suitable separation distance to an adjoining block within the site.
71. In order to protect the privacy of future residents and neighbour amenity, some of the windows would need to be obscure glazed or have louvres to restrict views out, and privacy screens are proposed in the corners at the rear of block B/C. Some balconies also need to be screened to limit overlooking. Conditions to ensure these are proposed.

Daylight and sunlight levels

72. An internal daylight and sunlight assessment was submitted which sets out the results of the average daylight factor (ADF) for the proposed habitable rooms, their daylight distribution, and the annual probable sunlight hours (APSH) tests. The applicant has used the following recommended ADF levels for the different habitable room types:
 - 2% for a kitchen
 - 1.5% for a living room or a combined living/kitchen/dining room
 - 1% for a bedroom.
73. Of the 265 habitable rooms tested within the proposal, 228 (86%) achieved the recommended ADF value for that room type. The habitable rooms on the upper levels generally have better daylight levels. The 37 habitable rooms that fail the ADF test are within 25 proposed units (23 flats and 2 houses) spread across all blocks.

74. That 86% of the proposed habitable rooms achieve the recommended ADF and 71% would have good daylight distribution is relatively good for the redevelopment of this site, particularly when the relationship of the blocks with the close-by neighbouring buildings are considered. It is an improvement on the current daylight levels of the existing homes. When compared with the approved scheme, the daylight provision to the proposed units is an improvement with larger windows to all blocks. For example, the approved block B/C of the 2018 permission had 45 rooms failing to achieve the ADF, this has reduced to 31 in the current scheme, indicating a better daylight provision to the proposed units.

Sunlight to rooms

75. The living rooms for the 91 proposed units were assessed for sunlight (being the room where sunlight is most welcomed by occupiers), of which only 29 would meet the APSH for the year and in winter. Another 3 units would pass one of these two sunlight tests. The upper floors of all the blocks have better sunlight than those on the ground and first floor. Due to the orientation of the site with those units in the Solomons Passage frontage facing north-west, and the massing of Aura Court and Williamson Court close to the boundaries to the south and east, the sunlight reaching the site with the existing blocks is limited, and would be limited in any reasonable redevelopment scheme.
76. The limited sunlight hours to the proposed units mean that the proposal cannot be considered to have met the exemplary criteria to meet good sunlight and daylight standards. However when compared with the low levels of sunlight received by the existing units and the consented scheme, this is not considered to be a justifiable reason for refusing this application.

Sunlight to amenity spaces

77. The communal garden in front of block A would receive good levels of sunlight (92% of its area would receive at least 2 hours on 21 March). The other smaller areas of communal space would receive very little, if any, direct sunlight on 21 March due to the shading from buildings on the site and neighbouring sites. This is similar to the existing situation, and the previously approved redevelopment, and is not considered to be a reason to refuse the proposal.

Noise

78. The submitted noise report assessed the background noise levels for future residents on the site. It concludes that subject to careful design of the external building fabric (particularly the two street frontages of block A), no further mitigation would be necessary. The environmental protection team recommends a condition regarding internal noise levels.
79. A second noise report sets out the same background noise levels, and the criteria the proposed plant would be required to meet to prevent noise nuisance. The exact plant specification has not been chosen yet, so a condition for further details of plant is necessary to protect the amenity of the new residents and neighbours.

Conclusion on housing mix, density and residential quality

80. The density of the proposed scheme is comparable to the density of the existing development. The proposal is considered to provide a good quality of accommodation for future residents and achieves most indicators of an exemplary standard of design set out in the Residential Design Standards SPD. While the daylight levels to certain flats on the lower levels would be below the minimum recommended ADF, this is due to the proximity of neighbouring buildings and other blocks on the site and would be an improvement on the quality of the flats in the existing and previously approved schemes. The proposed housing mix, density and residential quality are considered acceptable and would comply with planning policies D6 of the London Plan, Core Strategy policy 5 and Southwark Plan policy 4.2.

Affordable housing and development viability

81. The application proposes 40% affordable housing, by habitable room, with the required tenure split and so is eligible for the fast track route, whereby applications offering a certain minimum level of affordable housing, in a tenure compliant split and without reliance on public subsidy, are not required to provide a viability appraisal. London Plan policy H5 introduced a fast track route but with a threshold level of affordable housing at 35%; policy P1 of the New Southwark Plan follows the same approach but sets the threshold at 40%.
82. New Southwark Plan policy P1 “Social rented and intermediate housing” requires major development to provide a minimum of 35% of housing proposed as affordable housing, with a minimum of 10% intermediate housing and minimum 25% social rent. It introduces in part 4 of the draft policy a “fast track” route where if development provides 40% social and intermediate housing with a policy compliant mix with no grant subsidy it will not be subject to a viability appraisal. The Inspectors agreed to consult on main modifications which included the 40% fast track route in P1. This was discussed at the EIP and the main modifications did not direct any change to this proposed policy wording. Since concluding the consultation on the main modifications, the council recently has received a draft of Inspectors Report on the NSP which raises no issues on this policy. This emerging policy can now be applied and given significant weight.
83. The previous owner, Wandle Housing Association, as a registered provider made all the homes on the site available as affordable housing, either social rent or shared ownership. This went beyond the requirements of the original planning permissions for the sites, which secured 35% as affordable homes by habitable room (30 affordable housing units, 18 social rent and 12 shared ownership) in their legal agreements. In decanting residents out from the blocks when the construction issues came to light, Wandle bought and constructed further properties in the borough and outside the borough to make available to the former residents of Solomons Passage. In the 2018 permissions, the council accepted that the redevelopment scheme by Wandle at that time would provide 35% onsite affordable housing, with any residents seeking to return to the site given the option to move back on social rent or shared ownership terms. This meant the 2018 permissions fixed the number of affordable habitable rooms of each tenure to achieve 35%, but did not identify which homes on the site were to be each tenure as returning residents would be allowed to choose which new

or refurbished flat to move into.

84. Wandle has since sold the site and under the new ownership there will be no returning Wandle residents. It allows the current applicant to identify which proposed homes are to be affordable and private, as required by the Council in order to monitor long term affordable housing provision. The homes within blocks A and B would be private tenure. Block C would be solely social rent, and the two buildings of block D would be a mix of intermediate and social rent tenure units. The affordable housing offer was increased during the application from 35% by habitable room to 40%, which enabled the application to be treated under the fast track provision of the New Southwark Plan.
85. The proposal has a total of 295 habitable rooms (counting any rooms over 28sqm as two habitable rooms in line with New Southwark Plan policy P1). Therefore, a 35% provision to achieve the minimum policy requirement would be 103 habitable rooms. The proposed provision of 118 habitable rooms of affordable housing represents a 40% affordable housing provision.
86. The 83 social rent habitable rooms and 35 intermediate habitable rooms represent 28% and 12% of the site-wide totals respectively, and exceed the minimum 25% social rent and 10% intermediate proportions sought by the emerging NSP policy P1. This is considered to be acceptable.
87. With this 40% provision and tenure compliant mix, the proposal can follow the fast track route established by NSP policy P1, which can now be applied weight, and does not need to be subject to a viability appraisal. An early viability review if the permission is not substantially commenced within two years would be required by a planning obligation.
88. The provision of the affordable housing, and the marketing of the intermediate and wheelchair units would be secured as planning obligations.
89. The requirement for on-going monitoring of the affordable housing, and the monitoring fee of £4,235.20 would be secured in the legal agreement.
90. Subject to securing the 40% affordable housing in the stated tenure mix and with the associated eligibility criteria, early stage viability review, wheelchair housing marketing and monitoring fee within a planning agreement, the proposal is considered to accord with the development plan policies by exceeding the 35% minimum requirement, and emerging New Southwark Plan policy P1 on affordable housing. The 40% provision is above the policy minimum of 35% affordable housing, and an improvement on the 2018 permissions. While Wandle used the whole site as affordable housing, the section 106 obligations on the permissions for the existing units mean that the sale of the site to new owners could revert to the minimum 35% provision secured in the original consents. This current application proposes an uplift in affordable housing, in addition to the improved quality of the homes, and to resolve the long-term, deep seated problems with the structures and fabric of the buildings.

Amenity space

91. All of the proposed units would have private amenity space in the form of a garden, projecting balcony or roof terrace. All 3-bedroom flats would have at least 10sqm of private amenity space. This is an improvement on the provision of the current buildings where not all flats have a balcony, and most balconies are smaller than 10sqm. Some of the proposed ground floor flats have front gardens along the edge of the pavement, which are not ideal in terms of privacy, however these repeat the existing situation.
92. The three houses in block D would have at least 10sqm of private amenity adjacent to the shared courtyard, but would not have 50sqm of garden space, nor would their gardens be 10m long as recommended by the Residential Design Standards SPD. This is replicating existing situation in this constrained area of the site which abuts the Waveney Avenue properties. The three proposed houses would replace the four existing houses that have only small front areas within the courtyard as amenity space. Noting the special reasons for redeveloping these modern buildings, the lack of compliance with the SPD guidance on gardens for houses is considered acceptable on this site.
93. The areas of landscaping between the blocks would be similar in size to the spaces between the current blocks, except for losing the area of hard surfacing between blocks B and C by constructing one larger block (as it was in the approved scheme). The front garden next to block A would be enlarged by the removal of the store building. The shortfall of private amenity space for the units totals 132sqm. Along with the 50sqm minimum size for communal space, this can be accommodated by the front garden of block A (209sqm), the rear area behind block B/C (33sqm) and the two areas in block D (27 and 36sqm). These areas are linked by a path at the rear of the blocks. The remaining area can provide play space as explained in the next topic section. The pathways between the blocks and narrow green areas shown have not been included as useable amenity space although they would add to the overall usability and sense of space in the development.
94. By providing improved private amenity space provision and a better quality landscaping for the communal areas, the proposal is considered to comply with Southwark Plan policy 4.2 and generally achieves the guidance within the Residential Design Standards SPD, recognising the constraints of this site.

Children's play space

95. With the unit mix and tenure split of the proposal, the total play space requirement is 420sqm, comprising 190sqm for 0-4 year olds, 140sqm for 5-11 year olds, and 90sqm for 12 years and older.
96. As the communal areas provide more space than the shortfall in private amenity space plus the 50sqm requirement, their remaining area (123sqm) can be used to provide some of the play space requirement. The play space is shown to be in the front garden of block A, where it would benefit from good sunlight levels and be incorporated into the landscaping with seating and tree planting. This would be designed for under 5 year olds' play and be available to residents of all blocks. There would then be a shortfall of 297sqm of play space.
97. There is not sufficient ground floor space in the site to provide all the play space

area, and the current site (with 85 homes) has none. The site is opposite Peckham Rye which provides plenty of open space for play and has large dedicated play facilities 220m from the site. The original 2006 permissions for this development required a contribution of £50,000, which was used for improvements to Peckham Rye, café, changing rooms and new street tree planting, so that the constructed scheme made a contribution to the facilities and environment of the local area.

98. The 2018 permissions approved 87 homes and did not require the addition of dedicated playspace on the site, nor payment of a contribution as it was considered the addition of two units in a scheme that partly rebuilt and partly refurbished the current blocks did not justify a payment, nor refusal of the application. The current scheme proposes four more units.
99. The current scheme as a full redevelopment of the site has similar footprints of buildings as the approved scheme, and provides an area of dedicated children's play which is a welcomed improvement on the existing and approved schemes. If the front garden were to provide more children's play space, this would reduce the area of communal amenity for all residents. The proposed scheme is considered to have made an appropriate balance of play space to communal space, especially with the close proximity to the park. A financial contribution will be required to address the on-site shortfall in provision, calculated at a rate of £151/sqm, and totalling £44,847 (indexed) and be secured in a planning obligation.

Design

100. The NPPF stresses the importance of good design, and the creation of high quality, beautiful and sustainable buildings. The London Plan includes design policies for achieving sustainable densities to optimise site capacities to ensure development is the most appropriate form for the site, to deliver good design, inclusive design and in policy D6 sets out housing quality standards.
101. Policy SP12 of the Core Strategy states that "*Development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in.*" Saved policy 3.12 of the Southwark Plan states that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit. When considering the quality of a design, the fabric, geometry and function of the proposal are included as they are bound together in the overall concept for the design. Southwark Plan saved policy 3.13 asserts that the principles of good urban design must be taken into account, including the height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.

Site context

102. The proposal is to replace an existing complex of buildings which suffer from structural problems due to the poor construction detailing. This existing scheme consist of four blocks A-D, with block A at five storeys and a set-back sixth storey

and corner feature. The scale reduces thereafter along Solomons Passage to four storeys plus a set-back fifth floor, then three plus one, and down to two storeys next to Waveney Avenue.



Aerial photo showing the grey roofs of the existing blocks

103. A taller block, Aura Court, lies immediately to the east of the site on Peckham Rye. Block A and Aura Court stand out as when viewed across the park however, the effect of their scale is much softened by an open position set back from the main road of Peckham Rye and by mature trees that line the road. The surroundings of the site are more traditional in scale. The properties to the north-east along Waveney Avenue and Carden Road are two-storey houses.
104. Although not old, the assemblage of render and timber that makes up the complex already looks dated, and due to the construction issues and vacancy, the buildings look run down. While neighbouring Aura Court and Williamson Court are also predominately render and timber cladding, while most other properties in the area are brick.

Site layout

105. The proposal is to replace the blocks with a completely new development above ground level. The proposal would be broadly similar in footprint to the current buildings, shown on the image below.



Existing view of block A and along Solomons Passage



Proposed view of block A and along Solomons Passage



Existing view along Peckham Rye



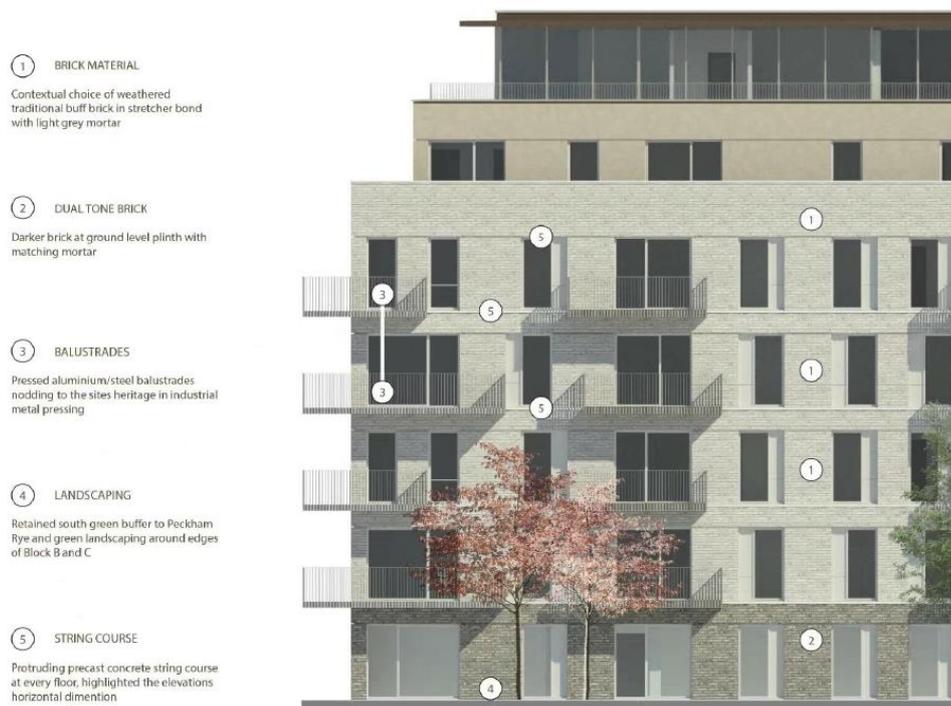
Proposed view along Peckham Rye

110. Like the existing block A, the replacement block A would have a shoulder height of five storeys. It would have a further two storeys above this, set back such that in close up views it is the lower storeys that set the scale. The architectural composition would be a great improvement on the existing block. The brick base of block A with glass and metal clad storeys above would form of a well-ordered and proportioned building facing the park. It would be simpler and more elegant than the existing building.

111. Block B/C would follow a similar style of a five-storey brick base, lining through with block A to provide coherence and continuity to the street scene, with one set-back upper storey. Balconies would be a conspicuous feature that would give a horizontal emphasis to the elevations.
112. Block B/C would become a longer building than the existing arrangement and would be higher than existing buildings on the opposite side of the Solomons Passage, as was the case with the earlier permission. However this aspect would be mitigated with a staggered plan form set a little back from the road with landscaping serving the ground floor flats along the frontage. Smaller three- and four-storey projections from the main building with balconies between them would also break down the apparent scale of this block.
113. Like the current block D, the main building of block D would step down from four-storeys to two-storeys to meet the smaller scale Victorian housing behind, albeit it will be a little bulkier than the existing and approved schemes due to the higher ceiling heights. The smaller building in block D would not be visible from surrounding streets, and its impact on neighbour amenity is considered elsewhere in this report.

Architectural design and materials

114. The whole composition is to be united by common materials - predominantly light coloured brickwork with bronze windows, balconies and upper floors. The detailing of the middle and base of each block features deep set windows that emphasise, along with other details, the 'heaviness' of the brickwork in contrast to lightness of the bronze upper floors and balconies. Care has been taken to detail the entrances to each block and to provide appropriate boundaries and landscaping at the base of the blocks.



115. Collectively the design of the replacement blocks would provide a more elegant and contextual scheme as an improvement upon the architecture and poor quality materials of the existing buildings.

Landscaping, trees and urban greening

116. The submitted arboricultural report surveyed the 7 trees in front of block A on the site, of which 6 were category C (low) and 1 category U (poor quality). Six trees would be removed to facilitate the development; these are all relatively immature and could be readily replaced. The birch tree near the Solomons Passage pavement would be retained. Suitable protection methods have been set out within the submitted Arboricultural Method Statement including for the street trees (which include ash which is now considered a rarity), and a condition would be included to ensure they are protected during demolition and construction.
117. Replacement trees are proposed along the Peckham Rye frontage as the main area of landscaping for the site, and single new trees at the rear of the site. Earlier in the application assessment period, the applicant had indicated additional street tree planting along the Solomons Passage pavement, however as shown by the plan below it would be difficult to accommodate further trees due to the limited pavement width and the need for associated highway works. A condition to require a stated total new tree girth is proposed to ensure re-provision, and the legal agreement would allow for a financial contribution to be paid to the council for any shortfall in on-site tree planting (if it is found not to be possible), or in the event that any street trees are damaged or removed.
118. The garden in front of block A would be set out for children's play, and the paths and smaller areas between the blocks would be laid out with new surfacing, seating and planting to improve the appearance of the current site. Green roofs are proposed to three of the buildings as further biodiversity improvements.



Landscape layout

119. The final details for the green roofs, tree planting (including the minimum stem girth to ensure replacement) and soft and hard landscaping would be secured by proposed conditions, along with provision to allow the payment of the tree contribution as a planning obligation in the event that all of the on-site planting is not possible or if street trees are damaged or removed. There is a later

assessment topic section that provides further detail on the ecology and biodiversity aspects.

Designing out crime

120. The Metropolitan Police consider it is possible for the proposal to achieve the security requirements of Secured by Design with the guidance of SBD Homes 2019, the Designing Out Crime office and the correct tested, accredited and third party certificated products. Obtaining Secured by Design certification is an indication of an exemplary design and a condition is recommended in this regard.

Fire safety

121. A fire safety statement was provided with the application. Demolishing all the buildings on the site and building afresh would remove completely the fire safety concerns with the current buildings and their timber cladding. The London Fire Brigade asked for confirmation that access for fire appliances (in line with Building Regulations) and that adequate water supplies for fire fighting purposes will be provided. The applicant has confirmed these points. A condition to require a further fire statement, in accordance with the more recent London Plan policy D12 and draft GLA guidance requirements is proposed.

Heritage considerations

122. The impact on nearby heritage assets must be considered in the assessment of the application. The proposal may impact upon views into and out from the Nunhead Green Conservation Area (to the north and west of the site) and views across Peckham Rye from The Gardens Conservation Area. The site is 50m from the grade II listed buildings of nos. 141-153 Peckham Rye. Peckham Rye itself is a grade II listed registered park, a 19th century park complete with much of its original layout and planting.
123. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act requires that, with respect to any buildings or other land in a conservation area, when considering whether planning permission should be granted, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In this context "preserving" means doing no harm.
124. Chapter 16 of the NPPF requires the local planning authority to sustain and enhance the significance of heritage assets, and to give great weight to an asset's conservation.
125. Southwark Plan saved policy 3.15 "Conservation of the historic environment" requires development to preserve or enhance the special interest or historic character or appearance of buildings and areas of historical or architectural significance, and this is repeated in Core Strategy policy 12 "Design and conservation". Saved policy 3.18 "Setting of listed buildings, conservation areas

and world heritage sites” states that permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building, and important views of a listed building or the setting of a conservation area. Emerging NSP policies P18 “Listed buildings and structures”, P19 “Conservation areas”, P20 “Conservation of the historic environment and natural heritage”, and P21 “Borough views” similarly seek to protect the setting of such heritage assets.

126. The proposal would have a larger massing than the current blocks so that the upper storeys would be visible from within the Nunhead Green Conservation Area along Forester Road above the rooftops. However, the replacement of the existing dilapidated buildings with new buildings of higher architectural quality and with better materials are considered to preserve setting of this conservation area to the north.
127. The Gardens Conservation Area is situated across Peckham Rye to the west. The site does not form a prominent part of the setting of the conservation area, and it does not appear in the same views as buildings within the conservation area, although block A can be seen across the park from it. The brickwork of block A would be more sympathetic to the traditional architecture of the area than the current render and timber. The proposal would be mainly screened by trees and seen alongside buildings of similar scale. Therefore it is considered to preserve the setting of this conservation area.
128. The site is close to the magnificent terrace of grade II listed Georgian townhouses, nos.141-153 Peckham Rye, but they are separated by a modern block of flats. The mature trees lining Peckham Rye set the overall character of the road. There is little direct relationship between buildings on the site and the listed terrace. While taller than the current building, the proposed block A which fronts onto Peckham Rye would not be significantly larger than the current block. The proposed materials of brick (in place of the current render and timber) are more traditional and would form a more contextual response to the listed buildings. The proposed blocks are considered to preserve the setting of these grade II listed buildings.
129. The proposed block A would be visible in views from the registered Peckham Rye park viewed along with its neighbour Aura Court, but it would not stand out significantly more than the present building. The proposed more discrete and traditional materials would be an improvement upon the white render of the existing building, and the removal of the store building on the frontage would be a further improvement. The proposal would not harm the setting of this heritage asset.
130. The northern part of the site (including both buildings in block D) is within the proposed New Southwark Plan borough view 1 “The London Panorama of St Paul’s Cathedral from One Tree Hill” viewing corridor. Due to the ground level difference between One Tree Hill and the application site below, the proposal would not affect this borough view.
131. The site is not within an archaeological priority area, and with the existing basement remaining, there would be limited groundworks associated with the redevelopment of the site.

132. In conclusion, the proposal would not cause harm to the heritage assets in the surrounding area, or any archaeological deposits. For these reasons the proposal is considered to comply with sections 66 and 72 of the Listed Buildings and Conservation Areas Act, the NPPF, Core Strategy strategic policy 12, saved policies 3.15, 3.18 and 3.19 of the Southwark Plan, and draft policies in the New Southwark Plan relating to heritage.

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

133. Core Strategy policy 13 “High environmental standards” seeks to avoid amenity and environmental problems. Saved policy 3.1 “Environmental effects” of the Southwark Plan seeks to prevent development from causing material adverse effects on the environment and quality of life. Saved policy 3.2 “Impact on amenity” of the Southwark Plan states that planning permission for development will not be granted where it would cause a loss of amenity to present and future occupiers in the surrounding area, or on the application site. Emerging policy P55 “Protection of amenity” of the New Southwark Plan states that development will not be permitted where it causes an unacceptable loss of amenity to present or future occupiers or users.
134. References to the loss of privacy, outlook, daylight and sunlight were made in the objections received, to the increased noise and disturbance from the demolition/construction phase and the increased number of homes on the site.

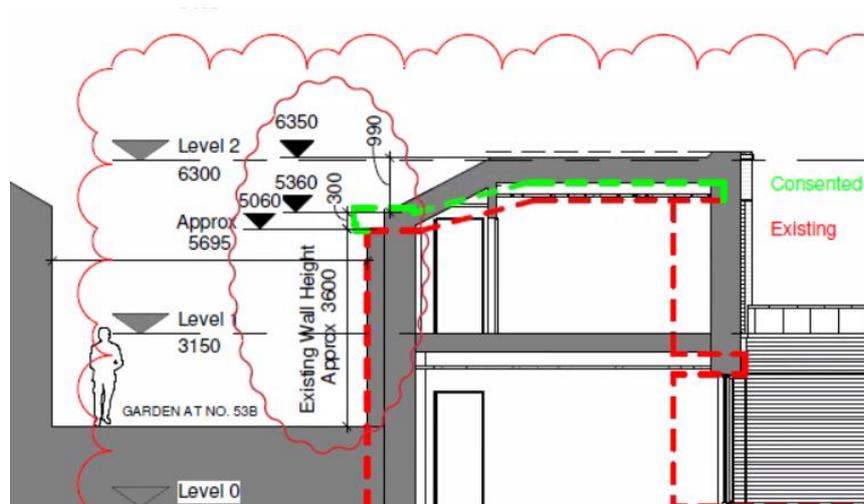
Outlook and privacy

135. As is the case with the existing situation, the windows and balconies on the front elevations of the four blocks A-D would face across the road to the facing properties on Solomons Passage at a distance of generally 12-15m. The additional storeys in the proposal would have their top floors set back from the frontage to increase the separation distance and help prevent the additional height and massing from being overbearing to these neighbours.
136. The balconies on the side of block A would face over the road to nos. 1-15 Solomons Passage at a distance of 10m, however the flank of the neighbouring terrace does not have any windows. The existing block A has windows that look onto this neighbour at a distance of 11m, and the front of block A has existing balconies looking towards the neighbouring block. Therefore while closer than the 12m sought by the Residential Design Standards SPD and slightly closer than the current building, the proposed block A is considered to be an acceptable relationship that would not cause a material loss of privacy or outlook for nos. 1-15 Solomons Passage.
137. The overlooking from the first floor windows of block D to Pineapple Cottage at a much closer distance of approximately 2m would remain, and a new window is set further back than the existing situation of an angled window. The proposed block D is considered to have an acceptable relationship to the privacy and outlook of this neighbour due to the existing overlooking.

138. The sides and rears of the existing five buildings on the site are in close proximity to Aura Court, Williamson Court and the Waveney Avenue properties; the changes proposed by this redevelopment have been carefully considered for how the massing and overlooking would change for these neighbours. The relationship between the rears of blocks A and B/C with Aura Court and Williamson Court are already tight, and the two block D buildings sit on the boundary with the Waveney Avenue neighbours.
139. The side windows of block A that look onto Aura Court would serve bathrooms or be secondary windows to habitable rooms that have larger windows on the front elevation. The flats in this adjacent part of Aura Court have front and rear facing windows in a projecting bay, so that visibility between the windows would be difficult.
140. Block A would be the same depth as the existing block set 1.7-2m from the boundary with Aura Court. The projecting central element at the rear of block A would be set 8.5m off the boundary which is considered sufficient to prevent it having an overbearing impact compared with the current massing. The existing block A has a roof terrace to its fifth floor, which the proposed scheme would replicate, albeit larger over the central rear projection. The front roof terrace on the new sixth floor would not significantly increase the overlooking of the adjacent roof terrace on Aura Court.
141. The proposed block B/C would infill between the two detached blocks B and C, as the approved scheme did. Block B/C would broadly follow the footprint of the existing block B for its southern part, and would be set slightly apart from Aura Court at its closest point (1.9m rather than the current 1.4m). It would be a storey higher than the current building, which the setting back off the boundary is considered to balance given the already tight relationship between the buildings. As with the approved scheme, windows in the closest flank wall of block B/C would need to be obscure glazed, and the ends of the balconies closest to Aura Court would need to be screened to reduce the overlooking.
142. The northern half of block B/C as the replacement for block C would infill the existing gap between the two blocks; this would be set 9m from the boundary and sit alongside the gap between Aura Court and Williamson Court. The main proposed massing closest to the boundary would sit alongside Williamson Court. There is currently a 2.5m separation between block C and Williamson Court; this would increase to 5.2-5.6m although Williamson Court has only clerestory windows to its top floor on this side elevation, meaning this increase would be of limited benefit to their outlook. It means the windows to the lower floors of this part of block B/C do not need to be obscure glazed, however the upper floors and the projecting balconies on the north-eastern side would need to be screened at the end to prevent views back into Williamson Court's rear windows.
143. In conclusion, the footprint of the proposed block B/C is considered to be sufficiently set back from the boundary and aligned with the walls of Aura Court and Williamson Court that the increased height of the proposed block near to this boundary would not cause harm to the outlook of these neighbours.
144. Turning to block D, design amendments were made during the application to try

to address the objections raised by residents on Waveney Avenue to the two buildings of block D, and to better represent the level changes in the rear gardens. The applicant has sought to keep the increased height of the two storey houses along the boundary close to that of the existing houses and of the approved scheme, while also allowing improved internal ceiling heights for the future residents.

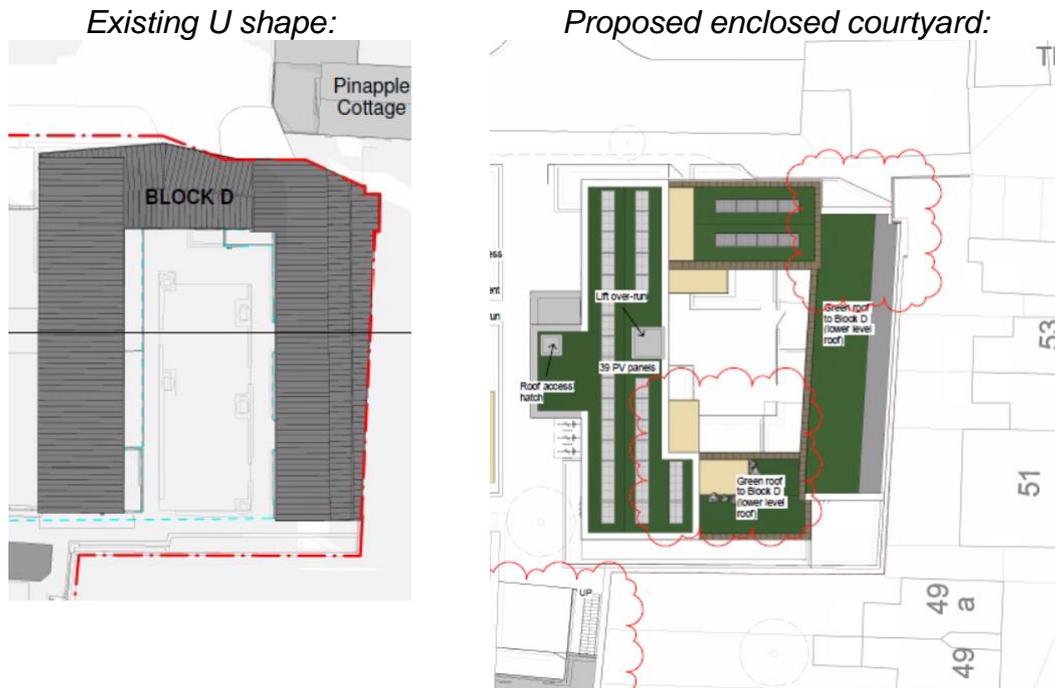
145. Nos. 51-55 Waveney Avenue have short rear gardens, and are those most affected by the changes to the houses in the main building of block D. No. 55 has recently constructed its own ground floor rear extension which has further reduced its garden space. The block D houses currently have a shallow pitched roof to keep the height low on the boundary.
146. The larger massing of block D's main building would provide better ceiling heights and internal areas, and would mean the proposal would be larger when viewed from the rear windows and rear gardens of nos. 43-49 Waveney Avenue. No first floor windows or rooflights are proposed so as to avoid privacy issues. The image below indicates the change in height and massing between the existing building (shown by the red dashed line), the consented scheme (shown in green dashed line) which improved the roof insulation as part of the renovations of the block, and the section of the current proposal in dark grey.



Section through the block D houses, showing one level of no. 53's rear garden and the existing and consented heights

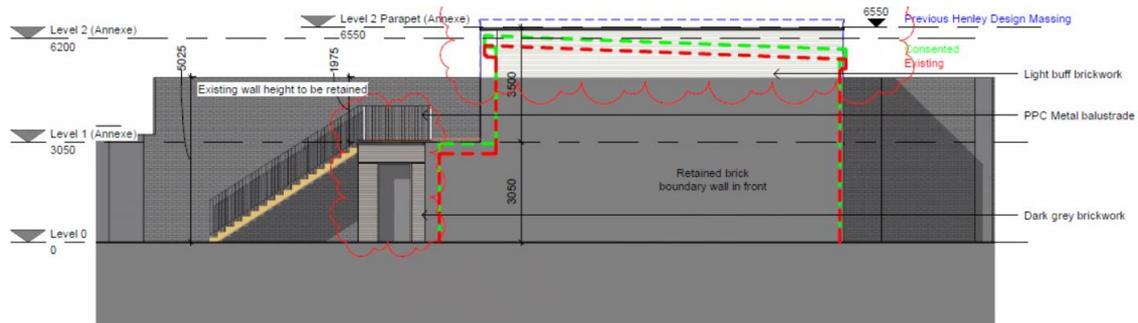
147. The current proposal is taller than the existing building and the scheme approved in 2018, as shown by the grey roof above the red and green lines. The increase in height at the boundary wall would be small at 30cm, matching the previous permission, and the shallow angle of the roof away from the boundary helps to reduce the additional visible massing from the gardens and ground floor windows of the Waveney Avenue neighbours. This part of the proposal is considered to have an acceptable impact on the outlook of these Waveney Avenue neighbours.
148. The proposed main building of block D seeks to infill the currently open side of the C shaped main block D building at ground floor level. This would be set 2m off the boundary and set behind the existing tall boundary wall. The proposed footprint is pulled further back from the corner next to nos. 49A and 51 compared with the existing block which would benefit the outlook of these neighbours. The

infilling close to the boundary of no. 49A's rear garden would be balanced by the greater set back in the corner, so that the proposal is considered not to have an intrusive impact on no. 49A's outlook or sense of enclosure.



149. The other side of the proposed four-storey block D would be taller than the existing four-storey part of the block, but would be set at least 13.8m from the boundary with nos. 51-55, and be mainly screened by the closest wing in views from the gardens. The balconies were re-sited to face into the central courtyard rather than on the side elevation, in response to neighbour comments. This taller element would be viewed towards the far corner of the rear gardens of nos. 43-49A. This part of the proposal is considered to be sufficient distance to prevent an intrusive impact on the outlook from the windows and rear gardens of the Waveney Avenue properties.
150. Louvres in front of certain windows are necessary to restrict the views out from the closest first floor window towards the Waveney Avenue houses, and to direct views from the closest windows away from Williamson Court; these would be secured by condition. Further details of the screening to a first floor balcony would also be required by condition, along with ensuring the installation of obscure glazed windows. Permitted development rights for the houses would also be removed, in the interest of protecting neighbour amenity.
151. Objections were received that the additional brickwork to the boundary walls would not match in and would be unsightly. The materials for all of these new buildings would need to be agreed by condition primarily to ensure a suitable streetscene appearance, rather than trying to match a garden wall that is not visible in public views; with the different ages of the walls a complete match would not be possible without reconstructing the whole wall.
152. The final proposed building to consider is the smaller building in block D, which sits on the boundary with Williamson Court and nos. 45-49 Waveney Avenue.

The proposed smaller block D (shown on the drawing below) is taller than the existing two-storey building, but of similar height and massing (shown in red dashed line) and of the approved scheme (shown in green dashed line). It is at the end of the Waveney Avenue gardens which are 12-16m long, and is mainly screened by the tall boundary wall. It is much closer to the Williamson Court flats on the southern side, however the tall boundary wall would again screen most of the building. The additional height of the flat roof is considered not to cause harm to the outlook of the flats. Providing the replacement first floor balcony is screened on both sides, the proposal would not cause harm to the privacy and outlook of these neighbours.



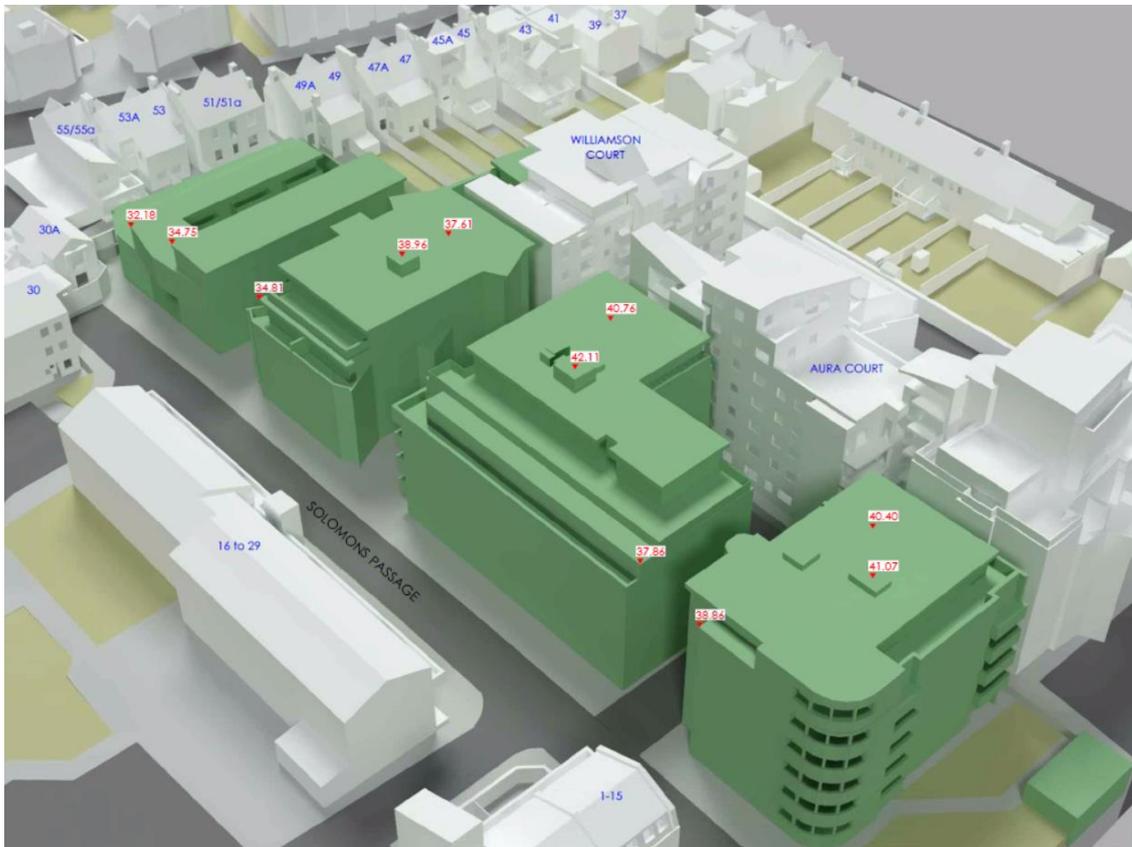
Block D - South-West Annexe Elevation
South-western elevation of block D

153. In conclusion, for these reasons, while each of the proposed blocks are taller and have greater massing than the existing blocks and the approved scheme, the proposal is considered not to cause a material loss of privacy (subject to conditions on the obscure glazing and balcony/terrace screening), nor to result in a significant loss of outlook to neighbouring properties on each side of the site.

Daylight

154. A daylight and sunlight report was submitted which assesses the scheme based on the Building Research Establishment's (BRE) guidelines on daylight and sunlight. This was updated with the proposal's amended design.
155. The BRE guidance sets out the rationale for testing the daylight impacts of new development through various tests. The first is the Vertical Sky Component test (VSC); this 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 has determined that the existing VSC daylight figure can be reduced by 20% of the original value before the loss is noticeable.
156. The second method that can be used is the No Sky Line (NSL) test 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 existing area of sky visibility, daylight distribution within a room may be affected.
157. The proposal's impacts on daylight (the VSC to windows and NSL to rooms)

were assessed in the submitted report for neighbouring properties on Waveney Avenue, Solomons Passage, Aura Court and Williamson Court, and three properties on Somerton Road. The visual below shows the existing site's buildings in green, and the surrounding properties in white with address annotations in blue type where they were tested. The results of these two daylight tests and commentary on the impacts on the amenity of neighbouring properties are set out below.



VSC

- 158. The VSC test compares the amount of daylight reaching the centre point of a habitable room window in the existing situation and in the proposed scenario due to the massing of the proposal. The results are set out in the table below.

VSC existing v proposed

Neighbouring property	Windows tested	Windows that pass	Fail 20-29.9%	Fail 30-39.9%	Fail 40%+
43 Waveney Avenue	10	10	-	-	-
45 Waveney Avenue	5	5	-	-	-
45A Waveney Avenue	6	6	-	-	-

47 Waveney Avenue	5	5	-	-	-
47A Waveney Avenue	5	5	-	-	-
49 Waveney Avenue	4	4	-	-	-
49A Waveney Avenue	5	5	-	-	-
51 Waveney Avenue	3	3	-	-	-
51A Waveney Avenue	3	3	-	-	-
53 Waveney Avenue	3	3	-	-	-
53A Waveney Avenue	3	3	-	-	-
55 Waveney Avenue	5	5	-	-	-
55A Waveney Avenue	6	6	-	-	-
1-15 Solomons Passage	14	14	-	-	-
16-29 Solomons Passage	14	7	2	-	5
30 Solomons Passage	8	8	-	-	-
Pineapple Cottage	11	11	-	-	-
Aura Court	80	37	16	7	20
Williamson Court	83	83	-	-	-
9-13 Somerton Road	26	26	-	-	-
Totals	299	249	18	7	25
		(83.3%)	50 (16.7%)		
		pass	fail		

NSL

159. The results of the “no sky line” test (NSL) are set out in the table below:

NSL existing v proposed

Neighbouring property	Rooms tested	Rooms that pass	Fail 20-29.9%	Fail 30-39.9%	Fail 40%+
43 Waveney Avenue	5	5	-	-	-
45 Waveney Avenue	4	4	-	-	-
45A Waveney Avenue	5	5	-	-	-
47 Waveney Avenue	4	4	-	-	-
47A Waveney Avenue	4	4	-	-	-
49 Waveney Avenue	4	4	-	-	-
49A Waveney Avenue	4	4	-	-	-
51 Waveney Avenue	3	2	1	-	-
51A Waveney Avenue	3	3	-	-	-
53 Waveney Avenue	2	1	1	-	-
53A Waveney Avenue	2	2	-	-	-
55 Waveney Avenue	3	3	-	-	-
55A Waveney Avenue	2	2	-	-	-
1-15 Solomons Passage	14	14	-	-	-
16-29 Solomons Passage	14	3	3	2	6
30 Solomons Passage	6	6	-	-	-
Pineapple Cottage	4	4	-	-	-
Aura Court	44	31	6	6	1
Williamson Court	53	52	1	-	-
9-13 Somerton Road	12	12	-	-	-
Totals	192	165	12	8	7
		(86%)	25 (14%)		

		pass	fail
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Commentary on the VSC and NSL test results

160. While the amendments made to the massing of block D have resulted in four fewer windows in Waveney Avenue failing the VSC test than in the earlier iterations, the current scheme would have more daylight impacts on neighbouring windows and rooms than the existing buildings. The tables above show failures to nos 51 and 53 Waveney Avenue, nos. 16-29 Solomons Passage, Aura Court, and Williamson Court. The current scheme would also result in more neighbouring windows and rooms failing the tests than the 2018 approved schemes:
- 51 Waveney Avenue - 1 room fails NSL that would have passed in the 2018 scheme
 - 53 Waveney Avenue - 1 room fails NSL that would have passed in the 2018 scheme
 - 16-29 Solomons Passage - 1 window now fails VSC that would have passed in the 2018 scheme, and there are now greater reductions in VSC. 9 more rooms fail the NSL test than in the 2018 scheme.
 - Aura Court - 29 windows now fail the VSC that would have passed in 2018 scheme. 7 more rooms failing the NSL test than in the 2018 scheme.
 - Williamson Court - 1 more room failing NSL than with the 2018 scheme
161. Of the windows and rooms that fail the VSC or NSL tests, the impacts suggested by the results of the submitted daylight report are considered as follows:
162. 51 Waveney Avenue – one room would see a 22% reduction in NSL so just over the 20% considered to be noticeable. The windows all pass the VSC tests so the overall daylight impact is considered to be acceptable.
163. 53 Waveney Avenue – the assumed LKD would experience a 21% reduction in NSL marginally above the 20% threshold considered to be noticeable. The windows all pass the VSC test so the impact on daylight overall is considered to be acceptable.
164. 16-29 Solomons Passage – seven first floor windows would fail the VSC test (and 6 also fail the NSL test). These appear to be bedroom windows which have a projecting deck access above, meaning they have very low existing VSC values of 0.27-1.89. Any reduction in value is therefore a proportionately high change. The second floor rooms failing the NSL test appear to be kitchens that currently have very good daylight distribution, and would retain daylight to at least 56% of their area. These maisonettes have more windows and better daylight provision on their rear façade, so that the reduction in daylight to the front windows would not cause significant harm to the amenity of these dual aspect properties.
165. Aura Court – 44 windows within 19 flats fail the VSC test. 13 rooms in 13 of the flats fail the NSL test. The affected windows and rooms are grouped within the central part of the building close to the shared boundary. Most of these flats have another aspect on the other side of Aura Court away from the application site. The one-bedroom units that do not have an alternative outlook were affected to

a similar degree by the scheme approved in 2018. The following paragraphs will go through the affected flats on each floor of Aura Court.

166. Aura Court ground floor – two flats would be affected by both VSC and NSL. These windows have low existing VSC values of 0.09-5.58 due to the proximity of the blocks. The loss of daylight to these ground floor flats is very similar to the impacts caused by the approved scheme.

- A two-bedroom flat would see a reduction in VSC and NSL to a bedroom but its other bedroom and combined LKD would retain good daylight being on the other side of the building.
- Another two-bedroom flat would have a reduction in VSC to the kitchen window, and a reduced VSC to one bedroom window but both rooms pass the NSL test. The main living room area would retain its current daylight being on the other side of the building, and the other window in the same bedroom would see a slight improvement in VSC and NSL results.

167. Aura Court first floor – four flats would be affected. The changes to the massing of proposed block A appear to affect the flats in the front and central part of Aura Court more than the approved 2018 scheme would have done.

- A two-bedroom flat at the front of Aura Court would have the two windows serving a bedroom experience a reduction in VSC, although the current windows have VSC values of 5.12-9.33 as they are affected by the massing of Aura Court and block A. The other bedroom would have a 23% reduction in NSL so slightly above the 20% threshold. The living room at the front of the flat would not be affected.
- A two-bedroom flat would have one bedroom see a reduced NSL and VSC to all three windows (reducing the current very low VSCs of 0.25-5.3), but the LKD and other bedroom would retain good daylight.
- A two-bedroom flat would have reduced VSC to one bedroom window, but pass the NSL test. The flat would retain good daylight to its other bedroom and LKD which have windows on the other side of the building.
- A one-bedroom flat would see reduced VSC and NSL to its LKD, and reduced VSC to one of two windows serving the bedroom. The VSC and NSL impacts are of a similar scale to those of the approved 2018 scheme.

168. Aura Court second floor – four flats would be affected. Again, the changes to the massing of proposed block A appear to affect the flats in the front and central part of Aura Court more than the approved scheme would have done.

- A two-bedroom flat at the front of Aura Court would have the two windows serving a bedroom experience a reduction in VSC and NSL. The other bedroom would have a 24% reduction in NSL. The living room at the front of the flat would not be affected.
- A two-bedroom flat would have one bedroom see a reduced NSL and VSC to all three windows (which have low VSCs of 0.73-7.36), but its LKD and other bedroom would retain good daylight.
- A two-bedroom flat would have reduced VSC to one bedroom window, but pass the NSL test. The flat would retain good daylight to its other bedroom and LKD which have windows on the other side of the building.

- A one-bedroom flat would see reduced VSC and NSL to its LKD, and reduced VSC to one of two windows serving the bedroom. The VSC and NSL impacts are of a similar scale to those of the approved scheme.

169. Aura Court third floor – four flats affected:

- A two-bedroom flat at the front of Aura Court would have the two windows serving a bedroom experience a reduction in VSC and NSL. The other bedroom at the rear and the living room at the front of the flat pass the tests.
- A two-bedroom flat would have one bedroom see a reduced NSL and VSC to all three windows (which have existing VSC values of 1.81-10.27), but the LKD and other bedroom would retain good daylight.
- A two-bedroom flat would have reduced VSC to one bedroom window, and kitchen window, but these rooms pass the NSL. The flat would retain good daylight to its other bedroom and living area which are on the other side of the building.
- A one-bedroom flat would see reduced VSC and NSL to its LKD, and reduced VSC to one of two windows serving the bedroom. The VSC impacts are of a similar scale, and for the LKD are better than the impact of the approved 2018 scheme.

170. Aura Court fourth floor – four flats affected:

- A two-bedroom flat at the front of Aura Court would have the two windows serving a bedroom experience a reduction in VSC and NSL. The other bedroom at the rear and the living room at the front of the flat would pass the tests.
- A two-bedroom flat would have reduced VSC to two of three windows serving a bedroom but passes the NSL test, and its LKD and second bedroom would retain good daylight.
- A two-bedroom flat would have reduced VSC to its bedroom window, and kitchen window, but these rooms pass the NSL. The flat would retain good daylight to its other bedroom and living room which are on the other side of the building.
- A one-bedroom flat would see reduced VSC and NSL to its LKD, and reduced VSC to one of two windows serving the bedroom. The VSC and NSL impacts on this flat are similar to, and for the LKD are better than, the impact of the 2018 approved scheme.

171. Aura Court fifth floor – one flat affected:

- A 3-bedroom flat would see its smallest bedroom with reduced VSC and NSL, and another bedroom with reduced VSC to one of its two windows. As a triple aspect flat, its other bedroom, kitchen and living area would retain good daylight. The impact on VSC and NSL are less than the 2018 permission scheme.

172. Williamson Court – one ground floor room would experience a 21% reduction, so slightly over the 20% threshold. The room currently has 59% daylight

distribution which would reduce to 46% of its area. The VSC to this room is only slightly affected and so would continue to receive good daylight levels as a bedroom within a two-bedroom flat.

173. When considered together the impacts upon neighbouring properties through a reduction in VSC to particular windows and/or NSL daylight distribution to rooms are considered not to be significantly harmful to their quality of the accommodation and their amenity. This is also the case when compared with the impacts of the scheme approved in 2018.

Sunlight

174. The same neighbouring residential properties were tested for the sunlight hours to the windows, where those windows face within 90 degrees of south. A window would fail the sunlight test where all three test criteria are met:

- The window would receive less than 25% of annual probable sunlight hours or 5% of winter hours; and
- It would experience more than a 20% reduction in current sunlight hours and;
- The absolute reduction in annual sunlight hours would be more than 4%.

APSH existing v proposed

Neighbouring property	Windows tested	Windows that pass	Fail Winter hours	Fail Annual hours
43 Waveney Avenue	7	7	-	-
45 Waveney Avenue	5	5	-	-
45A Waveney Avenue	4	4	-	-
47 Waveney Avenue	5	5	-	-
47A Waveney Avenue	3	3	-	-
49 Waveney Avenue	4	4	-	-
49A Waveney Avenue	3	3	-	-
51 Waveney Avenue	6	6	-	-
51A Waveney Avenue	3	3	-	-
53 Waveney Avenue	3	3	-	-
53A Waveney Avenue	3	3	-	-
55 Waveney Avenue	7	7	-	-
55A Waveney Avenue	4	4	-	-
1-15 Solomons Passage	0	-	-	-
16-29 Solomons Passage	14	14	-	-
30 Solomons Passage	8	8	-	-
Pineapple Cottage	7	6	1	-
Aura Court	31	25	-	6
Williamson Court	43	43	-	-
9-13 Somerton Road	4	4	-	-
Total	164	157	1	6
		(96%)	7 (4%)	

175. For Pineapple Cottage, the first floor window (serving a bedroom) would have a reduction in winter sunlight hours, however as one window to a room served by

two others, and as one room in this house, the reduction in winter sunlight hours is not considered to reduce the overall amenity of the house.

176. The other test failures are in Aura Court. Four more windows fail the APSH test in the current scheme than the approved scheme. Those windows in Aura Court that would experience a noticeable reduction in sunlight hours are on the second, third, fourth and fifth floors:
- One bedroom window on the second floor would see a reduction in annual sunlight hours from 15% to 9%. This flat does not receive sunlight to any other windows. The reduction to the sunlight to a bedroom is considered not to cause significant harm to the overall amenity of this flat.
 - One bedroom window on the third floor would see a reduction in annual sunlight hours from 7% to 2%, but this flat would retain good sunlight to its living room and other bedroom.
 - The three windows affected on the fourth floor serve two bedrooms in two flats. One flat retains good sunlight to its other rooms. The second flat would see a reduction from 19% annual sunlight hours to 14% and does not receive sunlight to any other windows. The reduction to the sunlight to a bedroom is considered not to cause significant harm to the overall amenity of this flat.
 - The fifth floor, triple aspect flat would see a reduction in sunlight to a bedroom but retain good sunlight from its southern and eastern facing windows.
177. Having considered the affected windows of the neighbouring properties, and bearing in mind the BRE advice that sunlight to living spaces, rather than bedrooms, is of higher concern, the proposal is considered to have an acceptable impact on the sunlight reaching the windows of neighbouring properties. It would not cause significant harm to the overall quality of these properties.

Overshadowing of amenity spaces

178. The impact of the proposal's massing on the sunlight reaching the outdoor amenity spaces of neighbouring properties was assessed in the submitted daylight and sunlight report. The BRE guidance suggests at least half of an amenity space should receive at least two hours of sunlight on 21 March (the spring equinox) to appear adequately sunlight throughout the year.
179. The figures in the submitted report show the test results for the rear gardens of Waveney Avenue, being to the north of the proposal. While there would be some reductions to the area of gardens receiving at least two hours of sunlight on the 21 March, the reductions would not be significant (i.e. the area is not lower than 0.8 times its existing value). Two gardens (nos. 45 and 51) would see a slight improvement in sunlight hours to their gardens.

Conclusion on daylight and sunlight

180. The proposal would have an acceptable impact on the outlook and levels of privacy to surrounding properties, subject to conditions regarding screening of certain balconies and no use of the flat roofs as terraces. The impacts on VSC,

NSL and sunlight test results to the windows and rooms of neighbouring properties have been given careful consideration on a unit by unit basis, particularly for Aura Court which would experience the greatest impacts. As set out above, the impacts on Aura Court are often to rooms/windows with low current daylight levels and are often to dual aspect flats, and are similar in scale to the impacts of the approved 2018 scheme. The proposal would not cause significant overshadowing of neighbouring gardens.

Light pollution

181. External lighting within the landscaped areas would be designed to comply with the Institution of Lighting Professionals' guidance notes to reduce the likelihood of light pollution to neighbouring properties.

Noise and vibration

182. Objections were received that referred to the increased number of units, windows and balconies on the site causing more noise to neighbours. This is a residential site in a residential area, being redeveloped for residential use. The proposed arrangement of the balconies, windows and garden areas across the blocks generally follow the form of the current blocks. While there is an increase in the number of units, the day to day occupation of the proposed scheme is considered unlikely to cause such additional noise and disturbance to surrounding properties as to cause nuisance. Conditions regarding plant noise are proposed.

Transport and highways

183. London Plan policies on transport seek to ensure developments are integrated with current and planned transport access and capacity, to provide mitigation where necessary and focus on sustainable modes. Core Strategy policy 2 encourages sustainable transport to reduce congestion, traffic and pollution. Southwark Plan saved policies 5.1 "Locating developments", 5.2 "Transport impacts", 5.3 "Walking and cycling", 5.6 "Car parking" and 5.7 "Parking standards for disabled people and the mobility impaired" seek to direct major developments towards transport nodes, provide adequate access, servicing, facilities for pedestrians and cyclists, and to minimise car parking provision while providing adequate parking for disabled people.

Site layout

184. The proposal follows a similar layout to the existing blocks, and retains the same vehicle access to the basement between blocks A and B. The blocks would be again accessed by pedestrians off Solomons Passage.

Trip generation

185. The site is in an area with a medium public transport accessibility level. The front of the site has a PTAL rating of 4, while the eastern and northern parts have lower levels of 2 and 1b. The site is within walking distance of Nunhead and Peckham Rye train stations, and next to the bus routes along Peckham Rye, with a greater range of bus routes available on Nunhead Lane and Rye Lane. Concerning the vehicle movements ensuing from this proposal, officers'

interrogation of comparable sites' travel surveys within TRICS travel database has revealed that there would be no material difference in the vehicle movements associated with the existing buildings on this site and the proposal. Therefore the proposal would not have any noticeable adverse impact on the prevailing vehicle movements on the surrounding roads. With the proposed reduction in car parking on the site and only an additional 6 homes, there would likely be a reduction in vehicle movements compared with full occupation of the current buildings.

186. The proposal is projected to create around 18 and 12 two-way public transport trips in the morning and evening peaks hours respectively, plus 26 two-way service vehicle movements per day. With six additional units proposed to the current homes on the site, this is not a significant increase in public transport nor servicing demand. The two bus stops on Peckham Rye close to the site have no bus real-time passenger information system and the eastbound one has no shelter, and would benefit from being improved for future residents of the redevelopment to encourage public transport use. This would be secured by a planning obligation, and the provision of the bus shelter would be subject to TfL's agreement.

Pedestrian and cycle links

187. Each block would be accessed from the Solomons Passage pavement, as they are currently. The footway next to this site on Solomons Passage connects to the pedestrian routes in the neighbouring Peckham Rye park and the bus stops on Peckham Rye and Nunhead Lane. Footways provide access to Nunhead station to the north-east and Peckham Rye train station to the north-west. Solomons Passage and the adjoining Peckham Rye are 20mph speed limit roads. Peckham Rye has recurring pedestrian crossing facilities on it in the form of zebra crossings and refuges near to the junctions with Solomons Passage, Somerton Road and Waveney Avenue plus a raised junction treatment across the three arms of the Peckham Rye/Solomons Passage junction. There are existing cycle routes around this development on Peckham Rye, Waveney Avenue, Linden Grove and through Peckham Rye park.
188. The repaving of the pavements and new kerbs along Peckham Rye and Solomons Passage, including the tactile surface at the junction, removing the redundant dropped kerb on Peckham Rye, and resiting of a lighting column would be required as necessary highway works (detailed further below) to upgrade the pavements to current standards ready for the new occupiers.
189. The applicant has proposed a 0.8m wide by 5m long sliver of land in front of block A as a position for a future bus shelter, which can be created with the proposed demolition of the store building, however a wider area would be preferred to give more pavement space around the shelter. Should TfL decide to progress this option to relocate the eastbound bus stop, then a detailed design of this area would be required, and an obligation to this effect would be included in the legal agreement. The Transport policy team has requested a 0.8m wide strip along the site's stretch of Peckham Rye to widen the pavement (which has not been proposed by the applicant), however this would further reduce the area of garden and play space on the site and would leave the existing pavement in front of Aura Court and nos. 165-171 at its the current width. On balance, this

requested improvement to the pedestrian environment is not considered to be necessary to make this redevelopment acceptable in planning terms. It was not a requirement of the 2018 permissions for a similar number of units.

Highway works

190. The highways development management team requested highway works to be secured in a section 278 agreement to improve the pedestrian environment and bring the entrances up to current standards. These include: 1) repaving the footways fronting the development (including moving the current light column at the junction which is in the middle of the pavement) and removing the redundant vehicle access on Peckham Rye; 2) constructing the vehicle crossover into the basement car park in line with the current Southwark Streetscape Design Manual; 3) providing dropped kerbs for the refuse bin collection and introduce a length of waiting restrictions to assist with collections; 4) offering the strip of land on the Peckham Rye frontage for a relocated bus stop for adoption and; 5) repairing any damage to the highway during construction. These have been agreed by the applicant, and would be secured in a s278 agreement as part of a planning obligation.
191. Highways and transport officers also requested two further highway works be secured on any permission as these would be of benefit to pedestrians:
- Conversion of the existing zebra crossing at the Somerton Road/Peckham Rye junction to a raised zebra crossing, including the reconstruction of the relevant tactile and road surfaces.
 - Introduction of an additional pedestrian refuge and crossing on Peckham Rye at the western side of its junction with Solomons Passage and a raised table on Solomons Passage.
192. The applicant has not agreed to these two measures. Officers consider the relatively small increase in the proposed number of homes on the site would not significantly change existing pedestrian movements to and from the site nor in the area, nor add a significant number of residents compared to when the existing flats were occupied. With a pedestrian island and raised junction already in existence in front of the site, requiring the applicant to fund these additional pedestrian improvements further away from the site is considered not to be proportionate to the scheme, nor necessary to allow the scheme to be acceptable in planning terms.

Construction, servicing and deliveries

193. A demolition and construction management plan would be secured on any permission, including demonstrating that transport operators will have a minimum of 'Silver' membership of FORS and adopt scheduled delivery times and consolidation of deliveries. Measures to allow the continued, safe operation of the nearby bus stop would also be required.
194. Servicing of the completed development would be as with the current scheme from Solomons Passage, with refuse collection on-street and no servicing yard for residential deliveries. Given the increase of only six units compared with the established use of the site and there being no change to the servicing arrangements from the current blocks, it is not considered reasonable to require

a delivery and servicing management plan.

Refuse storage arrangements

195. Refuse stores are shown at ground level for blocks A, B and D (shared with C), with the refuse collection vehicle waiting on street and the bins being dragged across the level hard surfacing. This is the current arrangement, and is acceptable to the waste management team. The dropped kerbs would be included in the required highway works. The stores have been sized to accommodate sufficient waste and recycling storage.

Car parking

196. The site is not within a controlled parking zone. The application proposes to reduce the number of car parking spaces on the site from the current 62 basement spaces to 40, seven of which would be blue badge spaces, and 8 (20%) shown as active electric vehicle charging points (EVCP).
197. The reduction in the prevailing car parking provision is significant and although the car parking survey carried out by the applicant's consultants is three years out of date, the retained number of car parking spaces is larger than the maximum provision in the New Southwark Plan for a residential development of this nature (which would be zero for areas with a PTAL of 4, and a maximum of 23 spaces for a PTAL of 3). Other than providing further cycle storage or general stores, the basement could not readily be put to any other use. This development will be excluded from those eligible for car parking permits under any present or future CPZ operating in this locality. The applicant will be required to provide the 20% spaces with active EVCP and the remaining 80% car parking spaces with passive EVCPs to future proof the proposal. A car and cycle parking scheme would be required as a planning obligation to detail the allocation of the spaces.

Cycle parking and cycling facilities

198. The applicant has retained the vehicle entrance leading down to the basement car park via a ramp that would have a hatched zone along the shared vehicle/cyclist route for cyclists accessing the three basement cycle stores. The applicant has proposed 238 cycle parking spaces including 214 spaces in the basement and the remaining 24 on the ground, 48 (20%) of which would be contained in Sheffield cycle racks including 2 disabled cycle spaces. Sheffield stands in front of blocks A, B/C and to the side of block D would provide visitor spaces. This cycle parking provision is more than the required numbers in the London Plan and New Southwark Plan and is welcomed. Further details of its design would be secured by a proposed condition.

Other highway matters

199. The highways development management team has asked that a condition be imposed given the works to reconfigure the car park and works close to the pavement boundaries to require detailed design and method statements for any proposed foundations and basements structures (temporary and/or permanent) retaining the highway.

200. Comments from the highways development management team on the Southwark Streetscape Design Manual requirements, adoptable standards, pre-commencement condition survey, drainage, and any oversailing balconies can be used as informatives on any permission.

Conclusion

201. The proposal would retain the basement for car parking, with the number of spaces reduced to allow for better cycle storage and blue badge provision. The number of car parking spaces still exceeds current policy requirements, however given this parking already exists and can be provided in the retained basement and the level of cycle parking exceeds minimum policy requirements, the parking provision is considered to be acceptable as part of the wider, unusual reason for redeveloping the site. Conditions and planning obligations are proposed to secure further details, construction management, transport contributions, the option to relocate the bus stop, and the highway works that are considered to reasonably relate to the proposal to redevelop this recent residential scheme.

Environmental matters

202. Core Strategy policy 13 “High environmental standards” requires developments to meet the highest possible environmental standards, increase recycling, minimise water use, mitigate flood risk and reduce air and land pollution. Southwark Plan policies 3.3 “sustainability assessment”, 3.6 “air quality”, 3.7 “waste reduction” and 3.9 “water” similarly relate to sustainability measures in developments, and the London Plan policies in chapter 9 “sustainable infrastructure” address the same topics.

Construction management

203. The air quality assessment lists out the mitigation measures during demolition and construction to reduce the effects of dust over the expected two year construction programme. Such measures would be secured in the CEMP (required by condition) to reduce the likely demolition phase and construction phase impacts to the environment, neighbour amenity and highways.

Water resources

204. The proposed new homes would incorporate water efficient fittings to reduce potable water use.

Flood risk

205. The site is outside flood zones 2 and 3 and therefore is at a very low risk of river flooding (the probability of flooding is lower than 1 in 1,000 years). The Environment Agency had no comment on the proposal, and the council’s flooding team had no objection.

Sustainable urban drainage

206. The site is within a critical drainage area. There are Thames Water pipes and

sewers underneath Peckham Rye and Solomons Passage. The proposed foul drainage into the Thames Water sewer would be the same as the existing buildings. The proposed surface water drainage would have reduced flow rates, by using the green roofs to the blocks and an attenuation tank beneath the garden in front of block A, as the main area of site not taken up by the existing basement.

207. The council's flooding and drainage team support the proposals to restrict surface water discharges from the site and the green roofs. Although the proposed discharge rates are higher than the estimated greenfield runoff rate, given the site constraints (i.e. the existing basement that is being retained which prevents further below ground storage of runoff) this is acceptable. A condition to require further details is proposed. Thames Water raises no objection, subject to a condition requiring a piling method statement. Comments on the necessary permits and Thames Water procedures would be included as informatives on any permission.

Land contamination

208. The site was occupied by a large metal works building until its redevelopment in the late 2000s. The site was redeveloped for residential use, and the basement excavations removed soil from the site. The basement takes up most of the application site and is to be retained in the proposal. Block D and the front garden to block A are outside the basement's extent.
209. A desk-top contaminated land assessment has been provided which considers that if contamination from historic uses is present (such as those areas of the site where the basement has not removed the soils), it would present a moderate to low risk to both construction workers and future residents, and a low risk of ground gas. Site investigation works and chemical testing would need to be undertaken and necessary mitigation measures incorporated. The investigation and remediation strategy would be secured as a planning condition, along with an unexpected contamination condition.

Air quality

210. The submitted air quality assessment considered the exposure of future residents to the site's air quality, including from the vehicle trips from the occupied development and the communal and individual boilers within the proposal. The proposal is considered to have a negligible impact on NO₂ and PM10 concentrations, and overall air quality in the area. Electric vehicle charging points in the basement car park (active and passive provision) would be required by condition.

Wind

211. The proposal is not a tall building, and the massing of the proposal is broadly similar to the current blocks on the site and neighbouring sites. It would not raise significant wind issues.

Ecology and biodiversity

212. The current site is of limited biodiversity value, although a survey undertaken in 2020 indicated the buildings provide potential bat roosting features (due to the lack of maintenance of the buildings causing gaps in the cladding and roofs). Replacement landscaping and tree planting, as well as hedges, garden planting, bird boxes and green roofs are included in the proposal. The application has been reviewed by the council ecologist, who considers the submitted ecological appraisal to be acceptable and made recommendations on the precise tree species and extensive green roof planting.
213. The landscaping, tree planting and green roofs have an urban green factor of 0.32, which is below the 0.4 score for predominantly residential schemes sought by London Plan policy G5. However it would be an improvement on the existing site's ecological interest and the approved scheme, and with larger scale planting limited by the extent of the retained basement beneath most of the site. This is not considered to be sufficient reason for refusal of the application.
214. Conditions are recommended regarding the green roofs, to require 18 bird nesting bricks, further landscaping details and management plan, and for a precautionary bat survey as demolition had not occurred before March 2021 (when bats start to emerge). These measures would ensure the proposal incorporates measures to enhance biodiversity, on a site next to the Peckham Rye SINC.

Energy and sustainability

215. Core Strategy policy 13 "High environmental standards" requires developments to minimise greenhouse gas emissions. Southwark Plan policy 3.4 "energy efficiency", and the London Plan policy S12 similarly seek to reduce carbon emissions.
216. A proposal to demolish buildings that are only 12 years old is not a sustainable form of development, however the specific case for taking the drastic step of demolishing all the buildings on the site has been set out earlier in this assessment. Leaving the buildings to deteriorate further would not be a sustainable option, since vacant buildings do not provide homes to support the local community and further deterioration would ultimately lead to the need to redevelop. Options to renovate and repair have been fully explored but discounted as not feasible due to the scale and range of building defects. Clearing the site to allow development will bring it back into use and provide better quality, well-insulated and ultimately more carbon-efficient homes, capable of beneficial long term use.

Whole life cycle and carbon capture

217. The requirements of the London Plan policy S12 "Minimising greenhouse gas emissions" came into effect during the course of the application, and the applicant has recently provide a whole life-cycle carbon report to address this policy. This report calculates that the construction phase would cause the most carbon emissions (from the production of the materials for the buildings), and that the occupation phase would continue to use carbon for daily energy and

water, and less frequent maintenance and replacement during the life time of the development. The submitted whole life-cycle carbon report recommends that opportunities to specify low-carbon materials are taken at the detailed design stage, for example, selecting steel with high recycled content for the structural frame, and bricks that use concrete or high recycled content. Retaining the basement structure means there are no additional transport emissions for that part of the finished development. Two conditions relating to whole life carbon are recommended, one at pre-commencement stage and an updated one after occupation to require whole life carbon assessments.

Carbon emission reduction

218. The energy and sustainability statement goes through the measures within the proposal to reduce carbon emissions, and this was amended during the application to improve the carbon savings. For the remaining 59 tonnes of carbon each year, a payment of £168,150 for the carbon off-set requirement would be secured in the section 106 agreement.

Be Lean (use less energy)

219. Be lean measures include the orientation of the facades, how the amount of glazing has considered passive solar design and provides good levels of daylight, reducing over heating, allowing natural ventilation, the building fabric, and low energy lighting. The measures provide a 19% reduction in carbon emissions.

Be Clean (supply energy efficiently)

220. The site is 1.2km from the nearest district heat network, so connection to an existing network is not feasible, and is unlikely to be feasible in the future.

Be Green (Use low or carbon zero energy)

221. Air source heat pumps are proposed and a larger area of rooftop PVs was incorporated into the amended plans to achieve a further 24.5% reduction in the total emissions. Together these “be lean” and “be green” measures would achieve a 44.3% reduction on site (improved from the 35.07% of the original submission). This would be better than the 37.9% savings for the rebuild of block B/C approved by one of the 2018 permissions.

Be Seen (Monitor and review)

222. The London Plan (2021) requirements for monitoring the completed development will be included in a planning obligation.

Circular economy

223. The applicant has provided a circular economy statement to address the requirements of London Plan policy SI7 “Reducing waste and supporting the circular economy”. This statement was prepared with reference to the GLA’s draft guidance. The existing buildings on site would be demolished and their

materials recycled with separated waste streams on site and a target for 95% of non-hazardous material to be diverted from landfill: a pre-demolition audit was provided to suggest how the concrete and tiles could be crushed for reuse, steel could be recycled, and timber used for energy generation although with the damage to the frame the wood may be rotten and the metals may be corroded. Retaining the existing basement prevents excavation waste and saves approximately 2,500 tonnes of concrete. A pre-fabricated light-weight steel frame would be used for the new buildings (rather than a traditional concrete and blockwork structure) which can be dismantled, reused and recycled and can be supported by the retained basement structure. A brick slip system to the elevations can be removed and reused, and is half the weight of traditional masonry. Conditions are proposed to require a final version of the circular economy statement and post-completion reporting to ensure compliance with London Plan policy S17.

Overheating

224. The proposal has reduced potential overheating by including shading from the balconies and from the neighbouring buildings, and by including openable windows for natural ventilation. As a typical residential construction of bricks, metal cladding and projecting balconies, and when considering the orientation of the site and the shading from the neighbouring buildings on the southern and eastern sides, the proposal does not raise significant overheating issues to future occupiers.

Planning obligations (S.106 agreement)

225. Saved policy 2.5 of the Southwark Plan and policy DF1 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Saved policy 2.5 of the Southwark Plan is reinforced by the Section 106 Planning Obligations SPD, which sets out in detail the type of development that qualifies for planning obligations. Strategic Policy 14 “Implementation and delivery” of the Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments. The NPPF which echoes the Community Infrastructure Levy Regulation 122 which requires obligations be:

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

226. Following the adoption of Southwark’s Community Infrastructure Levy (SCIL) on 1 April 2015, only defined site specific mitigation that meets the tests in Regulation 122 can be given weight.

227. The proposal requires the following measures to be secured as planning obligations which are set out in summary:

Planning Obligation	Mitigation	Applicant Position
Affordable housing on-site provision	To provide the 40% affordable housing as 22 units of social rent	Agreed

	(83hr) and 10 units of intermediate tenure (35hr) housing on site to an RP/the council, to be made available before more than 50% of the private units can be occupied, and setting out the eligibility criteria.	
Affordable housing monitoring fee and monitoring clauses	£4,235.20 (indexed) for the monitoring of the affordable housing provision on site, and requirement to provide an annual report on the on-site affordable housing.	Agreed
Affordable housing viability reviews	An early stage review in the event that the permission is not substantially implemented within two years of permission being granted.	Agreed
Wheelchair housing marketing	To market the 4 private and 1 intermediate tenure wheelchair units to wheelchair users in appropriate locations.	Agreed
Carbon offset financial payment	59 tonnes at £95/year for 30 years = £168,150 (indexed) to achieve the zero carbon policy requirement	Agreed
Be seen monitoring post-installation and review	Review to verify the carbon savings delivered with an upwards only adjustment to the carbon off-set green fund contribution if required.	Agreed
Highway works	To enter into a s278 agreement to secure the following highway works to be carried out prior to first occupation: - Repave footway fronting the development including	Agreed

	<p>new kerbing on Solomons Passage and Peckham Rye using materials in accordance with Southwark Streetscape Design Manual, including replacing the relevant tactile paving and relocating the lighting column with street name plate at the junction corner.</p> <ul style="list-style-type: none"> - Construct vehicle crossover in accordance with current SSDM. - Provide dropped kerb access on Solomon's Passage for refuse bins and introduce a length of waiting restrictions to aid in refuse collections. - Repave and dedicate a strip of land (between the adopted highway and the proposed fence lines) on Peckham Rye and Solomons Passage, which currently do not form part of the public highway as publicly maintained. - Repair any damage to the highway due to construction activities. 	
Bus stop area	To liaise with TfL on whether it wishes to relocate the eastbound bus stop to the site, and if so to submit a scheme for approval showing the location of a bus shelter plus sufficient pavement width, the landscaping	Agreed

	<p>of the front garden of block A, the bus stopping area, the relocated pedestrian refuge, and to construct such a scheme including the bus shelter (the cost of the shelter and Countdown to be up to £60,000) in accordance with the approved details no later than first occupation unless an alternative timetable is agreed, and to offer the strip of land (between the adopted highway and the fence line) on Peckham Rye, which currently does not form part of the public highway as publicly maintained.</p>	
<p>Car and cycle parking management plan</p>	<p>Submit car and cycle parking scheme for the provision of 40 car parking spaces including 7 disabled car parking spaces (shared equitably between affordable and private housing units), detailing the access arrangements for residents of block D, 8 (20%) of which must be equipped with active electric vehicle charging points (EVCP's) and the remaining 80% with passive EVCP's, plus 238 cycle parking spaces contained in secure shelters, comprising at least 24 Sheffield cycle racks including 2 disabled cycle spaces, for approval.</p>	<p>Agreed</p>

	Exclude from CPZ parking permits for existing and future CPZs.	
Transport contributions	Contribution of £20,000 (indexed) to provide real-time passenger information system (Countdown) to one bus stop.	Agreed
Tree contribution	In the event a) that the new tree planting required by condition is not delivered on site or b) the street trees to be protected during the works are damaged, killed or removed, a financial payment be provided to the council to provide replacement tree planting in the area.	Agreed
Playspace contribution	£44,847 (indexed) to address the shortfall of 297sqm of playspace on site.	Agreed
Construction phase jobs and training	To secure a minimum of 17 jobs, 17 short courses, and 4 apprenticeships. A financial contribution if shortfall based on the £4,300 per job, £150 per course and £1500 per apprenticeship (all indexed).	Agreed
Administration and monitoring fee	2% of the above financial payments = £4,659.94	Agreed

228. These obligations are necessary in order to make the development acceptable in planning terms, and to ensure the proposal accords with saved policy 2.5 of the Southwark Plan, Core Strategy policy 14 and London Plan policy DF1, and the Section 106 Planning Obligations and CIL SPD.
229. In the event that an agreement has not been completed by 31 May 2022, the committee is asked to authorise the Director of Planning and Growth to refuse permission, if appropriate, for the following reason:

The proposal, by failing to provide for appropriate planning obligations secured through the completion of a section 106 agreement, fails to ensure adequate provision of affordable housing and construction jobs and skills, and mitigation against the adverse impacts of the development such as the necessary highway works and through contributions for the carbon offset fund and transport improvements to comply with policies. It would therefore be contrary to Saved Policy 2.5 Planning Obligations of the Southwark Plan (2007), Strategic Policy 14 Delivery and Implementation of the Core Strategy (2011), Policy DF1 Delivery of the Plan and Planning Obligations of the London Plan (2021), the guidance within the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015 and later addendum) and policy IP3 Community infrastructure levy and Section 106 planning obligations of the emerging New Southwark Plan.

Mayoral and borough community infrastructure levy (CIL)

230. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material 'local financial consideration' in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport invests in London as a whole, primarily Crossrail. Southwark's CIL will provide for infrastructure that supports growth in Southwark.
231. The site is located within Southwark CIL Zone 2 and MCIL2 Band 2 Zone. Based on the existing floor areas provided in the agent's CIL Form 1 (GIA) dated 6 November 2020 and the proposed floor areas in the latest accommodation schedule (Rev.12.10.21, received 14 October 2021), the gross amount of CIL is approximately £676,198.12 (pre-relief) consisting £127,253.67 of Mayoral CIL and £548,944.45 of Borough CIL. Subjecting to the correct CIL forms being submitted on time, CIL Social Housing Relief (approximately £268,224.41) can be claimed for a number of types of affordable housing. The resulting CIL amount is estimated to be around £407,973.71 net of relief. It should be noted that this is an estimate, and the floor areas will be checked and measured when related CIL Assumption of Liability Form and Relief Claim Form are submitted, after planning approval has been obtained.

Other matters

232. The proposed conditions in the recommendation have had regard to the conditions on the 2018 permission for the new block B/C, and have been updated to ensure policy compliance with the current development plan (including the recently adopted London Plan) and emerging New Southwark Plan.
233. Objectors referred to this being another redevelopment proposal for this site, how residents had to suffer the building work with the construction of the current buildings and now their demolition and rebuild, the issues with the original builders, the damage they did to neighbouring properties, and the role of the council in not ensuring the build quality. Officers have sympathy with residents

in the area having to go through another demolition and build phase, however without intervention the homes will remain unusable, and the site will continue to deteriorate. Measures within the required management plans would give better controls this time, and the works would be subject to Building Regulation requirements. Some of the objections received from residents refer to non-planning matters, such as the impact on property values, the loss of a view of the city skyline, and the developer paying for window cleaning. Such matters do not form part of the assessment of this application.

Community involvement and engagement

234. The applicant carried out pre-application engagement with officers, councillors and amenity groups, and set up a project website that was advertised by leaflets to properties within 100m of the site, a newspaper advert and notices on the site's hoarding. Many of the public objections received to the first round of the council's consultation on the application however said the applicant's leaflets had not been received, and that the council's letter was the first notification they had received that a redevelopment was proposed. A completed Development Consultation Charter template and a Statement of Community Involvement were provided with the application. Since submitting the application, the applicant has continued to update the local community by distributing newsletters in February about the amendments to the scheme, updating the project website and more recently by meetings with the closest residents on Waveney Avenue from April to June 2021 to better survey the shared boundary and site levels, and to discuss the latest amendments to block D before submitting them to the council.
235. On receipt of the application, the council advertised it by site notice, newspaper notice and letters to surrounding properties. Due to postal delays over Christmas the consultation period was further extended; all comments received throughout the application period have been taken into consideration. Two rounds of re-consultation were carried out for the amendments made to the proposal. The initial consultation resulted in objections from the Peckham Society and 60 residents, five comments and one in support. The first re-consultation received 16 objections reiterating issues previously raised and two in support. The final re-consultation attracted two objections and one comment in support. The responses received from the local community, internal consultees and external consultees are summarised below.

Consultation responses from members of the public and local groups

236. The consultation responses received in reply to the first consultation from residents and the Peckham Society, and the later rounds of re-consultation are set out below. The objections, neutral comments and support comments are summarised.

First consultation

237. Peckham Society: objects. The scheme could be much bolder and might refer to the simple shape of the industrial building that stood on the site. The stepping back of the elevations produces a clumsy silhouette, the projecting balconies counteract the simplicity of the brickwork. Nearly all the buildings around

Peckham Rye are quite simple. The planning of the flats is quite thoughtful, but the whole site feels cramped. The proposed corner treatment at the junction of Peckham Rye and Solomon's passage is weak. There should be a crescendo here, with a thin high point, but what is suggested is more like a wedding cake. The scheme should be much simpler. Welcomes some aspects of this scheme, but is less welcoming of the lack of ambition. Welcomes the selection of brick as cladding material and the simple iron work of the railings.

238. 60 objections were received, including one objection written on behalf of the residents at 45a-55a Waveney Avenue (who submitted their individual comments as well). These objections are summarised as:

History of the site:

- About 15 years ago there was a scheme that was objected to (and refused) due to height and density, before the current buildings.
- The current buildings had been only up for 6 years before residents were evacuated for substandard construction. Question what lessons have been learnt from the scandal and corruption of the construction, and whether the same issues happen again with a large, heavier structure. No faith that as the council approved the current buildings, that the proposal would be any different.
- These buildings have been left to rot for many years, permission was granted to demolish and rebuild but wasn't done. With the site empty, local residents have seen how much parking is available, how bins don't overflow and pollution is down. Question why the council want to harm people's health during a pandemic with demolition, construction traffic and congestion.
- Some had no objection to the principle of redeveloping the site.

Neighbour amenity:

- The design does not consider the neighbouring properties. It will have an intrusive and harmful impact, fails to respect the reasonable expectations and amenities of neighbouring residents. The impacts are not "minimal" as suggested by the applicant.
- It is too close to adjoining properties and too large – much taller than the recent permissions that were already taller than the existing buildings. The increased height will have a disproportionate impact on the rear of the neighbouring properties.
- Loss of outlook, sense of overbearing and enclosing impact to outlook and gardens, especially the relationship between block D and Waveney Avenue which are already very close and have small rear gardens. For example, the boundary wall with block D being increased 51% to 5.3m at only 3.5m-5m from the rear windows of Waveney Avenue.
- Increase in height only to add another dwelling and given improved ceiling heights for future residents. Instead of increasing the height, it should be reduced to single storey. Amenities of existing residents should not be compromised as a result of poor design. Block D needs to be redesigned.
- Drawings are inconsistent on the heights along the Waveney Avenue boundary and distances.
- Loss of light, especially from the additional height on buildings that were

already bigger than the previous one. Assessment doesn't correctly consider neighbouring properties. Incremental worsening of daylight for neighbours.

- Loss of sunlight to gardens (especially Waveney Avenue), even above the losses of the approved scheme.
- Loss of privacy from the additional storeys, windows moving closer to the boundaries, balconies and roof terraces, overlooking to gardens and windows. The existing block D didn't have windows or balconies, and where there were windows they were at a high level for ventilation only. This care has not been taken with the current proposal. Screening would not mitigate all overlooking, and screening to the terrace on the boundary of block D would increase the height and massing. Moving the 4-storey part of block D closer to the boundary than the approved scheme will add further massing and overlooking.
- Obscured windows would cause light pollution.
- Object to the additional height of block C from the roof plant.
- Misleading and inadequate information on the impact to neighbours, with the Waveney Avenue properties shown further from block D than is correct. The relationship is misrepresented.
- A mix of materials by building on the boundary wall with Waveney Avenue, will further harm the outlook of neighbours.
- Noise from balconies (especially at the rear of BC which would be metres from the Aura Court bedroom windows) and more people living on the site. Taller buildings would mean the noise reverberates more.
- Impact on mental health with neighbours being at home all the time during the pandemic.

Design:

- It is too high for this residential area. The heights of the replacement buildings should match the existing, as they were already taller than the previous industrial building.
- Overdevelopment with the significant increase in massing. The road is too narrow for this many flats.
- Out of keeping with the character of the area, and the Victorian terraces.
- A generic, non-descript design fronting a beautiful park.
- Ugly brick cladding. Perpetuates a propensity for glass and steel urban living.
- Harm to the park which is surrounded by sympathetic buildings.
- Loss of play space on site. More open space is needed on the development with the increase in the number of units. The existing blocks have poor quality concreted areas. The green spaces need to be attractive.
- Plant on the roof would make the buildings even taller.

Affordable housing:

- Inadequate affordable provision given the needs of the area.
- The viability assessment with excessive 17.5% profit and 5% contingency for the developer mean that more affordable housing can be provided.
- The homes will not be affordable.

- Not clear how many units will be socially affordable.
- The council's method of calculating habitable rooms is unfair, with more affordable living/kitchen/dining rooms counted as two rooms, and means a smaller amount of affordable housing is provided. Social housing tenants shouldn't have open plan kitchen/living rooms.
- The original scheme had an emphasis on social housing as the main reason for approving it. The current proposal only refers to 27 affordable home out of the 92 proposed homes which isn't sufficient.
- The borough needs housing, but not when it comes with the disproportionately small amount of 'affordable' flats proposed, which would further price out lower-income residents.

Transport:

- Increase in traffic, loss of on-street parking and inadequate parking provision on narrow roads.
- Already a lack of parking space on surrounding roads, so more spaces will be needed during construction and for future residents. With people working from home there is more pressure on parking on-street. Safety concerns with parking pressure.
- Reducing the number of basement spaces by 30% (from 62 to 43) relies on parking survey data from 2016. A new parking survey should be done.
- The basement parking wasn't used by previous residents (drainage problems), with cars and work vehicles parked on street. The units should only be sold with a provision that residents don't have cars. If residents have to buy a basement parking space they would park on the road instead.
- Since parking charges were introduced for Peckham Rye car park, visitors to the common park on other roads. The park is becoming more popular so visitors are taking up car parking spaces.
- Disabled residents need clear access to their homes at all times.
- Parking permits should be introduced on the council estate, and a CPZ with future residents not eligible for permits.
- The basement entrance needs to be designed to prioritise pedestrians rather than cars.
- Inadequate public transport provision. Increased strain on bus services.
- Not enough provision for cycling and walking, leading to more pollution.
- Question if there is ample cycle storage.

Pollution:

- Demolition and construction will be noisy and dirty, with many large vehicles. Neighbours are very close and at home during lockdown (including people shielding) so will be subjected to noise, dust, rodents a few metres away from their windows, affecting their health, wellbeing and jobs. No weekend working should be allowed, and working hours strictly enforced.
- Increase in pollution, especially air pollution from vehicles.
- Potentially contaminated land.
- Noise nuisance from residents, as there was with existing blocks.
- There needs to be proper, secure refuse storage to prevent the previous

- overflow of rubbish.
- Previous construction broke a sewage pipe.

Sustainability:

- Only modest improvements in thermal efficiency and carbon emissions beyond the Building Regulations. More ambitious energy and sustainability standards are needed with a climate emergency.
- Rainwater toilets, solar powered lighting and sustainable materials should be required.
- Increased danger of flooding.

Other topics:

- Affecting local ecology.
- Strain on existing community facilities. The site should be used as a community space.
- Contrary to the local plan.
- Information missing on the plans, and not enough information given.
- The houses on Waveney Avenue are shown on the drawings further from block D than they actually are.
- Lack of consultation by the developer, nothing in the post, the developer's website only asks loaded questions in an inadequate survey. The developer's leaflets were not received. Gives the feeling of being underhand and designed to keep residents in the dark until it is too late.
- Lack of consultation by the council – resident in Barforth Road did not receive any information (120m from the application site). Letters not received. Delays of 3 weeks for the council's letters to arrive, meaning there is only a week for neighbours to comment. A virtual meeting should be held. More time is needed to consult effectively. The council needs to reconsider its thirst for money and think of the community it serves.

Non-planning considerations:

- Loss of view across the city, developer should pay to clean windows of neighbouring properties, impact on property values.

239. Five neutral comments:

- Not opposed to the proposal given the derelict nature of the site and the positive contribution to affordable housing, but concerns of the impact on local residents, especially in the construction phase.
- Impact on local ecology, 2 swift nest boxes aren't enough, and the green roofs need to be biodiverse (rather than sedum) to benefit wildlife more.
- Inadequate access, questioning whether any access from Carden Road would be needed, which would impact on parking and be a hazard.
- The further survey work undertaken showing that demolition is necessary is not set out. Demolition will have substantial impact on the quality of life for residents.
- The Construction Environmental Management Plan only sets out standard policy mitigation measures for excessive noise, dust and pollution (but

fails to give a programme for the works and phasing), and highlights the health risk from dust during demolition. Robust monitoring and mitigation requirements must be imposed on any permission. Construction workers would add to parking pressures on surrounding streets and should instead use public transport, which should be monitored and conditioned.

- Disappointing to see that the applicant have done little to address the concerns raised in the limited public consultation.
- The number of social or affordable homes is very low, particularly when the site was originally social housing. Families finding it nearly impossible to stay in the area so that the community is slowly destroyed and pushed out of the area.
- Query whether there will be adequate parking to not exacerbate parking issues on nearby streets.

240. One comment in support:

- In favour provided that there is no wooden cladding which weathers and makes the area look rundown.

First re-consultation

241. In response to the amended drawings and documents, the following re-consultation comments were received.

242. 16 objections that the revisions are a token gesture and do not deal with the fundamental reasons why so many people are objecting.

Harm to neighbour amenity:

- The slight revisions made to block D are welcomed but are insufficient to prevent harm to the Waveney Avenue neighbours and Williamson Court.
- If the applicant cannot build the same number of flats because of current planning requirements, it should not be the neighbouring residents that suffer further harmful impacts, but the number of flats should be reduced instead.
- The second time in 10 years neighbours have had to go through the noise and disruption on this site, affecting their health. Constructing the existing buildings caused problems for residents with a burst sewer and because of the poor build quality it is residents who will feel the impacts again.
- The drawings are inaccurate in the relationship with Waveney Avenue (boundary wall heights, distance, windows and garden areas), and so underestimate the impacts of the massing, outlook, daylight and sunlight.
- Any increase in impact arising from the revised proposals from the approved permission should be rejected as the impact of the extant permission comprises the maximum loss of outlook, daylight and sunlight that is considered acceptable. The height/mass of block D is still substantially higher than the approved scheme.
- The boundaries to the site are complex and, in many cases, the drawings

lack the context of neighbouring properties and display inaccuracies, particularly in relation to boundary wall locations and heights.

- Infilling block D with two storeys alongside the rear garden of no. 49, and the proposed balconies on the boundary are unacceptable changes from the current buildings, and would cause a loss of privacy and light. Building in block D's courtyard reduces the amenity space for future residents.
- Intrusive and overbearing form of development with the modest size of the rear gardens of Waveney Avenue.
- Loss of daylight will harm health and wellbeing. The daylight and sunlight report is misleading as it does not assess all the affected dwellings, but combines properties when they are separate properties, and doesn't assess 55 and 55A Waveney Avenue. A 21% loss of light to the existing already low light levels in the modest rear gardens is not acceptable.
- Loss of daylight to neighbouring windows on Solomons Passage which have very low levels at the moment.
- The floor-to-floor heights (of the smaller block D with two flats) are shown as 3.15m and should be reduced to reduce the harm to neighbours.
- Balconies still proposed in front of bedroom windows of Aura Court, where there are none currently.
- The balconies and terraces in block D would overlook neighbours, with notional screening that would not mitigate the overlooking of adjacent gardens and properties.
- Noise to surrounding properties from more units, more balconies and by enclosing the courtyard has not been considered.
- The harm to neighbour amenity is contrary to the RDS SPD.
- Dust, noise and pollution during demolition causing harm to health, and from construction. Working hours must be restricted and enforced.

243. Design:

- Still overdevelopment and overcrowding.
- The heights of the main buildings are unchanged and too high. Remains out of keeping with the area.
- Bland and unpleasant design.
- More open space is needed. More public and communal space is needed.
- Applicant has only changed block D because it was shown their plans were wrong and purposefully misleading.

244. Transport:

- Increase in traffic and pollution. Loss of parking. Parking provision remains inadequate when the surrounding streets are full.
- Parking issues for emergency vehicles have not been addressed, nor preventing parking that blocks access for residents.
- Parking in the area is a problem, and will be made worse during construction and once occupied.
- Inadequate public transport.

245. Other matters:

- The building should be zero energy with all residents not having to pay for

heating.

- Loitering and fly tipping likely.
- Conflicts with the local plan.
- Information missing from the plans. Lacking accuracy.
- The council needs to take a stand on this. No faith in the planning department who consistently ignored previous misgivings about the original quality of the build which has now been proven unfit and is due for demolition.
- No proper consultation and no visits to neighbour gardens to see the extent of the impact.
- Increased risk of flooding.
- Affect on local ecology.
- Strain on existing community facilities.

246. The two comments received are summarised as:

- Querying when works would start as tenants in Aura Court have requested a rent reduction during the works.
- A 7-storey development is too high, will cause loss of light, that more open space is needed, that there is not enough information nor thought put into the plans for a prime site overlooking a beautiful park. Neighbours have endured much living next to this site, and its dire history of failure that the council must bear considerable responsibility for. A building must be sustainable in all respects, and provide world-class decent, long-lasting homes that add to the aesthetic appeal of the area.

Second re-consultation

247. The second round of re-consultation resulted in two objections and one comment in support.

248. The two objections repeated issued raised before, summarised as:

- Acknowledge the applicant has made some concessions, but the proposal is still going beyond the height and scale of the existing buildings.
- Surrounding properties were massively impacted when the existing buildings were constructed as they were taller and caused more overshadowing than the previous buildings. Due to poor planning and lack of oversight residents will once again be subject to yet further increases in height and the stepping forward. The council needs to learn from these mistakes.
- The existing buildings are clearly out of proportion to neighbouring properties, too high and too close. The proposed new development is bigger.
- Out of keeping with character of area
- Over development
- Residents have been offered inaccurate and unclear plans to peruse. Comparisons have been made with previous applications rather than the existing structures making it very difficult to get a clear picture of the proposed new buildings.

- Residents need more time to consider.
- Information missing from plans.
- An uninteresting design for a site that fronts Peckham Rye. A generic non-descript building similar to hundreds of other uninspiring designs.
- Increase of pollution
- Loss of light – sunlight, overshadowing (especially from infilling block D next to no. 49).
- Loss of privacy – from the balconies.
- Nuisance from balconies being used for storage, adding visual clutter.
- By infilling block D the communal garden is removed, which was well used and with the pandemic this is just developer greed with no justification.
- More open space needed on development
- Noise nuisance – from the increased number of windows near the boundary with Waveney Avenue. Louvred windows would not reduce noise.
- Inadequate parking provision, increase in traffic, loss of parking.
- Strain on community facilities.
- Increasing the heights of the boundary wall with Waveney Avenue will be ugly with two very different types of brickwork that won't complement each other.
- Question how Southwark intends to ensure this building is of good quality and safe, how will building inspections be better than last time and how do residents trust what the council says after this disaster. Residents should not have to face the current situation again. How is fire safety considered with the materials.
- There need to be strict controls on the construction hours, noise and dust, especially with people working from home.
- Demolition and rebuilding has now been cited as a major contributor to this country's contribution to global warming. Not convinced that this is the greenest option. It's hard to believe that a major refurbishment is not possible.

249. 1 comment in support that the applicant has taken time to engage meaningfully and make amendments, to consider objections as far as they can through three rounds of amendments, so the writer no longer objects.

Consultation responses from external and statutory consultees

250. Responses from consultees are summarised below in order of the original consultation and two reconsultations.

251. Environment Agency: has no comment.

252. London Fire Brigade: ask for an undertaking that access for fire appliances (as required by Building Regulations Part B5) and adequate water supplies for fire fighting will be provided.

Officer response: the applicant has confirmed these would be provided. A condition to provide a further fire statement for the detailed design phase is proposed to accord with London Plan policy D12.

253. Met Police: It is possible for the proposal to achieve the security requirements of Secured by Design. The design team has not met the police, and would encourage discussions. The design provides natural surveillance, has defensible spaces to the ground floor, with few alcoves or secluded area. Comments on landscaping and lighting, entrance lobbies, access from the basement car park, and cycle parking for the later design stages. Recommend a two-part condition on Secured by Design.

Officer response: the later re-consultation addressed this point and a condition is included in the recommendation.

254. Natural England: has no comment and refers to standing guidance. The site is within an area that could benefit from enhanced green infrastructure provision, and Natural England would encourage incorporation of green infrastructure into the proposal.

Officer response: Tree planting, landscaping, green roofs, bird and bat boxes are incorporated into the proposal and would be secured by conditions.

255. Thames Water: requests a piling method statement is required by condition as there is a strategic sewer near to the site and water pipes crossing the site. Recommends informatives relating to groundwater discharges to the public sewer, surface water drainage and water pressure.

Officer response: The condition and informatives would be included on a permission.

256. Transport for London: objects in respect of the impact on bus operations and passengers during construction and the excess general car parking and poor cycle and disabled persons' parking:

- Bus stop - The applicant wishes to relocate the bus stop outside Aura Court for the duration of the works. TfL objects on the grounds of the impact on bus operations and the service. It cannot be relocated without being so close to the preceding stop or the next one as to be redundant. Bus passengers would have to travel a significant distance between the bus stop and their origin or destination. Passengers would have to detour across the road and use the footway by park before crossing back with the pavement closed during construction. It is not clear that this bus stop relocation is necessary, instead a management plan should be put in place to allow the bus stop to remain in use.
- Car parking: There is an existing basement and the quantum of parking and ratio has been reduced compared with existing, however this basement space could instead be used for other policy compliant purposes to add to residents' amenities or local residents. The existence of car parking is not a reason to continue with provision in excess of policy. A permit free agreement should be secured and developer funding for the implementation of a controlled parking zone on nearby streets. At least 20% of parking spaces should have electric vehicle charging points and the remainder passive provision. Encourage all disabled persons' spaces

- to have active charging facilities. Three blue badge spaces would be required with space on site for a further 6 spaces should demand arise.
- Cycle parking: The number of spaces meets the minimum PLP quantum, but the arrangements should also meet the standards in the LCDS with Sheffield stand provision. Access to the cycle parking should be safe and convenient from residents' homes and the street, which the shared use of the ramp does not provide.
- A Parking Design and Management Plan, Construction Logistics/Management Plan and a Delivery and Servicing Plan should be secured on any permission.

Officer response: The CEMP was revised to remove reference to relocating the bus stop and instead traffic exiting the site would be managed. The existing basement could not be readily repurposed to provide resident amenities (other than for the cycle and storage already shown, or for example a small gym or use with no windows or outlook). Retaining it for a reduced quantity of parking, and repurposing the remainder as storage is not considered sufficient reason to refuse this application. The cycle parking was amended. A restriction to exempt from eligibility for CPZ parking permits is proposed.

First re-consultation from external consultees

257. Environment Agency: no comment.
258. Met Police: met with the design team and discussed the Secure by Design and crime prevention measures that will be required. Consider the scheme can achieve SBD certification and do not see any areas of concern in relation to the updated application. Ask that a permission contains a condition to this effect.
259. Natural England: no comment.
260. TfL: welcomes that the applicant has in general responded positively to the previous objection comments
- Bus stop: welcome that the bus stop would no longer be closed and that management of vehicle access from the site would ensure that traffic on Peckham Rye, including buses would take precedence. A robust booking system will be required.
 - Car parking: It is a pity that the basement car parking remains given that to comply with the London Plan the development should be car free except for disabled persons' space. Suggest that a condition is imposed requiring monitoring of use with a reduction over time and repurposing of the spaces as and when possible. Based upon data for the borough and experience elsewhere it is highly likely that the 3% outset provision for disabled people will be enough to meet demand and thus the extra 7% will not be needed. All parking should be rented out on a short term basis and not sold or tied to particular flats. The disabled persons' parking should be conditioned to ensure use only by blue badge holders.
 - Cycle parking: The previous concerns appear to have been adequately addressed albeit careful detailed design will be required to achieve the requisite quantum and LCDS compliance.

- Bus stop improvements: In principle improvements to the provision for bus passengers are welcomed however a shelter requires more footway depth and it may not be possible to move the bus cage marking. Further discussion is needed with TfL as to the detailed layout and landscaping ahead of the s278 agreement being signed and the landscaping agreed to ensure that the arrangements work well to everyone's benefit.
- Active travel improvements: The footway widening to 2.4m is welcomed in principle, but TfL suggest this should be to the whole Peckham Rye frontage. Raised tables on the road would need to be agreed with TfL bus operations. Other active travel improvements in the vicinity of the site are welcomed in principle.

Officer comment: the CEMP will be required to address the bus service management. A car parking management plan and the widened area for a bus shelter would be planning obligations.

Second re-consultation from external consultee

261. TfL: having considered the contents of the revised documents, TfL's comments remain as before.

Consultation responses from internal consultees

262. Ecology officer: included in the assessment above.
263. Environmental protection team: recommends approval subject to conditions regarding; residential noise levels; plant noise; protection from vibration; compliance with the air quality assessment and boiler emissions; electric vehicle charging points; refuse storage; external lighting; basement ventilation; land contamination; construction management plan; and informatives on matters of detail.
264. Flooding and drainage team: pleased to see proposals for restricting surface water discharges from the site, as well as green roofs. The proposed discharge rate of 6.0 l/s to the public sewer is higher than the estimated greenfield runoff rate for the site, however, given site constraints this is acceptable. Recommend a condition requiring further details of the surface water drainage system.
265. Highways development management: comment that the visibility splays for the basement car park access need amending. Request conditions for highways protection during construction, and a s278 agreement for highway works. A CEMP is also required, with protection of the street trees. Other comments on drainage, survey of the highway condition and the SSDM can form informatives.
266. Local economy team: calculated the number of jobs, apprenticeships and courses for the construction phase of the development, to be secured in the legal agreement.
267. Urban forester: included in the assessment above.

First re-consultation from internal consultees

268. The following responses from internal consultees were received to the amended drawings and documents.
269. Ecology officer: no additional comment.
270. Environmental protection team: repeated earlier comments, plus the need for the CEMP to address rats prior to demolition, and for at least 50% of the car parking spaces to have EVCP and all of the blue badge spaces.
271. Flooding and drainage team: no additional comments.
272. Highways development management: comments that financial contributions are not acceptable in place of highway works; the applicant will be required to do the works instead. The two disabled bays moved onto the Solomons Passage highway are not supported, as the bays cannot be reserved for occupiers of this development and would prevent the refuse vehicle from turning around: revised drawings are needed. Further comments on the necessary s278 highway works, foundation works, dropped kerbs for refuse collection, and informatives.
273. Urban forester: included in the assessment above.

Second re-consultation from internal consultee

274. Highways development management: require a contribution towards bus countdown facility, and a condition regarding design and method statements for the foundation and basement works. A section 278 agreement is needed for highway works. Other highways comments can be used as informatives regarding oversailing balconies, street tree protection, SSDM materials, drainage.

Community impact and equalities assessment

275. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
276. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
277. 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.

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

Human rights implications

279. 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.

280. This application has the legitimate aim of redeveloping a residential site with new and additional homes, including 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

281. The council has published its development plan 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.

282. 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 agreed Planning Performance Agreement date?	NO

CONCLUSION

283. The highly unusual reasons for proposing the demolition of these buildings, which are only approximately 10 years old, relate to the poor build quality and the lack of action to remedy defects since the problems were discovered. The 2018 permissions approved two of the blocks to be demolished but have not been implemented; the current application by the new owner proposes all the buildings be demolished and reconstructed. This would provide a safer development, allows all of the homes to meet or exceed current size standards with better daylight, and to prevent issues with insurance and warranties that may arise with trying to retain the timber structures.
284. The affordable housing within the proposal has been increased during the application to be 40%, exceeding the minimum requirements and tenure split of the emerging New Southwark Plan policy P1. With the recently received draft Inspectors Report on the New Southwark Plan, the fast track route within this policy now can be applied and given substantial weight. Since this application meets the fast track threshold of 40%, with a policy compliant split and without reliance on public subsidy (grant), then no late stage review would be required. The increased level of affordable housing is welcomed, and is a key benefit of the application.
285. The proposed buildings would be larger than the existing in order to achieve the current size standards and provide an additional six units. Their architecture is considered to be a significant improvement on the current buildings, and those of the approved scheme. The proposal would preserve the setting of the nearby conservation area and listed buildings.
286. The impacts on neighbour amenity have been carefully considered taking into account the enlarged massing of the proposal compared with the existing buildings, and the design has been revised during the application in response to objections. It would not cause substantial harm to the amenity of adjacent properties. Conditions regarding screening particular windows and balconies are proposed to protect neighbour privacy.
287. Subject to the proposed conditions and planning obligations, the proposal is considered to accord with the development plan policies relating to design, heritage impacts, sustainability, ecology, transport and highways impacts.
288. It is therefore recommended that planning permission be granted, subject to

conditions and the timely completion of a section 106 agreement to secure compliance with planning policies and necessary mitigation.

BACKGROUND INFORMATION

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
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: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 1412 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policy
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received.

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Victoria Crosby, Team Leader	
Version	Final	
Dated	16 November 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		17 November 2021

