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<b>Meeting Name:</b>	Planning Committee (Smaller Applications)	
<b>Date:</b>	9 September 2024	
<b>Report title:</b>	<b>Development Management planning application:</b> Application 23/AP/3428 for: Full Planning Application  <b>Address:</b> 67 PLOUGH WAY, LONDON, SOUTHWARK SE16 2LS  <b>Proposal:</b> Construction of a single-storey, one-bedroom house fronting Greenland Quay and Cunard Walk.	
<b>Ward(s) or groups affected:</b>	Surrey Docks	
<b>Classification:</b>	Open	
<b>Reason for lateness (if applicable):</b>	Not Applicable	
<b>From:</b>	Director of Planning and Growth	
<b>Application Start Date:</b> 16/01/2024	<b>PPA Expiry Date:</b> N/A	
<b>Earliest Decision Date:</b> 09/08/2024		

## RECOMMENDATION

1. That planning permission is granted, subject to:
  - a) The conditions as set out in the report and,
  - b) The completion of a Section 106 agreement.
2. That in the event that a legal agreement is not signed by 5 December 2024 the Director of Planning and Growth be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 108 of this report.

## EXECUTIVE SUMMARY

3. This application has been referred to the Smaller Applications Planning Committee for determination. The proposed development comprises the erection of a single storey one bedroom dwelling with amenity space on a plot of land to the rear of 65 and 67 Plough Way. The proposal incorporates a flat roof with rooflights and retained 3no PV panels and amenity space with a boundary wall. The site is currently vacant and fenced off to the neighbouring gardens.

4. The internal accommodation complies with policy requirements and would result in a good quality of accommodation for future occupiers. A 12.6sqm garden would be provided which is proportionate to the one bedroom dwelling proposed. The shortfall in outdoor amenity space would be secured through a S106 Agreement. The development is a self-build proposal and therefore is exempt from providing affordable housing on site. In the event that the property is disposed of within three years, the development would become liable to affordable housing. This would also be secured through a S106 Agreement.
5. The proposed development would be set amongst two-storey terrace properties to the northern side of Plough Way and blocks of 3-4 storey flatted development across Greenland Quay and Cunard Walk. The dwelling would be set below these properties as a single storey development. The site slightly slopes uphill northward from Plough Way, up Greenland Quay towards Greenland Dock. The development responds to the change in gradient. The development measures 2.9m towards the rear of the application site from ground, and 3.1m towards the front of the application site. The visual difference is a result of the natural slope, the height of the proposed dwelling remains consistent. The external walls project above the existing boundary wall (2.1m in height) and therefore sits well below the neighbouring properties. This presents a comfortable height in relation to the immediate and surrounding area. The proposed materials appropriately reflect the character of the area.
6. Given the scale and siting of the proposed development there would not be significant adverse impacts on neighbouring properties in terms of daylight and sunlight or privacy.
7. The proposal would make use of a vacant site to provide a much needed additional dwelling within the borough that would not result in significant harm to the surrounding character of the area or the amenity of the neighbouring occupiers. It is recommended that planning permission is granted, subject to conditions and completions of a S106 Agreement.

## **BACKGROUND INFORMATION**

### **Site location and description**

8. The application site is a parcel of land located directly behind No's. 65 and 67 Plough Way in Surrey Docks, covering 85 sqm. It previously formed part of the rear gardens of 65 and 67 Plough Way. The site is currently fenced off to these gardens and to the surrounding highways, forming a separate planning unit. The site is located at the corner of Greenland Quay, a secondary road off Plough Way, and a pedestrian route called Cunard Walk, running parallel and to the north of Plough Way, both of which form publically-fronting boundaries to the site.
9. The site slopes uphill northward from Plough Way, up Greenland Quay towards Greenland Dock. The portion of the rear garden of No. 67 which makes up the site is unusual in that it incorporates a double width portion which effectively wraps around the rear garden boundary of No. 65 to the west

which the site also abuts.

10. The site is subject to the following designations:

- Action Area – Canada Water
- Adopted Highways
- Air Quality Management Area
- Archaeological Priority Zone
- CIL Zone 3
- Controlled Parking Zones
- Flood Zone 2
- Flood Zone 3
- Neighbourhood Plan - Rotherhithe And Surrey Docks
- Opportunity Area- Canada Water

11. *Figure 1: Site Location Plan*



12. The surrounding area is characterised by traditional two-storey terrace properties to the northern side of Plough Way and blocks of 3-4 storey, 1980-90s flatted developments across Greenland Quay and Cunard Walk. Distinction between the two types of properties is clear. The terraced housing has a number of traditional features including butterfly roofs and relatively long rear gardens, with some having ancillary buildings sited along the rear boundary walls which are small and domestic in nature. The long rear gardens, the associated mature planting and the adjacent street trees add a pleasant sense of spaciousness and greenery, in an otherwise predominantly hard urban landscape. Meanwhile, the large blocks of flatted development appear relatively modern in their design, layout, increased height, mass and density.
13. The site is not within a conservation area. There are no listed buildings nearby.

## **Details of proposal**

14. The proposed development is for the construction of a single-storey one-bedroom house fronting Greenland Quay and Cunard Walk. A boundary wall is proposed to the south-west elevation surrounding the proposed amenity space.

15. *Figure 2: Proposed site plan*



16. The dwelling would be constructed to the following dimensions:

- Maximum depth: 7.8m
- Maximum width: 10.9m
- Maximum height: 3.1m
- Private outdoor space: 12.6sqm

17. *Figure 3: Proposed Ground Floor Plan*



18. Figure 4: Proposed Elevations



1 | East Elevation Proposed  
1:50



2 | North Elevation Proposed  
1:50



2 | South Elevation Proposed  
1:50



1 | West Elevation Proposed  
1:50

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

19. 1 site notice was displayed on 6 February 2024. 23 neighbour letters were sent out on the 14 February 2024.

20. 18 objections were received and raise the following material planning considerations:

- Negative impact on the neighbouring properties through loss of privacy
- Too much development on site
- The construction process would lead to noise nuisance
- The proposal would negatively impact ecology in the area
- There would be an increase in traffic as a result of the proposal
- The proposal would be uncharacteristic of the area
- Loss of privacy to the neighbouring properties
- Inappropriate height, scale and massing
- Increased chance of flooding
- Inadequate parking provision
- Strain on existing community facilities

Re-consultation was carried out on 25 April 2024 to all neighbours for the following reasons:

- Revised plans submitted further to objections raised by design officers
- Objections were raised towards the mix of zinc cladding and bricks on the walls fronting Greenland Quay and Cunard Walk. English garden wall bonds throughout were therefore recommended. The applicant provided these details on the revised drawings.

21. A further 16 neighbour letters were sent out on 8 May 2024 to contributors for the following reason:

- Daylight/sunlight report submitted.

22. Two additional comments were received during the re-consultation period raising the following material planning considerations:

- Revised plans submitted further to objections raised by design officers.
- Daylight/sunlight report submitted.

23. A further 72 neighbour letters were sent out on 17 July 2024 to contributors for the following reason:

- Revised proposed plans submitted omitting the pitched roof element from the scheme.

24. One additional comment was received during the re-consultation period raising the following material planning considerations:

- Height, scale and massing inappropriate

## **Planning history of the site, and adjoining or nearby sites**

25. Planning permission 19/AP/6820 was refused on the 17 January 2020. The description of development reads as follows:

‘Construction of a two storey, 2 bedroom house fronting Greenland Quay and Cunard Walk with first floor level terrace amenity space’.

26. The reasons for refusal are as below:

- Neighbouring amenity: the development would incur a risk of noise and disturbance from the first floor level roof terrace, a reduction in privacy due to the introduction of new windows to habitable rooms, reduction in outlook and an undue sense of enclosure from introduction of a new two-storey building volume all in unacceptably close proximity to existing neighbouring residential occupiers.
- Design: the development of a new two storey building would be of an excessive scale, height and massing relative to the backland nature of the host rear-garden site and would not appropriately respond to the site's constraints or its context.

27. Following this, the submitted appeal ref. APPEAL/20/0049 was dismissed on the 6 October 2024.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

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

- Principle of the proposed development in terms of land use
- Affordable housing and viability
- Quality of residential accommodation
- Fire safety
- Design and layout
- Landscaping and trees;
- Impact of proposed development on amenity of adjoining occupiers and surrounding area
- Transport and highways
- Refuse and recycling
- Noise and vibration
- Energy and sustainability
- Ecology and biodiversity
- Air quality
- Ground conditions and contamination
- Water resources and flood risk
- Archaeology
- Planning obligations (S.106 undertaking or agreement)
- Mayoral and borough community infrastructure levy (CIL)



- Consultation responses from internal and divisional consultees
- Community impact and equalities assessment
- Human rights
- Positive and proactive statement, and
- Other matters.

29. These matters are discussed in detail in the ‘Assessment’ section of this report.

## **Legal context**

30. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2021 and the Southwark Plan 2022. 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 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.
31. 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**

32. The statutory development plans for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework 2023 and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 3. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

### **National Planning Policy Framework (the Framework) 2023**

33. The revised National Planning Policy Framework (‘NPPF’) was published on 19 December 2023 and sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
34. Paragraph 224 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
35. The relevant chapters from the Framework are:
- Chapter 2 Achieving sustainable development
  - Chapter 5 Delivering a sufficient supply of homes
  - Chapter 8 Promoting healthy and safe communities

- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed and beautiful places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change

## **The London Plan 2021**

36. On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London. The relevant policies are:

- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D11 Safety, security and resilience to emergency
- Policy D12 Fire safety
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI 1 Improving air quality
- Policy T5 Cycling
- Policy T6 Car parking
- Policy H1 Increasing housing supply
- Policy H2 Small sites
- Policy H4 Delivering affordable housing
- Policy S1 12 Flood risk management

## **Southwark Plan 2022**

37. The Southwark Plan 2022 was adopted on 23 February 2022. The plan provides strategic policies, development management policies, area visions and site allocations which set out the strategy for managing growth and development across the borough from 2019 to 2036. The relevant policies are:

- P1 Social rented and intermediate housing
- P13 Design of places
- P14 Design quality
- P15 Residential design
- P18 Efficient use of land
- P23 Archaeology
- P53 Cycling
- P56 Protection of amenity
- P60 Biodiversity
- P61 Trees
- P65 Improving air quality
- P68 Reducing flood risk
- P70 Energy

## **Area based AAPs or SPDs**

38. Of relevance in the consideration of this application are:

- 2015 Technical Update to the Residential Design Standards SPD (2011)
- Heritage SPD (2021)

### **Principle of development**

39. The proposed development constitutes backland development. The area is predominately residential (C3 Use Class) in nature of which the proposal would be in keeping with. The land use would be slightly intensified through the provision of a new dwelling house but is considered acceptable in principle given the existing and established surrounding land use.

40. Backland development sites which are located predominately to the rear of existing dwellings (as is the case along the terrace of Plough Way). Development on such sites includes new residential buildings and occurs predominately on the gardens of surrounding houses.

41. The 2015 Technical Update to the Residential Design Standards SPD 2011 states that to minimise impact on the surrounding area and neighbouring amenity, backland development need to consider the following:

- Development must not be more intensive than the existing development on the adjoining street frontage
- The degree of overlooking to neighbouring gardens must be minimised
- Spacing between facing windows of habitable rooms
- The orientation should relate to that of the existing surrounding buildings
- Possible noise nuisance
- Possible vehicular fumes
- Impact on trees, vegetation and wildlife
- Must integrate with existing landscape features
- Access to the development must be adequate
- There must be space for refuse storage and access for collection
- Security and surveillance to be maximised through design

42. These matters are addressed throughout the report.

43. Further, Policy P18 (Efficient use of land) of the Southwark Plan (2022) states that development will be permitted that optimises land use, does not unreasonably compromise development or legitimate activities on neighbouring sites and provides adequate servicing facilities, circulation spaces and access to, from and through the site. The proposed development comprises the erection of one dwelling, this is considered acceptable in terms of principle subject to other material considerations such as design and impact on neighbouring amenity.

44. The principle of development is acceptable in terms of land use and the proposal would contribute towards housing need in the borough.

## Affordable housing and viability

45. Policy P1 (Social rented and intermediate housing) of the Southwark Plan (2022) states that development that creates 9 homes or fewer (inclusive) must provide the maximum amount of social rented and intermediate homes or a financial contribution towards the delivery of new council social rented and intermediate homes with a minimum of 35% subject to viability.
46. The proposed development is a self-build scheme and as such is exempt from Policy P1 (Social rented and intermediate housing) of the Southwark Plan (2022) whilst in use as a self-build. In the event that the property is disposed of within three years, the development would become liable to affordable housing. In this case, a Section 106 legal agreement would be entered into to secure a contribution. The contribution would be 35% of habitable rooms multiplied by £30,000.
47. For the reasons outlined above and subject to completion of a Section 106 legal agreement, the proposal is considered to demonstrate compliance with P1 'Social rented and intermediate housing' of the Southwark Plan (2022).

## Quality of residential accommodation and outdoor amenity space

48. The proposed room sizes in comparison to the minimum internal space standards as set out in Policy P15 (Residential design) of the Southwark Plan 2022 are set out below:

<b>Schedule of accommodation for dwelling type 1b2p</b>			
<b>Room</b>	<b>Floor area (sq. m)</b>	<b>Minimum floor area requirement (sq. m)</b>	<b>Complies?</b>
Kitchen/dining/lounge	27.8	24	Yes
Double bedroom	12.3	12	Yes
Bathroom	4.2	3.5	Yes
<b>Dwelling</b>	<b>Area (sq. m)</b>	<b>Minimum area requirement (sq. m)</b>	<b>Complies?</b>
Gross Internal Floor Area	50.1	50	Yes
Private outdoor space	12.6	50sqm total 10m length	No

### *Internal amenity space*

49. All proposed habitable rooms meet or exceed the minimum required floor area

for each individual room. The proposed development also meets the overall minimum Gross Internal Area requirements. As outlined above, the dwelling would provide well-proportioned spaces to support a good quality of accommodation.

#### *Outdoor amenity space*

50. The proposed development includes the provision of 12.6sqm of private outdoor amenity space at ground floor.
51. All new housing developments must provide some form of outdoor amenity space, as set out in Policy P15 (Residential design) of the Southwark Plan 2022. New dwellings must have a minimum of 50 sqm private garden space at a minimum of 10m in length. Any shortfall in the required provision of amenity space is charged at £205 per square metre. £205 per square metre represents an average cost in Southwark for improving open space, taking into account all costs including fees and construction costs, as set out within Southwark's Section 106 Planning Obligations and Community Infrastructure Levy SPD 2015.
52. The proposed gardens falls short of policy requirements. The application site is physically constrained and would not allow for the provision of any larger or additional outdoor spaces. A roof terrace would not be appropriate in this location as it may overlook neighbouring properties and would be out of character with the surrounding area. The application site is also located within close proximity of Southwark Park.
53. The shortfall of outdoor amenity space will be mitigated through a financial contribution of (£7 667) as detailed above. This will be in place of the remaining 37.4sqm shortfall. The contribution will be secured through a S106 Agreement as agreed to by the applicant.

#### *Outdoor amenity space – existing dwellings*

54. In relation to the outdoor amenity space for existing dwellings 65 and 67 Plough Way, the amenity spaces for each dwelling would remain the same given that the application site is located to the rear of these dwellings and no longer forms part of the existing amenity spaces.

#### *Outlook and aspect*

55. The proposed development is predominately single aspect due to the constrained nature of the site. Where dual aspect has not been available, rooflights and lightwells have been provided as part of the development to prevent overheating and provide ventilation, as set out with the Southwark Plan (2022). It has therefore been demonstrated that a high quality of design is still achieved.
56. The proposed accommodation would have a floor to ceiling heights above 2.4m which is considered acceptable in maximising natural ventilation and natural daylight in the dwelling.

## **Fire safety**

57. Policy D12 (A) of the London Plan 2021 requires that all development must submit a planning fire safety strategy. The fire safety strategy should address criteria outlined in Policy D12 (A).
58. Summary of Information Contained in Planning Fire Safety Strategy
  - A planning fire safety strategy (PFSS) has been submitted in support of the application and considered acceptable.
59. The PFSS demonstrates the proximity of the proposed dwelling to the public highway, where fire appliances can gain easy access to the site in the event of a fire. There is ample space to the front and rear of the proposed dwelling for the purposes of evacuation and assembly.
60. The passive fire safety measures include smoke and carbon monoxide detectors/alarms, fire doors and policy compliant construction materials.

## **Design and layout**

61. The application site is a backland site situated to the rear gardens of 65 and 67 Plough Way.
62. The application scheme has been revised in response to officers' comments at application stage. Comments previously provided regarding the external cladding have been addressed positively.

### *Height, scale and massing*

63. The proposed dwelling would be single storey with a flat roof and flat rooflights and retained 3no PV panels, which would also be laid flat. The overall height of the external boundary walls measure 2.9 – 3.1m in height. Such height is subservient to nearby terraced housing and apartment blocks, including 65 and 67 Plough Way. It conforms with the 2015 Technical Update to the Residential Design Standards SPD 2011 which advises backland development to be single storey. It is also appropriate to the suburban, open character of the area and there is in line with Policy P13 of the Southwark Plan 2022.

### *Layout*

64. Access is positioned on the Greenland Quay frontage, which is considered appropriate. As such, the proposed development would not set a precedent for a terrace of houses along Cunard Walk, which is a quiet, narrow pedestrian route.

### *Architectural Design*

65. In terms of materials, the house would be cladded in London Stock Brick to match the existing wall. The use of bronze zinc cladding is appropriate for a modern house and complementary to the brickwork in the vicinity.

66. The proposed mix of zinc cladding and bricks on the walls fronting Greenland Quay and Cunard Walk has been amended in response to Design and Conservation Team comments to incorporate bricks using English Garden Wall bonds throughout. These changes create an improved relationship to the adjacent walls and character of the area, where buildings are predominantly brick-clad. The revisions to the materials are as below:

*Figure 5: Materials to be used*



1. **London Stock Brick** to match existing wall. English Garden bond

### *Conclusion*

67. The proposal is appropriate in terms of height, scale and massing and incorporates design features and materials prevalent in the area. Access is positioned on Greenland Quay to avoid disruption to the quiet, modest character of Cunard Walk. As such, the proposal is acceptable in line with the National Planning Policy Framework (NPPF) 2023, Policies D3 (Optimising site capacity) and D4 (Delivering good design) of the London Plan 2021 and Policies P13 (Design of places) and P14 (Design quality) of the Southwark Plan 2022.

### **Landscaping and trees**

68. No trees would be removed as a result of the proposed development. To ensure that no trees would be affected, conditions have been recommended to ensure that the works permitted are carried out in accordance with tree protection measures outlined in the submitted Arboricultural Impact Assessment (AIA), as well as details of a schedule of site supervision to be submitted prior to occupation of the residential dwelling.
69. Further details are required of the piling mat, canopy reductions proposed to any Southwark owned trees within the proximity of the site. The relevant pre-commencement conditions have been recommended and an updated Arboricultural Method Statement for this scheme in order to provide detail on mitigation measures from damage to existing trees by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment.

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

### *Impact of privacy, outlook and sense of enclosure*

70. The proposed development would be located to the rear of 65 and 67 Plough Way and adjacent to the rear garden of 63 Plough Way. No side windows are proposed on the shared boundary between the development and 63 Plough Way and as such there would be no potential for overlooking. Sliding doors are proposed on the southern elevation of the proposed dwelling which would face the rear of 65 and 67 Plough Way, but would be sited away from the boundaries and at ground floor, shielded by the proposed boundary treatment. As such there would be no opportunity to overlook facing windows of 63, 65 and 67 Plough Way or other neighbours along Plough Way. No windows are proposed on the northern elevation and therefore there would be no overlooking impacts to 33-35 Cunard Walk.
71. The 2015 Technical Update to the Residential Design Standards SPD 2011 highlights that to prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve the following distances:
- A minimum distance of 12 metres at the front of the building and any elevation that fronts onto a highway
  - A minimum distance of 21 metres at the rear of the building.



Figure 6: Proposed distances between development and neighbouring properties



72. There would be separation distances ranging between 7.6m to 12.7m from the proposed development and the rear of properties along Plough Way. It is acknowledged that this falls short of the minimum 21m distance, however given the single storey nature of the proposed development and the boundary treatment, there would not be any direct overlooking or sense of enclosure caused.
73. The northern elevation of the proposed dwelling would be approximately 8.5m from the facing southern elevation of 33 – 35 Cunard Walk. Given the public walkway, there is a strong degree of separation between the proposed development and the neighbouring properties. Furthermore, no windows are proposed to the northern elevation facing towards the neighbouring property.
74. It is considered that the proposed development would not result in unnecessary problems of overlooking or create a sense of enclosure to neighbouring properties. The relationship would resemble the urban typology that is characteristic of the closely located terraced properties along Plough Way. Overall the development would not impact upon privacy through overlooking.

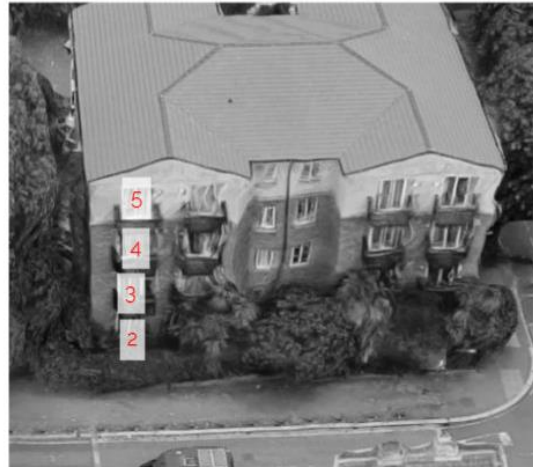
*Daylight/sunlight*

75. The applicant has submitted a daylight and sunlight assessment. The Vertical Sky Component (VSC) has been calculated for each window at neighbouring properties as shown below:

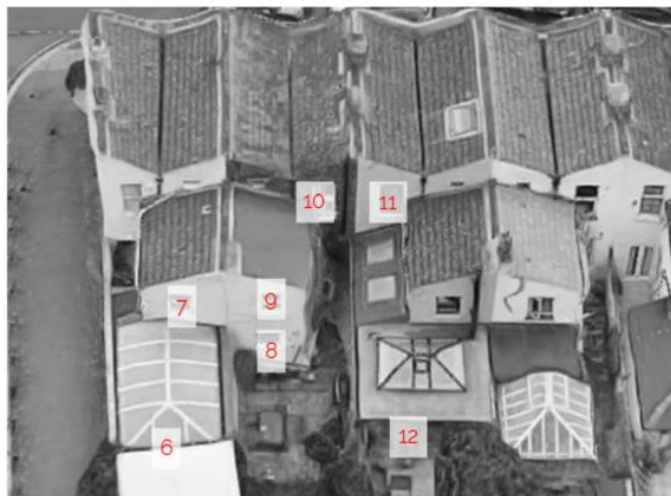
*Figure 7: Neighbouring properties window schedule*



33-35 Cunard Walk



Caronia Court



63-67 Plough Way

76. The impact of the development to daylight received by these neighbouring windows, is assessed by the Vertical Sky Component (VSC). The impact on VSC, in line with BRE guidance, is considered acceptable if the VSC value is higher than 27% or it is no less than 0.8 times its former value (20%).

Figure 8: VSC for neighbouring windows

Vertical Sky Component				
Window	Existing VSC	Proposed VSC	% Retained	Meets BRE Guidance?
1	21.812	21.007	96.31%	Yes
2	28.078	27.723	98.73%	Yes
3	28.251	28.187	99.77%	Yes
4	29.661	29.661	100.00%	Yes
5	38.545	38.545	100.00%	Yes
6	30.484	29.813	97.80%	Yes
7	38.530	38.402	99.67%	Yes
8	31.707	31.230	98.50%	Yes
9	38.736	38.618	99.69%	Yes
10	35.211	35.187	99.93%	Yes
11	32.323	32.320	99.99%	Yes
12	33.773	33.702	99.79%	Yes

77. The results show that all but one window would retain a VSC above 27%. The one window that would have a VSC below 27%, at 21.007% would be 0.96 times its former value and therefore complies with BRE guidance. The proposed development would not have any noticeable impacts on daylight levels received by neighbouring occupiers.
78. In terms of sunlight, BRE guidance states that windows facing 90 degrees of due south should be assessed for sunlight provision, of which five of the above windows fall into this category. Window 1 relates to neighbouring property 33-35 Cunard Walk, while windows 2, 3, 4 and 5 relate to the flats within Cornia Walk to the north west. The results are set out below:

Figure 9: Sunlight impact results

Window	Annual Sunlight Hours			Winter Sunlight Hours			Meets BRE Guidance?
	Ex. Hrs Received (%)	Prop. Hrs Received	% Retained	Ex. Hrs Received	Prop. Hrs Received	% Retained	
1	36.452	36.452	100.00%	24.602	24.602	100.00%	Yes
2	43.382	43.382	100.00%	16.563	16.563	100.00%	Yes
3	42.550	42.550	100.00%	17.741	17.741	100.00%	Yes
4	43.035	43.035	100.00%	17.741	17.741	100.00%	Yes
5	54.539	54.539	100.00%	17.741	17.741	100.00%	Yes

79. The results show that the neighbouring windows facing 90 degrees of due south would all retain 80% of their existing sunlight hours, both annually on throughout the winter months, which complies with BRE guidance.
80. 63, 65 and 67 Plough Way would not experience any overshadowing to their gardens as a result of the proposed development. As per BRE guidance, the

neighbouring gardens will continue to receive at least 2 hours of direct sunlight throughout the day.

81. For the reasons outlined above, the proposal is not considered to harm the daylight and sunlight received by adjoining properties or lead to harmful overshadowing of the amenity spaces to neighbouring properties, in accordance with Policy P56 (Protection of amenity) of the Southwark Plan 2022.

## **Transport and highways**

### *Cycle parking*

82. The proposed development includes the provision of 2 cycle parking spaces which complies with policy in terms of quantity. A condition has been recommended for details of updated/detailed cycle store plans to be submitted. Subject to this condition the development is acceptable in terms of cycle parking.

### *Car parking*

83. The proposed parking arrangements do accord to adopted policy. As the site is in PTAL 4, the proposed car-free development is acceptable.

### *Parking permits*

84. A condition has been recommended restricting future occupiers from obtaining on-street parking permits.

## **Refuse and recycling**

85. The proposed development includes the provision of two bins within a refuse storage area. A condition has been recommended for details of updated refuse/recycling plans to be submitted. Subject to this condition the development is acceptable in terms of refuse storage.

## **Noise and vibration**

86. Given that the proposed development would be a residential land use, consistent with the surrounding area, and no plant is proposed, there would be no noise impacts. A condition has been recommended for a Construction Environmental Management Plan to be submitted prior to commencement.

## **Energy and sustainability**

87. The application has been supported with an energy statement to demonstrate compliance with P70 (Energy) of the Southwark Plan 2022. This requires that development be; lean (energy efficient design and construction), clean (low carbon energy supply) and green (on site renewable energy generation and storage). Sustainable design principles are proposed. Photovoltaic panels have been incorporated into the roof of the scheme providing 2.88kWh per

day. The development would use a fully integrated mechanical system with heat recovery and insulation. This would also be supported by an efficient under floor heating system. The dwellings orientation would maximise the use of passive solar gain in the winter months whilst solar shading at ground floor level. This is in accordance with be lean and be clean requirements.

## **Ecology and biodiversity**

88. The application site currently comprises grass and a small timber shed and has low ecological value. A Preliminary Ecological Appraisal has been submitted with the application. The assessment recorded no bird or bat nests or any low-level/ground nesting within the site.
89. Furthermore, conditions for details of swift brick boxes, nesting features and a green roof to be submitted are recommended. As such, the proposal accords with P60 (Biodiversity) of the Southwark Plan 2022.

## **Air quality**

90. The application has been assessed in consultation with Environmental Protection (EPT) who have raised no objections in relation to air quality. The application site falls within air quality management area. A compliance condition for the domestic gas boilers (AQMA only) standard on any planning consent to minimise impacts on the local air quality is recommended.

## **Ground conditions and contamination**

91. The application site is currently undeveloped and is considered to be at low risk of being contaminated.
92. Two separate conditions are advised in the event of either options as below being pursued, in accordance with Policy P64 (Contaminated land and hazardous substances) of the Southwark Plan 2022.
  - 1) Conducting a proper site investigation and risk assessment (this could be covered by our standard contamination condition). This may or may not negate the need for any further remediation.
  - OR,
  - 2) Assume a realistic worst-case risk and design to minimise risks which would include hardstanding in garden and any soft landscaping/planting in raised beds with clean imported soil + CS2 ground gas protection measured for the structure (i.e. incorporate a basic gas protection membrane).

## **Water resources and flood risk**

93. The NPPF (2023, 157-158) states that planning decisions must take into account the current and long-term implications for flood risk in order to minimise the vulnerability of communities and improve resilience. Where development is necessary in higher risk areas, development should be made safe for its lifetime without increasing flood risk elsewhere. Certain steps need to be followed when reaching a planning decision on development in higher

risk areas, with risks managed through suitable adaptation measures. The advice of flood risk management authorities also needs to be taken into account (NPPF, 166).

94. The Southwark flood risk team were consulted and comments were not provided given that the development comprises a minor application.

#### *Site context*

95. The development site is located in Flood Zone 2 and 3 as identified by the Environment Agency flood map. Zone 2 is medium risk, which indicates a medium probability of flooding/ Zone 3 is highest risk, which indicates a high probability of flooding.

#### *Sequential test*

96. A sequential test forms part of a flood risk assessment (either strategic or site-specific). It directs development towards the least vulnerable areas for flood risk by assessing the risk from all sources of flooding, now and in the future, taking account of the impacts of climate change. The flood risk assessment should apply the Sequential Test. If this has shown that there are no reasonably available, lower-risk sites, suitable for the proposed development, the Exception Test should be applied.
97. The NPPF states that where a development proposal is in accordance with an allocation made in the Southwark Plan's Strategic Flood Risk Assessment (which set out the Sequential and Exception Tests), it is not necessary to repeat the Exception Test. This applies provided:
- The proposed development is consistent with the use for which it was allocated
  - There have been no significant changes to the known level of flood risk to the site, now or in the future which would have affected the outcome of the test.
98. However, NPPF paragraph 173 states development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
  - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
  - c) it incorporates sustainable drainage systems, unless there is evidence that this would be inappropriate;
  - d) any residual risk can be safely managed;

e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

99. The assessment confirms that the proposed ground floor level and all habitable rooms would be set at 3.38m AOD and therefore above the flood level of 2.97 AOD. No basements are proposed as part of the development. Furthermore, a warning and evacuation strategy has been set out. In terms of groundwater flooding, it has been confirmed within the assessment there is a very low risk of flooding from surface water and sewers. Mitigation measures such as permeable paving and a green roof and geocellular/modular systems will be implemented here. A sequential test is therefore considered not relevant in this case.
100. A condition has been recommended for compliance with the submitted flood risk assessment. It is considered that the proposed development is compliant with Policy 68 (Reducing Flood Risk) of the Southwark Plan 2022. This development is considered necessary at this location to provide a much needed unit of accommodation. The proposed condition will make the development safe for its lifetime without increasing flood risk elsewhere.

### Archaeology

101. The application site falls within an area of archaeological priority (North Southwark and Roman Roads).
102. Given the nature of these works, an archaeological based assessment and mitigation measures are not required here.

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

103.

Planning obligation	Mitigation	Applicants position
<b>Housing, Viability and Amenity Space</b>		
Affordable (social rent and intermediate) housing Provision	Contribution at 35% of habitable rooms multiplied by £30,000 in the event that the property is disposed of within three years of completion and therefore no longer a self-build.	Agreed
Outdoor amenity space	Financial contribution of 37.4 x £205 = £7,667	Agreed
Administration fee	Payment to cover the costs of monitoring these necessary planning obligations	Agreed

	calculated as 2% of total sum.	
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104. In the absence of a signed legal agreement, the proposal would fail to provide suitable mitigation in terms of planning gain contrary to Policies DF1 (Delivery of the Plan and Planning Obligations) of the London Plan 2022, Policy P1 (Social rented and intermediate housing) and Policy 1P3 (Community Infrastructure Levy (CIL) and Section 106 Planning Obligations) of the Southwark Plan (2022) and the Southwark's Section 106 Planning Obligations and Community Infrastructure Levy SPD 2015.

### **Mayoral and borough community infrastructure levy (CIL)**

105. The site is located within Southwark CIL Zone 2 and MCIL2 Band 2 Zone. Based on the information provided in CIL Form 1 dated 30 November 2023, the gross amount of CIL is approximately £17,876 (pre-relief), consisting £ 3.5k of Mayoral CIL and £14.4k of Borough CIL. It should be noted that this is an estimate, and the floor areas on approved drawings will be checked, after planning approval has been obtained. Potentially 100% of CIL Self-Build Relief can be claimed before commencement of development. The claimants must submit their CIL Forms 2 & 7(Part 1) after the grant of permission but before material operations such as demolition starts on site"

### **Consultation responses from internal and divisional consultees**

106. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response where necessary.
107. Design and Conservation Team:
- Following the submission of revised drawings, the proposal is appropriate in terms of height, scale and massing and incorporates design features and materials prevalent in the area.
  - Advise condition for the submission of details of materials.
108. Transport Policy:
- Updated cycle parking and refuse storage plans are required.
  - Advise conditions for the submission of cycle parking and refuse storage details.
109. Ecology:
- Following the submission of a Preliminary Ecology Assessment, the proposal is considered acceptable subject to conditions.
  - Advise conditions for swift nesting features, green roofs and bee bricks.
110. Urban Forester:
- Proposed development is acceptable subject to conditions.
  - Advise conditions for the submission of an Arboricultural Method Statement and the completed schedule of site supervision and monitoring



of the arboricultural protection measures.

111. Highways:
- No comments
112. Environmental Protection Team:
- Acceptable subject to the following conditions: Contaminated land – further findings
  - Officer comment: Conditions added
113. Flood Risk Management:
- No comments.

### **Community impact and equalities assessment**

114. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
115. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
116. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
  2. The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it.
  3. 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.
  4. The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

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

### **Human rights implications**

118. This planning application engages certain human rights under the Human Rights Act 1998 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
119. This application has the legitimate aim of providing flood risk improvements to the park and common. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

### **Positive and proactive statement**

120. The council has published its development plan on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
121. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

### **Positive and proactive engagement: summary table**

122.	Was the pre-application service used for this application?	No
	If the pre-application service was used for this application, was the advice given followed?	Yes
	Was the application validated promptly?	Yes
	If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	Yes
	To help secure a timely decision, did the case officer submit their recommendation in advance of the statutory determination date?	Yes

### **CONCLUSION**

123. Overall, the proposed development reads sufficiently low-scale and low-key to sit comfortably within its context, remaining respectful of its neighbours and streetscape from a design perspective. The proposed development would not result in harm to neighbouring amenity nor raise concerns in regards to flood risk. Subject to appropriate conditions and the completion of a Section 106 Legal Agreement to secure the dwelling as a self-build and a financial contribution towards amenity space, the proposed development is considered acceptable and planning permission is recommended to be granted.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents	Environment, Neighbourhoods & Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 1249

## APPENDICES

No.	Title
Appendix 1	Recommendation - Draft Decision Notice
Appendix 2	Relevant planning history
Appendix 3	Planning policies
Appendix 4	Consultation responses received
Appendix 5	Consultation undertaken

## AUDIT TRAIL

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Emily Williams, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	22 August 2024	
<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	No	No
Strategic Director of Environment, Neighbourhoods and Growth	No	No
Strategic Director of Housing	No	No
<b>Date final report sent to Constitutional Team</b>	22 August 2024	

# APPENDIX 1

## Recommendation

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

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<b>Applicant</b>	Mr Darryl Henson	<b>Reg. Number</b>	23/AP/3428
<b>Application Type</b>	Minor application		
<b>Recommendation</b>		<b>Case Number</b>	PP-12627327

## Draft of Decision Notice

### Grant subject to legal agreement for the following development:

Construction of a single-storey, one-bedroom house fronting Greenland Quay and Cunard Walk.

67 Plough Way London Southwark SE16 2LS

### In accordance with application received on 11 December 2023 and Applicant's Drawing Nos.:

Existing Plans

Proposed Plans

SITE LOCATION PLAN 403\_030 received 12 December 2023

CONTEXT PLANS 403\_040 received 12 December 2023

PROPOSED PLANS 403\_100 received 25 April 2024

PROPOSED SECTIONS A & B 403\_200 received 25 April 2024

PROPOSED NORTH AND EAST ELEVATIONS 403\_300 received 25 April 2024

PROPOSED SOUTH AND WEST ELEVATIONS 403\_310 received 25 April 2024  
STREET ELEVATION COMPARISON 403\_320

Other Documents

DESIGN AND ACCESS STATEMENT received 11 December 2023

FLOOD RISK ASSESSMENT received 11 December 2023

GROUND INVESTIGATION REPORT received 11 December 2023

TREE SURVEY received 11 December 2023

FIRE SAFETY STATEMENT received 14 December 2023

DAYLIGHT AND SUNLIGHT ASSESSMENT received 08 May 2024

ECOLOGY APPRAISAL received 20 May 2024

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

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

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

**Permission is subject to the following Pre-Commencements Condition(s)**

3. No development shall take place, including any works of demolition, until a written CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to construction site management and to use all best endeavours to minimise off-site impacts, and will include the following information:
  - A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
  - Site perimeter continuous automated noise, dust and vibration monitoring;
  - Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
  - Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings,

- newsletters, residents liaison meetings, etc.);
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;
  - Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations; and
  - A commitment that all NRMM equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the standard as stipulated by the Mayor of London.

To follow current best construction practice, including the following:

- Southwark Council's Technical Guide for Demolition & Construction at <https://www.southwark.gov.uk/construction>;
- Section 61 of Control of Pollution Act 1974;
- The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition';
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites';
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Noise';
- BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Vibration';
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration; - BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting; and
- Relevant Stage emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended & NRMM London emission standards (<https://nrmm.london>).

All demolition and construction work shall be undertaken in strict accordance with the approved CEMP and other relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with the National Planning Policy Framework (2023); Policy P50 (Highway impacts), Policy P56 (Protection of amenity), Policy P62 (Reducing waste), Policy P64 (Contaminated land and hazardous substances), Policy P65 (Improving air quality) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

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

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

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

c) Cross sections shall be provided to show surface and other changes to levels, special engineering, foundation or construction details and any proposed activity within root protection areas or the influencing distance (30m) of local trees required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority.

All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement site supervision key stages (BS: 5837 (2012)) for this site, as evidenced through signed sheets and photographs.

In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 01:2021 (EN) -Tree Pruning Standard; EAS 02:2022 (EN) - Tree Cabling/Bracing Standard; EAS 03:2022 (EN) - Tree Planting Standard. NHBC 4.2.13 Tables for Foundations Near Trees.

Reason: To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2023 Parts, 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021); Policies G5 (Urban greening) and G7 (Trees and woodland) of the London Plan (2021); Policy P13 (Design of Places), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).



5. Prior to the commencement of any development, a phase 1 desktop study of the historic and current uses of the site and adjacent premises shall be carried out together with an associated preliminary risk assessment including a site walkover survey, identification of contaminants of the land and controlled waters and develop a conceptual model of the site with conclusion and recommendations whether a Phase 2 intrusive investigation is required. This report shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.
  - b) If the phase 1 site investigation reveals possible presence of contamination on or beneath the site or controlled waters, then, prior to the commencement of development works, an intrusive site investigation and associated risk assessment shall be completed to fully characterise the nature and extent of any contamination of soils and ground water on the site.
  - c) In the event that contamination is found that presents a risk to future users or controlled waters or other receptors, a detailed remediation and/or mitigation strategy shall be prepared and submitted to the Local Planning Authority for approval in writing. The strategy shall detail all proposed actions to be taken to bring the site to a condition suitable for the intended use together with any monitoring or maintenance requirements. The scheme shall also ensure that as a minimum, the site should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out and implemented as part of the development.
  - d) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed, together with any future monitoring or maintenance requirements shall be submitted to and approved in writing by the Local Planning Authority.
  - e) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-d above.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the Southwark Plan 2022 Policy P56 (Protection of

amenity); Policy P64 (Contaminated land and hazardous substances), and the National Planning Policy Framework 2023.

6. a) Prior to commencement of construction details of suitable external hardstanding, planting arrangements separated from underlying ground, and ground gas protection measures to meet an assumed Characteristic Situation 2, shall be submitted to and approved by the local planning authority. The approved details shall be implemented in full.

b) Following completion of the development but prior to occupation, a verification report providing evidence that all works approved in part a) have been completed, and including photographs of ground gas protection measures and demonstration of suitability of any imported soil, shall be submitted to and approved in writing by the Local Planning Authority.

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

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P64 (Contaminated land and hazardous substances), and the National Planning Policy Framework 2021.

#### **Permission is subject to the following Grade Condition(s)**

7. Before any above grade work hereby authorised begins, details of Swift nesting bricks and bat bricks/tubes shall be submitted to and approved in writing by the Local Planning Authority.

No less than 2 Swift bricks and 2 bat bricks/tubes shall be provided and the details shall include the exact location, specification and design of the habitats. The bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The bricks shall be installed strictly in accordance with the details so approved and shall be maintained as such thereafter. Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and the Local Planning Authority agreeing the submitted plans.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework 2023, Policy G6 (Biodiversity and access to nature) of the London Plan 2021 and Policies P56 (Protection of amenity), P57 (Open space), P59 (Green infrastructure) and P60 (Biodiversity) of the Southwark Plan 2022.

8. Before any above grade work hereby authorised begins, details of bee bricks and/or invertebrate hotels shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the exact location, specification and design of the habitats. Bee bricks and/or invertebrate hotels shall be installed within the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The bee bricks and/or invertebrate hotels shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework 2023, Policy G6 (Biodiversity and access to nature) of the London Plan 2021 and Policies P59 (Green infrastructure) and P60 (Biodiversity) of the Southwark Plan 2022.

9. Part 1: Before any above grade work hereby authorised begins, details of the biodiversity green roofs shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity green roofs shall be:
  - biodiversity based with extensive substrate base (depth 80-150mm);
  - laid out in accordance with agreed plans; and
  - planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity green roofs shall not be used as an amenity or sitting out space of

any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Part 2: Full Discharge of this condition will be granted once the green roof(s) are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure), G5 (Urban Greening) of the London Plan 2023; Policy P59 (Green Infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

10. Before any above grade works hereby authorised begins, the refuse storage arrangements (individuals bin stores, routes to bin stores, bin collection locations, levels and gradients to and from the store, bulky waste storage) as shown on the drawings hereby approved shall be provided and made available to the users of the development. Thereafter, such facilities shall be retained and maintained in perpetuity.

Reason: To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Chapters 8 (Promoting healthy and safe communities) and 12 (Achieving well-designed places) of the National Planning Policy Framework (2023); Policy D4 (Delivering good design) of the London Plan (2021); Policy P56 (Protection of amenity) and Policy P62 (Reducing waste) of the Southwark Plan (2022) and Southwark's requirements for Waste Management and refuse collection arrangements (Waste Management Strategy Extension 2022 - 2025).

11. Before any above grade work hereby authorised begins, details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose, and the development shall not be carried out otherwise in accordance with any such approval given.

Reason: In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an

alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework 2023; Policy T5 (Cycling) of the London Plan 2021; Policy P53 (Cycling) of the Southwark Plan 2022 of the London Plan 2021; Policy P53 (Cycling) of the Southwark Plan 2022.

12. Before any above grade work hereby authorised begins, details of the materials to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework 2023; Policy D4 (Delivering good design) of the London Plan 2021; Policy P13 (Design of Places) and Policy P14 (Design quality) of the Southwark Plan 2022.

### **Permission is subject to the following Pre-Occupation Condition(s)**

13. Prior to occupation, the completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in tree protection condition shall be submitted for approval in writing by the Local Planning Authority. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by the retained project or pre-appointed tree specialist.

Works shall comply to BS: 5837 (2012) Trees in relation to demolition, design and construction; BS3998: (2010) Tree work – recommendations; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 01:2021 (EN) – Tree Pruning Standard; EAS 02:2022 (EN) – Tree Cabling/Bracing Standard; EAS 03:2022 (EN) – Tree Planting Standard.

Reason: To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2023 Parts, 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021); Policies G5 (Urban greening) and G7 (Trees and woodland) of the London Plan (2021); Policy P13 (Design of Places), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark

Plan (2022).

**Permission is subject to the following Compliance Condition(s)**

14. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning General Permitted Development Order 2015 (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the dwellinghouses hereby approved.

Reason: To safeguard the character and the amenities of the premises and adjoining properties in accordance with the National Planning Policy Framework (2023) and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

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

Reason:

In accordance with Chapter 9 (Promoting Sustainable Transport) of the National Planning Policy Framework (2023); Policy T6 (Car Parking) of the London Plan (2021); and Policy P50 (Highways impacts) of the Southwark Plan (2022).

16. Any domestic gas boilers shall meet 'ultra-low NOx' criteria such that the dry NOx emission rate does not exceed 40mg/kWh.

Reason: To minimise the impact of the development on local air quality within the designated Air Quality Management Area in accordance with the National Planning Policy Framework (2023); Policy P65 (Improving air quality); and Policy P70 (Energy) of the Southwark Plan (2022).

17. Prior to occupation, the completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in tree protection condition shall be submitted for approval in writing by the Local Planning Authority. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by the retained project or pre-appointed tree specialist.

Works shall comply to BS: 5837 (2012) Trees in relation to demolition, design and construction; BS3998: (2010) Tree work - recommendations; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other

than amenity turf); EAS 01:2021 (EN) - Tree Pruning Standard; EAS 02:2022 (EN) - Tree Cabling/Bracing Standard; EAS 03:2022 (EN) - Tree Planting Standard.

Reason: To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2023 Parts, 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021); Policies G5 (Urban greening) and G7 (Trees and woodland) of the London Plan (2021); Policy P13 (Design of Places), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

18. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment 2386/RE/10-19/01 Revision A prepared by Evans Rivers and Coastal, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is designed safely in reference to flood risk in accordance with the National Planning Policy Framework (2023); Policy SI 12 (Flood risk management) of the London Plan (2021); and Policy P68 (Reducing flood risk) of the Southwark Plan (2022).

## APPENDIX 2

### Relevant Planning History

<b>Reference and proposal</b>	<b>Status</b>
APPEAL/20/0049 - Construction of a two storey, 2 bedroom house fronting Greenland Quay and Cunard Walk with first floor level terrace amenity space	Dismissed 06.10.2020
19/AP/6820 - Construction of a two storey, 2 bedroom house fronting Greenland Quay and Cunard Walk with first floor level terrace amenity space	Refused 17.01.2020



### Planning Policies

#### National Planning Policy Framework (the Framework) 2023

The revised National Planning Policy Framework ('NPPF') was published on 19 December 2023 and sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.

Paragraph 224 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

The relevant chapters from the Framework are:

- Chapter 2 Achieving sustainable development
- Chapter 5 Delivering a sufficient supply of homes
- Chapter 8 Promoting healthy and safe communities
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed and beautiful places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change

#### The London Plan 2021

On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London. The relevant policies are:

- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D11 Safety, security and resilience to emergency
- Policy D12 Fire safety
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI 1 Improving air quality
- Policy T5 Cycling
- Policy T6 Car parking
- Policy H1 Increasing housing supply
- Policy H2 Small sites
- Policy H4 Delivering affordable housing
- Policy S1 12 Flood risk management

#### Southwark Plan 2022

The Southwark Plan 2022 was adopted on 23 February 2022. The plan provides strategic policies, development management policies, area visions and site allocations

which set out the strategy for managing growth and development across the borough from 2019 to 2036. The relevant policies are:

- P1 Social rented and intermediate housing
- P13 Design of places
- P14 Design quality
- P15 Residential design
- P18 Efficient use of land
- P23 Archaeology
- P53 Cycling
- P56 Protection of amenity
- P60 Biodiversity
- P61 Trees
- P65 Improving air quality
- P68 Reducing flood risk
- P70 Energy

**Area based AAP's or SPD's**

Of relevance in the consideration of this application are:

- 2015 Technical Update to the Residential Design Standards SPD (2011)
- Heritage SPD (2021)

## APPENDIX 4

### Consultation undertaken

**Site notice date:** 06/02/2024

**Press notice date:** n/a.

**Case officer site visit date:** 06/02/2024

**Neighbour consultation letters sent:** 06/02/2024 and 14/02/2024

#### Internal services consulted

LBS Community Infrastructure Levy Team

LBS Design & Conservation Team [Formal]

LBS Transport Policy

LBS Highways Development & Management

LBS Environmental Protection

LBS Flood Risk Management & Urban Drain

LBS Urban Forester

LBS Arboricultural Services Team

LBS Archaeologist

#### Statutory and non-statutory organisations

n/a

#### Neighbour and local groups consulted:

Block A Flat 31A Jura House Plough  
Way

Block B Flat 41B Jura House Plough  
Way

Block D Flat 11D Jura House Plough  
Way

Block D Flat 41D Jura House Plough  
Way

Block B Flat 12B Jura House Plough  
Way

Block C Flat 32C Jura House Plough  
Way

Block A Flat 11A Jura House Plough  
Way

Block B Flat 3B Jura House Plough Way

Block C Flat 11C Jura House Plough  
Way

Block A Flat 41A Jura House Plough  
Way

Block A Flat 32A Jura House Plough  
Way

Block A Flat 22A Jura House Plough  
Way

Block A Flat 2A Jura House Plough Way

Block A Flat 1A Jura House Plough Way	Block C Flat 42C Jura House Plough Way
Block B Flat 31B Jura House Plough Way	Block C Flat 41C Jura House Plough Way
Block B Flat 22B Jura House Plough Way	Block C Flat 31C Jura House Plough Way
Block D Flat 31D Jura House Plough Way	Block C Flat 22C Jura House Plough Way
Block D Flat 22D Jura House Plough Way	Block C Flat 2C Jura House Plough Way
Block D Flat 12D Jura House Plough Way	Block C Flat 12C Jura House Plough Way
Block D Flat 1D Jura House Plough Way	Block C Flat 1C Jura House Plough Way
Block C Flat 4C Jura House Plough Way	Block A Flat 42A Jura House Plough Way
Block C Flat 3C Jura House Plough Way	Block A Flat 4A Jura House Plough Way
Block C Flat 21C Jura House Plough Way	Block A Flat 3A Jura House Plough Way
Block B Flat 42B Jura House Plough Way	Block A Flat 21A Jura House Plough Way
Block B Flat 4B Jura House Plough Way	Block A Flat 12A Jura House Plough Way
Block B Flat 32B Jura House Plough Way	Flat 14 Caronia Court 71 Plough Way
Block B Flat 21B Jura House Plough Way	61 Plough Way London Southwark
Block B Flat 2B Jura House Plough Way	Flat 3 Caronia Court 71 Plough Way
Block B Flat 11B Jura House Plough Way	Flat 13 Caronia Court 71 Plough Way
Block B Flat 1B Jura House Plough Way	Flat 10 Caronia Court 71 Plough Way
Block D Flat 42D Jura House Plough Way	Flat 8 Caronia Court 71 Plough Way
Block D Flat 4D Jura House Plough Way	Flat 5 Caronia Court 71 Plough Way
Block D Flat 32D Jura House Plough Way	Flat 2 Caronia Court 71 Plough Way
Block D Flat 3D Jura House Plough Way	35 Cunard Walk London Southwark
Block D Flat 21D Jura House Plough Way	Caronia Court 71 Plough Way London
Block D Flat 2D Jura House Plough Way	Flat 15 Caronia Court 71 Plough Way
	Flat 12 Caronia Court 71 Plough Way
	Flat 11 Caronia Court 71 Plough Way
	Flat 9 Caronia Court 71 Plough Way
	Flat 7 Caronia Court 71 Plough Way

Flat 6 Caronia Court 71 Plough Way  
Flat 4 Caronia Court 71 Plough Way  
Flat 1 Caronia Court 71 Plough Way  
63 Plough Way London Southwark  
59 Plough Way London Southwark

33 Cunard Walk London Southwark  
31 Cunard Walk London Southwark  
29 Cunard Walk London Southwark  
65 Plough Way London Southwark

**Re-consultation:**

LBS Design & Conservation Team [Formal]

LBS Urban Forester

Block A Flat 31A Jura House Plough Way  
Block B Flat 41B Jura House Plough Way  
Block D Flat 11D Jura House Plough Way  
Block D Flat 41D Jura House Plough Way  
Block B Flat 12B Jura House Plough Way  
Block C Flat 32C Jura House Plough Way  
Block A Flat 11A Jura House Plough Way  
Block B Flat 3B Jura House Plough Way  
Block C Flat 11C Jura House Plough Way  
Block A Flat 41A Jura House Plough Way  
Block A Flat 32A Jura House Plough Way  
Block A Flat 22A Jura House Plough Way  
Block A Flat 2A Jura House Plough Way  
Block A Flat 1A Jura House Plough Way  
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Block B Flat 22B Jura House Plough Way  
Block D Flat 31D Jura House Plough Way  
Block D Flat 22D Jura House Plough Way  
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Block B Flat 2B Jura House Plough Way  
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Block B Flat 1B Jura House Plough Way  
Block D Flat 42D Jura House Plough Way  
Block D Flat 4D Jura House Plough Way  
Block D Flat 32D Jura House Plough Way  
Block D Flat 3D Jura House Plough Way  
Block D Flat 21D Jura House Plough Way  
Block D Flat 2D Jura House Plough Way  
Block C Flat 42C Jura House Plough Way  
Block C Flat 41C Jura House Plough Way  
Block C Flat 31C Jura House Plough Way  
Block C Flat 22C Jura House Plough Way  
Block C Flat 2C Jura House Plough Way  
Block C Flat 12C Jura House Plough Way  
Block C Flat 1C Jura House Plough Way  
Block A Flat 42A Jura House Plough Way  
Block A Flat 4A Jura House Plough Way  
Block A Flat 3A Jura House Plough Way  
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Flat 14 Caronia Court 71 Plough Way  
61 Plough Way London Southwark  
Flat 3 Caronia Court 71 Plough Way  
Flat 13 Caronia Court 71 Plough Way  
Flat 10 Caronia Court 71 Plough Way  
Flat 8 Caronia Court 71 Plough Way

Flat 5 Caronia Court 71 Plough Way  
Flat 2 Caronia Court 71 Plough Way  
35 Cunard Walk London Southwark  
Caronia Court 71 Plough Way London  
Flat 15 Caronia Court 71 Plough Way  
Flat 12 Caronia Court 71 Plough Way  
Flat 11 Caronia Court 71 Plough Way  
Flat 9 Caronia Court 71 Plough Way  
Flat 7 Caronia Court 71 Plough Way  
Flat 6 Caronia Court 71 Plough Way  
Flat 4 Caronia Court 71 Plough Way  
Flat 1 Caronia Court 71 Plough Way  
63 Plough Way London Southwark  
59 Plough Way London Southwark  
33 Cunard Walk London Southwark  
31 Cunard Walk London Southwark  
29 Cunard Walk London Southwark  
65 Plough Way London Southwark

**Consultation responses received**

**Internal services**

LBS Community Infrastructure Levy Team  
LBS Design & Conservation Team [Formal]  
LBS Transport Policy  
LBS Highways Development & Management  
LBS Environmental Protection  
LBS Flood Risk Management & Urban Drain  
LBS Urban Forester  
LBS Arboricultural Services Team  
LBS Archaeologist

**Statutory and non-statutory organisations**

n/a

**Neighbour and local groups consulted:**

31 Cunard Walk London SE16 7RH  
33 Cunard Walk London SE16 7RH  
59 Plough Way London SE16 2LS  
65 Plough Way LONDON SE16 2LS  
55 Plough Way London SE16 2LS  
63 Plough Way London SE16 2LS  
61 Plough Way London SE16 2LS  
5 Trafalgar Close Greenland Quay London  
59 Plough Way London SE16 2LS  
5 Trafalgar Close Greenland Quay Rotherhithe  
55 Plough Way London SE16 2LS