

Item No. 8.3	Classification: OPEN	Date: 20 December 2011	Meeting Name: PLANNING COMMITTEE
Report title:	Development Management planning application: Application 11-AP-2242 for: Full Planning Permission Address: DOCKLAND SETTLEMENT AND LAND ADJOINING ROTHERHITHE STREET, LONDON SE16 5LJ Proposal: Demolition of existing buildings, and erection of 28 residential dwellings (6x1 bed; 13x2 bed; 9x3 bed) within a part three, part four storey building at the southern end of the site with associated car parking, cycle storage and amenity spaces. Erection of a new single storey community building (maximum height approximately 7 metres above ground) on the northern part of the site, accessed from Salter Road, providing general hall, meeting spaces and sports facilities, and a new flood-lit external sports pitch.		
Ward(s) or groups affected:	Surrey Docks		
From:	Head of Development Management		
Application Start Date 07/09/2011		Application Expiry Date 07/12/2011	

RECOMMENDATION

- 1
 - i) That planning permission be granted subject to conditions and the applicant first entering into an appropriate legal agreement by no later than 1 February 2012.
 - ii) In the event that the legal agreement is not entered into by 1 February 2012, the head of planning be authorised to refuse planning permission for the reasons set out in paragraph 100 of the report.

BACKGROUND INFORMATION

2 Site location and description

The site is a triangular shaped plot bounded by Rotherhithe Street to the east and south and Salter Road to the west. Currently on the site there is an astro turf football pitch in the centre and a community centre at the south eastern corner in a building which was formerly a Scandinavian sailors' mission and church. The remainder of the site is all soft landscaped with a grassy mound at the northern end of the site. The site has dense tree coverage with mature trees and shrubbery.

- 3 The topography generally rises across the main part of the site from the east to the west with a slightly raised embankment running alongside the Salter Road footpath. The highest point of the site is at the northern end, which is approximately 2m higher than Salter Road and 5m higher than the lowest point of the site. The ground banks down at the south-west corner to meet the lower pedestrian access to the underpass under Salter Road. The existing buildings have been in use by the Dockland Settlement for 75 years. The majority of the surrounding properties are low rise two and three storey dwellinghouses with front and rear gardens with some larger developments of around

four and five storeys to the south of the site.

- 4 The existing buildings provide for a range of community uses, including cub/scout groups, martial arts, art classes and parents and toddler groups. A travel agent, printing company and a beauty treatment room also occupy space in the building.

Details of proposal

- 5 The application has been submitted jointly by Docklands Settlement and Family Mosaic, on land owned in part by the Council and in part by the Settlement. The Council agreed, in October 2011, to grant a long lease to Docklands Settlement on the land that it owns (which consists of the large open areas) in order to facilitate a redevelopment of the whole site. In turn, Docklands Settlement have agreed to work with Family Mosaic, who would carry out the development, and sell/manage the new housing units. Docklands Settlement have agreed to new user rights for the Council's Youth Service in relation to the new facilities. This will ensure good levels of public access to the proposed sports and community facilities in the new building.
- 6 Docklands Settlement is a registered charity, established in the late 19th century to provide recreation and welfare for youth in the dock areas, and working with youth is still the key focus of their activities. They have opted to work jointly with Family Mosaic, a registered social landlord, to benefit from their greater experience in property regeneration and housing development.
- 7 The proposal is to demolish the existing building on the site to provide two new buildings.

The first building would comprise a single storey (maximum height 7m) community centre towards the northern end of the site, accessed from Salter Road only. The centre would provide a range of community and sports facilities, notably:

- a double height multipurpose hall, suitable for sports such as basket ball or badminton;
- a club room for shared use with Southwark Youth Services;
- a large general purpose space;
- a small gym;
- toilets and changing rooms with full wheelchair access;
- offices and storage, including a dedicated office for Southwark Youth Services.

Access to the outdoor sports and recreational spaces would be via this new managed centre.

- 8 Towards the centre of the site, an external all weather games pitch would also be provided to replace the existing. A communal garden would be provided at the centre of the site, for use by residents of the scheme, and also centre users and members of the public. This would also include a children's play area.
- 9 It is proposed that the following facilities would be made available to Southwark Youth Services (at no charge) as part of the scheme:
 - i) a dedicated office as described under paragraph 7 above
 - ii) the exclusive use of the all weather games pitch for one hour on Tuesday and Thursday evenings and for 1.5 hours on Friday evenings and any such other time that may be agreed
 - iii) the sole use of the all weather games pitch for two hours a day for four days of the week during the school summer holidays
 - iv) the exclusive use of the youth work space area on Tuesday, Thursday and Friday between 6pm-9.30pm. During the school holidays this area would be available for the Council's exclusive use between 2pm and 9.30pm.

- v) additional usage of any of the facilities subject to agreement.
- 10 Outside of these periods, the facilities would be available for other users, or to the Council at normal hire charge rates.
- 11 The second building on the site would comprise of a part three, part four storey 'L' shaped building along the south east corner to provide residential accommodation. Vehicular access would be from Rotherhithe Street (south side), which would lead to an area of car parking at the rear of the building.
- 12 All of the mature trees would be retained under the proposals, except for one willow tree at the centre of the site which is diseased. One cherry tree and some shrub planting would also be removed. The hedgerow along Rotherhithe Street would be retained, and slightly thinned.
- 13 A series of revised plans/information were submitted during the consideration of the application, making the following changes to the scheme:
- the substitution of social rent units with affordable rent units;
 - insertion of windows to the rear ground floor of the residential building;
 - insertion of an entrance lobby for the wheelchair units;
 - the substitution of the metal mesh cladding on the community building with burnt Larch timber cladding;
 - changed design to the boundary fencing and canopy for the community building;
 - inclusion of bio-diverse roofs on both the residential and community buildings;
 - provision of a layby off Salter Road to provide parking for a service vehicle and also for disabled parking;
 - revised first floor plan showing pavement lights over the under-croft area within the car park.

Planning history

- 14 No relevant planning history.

Planning history of adjoining sites

- 15 Application reference 10/AP/1501: At Ship York, 375 Rotherhithe Street, planning permission was granted (on 2 November 2010) for the demolition of the existing three storey (plus basement) building and erection of a five storey (plus basement) mixed use development providing a public house at basement and ground floor level and residential accommodation at all upper levels comprising 8x2 bedroom flats.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 16 The main issues to be considered in respect of this application are:
- i) principle of the proposed development in terms of land use;
 - ii) density, housing mix and tenure;
 - iii) quality of accommodation;
 - iv) impact on the amenities of occupiers of adjoining properties;
 - v) traffic issues,
 - vi) design issues, including demolition of the existing building;
 - vii) trees and landscaping;
 - viii) flood risk;
 - ix) planning obligations.
 - x) Sustainable development implications.

Planning policy

- 17 The Southwark Plan designates the site as falling within the Flood Zone, the Air Quality Management Area, the Thames Special Policy Area, and the Urban Density Zone.
- 18 The site is designated in the Canada Water Area Action Plan [Publication/Submission version] as site CWAAP 21 requiring community use, public open space, residential, and retail uses to be provided. Business use is also listed as an acceptable use. The Plan has been through the Examination in Public (August 2011). The Inspector's report is not yet available but has some weight in decision making.

Core Strategy 2011

- 19 Strategic Targets Policy 1 - Achieving growth
Strategic Targets Policy 2 - Improving places
Strategic Policy 1 - Sustainable development
Strategic Policy 2 - Sustainable transport
Strategic Policy 3 - Shopping, leisure and entertainment
Strategic Policy 5 - Providing new homes
Strategic Policy 6 - Homes for people on different incomes
Strategic Policy 7 - Family homes
Strategic Policy 11 - Open spaces and wildlife
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High environmental standards
Strategic Policy 14 - Implementation and Delivery
- 20 Southwark Plan 2007 (July) - saved policies
Policy 1.1 Access to employment opportunities
Policy 1.4 Employment sites outside the Preferred Office Locations and Preferred Industrial Locations
Policy 1.5 Small business units
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 3.9 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 3.18 Setting of listed buildings, conservation areas and world heritage sites
Policy 3.28 Biodiversity
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 standards for disabled people and the mobility impaired

- 21 London Plan 2011
- Policy 3.1 Ensuring equal life chances for all
 - Policy 3.3 Increasing housing supply
 - Policy 3.4 Optimising housing potential
 - Policy 3.5 Quality and design of housing developments mayors flat sizes set out
 - Policy 3.6 Children and young people's play and informal recreation facilities
 - Policy 3.8 Housing choice
 - Policy 3.10 Mixed and balanced communities
 - Policy 3.11 Definition of affordable housing
 - Policy 3.12 Affordable housing targets
 - Policy 3.13 Negotiating affordable housing on individual private residential and mixed use schemes
 - Policy 3.14 Affordable housing thresholds
 - Policy 3.18 Healthcare facilities
 - Policy 3.19 Education facilities
 - Policy 4.12 Improving opportunities for all
 - Policy 5.1 Climate change mitigation
 - Policy 5.2 Minimising carbon dioxide emissions
 - Policy 5.3 Sustainable design and construction
 - Policy 5.4 Retrofitting
 - Policy 5.5 Decentralised energy networks
 - Policy 5.6 Decentralised energy in development proposals
 - Policy 5.7 Renewable energy
 - Policy 5.9 Overheating and cooling
 - Policy 5.10 Urban greening
 - Policy 5.11 Green roofs and development site environs
 - Policy 5.12 Flood risk management
 - Policy 5.13 Sustainable drainage
 - Policy 5.15 Water use and supplies
 - Policy 5.18 Construction, excavation and demolition waste
 - Policy 5.21 Contaminated land
 - Policy 6.1 Strategic approach (Transport)
 - Policy 6.3 Assessing transport capacity
 - Policy 6.9 Cycling
 - Policy 6.10 Walking
 - Policy 6.11 Smoothing traffic flow and tackling congestion
 - Policy 6.12 Road network capacity
 - Policy 6.13 Parking
 - Policy 7.1 Building London's neighbourhoods and communities
 - Policy 7.2 An inclusive environment
 - Policy 7.3 Secured by design
 - Policy 7.4 Local character
 - Policy 7.5 Public realm
 - Policy 7.6 Architecture
 - Policy 7.8 Heritage assets and archaeology
 - Policy 7.14 Improving air quality
 - Policy 7.15 Reducing noise and enhancing soundscapes
 - Policy 7.18 Protecting local natural space and addressing local deficiency
 - Policy 7.19 Biodiversity and access to nature
 - Policy 7.21 Trees and woodlands
 - Policy 8.2 Planning obligations
 - Policy 8.3 Community infrastructure levy
- 22 Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)
- PPS 1: Delivering Sustainable Development (February 2005)
 - PPS 3: Housing (As amended, June 2011)
 - PPS 4: Planning for Sustainable Economic Growth (December 2009)

PPS 5: Planning for the Historic Environment (March 2010)
PPG 13: Transport (March 2001)
PPS 22: Renewable Energy
PPS 23: Planning and Pollution Control
PPG 24: Planning and Noise
PPS 25: Development and Flood Risk
The Community Infrastructure Levy Regulations 2010
Circular 05/05: Planning Obligations

Relevant Statements/SPD's/SPG's

- 23 Ministerial Statement, Planning for Growth, (March 2010)
Section 106 Planning Obligations SPD (July 2007)
Design and Access Statements SPD (September 2007)
Sustainable Transport Planning SPD (September 2008)
Residential Design Standards SPD (September 2008)
Affordable Housing SPD (September 2008)
Sustainable Design and Construction SPD (February 2009)
Sustainability Assessment SPD (February 2009)
The London Plan Interim Housing Supplementary Planning Guidance (April 2010)
Update to the Residential Design Standards (March 2011)
Draft Affordable Housing SPD (June 2011)
Canada Water Area Action Plan Publication/Submission version (January 2010)

Principle of development

- 24 PPS1 and PPS3 emphasise the benefits of creating balanced and mixed communities. In particular, the policy seeks to promote the efficient use of land by optimising the use of previously developed land (brownfield sites) and vacant or underused buildings.
- 25 The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 and the consultation period has now closed. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. This presumption in favour of sustainable development is a new policy designed to ensure that the planning system as a whole focuses on opportunities. The presumption, in practice, means that significant weight should be placed on the need to support economic growth through the planning system and local planning authorities should plan positively for new development and approve all individual proposals wherever possible. The draft NPPF makes clear that the policies should apply 'unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits'.
- 26 Consistent with that objective, the application should ensure the effective and efficient use of land and buildings and promote prosperity.
- 27 The London Plan sets a minimum target of 20,050 additional homes to be provided in Southwark over a period from 2011-2021. Core Strategy Strategic Policy 5 - Providing new homes carries this forward to give a target of 24,450 new homes between 2011 and 2026. A key objective is to provide as much new housing as possible and create places where people will want to live. The proposed 28 new residential units will contribute towards meeting an identified housing need.
- 28 The Canada Water Action Plan designates the site as a proposal site (CWAAP 21) where the required land uses are community use (Class D), public open space, residential use (Class C3) and retail uses (Classes A1/A3). It also considers that other acceptable uses would be business use (Class B1). The figures of 28 units and 300sqm of retail space as referred to in the designation are not strict requirements, instead being

estimated capacities.

- 29 The proposal seeks to re-provide the community uses on the site, in line with the CWAAP, in the form of a new part single storey building. In terms of the accommodation provided, a multi-purpose hall, meeting spaces, gymnasium and youth club would be provided. An external all weather 5-a-side football/basketball court would also be provided as a replacement for the existing astro turf pitch. The amount of floorspace provided would exceed that which currently exists, and would enable good quality modern space to be provided to better serve the needs of the local community, particularly local youth. This is a key objective of the Council's Core Strategy, and is therefore welcomed. One of the units in the scheme would be given over for use as a caretakers house, so that a caretaker can properly run and manage the facilities on offer.
- 30 As referred to in paragraph 10 above, these facilities would be made available for all members of the community. Some of the facilities would be available for the Council's Youth Services team at no charge during certain periods, including some evenings and also during the school summer holidays. This is a significant benefit of the proposals, and its provision can be secured through a S106 agreement, to reinforce the terms secured through the lease arrangements.
- 31 The development would also provide 28 new housing units which also accords with the requirements of the CWAAP, and would increase the quantum of housing stock within the borough. Issues in relation to the housing mix, tenure and quality of this accommodation are discussed further below. However, no provision for retail or business units has been made. The CWAAP lists the business use as 'other acceptable uses', and therefore there is no strict requirement that this use be provided. The applicant has stated that retail and business uses could prove to be unlettable, and could result in a scheme that would not be viable. Given the location of the site away from any main road or district centre, it is accepted that new retail floorspace may not prove marketable, and that the provision of unlettable space could undermine the viability and attractiveness of the overall scheme. Since the development provides high quality community space and new housing, it is considered that the absence of retail space should not warrant planning permission being withheld.
- 32 The Docklands Settlements currently sub lets some of their space to commercial tenants, as described under paragraph 4 above. These tenants are a travel agent, a beauty therapist and a printing company, each of which trade on an appointment only basis and do not allow callers from the street. These uses have been operating at the site for a limited period and do not benefit from planning permission. It would not be appropriate to require these uses to be re-provided on the site.
- 33 The site designation CWAAP 21 also requires any development to incorporate an area of public open space. The proposals include an area of open space, including children's play space, which would be accessible via the community building. This space would only be available for use during the normal opening hours of the community building (from 9am to 9pm Mondays to Sundays), and would be closed outside of these periods for security reasons. The space provided would be capable of delivering a high quality space, with the retained mature landscaping providing significant amenity benefit. Detailed landscaping plans should be submitted showing the layout and form of this space.
- 34 The principle of development on the site is therefore supported and would be in line with the majority of the requirements of the CWAAP. The community building would provide high quality sports and social facilities for the community. The redevelopment of the existing Settlement building would enable a more flexible and modern space to be provided than could have been accommodated within the confines of the existing

structure. The provision of residential accommodation is also welcomed, and would help address the need for new homes and contribute towards meeting an identified housing need.

Environmental impact assessment

- 35 The applicant submitted a screening opinion on 3 May 2011 ref 11AP1379 to determine whether an Environmental Impact Assessment would be required for the development. The development is not considered to constitute EIA development, based on a review of the scheme against both the EIA Regulations 1999 and the European Commission guidance. In summary, the proposed development would not be likely to have significant effects upon the environment by virtue of factors such as its nature, size or location, and therefore an EIA would not be required.

Density, housing mix and tenure

Density

- 36 The application site is within the Urban Density Zone within the Southwark Plan, where Saved Policy 4.1 of the Southwark Plan advises that a density of between 200 and 700 habitable rooms per hectare is expected, taking into account proposed non-residential uses. However, the Core Strategy identified this area as being within the Suburban Zone. The Canada Water AAP seeks to clarify the density zone boundaries and confirms this site as Suburban, with a lower density range of 200 to 350 hrh. Following the Examination in Public, the Inspectors binding report is not yet available but the policies have some weight.

- 37 The proposed development would result in a density of 200 habitable rooms per hectare which is at the bottom of the range expected for this area. This lower density is a consequence of the single storey community building and the amount of open space retained on the site. In the circumstances, the development is not considered to be an under-development of the site, and the density of the development is therefore acceptable.

Housing mix

- 38 London Plan policy 3A.5 and Saved Policy 4.3 of the Southwark Plan require a mix of dwelling sizes and types to be provided in order to cater for a range of housing needs. There is a particular need for family units in the borough and therefore policy 4.3 requires the majority of units to have two or more bedrooms and at least 10% three or more bedroom units. A minimum of 10% of the units should be suitable for wheelchair users.

- 39 The council's dwelling mix requirements have been updated in Core Strategy Strategic Policy 7 - Family homes which specifies at least 60% of the units to have 2 or more bedrooms and a minimum of 30% 3, 4 or 5 bedroom flats in the suburban zone. The suburban zoning for this site has been recently confirmed through the CWAAP Inspectors report.

	Private	Affordable rent	Shared ownership	Total
1 bed	4		2	6 (21%)
2 bed	10	1	2	13 (46%)
3 bed	5	4		9 (32%)
Total	19	5	4	28

- 40 78% of the accommodation would be provided in the two bed plus sector, which considerably exceeds the 60% policy requirement and is considered to be a positive benefit of the scheme. 32% of the accommodation would be provided in the three bed

plus sector, which again exceeds the policy requirement. A total of two wheelchair units are to be provided, both of them as three bed units; this would equate to a 10.2% provision by habitable rooms. The provision of family-sized wheelchair units within the rented sector is particularly welcomed, and each of the units has direct access to a parking space and a large outdoor terrace. These units would be fitted with a through-floor lift, located adjacent to the internal stair. These wheelchair units would be designed to the South-East London Housing Partnership Wheelchair standards, and it is recommended that a condition be imposed securing this.

- 41 The inclusion of a mix of houses, maisonettes and flats, with a high proportion of larger units, is a positive aspect of the development, and is welcomed. The overall quantum of accommodation is in line with the CWAAP, which advises that the capacity of the site would be for this number of units.

Tenure

- 42 Core Strategy policy 6 requires a minimum of 35% of development to be affordable housing. Saved Policy 4.4 of the Southwark Plan requires 35% of new housing to be provided in the affordable sector, with a tenure breakdown of 70% social rented and 30% intermediate within the affordable housing. The CWAAP repeats the Core Strategy and Saved Southwark Plan policies for the amount of affordable housing and tenure split. The Core Strategy refers to the CWAAP to set the targets, with the CWAAP stating that 35% should be affordable in line with the saved Southwark Plan. In addition, it states that of the affordable housing 70% should be social rented and 30% intermediate, identical to the requirements of the Southwark Plan. Saved Southwark Plan Policy 4.5 advises that for every affordable wheelchair unit proposed, one less affordable habitable room is required.
- 43 The proposal provides 98 habitable rooms in total. In order to achieve 35% affordable here, a total of 34 affordable habitable rooms would be required. However, given the two affordable wheelchair units proposed, this would reduce to 32 habitable rooms (33%). The scheme offers a total of 9 units for affordable housing (5 affordable rent and 4 shared ownership (intermediate)) This would equate to a total of 34 affordable habitable rooms, of which 10 would shared ownership and 24 affordable rent. This would provide 35% affordable housing.
- 44 Affordable rent units are proposed instead which is a relatively new form of affordable housing with rented housing offered at up to 80% of the local market rent. An amendment to Planning Policy Statement 3: Housing, was adopted in June 2011, recognising affordable rent as a type of affordable housing. Affordable rent will be offered by registered providers of social housing through the usual lettings/nominations process to new tenants. Members will note the policy item elsewhere on the agenda which explains this form of tenure more fully, but it should be noted that PPS3 Housing accepts that it is a legitimate form of affordable housing. However, the provision of this form of housing would represent an exception to the council's policy on affordable housing which, as set out in paragraph 42 above, requires the provision of social rent housing and intermediate housing. In this case, the affordable rent would be instead of social rent. In accordance with the council's Affordable Housing SPDs, a financial appraisal has been submitted with the application to justify the departure from Southwark's policies.
- 45 The appraisal sets out that the properties will be developed at a percentage of market rent that is significantly less than 80% and more akin to the rent that would be charged on a social rented unit.. The rents have been indicated in the order of between 38% and 46% of market rents, and thus would be well below the 80% maximum set out in PPS3. In particular, the three bed units (which represent 80% of the affordable rented units) would be offered at 38% of market rent, which would be very similar to social rent levels. This will ensure that the proposed housing would help to meet the underlying housing

need. Therefore, on the basis of these specific circumstances, the provision of affordable rent units would be acceptable as an exception to the normal policy position. The housing proposed is effectively being used to cross subsidise the development of the community centre. The viability of the overall development is marginal, and Family Mosaic have indicated that they would not be able to deliver the scheme with social rented units. They have also indicated a willingness to commit to the initial rent levels in the S106 agreement. On balance, and in recognition of the relatively small scale of the development, the lower proportion of market rents being offered, and importantly the wider benefit of the development in delivering valuable new community facilities, it is recommended that the affordable rented units should be accepted in this case.

- 46 In terms of the tenure split, the affordable housing would be split 70.6%:29.4% between affordable rent: shared ownership. This would be only very slightly out of our normal required split of 70:30 and so does not raise any significant concern.

Quality of accommodation

- 47 Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions.

Internal layout

- 48 The adopted standards in relation to internal layout are set out in the recently adopted Residential Design Standards SPD 2011.

Minimum Size 2011 amendments

1b: 50sqm
2b4p: 70sqm
3b4p: 74sqm
3b5p: 86sqm

Size Range Proposed

1b: 50sqm-50.2sqm
2b4p: 70.0sqm -100.9sqm
3b4p: 120.8sqm
3b5p: 88.8sqm -141.4sqm
3b6p: 121.4sqm - 144.7sqm

- 49 The unit sizes are considered acceptable, and comfortably exceed the policy requirements. Further, the individual room sizes also exceed the minimum standards. This is considered to be a positive aspect of the scheme. Revisions were received during the course of the application to introduce internal lobbies to the wheelchair maisonettes [rather than entering directly into the kitchen], which would further increase housing quality. For the affordable rent units, the kitchens are separate from the living areas. The scheme also includes provision of four houses, each with private gardens of 50 sqm.

- 50 All of the units are dual aspect (100%), and they would be orientated to principally face east and south. This further demonstrates that the quality of living accommodation has the potential to be exemplary. Internal storage space has been shown on the plans.

51 Privacy and overlooking

The 'L' shaped arrangement for the residential building does mean that there would be some very minor levels of overlooking between the flats that would be at right angles to each other. However, the overlooking would be very limited, and therefore would not impact significantly on the amenity levels for occupiers.

52 Amenity space provision

All new residential development must provide an adequate amount of useable outdoor amenity space. In respect of flatted development, the SPD requires 50sqm of communal amenity space per development plus 10 sqm for each individual unit. Where a unit does not provide the full 10sqm of private amenity space, any shortfall should be added to the communal amenity space, of which 50sqm is required. In respect of houses, a minimum of 50sqm is required. In addition, Policy 3D.13 of the

53 London Plan requires new developments to make provision for play areas based on the expected child population of the development. Children's play areas should be provided at a rate of 10 sq.m per child bedspace.

All of the three bed flats have private amenity space in the form of terraces or gardens. The sizes of the amenity spaces range from 24.9sqm to 57.9sqm, which considerably exceeds the policy requirements. The four houses offered as part of the scheme in particular have private gardens ranging from 50.4sqm to 57.9sqm in size, again exceeding the requirement for houses. They also have terraces at second floor level of 12.1sqm. The other one and two bed flats also have amenity spaces ranging from 5.4sqm to 23.1sqm. Every flat in the development would therefore have access to their own private amenity space.

54 The total amount of communal amenity space that would need to be provided is as follows:

42sqm – shortfall as some flats do not provide the full 10sqm per unit;

50sqm – communal amenity space required for the flats; and

210sqm – children's play space

Total required 302sqm.

55 The scheme does not provide any communal amenity space for the sole use of residents. Instead, it provides amenity space that would be used jointly by the residents and the public. In order to gain access to the space as a member of the public, visitors would need to go via the community centre. The space would therefore only be available to the public during the opening hours for the centre, likely to be between 9am to 9pm on Mondays to Saturdays (it is not clear if it would be open on Sundays). The residents of the site would additionally have access to this space via a gate at the western end of their building. It would however, not be available between 4pm and 7pm on weekdays and for one weekend in six – to enable the use of the garden by vulnerable groups. The amount of space offered would be in total over 1,000sqm, which significantly exceeds the policy requirement. The space would be properly maintained, and would provide significant amenity to residents and the public. It would be surrounded by mature planting, which would further increase its use and appeal. Details of the lighting, including detailed layout would need to be reserved by condition.

56 The total amount of amenity space offered would significantly exceed policy requirements. Whilst it would not provide amenity space for sole use by residents, since it would be shared by the public, it would offer a large space capable of use by both groups. Although the limitations on the hours of use by residents are not ideal, and the space is not for their exclusive use, it does provide a very large and well-landscaped garden on their doorstep. As such, and in light of the generous areas of private amenity space for most units, it is considered acceptable.

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

57 Saved Policy 3.2 of the Southwark Plan states that permission will not be granted for developments where it would cause a loss of amenity, including disturbance from noise, to present and future occupiers in the surrounding area or on the application site. The Residential Design Standards SPD expands on policy and sets out guidelines for protecting amenities in relation to privacy and daylight and sunlight.

Daylight and sunlight

58 In order to assess the scheme in relation to daylight and sunlight, a Daylight, Sunlight and Overshadowing Report has been submitted with the application. The report assesses the scheme based on the Building Research Establishments guidelines on

daylight and sunlight. The submitted report considers the scheme in relation to the Vertical Sky Component (VSC) test, which is the most readily adopted methodology. This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that the daylight can be reduced by about 20% of their original value before the loss is noticeable.

59 A sample of the properties facing the site were tested in the report, and these include:

- Aardvark PH, 351 Rotherhithe Street
- Chandlers Court, Elgar Street
- 331 Rotherhithe Street
- 341 Rotherhithe Street
- 347 Rotherhithe Street
- 355 Rotherhithe Street

60 The report advises that all the above mentioned properties would comfortably exceed the BRE guideline of 27%, as VSC levels would be between 28% and 33%. The extent of losses experienced would only be between 2.5% and 7%. The properties would therefore continue to retain good levels of daylight with the development in place.

61 In relation to sunlight, only those properties that face within 90 degrees of due south were tested. The test is to calculate the proportion of annual probable sunlight hours (APSH) received, taking into account the amount of sun available in both the summer and winter for each given window which faces within 90 degrees of due south. The assessment requires that a window should receive a quarter of annual probable sunlight hours in the summer and at least 5% of sunlight hours during the winter months. The results for the sunlight analysis show that all of the windows would receive more than 25% of annual probable sunlight hours in the summer months, and also that all of the windows would receive more than 5% of winter sunlight in the winter months.

Overlooking/outlook

62 In order to prevent against harmful overlooking, the Residential Design Standards SPD 2008 requires developments to achieve a distance of 12m at the front of the building and any elevation that fronts a highway and a minimum of 21m at the rear.

63 To the east, the proposal would be at least 18m from the residential properties on the east side of Rotherhithe Street. To the south, the distance would be at least 17m. To the west, the distance would be over 25m. The distances are significantly in excess of the standards required by the SPD and would not give rise to any harmful levels of overlooking.

64 For the same reasons, and owing to the separation distances to surrounding properties, the proposal is unlikely to impact significantly on outlook from existing properties.

Overshadowing

65 An overshadowing analysis has been submitted as part of the application to consider the extent to which the proposed external games pitch would be overshadowed. The overshadowing diagrams show that the pitch would not experience any significant overshadowing, except for some minimal overshadowing in the early morning. This would ensure that the sports pitch would be suitable for its users and would be well used. It would also retain good sunlight levels for most of the day. The relatively low scale of the proposed building would ensure minimal overshadowing of the open space across the site.

Noise/Lighting

- 66 As the proposal includes an external games pitch, there is the potential for surrounding residential properties to be disturbed by noise. The hours of use of the games pitch would be 9am to 10pm. The games pitch would need to incorporate sufficient fencing to mitigate against any noise emanating, but may still result in some noise to surrounding properties. However, the current noise levels from the use of the existing pitch would not be exceeded. Details of the fencing can be reserved by condition. The existing hedgerow along the east of the site would be retained, and this may also serve to contain noise within the site.
- 67 In the interests of protecting residential amenity from light pollution, careful consideration should be given to any external lighting required. The lighting scheme proposed has been designed to ensure minimal light spillage and also to ensure no upward light to avoid sky glow. Further details for the locations for the lighting, including manufacturer's specifications should be required by condition.
- 68 The access to the community centre has been orientated towards Salter Road, to avoid the need for visitors to enter the quieter Rotherhithe Street. This will minimise disturbance to the residents in Rotherhithe Street, and focus activity towards the main road frontage.

Air quality

- 69 The submitted Air Quality Report has assessed the scheme in relation to exposure of residents to pollution owing to traffic, and also in relation to any impacts likely to be experienced during the construction phase. The report concludes by advising that the development would not significantly impact upon the air quality of any resident. The council's Environmental Protection Team has advised that the report and its conclusions are accurate, and no remedial measures would be required.

Traffic issues

Access and servicing arrangements

- 70 Access to the residential car parking would be from Rotherhithe Street (south side). An amendment was received during the course of the application to provide a layby off Salter Road in order to provide parking for a servicing vehicle and also for a disabled bay for any disabled/mobility impaired user of the community building. The detailed design of the lay-by would need to be secured by a s.278 agreement with the council.

Trip Generation/Highway Impacts

- 71 It is believed that the scheme would not generate a significant impact on the highway in terms of vehicle movements. It is assumed that the centre will serve a mainly local catchment, and that most visitors will arrive on foot or by bicycle. No on site parking, except for one disabled space in the planned layby, is proposed. There should therefore be no impact on local transport conditions. The small scale of the residential development should not generate a significant number of vehicle movements.

Cycle Storage

- 72 35 cycle spaces would be provided for the residential element of the scheme. The plans show that they would be secure and weatherproof. Visitor cycle spaces have also been provided next to the communal flat entrance. The overall quantum of residential cycle

spaces exceeds the minimum requirement and is therefore acceptable.

- 73 For the community element, 12 cycle storage spaces for visitors would be provided, plus two spaces for staff and 2 for the leisure element of the development. The cycle storage spaces meet the policy requirements. Further details of the cycle storage, including the type of stands and the spacing between the stands should be requested by condition.

Car parking

- 74 This proposed development is located in an area with a Public Transport Accessibility Level (PTAL) rating of 3 (moderate), according to Transport for London's mapping. As this part of the borough is not covered by a Controlled Parking Zone, the development would need to make adequate provision for on site parking to mitigate against any overspill parking.
- 75 For the residential element of the scheme, 21 off street car parking spaces are proposed, of which 2 are disabled spaces. This would result in slightly less than one space per unit, which would be an acceptable level of provision to prevent overspill parking on the surrounding highway. The plans show that some of these parking spaces would need to be kept clear if deliveries to the residential building are expected. No car parking has been provided for the community use, but space for minibus parking has been provided adjacent to the residential parking area. This minibus parking would be used by small community groups using facilities within the building. A disabled parking bay for use in association with the community building would be provided in a lay-by, off Salter Road.

Travel Plan

- 76 The travel plan is of good quality and is therefore acceptable. It is recommended that the travel plan is secured by condition, or through the legal agreement. Funds for travel plan monitoring (£3,000) would also be required through the s.106.

Design issues

Demolition of existing buildings

- 77 PPS5 Planning for the Historic Environment states that in considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations.
- 78 The existing building on the site is the Ebenezer Chapel, built in 1871 to serve the needs of the Norwegian seamen that lived and worked in Rotherhithe and the Surrey Docks area. The remaining buildings were added on to the former chapel at various points during the 20th Century. The buildings are not listed, or on the council's draft local list. Further, the buildings do not lie within a conservation area. A few fixtures and elements of interest including the stained glass windows were removed from the Chapel in the 1980's; it is believed that these were given to Norwegian Church in St Olavs Square. An item that is of historical interest is the foundation stone, originally laid by Crown Prince Oscar, later King Oscar II of Norway and Sweden. This stone should be preserved during the demolition process, and a suitable location for its re-use identified; this can be agreed via a condition.
- 79 The building is of some limited architectural interest, and also has a local historic and cultural interest due to its link to the former dock industries and trading links with the Scandinavian countries. However, it is in very poor condition.

- 80 The building was constructed in masonry on timber piles. The fluctuations in the water table have led to the piles rotting, causing differential subsidence and significant cracking. The cost of stabilising the building and bringing it back into beneficial use would be significant. The benefits of reusing the existing building would also need to be weighted against the benefits of providing new, flexible, sports and community facilities within a purpose designed building. If the building were to be retained, the spaces provided would be constrained and limited, and therefore would not allow for modern, high quality, community spaces to be provided and the option to create a sports hall not possible. Given the merits of new development, and in light of the circumstances highlighted, it is considered that the demolition of the building would be acceptable.

Height and Layout

- 81 The development has been designed to work with the existing contours of the site, in an attempt to moderate the impact of the new community building. The objective is to retain the overall green character of the site, and to give the impression of buildings sitting within a landscaped setting. The retention of features such as the grass mound at the northern end of the site will reduce the apparent bulk of the community centre building.
- 82 The height for the residential element is at three and four storeys, which relates appropriately to the context of two and three storey housing to the east and west, and also to the larger four and five storey buildings to the south of the site. The building is arranged as one long terrace, with the lower 3 storey town houses being on the north end of the 'L' shaped terrace. The building sits behind a small front garden for the houses and ground floor units, defended by a low boundary wall. The terrace sits on and around the footprint of the existing Settlement building and retains the mature trees at the corner of Rotherhithe Street.
- 83 The community building is mainly single storey (with a double height space above the sports hall) and sits on the northern part of the site. The building has a relatively large footprint, and is located on land which is currently open space. Its low height, and situation behind the retained grassy mound and mature tree cover reduces its impact from Salter Road. It is designed to face onto Salter Road, which is appropriate since this is the more major of the two road frontages.
- 84 Between the two buildings sits the games court and garden areas, which are themselves screened to some extent by the retained planting.

Elevational Design and Materials

- 85 The principal residential facades have clearly expressed proportion and order with interest provided through the slight variations in height, deep recessed balconies, and deep reveals that would modulate the surface of the building. The residential building does not have a strong corner, but this is somewhat compensated for by the presence of the retained mature trees and the stronger south and east elevations. It is important that the trees are preserved, since they offer significant visual amenity and provide local tree cover.
- 86 The building would be constructed with brick, and two different types of brick have been chosen to be vertically alternating. The brick is also used for the front garden wall. A terraced deck is provided at rear first floor level, sitting over the residents' car parking. The car parking would be largely screened from the north of the site, owing to the drop in levels across the site.
- 87 The design of the community building has been amended during the course of the application. The lower walls are faced in brickwork. Above the brickwork, the scheme

originally showed a full storey height of aluminium mesh. This material generated a number of objections due to its perception as harsh and defensive; this has been replaced with timber (burnt Larch), which is considered to be more appropriate within this setting. The design of the entrance canopy, and the metal boundary fence, have also been revised following comments from officers. The building is considered to be acceptable, and make an appropriate response to its context.

- 88 In conclusion, the design of both buildings is considered acceptable. The scheme would involve in the loss of some green space on the site, and this has caused some concern with objectors. However, the benefits of the scheme, in delivering high quality sport and community facilities, and new housing, are a significant consideration, and a substantial area of green space would remain. The proposal would not impact upon the setting of any listed building or conservation area. The loss of the existing Chapel building is justified due to the limitations in what facilities could be provided within the building and its current structural problems. The redevelopment would provide a high quality range of new community and residential buildings, of appropriate design and using good quality materials.

Trees and landscaping

- 89 The site contains, and is then surrounded by, mature landscaping including a number of good quality trees. These trees and open space contribute significantly to the character of the area. The scheme has been designed to protect the majority of the trees on the site. These trees would need to be adequately protected during construction, particularly the two large Limes on this south east corner which are in close proximity to the existing Chapel, due for demolition, and the proposed residential buildings. These trees offer a significant visual amenity to the area and officers are considering their further protection through Tree Preservation Orders.
- 90 The proposal does involve the loss of one Willow and one Cherry tree, as well as some shrub planting. Details of replacement planting would be required to mitigate the loss of these trees. Currently a semi mature Ash tree is proposed as a replacement to the Willow, however a Lime tree would be more appropriate. Details of the replacement tree planting should therefore be conditioned to ensure that there is adequate suitable replacements, with adequate trunk girth. The trees along Salter Road, together with the hedge on the eastern side of the site would be retained under the proposals. This would ensure the verdant character of the area is preserved.

Flood Risk

- 91 The site is located within Flood Zone 3 which is considered to be an area of high risk of flooding due to the proximity of the tidal River Thames. However the site is protected by the Thames Barrier and related defences. The site also lies within the <6 hour inundation rate zone as defined by the Southwark Strategic Flood Risk Assessment (SFRA). The SFRA requires that there should be no residential accommodation at ground level within the <6 hour inundation rate zone. The proposed sleeping accommodation is located on the 1st floor and above and would be above the flood level in the event of a breach or overtopping event. The Environment Agency were consulted on the application and have advised that they would have no objection to the proposals on flood risk grounds. An emergency flood plan would however need to be developed and agreed.
- 92 Consideration must be given to the sequential test, advocated in Planning Policy Statement 25 "Development and Flood Risk" which requires Local Planning Authorities to direct development towards lower flood risk zones and within development sites where the highest vulnerability uses should be located on parts of the site at lowest probability of flooding. A significant part of Southwark is within Flood Zone 3 and there

are no sites at a lower risk of flooding for some distance. The application site is designated in the Canada Water Action Area Plan for residential and community uses, and the redevelopment of brownfield sites such as this is encouraged in order to maximise the efficient use of land with the provision of much needed housing as well as providing community facilities. The proposed scheme therefore meets the Planning Policy Statement 25 sequential test.

- 93 The site is located over a Secondary Aquifer and within 180m of the River Thames. Historic uses have included a timber yard and warehousing (unspecified) with a former creosote works nearby. The submitted contamination report has indicated the presence of infilled docks nearby and soils analyses have revealed the presence of elevated concentrations of metals, cyanide and hydrocarbons. No groundwater analyses were undertaken. The Environment Agency have therefore requested that conditions be attached requiring remediation, to protect the ground waters.

Planning obligations (S.106 undertaking or agreement)

- 94 Policy 2.5 of the Southwark Plan and 6A.5 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Policy 2.5 of the Southwark Plan is reinforced by the Supplementary Planning Document (SPD) on 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. Strategic Policy 14 – Implementation and delivery of the emerging Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments.
- 95 The applicant has submitted a proposed Heads of Terms based on the Council's Planning Obligations SPD. The following table sets out the contributions payable based on the Section 106 Planning Obligations SPD and what the applicant has proposed to offer.

Topic area	S106 SPD	Applicant's S106 offer
Education	£79,536	£79,536
Employment during construction	£19,527	£19,527
Employment during construction management fee	£1,505	£1,505
Public open space	£8,928	£0,00
Children's play equipment	£4,293	£0,00
Sports development	£21,786	£0,00
Transport Strategic	£14,244	£14,244
Transport Site Specific	£14,000	£14,000
Lower Road Gyratory	£0,00	£14,650
Public Realm	£21,000	£21,000
Health	£28,711	£28,711
Community Facilities	£4,612	£0,00
Admin charge	£4,363	£3,887
Total	£222,505	£198,257

- 96 The payments proposed are generally in line with the toolkit save for the absence of contributions towards community facilities, children's play, open space and sport. This is acceptable since the scheme provides new high quality sports and community

facilities, with the provision of outdoor and indoor sports facilities, club room and general purpose space for community use, and also the provision of a significant proportion of children's play and open space on the site. The provision of these facilities, which benefit the wider community, are considered to adequately mitigate the impact of the development in this respect.

- 97 In addition to those listed above, the SPD also advises that for large developments which have wide ranging impacts, additional mitigation measures may also be sought. The applicant has therefore proposed a payment of £14,650 towards the Lower Road Gyratory, which currently suffers from significant delays. The payment would be pooled into a fund to remove the gyratory system and to reintroduce two way working to Lower Road. This will also involve the creation of a new high street linking the Canada Water Basin with Lower Road, public realm improvements, and pedestrian and cycle links between Hawkstone Road, Surrey Quays station and the shopping centre. Traffic movement will also be more efficient and improve the environment around the gyratory.
- 98 Funds for travel plan monitoring (£3,000) would also need to be secured through the s.106. The detailed design of the lay-by would need to be secured by a s.278 agreement with the council.
- 99 It is considered that the planning obligations sought meet the planning tests of Circular 05/05 and the CIL regulations. The contributions would be spent on delivering new school places as a result of the development, job creation during construction, improvements to increase the capacity of transport provision across the borough, improvements to the public realm and new health facilities.
- 100 In accordance with the recommendation, if the Section 106 Agreement is not signed by 1st February 2011, the Head of Development is authorised to refuse planning permission, if appropriate, 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, education, health, the transport network and employment and the proposal would therefore be contrary to Saved Policy 2.5 'Planning Obligations' of the Southwark Plan and Policy 14 – 'Implementation and delivery' of the Southwark Core Strategy, the Southwark Supplementary Planning Document 'Section 106 Planning Obligations' 2007, and Policy 8.2 Planning obligations of the London Plan 2011.

Sustainable development implications

- 101 The Energy Strategy follows the Mayor's energy hierarchy to:
1. use less energy through efficiency measures;
 2. use low carbon sources of energy, in particular prioritising decentralised energy generation;
 3. use renewable energy.
- 102 In terms of using less energy, a series of energy saving measures are proposed to save carbon dioxide emissions. These include the dwellings being highly insulated with best practice air tightness, maximising the potential for passive solar gains, and the use of efficient glazing and lighting systems. Further, a series of low flush toilets, taps and showers with low flow rates are proposed. In terms of using low carbon sources of energy, a Combined Heat and Power plant was considered but was considered to be too small to be viable. The scheme has however been designed to allow future connectivity to a district heating system if one becomes available. In relation to renewable energy technologies, ground source heat pumps and photo-voltaics are proposed. These technologies would result in a carbon reduction of between 21% and 24%. The reduction would exceed the 20% set by policy and therefore is acceptable. It is recommended that diagrams be submitted showing the locations for the panels by condition so that officers are satisfied that their use has been maximised. The

development would achieve a carbon reduction of 51.8% when measured against Part L of the Building Regulations; this would exceed the Core Strategy requirement of 44%. This would be a further benefit of the scheme.

- 103 The Pre-Assessment Code for Sustainable Homes Report states that the development would be capable of achieving Code Level 4. This would result in compliance with the Core Strategy standard and so is acceptable. A condition requiring a post construction review is recommended. In relation to the community building, the indicative BREEAM assessment refers to a “very good” standard being achieved. This is in accordance with the Core Strategy standard which requires community facilities to achieve a very good rating.
- 104 Rainwater harvesting would also be provided for the residential element of the scheme, and bio-diverse roofs also provided.

Ecology

- 105 The ecological survey submitted as part of the application was undertaken quite late in the year, however the mosaic of habitats are not particularly rare. The bat survey is consistent with best practice. Conditions should be applied in relation to the timing of vegetation clearance, the implementation of agreed mitigation/enhancement works, a bio-diverse roof and also details of bat and bird nesting boxes. The landscape plan should also consider the scope for biodiversity enhancements for great crested newts and reptiles; for example creation of water bodies, habitat linkages and suitable terrestrial habitat.

Conclusion on planning issues

- 106 The principle of development on the site is supported and would be in line with the majority of the requirements of the Canada Water Area Action Plan. It would deliver high quality sports and community facilities for residents which is a significant positive benefit of the scheme. The redevelopment of the existing Settlement building would enable a more flexible and modern space to be provided than could have been accommodated within the confines of the existing structure. The provision of residential accommodation is also welcomed, and would help address the need for new homes and contribute towards meeting an identified housing need.
- 107 Whilst the scheme proposes 35% affordable housing, some of this housing would be provided within the affordable rent tenure. This is a relatively new form of tenure, and the submitted financial appraisal demonstrates that the scheme would only be viable if this form of tenure was delivered. The housing would cross subsidise the community facilities, and thus would be appropriate and justifiable in this specific circumstance. The quality of accommodation, in terms of internal space standards, layout and dual aspect are considered to be excellent. The proposal also provides a high proportion of family sized accommodation.
- 108 The design and height of the buildings is considered to be acceptable and appropriate for the context. The proposal would not impact upon the setting of any listed building or conservation area. There has been some objections in relation to the loss of the existing Chapel, but the provision of high quality facilities would be very difficult within the constraints of the existing buildings.
- 109 The total amount of amenity space offered would significantly exceed policy requirements. Whilst the space would be jointly used by residents and public, it would be a large space and thus capable of being used by both groups. It would also be properly maintained and managed. Although the limitations on the hours of use by residents is not ideal, and the space is not for their exclusive use, it does provide a very large and well-landscaped garden on their doorstep. Every unit has access to their own

form of private amenity space, and the spaces provided, especially for the large family sized units are generous and in excess of the standards required by policy.

- 110 The impacts upon surrounding occupiers in terms of transport, daylight, privacy and overlooking are all considered acceptable and would not result in any harm being caused.
- 111 In assessing and determining the application the council has applied the presumption in favour of sustainable development, including the economic benefits that would arise from the proposal.

Community impact statement

- 112 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.
- 113 Details of the pre-application consultation have been submitted as part of the application. The forms of consultation undertaken include public meetings (as early as 2007), discussions with Redriff Tenants Associations and Friends of Russia Dock Woodland and a public exhibition in November 2010. All comments made during this pre-application consultation process, negative and positive, were collated and considered by the applicant and responses to the feedback were developed, either as amendments to the design or an explanation as to why the comments were not carried forward into actions.

Consultations

- 114 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

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

Summary of consultation responses

- 116 Six letters of objection received. The concerns raised comment that the use of metal cladding for the community building would be inappropriate. Also concerns about the loss of the existing Chapel, the excessive height of the development and impact on noise, light and traffic conditions. The retention of trees was welcomed and supported.

Human rights implications

- 117 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.
- 118 This application has the legitimate aim of providing new community facilities together with new residential accommodation. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 119 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/271-287A Application file: 11-AP-2242 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods 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 5513 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbour consultee map
Appendix 4	Images

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Kiran Chauhan, Development Management	
Version	Final	
Dated	6 December 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 Leisure	No	No
Date final report sent to Constitutional Team	8 December 2011	

Consultation undertaken

Site notice date: 14/09/2011

Press notice date: 15/09/2011

Case officer site visit date: Most recent on 31/10/2011

Neighbour consultation letters sent: 09/09/2011

Internal services consulted:

Environmental Protection Team

Public Realm

Property Division

Planning Policy

Transport Planning Team

Property Division

Design Review Panel

Arboriculturalist

Ecology

Archaeology

Housing Regeneration Initiatives

Statutory and non-statutory organisations consulted:

Transport for London

Metropolitan Police

Environment Agency

London Fire & Emergency Planning

Thames Water

EDF Energy

Natural England

Neighbours and local groups consulted:

Canada Water Forum

Canada Water Campaign Group

Re-consultation:

Given the nature and extent of changes to the scheme, it was not considered that re-consultation was necessary.

Consultation responses received

Internal services

Transport Group: The levels of car and cycle parking are considered acceptable. The lack of off street servicing for the community building is a concern and needs to be re-considered. Details of gradient levels into the site are required. Clarification on the minibus parking is required in terms of who will it serve. Scheme required to contribute £14,560 towards the Lower Road Gyratory scheme, including a contribution towards the Rotherhithe Peninsula transport improvement plan scheme and contribution to walking and cycling improvements in the area.

Environmental Protection Team: The air quality report is acceptable. Conditions should be attached in relation to land contamination and construction management.

Ecology: The ecological survey was undertaken quite late in the year, however the mosaic of habitats are not particularly rare. The bat survey is consistent with best practice. Conditions should be applied in relation to the timing of vegetation clearance, the implementation of agreed mitigation/enhancement works, a biodiverse roof and also details of bat and bird nesting boxes.

Urban Forester: The site is surrounded by mature screening and therefore consideration of tree protection will be paramount - especially of the two large Limes on the south east corner which are in close proximity to that elevation. These are worthy of protection with a TPO which would also provide for suitable control to prevent loss following development due to requests by residents to fell the trees.

The landscape plan should also show which trees are to be retained and any replacement planting to mitigate the loss of the large willow tree within the site.

Planning Policy: The tenure split comprises of intermediate and affordable rent. The scheme would need to demonstrate that the scheme is not deliverable without the provision of affordable rent as a component of the affordable housing requirement.

Design Review Panel: It should be noted that an earlier version of the scheme was presented to the Panel in July 2011, and the scheme has since been amended to take into account the comments made. The following comments were made.

- The proposal comprises a series of different buildings but has not properly considered how these disparate parts relate to each other. The scheme was considered to lack synergy.
- There is a poor relationship of the units to their amenity space, and a failure to respond to the natural slope of the site. The large area of tarmac at the centre disconnects the development from its context. The spaces left over between the blocks lack definition.
- The massing has an uncomfortable relationship – two storey houses, four storey flats and a low level community building. The massing introduces two storey uncomfortable leaps in scale.
- The Panel felt that the scheme lacked a clear strategy on sustainability and encouraged the architects to explore a wider range of sustainable design which should be integrated into the design.
- The boxy design and utilitarian cladding of the community building fails to respond to its natural context.
- The Panel raised concerns about the way it has responded to its natural and cultural heritage. They were particularly concerned with how it failed to retain

the mature landscape. The landscape design also results in natural spaces that are poorly arranged and would not be used.

Statutory and non-statutory organisations

Natural England: Standing advice issued in relation to bats:

- Permission may be granted subject to appropriate conditions including a detailed mitigation and monitoring strategy for bats.
- Consideration should be given to whether biodiversity enhancements for great crested newts and reptiles for example creation of water bodies, habitat linkages and suitable terrestrial habitat.

Natural England is broadly satisfied that the mitigation proposals, if implemented, are sufficient to avoid adverse impacts on the local population of bats and therefore avoid affecting favourable conservation status. It is for the local authority to determine whether the proposal would offend Article 12(1) of the Habitats Directive. The ecological survey submitted has not identified that there will be any significant impacts on domestic statutorily protected species or on priority Biodiversity Action Plan (BAP) habitats as a result of the proposal. However, when considering the application the council should maximise opportunities in and around the development for building in beneficial features as part of good design.

Environment Agency: No objections on flood risk grounds. Conditions recommended to ensure sufficient remediation of the site.

Neighbours and local groups

Six objections received- however the objections also include areas of support for the scheme as indicated.

39 Gabriel House, 10 Odessa Street:

- Pleased that the mature trees opposite the Aardvark Pub are being retained.
- The metal mesh cladding on the community centre is ugly and does not fit in the area.
- The on street parking on the area is full, and there is concern that the residents of new houses will use the private car parks intended for residents of Gabriel House, Walker House and Elgar Street.

42 Gabriel House, Odessa Street:

- Concur with the views of 38 Gabriel House in relation to facade finish and the lack of parking.
- Commendable that the trees will be retained.

20 Walker House, Odessa Street:

- Welcome the application; the existing trees are of no merit and their replacement is desired, particularly by a residential development whose street aspect seems to me varied and attractive.
- Retention of trees welcomed, including the grassy open space on the corner of Salter Road and Rotherhithe Street. Retention of hedgerow on Rotherhithe Street also welcomed, and attention needs to be given to the detail of the overall landscaping.
- The metal mesh cladding for the community centre is however inappropriate and would convey defensiveness and hostility.

Reveley Square [number not provided]:

- The development would take away one of the few remaining green spaces in the neighbourhood.
- Unclear how the chapel building would be incorporated into the plans, and hope it would not be demolished [officer comment: it would be demolished].
- The height of the development is inappropriate and it would obscure light and be inconsistent with the area.

4 Spence Close:

- The site is the only piece of grassland between the south side of the River Thames and Salter Road – the space therefore needs to be retained.
- Object to the plans to have a drop off bay on Salter Road – on grounds of safety as the road is only two lanes wide.
- Loss of light and overlooking from the four storey houses; also residents will be trapped and penned in.
- The development would be large and dominating and would destroy the community feel.
- The loss of the Ebenezer Chapel is concerning, and it should be kept and refurbished.
- People will filter into the quiet roads and create disturbance.
- Impact from the floodlighting.
- The provision of car parking spaces is contrary to transport policies which seek to encourage less car use. Also contrary to the Mayor's Transport Strategy.
- Impact on noise levels, particularly from bored piles used during construction.
- Surprised that a 3D model has not been prepared to visualise the scheme.

5 Winchester Wharf, 4 Clink Street:

- In the planning documentation, there is no attempt to demonstrate how the existing 1871 Norwegian Chapel could be re-used. There is no survey from a structural engineer and there is no attempt to describe the 'significance' of the building either to the local community or to Southwark as a whole. The application is therefore flawed in its analysis.
- It is surely common knowledge that the keeping of existing buildings is the most sustainable strategy for any new site. Half the energy used in the lifetime of a building is embodied in the existing structure. There is no reference to this.
- The existing Chapel should be placed within a space of its own. This would allow the surrounding existing buildings as well as the new buildings to form a unified space. This would allow the proposal to properly understand the place.
- The two residential wings are brought together at an apex, and instead of bringing activity to a space, the two gable walls are largely unfenestrated. The opportunity for life, activity and passive policing is lost. It will be dull.
- The proposal does not effectively engage with the outside. The shape of some of the required spaces seems at odds with the shape of the site. Streets will be less interesting and less safe.
- The design and access statement should inform the design, and demonstrate sequence and quality of thinking. The design and access statement is formulaic and does not demonstrate with any real conviction the appreciation of available historical assets.

The scheme is a disappointment and fails to realise its potential.

Neighbour consultee map

