

<b>Item No:</b> 6.2	<b>Classification:</b> Open	<b>Date:</b> 31 January 2024	<b>Meeting Name:</b> Planning Committee (Major Applications B)
<b>Report title:</b>		<b>Addendum report</b> Amendments to planning application 19/AP/1974, 5-13 Commercial Way, London SE15	
<b>Ward(s) or groups affected:</b>		Peckham	
<b>From:</b>		Director of Planning and Growth	

## PURPOSE

1. To advise members of amendments to planning application 19/AP/1974, previously subject to a resolution to grant planning permission on 9 March 2022, principally the affordable housing offer which has been reduced from 42% to 35% because of the change in market circumstances, including the increase in build costs. The revised offer would still deliver a policy compliance amount of affordable housing.
2. To put forward an updated recommendation to members which reflects the amended affordable housing offer.

## RECOMMENDATION

3. That members note and consider the amendment to the affordable housing offer and agree the revised proposal be secured in the s106 legal agreement.

## FACTORS FOR CONSIDERATION

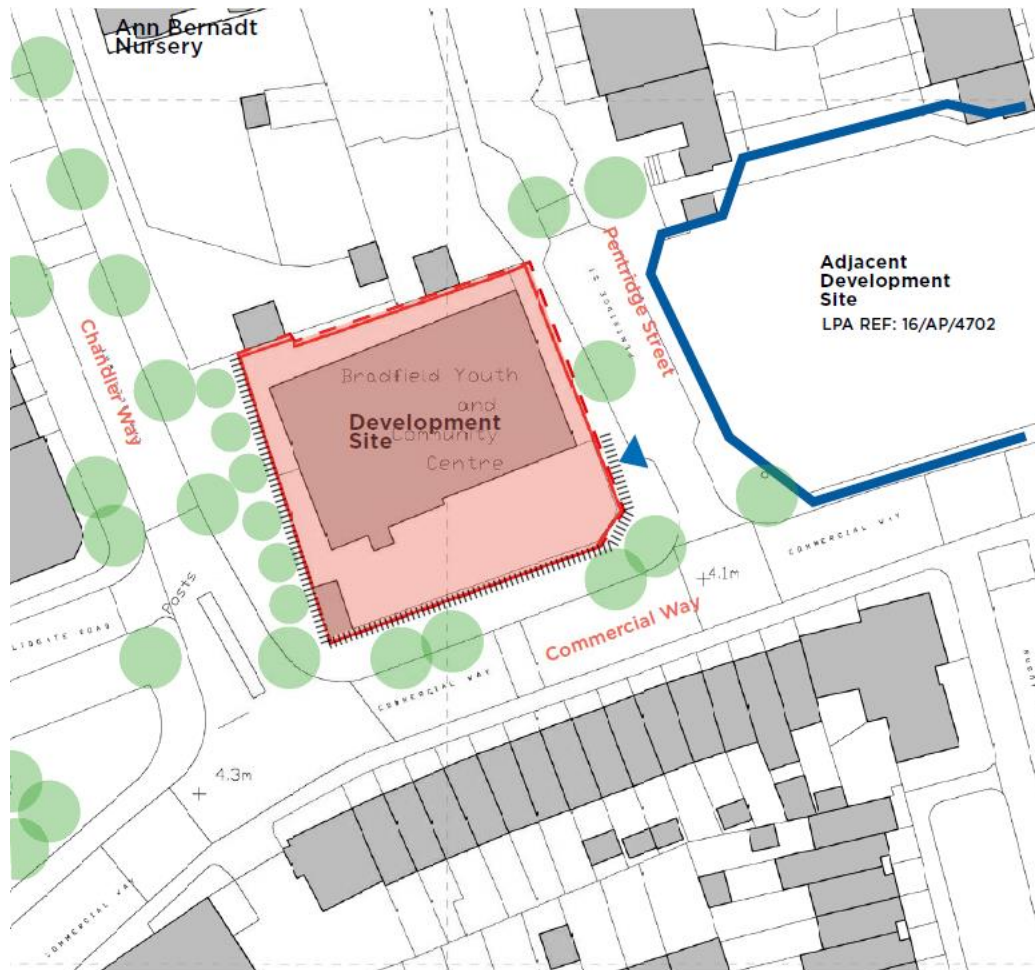
4. Further information and revisions have been received in respect of the item 5.1 on the main agenda of Planning Committee meeting held on 9 March 2022:

### **ITEM 6.2: 19/AP/1974 – 5-13 Commercial Way, London, SE15 6DQ**

#### **Background Information**

5. Planning application 19/AP/1974 comprises a development proposal for:

*Demolition of existing buildings and construction of a part 3, part 5, part 6 and part 9 storey building (34.2m AOD), comprising 48 residential units and replacement youth club and associated community services (Class F2 use) with associated landscaping, car and cycle parking, servicing and refuse facilities.*



*Site plan*



*Existing Bradfield Youth Club seen from Commercial Way, looking west*

6. The application was presented to planning committee members on 9 March 2022 and subject to a resolution to grant planning permission (subject to completion of a s106 agreement). The initial affordable housing offer was at 35% but following negotiations, including a reduction in height, it was increased to 42% and therefore was determined through the 'fast track' process where schemes proposing 40% affordable housing or more do not need to be tested for viability. A decision on the planning application has not been issued because the obligations for legal agreement have not been finalised.



Proposed view from Camberwell Way

7. In the time since the resolution to grant planning permission had been agreed by committee members in March 2022, changing circumstances, including changes to the housing and development market following the 2022 fiscal event has seen the 40% affordable housing offer become less viable for the applicant. It is on this basis that a revised affordable housing offer at 35% by habitable room has been submitted to the council as an amendment to the previous version of the scheme submitted under the same planning application, and which is being presented to the planning committee here within this report.
  
8. The viability of the scheme would be improved as a result of this change because some of the homes that would have been delivered as affordable would be provided as market sale.

Social Rent	Approved	Proposed	Change
1 Bed	0	0	
2 Bed	4	4	0

3 Bed	8	6	-2
<b>Intermediate</b>	<b>Approved</b>	<b>Proposed</b>	<b>Change</b>
1 Bed	2	0	-2
2 Bed	2	2	0
3 Bed	1	2	+1
<b>Private</b>	<b>Approved</b>	<b>Proposed</b>	<b>Change</b>
1 Bed	11	13	+2
2 Bed	17	17	0
3 Bed	3	4	+1

Change in housing tenure mix

9. The table above shows the proposed housing tenure mix which would mean that there would be two fewer social rent homes, and one less intermediate home. Three additional private homes to improve the viability of the development.
10. People who commented on the application previously were written to advising them of this amendment. No comments have been received on the change.
11. Since the planning committee resolved to grant permission in 2022, cost inflation has also affected the viability of the scheme with estimated build costs increasing along with costs such as professional fees and finance. This increase is more than £4m.

<b>Input</b>	<b>Viability position January 2022</b>	<b>Viability position October 2023</b>
<b>Income</b>		
Private sales	£15.7m	£18.5m
Social rent	£1.6m	£1.5m
Intermediate	£1.46m	£1.1m

<b>Costs</b>		
Build costs	£14.3m	£17.8m
External works	£1m	£1.2m
Other costs (professional fees, finance etc.)	£2.8m	£3.2m

Viability summary table

12. As the table above shows, while the income from the development has improved by over £2m, the costs have increased by more than £4m. The amendment to the affordable housing provision complies with the requirement of a minimum 35% and it is recommended that this be agreed by the planning committee.

### **Conclusion of the Director of Planning and Growth**

13. Having taken into account the additional information, following consideration of the issues raised, the recommendation remains that planning permission should be granted, subject to conditions and the amendment to affordable housing explained in this report.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Individual files	Environment Neighbourhoods and Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries Telephone: 020 7525 5403

## Appendix 1

<b>Item No.</b> 6.1	<b>Classification:</b> OPEN	<b>Date:</b> 9 March 2022	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>	<b>Development Management planning application:</b> Application 19/AP/1974 for: Full Planning Application  <b>Address:</b> Bradfield Club, 5-13 Commercial Way, London SE15 6DQ  <b>Proposal:</b> Demolition of existing buildings and construction of a part 3, part 5, part 6 and part 9 storey building (34.2m AOD), comprising 48 residential units and replacement youth club and associated community services (Class F2 use) with associated landscaping, car and cycle parking, servicing and refuse facilities.		
<b>Ward(s) or groups affected:</b>	Peckham		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date</b>	27/08/2019	<b>PPA Expiry Date</b>	N/A
<b>Earliest Decision Date</b>	25/11/2019		

### 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 2<sup>nd</sup> September 2022, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 229 of this report.

### EXECUTIVE SUMMARY

3. The proposal is for the redevelopment of the existing Bradfield Youth Club facility, located in the predominantly residential north Peckham area. The existing building is old and dilapidated, and therefore difficult and expensive to maintain. The proposal would provide a substantially enhanced youth club facility across ground and first floors, with 48 residential units provided across ground to 8<sup>th</sup> floor level. The proposal's tallest element would be 9 storeys in the south western corner of the site, with a 6 storey shoulder height, reducing to 3

storeys at the rear boundary to the north. 42% of the proposed housing would be affordable by habitable room, with 32% provided for social rent.

4. The scheme was subject to the council’s pre-application process and further engagement with officers and members of the local community saw the scheme revised to reduce the overall height, scale and massing, including the reduction of the number of units on floors 6 – 8 from 5 flats to 3, in addition to increasing the affordable housing offer to policy compliant levels.
5. The quality of accommodation for the residential units would be good, often exceeding minimum space standards. The provision of communal amenity space and child play space at 6<sup>th</sup> floor roof level is on balance considered acceptable given the constraints incurred by the provision of the youth club below.
6. The proposal would sit comfortably in the existing and emerging context in massing and design terms, including in the context of the currently-under construction part 5/part 9 storey council homes scheme on the site immediately adjacent to the east. It would have acceptable amenity impacts including in terms of daylight and sunlight impacts for neighbours. The proposal would be car free and while not accommodating blue badge parking on site this would not warrant refusal and the anticipated impact, including providing two on-street blue badge spaces, is considered to be able to be accommodated in the existing street network. The proposal would provide a level of cycle parking in compliance with the Southwark Plan 2022, and would achieve a minimum 40% on-site carbon emissions savings, with the potential for this to be increased secured in the S106 agreement.
7. The application was subject to two rounds of public consultation which resulted in 31 objections and 34 responses in support. The key issues raised included impact on the amenity of the adjoining occupiers, primarily the nursery located immediately to the north of the site, and scale, height and massing. The responses in support came from users of the existing club, welcoming the improved and expanded facilities.
8. The proposal is strongly supported on the basis of the substantially enhanced youth club facility, high level of affordable housing, including social rented housing, and excellent quality of accommodation. It is on this basis that the development is considered to be in conformity with the planning policies set out in appendix 2 of this report and is recommended for approval, subject to conditions and the completion of a S106 agreement.

### Planning summary tables

#### 9. Housing

Home s	Private Homes	Private HR.	Aff.SR Homes	Aff.S R HR	Aff.Int Home s	Aff.Int HR	Home s Total (% of total )	HR Total
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Studio	0	0	0	0	0	0	N/A	N/A
1 bed	11	28	0	0	2	5	13 (27%)	33
2 bed	17	53	4	13	2	7	23 (48%)	73
3 bed	3	15	8	40	1	5	12 (25%)	60
4 bed +	0	0	0	0	0	0	0	0
Total and (% of total)	31	96 (58%)	12	53 (32%)	5	17 (10%)	48	166 (100%)

10. Non-residential

Use Class	Existing sqm	Proposed sqm	Change +/-
F2	675	764	+89
Jobs	13 construction job	N/A	N/A

11. Parks and Child playspace

	Existing sqm	Proposed sqm	Change +/-
Public Open Space	0	0	N/A
Play Space	0	248	+248

12. Environmental

CO2 Savings beyond part L Bldg. Regs.	40%
Trees lost	x11 Category C
Trees gained	0

	Existing	Proposed	Change +/-
Urban Greening Factor Score	N/A	4.1	+4.1
Surface Water Run Off Rate	45lr/s	2lr/s	96% reduction
Green/Brown Roofs	0sqm	744sqm	+744sqm



EVCPS (on site)	0	0	N/A
Cycle parking spaces	0	Total 88 (residential)	+88 (residential)
		Total 18 (youth club)	+18 (youth club)

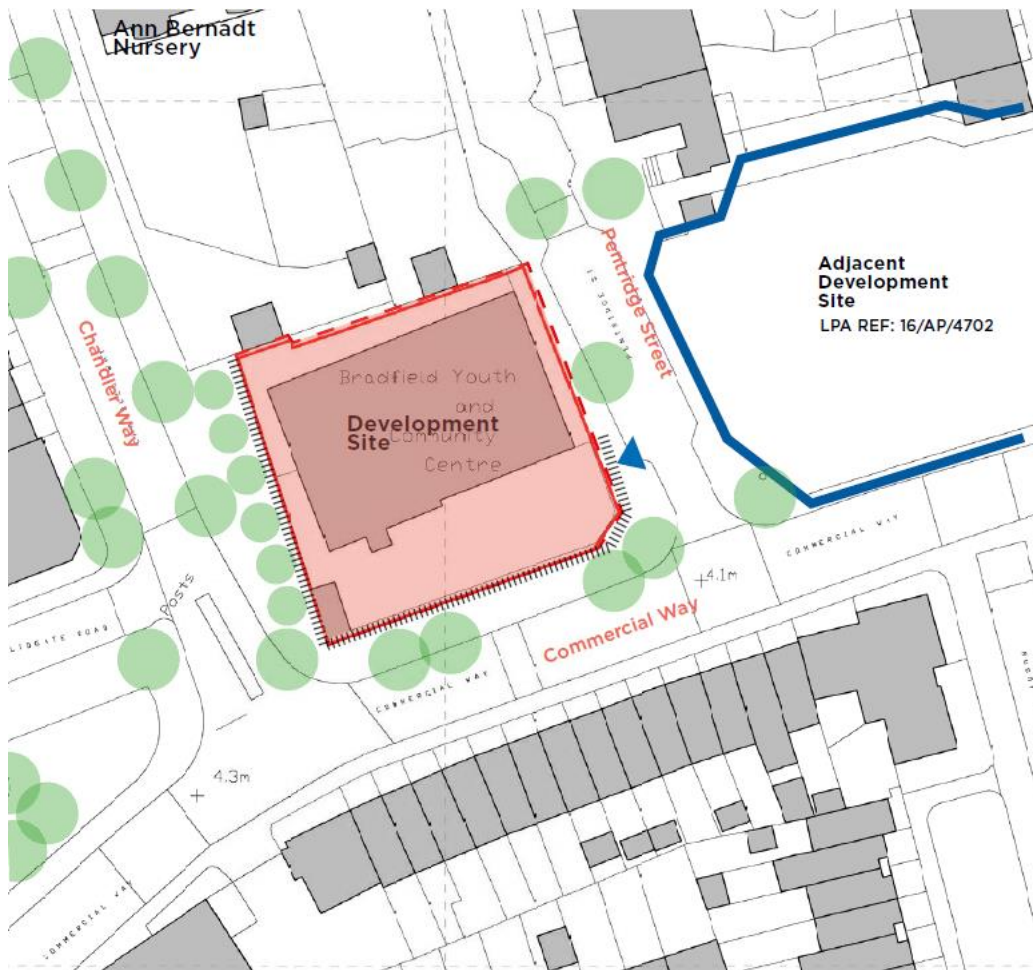
13. CIL and S106 contributions

SCIL (estimated)	£336,587.64
MCIL (estimated)	£299,837.87
S106	£129,018

## BACKGROUND INFORMATION

### Site location and description

14. The site comprises approximately 0.12ha in a predominantly residential area in north Peckham. The site is currently occupied a low-rise 1950s building hosting the Bradfield youth club with ancillary parking.



Site location plan



*Existing Bradfield Youth Club seen from Commercial Way, looking west*

15. The site is bounded by Commercial Way to the south, Pentridge Street to the west, Chandler Way and Lidgate Road to the east and the Ann Burnadt Nursery to the north. Commercial Way links to Southampton Way close to the site, which is served by several bus routes to the west.
16. The neighbouring residential properties comprise a mix of 2, 3 and 4 storey houses and blocks of flats developed in the post-war period or during the 1990s. Houses numbered 32 – 54 Commercial Way are located to the south of the site. No. 1 Lidgate Road (flats) and 2 – 14 Chandler Way (houses) are located to the east, and the four storey flatted block addressed as 1 – 36 Pentridge Street is located to the north west.
17. A construction site is located to the immediate west of the site across Pentridge Street where a part 5, part 9 storey residential block is currently under construction as part of a wider development of new council homes.
18. The nursery building to the north is located approximately 35m away from the site, with the distance between the two taken up by the nursery's playground and garden area which bounds the site. There are a number of street trees located on the footway adjacent to the site including on Chandler Way, Commercial Way and Pentridge Street.
19. The site is located within:
  - The air quality management area (AQMA)
  - Public transport accessibility level (PTAL) 3/4
  - North Peckham CPZ
  - Central Southwark Critical Drainage Area
20. The site is within Flood Zone 1. It is not in the immediate vicinity of any designated heritage assets, though in the wider area there lies the Sceaux Gardens Conservation Area to the south west and St Lukes Church, a Grade II listed post war building, to the north approximately 110m from the site.
21. The site is located within the Peckham Vision Area in the Southwark Plan 2022.

## Details of Proposal

22. Planning permission is sought for the demolition of the existing building on the site and construction of a part 3, part 4, part 5, part 6 and part 9 storey mixed use building, with approximately 764sqm GIA of Class F2 floorspace at ground and first floor levels, accommodating a reprovided community use for the Bradfield Youth Club.
23. This would comprise a large double height sports hall, changing room facilities and other flexible social and studio spaces as well as an ancillary kitchen and office space. An on-site servicing bay to accommodate small vehicles would be located in the north-western corner of the site at ground floor level.



*Proposed ground floor plan*

24. The 48 proposed residential units would be provided across all floors in the following arrangement:

	Grnd	1st	2nd	3rd	4th	5th	6th	7th	8th	Total
<b>1b/2p</b>				3	3	4	1	1	1	<b>13</b>
<b>2b/3p</b>				2	2	2	2	2	1	<b>11</b>
<b>2b/4p</b>		2	2	3	3	1			1	<b>12</b>
<b>3b/5p</b>				2	2	2				<b>6</b>
<b>3b/6p</b>	2	2	2							<b>6</b>
<b>Total</b>	<b>2</b>	<b>4</b>	<b>4</b>	<b>10</b>	<b>10</b>	<b>9</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>48</b>

25. 42% of the residential units would be provided for affordable housing by habitable rooms, split between 32% social rent and 10% intermediate (shared ownership). This would total 17 affordable homes out of the total 48 proposed.
26. Ancillary plant, refuse stores and cycle parking for the residential element of the scheme would be accommodated at ground floor level in the south western corner of the site and accessed from Commercial Way. The residential units would be arranged around a central core, with two entrances providing access from Commercial Way for Core A to private market units and from Pentridge Street from Core B to affordable units. Roof top level communal amenity and childplay space would be provided at 6<sup>th</sup> floor level, accessible by all residents.
27. The building would be primarily stock buff brick supplemented by grey brick utilised for setback upper storeys. The highest 9 storey element is situated at the south west corner of the site at the junction of Chandler Way and Commercial Way, where the triple-height entrance to the community centre would also be located.
28. From this corner the building would reduce to 6 storeys fronting the street on the southern and western elevations. The building would further reduce in height towards the north-eastern corner of the site where the northern elevation would comprise 3 and 6 storey elements (with the 6<sup>th</sup> storey set back).



*Proposal viewed from Commercial Way, looking north east*

29. The proposal would be car free, with the required blue badge car parking spaces indicated as being able to be accommodated on street.

### **Amendments to the proposal**

30. The proposal has been subject to several revisions as a result of pre-application feedback and further feedback from council officers and members of the public during the consultation and application determination period. Key revisions proposed since the application's formal submission includes an increased affordable housing offer, with an increase in the proportion of family sized homes, and revised tenure (with affordable rent replaced by social rent), a reduction in the total number of residential units from 60 to 48 and the resultant reduction in massing on floors 6 – 8, where 5 units per core were initially proposed, now reduced to 3. Minor revisions to the building height, layout of the proposed youth club facility and provision of cycle parking have also been incorporated since the application's initial submission, in addition to the removal of basement level plant and revisions to address neighbour amenity concerns, including around privacy and overlooking for the nursery located to the north.

## **Consultation responses from members of the public and local groups**

31. There have been two rounds of consultation on this application, the initial consultation and then a further re-consultations on the amendments. Consultation on the original submission was carried out in October 2019, and on the revised application in November 2021. The objections, neutral comments and support comments are summarised below.

### First consultation

32. A total of 48 individual responses were received: 26 in objection and 22 in support. The issues raised are summarised below.

### Issues raised in objection

33. 13 of the comments in objection were submitted by people working for, or in some way involved with, the Anne Bernadt nursery. The issues raised in these responses were, in summary:
- The development would affect the health and well-being of staff and children at the nursery during the construction;
  - Impact on health and well-being due to the additional noise and pollution from traffic accessing the site;
  - Many of the children attending the nursery have additional needs and will be particularly impacted by the disruption;
  - The height of the building close to the boundary would cast a shadow over the garden, particularly in winter – the garden is used all year round;
  - The windows of flats overlooking the garden and nursery will create child safeguarding issues;
  - The construction will impact trees on the site;
  - The potential for rubbish being blown into the nursery garden;
  - Would impact fire evacuation plans;
  - The development should make a contribution to outdoor play in the area;
  - The height and scale is out of character with the area;
  - Lack of consultation with the nursery.
34. One additional objection was received raising the following issues:
35. Supports improvements to the club, but objects to the submitted plans:
- Building is too tall;
  - Would generate additional noise;
  - Increase in pollution, affecting health including asthma.
36. 22 comments were received in support of the application, all of which appear to be from people who use, work at, or are in other ways associated with the existing club. These came from a wider geographic area, both within and outside Southwark. The issues raised are summarised as:

- The club is good for children and the local community;
- It keeps children safe and off the streets;
- The existing building is dilapidated and needs renewing;
- The provision of new housing and particularly affordable housing is good.

### Responses to re-consultation in November 2021

37. In response to the amended plans, 19 consultation responses were received, 5 in objection, 12 in support and one neutral comment.
38. Of the comments in objection, four were from people associated with Anne Bernadt nursery, repeating many of the issues raised previously, and summarised as follows:
- Demolition and construction work would create noise, pollution, additional traffic and safety fears, impacting children, including those with additional needs, and staff;
  - The scale of the building would block light to the nursery;
  - Impact of construction scaffolding on boundary edge and existing plants;
  - Children need access to outdoor space and to learn about the natural environment, not just the indoor space provided at the club.
39. One additional objection was received, stating, in summary:
- Would support the application if the building was at a lower scale;
  - It is too high, overbearing, and out of character with the area;
  - Impact of construction works including construction traffic causing pollution and congestion.
40. 12 comments in support were received, all of which appear to be from people associated in some way with the existing club.
- The benefits to the children and community outweigh the short term negative effects of construction;
  - Supports the clubs range of services;
  - Would provide new housing.
41. One neutral comment was received, raising concern about what would happen to the existing activities whilst the new club was built.
42. The consultation undertaken and responses received are set out in Appendix 4, Appendix 5.

### **Planning History of the site and adjoining sites**

43. Pre-application advice was sought in 2017 and 2018 for redevelopment of the site. The most recent advice, issued in November 2018 under 18/EQ/0349, supported the improvement of the Club, but raised a series of concerns, including about the height and form of the building, the quality of the residential accommodation including the level of dual aspect accommodation, mix and amenity space, and raised queries about the delivery of affordable housing.

44. The site to the immediate west of the application site is currently under construction. The application reference number for this is 16/AP/4702, for which planning permission was granted in May 2018 for:
45. *Redevelopment of existing site to provide a residential development comprising the erection of two x 9-storey buildings and 2 x 5 storey buildings on either side of re-aligned Cronin Street, providing 109 residential dwellings (100% Affordable) , 10 no. car parking space together with access, hard and soft landscaping and other associated works incidental to the development*

## **KEY ISSUES FOR CONSIDERATION**

46. The main issues to be considered in respect of this application are:
  - Principle of the proposed development in terms of land use
  - 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.
47. These matters are discussed in detail in the ‘Assessment’ section of this report.

## **Legal context**

48. 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 currently comprises the London Plan 2021 and the Southwark Plan 2022.
49. 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.

50. 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**

51. As stated above, the statutory development plans for the borough comprise the London Plan (2021) and the Southwark Plan 2022. 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 planning policies which are particularly relevant to the consideration of this application are highlighted in the Assessment section of the report below.

## **Site allocation**

52. The site is one part of PNAAP8 ('Cator Street/Commercial Way') as set out in the Peckham and Nunhead Area Action Plan. The site allocation comprises several distinct plots, including the application site, the two parcels of land located to the east either side of Cronin Street (and which are subject to planning permission under 16/AP/4702) and the land to the east of this now containing Tayo Situ House.
53. The site allocation stipulated that residential (Use Class C3) and/or community leisure/cultural uses (now Use Class F1 and F2) are required as part of any redevelopment, with other retail and employment uses indicated as being acceptable. The site allocation indicated that PNAAP8 has the potential to accommodate approximately 180 residential units.
54. The PNAAP is rescinded on adoption of the Southwark Plan 2022. The site allocation was not carried forward into the Southwark Plan 2022. This is on the basis that the majority of land parcels within it have been subject to redevelopment, with the Bradfield Youth Club the only remaining one, and which had been subject to pre-application and a full application submission up to 2019. The site is within the area defined by the Peckham Area Vision, which expects development to provide as many homes as possible of all tenures, including social housing, while respecting the local character.

## **Assessment**

### **Principle of the proposed development land use terms**

55. The provision of new homes on the on the site, alongside the re-provided community use, would be welcomed. This is both on the basis of the predominantly residential character of the immediately surrounding area and the

need for new homes in the borough, and the conformity with the Southwark Plan 2022 Area Vision. Further assessment of the proposed residential aspects of the scheme, including mix, affordable housing and quality of accommodation are set out in the report below.

56. The principle of redevelopment of the existing youth club to provide an enhanced facility would also be supported. Southwark Plan 2022 policies P45 and P47 support the provision of new and replacement community facilities. The re-provision and enhancement of the existing facility within the redevelopment would comply with London Plan policies S1 ('Developing London's social infrastructure') and S5 ('sports and recreation facilities').
57. The enhanced youth club facilities are welcomed in providing space for people to meet up and socialise, reducing social isolation, and tackling obesity and inactivity. This is a very positive aspect of the application, which accords with Southwark and London Plan policies.

## **Housing mix, density and affordable housing**

### Housing mix

58. The Southwark Plan 2022 requires major residential development proposals located in the 'urban zone' to provide 25% of units as family sized homes (i.e. three or more bedrooms). The plan additionally requires a minimum of 60% of units to be provided with two or more bedrooms.
59. The proposed mix of the 48 residential units set out in the following table:

<b>Unit size</b>	<b>Number</b>	<b>Percentage</b>
studio	0	-
1 bedroom	13	27%
2 bedroom	23	48%
3 bedroom	12	25%
Total	48	100%

60. As set out in the table above, the proposed unit mix complies with the Southwark Plan 2022 policy requirement of 25% of units provided with three or more bedrooms, in addition to exceeding the minimum 60% requirement of units to be provided with two or more bedrooms at 72%.

### Density

61. The Southwark Plan 2022 does not contain specific density matrices and ranges for different areas of the borough. Instead the Southwark Plan 2022 set out a range of criteria relating to good design and appropriate density in the context of a site-specific approach, including in policies P13 ('design of places'), P14 ('design quality'), P15 ('residential design') and P18 ('efficient use of land'). Criteria across these policies require among other things that:

- Development's height, scale, massing and arrangement responds positively to the existing townscape, character and context;
  - Buildings, public spaces and routes are positioned according to their function, importance and use within the townscape;
  - Adequate daylight, sunlight, outlook and a comfortable microclimate is accommodated for future and existing occupiers
  - Development provides a high standard of residential design quality
  - Development optimises the use of land and does not unreasonably compromise development potential on neighbouring sites
62. This approach is consistent with the London Plan 2022, within which policy D3 refers to optimising site capacity through a design led approach.
63. Given the approach to assessing site capacity in the newer documents, the quality of the proposed units, the architecture, the townscape impacts, neighbour amenity impacts, and transport implications must be considered. These considerations are set out in detail in the remainder of this report.

### Affordable housing and development viability

64. The applicant is proposing to provide 42% affordable housing based on habitable rooms. The split would broadly comply with the minimum social rent provision of 25% set out in policy P1 ('Social rented and intermediate housing') of the Southwark Plan 2022. This policy also requires 10% intermediate housing. The proposal complies with this, proposing 10% intermediate housing for shared ownership, and 32% social rented housing which is strongly supported. All the affordable housing units on floors 1 - 8 would be located off Core B and accessed via Pentridge Street.
65. The scheme provides 48 flats in total comprising 166 habitable rooms. Of these, 17 flats, or 70 habitable rooms, are provided as affordable housing. The affordable housing breakdown comprises:

Tenure	No. units	Beds/persons	Total hab rooms
Social rent	4	2B/4P	13
Social rent	2	3B/5P	10
Social rent	6	3B/6P	30
<b>Totals for social rent</b>	<b>12</b>	-	<b>53</b>
<b>% social rent</b>	-	-	<b>32</b>
Shared ownership	2	1B/2P	5
Shared ownership	2	2B/4P	7
Shared ownership	1	3B/5P	5
<b>Totals for SO</b>	<b>5</b>	-	<b>17</b>
<b>% shared ownership</b>	-	-	<b>10</b>
<b>Total affordable housing</b>	<b>17</b>	-	<b>70</b>
<b>% of total housing</b>	<b>35</b>	-	<b>42</b>

66. Southwark Plan 2022 policy P1 introduces a 'fast track' viability route for major applications, with the threshold being a minimum of 40% affordable housing, with a minimum of 25% social rent and 10% intermediate housing.
67. As originally submitted, the application offered 35% of the housing (measured by habitable rooms) as affordable housing, with a split of 70/30 affordable rent/intermediate. This was based on the original 60 homes proposed, and equated to 18 affordable units.
68. The changes to the massing required to improve the relationship to the building context, neighbour amenity and housing quality reduced the total number of homes proposed to 48. Of these, 17 would be affordable, with 12 as social rent and 5 as intermediate homes. This equates to 42% affordable housing by habitable room, in a split of 32% social rent and 10% intermediate. The total amount of affordable housing, and the amount of social rented housing, complies with the requirements for fast track eligibility. The s106 agreement would secure these levels of affordable housing, and require that they be delivered without public subsidy (grant).
69. The original application was accompanied by a financial viability appraisal. This was required for two reasons: at that time the application was only offering 35% affordable housing; and the Southwark Plan 2022 was at a much earlier stage and carried less weight, in part due to unresolved objections to the emerging policy. Now that the policy is adopted, and the affordable housing offer has been increased to above the 40% threshold, the submitted appraisal is no longer material to the decision.
70. The offer of 42% affordable housing (17 units) is a very positive aspect of the development, particularly since it is offered in conjunction with the expanded and improved Bradfield Club facilities.
71. The provision of the stated level and mix of affordable housing would be secured in the s106 agreement, alongside the obligations in relation to marketing the intermediate housing at costs within Southwark's published income thresholds. Obligations in relation to the affordable housing monitoring contribution would also be secured. Whilst the permission would not be subject to a late stage review, an early stage review would be required if substantial implementation (being an agreed level of construction) has not been carried out within two years of the issue of any permission.

## **Quality of residential accommodation**

### Minimum space standards

72. All units would meet or exceed the minimum total GIA space requirements set out in the nationally described space standards and as set out in the 2015 Technical Update to the Residential Design Standards SPD. The units would additionally in the majority of instances exceed the recommended GIA for room sizes, often by 2sqm or more. Dedicated internal storage space requirements are also generally exceeded.

### Market units

<b>Unit</b>	<b>Minimum required GIA (sqm)</b>	<b>Proposed GIA (sqm)</b>	<b>Minimum required amenity (sqm)</b>	<b>Proposed amenity (sqm)</b>
1B/2P	50	50 - 52	10	6.5 - 11
2B/3P	61	63 - 75	10	6.5
2B/4P	70	70 - 72	10	6.5*
3B/5P	86	95	10	10

\*there is one instance of a 40sqm amenity terrace provided for a 2B/4P unit

### Affordable units

<b>Unit</b>	<b>Minimum required GIA (sqm)</b>	<b>Proposed GIA (sqm)</b>	<b>Minimum required amenity (sqm)</b>	<b>Proposed amenity (sqm)</b>
1B/2P	51	51 - 55	10	11 - 26
2B/4P	70	72 - 74	10	6.5 - 9
3B/5P	86	90	10	11.5
3B/6P	90	98 - 111	10	10 – 11.5

73. The proposal would provide 5 wheelchair accessible units complying with the Building Regulations Part M4(3) standard, with 3 provided as 2b3p market units and 2 as 3b5p affordable units for social rent. This mix, and the size and specification of the units, would comply with Southwark Plan 2022 policy P8 ('wheelchair accessible and adaptable housing').

### Exemplary residential design

74. In addition to exceeding the minimum space standards for overall GIA and amenity space standards, the proposed residential units would:
- Accommodate a floor to ceiling height of 2.5m
  - Be tenure blind
  - Afford all occupiers access to the communal amenity and playspace facilities located at 6<sup>th</sup> floor roof level
  - Accommodate a maximum of 7 units per core
  - Provide 65% of units as dual aspect
  - All single aspect units provided with either a south or west-facing aspect
  - Utilise the stacking of rooms of the same type and function above and below each other to minimise noise nuisance



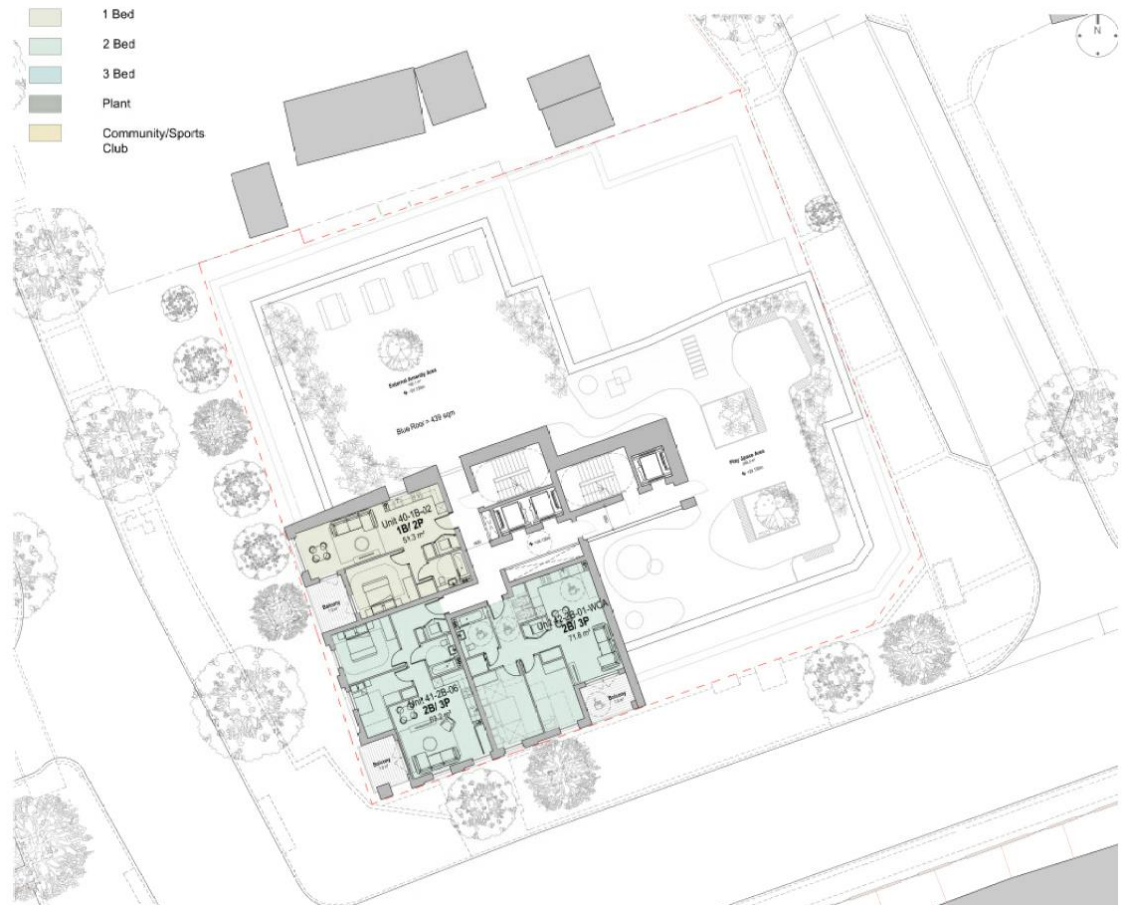
*Proposed third and fourth floor plan*

75. Across this criteria, the proposal broadly complies with Southwark Plan 2022 policy P14 ('residential design') and is in general considered to provide an excellent quality of accommodation. Further assessment of internal daylight and sunlight standards is provided later in this report.

### Amenity and child play space provision

76. All units would be afforded private amenity space, either in the form of balconies or for the two ground floor units, front garden areas. All 3 bed units meet or exceed the 10sqm minimum requirement.
77. The combined shortfall on the 10sqm private amenity space requirement accrued across the proposed one- and two-bed flats totals 108sqm. Policy requirements stipulate this must be offset through the provision of the communal amenity space provision, in addition to the default minimum 50sqm communal amenity space requirement. The large roof terrace area at 6<sup>th</sup> floor level would accommodate 190sqm provided as dedicated communal amenity space. This would exceed the required amount which is a positive aspect of the scheme.
78. The 6<sup>th</sup> floor roof level area would additionally provide 248sqm of child play space, significantly exceeding the minimum requirement of 183sqm for children aged 0-11 under the GLA's child play space calculator. The total provision would additionally meet the requirement for 12-17 year old space on site which is a positive aspect of the scheme.

79. The play space area of the 6<sup>th</sup> floor level roof terrace would have an open aspect to the south and therefore afforded plenty of sunlight. Both the communal and child play space areas would be accessible by the occupiers of both the private and affordable housing units.



*Proposed 6<sup>th</sup> floor level including roof level communal amenity and childplay space*

80. Policy P14 of the Southwark Plan 2022 states that child playspace should be at ground level or on low level podiums. Being at 6<sup>th</sup> floor level, the playspace in this scheme does not meet this expectation. However, the design and footprint of the building, to accommodate the large format spaces needed for the club, mean that limited external space is available at lower levels. The space provided in this application is well-designed in that it links the play and amenity spaces across one roof level, and has more than one escape route in the case of an emergency. It also receives good sunlight levels due to its height and orientation, and is equally and conveniently accessible by all tenures. In the specific circumstances of this application, it is recommended that the playspace location should be accepted as the best outcome for this scheme.
81. Details regarding the landscaping and design of the child play space is recommended to be secured by condition.

### **Daylight and sunlight levels for proposed homes**

82. 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.
83. The assessment covers two potential scenarios, the first with the baseline conditions of the site to the west being vacant (as per the circumstances during the initial submission of the application), while the second takes into account the impact of the completed development approved under 16/AP/4702. This development is now at an advanced construction stage. In light of this, this report will focus on the results set out in scenario 2 only.
84. The results demonstrated that approximately 90% of rooms (130 out of 143) will meet the minimum recommended ADF levels for their specific room types. Of the 13 rooms below the recommended level, 7 would be close to achieving it (with the 3 bedrooms achieving 0.82%, 0.87% and 0.91%, while 3 living kitchen dining areas achieve 1.4% and another 1.39%).
85. Of the 143 rooms tested, 127 will meet the minimum recommended NSL of 80%. Of the 17 rooms which do not meet the recommended NSL value, 7 are close at between 69% and 79%. Of the remainder, all are bedrooms, with 3 rooms achieve between 59-68%, 2 between 50%-58% and the remaining 5 rooms achieving between 20% (one instance) and 43%.
86. On balance, the level of daylight received by the rooms within the development is acceptable, and has not unduly compromised the quality of the living accommodation.

### Sunlight to rooms

87. For the purposes of assessing access to sunlight, the assessment considers windows within the proposed development which face within 90 degrees of due south only. Of the 140 windows tested, 111 (79%) meet the recommended criteria for winter sunlight hours, while 76 windows (54%) meet recommended criteria for total annual sunlight hours. However, it should be noted that many of the windows tested serve rooms with multiple windows and the proposed development includes instances where a room hosts windows which both achieve and are below the recommended value.
88. Taking this into account, 133 (95%) of the 140 windows tested serve rooms with at least one window that meets or exceeds the annual sunlight hours target. Of the total 96 rooms tested, 26 would not have windows that would achieve the recommended 25% annual sunlight hours. Of these, 19 would still meet or exceed the minimum recommended for winter sunlight hours. The remaining 7



rooms would fall short of both the annual and winter recommended levels, although in 6 instances the achieved level for winter would be close to the recommended level at 4%.

89. Of the 26 rooms which do not host any windows which meets the recommended annual sunlight hours, 17 would serve kitchen/living/dining areas. Of these, all would still achieve the minimum for winter sunlight hours, and 3 would achieve between 20% - 24% for annual sunlight hours, reasonably close to the recommended level.
90. This is on balance acceptable and overall the proposal would provide a good quality of accommodation in terms of access to sunlight for habitable rooms.

### Noise

91. A noise impact assessment was submitted to support the application. This considered in particular the impact of the proposed community use on the occupiers of the residential units above. The council's environmental protection team (EPT) reviewed the report and agreed with the report's recommendations that adequate protection for future occupier's amenity can be implemented through use of suitable glazing and floor slab specification and insulation. Conditions regarding internal noise levels of the residential units are recommended to be included in any grant of planning permission.

### Conclusion on quality of residential accommodation

92. The proposal would meet and in the majority of instances exceed minimum space standards and provide a good level of overall provision of private and communal amenity space and child play space. The location of these amenity areas at 6<sup>th</sup> floor roof level, while not strictly compliant with Southwark Plan policy P14, is considered justified in light of the constraints incurred by the delivery of the enhanced youth club facilities at ground floor, and would provide a generous amount of space with the potential to accommodate a successful aspect of the development for the benefit of future occupiers. The proposed units would benefit from a good level of access to daylight and sunlight and where below the recommended BRE values, this is considered to be adequately justified in the majority of instances. On balance the proposal is considered to provide a high quality of accommodation and residential design.

### **Design issues**

93. Paragraph 126 of the NPPF stresses the importance of good design, considering it to be a key aspect of sustainable development. Chapter 3 of the London Plan deals with design related matters. In particular, Policy D4 focuses on delivering and maintaining good design, D5 on inclusive design and Policy D9 sets out the requirements for the development of tall buildings. The heritage policies of the London Plan, set out in Chapter 7, assert that development affecting heritage assets and their settings should conserve their significance by being sympathetic in their form, scale, materials and architectural detail.

94. Policies P13 and P14 of the Southwark Plan reinforce the importance of good design. These policies require the highest possible standards of design for buildings and public spaces. The principles of good urban design must be taken into account in all developments including height, scale and massing, consideration of local context including historic environment, its character, and townscape strategic and local views.

### Site context

95. The site's immediate and wider context comprises a range of predominantly residential typologies, including flats and houses, alongside associated land uses such as education (such as the Ann Bernadt Nursery), community (the existing Bradfield Club and St Luke's church to the north) and leisure (such as the Venture Ground play park to the south east).
96. Buildings in the area are predominantly 20thC, with a range architectural styles reflective of this period. This includes the post-war blocks of flats to the east which once comprised a part of the North Peckham Estate, such as 1-36 Pentridge Street, opposite the site.
97. To the south and west are more modern terraced houses, often bookended by modest blocks of flats, constructed during the 1990s and early 2000s. All the housing in the immediate area is typically 2 – 4/5 storeys in height. The non-residential uses interspersed are often in dedicated, standalone buildings and are low-rise/single storey and in a range of contemporary styles. Further to the west is the Grade II listed modernist Sceaux Gardens Estate which comprises both high and low rise blocks of flats and maisonettes.
98. The development (permitted under reference 16/AP/4702) to the immediate east of the Bradfield Youth Club site, which is currently under construction comprises two blocks of council homes, each part 5 and part 9 storeys, fronting Commercial Way.

### Site layout

99. The proposed site layout appropriately responds to the site's immediate context. The ground and first floor elements of the youth club front onto Commercial Way. The triple-height entrance of the youth club is located in this south-western corner of the site and would be clearly visible from the Southampton Way junction. The youth club's primary hall space would be located deep into the ground/first floor plan and adjoining the similarly non-residential use of the Ann Bernadt Nursery.
100. The ground floor plan also accommodates two residential units, one fronting Commercial Way, the other located on Pentridge Street to the east. An on-site servicing bay for the youth club would be provided at the back of the site on the western side providing additional access to the main hall space.
101. Servicing elements (refuse and cycle stores) for the residential units would be located in the south east corner of the site on the junction of Commercial Way

and Pentridge Street which would provide a good level of access. Entrances to the affordable and private housing would face Pentridge Street and Commercial Way, respectively.

### Height, scale and massing

102. The maximum height of the building would be 29.9m and comprise 9 storeys. The tallest element is in the south western corner above the triple-height entrance to the youth club. The location of this tallest element is considered to be an appropriate response to the site context given the wayfinding benefits and land-marking function that a taller element will provide the site, particularly in the context of the proximity to the junction of Southampton Way to the west.
103. The 9 storey element would be significantly taller than existing buildings in the site's immediate context. However the approved and now under construction part 5, part 9 storey blocks on the adjoining site to the immediate east, also fronting Commercial Way are part of the changing character of the area. In this context, including the wider variety of heights around Sceaux Gardens, the height would not be perceived as overbearing and can sit comfortably in the emerging streetscene.



*Viewed from Commercial Way looking east*



*View from Commercial Way outside the approved and under construction 16/AP/4207 site looking east towards the application site. (Note: render reflects massing at initial submission)*

104. It should also be noted that the applicant has significantly reduced the overall massing of the tallest element (with the associated impact in the reduction on the number of residential units proposed) since the initial submission. As outlined above, on floors 6, 7 and 8, the scheme was initially proposed with 5 units in this core. This has subsequently been reduced to 3 units at the request of council design officers, which has resulted in a more slender building profile. Whilst the maximum height was reduced marginally (from approximately 32.2m AGL), this revised profile has reduced the impact of the building's mass in local views.
105. The remaining parts of the building to the north and east would be lower in height and step down towards the 2-4/5 storey housing on the adjoining residential streets. Here the building would reduce to part 6 (including at points a set back 5<sup>th</sup> floor level on east and west elevations) and part 3 storeys on Chandler Way and Pentridge Street, respectively.
106. Through use of set-backs and step-downs in height across each of the proposal's elevations, the design is considered to provide both a successful contribution to stitching back together a currently disrupted streetscape, while also appropriately responding to adjoining and nearby residential and non-residential neighbours in terms of amenity impacts, including sense of scale and massing.

### Design detail and materials

107. The building would be faced primarily in buff brick with a central recessed bay on each elevation causing the building to be read as two primary elements, being the taller volume to the south-west, and smaller 6 storey (with setback 5<sup>th</sup> floor)

elements to the east and north of this. This is considered to be a successful approach in breaking up the facades.

108. Appropriately proportioned windows and balconies (all inset) finished in metal would be situated in gently recessed elements, adding a depth to the façade. Double-layer soldier coursing would be utilised between floors to provide further variation into the facades.



*Proposed south elevation*



*Proposed west elevation*

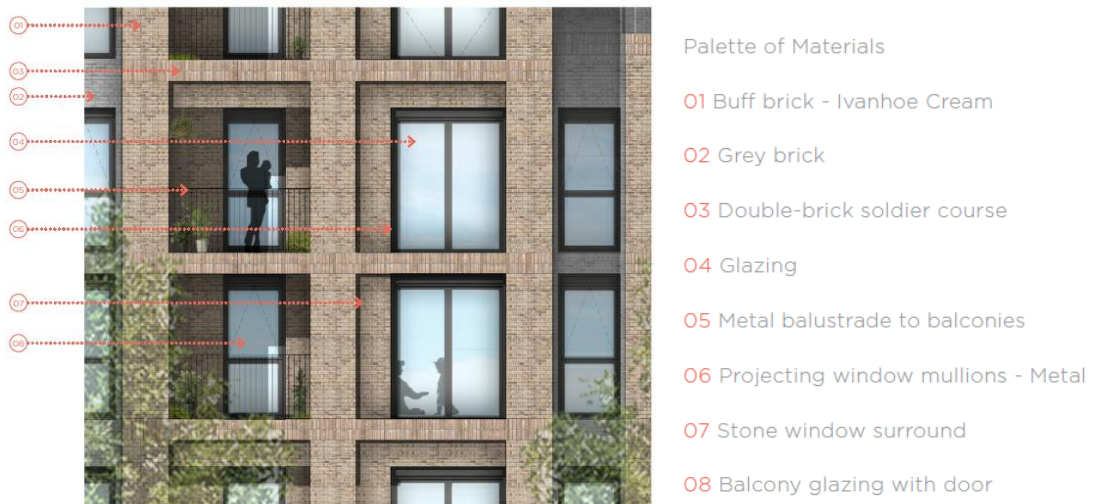


*Proposed east elevation*



*Proposed north elevation*

109. The primary buff brick material would sit comfortably within the site's immediate context, which is similarly brick-led but comprises of a range of brick types, ages and conditions. The proposal would contribute to a more consistent townscape frontage on Commercial Way alongside the adjoining site under construction to the east, which will also feature buff brick as the primary material.



*Example detail of south elevation*

110. The set-back and central recessed bays on each elevation would be faced in grey brick to add contrast and definition. The triple-height entrance and ground and first floor facades which relate to the youth club would primarily comprise glazing with stone surrounds. The building is considered to be an attractive design which could contribute positively to the local townscape and architectural quality of the area. Conditions regarding the submission of details for materials and detailed architectural treatments are recommended to be included in any grant of planning permission to safeguard quality in the final design.

### Heritage impacts

111. The proposal is situated approximately 110m south of the Grade II listed St Luke's Church. The church is of a modern red-brick 1950s design and set back from the pavement frontage on both Pentridge Street and Chandler Way.
112. The proposed development would appear partially in limited views of the setting of the listed building from the north from Pentridge Street and Chandler Way. Given the distance and relationship to the existing surrounding buildings, there is not considered to be any harm to the significance of the listed building as a heritage asset and the proposal is in this regard considered to be acceptable.
113. The proposal would be visible from limited points on the north-eastern edge of the Sceaux Gardens conservation area, located approximately 150m to the south west. These edge locations are such that this part of the conservation area's primary heritage asset, being the blocks and open spaces of the post-war Sceaux Gardens estate, would not appear the same views as the proposed development. The impact of the proposed development on the setting of the conservation area is therefore considered to be negligible.

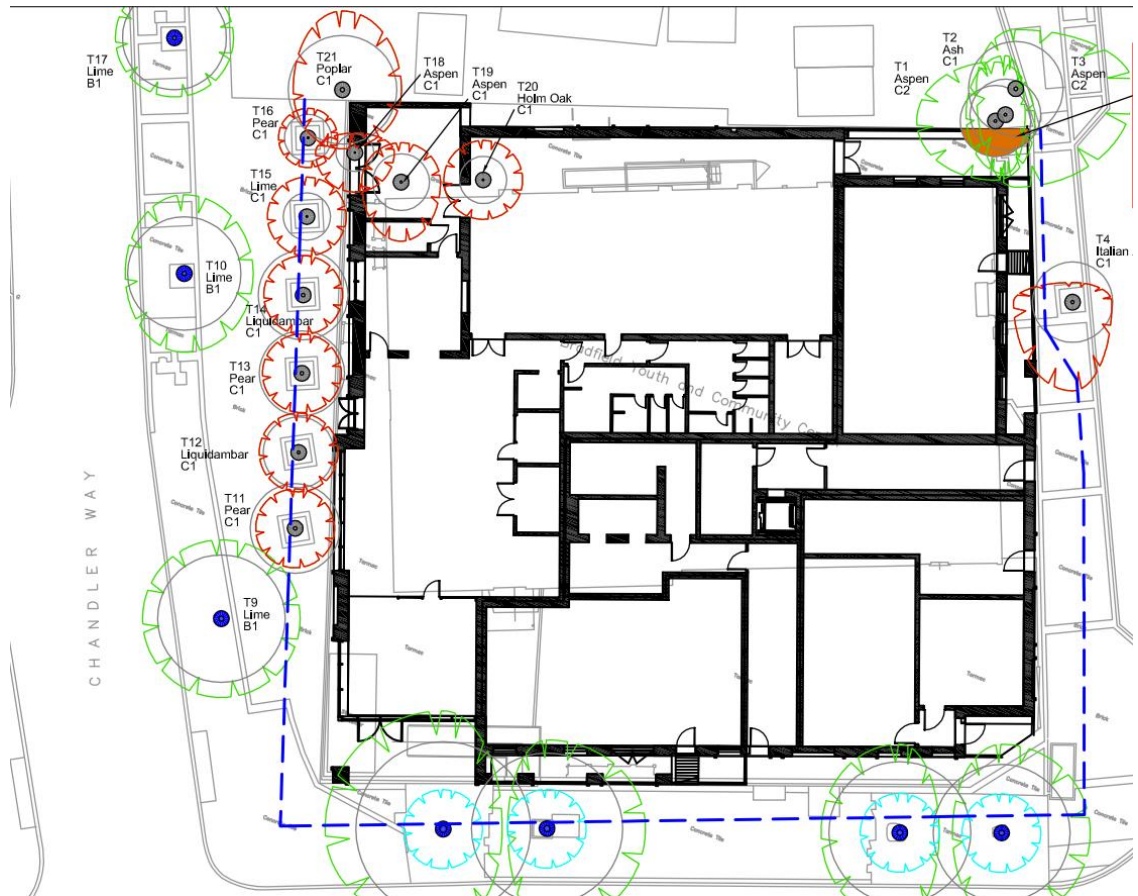
### Landscaping, trees and urban greening

114. The proposal does not provide any public open space or public realm. As noted above, the proposal does incorporate a large communal amenity space and child

playspace, for which conditions requiring the submission of details are recommended to be appended to any grant of planning permission.

115. There are several groups of street trees either on or in close proximity to the site, including:

- x4 category B London Plane trees on Commercial Way
- x3 category B Lime trees on Chandler Way (located towards the edge of the wide pavement, away from the site)
- x6 category C trees located close to the site boundary, comprising a mix of Pear, Lime and a Liquidambar tree
- x3 category C trees in the north-western corner of the site, comprising Aspen and Holm Oak
- x1 category C Poplar tree in the boundary of the Ann Burnadt Nursery to the north
- x1 category C Italian Alder on Pentridge Street to the west
- x3 category C trees in the corner of the Ann Burnadt Nursery site to the north, comprising Aspen and Ash



*Tree protection plan showing trees to be retained (green) and removed (red)*

116. Of these trees, the proposal would require removal of 11 category C trees located on the site (x3), on Chandler Way (x6) and on Pentridge Street (x1), and the single (category C) Poplar tree within the corner of the adjoining Ann Burnadt Nursery to the north. All category B trees located on Commercial Way (x4) and Chandler Way (x3) would be retained, as would a small cluster of category C



trees located in the south eastern corner of the Anne Burnadt Nursery site (x3). The construction of the building, including the new youth club space, could not be achieved with these trees retained in situ. Given the footprint of the new building, it is not possible to replace the trees on site as part of the development.

117. The loss of these trees can be acceptably off set through a payment based on the CAVAT value of the existing trees. On the basis of this payment being secured, the Urban Forester does not object to the application, acknowledging that the higher value 'B' category trees are being retained. The payment will be secured in a S106 agreement. An arboricultural method statement and details of tree protection measures is recommended to be secured by condition on any grant of planning permission.

### Designing out crime

118. The proposal would provide a significant improvement to the immediate area in terms of designing out crime and passive surveillance. The site as existing comprises a dilapidated hall and ancillary parking area surrounding by high, uninviting metal fencing. These dead frontages actively contribute to a poor streetscape, which in turn may impact on perception of crime and fear of crime.
119. The proposal would include high, triple-height active frontages for the youth club element, including a clearly demarcated entrance and reception area. External visitor cycle parking and windows to the internal youth club spaces at ground and first floor level will help contribute to active frontages and passive surveillance.
120. The proposal would additionally incorporate residential units and access to the residential upper storeys at ground floor level, also contributing to passive surveillance and reducing fear of crime. The proposal includes an on-site loading bay to serve the youth club which has been incorporated in part due to issues with vehicle robbery from on-street loading arrangements associated with the youth club use in the past.
121. The proposal has been subject to consultation with the Metropolitan Police to advise on achieving Secured by Design certification. There was no objection to the proposal in this regard, and it is recommended that Secured by Design certification is secured by condition on any grant of planning permission.

### Fire safety

122. The applicant has submitted a Fire Safety Strategy as part of the application in response to the requirements of Policy D12 – Fire Safety of the London Plan 2021. This policy requires developments to achieve the highest standards of fire safety and ensure that they identify suitably positioned unobstructed outside space for appliances, incorporate features to reduce risk to life and injury in the event of a fire; be designed and constructed in order to minimise the spread of a fire; and provide suitable and convenient means of escape for all building users.

123. The policy requires that the Fire Strategy statement should include information in terms of the building's construction, means of escape for all users, fire suppression features and measures that would reduce risk to life and injury. The strategy should also include details of how access would be provided for fire service personnel and equipment as well as provision for appliances to gain access to the building.
124. The submitted Fire Statement has been prepared in accordance with Policy D12 of the London Plan. The Fire Statement sets out that there would be an automatic sprinkler system installed, provides information on length of evacuation routes; provides details of refuge areas and provides fire alarm category information. The statement additionally sets out information regarding the provision of automatic mechanical smoke ventilation systems, natural automatic corridor and window opening vents and designations of staircores and lifts as those dedicated and specified for fire fighting access and evacuation. The Fire Strategy is considered to comply with the requirements of Policy D12 of the London Plan 2021.

### Conclusion on design issues

125. The proposal is considered to provide a successful response to the site and its immediate context in design terms. The massing, height, materials and architectural detailing of the building would ensure a high quality contribution to the immediate area and fit comfortably with the emerging streetscene. There would be negligible impacts on the nearby heritage assets, and the retention of all category B street trees around the site is supported. The proposal's provision of the enhanced youth club facility at ground and first floor levels, in addition to the ground floor residential provision, would significantly improve active frontages to the street, passive surveillance and accommodating an appropriate response to the townscape. Subject to submission of details regarding materials and architectural detail, the proposed is supported in design terms.

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

126. Southwark Plan 2022 policy P55 "Protection of amenity" states that development will not be permitted where it causes an unacceptable loss of amenity to present or future occupiers or users.
127. References to the loss of privacy, outlook, daylight and sunlight and the increased noise and disturbance from the demolition/construction phase were made in the objections received.

### Outlook and privacy

128. The proposal would provide adequate separation distances between its elevations and those of neighbouring residential occupiers on Chandler Way, Commercial Way and Pentridge Street. The facing distances at their nearest points in these locations would be approximately 25m, 18m and 14m

respectively, all in excess of the 12m minimum set out in the 2015 Technical Update to the Residential Design Standards SPD.

- 129. A number of consultation responses from members of the public raised concerns regarding overlooking and privacy for the occupiers, including safeguarding concerns for the children attending the adjoining Anne Burnadt Nursery to the north. The applicant has sought to address these concerns by both reducing the number of openings on the north elevation and providing obscure glazing on floors 2, 3, 4 and 5 where windows are close to the site's northern boundary and in close proximity to the nursery garden and play area. This will reduce instances of overlooking for children at the nursery while still providing the occupiers of the residential units with partial incidental outlook in virtue of the type of obscured glazing proposed. Windows at set back 5<sup>th</sup> floor level and above would not have obscure glazing due to their height and position within the development which would limit the extent of any direct overlooking.
- 130. It should be noted that overlooking of educational uses, including children's play grounds and play areas, is not uncommon in a built-up urban area and there are examples of residential development built up against playgrounds and similar land uses across Southwark and London. On this basis, the limited increase in overlooking incurred from the development is considered to be acceptable.

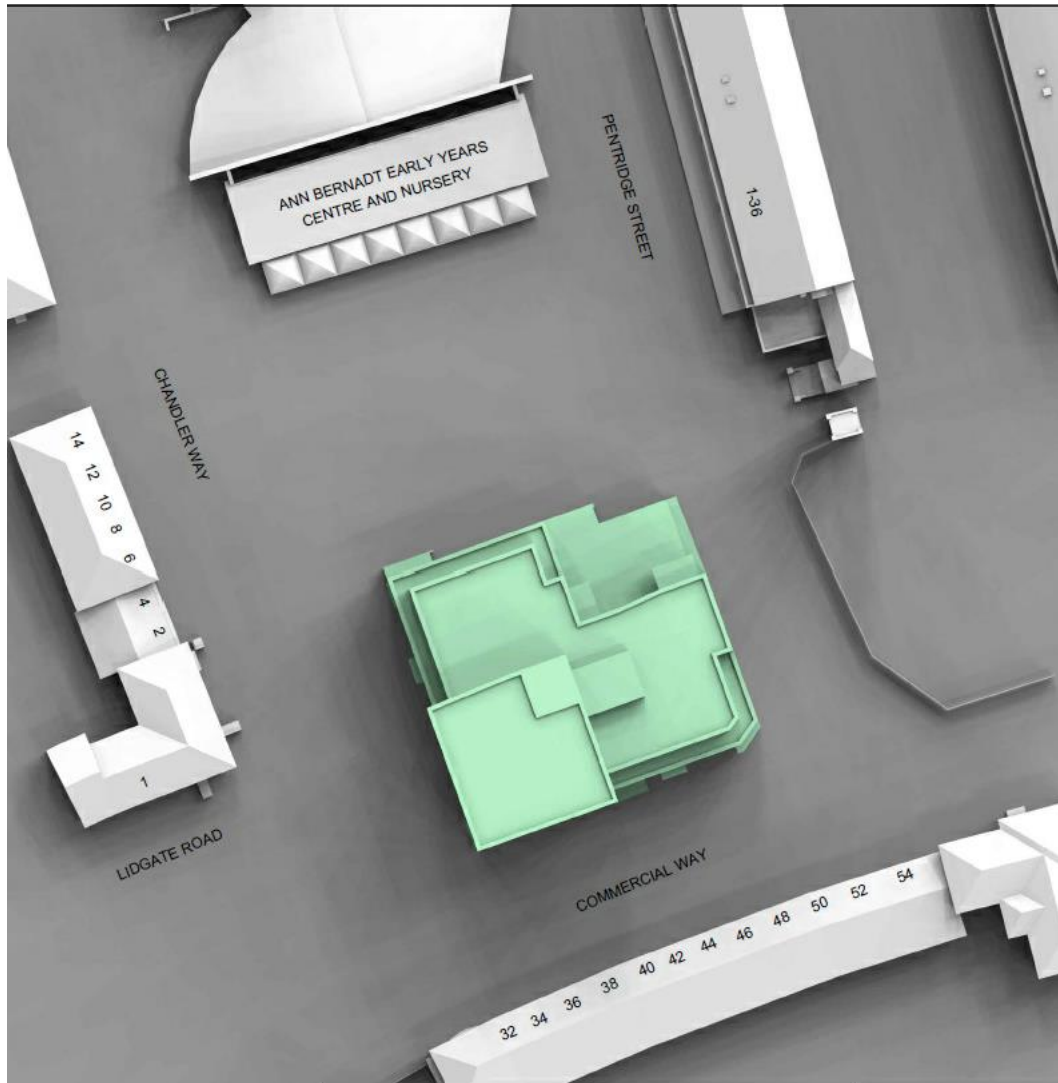
### **Daylight and Sunlight**

- 131. A daylight and sunlight report has been submitted with the application. The report assesses the scheme based on the Building Research Establishments (BRE) guidelines on daylight and sunlight.
- 132. The BRE Guidance provides a technical reference for the assessment of amenity relating to daylight, sunlight and overshadowing. The guidance within it is not mandatory and the advice within the guide should not be seen as an instrument of planning policy. The guidance notes that within dense urban environments and areas of modern high rise buildings, a higher degree of obstruction may be unavoidable to match the height and proportion of existing buildings.
- 133. The BRE sets out the detailed daylight tests. The first is the Vertical Sky Component test (VSC), which is the most readily adopted. This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site.
- 134. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that the daylight can be reduced by about 20% of their original value before the loss is noticeable. The level of impact of loss of VSC (and NSL – see below) is generally quantified as follows:

Reduction VSC/NSL	in	Level of effect
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0-20%	Negligible
21-30%	Minor
31-40%	Moderate
41% +	Major

135. The second method is the No Sky Line (NSL) or Daylight Distribution (DD) method which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of 20% in the area of sky visibility, daylight may be affected.
136. For the purposes of assessing access to sunlight windows which face within 90 degrees of due south only are subject to testing. In order to achieve a good level of sunlight, windows should receive a minimum 25% of the annual probably sunlight hours (APSH) and 5% of this should be received in winter. Should either of these values as existing be reduced by 20% or more as a result of a proposed development, and the resulting value is below these minimum thresholds for the year or winter, the BRE advises the impact would be noticeable for neighbouring occupiers.
137. The submitted daylight and sunlight assessment considers the impact of the proposed development on the following groups of neighbouring buildings:
- West of the site: 1 Lidgate Road and 2-14 (even) Chandler Way
  - North of the site: Ann Bernadt Early Years Centre and Nursery
  - East of the site: 1-36 Pentridge Street and the development, primarily fronting Commercial Way, approved under application ref. 16/AP/4702 and currently under construction
  - South of the site: No.s 32 – 54 (even) Commercial Way



*Plan view of proposed development and (existing) affected neighbours*

## Results

### 138. Results tables

<b>VSC - windows</b>	<b>Total</b>	<b>Negligible</b>	<b>Minor</b>	<b>Moderate</b>	<b>Major</b>
1 - 36 Pentridge Street	78	74	1	1	2
32 - 54 Commercial Way	24	6	1	8	9
1 Lidgate Road	20	5	7	6	2
2 - 14 Chandler Way	15	15	0	0	0
Anne Burnadt Nursery	31	31	0	0	0

<b>NSL - rooms</b>	<b>Total</b>	<b>Negligible</b>	<b>Minor</b>	<b>Moderate</b>	<b>Major</b>
1 - 36 Pentridge Street	38	38	0	0	0
32 - 54 Commercial Way	24	8	6	6	4
1 Lidgate Road	15	15	2	3	0
2 - 14 Chandler Way	14	14	0	0	0

Anne Burnadt Nursery	15	15	0	0	0
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Sunlight - windows	Total	Annual pass	Winter pass
1 - 36 Pentridge street	70	68	70
32 - 54 Commercial Way	n/a	n/a	n/a
1 Lidgate Road	11	7	11
2 - 14 Chandler Way	n/a	n/a	n/a
Anne Burnadt Nursery	31	31	30
16/AP/4702 development site	54	31	48

### 1 – 36 Pentridge Street

139. 1-36 Pentridge Street comprises a part 4 storey block (rising to 5 storeys to the rear, away from the site) of flats and maisonettes, located the north-east of the site.
140. The proposal would reduce access to daylight to a level beyond the BRE recommended guidelines under the VSC methodology for 4 of the 78 windows (95% compliance) tested across 1-36 Pentridge Street. The windows which have been assessed as being subject to a minor, moderate or major reduction in access to daylight are part of living rooms with multiple windows which otherwise pass the BRE threshold. In addition to this, where there is a proportionally large reduction in these few instances, this is in part due to the existing low VSC values incurred by these windows being recessed under overhanging balconies.
141. There is full compliance with the BRE NSL criteria for these properties. All windows assessed also comply with the BRE Guidelines annual sunlight criteria. With the exception of one window, all comply with the winter sunlight criteria. There is a minor breach for the one window which falls short of the recommended level by 1%.

### 32 – 54 Commercial Way (evens only)

142. 32-54 Commercial Way comprise 3 storey terraced houses located to the south of the site.
143. The areas of the properties which face and would be affected by the application site to the north are non-habitable rooms on their ground floors and bedrooms on their upper floors. The main living spaces of the properties are orientated to the south, away from (and so unaffected by) the proposed development.
144. Three of the properties (No. 32, 52 and 54) would retain VSC and NSL values within the recommended BRE guidance thresholds. No. 34's two windows and rooms would additionally retain NSL values at BRE recommended levels while falling marginally below the recommended VSC minimum (at 26.9% and 25.9%).

The impact of the proposed development on these property's access to daylight would therefore be negligible.

145. In terms of VSC, the remaining windows would be subject to a proportional reduction of between 30% - and 46%, which would be noticeable to the occupiers. They would however all retain a VSC level of at minimum 20% or above, which is considered reasonable for an urban location. In terms of NSL, 6 of the windows of these properties would be subject to minor impacts (25-29% reduction), 6 subject to moderate impacts (31-37%) while 4 windows would be subject to major impacts at between 42-43%.
146. It should be noted that the low-rise nature of the existing building on the application site results in an unusually high level of access to daylight currently afforded to these neighbouring properties for an urban location. On this basis, instances of major losses or noticeable reductions in daylight are not unexpected. Given that all windows affected are bedrooms (on which the BRE guidance places less emphasis), with the main living spaces located to the south of the properties floorplans remaining unaffected, in conjunction with the otherwise reasonable degree of compliance for absolute retained VSC values, the impact of the proposal on the NSL values of these properties is on balance considered to be acceptable.
147. There are no windows facing the proposed development site oriented within 90 degrees of due south, and therefore testing for impact on access to sunlight has not been undertaken.

### 1 Lidgate Road

148. 1 Lidgate Road is a 3 storey block of flats located to the west of the site.
149. Of the 20 windows tested, 5 are subject to negligible impacts in terms of VSC, while of the remaining 15, 7 are subject to minor reductions, 6 moderate reductions and 2 major reductions in VSC values. Of the 17 windows which do not meet the recommended minimum absolute retained VSC value of 27%, 8 retain VSC values of between 20-26.9%, which is considered to be a good level of access to daylight for an urban location. These windows similarly typically experience only minor reductions on the existing level (21-30%), with only two instances marginally above the minor/moderate threshold of 31% or above.
150. A further 5 windows retain VSC values of between 15 – 19%, which is reasonable for an urban location, with 1 window experiencing a minor reduction, 3 windows experiencing moderate reductions and 1 window experiencing a major reduction on the lower end of the scale at 40%.
151. Of the 15 rooms tested under NSL criteria, 5 are subject to a loss of access to daylight beyond the recommended BRE guidance threshold, ranging from 21-35% reductions and leaving a final absolute value of between 64% - 77% which is considered reasonably close to the target 80% for this small number of rooms. The majority of instances of reductions are therefore negligible and on balance the impact is considered to be acceptable.

152. Of the windows tested that are understood to serve habitable space, all will comply with the BRE criteria for winter sunlight. 4 windows will fall short of the total sunlight hours criteria. These windows are located on the first and second floors serving likely dual aspect rooms. Therefore, the likely additional 2 windows per room either do meet the BRE criteria for APSH or provide good levels of sunlight, as they face predominantly south.

### 2-14 Chandler Way

153. These 3 storey terraced houses are located to the west of the site.
154. All windows and rooms comply with recommended BRE criteria for VSC and NSL, respectively. There are no windows which are understood to server habitable rooms which face within 90 degrees of due south meaning an assessment of the impact of the proposal on access to sunlight has not been undertaken.

### Site located to the immediate east – part 5, part 9 storey block approved under planning application ref.: 16/AP/4702 and currently under construction

155. The portion of this development which faces the site is 5 storeys and includes windows with overhanging balconies on its western elevation.
156. Given the level of information in terms of layouts and specification available for this development, in conjunction with the absence of existing occupiers on which the impact of the 'reduction' aspect of the BRE guidance thresholds are designed to consider, the applicant undertook an assessment of the impact of the proposed development using the Average Daylight Factor methodology. This provides a more appropriate methodology for accommodation which is under construction, although VSC and NSL levels were also provided as part of the assessment for completeness.
157. Of the 33 rooms tested, 25 will meet the minimum recommended ADF levels. Of the 8 rooms which do not meet the minimum recommended levels, 4 are bedrooms, two of which are relatively close to the recommended target 1% threshold (at 0.77% and 0.97%), while 4 are separate kitchens, which have the highest daylight requirement recommended at 2%.
158. The values achieved for these rooms range from 1.47%, 1.67%, 1.78% and 1.9%. This, in conjunction with the levels achieved in the associated living/dining rooms of these flats, all of which significantly exceed the recommended minimum (of 1.5%, achieving between 2.9% and 5.25%) is considered to be acceptable.

### 'Mirror image' scenario ADF assessment



159. To further understand the impact of the proposed development on the future occupiers of the adjoining site, the applicant also undertook a 'mirror image' assessment for ADF (and VSC and NSL) values. This is recommended by the BRE in instances where a proposal is likely to have an impact by virtue of the site currently being low-rise or vacant, and so neighbouring occupiers benefitting from an unusually high level of access to daylight/sunlight.
160. The purpose of the mirror image testing is to assess the impact of a hypothetical development of the same height, scale and design as existing neighbouring building being placed on the application site.
161. The assessment confirmed that under a mirror image scenario, the adjacent occupiers would be subject to very similar impacts to those reported for the proposed development. Overall, due to the lower maximum height of the adjacent (and so mirrored) development at 5 storeys, in addition to the angled building line opening up to a wider street width (compared with a total 6 storeys and parallel building line in the proposed development) the mirror image development would have marginally less impact on the adjoining future occupiers to the east, with each room having a maximum of 0.05 greater percentage points in ADF levels than those reported from the impact of the proposed development. This difference would be negligible in terms of the perception of light levels in the affected rooms.

### Sunlight – proposed and mirror image scenarios

162. The applicant additionally undertook sunlight assessment for this adjoining development both in the context of the proposed development scenario and the mirror image scenario. A total of 54 windows facing within 90 degrees of due south were tested. It should be noted that due to the presence of overhanging balconies, the adjoining development as existing (without the redevelopment of the Bradfield Youth Club site) does not meet the minimum recommended winter and annual sunlight hours in 6 and 23 instances, respectively. Therefore there are likely to be instances of substantial reduction in access to sunlight for particular windows in any reasonable development scenario.
163. The BRE guidance states that the impact of a development will be noticeable when the level of access to sunlight is both under the recommended minimum level and it is reduced by more than 20% compared to existing for either winter or annual sunlight hours.
164. Of the 54 windows tested under the proposed development scenario, 16 and 18 do not meet the BRE criteria for winter and annual sunlight hours respectively. Under the mirror image testing scenario, the majority of windows experience no change or only negligible changes in winter and annual sunlight hours when compared with the impact of the proposed development. Where additional losses do occur, this is no more than 5% in winter sunlight hours and 7% for annual sunlight.

### Ann Bernadt Nursery

165. This building is a low-rise early years and nursery complex with a single storey building located approximately 80m to the north of the application site boundary. Between the building and the application site boundary is the nursery's on-site play area and green space. A large number of the objections received refer to loss of sunlight to the nursery garden affecting the use and enjoyment of the outdoor space by children attending the nursery.



*Anne Burnadt Nursery viewed from the application site*

166. All the windows and rooms comply with the BRE Guidelines VSC and NSL criteria. 30 out of 31 comply with the BRE guideline sunlight criteria. For the one exception, the existing value is 4% winter sunlight hours, which means the 1% absolute loss represents a 25% change, and therefore is technically beyond the recommended BRE criteria. This window is set beneath a relatively deep canopy and so the 1% loss is on balance considered minor.

### Overshadowing

167. The nursery playground will receive at least two hours of direct sunlight on the 21st March to over 50% of its area (achieving 91%). The impact of the proposed development is therefore compliant with BRE Sun Hours on Ground test.

### Conclusion on impact on amenity of adjoining and nearby occupiers

168. The proposal would have an acceptable impact on neighbour's access to daylight and sunlight, with a high level of compliance to the recommended BRE thresholds. Where there are instances of reductions beyond BRE guidelines, these are mostly minor and moderate impacts and in the majority of instances are considered to be adequately justified by mitigating circumstances (such as overhanging balconies or the use or window layout of the rooms affected) and the impacts are overall considered to be reasonable given the context of the existing low-rise nature of the site and the otherwise built-up urban location. The proposal would feature adequate separation distances and has sought to incorporate design solutions to reduce overlooking and neighbour privacy, including to the nursery play area to the immediate north of the site. For these reasons the proposal is considered to be compliant with Southwark Plan policy P55 'Protection of amenity.'

## **Transport and highways**

169. The NPPF states that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
170. The London Plan 2021 seeks to maximise sustainable forms of transport through the integration of land use and transport. Sustainable forms of transport include, walking, cycling and public transport and the London Plan aims to have these forms of transport make up 80% of all journeys by 2041.
171. Policies P49 to P55 cover the Southwark Plan 2022's transport planning policies. These policies address issues such as public transport, highways impacts and technical parking standards for cycles and cars. The thrust of the policies is to ensure development encourages and provides opportunities for active travel and sustainable forms of transport wherever possible, including making walking and cycling attractive options through design and appropriate provision of facilities.

### **Site context**

172. The site is in an intermediate area of Public Transport Accessibility Level, with part of the site rated as 3 and part rated '4', with 1a being the lowest and 6b the highest. The nearest bus stops are located on Southampton Way approximately 120m for north bound services and 160m for southbound services. The stops are serviced by the 136 which terminates at Elephant and Castle after coming in from Bromley, and the 343, which goes from New Cross and Tower Hill via Elephant and Castle. A 24hr night bus in the form of the N343, between New Cross and Covent Garden via Elephant and Castle and London Bridge, also serves these stops.



### *Local transport and routes*

173. There are no London Underground or rail stations within the immediate vicinity of the site. Peckham Rye Station is located 1.1km to the south east of the site, which is approximately 14 minutes walk. While this distance is outside of the radius thresholds for the purposes of PTAL methodology, it nonetheless is considered to be a key piece of local transport infrastructure within walking distance from the site.

### Site layout

174. Residential refuse and cycle store facilities are appropriately located at the junction of Commercial Way and Pentridge Street in the south east corner of the floor plan. The on-site servicing bay is located away from the Commercial Way frontage on Chandler Place to both connect to the youth club's primary hall, and also allow the youth club's triple height entrance to take the prominent corner to maximise visibility. This focusses activity away from the quieter residential streets to the north

### Trip generation

175. The site is anticipated to generate 5 and 9 additional two-way vehicle trips in the morning and evening peak hours respectively. An additional 16 two-way service vehicle movements per day are also anticipated. It is not considered that this would have any noticeable adverse impact on the prevailing vehicle movements on the surrounding roads.

176. The proposal is anticipated to generate an additional 15 two-way trips via public transport in the morning and evening peaks, which is considered to be acceptable. The 3 bus stops closest to the application site do not currently benefit from a real-time passenger information system. Existing neighbouring residents and future occupiers of the site would benefit from these systems being implemented and help encourage use of public transport. On this basis it is recommended that a financial contribution to pay for the implementation of this be secured through the S106 agreement.

### Car parking

177. The proposal's residential element would be car free. The site is located within a Controlled Parking Zone, and the s106 agreement would include a clause restricting future residents from applying for an on-street parking permit. This would prevent additional parking stress on surrounding streets during controlled hours.
178. The applicant has proposed to provide two blue badge car parking spaces on street. Consideration was given to the provision of on-site blue badge bays on the eastern edge of the site to be accessed from Pentridge Street. This was not taken forward on the basis of the impact on the provision of accommodation, in particular a social rented 3 bed unit proposed at this location, in conjunction with the impact of the requirement for a vehicle cross over to access the on-site bays, which would in turn incur a loss of two existing on-street parking spaces.
179. Detail as to the exact location of these spaces has yet to be confirmed, however the submitted parking survey demonstrated capacity for an additional 63 vehicles on street in the immediate vicinity of the site. The applicant has agreed to provide a financial contribution towards the implementation of both a Traffic Management Order to designate the blue badge spaces, in addition to the cost of ensuring these are implemented with Electric Vehicle charging points. The traffic management order would not be able to safeguard the spaces for the occupiers of the proposed development only, and they would be available for general/public use. However, it is not anticipated that demand is likely to arise for these spaces outside of that generated by the proposed development, which is on balance acceptable.

### Cycle parking

180. The proposal would provide a total of 84 cycle parking spaces within a dedicated, secure and convenient cycle store internal to the site. This would be accessed from Commercial Way, providing a clearly legible location subject to passive surveillance. The store would additionally provide 2 spaces for recumbent/accessible cycles. The Commercial Way frontage would accommodate a further 18 Sheffield stand spaces for the purposes of short-stay/visitor cycle parking associated with the residential use.

The youth club would accommodate a dedicated on-site cycle store for 6 cycles for use by staff. Around the large entrance to the youth club in the south western

corner of the site, a further 14 external Sheffield stand spaces would be provided split between Chandler Way and Commercial Way. These would be overlooked and subject to passive surveillance from the youth club's internal spaces with large glazing, including the reception space. These levels of provision in all instances exceed the requirements of the Southwark Plan 2022 policy P53 ('Cycling').

### Servicing and refuse provision

181. A residential refuse store would be located in the south-eastern corner of the site plan with access provided from Commercial Way. Refuse collection would be on-street from Pentridge Street to the east of the site and store. The youth club would accommodate an on-site refuse store and loading bay in the north-western corner of the site plan and accessed off Chandler Way. This would necessitate the introduction of a drop kerb and loss of two parking spaces but would not have material impact on parking stress in the area. All general servicing needs of the youth club would utilise this bay. Deliveries to the youth club reliant on larger vehicles, such as refuse collection, will take place within the existing double yellow lines along the Chandler Way site frontage, where there are no restrictions on loading.

### Highway works

182. The following works are required and have been agreed to by the applicant in order to facilitate the implementation of the proposed development and make it acceptable in planning terms:
- Repave the footway fronting the development including new kerbing on Chandler Way, Commercial Way, and Pentridge Street using materials in accordance with Southwark's Streetscape Design Manual (precast concrete paving slabs and granite kerbs).
  - Construct a vehicle crossover on Chandler Way.
  - Reconfigure the pedestrian crossing facilities at the junction of Commercial Way with Pentridge Street including tactile paving re-alignment.
  - Promote a Traffic Management Order (TMO) to introduce new waiting/loading restrictions on Chandler Way in front of the proposed vehicle crossover. Works to include road markings and signage.
  - Upgrade street lighting to current SSDM standards.
  - Repair any damage to footways, kerbs, inspection covers and street furniture due to construction activities for the Development including construction work and the movement of construction vehicles
  - Conversion of existing set of speed humps on located on Commercial Way to sinusoidal humps
183. These works will be set out in the S106 agreement and subject to a S278 agreement with the council as the Highway Authority.

### Conclusion on transport and highways issues

184. The proposal takes a logical and appropriate approach to the layout of the ground floor plan, with the location of access points and servicing facilities

accommodated in areas of the site in response to the site's context and underpinned by good urban design principles. It would not generate a significant amount of additional vehicle movements or public transport trips to the extent of harming the function of the surrounding road network or existing public transport capacity. The proposal would not accommodate blue badge parking bays on-site, but this is considered to be justified and would be provided on-street in the immediate vicinity of the site. The level and quality of dedicated cycle parking is supported given this exceeds policy requirements. Servicing would take place on street without a material impact on the use of the road network. Highways works alongside other transport benefits would be secured through the S106 agreement to make the development acceptable in planning terms. For these reasons, the proposal is considered to comply with Southwark Plan 2022 and London Plan policies and is supported.

## **Environmental matters**

### Construction management

185. A draft construction management plan was submitted with the initial application submission in 2019. This sets out how access to and the demolition and construction of the site will be managed to protect the safety and reduce the impact on the amenity of neighbouring occupiers. The draft CMP identifies what will be happening on and around the site when, and the necessary measures proposed to mitigate construction impacts. Measures proposed include identifying and appropriately managing construction logistics and site access for vehicles and site personnel, timings of works, noise, dust and emissions control and establishing key personnel for the purposes of site management, neighbour liaison and responsibility for implementing the final CMP measures in full. The applicant has indicated their intention to time works outside of the school term to minimise the impact on the nursery where possible. A pre-commencement condition requiring submission of a final CMP is recommended in the event planning permission is granted

### Flood risk and sustainable urban drainage

186. The site is located in Flood Zone 1 and is not therefore at risk of flooding from the Thames. The site is located within a Critical Drainage Area where there is risk of surface water flooding, although the site itself specifically is at low risk of flooding from surface water. Nonetheless, development has the potential and should utilise the opportunity to reduce the risk of flooding and contribute to reducing surface water runoff in accordance with the London Plan's drainage hierarchy, including achieving greenfield runoff rates on site.
187. The proposal is not able to achieve greenfield runoff rates due to site constraints. The footprint of the building, in part necessary to provide the enhanced youth club facilities, in conjunction with existing underground services limits both the opportunities for implementing small scale surface-level sustainable urban drainage measures and the size of any underground attenuation tank. The proposal would incorporate 714sqm blue roof drainage system and a 28.5m<sup>3</sup>

underground attenuation tank to discharge at a rate of 2l/s. This would represent a 96% reduction in the existing run-off rate for a 1 in 100 Year storm event compared to the equivalent run-off rate for the site as existing.

188. Reducing the flow-rate into the attenuation tank to match the greenfield run-off rate would necessitate a larger attenuation tank which, for the reasons outlined above, is not feasible. The proposal is therefore considered to have reduced the run-off rate as far as is reasonably practicable in light of site constraints, and the council's Flood Risk Management team are satisfied with the approach and the level of compliance with London Plan policy. A condition regarding further details and technical implementation information regarding the proposed drainage strategy is recommended to be secured by condition.

### Land contamination

189. The application was supported by a desk-based study exploring risk of land contamination, in addition to a preliminary basement impact assessment and the development's impact on ground water. The desk-based study concluded the site was at low risk of harbouring contamination. On this basis, and on the recommendation of the council's Environmental Protection Team and the Environment Agency, a standard condition regarding reporting on and developing a strategy for mitigating any unexpected contamination subsequently found on site is recommended on any grant of planning permission.

### Air Quality

190. The site is located within an Air Quality Management Area. An air quality assessment (AQA) was submitted in 2019 to support the initial application. An updated Air Quality Technical Note was provided with the proposed scheme amendments in 2021 to establish the extent to which the conclusions drawn in the initially submitted Air Quality Assessment remained valid. This included a revised Air Quality Neutral assessment, taking into account updated baseline data produced since the initial AQA was authored. The submitted assessment considered:
- 191.
- The impacts of the demolition and construction phase of the proposed development on dust soiling and concentrations of PM10 at existing sensitive receptors during the construction period;
  - The impact of construction of the proposed development from construction traffic; and
  - Whether or not the proposed development is 'air quality neutral';
192. The AQA therefore considers both the impact of the construction and operational phases of the development on air quality. The key considerations during the demolition and construction phase of the development have been dust emissions as well as emissions from heavy goods vehicles. The impacts considered as part of the operational phase of the development (the building once completed) include emissions from road traffic generated by the development and any emissions associated with the running of the completed building.



193. The demolition and construction phase of a development is temporary and short term. It is acknowledged that there would be an increase in the number of heavy duty vehicles on the roads as a result of the demolition and construction phase of the development. The initially submitted AQA demonstrated that this increase would have a negligible impact on air quality at such sensitive receptors as neighbouring residential occupiers and the nursery occupiers to the north. The development would not result in any significant dust effects with mitigation measures in place. As set out above, submission of details of a mitigation and a strategy for minimising dust and emissions from the construction period will be secured through a condition for a Construction Environmental Management Plan.
194. The initial AQA concluded that pollutant concentrations predicted at and nearby to the proposed development site as a result of the operational development would not be significant, and that any air quality impacts reported in the initially submitted assessment identified as being associated with the proposed development would be the worst-case scenario. The Air Quality Neutral Assessment indicated that the total transport emissions generated by the proposal will be below the GLA benchmarks. In the absence of on-site combustion plant associated with the building emissions benchmarks, the proposal is considered to be Air Quality Neutral and will not adversely impact local air quality.

### Ecology and biodiversity

195. The proposal would incorporate several elements of landscaping and provision of blue and green roofs. This includes the extensive communal amenity and child play space area at 6<sup>th</sup> floor roof level, smaller blue roofs at 5<sup>th</sup> and 9<sup>th</sup> floor roof levels and a small green roof at 7<sup>th</sup> floor roof level. As noted above, technical details of these areas above will be secured for the purposes of landscaping design and sustainable urban drainage. The applicant has provided calculations to demonstrate the proposal will be able to achieve an urban greening factor (UGF) of 0.41, exceeding the London Plan minimum requirement of 0.40 for residential-led mixed use development. It is recommended that the landscaping condition includes reference to achieving this UGF score to ensure this is delivered.

### **Energy and sustainability**

196. Policy SI2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy. Policy SI3 requires consideration of decentralised energy networks, Policy SI4 deals with managing heat risk and Policy SI5 is concerned with protecting and conserving water resources and associated infrastructure.

P69 ('Sustainability standards') and P70 ('Energy') of the Southwark Plan 2022 sets out the borough approach to ensuring that new developments tackle climate change. The approach is generally consistent with London Plan Policies, with

P70 requiring a higher minimum on-site carbon emissions saving of 40% against part L of the Building Regulations 2013 compared with the London Plan's 35% minimum.

### Energy and carbon emission reduction

197. As per the carbon emission reduction policies of the London Plan 2021 and the Southwark Plan 2022, both the residential and non-residential elements of the proposal would be expected to achieve zero carbon (with financial contribution to offset any remainder required once the maximum on-site saving has been achieved).
198. The Council's carbon offset cost is £95 for every tonne of carbon dioxide emitted per year over a period of 30 years. This is the equivalent of £2,850 per tonne of annual residual carbon dioxide emissions.
199. An Energy Assessment based on the Mayor's hierarchy was submitted to support the application, setting out how the targets for carbon dioxide emissions reduction are to be met. A combination of 'Lean' and 'Green' (but no 'Clean') measures have been employed in an attempt to achieve the reduction in line with the GLA guidance on preparing energy statements.

### Be Lean

200. The 'be lean' stage of the Mayor's energy hierarchy refers to passive energy efficiency measures achieved through passive design, including site layout and orientation, and technical specification of building fabric, including air-tightness and insulation and glazing. A range of passive and active measures are proposed. The passive measures include:
  - high thermal envelope performance to reduce uncontrolled heat transfer through the building fabric;
  - optimisation of glazing to provide a balance between minimising heat gain and maximising natural daylight (to reduce lighting energy);
  - openable windows to prevent overheating in summer and allow for natural ventilation of the residential units;
  - minimising heat loss from heating and hot water systems;
201. The active measures include:
  - communal heating system to the building;
  - a 'building-level' energy management system (BEMS) and smart meters to monitor and report on energy consumption and building performance
  - high efficiency ventilation systems including Mechanical Ventilation with Heat Recovery (MVHR) to residential apartments and non-residential elements;
  - low energy and high efficacy lighting systems, fittings and controls
202. The reduction in carbon emissions achieved through these 'demand reduction' measures will reach 18% (against a 10% policy requirement) for the residential element. This therefore complies with the London Plan. The proposal would not

achieve any 'be lean' savings for the non-residential element and it is not in this regard in conformity with the London Plan, although it is noted that the residential significantly exceeds the minimum requirement, so on balance the development as a whole could be considered acceptable.

### Be Clean

203. The 'be clean' stage of the Mayor's energy hierarchy refers to high efficiency and low-carbon energy supply, including where possible prioritising connection to an existing low-carbon heat network. There are no nearby district heating networks within 1km of the site that the development could connect to. The location and technical specification of the proposed plant room would ensure future connection to any decentralised heat network developed in the area would be feasible. This will be secured by a planning obligation.
204. An on-site CHP system is not proposed due to the scale of the proposal falling below the GLA's advised threshold of a minimum heat load equivalent to 500 dwellings in order to achieve the appropriate efficiencies. As such, no carbon savings are reported from the 'Be Clean' stage of the energy hierarchy.

### Be Green

205. The 'be green' stage of the Mayor's energy hierarchy refers to use of on-site renewable energy technologies for on-site energy generation. The applicant is proposing a communal whole-building heat network supplied by a centralised on-site energy centre. This would utilise air source heat pumps to serve both residential and non-residential elements of the proposal. With this, carbon emissions would be reduced by a minimum total 40% on site on the baseline Part L 2013 Building Regulations. This meets the Southwark Plan 2022 minimum requirement. The applicant has indicated that a greater saving beyond this should be feasible once further design work has been undertaken. A clause requiring the review and re-calculation of on-site carbon emissions savings is recommended to be included in the S106 agreement to secure this and ensure any savings are maximised.

### Be Seen

206. 'Be Seen' is the newest addition to the GLA's energy hierarchy, introduced in the London Plan 2021. It requires developments to predict, monitor, verify and improve their energy performance during actual operation.
207. In order to meet the requirements of Be Seen under Policy SI 2, the development is required to monitor and report on energy performance, such as through displaying a Display Energy Certificate (DEC) and reporting to the Mayor for at least five years.
208. As part of meeting the 'Be Seen' policy requirements, the applicant has committed to:

- conducting a predicted operational energy use analysis during the detailed design stage (and then measuring actual operational energy use once the development is in use, benchmarked against the in-design analysis);
  - using fully metered electricity and water supplies; and
  - using sub-meters to measure electricity, heating and cooling energy use, which would feedback energy consumption to each user group/ functional space/tenancy within the development.
209. This approach will ensure energy efficiency is delivered in reality, and is identified as best practice within GLA 'Be Seen' draft guidance. Requirements for complying with the 'be seen' part of the Mayor's policy, including timely submission of monitoring data to the GLA, will be secured by planning obligation.

### Carbon offset payment

210. The 40% onsite saving would result in the requirement for an offset payment of £126,768.00 on the basis of £95 per tonne of carbon per year over a period of 30 years. This will be secured by S106 obligation, with the potential for this to be reduced subject to any increased on-site savings as anticipated and set out above. To ensure these minimum on-site savings are achieved, the Section 106 Agreement will include two obligations, one requiring the development to be constructed in accordance with the Energy Assessment, and the other verifying the delivery of the carbon savings through a post-installation review process.

### Overheating

211. London Plan Policy SI4 and Policy P68 of the Southwark Plan 2022 sets out the cooling hierarchy that should be followed when developing a cooling strategy for new buildings. The six-step hierarchy, along with the measures proposed as part of the design of the development in order to reduce the risk of overheating, is provided as follows:
- Minimise internal heat generation through energy efficient design:
    - Building insulation levels will go beyond Building Regulations
    - Inset balconies provide additional shading to residential units
  - Reduce the amount of heat entering the building through the orientation, shading, albedo, fenestration, insulation and green roofs and walls;
    - Low communal heat network mean temperature
    - Pipework insulation provided in accordance with industry best practice (CIBSE CP1 (2020))
    - LED lighting installed across the development
  - Manage the heat within the building through exposed internal thermal mass and high ceilings;
    - The youth club aspect of the proposal maximises floor to ceiling height to accommodate building services large space, while the residential units would accommodate a floor to ceiling height of 2.5m
  - Use passive ventilation;
    - All windows can be opened by the residents where required

- Use mechanical ventilation
    - High efficiency, demand controlled mechanical background ventilation with summer bypass is proposed for all residential units
212. The overheating assessment undertaken by the applicant demonstrated that the proposal would pass the key overheating risk criteria set by the GLA in their draft Energy Assessments guidance (April 2020) for the modelled 2020s whether scenario.
  213. The applicant also undertook overheating risk testing for more extreme whether years, as recommended by the GLA. The guidance acknowledges that it may be challenging for development to meet these more stringent criteria in its entirety, but it should be able to in the majority of instances where passive design measures are fully explored.
  214. In the second whether scenario tested (based on 2003, i.e. a year with a very intense single warm spell), the proposal would achieve a 67% pass rate for the rooms tested. For the third extreme whether scenario, based on 1976 (i.e. a year with a prolonged period of sustained warmth) the proposal would not pass. It should be noted that this is on the basis of the modelling omitting the use of internal blinds for shading, per GLA the guidance, which in such situations could be used to mitigate against overheating.
  215. Residents will be advised of the strategy to cope in extreme weather events with the use of resident fitted blinds, local circulation fans and openable windows through the Home User Guide (HUG).
  216. The community centre use will have varying occupancy patterns. The dynamic overheating analysis assumed maximum occupancy in all areas at all times, and therefore did not pass all of the overheating criteria. Full occupancy at all times is however an unlikely occurrence and the next stage of design will review the use of efficient air conditioning to the areas that are at risk from the analysis. A condition requiring the submission of these details is recommended to be secured for any grant of planning permission.

### Whole life cycle carbon emissions

217. London Plan Policy SI2 requires a calculation of whole life cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment. This captures a development's unregulated emissions, its embodied emissions and the carbon impact of mid-life maintenance and end-of-life dismantling.
218. GLA guidance has established benchmarks for both current expected and aspirational standards in embodied carbon emissions for different types of land uses. The proposal scheme would comply with the standard benchmark for construction-based embodied carbon but not for the aspirational benchmark. This is due to the specification of reinforced concrete for the proposal's structure.

219. While in part resulting in not meeting the aspirational embodied carbon target, use of reinforced concrete would improve the longevity of the building, reduce the impacts associated with its maintenance and allow the youth club element of the proposal, including the sports hall, to accommodate an open floor plan by reducing the load-bearing requirements of internal elements. This does however increase the initial carbon emission impacts associated with the construction phase.
220. The scheme demonstrates compliance with both the standard and aspirational GLA benchmarks for use and deconstruction. The choice of long-lasting materials and use of a high proportion of recyclable materials allows the proposal to reduce the embodied carbon emissions impacts.

### Circular economy

221. Policy SI7 Reducing Waste and Supporting the Circular Economy of the London Plan requires referable applications to promote circular economy outcomes and aim to be net zero-waste. These applications are required to submit a Circular Economy Statement to demonstrate how materials arising from demolition and construction will be reused and/or recycled, how a design has incorporated a reduced demand for materials, how waste will be managed on site and ways in which performance against the information set out in the statement will be monitored and reported.
222. Whilst not a referable application, a Circular Economy Statement was submitted to support the application. The statement sets out a commitment to further developing the implementation of circular economy principles in both the building and wider development's operational phase, including extending the lifespan of the development, in addition to implementation of an end-of-life strategy for the development according to circular economy principles, including disassembly and deconstruction.
223. A series of commitments and options to implement circular economy principles in the design, construction and operation of the proposal are provided across categories relating to the site itself, the proposed building's 'skin' (external-facing elements), structure, services and others.

### BREEAM

224. Policy P69 of the Southwark Plan 2022 requires the non-residential elements of development to achieve a BREEAM "excellent" rating. A BREEAM Pre-assessment report has been undertaken which demonstrates that "excellent" can be achieved for the non-residential elements of the scheme, meeting the policy requirement. It is recommended this is secured by condition.

### Water efficiency

225. For the residential component of the development, the applicant has confirmed that the dwellings would have a maximum indoor water consumption of 105 litres

per person per day, in line with the optional standard in Part G of the Building Regulations. This complies with Policy SI5 of the London Plan 2021.

### Planning Obligations (S106 agreement)

226. Policy DF 1 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Policy IP3 of the Southwark Plan 2022 requires any adverse impact of development be offset through s106 obligations. 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

227. Following the adoption of Southwark’s Community Infrastructure Levy (SCIL) on 1 April 2015, much of the historical toolkit obligations such as Education and Strategic Transport have been replaced by SCIL. Only defined site specific mitigation that meets the tests in Regulation 122 can be given weight.

Planning Obligation	Issue	Applicant Position
Affordable Housing	Secure 17 residential units of affordable housing – split at 12 units for social rent and 5 for shared ownership. This equates to 42% by habitable room.  To make the affordable units available before 50% of the private units can be occupied.  Early-stage viability review	Agreed  Agreed  Agreed
Affordable housing monitoring fee and monitoring clauses	£2,249.95 (indexed) for the monitoring of affordable housing provision on site, and requirement to provide an annual report on the on-site affordable housing	
Wheelchair housing marketing	To market the private tenure wheelchair units to wheelchair users with appropriate locations and methods.	
Carbon offset and energy	Estimated £126,768.00 Review and re-calculation of on-site savings following detailed design stage	Agreed Agreed
Employment during construction	13 sustained jobs for previously unemployed Southwark residents (or a maximum offset of £55,900), 13 short courses (or a maximum offset of £1950), and apprenticeships (or a maximum offset of £4500).	Agreed

<p>Transport (site specific)</p>	<p>Works to be secured by S278 as follows:</p> <p>Repave the footway fronting the development including new kerbing on Chandler Way, Commercial Way, and Pentridge Street using materials in accordance with Southwark's Streetscape Design Manual (precast concrete paving slabs and granite kerbs).</p> <p>Construct a vehicle crossover on Chandler Way.</p> <p>Reconfigure the pedestrian crossing facilities at the junction of Commercial Way with Pentridge Street including tactile paving re-alignment.</p> <p>Promote a Traffic Management Order (TMO) to introduce new waiting/loading restrictions on Chandler Way in front of the proposed vehicle crossover. Works to include road markings and signage.</p> <p>Upgrade street lighting to current SSDM standards.</p> <p>Repair any damage to footways, kerbs, inspection covers and street furniture due to construction activities for the Development including construction work and the movement of construction vehicles</p> <p>Conversion of existing set of speed humps on located on Commercial Way to sinusoidal</p> <p>Submission of:  Travel Plan  Delivery and Servicing Management Plan and agreement to bond payment  Restriction on parking permits for future occupiers within existing CPZ  Contribution to provision of street-side electric vehicle charging points  Contribution to real-time bus display panels on Southampton Way</p>	<p>Agreed</p> <p>Agreed</p> <p>Agreed  Agreed  Agreed</p> <p>Agreed</p>
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Trees	Payment for CAVAT value of trees to be removed	Agreed
Other	A management and operation strategy for the community space	Agreed
Admin fee	2% of total contributions	Agreed

228. In the event that an agreement has not been completed by 2<sup>nd</sup> September 2022, the committee is asked to authorise the director of planning and growth to refuse permission, if appropriate, for the following reason:
229. In the absence of a signed S106 legal agreement there is no mechanism in place to mitigation against the adverse impacts of the development through contributions and it would therefore be contrary to Southwark Plan 2022 policy IP3 ('Community Infrastructure Levy (CIL) and Section 106 Planning Obligations'), Policy DF 1 Planning Obligations of the London Plan (2021) and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).

### **Mayoral and Borough Community Infrastructure Levy**

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 3 and MCIL2 Band2 zone. Based on the floor areas provided in the applicant's CIL Form1 dated 02-Aug-21, the gross amount of CIL is approximately £636,425.51, consisting £336,587.64 of Mayoral CIL and £299,837.87 of Borough CIL. If CIL relief procedures have been followed correctly after grant of planning permission, it is expected around £204,219.53 of Social Housing Relief might be claimed.
232. That is, the anticipated CIL receipt for this scheme is circa £432,205.98 net of relief. It should be noted that this is an estimate, and the floor areas will be checked when related CIL Assumption of Liability Form is submitted after planning approval has been obtained.

### **Other matters**

None.

### **Community involvement and engagement**

233. The applicant engaged in a programme of pre-application meetings in addition to consultation and engagement with key stakeholders and the wider community.

The consultation area contained approximately 800 addresses surrounding the site, with a mix of residential and non-residential uses, including the Anne Burnadt Nursery located adjacent to the site to the north. In addition to consulting with residents and the local community, the consultation programme identified the following political consultees during the initial pre-application period of 2018 - 2019:

- Cllr Barrie Hargrove, Peckham Ward
- Cllr Rebecca Lury, at the time of engagement (February 2019) Cabinet Member for Culture, Leisure, Equalities and Communities
- Cllr Johnson Situ, Peckham Ward Councillor and at the time of engagement (February 2019) Cabinet Member for Growth, Development and Planning

234. The applicant has set out in their Statement of Community Involvement, the series of public exhibitions and meetings undertaken in order to ensure a full consultation process. Leaflets advertising the meetings were distributed to the approx. 800 addressed noted above. This meetings comprised the following:

- 1<sup>st</sup> Community exhibition on site at the Bradfield Youth Club – 26/06/2018
- 2<sup>nd</sup> Community exhibition on site at the Bradfield Youth Club – 27/03/2019
- Meeting with representatives of the Anne Burnadt Nursery – 21/05/2021
- 3<sup>rd</sup> Community exhibition on site (outdoors) at the Bradfield Youth Club – 20/07/2021

235. The changes which resulted from community feedback, in addition to council officers, is summarised as ‘amendments’ of this report above.

236. As part of its statutory requirements the Local Planning Authority sent letters to surrounding residents, displayed site notices in the vicinity, and issued a press notice publicising the planning application. Adequate efforts have, therefore, been made to ensure the community has been given the opportunity to participate in the planning process. Details of consultation and any re-consultation undertaken by the Local Planning Authority in respect of this application are set out in the appendices of this report.

## **Community impact and equalities assessment**

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

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

239. 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
  - 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.

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

241. The principle of the use proposed by the application is acceptable in planning terms given the overall compliance with the development plan, including the Southwark Plan 2022. The Southwark Plan was itself the subject of a detailed equalities impact assessment. There is nothing in the principle of the redevelopment of the site for the uses proposed in the application that should cause a fundamental inconsistency with the Public Sector Equality Duty (PSED).

242. There is nothing in the proposal that contributes to the discrimination, harassment, victimisation or any other conduct that is prohibited by or under this Act. The Club would provide space for people with different protected characteristics to meet and socialise, fostering good relations.

## **Human rights implications**

243. 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.

244. This application has the legitimate aim of providing a new youth club facility and new homes. 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.

## **CONCLUSION**

245. The application is supported in land use terms. The enhanced youth club facility would improve opportunities for greater number of local people, particularly local youth, to meet and social in a safe and accessible space. The high level of affordable housing at 42% by habitable room is strongly supported. The application can be determined under the 'fast track' route under Southwark Plan 2022 policy P1. The quality of accommodation is good, and in many cases excellent, and the provision of communal amenity and childplay space at 6<sup>th</sup> floor roof level is considered justified, and the quality of the space itself is very good
246. The proposal would be a significant increase on building scale, height and massing compared to the existing building on the site, but has been carefully designed to respond appropriately to both the existing and emerging context of the site, including the part 5, part 9 storey development of council homes on the site adjacent to the east, and to reduce amenity impacts on neighbouring occupiers. The objections from the neighbouring Anne Bernadt nursery are noted; changes to limit overlooking towards the nursery and its outdoor space are positive. The proposed treatment of the elevations in architectural detailing and materials would sit comfortably within the streetscene.
247. The proposal would not raise any adverse amenity, transport and highways or environmental issues which would warrant refusal and the level of cycle parking and achievement of a minimum 40% on-site saving in carbon emissions, with the potential for this to increase, is supported. Subject to the proposed conditions and planning obligations, the proposal is considered to comply with the development plan policies set out in appendix 2 of this report and it is on this basis that it is recommended that planning permission be granted.

## 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 0254 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)

Appendix 2	Planning policy
Appendix 3	Planning History
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received.

## AUDIT TRAIL

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Tom Weaver, Senior Planning Officer	
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<b>Dated</b>	24 February 2022	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		25 February 2022