

Item No. 6.5	Classification: Open	Date: 27 March 2012	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 12-AP-0164 for: Full Planning Permission Address: 126 SPA ROAD, LONDON SE16 3QT Proposal: Erection of a building ranging between 4 and 7 storeys in height, comprising 46 residential units, including a housing mix of 11 x 1-bed, 26 x 2-bed, 5 x 3-bed and 4 x 4-bed units, 12 car parking spaces, cycle parking for each unit and associated landscaping. (AMENDED SCHEME: alterations to housing tenure mix (8 affordable rent units proposed) and minor design amendments including timber privacy screening to balcony on south elevation).		
Ward(s) or groups affected:	Grange		
From:	Head of Development Management		
Application Start Date 23/01/2012		Application Expiry Date 23/04/2012	

RECOMMENDATION

- 1 That planning permission be granted subject to conditions, and the applicant first entering into an appropriate legal agreement by no later than 23 April 2012. In the event that the legal agreement is not signed and the permission issued by 31 March 2012, the development would become liable to the Mayor's Community Infrastructure Levy (CIL).

In the event that the legal agreement is not entered into by 23 April 2012, the Head of Development Management be authorised to refuse planning permission for the reasons set out in paragraph 77 of the report.

BACKGROUND INFORMATION

Site location and description

- 2 The site is rectangular in shape and extends to 0.21 hectares. The site is situated on the south side of Spa Road at the junction of Spa Road and Rouel Road. To the west of the site is 122-124 Spa Road which is a recently constructed 4-6 storey residential scheme. To the north of the site is the Bolanachi Building which is a 4 to 8 storey residential building with a commercial unit to part of the ground floor. To the east of the site are some commercial buildings, with the railway viaduct beyond, and to the south within Rouel Road the built form is predominantly 3-4 storey residential properties.
- 3 The site is situated in a prominent corner location in Spa Road. The site formerly consisted of a single storey workshop building with associated hardstanding used for vehicle parking, however this has now been demolished and the site cleared. The surrounding area is predominantly residential in character, with some industrial uses

to the east of the site adjacent to the railway line. The site is not situated in a conservation area. The nearest heritage asset is the Grade II listed railway Bridge to the east of the site, on Spa Road.

Details of proposal

- 4 The application has been submitted by Hyde Housing Association. The proposal seeks to provide 46 new homes. The proposal would provide a mix of flats and maisonettes in an 'L' shaped block ranging in height from 4 storeys within Rouel Road, up to 7 storeys at the corner of Spa Road and Rouel Road. The proposal includes 12 car parking spaces in an undercroft car parking area accessed from Rouel Road, with podium level landscaping above. A communal amenity space is provided to the rear of the site.
- 5 This application is a resubmission following a previously withdrawn scheme on the site (11-AP-3693). The previous application was withdrawn to allow the applicant to make some minor changes to the scheme. The changes from the previous scheme include an amended housing mix in terms of tenure and now includes 30% affordable housing based on habitable rooms as opposed to 35% originally. Further amendments to the scheme include an additional door from the car park to the communal garden, timber screens up to 1800mm to south elevation balconies and a reduction in the number of units using the core B cycle store.

Planning history

- 6 Application ref: 11-AP-3693 for:
'Erection of a building ranging between 4 and 7 storeys in height, comprising 46 residential units, including a housing mix of 11 x 1-bed, 26 x 2-bed, 5 x 3-bed and 4 x 4-bed units, 12 car parking spaces, cycle parking for each unit and associated landscaping'.
Application WITHDRAWN 20/01/2012

Planning History for adjoining sites

- 7 Bolanachi Building, Spa Road (opposite the site)
Planning permission GRANTED at planning committee September 2007 (ref: 05-AP-2617) for:
'Erection of a building extending to between 4 and 8 storeys in height to provide 138 new dwellings (38 social rented units, 31 shared ownership units and 69 private units) and 300m² of commercial space (use classes A1, A2, and D1), together with the provision of associated car parking, landscaping, infrastructure works and improvements to the existing playground area'.
- 8 122-124 Spa Road (adjacent to the site)
Planning permission GRANTED 17/08/2005 (ref: 03-AP-2385) for outline permission to redevelop the site for residential purposes (all matters reserved).
- 9 122-124 Spa Road (adjacent to the site)
Planning permission granted at appeal 10/06/2008 (ref:07-AP-0804) for:
'Application for the approval of Reserved Matters (siting, design, landscaping, external appearance and means of access) for a development of 160 residential flats in accordance with Condition 1 of Outline planning permission reference 03-AP-2385'.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 10 The main issues to be considered in respect of this application are:
- a] the principle of the development in terms of land use;
 - b] density;
 - c] the impact of the development on adjoining occupiers;
 - d] the impact of adjoining uses on the proposed development;
 - e] design issues;
 - g] housing mix and the quality of the accommodation proposed;
 - h] affordable housing provision;
 - h] the impact of the development in relation to traffic
 - i] sustainability and energy
 - j] section 106 implications.

Planning policy

- 11 The site forms part of development site 22P in the Southwark plan 2007 which requires residential (Use Class C3) uses. Other acceptable uses on the site are Use Class D1 and B1. The site is situated in the Urban Density Zone, Air Quality Management Area and the Bermondsey Spa Action Area. The site is situated within Flood Zone 3. The site has a medium Public transport Accessibility Level (PTAL) of 3.

Core Strategy 2011

- 12 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

Southwark Plan 2007 (July) - saved policies

- 13 The relevant Strategic Policies of the Southwark Plan include:
- SP1 – Sustainability, equality and diversity;
 - SP3 – Quality and accessibility;
 - SP10 – Development impacts;
 - SP11 – Amenity and environmental impact;
 - SP12 – Pollution;
 - SP13 – Design and heritage;
 - SP14 – Sustainable buildings;
 - SP18 – Sustainable transport
- 14 The relevant Policies of the saved Southwark Plan include:
- 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 3.11 – 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 3.19 – Archaeology
 Policy 4.2 – Density of residential development
 Policy 4.2 – Quality of residential accommodation
 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.

London Plan 2011

- 15 The relevant policies for the London Plan include:
- Policy 3.3 - Increasing housing supply
 - Policy 3.4 - Optimising housing potential
 - Policy 3.5 - Quality and design of housing developments
 - Policy 3.6 - Children and young people's play and informal recreation facilities
 - Policy 3.7 - Large residential developments
 - Policy 3.8 - Housing choice
 - Policy 3.9 - Mixed and balanced communities
 - Policy 3.10 - Definition of affordable housing
 - Policy 3.11 - Affordable housing targets
 - Policy 3.12 - Negotiating affordable housing
 - Policy 3.13 - Affordable housing thresholds
 - Policy 3.14 - Existing housing
 - Policy 5.1 - Climate change mitigation
 - Policy 5.2 - Minimising carbon dioxide emissions
 - Policy 5.3 - Sustainable design and construction
 - Policy 5.7 - Renewable energy
 - Policy 5.8 - Innovative energy technologies
 - 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 5.14 - Water quality and wastewater infrastructure
 - Policy 5.15 - Water use and supplies
 - Policy 5.16 - Waste self-sufficiency
 - Policy 5.17 - Waste capacity
 - Policy 5.18 - Construction, excavation and demolition waste
 - Policy 5.21 - Contaminated land
 - Policy 6.1 - Strategic approach
 - Policy 6.3 - Assessing effects of development on transport capacity

- Policy 6.4 - Enhancing London's transport connectivity
- Policy 6.5 - Funding Crossrail and other strategically important transport infrastructure
- Policy 6.7 - Better streets and surface transport
- Policy 6.9 - Cycling
- Policy 6.10 - Walking
- Policy 6.13 - Parking
- Policy 7.1 - Building London's neighbourhoods and communities
- Policy 7.2 - An inclusive environment
- Policy 7.3 - Designing out crime
- Policy 7.4 - Local character
- Policy 7.5 - Public realm
- Policy 7.6 - Architecture
- Policy 7.13 - Safety, security and resilience to emergency
- Policy 8.2 - Planning obligations

Adopted Supplementary Planning Documents

- 16 Residential Design Standards (2011)
- Affordable Housing (2008) and draft Affordable Housing (2011)
- Sustainability Assessment (2009)
- Sustainable Design and Construction (2009)
- S.106 Planning Obligations (2007)

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

- 17 Planning Policy Statement 1: Planning for Sustainable Communities
- Planning Policy Statement 3: Housing
- Planning Policy Guidance 5: Planning and the Historic Environment
- Planning Policy Guidance 13: Transport
- Planning Policy Statement 22: Renewable Energy
- Planning Policy Statement 25: Development and Flood Risk

Draft National Planning Policy Framework

- 18 The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally. 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. However, development should not be allowed if it would undermine the key principles for sustainability in the Framework. The draft NPPF makes clear that the policies should apply 'unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits'. The draft NPPF also states that 'The primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development' and that local authorities should look for solutions to problematic applications, so they 'can be approved wherever practical to do so'.

Principle of development

- 19 The Southwark Plan 2007 sets out the required uses for site 22P as residential (use Class C3) and other acceptable uses on the site are D1 and B1 uses. The former use on the site would generate some employment, however the site is located outside any protected employment area and policy does not require any commercial uses at the

site. There would be no policy basis for the Local Planning Authority to require the applicant to include non-residential uses at the site and therefore no objections can be raised on this ground. The site is situated in a predominantly residential area and therefore the proposed land use is acceptable in principle and is consistent with the site designation (22P) within the Southwark Plan 2007.

Environmental impact assessment

- 20 A screening opinion has not been issued, however it is not considered the development constitutes EIA development as the development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.
- 21 The proposal does not constitute an 'Urban Development Project' under Schedule 2 10(b) on the basis that the site area falls below the 0.5 hectare threshold. Furthermore, taking into account the 'selection criteria' set out in Schedule 3 of the Regulations, the proposal would not give rise to significant environmental effects. Whilst the development is outside any designated 'sensitive site' as defined in the regulations the local context will be an important consideration when assessing the impacts of the development. Overall, it is considered that the proposal falls outside of the formal definition of EIA development and therefore an EIA would not be required. The likely environmental effects could be addressed and mitigated where required as part of the planning application procedure.

Density

- 22 The Core Strategy 2011 outlines that the site is situated within the 'urban density' zone where a density of between 200 and 700 habitable rooms per hectare is expected. The proposal would have a density of 710 habitable rooms per hectare which is only just outside the upper limit of the density range expected within the Urban Zone. However, the sites context is urban in character and the site has good access to public transport, and therefore a density at the upper end of the expected scale, is not unacceptable in principle. The adjoining development at 122-124 Spa Road has a density of 679 habitable rooms per hectare and the Bolanachi Building opposite the site has a density of 713 habitable rooms per hectare. Therefore on this basis, the proposed density is not out of character with the general density adjacent to the site within Spa Road. Furthermore, density is a numerical measure of development, and it is important to assess the impacts of a development rather than density figures alone. Any impacts resulting from the development are discussed in the paragraphs below.

Design issues

- 23 The site layout consists of an 'L' shape building, which is considered logical and addresses the street frontages on Spa Road and Rouel Road. The ground floor units would have front gardens and front doors from the street which is welcomed and provides activity and natural surveillance. A vehicle access is proposed from Rouel Road to the parking area, which has podium level landscaping above. To the rear of the site, on the western elevation is a communal landscaped garden area to provide amenity space for residents and also softens the boundary and allows some separation between the buildings and the adjoining developments.
- 24 The main body of the building would be 6 storeys; however it features a set back top storey fronting Spa Road and Rouel Road, which increases the height to 7 storeys at this corner. The corner itself, would read as a 7 storey building. The building has been designed to give the corner prominence which is considered an acceptable approach for the site, which lies on a prominent corner at a crossroads in Spa Road. The roof

canopy structure has been designed to ensure it does not overhang the building line and appear unduly dominant; however it does add visual interest and definition to the top of the building. The height scale and massing of the proposal is, at its highest level an intermediate between the Bolanachi Building opposite, which rises to 8 storeys at its highest point, and 122-124 Spa Road, which is 6 storeys in height. The proposal is considered an appropriate scale for Spa Road and the overall height reflects the character of the area.

- 25 The building steps down within Rouel Road to 4 storeys adjacent to the properties in Rouel Road. This reflects the change in character within Rouel Road and the properties to the rear within Goodwin Close. It is considered that the step in scale of the proposed building from 4 storeys to 6/7 storeys, successfully mediates between the scale within Rouel Road and Spa Road, which is considered acceptable.
- 26 The elevations are considered well proportioned and clearly domestic, with vertical articulation breaking up the massing and reflecting plot widths. At ground level the elevations provide clear entrances and front garden areas which provide activity and interaction with the street. It is considered that this arrangement provides a more successful domestic scale and streetscene environment, and avoids the appearance of a single core accesses to units which results in less active frontages.
- 27 The elevation details with large openings, balconies and front gardens with doors from the street are considered to give the building strong domestic character. This will be complemented by the brick skin which is suited to the local context. The quality of the brick is crucial to ensure the scheme is successful and therefore conditions would be attached to any planning permission granted, requiring full material details and design detailing to be approved.
- 28 The proposed development is located to the west of the grade II listed railway bridge on Spa Road and therefore the proposal would have some impact on the setting of this designated heritage asset. Whilst formally a largely commercial location, residential developments have become well established on both sides of the railway bridge. It is considered the proposed scheme would have a complementary design with a structured elevation and robust urban material structure, which is principally brick. The new brick building will complement the listed railway bridge and is considered acceptable.
- 29 Overall, the design approach is acceptable subject to conditions of detailed design and materials.

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

- 30 Saved 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.

Overlooking

- 31 The Southwark Residential Design Standards SPD recommends that developments achieve a minimum distance of 12 metres between facing buildings across a highway and a minimum of 21m as a back to back distance, to avoid unacceptable overlooking
- 32 The distances across streets from the proposed buildings would exceed the minimum 12m separation distance where there is potential for direct window to window overlooking, and therefore there would be no unacceptable loss of privacy or overlooking across streets, in accordance with policy.

- 33 Any back to back distances across from the rear facing windows in the development to the properties in 122-124 Spa Road that face the site, exceed 30m which is acceptable in accordance with policy. The indirect view from the most south west corner of the proposal to the rear windows within the properties in Goodwin Close, are in excess of 25m, and as such would not give rise to unacceptable overlooking. In addition, the applicant proposes screening to the balconies situated on the southwest corner of the site, to minimise opportunities for overlooking into the Gardens at Spa Court, and Goodwin Close. These details would be secured by condition. Whilst there are south facing flank windows in the proposed development, it is not considered these would give rise to unacceptable overlooking, given the windows in Spa Court facing the development serve non-habitable rooms such as bathrooms. Overall, the proposal would exceed the minimum distances between residential properties for direct overlooking as set out in policy, and would not give rise to unacceptable overlooking or loss of privacy.

Outlook and sense of enclosure

- 34 Given the site is currently vacant, there would be some impact on neighbouring residential properties as a result of any new development at the site. The most affected units are likely to be those that currently overlook the vacant site. However, as outlined above, the separation distances are acceptable in excess of minimum standards set out in policy and it is not considered the scale, layout and location of any of the proposed new blocks would give rise to an unacceptable impact on outlook or create a sense of enclosure to the detriment of neighbouring residential amenity.
- 35 The block fronting Spa Road at 122-124 Spa Road, has 2 side facing windows per floor, situated overlooking the boundary, that would directly look onto the proposed building at a distance of 2.8m. Whilst it is acknowledged that this would have an impact on the outlook from these windows, they are unusual in that they currently overlook an empty and underutilised site, furthermore, given the location of the windows on the boundary to the adjacent site, any level of development that makes efficient use of the site, would have an impact. The rooms that these windows serve are dual aspect and the windows themselves serve a kitchen area in an open plan living space. Overall, it is considered that acceptable outlook would remain and there would not be an unacceptable sense of enclosure.

Daylight and Sunlight

- 36 The applicant has submitted a daylight and sunlight report prepared by Calfordseaden dated October 2011 and a supplementary letter dated January 2012. 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. It should be noted however, that the BRE criteria is a guide, and that it is important to consider the local context of the area within which the site is located. 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."*
- 37 Three tests have been carried out to assess the impacts of this scheme. Vertical Sky Component (VSC) assesses the level 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. A daylight distribution test has also been carried out which considers the level of daylight penetration across a room. The BRE guidelines outline that daylight distribution can be reduced by about 20% of an original value before the loss is noticeable.

- 38 The third test for daylight is the Average Daylight Factor (ADF), which determines the natural daylight appearance of a room, taking account of the interior dimensions and surface reflectance. The ADF values recommended by the BRE guide are 2% for family kitchens, 1.5% for living rooms and 1% for bedrooms.
- 39 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.
- 40 The report identifies the following residential buildings within the vicinity of the site that require testing:
- Bolanachi Building, Spa Road
 - 79 Rouel Road (Spa Court)
 - 76-81 Goodwin Close
 - 124 Spa Road

The windows most affected by the development were tested and the results are discussed below.

Bolanachi Building

- 41 There are 2 living room windows serving one flat at ground floor level facing the development. Whilst one of these windows would not meet the VSC criteria as a result of the development, the ADF for the room they serve, which has a dual aspect, would remain well in excess of the minimum 1.5% criteria for living rooms. With regard to sunlight, the calculations show that sunlight would exceed the minimum BRE levels as a result of the development. As such, good levels of daylight and sunlight would remain in accordance with BRE guidelines.
- 42 The two first floor flats opposite the proposed development, either side of the atrium were tested. The rooms on this elevation are living/kitchen/dining rooms with a dual aspect. The results show that the flat to the east of the atrium (directly opposite the site), would only receive a small reduction in both daylight and sunlight as a result of the development and good levels would remain in accordance with the BRE guidelines. The flat to the west of the atrium, predominantly faces 122-124 Spa Road and as such, is already impacted from the adjacent development. As a result of the application proposal, there would be reductions in VSC levels, however the distribution of daylight across the room is unchanged and ADF levels remain in excess of the minimum, at 3%. With regard to sunlight, due to the position of two windows below a balcony, both the existing and proposed situations are below recommended BRE levels. However, sunlight to the unobstructed south facing window accord with BRE criteria and overall, it is considered that acceptable levels of sunlight would remain.

124 Spa Road

- 43 The south facing windows in this development adjacent to the proposal, and the east

facing windows of the central block which face the rear of the proposed development, meet the minimum BRE 25 degree rule taken from the centre of the lowest windows. As such, in accordance with the BRE guidance, no further analysis is required and acceptable daylight levels would remain. At ground floor, there are two side facing windows serving the kitchen area of the open plan living room, which would directly face the flank wall of the proposed building at a distance of 2.8m away. These windows have been tested for daylight and sunlight, and whilst the VSC levels would not meet the minimum BRE criteria, due to the dual aspect of the rooms, the ADF calculations for the rooms overall are acceptable accord with BRE guidance. In the case of the south facing flat, there would be a marginal improvement. At all levels, the east facing windows close to the boundary of the site, would notice a loss in sunlight levels in excess of 20% outlined within the BRE guidance. However it is important to take into account context, which is currently a vacant site in an urban setting and the position of the existing windows on the boundary of a future development site, which in itself is not good design. As such, any reasonable development on this site is likely to give rise to a loss in sunlight due to the easterly orientation, proximity of the windows to the adjoining boundary and the current aspect over a vacant site. The rooms affected are dual aspect and calculations show that the ADF levels within the room would remain acceptable in accordance with BRE guidelines and as such, it is not considered the impact on sunlight would be a reason to withhold planning permission and acceptable residential amenity would remain.

79 Rouel Road

- 44 There are 3 windows facing the development, one at each level. The windows serve bathrooms or non-habitable rooms and in accordance with BRE guidance, do not require testing. As such, the impact of the proposal in terms of daylight and sunlight is acceptable in accordance with BRE guidelines.

79-81 Goodwin Close

- 45 The lowest windows in these properties meet the minimum 25 degree rule taken from the centre of the lowest windows and as such, in accordance with the BRE guidance, no further analysis is required and acceptable daylight and sunlight levels would remain.

Daylight and sunlight to the proposed dwellings

- 46 The large majority of the proposed properties would receive good levels of daylight and sunlight, however there are a number (around 15% overall), that would not achieve the BRE guidelines in terms of VSC and ADF levels. However, as recognised by the BRE guidance, in the urban environment it is often difficult to achieve BRE compliance. It is generally bedrooms to the proposed units that do not meet the standards, which are considered less important than living rooms and kitchens. Taking into account the context, the dual aspect nature of all units, it is considered that whilst there are some failures to the proposed accommodation, acceptable levels and sunlight would be achieved and the quality of the units acceptable.
- 47 Overall, although the development does result in some limited instances where properties do experience losses of daylight or sunlight to windows in excess of the BRE guidelines, the proposals are considered acceptable on balance and in particular, when taking into account the current vacant nature of the site. The development would not have an unacceptable impact on residential amenity of existing and future occupiers in terms of daylight and sunlight.

Impact of adjoining and nearby uses on occupiers and users of proposed development

- 48 The area surrounding the site is predominantly residential in nature with the exception of some commercial uses to the opposite site of Rouel Road and the railway line beyond. Environmental Protection officers are satisfied with the submitted noise and vibration report and subject to condition; the future occupiers would not suffer unacceptable noise or vibration. The uses surrounding the site are not of a scale that is likely to give rise to unacceptable noise levels and given the existing residential uses surrounding the site, the impact on future occupiers is considered acceptable.

Impact on trees

- 49 There are no existing trees on the site and no trees would be affected by the proposed demolition or redevelopment. The applicant has submitted drawings to show the proposed landscaping scheme for the site outlining species suitable for a residential rear garden. The constraints of the site would not allow significant tree planting, however the landscaping includes a species of Birch more resilient to drought, which is considered appropriate. Other structural landscape planting includes a pair of semi-mature specimen tree at the corner of the site with Spa Road. Elsewhere, hedging and green wall planting is used to screen gardens and amenity space. A green roof is proposed at sixth floor. Overall, the landscaping proposals for communal and private areas which includes a range of plants and trees is considered appropriate.

Housing Mix and Affordable Housing

- 50 The application proposes the following mix:

	1 bed	2 bed	3 bed	4 bed	Total units	% (by habitable room)
Private	11	26	1		38	105 (70.4%)
Social rent			3	4	7	39 (26.2%)
Affordable rent			1		1	5 (3.4%)
TOTAL UNITS (Hab rooms)	11 (22)	26 (78)	5 (25)	4 (24)	46 (149)	

Affordable Housing

- 51 Strategic Policy 6 of the Core Strategy 2011, requires a minimum of 35% affordable housing on schemes of 10 units or more and the Southwark Plan expects a 70:30 split between social:intermediate tenures. The proposal would provide 30% affordable housing based on habitable rooms. The proposed tenure mix would only provide rented accommodation with no intermediate units. The rented accommodation has been concentrated within the family sized units, and would consist of 3x3 bed and 4x4 bed units at social 'target' rent levels, and 1x3 bed 'affordable rent' unit capped at 65% of market rent (including service charge).
- 52 Due to viability of the scheme, the proposed housing mix does not fully comply with planning policy. However, the applicant has sought to maximise the affordable housing on the site and provide the type of units where there is most need, by providing family sized social rented and affordable rented accommodation. The emergence of 'affordable rent' as a tenure, post dates current Southwark planning policy. Advice on this matter was reported to committee Members on the 20 December 2011, where a report advised that social rent is still our preferred option to meet housing need, however, where the viability of the scheme could not support 35% affordable housing within social rented and intermediate tenures, then options including affordable rent could be explored, providing rents are set significantly below

80% of market value. It is considered that the applicant's proposal to include one affordable rent unit, which would be capped at a maximum of 65% of market rent, on balance can be accepted if it assists the viability of the scheme.

- 53 No Intermediate housing is proposed, however, in this case where there are viability concerns, it is considered that focusing on providing good sized, social rented accommodation is a reasonable approach within a scheme of this scale, and if the viability report demonstrates that the proposal is providing the maximum amount possible, then the provision of only rented accommodation could be accepted in this case.
- 54 The applicant has submitted a financial viability appraisal using the '3 Dragons' methodology. This has been scrutinised by a Property Valuer on behalf of the Council. The Valuer concluded that the appraisal was generally sound, and the inputs reasonable. However, there is a dispute on the build costs and it has been recommended by the Valuer that these are independently assessed. The need to get the build costs independently assessed as part of this planning application would cause delay and the applicant is seeking to start work on the site as soon as possible. As such, the applicant has put forward an offer based on the fact that the permission would have a short life and a condition requiring implementation within 12 months of the date of any permission, which is considered a benefit within the current economic climate. In accordance with current Government opinion, as set out in the draft NPPF, sustainable development should be favoured by Local Planning Authorities unless other material considerations significantly outweigh the benefits. In particular, development that can be brought forward quickly should be enabled in the current economic climate.
- 55 Due to viability concerns, the applicant is Hyde Housing, who are a social housing provider, propose a reduction in s.106 contributions rather than a reduction in affordable housing. Therefore the s.106 obligations would be limited to what the scheme could viably afford to provide, and the applicant proposes to offer a minimum level of financial planning obligations as part of this application, and prior to implementation, a further viability review will be submitted once the applicant has secured a contractor. At this stage, the accurate build costs can be assessed and any additional uplift can be used for additional s.106 contributions. The provision of s.106 contributions is discussed in further detail in paragraphs 70 to 77.
- 56 It is considered that on this basis, there is the opportunity to bring forward a sustainable form of development quickly, and gain accurate build costs to ensure the scheme is providing the maximum quantity of affordable housing and s.106 obligations. The majority of the units are social rent at target rent levels, which would meet current housing needs within the borough. The proposed rented units are of excellent quality, with good internal space standards, dual aspect and good sized private amenity space. If the Committee accepts the proposed offer, it would be on the basis that the scheme is implemented within 12 months, and therefore the delivery of new high quality housing would be brought forward quickly, on a suitable site for residential development, which is a particular benefit in the current economic climate.
- 57 Policy 4.3 of the Southwark Plan 2007 requires 10% of units to be provided as wheelchair accessible housing, and these should be fitted out for occupation. The scheme proposes 4 wheelchair units as part of the overall mix. 1 x 1 bed (private), 1 x 2 bed (private) and 2 x 3 bed (social rent). In accordance with the Affordable Housing SPD 2008 and the 2011 draft SPD, for each affordable wheelchair unit proposed, one less affordable habitable room is required overall. In this case, this allowance would reduce the required percentage to 33%, so on that basis, the proposed 30% affordable housing is 3% below the minimum required by policy.

Housing Mix and Housing Quality

- 58 Core Strategy Strategic Policy 7 requires at least 60% of units to have 2 or more bedrooms and 20% of units to be 3, 4 or 5 bedrooms in the Urban Zone. The proposal would provide 76% of units with 2 or more bedrooms and 20% of units with 3 bedrooms or more, which is acceptable. The provision of 4 x 4 bedroom maisonettes with good internal space standards, storage space, front gardens and large private rear gardens is a particularly positive aspect of the scheme.
- 59 The overall internal space standards for all dwellings accord with the minimum floor areas set out within the Southwark Residential Design Standards SPD 2011. All the residential units would have good internal space standards, internal storage space and private amenity space in the form of a balcony or garden. The proposed 4 bedroom family units have private garden areas between 52.5sqm and 63.3sqm, which exceeds the minimum 50sqm required for family houses. All 3 bedroom units would have private amenity space well in excess of 10sqm as set out in the Residential Design Standards SPD at between 26.5sqm and 45.7sqm. The proposed communal garden area is an adequate size in accordance with the SPD, and would provide dedicated children's playspace. The proposal would provide 100% dual aspect units, which is particularly welcomed.

Traffic Issues

Vehicle, pedestrian and disabled access

- 60 The applicant has proposed to keep the existing vehicular access as the entrance to the proposed car park, which is acceptable. The applicant has demonstrated that adequate visibility splays can be achieved.

Car Parking

- 61 The proposal would provide 12 on-site spaces, which includes 4 disabled bays. The parking provision equates to 0.26 spaces per dwelling, which is considered acceptable in accordance with the Southwark Plan, which sets out maximum parking standards.
- 62 The demand for on-street car parking is already high in this area and therefore it is recommended that new residents are excluded from eligibility for on-street parking permits. In order to further address the potential overspill parking, and to reduce the level of private car ownership, the applicant should provide 3 years membership to Streetcar car club for each residential unit. Both requirements would be secured in the s.106 agreement.

Cycle parking

- 63 The provision of 67 cycle spaces, including visitor spaces exceeds the minimum 1.1 per residential unit and is therefore acceptable. The applicant proposes to provide each unit with individual bike lockers outside their front doors on the access balconies of the development. This is considered an acceptable approach and is considered convenient, weatherproof and secure. However, core B would not have access to a lift, and therefore there are ground floor cycle stores for these 5 units. To ensure the cycle stores are the correct dimensions and appropriately secure and convenient, full details will be secured by condition.

Servicing and refuse vehicle access

- 64 Servicing should normally take place from within the site, however, given the size of the site, this is not considered a viable option, and there would be insufficient space

for large vehicles to turn. Given the scale of the development, it is unlikely the development would give rise to a high number of servicing vehicles and the main servicing would be refuse collection. It is proposed to service from the street and for refuse, the bin stores allow a waste collection vehicle to get to within 25m of all storage points. Since vehicles are not expected to be stationary for extended periods, the servicing strategy is considered acceptable.

Trip generation and highways impacts

- 65 The proposed trip generation associated with the proposed site would not be significant and as such, would not have a negative impact on the highway, either by pedestrian or vehicular movement.
- 66 An acceptable Travel Plan will be secured as part of the s.106 agreement. This would include a commitment to surveying residents at 75% occupation of the development and at 3 and 5 years later. A commitment to updating the travel plan following each of the surveys, and commitment to measures identified within the travel plan, would also be sought. A sum of £3,000 would be secured through the Section 106 agreement, for the Council's monitoring of the travel plan.

Sustainable development implications

- 67 The London Plan and Strategic Policy 13 'high environmental standards' in the Core Strategy require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. The proposals have followed the London Plan energy hierarchy as required by policy. The proposal includes a range of passive design features and demand reduction measures to reduce carbon emissions from the proposed development. The applicant proposes individual gas boilers for each dwelling, which is considered a clean method of delivering energy and easy for residents to control and understand. The developer proposes to reduce carbon dioxide emissions by including photovoltaic panels on the roof, which would meet the 20% renewable energy contribution to the scheme in accordance with policy.
- 68 The applicant has submitted a Code for Sustainable Homes pre-assessment for the application which confirms that it is anticipated that the development would meet Code Level 4 which is acceptable in accordance with policy.
- 69 The submitted ecology report meets best practice and the recommendations and mitigation considered acceptable. Conditions relating to ecology mitigation are recommended. Green and brown roofs are recommended and details will be secured by condition. Conditions relating to biodiversity and bird and bat boxes would also be secured by condition.

Planning obligations (S.106 undertaking or agreement)

- 70 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.
- 71 The following table sets out what the applicant has agreed to provide as a minimum, 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 (£)	Applicants <u>minimum</u> Contribution (£)
Affordable housing	0	0
Education	129,053 (Can be reduced to £23,005 if grant funding secured)	64,526
Employment in the development	0	0
Employment during construction	32,080	0 (Applicant to provide a Work Place Coordinator, the default sum would apply in the event that agreed outputs are not achieved)
Employment during construction management fee	2,473	1,236
Public open space, children's play equipment and sports development	14,290 6,707 34,873	7,145 3,353 17,436
Transport strategic	22,800	11,400
Transport site specific	23,000	11,500
Public realm (site specific)	34,500	17,250
Archaeology	0	0
Health	47,168	23,584
Community facilities	7,383	3,691
Admin charge	6,445	3,222
TOTAL	328,692	164,343

- 72 In addition to the above financial contributions, the applicant has agreed to provide 30% affordable housing (7 social rent units and 1 'affordable rent' unit capped at 65% of market rents), a Travel Plan, appropriate monitoring and £3,000 to the Council for monitoring, a £2750 contribution to amend the Traffic Management Order to exclude residents from applying for on street parking permits.
- 73 Due to viability of the scheme, the applicant does not consider the scheme could support 35% affordable housing and full s.106 contributions in accordance with policy. To demonstrate this, the applicant submitted a financial viability appraisal using the '3 Dragons' methodology. This has been scrutinised by a Property Valuer on behalf of the Council. The Valuer concluded that the appraisal was generally sound, and the inputs reasonable. However, there is a dispute on the build costs and therefore whilst it is acknowledged that the scheme may not be able to viably support full planning obligations, it cannot be confirmed if the scheme is currently providing the maximum amount reasonable. It has been recommended by the Valuer that the build costs are independently assessed. The need to get the build costs independently assessed as part of this planning application would cause delay and the applicant is seeking to start work on the site as soon as possible. As such, the applicant proposes an approach to enable the development to be brought forward quickly.
- 74 The approach proposes that any planning permission granted, has a short life and is required by condition, to be implemented within 12 months. Prior to implementation, the applicant shall submit another viability review to the Council, to be independently assessed and agreed. At this stage, the viability review would contain accurate build costs as the applicant would have appointed a contractor through a market tender

process. If it is possible for the scheme to support more financial contributions, any uplift over and above the minimum amount agreed by the applicant in the table above, would be captured by the review and provided by the applicant. Officers consider that this approach is reasonable, on the basis that the development is likely to be brought forward quickly. If Members accept this approach, whilst at present we cannot be certain that the proposal is providing the maximum reasonable affordable housing and planning obligations at this stage, the proposed review mechanism enables the Council to review the accurate build costs and ensure that prior to implementation, the development is providing the maximum possible whilst remaining viable.

75 The Community Infrastructure Levy Regulations came into force on 6 April 2010. The regulations state under 122 – “Limitation on use of planning obligations” 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.

76 It is the opinion of the council that the planning obligations sought meet the planning tests of Circular 05/05 and the CIL regulations (122 and 123). The contributions would be spent on delivering new school places as a result of the development, job creation during construction and in the final development, improvements to open spaces and sports facilities, improvements to increase the capacity of transport provision across the borough, improvements to the public realm, funds to secure new health facilities and improvements to community facilities. These are necessary in planning terms, directly related to the development and fairly and reasonably related to the impacts of the development. Therefore no objections are raised relating to the terms of the section 106 agreement for this site. In the case of an appeal against a refusal or any future resubmission, the Council would seek a completed S.106 agreement.

77 In accordance with the recommendation, if the Section 106 Agreement is not signed by 23 April 2012, 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 8.2 of the London Plan 2011, Strategic Policy 14 of the Core Strategy 2011, and Saved Policy 2.5 of the Southwark Plan 2007".

Other matters

Mayoral Community Infrastructure Levy (CIL)

78 The Mayor's CIL comes into effect on 1 April 2012 and will apply a financial levy against all developments which will go towards the delivery of Crossrail. The levy is not discretionary and must be applied to all developments at a rate of £35 per square metre in Southwark and will be prioritised over all other planning obligations. Any S106 Agreement needs to be signed prior to 31 March 2012 for the Mayoral CIL not to be charged.

79 It is noted that a number of residents have raised concern over the consultation process and the fact that it was unclear that the scheme was amended. Given the short period of time between the withdrawn application and the resubmitted application, the description of development on all consultation letters and site notices

did clearly state '(AMENDED SCHEME: alterations to housing tenure mix (8 affordable rent units proposed) and minor design amendments including timber privacy screening to balcony on south elevation)'. All plans and documents were scanned on the Councils website and available to view. As such, it is considered that the consultation process was clear, and all interested parties had the opportunity to comment based on the correct information.

Conclusion on planning issues

- 80 The proposed development is considered acceptable in land use terms. It would provide much needed new housing and bring a vacant brown field site back into beneficial use. The housing offers a good choice of housing types, with family sized units including maisonettes with good size private amenity space that will meet a recognised housing need. The unit sizes, layout and aspect are all good, and will provide good quality accommodation. Whilst the affordable housing provision does not accord with planning policy, it is considered that the scheme is providing good quality accommodation maximising the provision within the financial constraints of the scheme.
- 81 The proposal is considered to be an acceptable scale and density. The layout creates new active street frontages and would make efficient use of the currently vacant site. The scale is consistent with the surrounding townscape and whilst one storey higher than the neighbouring buildings at 124 Spa Road, this would not appear overbearing or out of character. The height is concentrated on the corner, which is considered appropriate. The design, using brick as the primary facing material, is appropriate and uses vertical articulation and balconies to add interest and variety to the facades.
- 82 The amenity impacts have been considered, and although there is some impact on existing neighbouring properties in terms of daylight and sunlight, the harm is not sufficient to warrant refusal, when taking into account the wider benefits of the scheme and good amenity would remain overall.
- 83 Therefore it is recommended that permission be granted, subject to conditions, and completion of an appropriate S106 agreement. Mayoral CIL will be charged if the S106 Agreement is completed after 31 March but prior to 23 April 2012.

Community impact statement

- 84 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. The impact on local people is set out above.

Consultations

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

Consultation replies

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

Summary of consultation responses

A total of 7 letters of objection were received raising issues about height, scale, design, loss of daylight and sunlight, overlooking and transport matters.

Human rights implications

- 87 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.
- 88 This application has the legitimate aim of providing a housing 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: H2018 Application file: 11-AP-4309 Southwark Local Development Framework and Development Plan Documents	Planning, Deputy Chief Executive 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
Appendix 3	Images

AUDIT TRAIL

Lead Officer	Gary Rice Head of Development Management	
Report Author	Laura Webster	
Version	Final	
Dated	17 March 2012	
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		17 March 2012

Consultation undertaken

Site notice date: 01/03/2012

Press notice date: 02/02/2012

Case officer site visit date: 01/03/2012

Neighbour consultation letters sent: 01/02/2013

Internal services consulted: 30/01/2012

Transport
Environmental Protection
Ecology Officer
Urban Forester
Public Realm
Design and Conservation
Archaeology
Waste management
Crime Prevention Design Advisor

Statutory and non-statutory organisations consulted: 30/01/2012

Environment Agency
Transport for London
Thames Water

Neighbours and local groups consulted: N/A

Re-consultation: N/A

Consultation responses received

Internal services

Transport

- The applicant has proposed to keep the existing vehicular access for access to the proposed car park. In addition to planning consent, any new or altered access must have the approval of the Highways Authority, before construction.
- The applicant has proposed for refuse collection to take place from on street. We require that all servicing should take place within the curtilage of the site. The applicant will need to provide justification as to why they have proposed to undertake servicing from on street.
- The TRIPS associated with the proposed site are not thought to have a negative impact on the highway, either by pedestrian or vehicular movement.
- As this scheme is defined as a major application, a full travel plan will be required. All travel plans must conform to the current regional standards - the Transport for London (TfL) 2011 document 'Travel planning for new development in London', and the ATTrBuTE tool. Travel plans must be built and assessed using this tool prior to submission to the local authority. London Borough of Southwark currently set a travel plan monitoring fee of £3,000, this is usually secured through the Section 106 agreement.

Cycle Parking:

- The applicant has proposed to provide each unit with individual bike lockers on the balconies of the development. This was agreed by the Transport Group. However, from looking at the plans provided the proposed units within **Core B** do not have access to a lift, and therefore the residents who live within core B are required to either carry their bikes up the stairs or use the lift within **Core A** and walk their bike along the corridor. The Transport Group do not support this proposal and require this issue to be addressed. The applicant has proposed to provide cycle storage on the ground floor within the lobbies.
- From plans provided it is unclear as to whether the required dimensions that are set out in the manual for streets are achievable. The applicant will need to demonstrate that the required dimensions are achievable for both the residential and commercial element of the development. The use of 'Sheffield' stands is preferred, and hanging racks are not acceptable.

Car Parking:

The proposed development is located in an area with medium PTAL and is in a CPZ. 12 off-street parking places are proposed compared with a maximum of 46 set out in the Southwark Plan (Table 15.4). Regardless of comparison with the maximum, there is a risk that the development may increase the demand for on-street parking places. The demand is already high in this area and so the imposition of additional demand would be to the detriment of the amenity of existing residents. Therefore it is recommended that new residents and businesses are excluded from eligibility for on-street parking permits in the usual way. The applicant will need to provide details to

this group with information as to how they are expecting to allocate the proposed car parking spaces.

Disabled parking

The applicant has provided adequate off-street disabled parking for the development. Provision must be made within a parking management plan (which could be included in the Travel Plan) for reallocation of general parking places to disabled 'blue badge' holders resident in general residential units. Other provision of disabled parking places should conform to the standards set out in Policy 5.7 of the Southwark Plan.

Car Club

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.

Environmental Protection

No comments received to date, however based on the comments received on the previously withdrawn application, which contained the same noise and vibration report and air quality report, Environmental Protection were satisfied that the development would not have considerable impact on air quality within the air quality management area and based on predicted emission reduction exposure levels which will be within national guideline levels.

Environmental Protection were satisfied with the noise report and its conclusions and recommended mitigation that the site falls within CAT C. To ensure that these measures meet the required standards a noise and vibration condition should be attached to the development if approved.

The soil investigation report confirms the need for a more detailed assessment and proposed remedial strategy and conditions relating to contamination are recommended.

Ecology Officer

I agree with the findings of the ecology report and see no reason for further surveys. I recommend the following conditions that should be applied.

1. Timing of vegetation clearance (breeding birds)
2. Implementation of agreed biodiversity mitigation/enhancement
3. Green roofs for biodiversity
4. Bird and bat boxes

Urban Forester

No arboricultural features exist on site and no trees are affected by the proposed demolition or redevelopment. The applicant has submitted drawings to show the proposed landscaping scheme for the site showing species suitable for a residential rear garden. Insufficient space is available for any additional tree planting due to the presence of large mature specimens on and adjacent to the site.

Following further discussion the applicant has amended the specification to include a species of Birch more resilient to drought. The size and stock quality has also been improved.

The design and access statement landscape plan shows planting which is of design merit. It includes herbaceous plants, shrubs and trees which are suitable for both private and communal areas and as screening to Rouel Road. Other structural landscape planting includes a pair of semi-mature specimen tree at the corner of the site with Spa Rd. Elsewhere; hedging and green wall planting is used to screen gardens and amenity space. A green roof is proposed at sixth floor.

Should consent be granted for this application I would recommend that the following conditions are applied:

1. Landscape management plan
2. Green/brown roofs / living walls

Archaeology Officer

The applicants have submitted a written scheme of investigation for a programme of archaeological evaluation works at the site in question. 126 Spa Road is not located within an Archaeological Priority Zone, however it does have an archaeological significance as part of the post-medieval tannery complex excavated on the adjacent site, a significance recognised in the written scheme of investigation supplied with this application.

Should you be minded to grant consent for this application I would recommend that the following conditions are applied to any consent:

1. Archaeological Evaluation
2. Archaeological Mitigation
3. Archaeological Reporting
4. Archaeological Foundation Design

Public Realm

No comments received to date

Waste management

No Comments

Crime Prevention Design Advisor

No comments received to date

Statutory and non-statutory organisations

Environment Agency

The proposed development will only be acceptable if the following measure(s) as detailed in the Flood Risk Assessment (FRA) prepared by Project Centre (dated April 2011, report reference 44310502-01-issue 02)) submitted with this application are implemented and secured by way of a planning condition on any planning permission.

The 'Ground Investigation Report' by Soils Ltd (reference J12024 dated October 2010) has identified some residual contaminants (metals and PAHs) in made ground, but these species were not detected in the underlying groundwater. With respect to the protection of Controlled Waters, we do not consider further investigation or remedial measures are required at this stage. However, we consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below:

- Contamination found during construction
- Piling methodology and foundation design
- No infiltration of surface water drainage

Thames Water

No impact piling should take place until a detailed method statement has been submitted and approved. With regard to water infrastructure, Thames Water would not have any objection to the planning application.

Transport for London

No comments received to date

Neighbours and local groups

7 letters of objection were received from immediate neighbouring occupiers from the Keys development, Sandover House 124 Spa Road, 124 A Spa Road, Weightman House 124a Spa Road, Flat 17 Sandover House (124 Spa Road), Wightman House 124 Spa Road, Sandover House 124 Spa Road (3rd floor). The letters of objection raise the following issues:

- Height, scale, bulk
- Height should match adjoining developments (6 storeys)
- Loss of daylight and sunlight (particularly to East facing windows in Sandover House, 124 Spa Road)
- View onto flank wall from the east elevation of Sandover House
- Overlooking and loss of privacy (particularly from west facing windows)
- Parking issues (currently on street parking is at capacity)
- Consultation inadequate and should be carried out again
- It appears that building materials are currently being stored on the site, so it appears that the application has been pre-determined and resident comments will not be considered. (OFFICER COMMENT: The materials currently being stored on the site relate to Bermondsey Spa phases 3 and 4 located on Old Jamaica Road, which is currently under construction by Hyde Housing, who also own 126 Spa Road).