

Item No. 6.1	Classification: OPEN	Date: 27 July 2011	Meeting Name: Bermondsey Community Council
Report title:	Development Management planning application: Application 11-AP-1390 for: Full Planning Permission Address: LAND AT 177-184 GRANGE ROAD, LONDON, SE1 3AA Proposal: Demolition of the existing building and redevelopment of the site by the erection of a part 2, 3, 4 and 5 storey building (5 storeys fronting Grange Road) comprising 38 residential units (2 x studio, 11 x 1 bed, 17 x 2 bed and 8 x 3 bed); 4 car parking spaces and 46 secure cycle parking spaces within the rear courtyard and ancillary landscaping.		
Ward(s) or groups affected:	Grange		
From:	Head of Development Management		
Application Start Date 12 May 2011		Application Expiry Date 11 August 2011	

RECOMMENDATION

- 1 That permission is GRANTED subject to conditions, and the applicant first entering into an appropriate legal agreement by no later than 10 August 2011.
- 2 In the event that the legal agreement is not entered into by 10 August 2011, the Head of Development Management be authorised to refuse planning permission for the reasons set out in paragraph 96 of the report.

BACKGROUND INFORMATION

Site location and description

- 3 The application site is located on Grange Road approximately 250m away from the junction of Grange Road and Tower Bridge Road. The site extends to 0.15 hectares and is bounded by Grange Road to the south, Fendall Street to the west, Grange Walk to the north and 170-176 Grange Road to the east. The northern half of the site fronting Fendall Street and Grange Walk is located within the Bermondsey Street Conservation Area.
- 4 The site contains a two storey commercial building which is currently vacant. The last known use of the site was for a printing business (Use Class B) and the building provided 831sqm floorspace for this purpose. A car parking area is located to the rear of the building with two existing vehicle gates providing access from Grange Walk and Fendall Street. There is currently 1 Cherry Tree located within the northern half of the site. A further 2 Cherry Trees were previously located within the site, however these were recently removed without permission. This is discussed further within the report.
- 5 The immediate surrounding context is characterised by low rise 2-3 storey housing to the north and west of the site and 3/4 storey period townhouses to the south on Grange Road. Nos. 44-45 Grange Road opposite the site, are Grade II listed

buildings. To the east of the site is a plot of land (170-176 Grange Road) with planning consent for a five storey building with commercial uses on the ground floor and residential above, which is currently in the early stages of construction.

Details of proposal

- 6 The application seeks permission to demolish the existing building and redevelop the site to provide a part 2, 3, 4 and 5 storey building. The application proposes 5 storeys fronting Grange Road, stepping down to 2 and 3 storeys along Fendall Street and Grange Walk. The materials proposed for the scheme include a mixture of brick, metal cladding, reconstituted stone, steel and glass balustrades. The proposal would provide 38 residential units (2 x studio, 11 x 1 bed, 17 x 2 bed and 8 x 3 bed); 4 car parking spaces and 46 cycle parking spaces within the rear courtyard and ancillary landscaping.

Planning history

- 7 Application 06-AP-2204 – Proposed the following:
'Demolition of existing buildings and the erection of a part 3 storey part 5 storey building with a maximum height of 15 metres comprising 103 units for student accommodation and 712 sq.m of floorspace providing a mix of A3 (restaurants and cafes) and B1 (offices) or D1 (non-residential institutions) use'.
REFUSED 11/06/2007 and subsequent appeal dismissed. In summary, the inspector concluded that 5 storeys on Grange Road was not necessarily unacceptable but the design and materials were unacceptable. The proposal must consider the wider area and the impact upon the conservation area and the proposal should step down along Fendall Street and consider the proximity of existing residential buildings and any amenity impacts.
- 8 Application 07-AP-2941 – Proposed the following:
'Demolition of existing building and erection of a part two/three/five storey (plus basement) building comprising 104 units (studio, dual and cluster rooms) for student accommodation with associated communal facilities, 675 sq.m of Class B1 (Business) use and 247 sq.m of Class A1/A2/A3 (Retail/Financial and Professional Services/Restaurants and Cafes) uses, car parking and cycle storage'.
Application WITHDRAWN by applicant 05/08/2009.
- 9 Application 10-AP-2271 – Sought conservation area consent for:
'Demolition of existing building and boundary wall on the site, to facilitate redevelopment in association with application reference 10-AP-2267'.
Application APPROVED 29/09/2010 (subject to a suitable replacement scheme being approved at the site).
- 10 Application 10-AP-2267 – Proposed the following:
'Redevelopment of the site by the erection of a part 2, 3, 4 and 5 storey building (5 storeys fronting Grange Road) comprising 39 residential units (2 x studio, 5 x 1 bed, 25 x 2 bed and 7 x 3 bed); 4 car parking spaces and 44 cycle parking spaces within the rear courtyard and ancillary landscaping'.
Application REFUSED 03/11/2010 for the following reasons:
 - Excessive density, resulting in a cramped form of development which has unacceptable impacts on the established character of the area, and on the amenity of surrounding residents, as well as compromising the quality of the accommodation through inadequate communal amenity spaces.
 - Scale, massing, footprint and insufficient set back to the 5th floor, would create a structure which has an overdominant and overbearing impact on the adjoining residential properties within Grange Walk.
 - The proposal, by virtue of its form and footprint, fails to provide adequate,

attractive and useable communal amenity space, including a lack of provision for children's play.

- The proposal by virtue of its scale, massing, detailed design and use of materials, would fail to respect the local context and harms the setting of the Bermondsey Street Conservation Area.
- The proposal has failed to demonstrate that the proposal will make the fullest contribution to the mitigation of and adaptation to climate change and to minimise emissions of carbon dioxide. In particular, the proposal would not provide any on site renewable technologies.
- The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate mitigation against the adverse impacts of the development through projects or contributions.

Planning history of adjoining sites

- 11 Adjacent site at 170-176 Grange Road:
Application 06-AP-1293 – Proposed the erection of a building on ground, first, second, third and fourth floors (five storeys) with part basement, comprising commercial units on part of the ground floor on Grange Road frontage (Classes A1, A2 or A3: retail, financial and professional services, restaurant) and 33 residential units; associated residential parking for occupiers of the development, cycle storage, amenity space and refuse storage. Application APPROVED 08/02/10.

KEY ISSUES FOR CONSIDERATION

12 Summary of main issues

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

- a) the principle of the development in terms of land use and conformity with strategic policies;
- b) acceptability of the proposed density;
- c) the design of the building and impact upon the character of the conservation area and listed buildings;
- d) the quality and mix of the proposed housing provision ;
- e) the impact upon the amenity of adjoining occupiers;
- f) transportation and accessibility issues;
- g) biodiversity, ecology and trees;
- h) Sustainability and energy
- a) Planning obligations, including affordable housing provision.

Planning policy

- 13 The site is located within the Urban Density Zone as designated within the Southwark Plan 2007 and has a low Public Transport Accessibility Level (PTAL) of 2/3. The site is located within an Air Quality Management Area, Archaeological Priority Zone and is within Flood Risk Zone 3. The site is located partly within the Bermondsey Street Conservation Area and is opposite Grade II Listed buildings at 44-45 Grange Road.

14 Southwark Plan 2007 (July)

The relevant Policies of the Southwark Plan include:

- Policy 1.1 – Access to employment opportunities;
- Policy 1.4 – Employment sites outside preferred locations;
- Policy 2.5 – Planning Obligations;
- Policy 3.1 – Environmental effects;
- Policy 3.2 – Protection of amenity;
- Policy 3.3 – Sustainability assessment;
- Policy 3.4 – Energy efficiency;
- Policy 3.6 – Air quality;
- Policy 3.7 – Waste reduction;
- Policy 3.8 – Waste management;
- Policy 3.9 – Water;
- Policy 3.11 – Efficient use of land;
- Policy 3.12 – Quality in design;
- Policy 3.13 – Urban design;
- Policy 3.14 – Designing out crime;
- Policy 3.15 – Conservation of the historic environment
- Policy 3.16 – Conservation areas;
- Policy 3.18 – Setting of Listed Buildings and conservation areas;
- Policy 3.19 – Archaeology;
- Policy 3.28 – Biodiversity;
- Policy 3.31 – Flood Defences;
- Policy 4.1 – Density of residential development;
- Policy 4.2 – Quality of residential accommodation;
- Policy 4.3 – Mix of Dwellings ;
- Policy 4.4 – Affordable housing ;
- Policy 4.5 – Wheelchair affordable housing;
- Policy 5.1 – Locating developments;
- Policy 5.2 – Transport Impacts;
- Policy 5.3 - Walking and Cycling;
- Policy 5.6 – Car parking;
- Policy 5.7 – Parking and standards for disabled people and the mobility impaired.

15 Adopted Supplementary Planning Guidance

- Residential Design Standards (2008)
- Sustainability Assessment (2009)
- Sustainable Design and Construction (2009)
- S.106 Planning Obligations (2007)
- Affordable Housing (2008)

In addition, draft SPD's relating to Affordable Housing, and Residential Design Standards, are currently out to public consultation. As draft documents, they could be accorded less weight in determining planning applications.

Core Strategy 2011

- 16 The Council adopted its Core Strategy on the 6th April 2011. Applications are to be determined in accordance with the saved policies in the Southwark Plan 2007, the strategic policies in the Core Strategy and the London Plan 2008.

The relevant strategic policies of the Core Strategy include:

- 1 – Sustainable development
- 2 – Sustainable transport

- 5 – Providing new homes
- 6 – Homes for people on different incomes
- 7 – Family homes
- 10 – Jobs and businesses
- 11 - Open spaces and wildlife
- 12 – Design and conservation
- 13 – High environmental standards

17 London Plan 2008 (consolidated with alterations since 2004)

The relevant policies for the London Plan include:

- 3A.9 Affordable housing targets
- 3A.10 Negotiating affordable housing
- 3C.2 – Matching development to transport capacity;
- 3C.3 – Sustainable transport in London;
- 3C.17 – Tackling congestion and reducing traffic;
- 3C.21 – Improving conditions for walking;
- 3C.22 – Improving conditions for cycling;
- 3C.23 – Parking strategy;
- 4A.3 – Sustainable design and construction;
- 4B.1 – Design principles for a compact city;
- 4B.5 – Creating an inclusive environment;
- 4B.6 – Safety, security and fire prevention and protection;
- 4B.8 – Respect local context and communities.

London Plan 2011

The 2011 replacement London Plan is likely to be adopted prior to the Committee meeting, and in any event prior to any decision being issued. At this stage, the policies of the new Plan should be given considerable weight in the determination of any application. The relevant policies of the replacement London Plan include:

- 3.3 - Increasing housing supply
- 3.5 - Quality and design of housing
- 3.6 - Children's and young peoples play
- 3.8 - Housing choice
- 3.13 - Negotiating affordable housing
- 5.2 - Minimising carbon emissions
- 5.3 - Sustainable design and construction
- 5.7 - Renewable energy
- 7.4 - Local character
- 7.19 - Biodiversity
- 8.2 - Planning obligations.

18 Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

The relevant PPG and PPS include:

- PPS1 – Delivering Sustainable Development;
- PPS3 – Housing;
- PPS5 – Planning for the Historic Environment;
- PPG13 – Transport;
- PPG 16: Archaeology
- PPS 22: Renewable Energy
- PPS 25: Development and Flood Risk

Environmental impact assessment

- 19 An Environmental Statement was not required with this application as the development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

Comparison with previously refused scheme

- 20 A previous planning application for development of this site (reference 10-AP-2267) was refused under officers delegated authority on 3 November 2010 for reasons relating to density, design and impact upon the conservation area, and impact on properties within Grange Walk. The proposal also had an unacceptable energy strategy and whilst appropriate s.106 Heads of Terms had been agreed, no legal agreement was in place to secure the contributions. The refused scheme was broadly similar to the current scheme in terms of its height and configuration, however the current scheme has been amended in several important respects to take into account the concerns expressed in the previous reasons for refusal.
- 21 The key differences between the current application and the previously refused application are:
- The proposal has been reduced by 1 residential unit from 39 to 38 units;
 - The top (4th floor) level has been set back further from the main building face;
 - The overall depth of the 5 storey building fronting Grange Road has been reduced by between 1m and 1.5m, to increase the distance of the building from the rear of the properties on Grange Walk;
 - Improvements have been made to the communal amenity space to the rear of the site including creation of a play area;
 - The renewable energy strategy has been amended to provide air source heat pumps and photo-voltaic panels;
 - Changes have been made to the elevational design to improve the appearance and relationship with the conservation area and listed buildings.

Principle of development

22 Loss of Employment Use

Policy 1.4 in the Southwark Plan 2007 seeks to retain employment uses outside Preferred Office Locations and Preferred Industrial Locations where the site fronts a classified road, is within a Public Transport Accessibility Zone, is within the Central Activities Zone or is within a Strategic Cultural Area. The last known uses on the site were B class business light industrial / storage uses and the existing building provided 831sqm of floorspace. The site is situated on a classified road and therefore policy 1.4 is applicable. This policy seeks to resist the loss of any existing floorspace currently in office (B1) use. However, policy 1.4 contains 3 exception tests whereby in the following circumstances change of use may be allowed. Exception test criteria 'a' and 'b' state:

- a) *The applicant can demonstrate that convincing attempts to dispose of the premises, either for continued B class use, or for mixed uses involving B class, including redevelopment, over a period of 24 months have been unsuccessful; or*
 - b) *The site or buildings would be unsuitable for re-use or redevelopment for B class use or mixed uses including B class use, having regard to physical or environmental constraints.*
- 23 The applicant has submitted a marketing report produced by Kalmar's. The report demonstrates that the site has been extensively marketed for commercial purposes for either sale or let, however there have been no potential purchasers or occupiers for the lease. Marketing for the site began in 2006 when the market was buoyant and continued until 2009. The site was marketed by direct mail, on the internet and on site via an advertising board. Whilst the marketing of the site generated some interest, interested parties either required the premises for alternative uses or no further action

was taken.

- 24 The marketing report considers that the site limitations include the poor state of the building which is outdated and would be costly to refurbish up to modern standards, the poor vehicle access, inadequate servicing and manoeuvring space for vehicles and the inadequate loading bay on the building.
- 25 The report concludes that commercial demand in the immediate area is low. For industrial uses, the road system is inadequate and access for lorries would be limited. Currently, with reduced office rents, increased supply and reduced demand in more established business centres, there is no viable option for redevelopment of the site for business use in the foreseeable future. The report concludes that the location for potential retail premises is poor, which is evident by the number of empty units within the surrounding area. However, there is a high demand for residential accommodation within the area.
- 26 Overall, it is considered that the applicant has sufficiently demonstrated that the site has been marketed unsuccessfully for commercial purposes for in excess of 24 months. The building would require extensive refurbishment or redevelopment and given the limitations of the site, it is considered that commercial uses may be difficult to service. The site is not located in an area of high public transport accessibility and is located outside of a town centre or recognised office or industrial location. Given that the site was marketed within a more buoyant economic market than currently exists, it is considered that even in an economic upturn, the site is unlikely to attract demand for commercial uses. More attractive commercial locations within the borough are likely to recover sooner than the Grange Road area. There is high demand for residential uses in this area and therefore resisting the change of use of the site would not benefit the wider regeneration of the Bermondsey area. The applicant has sufficiently demonstrated compliance with exception criteria a) and b) of policy 1.4 and therefore the loss of employment floorspace within this location is acceptable in this case.
- 27 It is noted that the loss of business floorspace was not cited as a reason for refusal in the decision dated 3 November 2010, which would have to be a material consideration in determining this current application, given the similarity of the proposals.

28 Principle of Residential use

The creation of residential accommodation within this location is considered acceptable in principle given that the area surrounding the site is predominantly residential. The need for additional housing in the borough is well established, and the units would contribute to meeting the housing target set out in the Core Strategy.

Density

- 29 The site is situated within the 'Urban Zone' and policy 4.1 within the Southwark Plan 2007 states that residential density within this zone should fall within the following ranges:

'Medium density – 200 to 700 habitable rooms per hectare in areas with predominantly four or more storeys and a public transport accessibility of 4 to 6.'

'Lower density – 200 to 450 habitable rooms per hectare in areas with predominantly two to three storeys and a public transport accessibility of 2 to 3.'

The site has a PTAL of 2/3 associated with a 'lower density' area, however the immediate surrounding built form has a range of heights and building footprints

suggesting a character somewhat more dense than typified by the lower density areas.

- 30 The proposal would have a density of 713 habitable rooms per hectare, based on the provision of 107 habitable rooms. Whilst this marginally exceeds the expected upper limit of 700 habitable rooms per hectare in the urban density zone, it is noted that, notwithstanding the low PTAL, many of the characteristics of the site would tend to suggest a density closer to the upper density range. It is noted that the development at the adjacent site at 170-176 Grange Road was granted permission on 08/02/10 (reference: 06-AP-1293) at a density of 780 habitable rooms per hectare.
- 31 Density gives a numerical measure of the intensity of development and provides an indication of whether the scale of development is likely to be appropriate in different parts of the borough. A density above the expected range would not, in itself, necessarily lead to a conclusion that a scheme should be judged unacceptable. However, it does indicate that the impacts of the scheme, on the character of the local area, on the neighbouring properties, and on the quality of the accommodation being provided, should be carefully examined. In cases where these impacts are found to be acceptable, it is not considered that density alone should be of overriding concern sufficient to warrant refusal of planning permission. The impacts of the scheme are discussed in further detail below.

Design issues

- 32 Policy 3.12 of the Southwark Plan seeks to ensure that a high standard of architecture and design are achieved in order to enhance the quality of the built environment and create attractive, high amenity environments. Policy 3.13 requires that the principles of good urban design are considered, in terms of context, height, scale, massing, layout, streetscape, landscaping and inclusive design.

Site Layout

- 33 The built footprint would be an 'L' shape built up to the back of pavement on Grange Road and Fendall Street. At ground floor level, the units fronting Grange Road would have a small defensible space in the form of front garden amenity areas with railings on the boundary. A rear courtyard accessed off Grange Road would provide a car / cycle parking area with hard and soft landscaping providing a communal amenity area with playspace.
- 34 The 'L' shaped layout would allow the building to address the main street frontages and enclose a communal amenity space to the rear. Since the previous application, the depth of the main 5 storey building has been reduced and the hard and soft landscaping reconfigured to maximise the quality and useability of the communal space to the rear of the building. Subject to appropriate treatment with soft planting, this space would also provide a buffer between the new building and the properties to the rear within Grange Walk.

Height, Bulk and Massing

- 35 The site is situated in a sensitive location partly within the extended Bermondsey Street Conservation Area and within the setting of the listed buildings on Grange Road. The existing site contains a poor quality building and the boundaries and surfaces are generally in a poor state of repair, therefore making a negative contribution to the streetscene and the Bermondsey Street conservation area. The surrounding context fronting Grange Road ranges from older buildings of 3 storeys, to the recently approved 4/5 storey blocks at Nos. 170-176 and 168 Grange Road. The proposal would generally replicate the building line and general bulk of the adjacent developments and proposes a 4 storey building with a set back 5th storey. The current

application has increased the degree of set back of the 5th storey, which reduces its visibility and impact from the street. The overall depth of the 5 storey block has also been reduced by between 1metre and 1.5 metres, which improves its relationship with the Grange Walk houses, whilst also increasing the options for creating an attractive and useful communal amenity space to the rear of the block.

- 36 The site is situated on a corner plot and is highly visible within Grange Road, Fendall Street and from Grange Walk within the Bermondsey Street Conservation area. Fronting Grange Road, the scheme proposes a 5 storey element in line with the adjacent recently completed developments within Grange Road. Whilst the adjacent developments do not necessarily provide a precedent for development of the same scale on this site, the height and massing, in its amended form, is considered appropriate on the main road frontage. The building does step down on the corner with Fendall Street, and this lower element improves the transition to the lower rise context around Grange Walk.
- 37 As set out above, the amendments to the main 5 storey block since the previous refusal of permission have reduced its impact on the streetscene and on the properties to the rear. The proposed top floor would have a flat roof and seeks to use lightweight materials to reduce its impact. This top storey is set back by 3m from the Grange Road elevation, 2.2m from the Fendall Street elevation and 1.5m from the rear elevation. The success of this element relies heavily on the detailed quality of the finish and materials, and so whilst the principle is considered acceptable, a condition requiring material and finish details should be attached to any permission granted. With appropriate materials, it is not considered that the top floor would be visually intrusive within the streetscene and Bermondsey Street Conservation Area.
- 38 The existing context towards the rear of the site is noticeably different and there is a clear shift between the larger scale buildings within Grange Road to the lower rise 2/3 storey houses within Fendall Street and Grange Walk. The massing of the proposed scheme steps down at the corner of Grange Road and Fendall Street to 3 storeys to break up the bulk of the mass of the building and respond to the transition. This corner element is highly visible and the design has been reconsidered since the previous application to relate better to the proposed terraces within Fendall Street.
- 39 Within Fendall Street, the scheme steps down again from 3 storeys to 2 principal storeys which is considered an appropriate approach. The 2 storey frontage on Fendall Street is made up of 4 terraced houses that continue around the corner into Grange Walk. The proposed houses have an additional rooftop element that provides stairs to the roof gardens as well as an additional living space. These elements are well set back and as such, they would not be easily visible within the streetscene, particularly given the narrowness of Fendall Street. Historic maps show that Fendall Street originally had terraced properties directly fronting the street and the proposed houses on Fendall Street would effectively restore the original street pattern. This is considered an acceptable design approach.

Detailed Design

- 40 The Grange Road elevation has been articulated using recessed windows and winter gardens/balconies. This gives the elevation a clear rhythm and vertical emphasis which relates well to the traditional pattern of development. At ground floor, the units would have defensible space and the entrances onto Grange Road provide some interaction with the street. The predominant use of brick is considered appropriate within this location and will provide a robust and durable finish. Since the previous application, the detailed design has improved significantly, including a more simple facade to the rear with greater use of brick and less metal cladding, which is considered to be a more appropriate response. Full details of materials would need to

be secured by condition to ensure the mix of materials is of an acceptable quality.

- 41 The provision of houses with individual front doors off the street on Fendall Street is welcomed and reflects the character and rhythm of the houses along Grange Walk. However there is an outstanding concern about the extent of metal cladding used on the front elevation of the houses, and the applicant has agreed to reconsider this approach. The material details should be secured by condition to ensure the quality and appropriateness of the material within the conservation area. The rear elevation of the Fendall Street properties facing the courtyard, would be predominantly brick and this is considered appropriate.

Impact upon conservation area and listed buildings

- 42 The proposal is partly situated within the Bermondsey Street Conservation Area and is located opposite the listed buildings at Nos. 44-45 Grange Road. In accordance with PPS5 'Planning for the historic environment', consideration should be given to sustaining and enhancing these heritage assets and the positive contribution they make to character and local distinctiveness.
- 43 Fronting Grange Road, the building would follow the general building line created by other new buildings, and therefore create a pavement width of approximately 4.6m. This part of Grange Road is not situated within the conservation area, however is located directly opposite Grade II listed townhouses. Whilst the scale of the proposal would be larger than the townhouses opposite, given that Grange Road is a main road with a wide pavement to the front of the proposal, it is considered that the building would not have an unacceptable impact upon the setting of the listed buildings. Furthermore, street trees provide a form of 'green buffer' to the buildings opposite, which whilst not necessarily eliminating any impact, would provide visual relief and soften the appearance of the built forms.
- 44 The existing site contains a poor quality building in a generally poor state of repair, which makes a negative contribution to the streetscene and the Bermondsey Street conservation area. Conservation Area Consent has been granted for the demolition of the existing building on the site, however this is subject to a condition requiring a suitable replacement scheme to be granted planning permission before demolition can begin. Overall, taking into account the existing change in context between Grange Road and the conservation area within Fendall Street and Grange Walk, it is considered that the proposal makes an appropriate response. Since the previous planning application, the changes to the scale, massing, detailed design and materials have resulted in a scheme that would not appear unduly dominant or out of character. Subject to conditions regarding detailed finishes and materials, the proposal would not have a harmful impact upon the setting of the Bermondsey Street Conservation Area.

Housing Provision

- 45 The application proposes the following housing mix:

Tenure	Private	Private H/R	Intermediate	Intermediate H/R	Social	Social H/R	Total (by unit)
Studio	2	2	0	0	0	0	2 (5%)
1 Bed	5	10	2	4	4	8	11 (29%)
2 Bed	12	36	2	6	3	9	17 (45%)
3 Bed	6	24	0	0	2	8	8 (21%)
TOTAL	25	72 (67%)	4	10 (9%)	9	25 (23%)	38 (107 hab rooms)

- 46 Saved policy 4.4 of the Southwark Plan states that within the Urban Density Zone, at least 35% affordable housing will be required with a tenure split of 70% social housing and 30% intermediate provision. Strategic Policy 6 within the Core Strategy 2011 also requires a 35% provision within this location. The application proposal would provide 32.7% affordable housing on a habitable room basis which equates to 34.2% on a unit basis.
- 47 To meet the 35% affordable housing requirement, the development would need to provide 2 additional habitable rooms in the 'affordable' sector. However, in accordance with the Southwark Affordable Housing SPD 2008, because of the particular need for wheelchair accommodation within the affordable tenure, the policy accepts that, for each affordable wheelchair unit provided within a scheme, 1 less affordable habitable room is required overall. Therefore, given that the proposal provides 2 affordable wheelchair units, the scheme complies with saved Policy 4.4 and Core Strategy policy SP6 in that it would be assumed to provide 37 habitable rooms of affordable housing, that being 35% of the 107 total rooms provided in the scheme. The scheme therefore is acceptable in terms of its overall level of affordable housing provision.
- 48 The tenure split would be 71:29 social rented:intermediate housing, which is not materially different to the 70:30 split expected by policy, and is considered to conform with the aims of part vi. of policy 4.4 in the Southwark Plan 2007.
- 49 Two 3 bedroom wheelchair accessible units (social rented) are provided on the ground floor. This equates to an overall provision of 7.9% on a habitable room basis. Whilst this is below the required 10% provision normally required by saved policy 4.3, the two units provided are generously proportioned family sized units with ground floor private amenity space and allocated parking conveniently placed for access to the units. There is a recognised need in the borough for larger family sized wheelchair accessible units within the affordable housing sector and therefore this provision has been indicated as a preferred option by housing officers. Therefore whilst the provision is below the 10% required by policy, it is not considered appropriate to refuse planning permission on this basis, given the provision of high quality, family sized wheelchair units on the ground floor with access to private amenity space, which would contribute positively to housing need within the borough in line with the aims of planning policy.
- 50 Core Strategy policy 7 requires at least 60% of units to have 2 or more bedrooms and at least 20% of units to have 3 bedrooms or more. Overall, the proposed development will provide 25 units (66%) with two or more bedrooms and 8 units (21%) with three or more bedrooms. The inclusion of family sized accommodation is welcomed and exceeds the minimum policy requirement.
- 51 The overall flat sizes accord with the minimum floor areas set out within the adopted Southwark Plan Residential Space Standards SPD (2008). A total of 36 out of the 38 units would meet the emerging standards within the draft Residential Design Standards SPD which is welcomed. All the residential units would have internal storage space and the majority would have direct access to external private amenity space. All 3 bedroom units would have 10sqm of private amenity space in accordance with the SPD, and the townhouses would have private amenity space of between 31-39sqm. The units that do not have direct access to external amenity space, would have a separate amenity space area elsewhere within the development allocated to them.
- 52 The proposal does not provide a predominance of dual aspect units as required within the SPD as the total number of truly dual aspect units would be 15 (39%). The applicant has sought to address this by providing 10 of the north facing units with projecting bays, so as to provide an enhanced aspect within the bays. Given the

acceptable internal space and amenity space standards, overall the quality of the units is considered acceptable.

- 53 The proposed communal amenity space has improved since the previous application. There is more space available due to the reduction in depth of the building and a more formal landscape design with playspace has been introduced. Subject to condition to ensure appropriate soft landscaping is included in the scheme, the communal amenity space is considered appropriate.

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

- 54 Policy 3.2 'Protection of Amenity' within the Southwark Plan seeks to protect the amenity of existing and future occupiers in the surrounding area or on the site.

55 Overlooking

The distance between the proposed 5 storey block and the properties to the rear within Grange Walk, would be 20m (at 1st-3rd floor) at its narrowest point. The narrowest point only occurs in one location where the rear projection of a property within Grange Walk is closest. The remaining distances between the habitable windows within the properties within Grange Walk and the proposed 5 storey block is between 21m and 24m, with this distance increasing further along Grange Walk. The distance is measured to the rear elevation which has protruding bays at 1st-3rd floors which provide a bay window and balcony. Therefore the main bulk of the building is set further away.

- 56 The existing building at the site is a two storey building and is located closer to the properties within Grange Walk than the proposed scheme. However, the proposed building is significantly taller in scale and therefore will have some impact on the properties within Grange Walk. The required distance to ensure privacy from the rear of a building is 21m as set out within the Residential Design Standards SPD. The standards are a guide and should be considered in conjunction with the context of the site which in this case, is an urban location. The proposed scheme does provide a separation distance to habitable windows within Grange Walk of at least 20m, with the majority of habitable rooms being 21m or more. As such, the proposed distances are considered sufficient to avoid unacceptable overlooking and loss of privacy.

- 57 The distance across Fendall Street is 7m and objection has been raised from neighbours regarding loss of privacy to the properties with facing windows onto Fendall Street. Whilst the proposed distance would be significantly less than the 12m distance set out within Southwark's Residential Design Standards SPD, it is not considered to be uncharacteristic of the street pattern within the area. This issue was previously considered by the Inspector with regard to the appeal scheme which proposed 3 storeys of student accommodation directly fronting Fendall Street. The Inspector concluded that whilst there may be potential for overlooking to some windows and terraces within Grange Walk Mews, the nature of the existing windows and terraces which are currently obscured, would largely protect neighbours privacy and prevent any meaningful views into these properties. For example, ground floor windows fronting Fendall Street are generally obscured using security shutters or blinds, and terraces are screened which would obscure views. These have been put in place by occupiers presumably because of the existing potential for loss of privacy from pedestrians passing directly outside of the ground floor windows.

- 58 The Inspectors conclusions regarding the previous application are a material consideration. The current application is of a residential nature and as such, similar to the appeal scheme with the exception that roof terraces are now proposed. However, the roof terraces are unlikely to result in additional overlooking given the houses are 2

storeys as opposed to 3 storeys, and the main useable space on these roof terraces would be set back from the frontage. Overall, taking into account the urban character of the area and the Inspectors conclusions, it is not considered the proposal would give rise to an unacceptable overlooking or loss of privacy sufficient to warrant refusal of planning permission.

59 Outlook

The main 5 storey building has been reduced in overall depth since the previous application by between 1 and 1.5m and in particular, at third floor level, the protruding bays on the rear elevation and the scale of the balconies have been significantly reduced. This, together with greater landscaping within the proposed communal amenity area results in an improved outlook for the properties within Grange Walk when compared to the previous scheme.

60 Taking into account the character of the area and the existing nature of the windows and balconies of properties facing Fendall Street including those within Grange Walk Mews, most of which are screened by blinds, it is not considered the proposal would give rise to any unacceptable impact upon outlook for these properties.

61 Daylight and Sunlight

The applicant submitted a daylight and sunlight report prepared by CHP Surveyors Limited dated 28th April 2011, to accompany the application. The report assesses the impact of the proposed development on the daylight and sunlight of surrounding residential properties against the relevant BRE guidelines 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' (1991). The BRE guidelines are a recognised mechanism within Southwark's Residential Design Standards SPD to establish the impact of development in terms of daylight and sunlight.

62 The following tests have been carried out to assess the impacts of this scheme: Vertical Sky Component (VSC) assesses the loss of daylight entering existing rooms by considering the amount of available daylight from the sky reaching a window and is measured on the outside of that window. 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 VSC can be reduced by about 20% of their original value before the loss is noticeable. The Average Daylight Factor (ADF) determines the natural daylight appearance of a room, taking account of the interior dimensions and surface reflectance within the room and is therefore considered to be a more detailed and representative measure of the adequacy of light. The ADF values recommended by the BRE guide are 2% for family kitchens, 1.5% for living rooms and 1% for bedrooms. Daylight distribution has been assessed by plotting the 'no sky line' (NSL) in each room and calculating the percentage of a rooms area which can receive direct sky light. The BRE guidance states that a significant area of the room should not lie behind the NSL and that if the area receiving direct skylight is less than 0.8 times the former value, then this would be a noticeable loss.

63 The report also assesses the impact of the development on sunlight. The availability of sunlight is dependant on the orientation of the window or area of ground being assessed relative to position of due south. The Annual Probable Sunlight Hours (APSH) is considered for all windows facing within 90 degree of due south. BRE guidelines require that a window should received a minimum of 25% of the annual probable sunlight hours, of which, 5% should be received in winter or, the window should not have more than a 20% loss of its former value.

64 The report identifies the following buildings within the vicinity of the site that require testing:

- 185 Grange Road

- 6, 7 and 8 Grange Walk Mews (Facing Fendall Street)
- 34-40 Grange Walk
- Grange House (Situated to the north west)
- 43/44 and 45/46 Grange Road

185 Grange Road

- 65 A total of 6 out of the 8 windows tested would not meet the BRE guideline relating to VSC and would receive losses of between 23% and 43%. However, each window that fails this test, would continue to receive a VSC level in excess of 19%. The BRE guideline advises a 27% target to achieve a 'good level' of daylight however, it is considered reasonable to allow this standard to be applied with some flexibility within an urban context. Further testing of the windows that fail should be carried out to establish the impact upon daylight to the rooms they serve.
- 66 Given the VSC levels for 6 windows do not comply with the BRE guidelines, an assessment of proposed ADF values for each room is necessary. The windows serve 2 living rooms and one bedroom and the results show that each room would either meet or be well in excess of the BRE guidelines for ADF. The NSL calculation also shows that the majority of each room would lie in front of the NSL. As such, with the development in place, the rooms would receive reasonable levels of daylight in accordance with BRE guidelines.
- 67 With regard to APSH, 7 out of the 8 windows tested would experience a loss in excess of 20% as a result of the proposal. However, it should be noted that 2 of the 7 windows, would still meet the required 25% APSH overall throughout the year. Sunlight is mostly required in living rooms and considered to be less important in kitchens and bedrooms. The BRE contains guidance in relation to sunlight availability in flats as it is recognised that full compliance can be difficult and that the guidelines are purely advisory. The guidance advises that a "reasonable amount" of sunlight should be received in living rooms, although no definition is provided as to what constitutes a "reasonable amount". That said, the worst effected windows would receive 14.08% APSH overall, of which 2.82% would be in winter. As such, the total APSH would be more than half the target amount which is not uncommon within an urban context.

6, 7 and 8 Grange Walk Mews

- 68 A total of 4 out of the 8 windows tested would not meet the BRE guideline in terms of having a less than a 20% loss. However, it should be noted that 1 of the 4 windows that fail in terms of percentage loss, would retain a VSC of 27.63 which meets the BRE standards. Therefore overall, 3 of the 8 windows tested fail to meet the BRE guidance. These 3 windows are located at ground floor level. Each of the 3 windows that fail this test, would continue to receive a VSC level in excess of 20%, however further testing of the windows that fail should be carried out to establish the impact upon daylight to the rooms they serve.
- 69 Given the VSC levels for 3 windows within 6 and 7 Grange Walk Mews do not comply with the BRE guidelines, an assessment of proposed ADF values for each room is necessary. The windows serve a living/kitchen and living room and the results show that each room would exceed the BRE guidelines for ADF. The NSL calculation also shows that the majority of each room would lie in front of the NSL. As such, with the development in place, the rooms would receive adequate levels of daylight in accordance with BRE guidelines.
- 70 With regard to APSH, 5 out of the 7 windows tested would fail, however one of these windows is only marginally below the required 25% APSH overall at 24.65%. The

worst effected windows would receive 14.79% APSH overall, of which 4.23% would be in winter which is close to the 5% target. The total APSH would be more than half the target amount which is not uncommon within an urban context and it is considered a reasonable amount of sunlight would remain.

34-40 Grange Walk

- 71 All windows tested would meet the BRE guidelines and would have losses of less than 20% which is considered acceptable and would not have a significant impact on residential occupiers.
- 72 With regard to APSH, 28 out of the 28 windows tested would pass and would meet the BRE guidelines. As such, sunlight levels as a result of the proposed development are acceptable.

Grange House

- 73 All of the 10 windows tested would meet the BRE guideline for VSC and therefore no further tests are required. The daylight levels would be acceptable following the development proposals.
- 74 With regard to APSH, 10 out of the 10 windows tested would pass and would meet the BRE guidelines. As such, sunlight levels as a result of the proposed development are acceptable.

43/44 and 45/46 Grange Road

- 75 All of the 35 windows tested would meet the BRE guideline for VSC and therefore no further tests are required. The daylight levels would be acceptable following the development proposals.
- 76 The BRE guidelines state that only windows within 90 degrees of due south need to be considered for sunlight, and therefore sunlight tests are not applicable, since they are not within 90 degrees of due south.

Daylight and Sunlight Conclusion

- 77 It is recognised that the proposed development will have an impact upon the available daylight and sunlight to some adjoining properties, particularly 3 of the ground floor windows serving properties within Grange Walk Mews and 185 Grange Road (facing Fendall Street). However it is important to consider the local context of the area within which the site is located. In urban environments there will inevitably be some adverse impacts from a development of this scale, particularly when redeveloping on an under-developed site which is uncharacteristic of the area. In such situations the BRE guidelines need to be applied more flexibly and the guidelines state that *"the advice given here is not mandatory and this document should not be seen as an instrument of planning policy...although it gives numerical guidelines, these should be interpreted flexibly because natural lighting is only one of many factors in site layout design."* The site is located within an area with a tight urban grain especially apparent within Fendall Street and the Bermondsey Street conservation area. The existing low rise open nature of the application site is uncharacteristic of the immediate context and as such is inevitable that redevelopment of the site will have an impact upon daylight and sunlight. Whilst the windows fronting Fendall Street serve habitable rooms, it is worth noting that the ground floor windows fronting Fendall Street are generally obscured using security shutters or blinds and curtains and these would somewhat limit daylight received within these rooms.

78 On balance, taking into consideration the character of the area, the current underused nature of the site, and nature of the windows fronting Fendall Street, the impacts of the proposed development are considered acceptable within this location. Whilst there are daylight failures in terms of VSC, where these occur, the ADF calculations for neighbouring habitable rooms are shown to be acceptable in accordance with BRE guidelines. The number and strength of objections received on this issue is noted and acknowledged. However, overall, it is considered that the surrounding properties would retain acceptable levels of natural daylight and sunlight given the urban context of the site and a refusal of planning permission on these grounds would not be warranted.

79 Noise

The proposed residential use is located within a predominantly residential area and is therefore compatible with the existing surrounding uses. Whilst Grange Road is a classified road, it is not so busy and noisy that the environment would cause concern regarding noise for proposed residents. Winter garden balconies are proposed for the units fronting Grange Road to reduce internal noise and increase the usability of these amenity spaces. A construction management plan would need to be submitted to control the operations during the construction period and protect the amenity of the surrounding residents.

Traffic issues

80 Access and servicing

Vehicular access to the site would be via the existing entrance on Grange Walk which is considered acceptable. Details of the gate and visibility splays should be secured by condition to ensure pedestrian safety. The applicant proposes that refuse collection would take place from the street. This is acceptable given that the existing premises had refuse collected from the street and this is not believed to cause an adverse impact on the road network.

81 Car Parking

The application proposes 4 on-site parking spaces (2 would be dedicated disabled spaces). In order to prevent any overspill parking on nearby streets, the developer would be required, through a s.106 agreement, to fund an amendment to the Traffic Management Order to ensure that occupiers of the development would be prohibited from applying for on street parking permits within the vicinity of the site. The site has a low PTAL rating of 2/3, however it has direct access to numerous bus routes along Grange Road and is approximately a 20 minute walk from Bermondsey tube station or from London Bridge station.

82 It is considered that the development is likely to create a demand for car use given the number of family sized units, and therefore some car parking on site would normally be expected. The provision of 10% parking is low within the area where the site is located. The applicant has indicated they would be willing to agree to provide a contribution to a car club space within the vicinity of the site and the Council would also recommend that car club membership is offered to residents. Whilst the level of car parking is low, given that the site is located within a CPZ which allows the prevention of any overspill parking by using a restriction within the S.106, in conjunction with cycle parking and a contribution to a car club space offered by the applicant, the parking provision is considered acceptable and would promote the use of alternative sustainable modes of transport.

83 Cycle Storage

The proposal would provide 46 cycle parking spaces (121% provision) in accordance with policy 5.3 in the Southwark Plan 2007. The spaces would be covered and secure in accordance with policy 5.3 in the Southwark Plan 2007. However, to ensure that the

cycle storage details are acceptable in terms of their spacing and manufacturer details, full details would be secured by condition.

84 Travel plan

A draft Travel Plan was submitted with the application. A full Travel Plan would be required prior to occupation, and subsequent monitoring carried out to ensure its effectiveness. This would be secured within the s.106.

Impact on trees, ecology and biodiversity

85 The site is partly located within a conservation area and there is currently 1 Cherry Tree located within the northern half of the site which forms part of the conservation area. A further 2 Cherry Trees were previously on the site, however these trees have been removed. One of the trees was located within the conservation area and therefore permission should have been sought prior to its removal. Following a planning enforcement investigation, a Tree Replacement Notice was served on the owners requiring them to replant one tree within a specified time period. The Tree Replacement Notice doesn't prevent redevelopment and is a separate matter to this planning application, however is a material consideration. The owners are currently in breach of the Tree Replacement Notice, however in light of the pending decision on the planning application, and noting that it would not be practical to plant until the planting season in November, no further action is likely to be taken until after a decision on this planning application has been made. In light of the fact that if planning permission is granted, redevelopment of the site would not allow for the tree to be replaced in the same location, the applicant has offered a £2,500 contribution (which is the calculated value of the tree) to allow the Tree Replacement Notice to be withdrawn.

86 The existing tree on the site, and those which have already been removed, are considered to have amenity value within the locality. However, it is acknowledged that tree removal is likely to be necessary, to facilitate any development that makes efficient use of the land. Given the trees are considered to be of high amenity value and that there is no evidence to suggest that they were diseased or dangerous, any acceptable redevelopment at the site must provide appropriate mitigation against the loss of the trees. To mitigate against the removal of the trees within the site, semi-mature specimens should be provided within the rear courtyard of the development. The applicant has indicated they are willing to do this and the specific details would be secured within a landscaping condition. However, given that the rear courtyard area of the site would not be easily visible within the public realm, replacement street tree planting would also be necessary to further mitigate against the impact of the removed trees upon the surrounding area. It is considered that street tree planting would have better long term visual amenity benefits for local residents than tree planting on private land.

87 The applicant has offered a £5,000 financial contribution to the Council to allow tree planting on the surrounding streets, including street trees on Grange Road. This is considered acceptable and would allow meaningful street tree planting within the immediate vicinity of the site. This contribution will be secured via a S.106 agreement. Whilst the loss of the trees is regrettable, subject to mitigation, the loss of the trees is accepted to allow redevelopment and a more efficient use of the site that would contribute towards housing need within the borough.

88 The development proposes a biodiverse roof on the proposed bike store which is considered acceptable both visually and in terms of biodiversity impacts. The use of a biodiverse roof to the main building was considered, however is not structurally feasible due to the number of photovoltaic panels required. As requested by the ecology officer, bat and swift bricks should be incorporated into the development and

this will be secured by condition.

Sustainability and Energy

- 89 Policy 4A.8 of the adopted London Plan and policy 5.2 in the draft replacement London Plan requires that major development schemes should provide an assessment of their energy demands and demonstrate how they have taken steps to apply the Mayor's energy hierarchy. Southwark's Strategic policy 13 'High environmental standards' of the Core Strategy 2011 requires development to meet the highest possible environmental standards. It states that all residential developments should achieve at least code for Sustainable Homes Level 4, and all other non-residential developments (except community facilities) should achieve at least BREEAM 'very good'. Major developments according to this policy should achieve a 44% saving in carbon dioxide emissions above the building regulations from energy efficiency, efficient energy supply and renewable energy generation. Major development must also achieve a reduction in carbon dioxide by 20% from using on-site or local low and zero carbon sources of energy, reduce surface water run-off by more than 50% and achieve a potable water use target of 105 litres per person per day.
- 90 An Energy Strategy was prepared as part of the documents submitted with the application. The statement outlines that the scheme proposes an air source heat pump system, supplemented with Photo Voltaic Panels to the roof. The scheme would achieve a saving from renewables of 20%. An overall reduction in emissions of 19.6% above building regulations would be achieved before the proposed Low and Zero Carbon solutions are considered. Overall it is unclear whether the scheme would meet the required 44% saving in carbon dioxide emissions above the building regulations from energy efficiency, efficient energy supply and renewable energy generation. As such, this detail should be secured by condition to ensure energy efficiency is maximised.
- 91 The proposed development would be a sustainable form of development in that it would make efficient use of the site and minimise reliance upon the car. The scheme would achieve Code for Sustainable Homes level 4 in accordance with policy. The energy strategy is generally considered acceptable subject to a condition regarding the overall energy savings, in accordance with policy requirements and maximises the use of renewable technology.

Planning obligations (S.106 undertaking or agreement)

- 92 Policy 2.5 of the Southwark Plan advises that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. This policy is reinforced by the Supplementary Planning Document (SPD) for Section 106 Planning Obligations, which sets out in detail the type of development that qualifies for planning obligations, and Circular 05/05, which advises that every planning application will be judged on its own merits against relevant policy, guidance and other material considerations when assessing planning obligations.
- 93 The following table sets out what the applicant has agreed to provide in order to mitigate the impacts of the development, compared with the standard charges calculated by Southwark's Section 106 toolkit:

Planning Obligation	Toolkit Standard Charge (£)	Applicant Contribution (£)
Affordable housing	n/a	n/a
Education	63,264	63,264
Employment in the	n/a	n/a

development		
Employment during construction	26,501	26,501
Employment during construction management fee	2,043	2,043
Public open space, children's play equipment and sports development	11,055 4,729 26,977	11,055 4,729 26,977
Transport strategic	17,638	17,638
Transport site specific	19,000	19,000
Public realm (site specific)	28,500	28,500
Archaeology	n/a	n/a
Health	38,965	38,965
Community facilities	5,711	5,711
Admin charge	4,888	4,888
TOTAL	249,271	249,271

- 94 In addition to these sums, the applicant has agreed to contribute £2,750 to amend the Traffic Management Order (TMO), preventing future occupiers from obtaining on street parking permits. In addition to above financial contributions, the applicant has agreed to provide 35% affordable housing, a £5,000 contribution to tree planting, a Travel Plan including monitoring and free car club membership to residents of the development for a period of 2 years. The proposed contribution towards a car club space within the area as requested by Transport, would be included as part of the 'transport site specific' contribution set out above.
- 95 The applicant contributions listed above are considered to appropriately mitigate the impacts of an acceptable development and it is considered that the use of the building would also be adequately secured through the agreement. Therefore no objections are raised relating to the terms of the section 106 agreement for this site. The CIL regulations came into force on 6th April 2010. The regulations state that it is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, that is capable of being charged CIL if the obligation does not meet all of the following tests: -
- 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.
- It is considered that the contributions in relation to this development meet the above tests.
- 96 In accordance with the recommendation, if the Section 106 Agreement is not signed by 11/08/2011, the application should be refused for the reason below:
'In the absence of a signed Section 106 Agreement, there is no mechanism in place to avoid or mitigate the impact of the proposed development on the public realm, public open space, health care service, the transport network, and employment and the proposal would therefore be contrary to Policy 2.5 of the Southwark Plan, Strategic Policy 14 of the Core Strategy 2011 and Policy 8.2 of the London Plan'.
- 97 **Other matters**
Flood Risk
The site is situated within a Flood Risk Zone and a Flood Risk Assessment was submitted with the application. The Environment Agency raises no objection to the proposed development on flood risk grounds subject to conditions requiring finished floor levels to be no lower than 3.9m AOD and that the development be carried out in accordance with the approved Flood Risk Assessment.

Conclusion on planning issues

- 98 The existing site contains a poor quality building and is generally in a poor state of repair making a negative contribution to the streetscene and the Bermondsey Street conservation area. The proposal is an appropriate land use within this location and would make efficient use of a currently under utilised site. Overall, taking into account the existing change in context between Grange Road and the conservation area within Fendall Street and Grange Walk, it is considered that the proposal makes an appropriate design response. Since the previous planning application was refused, the changes to the scale, massing, detailed design and materials have resulted in a scheme that would not appear unduly dominant or out of character.

On balance, taking into account the housing needs within the borough and the benefits of the scheme in terms of housing provision and making more efficient use of land, the proposed housing mix is considered acceptable.

It is recognised that the scheme would have some impact on the amenity of adjoining residents in terms of daylight, sunlight and outlook, and that a number of objections have been received in this respect. However, following an assessment of these issues, it is not considered that any of the impacts would be to an extent that would cause unacceptable harm to residential amenity and therefore would warrant a refusal on these grounds.

Community impact statement

- 99 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- 100 The impact on local people is set out above, and the issues relevant to particular communities / groups likely to be affected by the proposal have been addresses. The likely adverse implications for any particular communities / groups have also been discussed above.

Consultations

- 101 Details of consultation undertaken in respect of this application are set out in Appendix 1.

102 Consultation replies

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

103 Summary of consultation responses

5 neighbour objections including 1 letter containing 10 signatures from Grange Walk Mews in objection have been received. The main key points within the objection letters relate to design, character, residential amenity impacts (outlook, loss of privacy, daylight, sunlight), car parking, traffic and pressure on local services.

2 letters of support have been received. These letters note that the proposal would improve the existing site and provide appropriate residential development.

104 Human rights implications

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.

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/32-177 Application file: 11-AP-1390 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5657 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Laura Webster, Planning Officer	
Version	Final	
Dated	13 July 2011	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional Team	14 July 2011	

Consultation undertaken

Site notice date: 13/06/2011

Press notice date: 19/05/2011

Case officer site visit date: 13/06/2011

Neighbour consultation letters sent: 17/05/2011

Internal services consulted: 23/05/2011

Ecology Officer
Public Realm
Crime Prevention Officer
Transport Planning
Environmental Protection
Waste Management
Urban Forrester

Statutory and non-statutory organisations consulted: 23/05/2011

Thames Water
Environment Agency
English Heritage

Neighbours and local groups consulted: Addressees included Grange Road, Fendall Street, Grange Walk and Grange Walk Mews.

Re-consultation: N/A

Consultation responses received

Internal services

Ecology Officer

- The development should incorporate biodiversity measures
- The installation of 10 House sparrow boxes and 10 swift bricks should be conditioned
- A biodiverse roof should also be provided for at least a third of the total roofspace
- No objections to the proposed soft landscaping

Public Realm

- The front footway on Grange Road is in reasonable condition
- The footpath on Grange Road should be adopted to allow a wider footway and ensure visual uniformity and maintenance.
- The Fendall Street footway should be resurfaced and kerbs realigned to accommodate footfall from the development
- Drop kerbs required for refuse collection
- Temporary traffic orders may be required during construction, at the cost of the developer
- The developer will be required to enter into a s.278 agreement

Crime Prevention Officer

- No objections

Transport Planning:

Pedestrian access:

- Access for the houses is directly from Fendall Street. There are various access points to the flats however the primary access is from Grange Road. Both the flats and houses have a secondary access from the internal courtyard within the site.

Vehicular access:

- The vehicular access to the site is via the existing access on Grange Walk.

In addition to planning consent, any new or altered access must have the approval of the Highways Authority, before construction. Any existing access which will be made redundant as a result of this development must be reinstated, with Highways approval. Drawing number 211011/PA/120 details that the applicant intends to reinstate the footway at redundant vehicular crossings.

Additionally, we would look for the proposed gate at the vehicular access to be set back 6m from the back of footway. This is to ensure that vehicles waiting to access the site can park clear of the highway and not block the footway. This should be secured by condition.

The applicant would need to provide pedestrian and vehicular visibility splays, in line with a 20 mph road. Vehicular visibility splays on a 20mph road are based on the Sight Stopping Distance and is assessed at 25m, as stated in Manual for Streets 7.5. Pedestrian visibility is a standard 2.4 metres by 2.4 metres splay.

These visibility splays can be achieved from the proposed access on Grange Walk and are therefore acceptable. The applicant should note however that any planting or boundary treatment proposed within the sight-line areas must not exceed 600mm.

Car Parking

This proposed development is located in an area with a low TfL PTAL rating (2/3), reflecting the area's relatively poor level of access to all forms of public transport. The applicant has provided a PTAL calculation summary that indicates a PTAL of 3. Developments in areas with this PTAL rating are normally required to provide some level of on-site parking in order to minimise overspill parking on the road network. The applicant is proposing 4 parking spaces, 2 of which are disabled spaces.

Average census car ownership data for the Grange ward details that the following number of vehicles could potentially be associated with a development of this size in this location:

Car Ownership	Grange Ward % of households	Number of households (Vehicles)
No car	59%	22 (0)
One car	36%	14 (14)
Two cars	5%	2 (4)
Three or more cars	1%	0 (0)

While these car ownerships levels are only averages it forecasts that potentially 18 vehicles could be associated with this development. With a potential for 14 overspill vehicles; given the proposed level of parking of 4 spaces. Therefore, in order to prevent possible overspill parking from the development, a planning condition will be imposed preventing any occupiers of this development being eligible for on-street parking permits. In order that the Traffic Order can be changed, a sum of £2,750 must be secured from the applicant for the costs associated with amending the Traffic Order, either through a S106 agreement or unilateral undertaking.

In order to further address the potential overspill parking, especially the parking that could occur outside of the hours of CPZ operation and to reduce the level of private car ownership we would look for the applicant to provide 3 years membership to Streetcar car club for each residential unit. Car club bays are measures aimed at mitigating against an under provision of parking or a method to deter private parking and car ownership.

The overall parking provision for the new development is acceptable subject to the applicant agreeing to the development being made CPZ exempt and that the applicant provides each residential unit with 3 years free membership to Streetcar car club.

Cycle Storage

Table 15.4, the Southwark Plan, states that the minimum secure parking standard for cycles is 1 per residential unit and 1 per 10 units for visitors. For this development of 38 units, a minimum provision for 42 cycles is required. Proposed ground floor plans (211011/PA/120) show 48 cycle parking spaces.

In order to satisfy Policy 5.3 of the Southwark Plan cycle parking provision must be convenient, secure and weatherproof and to the minimum standards as detailed in Appendix 15 of the Southwark Plan. For reasons of convenience, cycle storage must be of the dimensions as stated in the Manual for Streets, sections 8.2.21-8.2.24 and should comply with best practice guidance.

The area set aside for cycle parking does appear tight to accommodate 48 cycles. Therefore we would look for the applicant to submit detailed drawings of the cycle parking including manufacture details of the proposed cycle stands and the proposed covering prior to this aspect of the application being conditioned. This is to ensure that 48 cycle stands can be accommodated to the standards set out above.

It should be noted that our first preference in terms of cycle parking would be Sheffield type horizontal cycle stands. However, due to the small amenity area and other constraints if Sheffield type stands cannot be accommodated we would consider the use of a Josta style two-tier stacking storage unit in this instance. It should be noted that if a Josta style two tier stacking unit is used it must be designed to allow both the frame and the wheels to be secured. It should also be noted that a minimum aisle width of 2500mm beyond the lowered assisted lift mechanism is required and that a headroom requirement can vary but that generally 2800mm to 3000mm should provide an adequate margin above parked cycles. It should be noted though that the need to provide an aisle width of 2500mm means that the apparent density advantages of such a system can be reduced; therefore Sheffield stand provision should still be considered in the first instance.

Disabled Parking

The applicant has proposed 2 wheel chair accessible units as detailed within the Planning Statement. The bays must adhere to the dimensions as stated by the DfT in Parking for Disabled People. Round floor plans detail the provision of 2 disabled parking spaces designed to the standards within the guidance. Therefore for this aspect of the development is deemed acceptable.

Servicing and refuse vehicle access

Servicing and refuse collection will be undertaken from on-street. Due to site constraints no off-street serving facilities can be provided. Given the nature of the proposed development and the central location of the bin stores it is not thought there will be:

- a) Many service vehicle movements associated with the above application
- b) Refuse vehicles stationary in the highway for an extended period.

Trip Generation/Highway impacts

Due to the low car parking nature of the proposed development and subject to the development being CPZ exempt and the applicant providing 3 years free membership to Streetcar car club the development is not forecast to have a negative highway impact.

Further Comments

Transport DC have no objections to this application, provided the above issues are addressed.

- We would look for the proposed gate at the vehicular access to be set back 6m from the back of footway, to ensure vehicles do not cause an obstruction on the footway:
- The applicant should provide 3 years membership to each residential unit and the development should be made CPZ exempt:
- The applicant is required to submit to the Council, for approval, detailed and scaled drawings to demonstrate the provision of cycle storage:
- The conditions detailed in the informatives/conditions section below should be included on any decision notice.

S106 contribution

For major applications a S106 contribution should be sought using the S106 SPD standard charge formula.

We would look for the site specific S106 contribution within the Toolkit calculation to be allocated towards the proposed scheme on Grange Road detailed below:

“To build on previous safety initiatives to improve road safety and pedestrian accessibility, particularly to Grange Road. It is proposed to improve facilities for

cyclists by introducing mandatory cycle lanes and improve pedestrian accessibility and safety by introducing more raised entry treatments on the side streets. At the junction of Grange Road and Spa Road, it is proposed to reduce vehicle speeds and improve access to the park by raising the entire junction (including the zebra crossing) and improving the surrounding public realm.”

As most trips to and from the site will be by non-car modes this development will directly benefit from the above proposals to improve road safety and pedestrian and cycle accessibility. Additionally, Section 4.4.1 of the Transport Statement states that the applicant would be willing to assist in improvements to public transport services in the local area through a reasonable financial contribution via a S106 agreement.

As there are proposed amendments to the public highway Public Realm should be consulted upon this application. Drawing number 211011/PA/120 details the intended amendments to the public highway and street furniture.

A Construction Management Plan is required and should be secured by condition.

A suitably worded condition should be included on any decision notice, stating that all parking spaces should be allocated to residents of the development and preference should be given to disabled user for all parking spaces (not just disabled spaces).

Environmental Protection

The PPG24 noise report and Air quality assessment have been reviewed and Environmental Protection agree with the findings and would request planning conditions should the application be granted.

Noise

- Condition internal residential noise levels

Air Quality

- The development is in the Air Quality management Area and will expose new residents to Nitrogen Dioxide & Particles from background and road sources, this has been recognised in the report.

- A mechanical ventilation system will need to be built into the scheme and the developer should submit its details giving maintenance and positions of inlet location. The design criteria should also take into consideration sound insulation requirements as stated above.

Land Contamination

- Standard contamination conditions requested

Impact of Demolition and Construction

- Demolition and construction will impact on the local environment and should be controlled by condition.

Waste Management - No comments

Urban Forester -

The arboricultural report provided identifies the last remaining mature Cherry tree on site, following the removal of two other Cherry trees. The condition, size and location of the tree, in contrast to the assessment provided, is such that it should be categorised as B (BS5837 category type), due also to its screening value and prominent visual impact within the conservation area. Its loss therefore merits suitable mitigation.

Landscape drawing 2277-L-01 REV C shows planting within amenity space to the rear and on roof terraces. The proposed species are appropriate, however, suitable specifications need to be confirmed for planters so that these have a sufficient soil volume for planting to be sustainable. The species of plants within the planters should be confirmed as these are likely to differ from those used elsewhere. Ideally, a

watering point (tap) should be provided.

A planting plan is required that gives the location of tree species and their planting and maintenance specifications. In order to have an immediate impact trees should have a minimum girth size of 20-25cm and multistem specimens 3m height. Details of the green roof over the cycle stand are needed.

The design and access statement shows climbing plants on certain elevations, e.g. elevation shown at the entrance off Grange Walk. The use of greening on walls to soften the appearance of the building should be provided as shown and details therefore also need to be provided. A suggested species is Boston Ivy. Ground floor drawings show a hedge on the northern boundary off Grange Walk which is also missing from the landscape plan which should therefore be amended to include both this hedging and green wall.

Suitable protection of street trees is necessary to ensure the two specimens on Grange Road are not damaged during demolition and construction.

Statutory and non-statutory organisations

Thames Water

- No objections subject to informatives to contact Thames Water

Transport for London

- No objections. Grange Road is not part of the Transport for London Road Network

Environment Agency

- No Objections subject to a floor levels condition.

English Heritage

- No comments. The application should be determined in accordance with national and local policy guidance.

Neighbours and local groups

(Responses have been summarised)

Letters in Objection

Grange Walk Mews Limited.

Letter received 15th June 2010 objecting on the following grounds:

- Amendments do not fully address previous concerns raised
- Proximity of the proposed houses fronting Fendall Street is only 7 metres from Grange Walk Mews and would be harmful to the amenity of Grange Walk Mews residents
- Grange Walk Mews is only 2 storeys and would be dominated and overlooked by the proposed properties
- Proposals are out of scale and harmful to the conservation area
- There are some inaccuracies on the drawings in relation to scale of Grange Walk Mews
- Loss of daylight to 6, 7 and 8 Grange Walk Mews (Losses of between 36.3% - 40.1% for 6 and 7 Grange Walk Mews. Losses of between 4.6 - 20.7% 8 Grange Walk Mews)
- Loss of sunlight to 6, 7 and 8 Grange Walk Mews. (Losses of between 44.43% and 52.27%)
- Illegal removal of the Cherry Trees from the site. No explanation or further action taken.

Flat 1, 44 Grange Road

2 letters received from this address 8th June 2011 objecting on the following grounds:

- Design out of context and scale is excessive
- Harm to the character of the area
- Loss of light to 44 Grange Road
- Excessive density resulting in strain on local infrastructure
- Noise impacts as a result of the new building amplifying the traffic noise within Grange Road

38 Grange Walk

Letter received 7th June 2011 objecting on the following grounds:

- Design and bulk is out of character with the surrounding area
- The reduction in scale to the corner of Fendall Street is not successful and is not sufficient.
- Overdominant development resulting in an overbearing impact
- Loss of light to properties within Grange Walk and Fendall Street
- Traffic impact on surrounding streets, especially at weekends when parking controls do not operate

45 Grange Road

Letter received 7th June 2011 objecting on the following grounds:

- No changes to Grange Road elevation and the block would be 5 storeys high opposite the 3 storey listed buildings on Grange Road
- misleading drawings
- metal cladding inappropriate and unclear regarding its location
- Th adjacent 5 storey building should not set a precedent
- Noise impacts as a result of the new building amplifying the traffic noise within Grange Road
- Additional residents resulting in pressure on local infrastructure

Letter in Support

27a Grange Road.

Letter received 29th May 2011 supporting the application on the following grounds:

- Strong support to redevelop the site which has been a blight on the area
- Proposal appears well thought out with sympathetic houses at the rear and the flats on Grange Road.

134 Bermondsey Street

Letter received 7th June 2011 supporting the application on the following grounds:

- Support the redevelopment of the site into good residential use and the development would be good for the area.