

APPENDIX 1

Item Nos.	Classification: OPEN	Date: 2 JULY 2013	Meeting Name: PLANNING COMMITTEE
Report title:	Development Management planning application: i) Application 12/AP/1308 for: Full Planning Permission ii) Application 12/AP/1309 for: Conservation Area Consent Address: 1-6 CAMBERWELL GREEN & 307-311 CAMBERWELL NEW ROAD, LONDON SE5 Proposal: i) Demolition of existing buildings on site and redevelopment to provide mixed use premises with a maximum height of 6 storeys with set backs at 1st and 6th floors, providing 101 residential units (2 x studio units, 30 x 1 bed, 46 x 2 bed, 23 x 3 bed) and 1,335sqm of commercial uses within use Classes A1, A2, A3 and B1 at ground floor. Associated areas for cycle storage (158 spaces), disabled parking bays (2 spaces) and amenity space. ii) Demolition of all existing buildings on the site.		
Ward(s) or groups affected:	Camberwell Green		
From:	Head of Development Management		
Application Start Date 18/05/2012		Application Expiry Date 17/08/2012	

RECOMMENDATION

- 1) That planning permission 12-AP-1308 is granted subject to conditions and the applicant entering into an appropriate legal agreement.
- 2) In the event that no objection is received from English Heritage, that conservation area consent 12-AP-1309 is granted.
- 3) In the event that the legal agreement is not entered into by 5 September 2013 then the head of development management be authorised to refuse planning permission and conservation area consent for the reasons set out in paragraph of this report.

BACKGROUND INFORMATION

Site location and description

- 2) The application site is bounded by Camberwell Green to the east (being located opposite the Green) Camberwell New Road to the west, and Camberwell Passage to the south. On the Camberwell Green frontage the site is bounded to the north by the entrance to the bus depot, and beyond that is a site currently under development for a building rising up to 7 storeys, with commercial units on ground floor and flats above. Further south on Camberwell Green is a 3 storey terrace with retail at ground floor and

flats above. On the Camberwell New Road frontage, the site is bounded to the north by St Marys Greek Orthodox Church and TfL's bus depot with associated hard surface, and to the south by a vacant Snooker hall which has planning permission, and an outstanding appeal, for redevelopment for a 4/5 storey building.

- 3 The site is located within the Camberwell Green Conservation Area, and is in close proximity to the listed buildings at 15 Camberwell Green, the former London County Bank on the corner of Camberwell Green and Camberwell New Road, and 323 Camberwell New Road.
- 4 The site is currently occupied by a three storey building fronting Camberwell Green, containing a vacant Job Centre on the ground floor with solicitors offices above. On the Camberwell New Road frontage there is the premises and yard of a tool hire shop, now vacant.
- 5 The site is within Camberwell Town Centre. The core of the town centre, focussed around the main road junction at Denmark Hill, is to the south of the site. Around the site, building heights generally range from three to six storeys, with the Listed former London County Bank building (now a doctors surgery) being the prominent local landmark. The aspect across the mature trees and space of Camberwell Green gives a sense of openness to this part of the town centre.

Details of proposal

- 6 The proposal includes the demolition of the existing building on the site, made up of the former HSS Hire Warehouse and Job Centre (which requires Conservation Area Consent), and the construction of a new building up to 6 storeys in height. The proposed building would accommodate 1,335 sqm of flexible commercial floorspace at ground floor and 101 residential units above.
- 7 At ground floor the development would create up to 8 new commercial units, some capable to being combined to form larger commercial spaces. A flexible permission was requested for these units, allowing each unit the possibility of being used for either Class A1 (retail), A2 (financial and professional), A3 (cafe / restaurant) or B1 (office) use. However, the applicant has accepted that the two largest units which front onto Camberwell Green should be limited to uses within Classes A1 to A3, to reflect their location within the protected shopping frontage. The remaining 3/5 units facing onto Camberwell Passage and 1 onto Camberwell New Road would be flexible. Also at ground floor there are waste stores for the commercial and residential uses, cycle storage, 2 disabled parking bays and entrances to the residential cores. The residential building above includes a large garden area at first floor level overlooking the Passage. There is also an undercroft servicing area proposed within the site accessed from Camberwell New Road. Below is a schedule of the residential accommodation being proposed.
- 8 Table 1: Schedule of Proposed Residential Accommodation by Tenure

Tenure	Studio	1 bed	2 bed	3 bed	Total	Habitable Rooms
Private	2	30	40	13	85	234 (80%)
Shared Ownership	-	-	6	10	16	58 (20%)
Total	2	30	46	23	101	292

9

The proposed development would rise to 6 storeys with the massing set back behind a communal terrace on the Camberwell Passage frontage. An additional smaller roof terrace area is provided at 5th floor level fronting Camberwell Green. On Camberwell New Road, the building does not extend across the full width of the site, but retains an open area used to access the servicing and disabled parking area.

10 The entrances to the three residential cores are from Camberwell Passage, with the commercial entrances on all three frontages.

Planning history

11 09-AP-2896 & 10-AP-0096 – Planning permission and conservation area consent **REFUSED** for demolition of existing buildings on site, and redevelopment to provide a mixed use premises with a maximum height of 8 storeys (29m AOD), with set backs at 1st and 5th-7th floors, providing 129 residential units (51x 1 bed, 46x 2 bed, 29x 3 bed, 3x 4 bed) and 1619.46sqm of flexible commercial uses within Use Classes A1, A2, A3, B1, D1 or D2 at ground floor. Associated areas for cycle storage (158 spaces), disabled parking bays (2 spaces) and amenity space. (20 April 2010)

12 Planning Appeal of decision 09-AP-2896 & 10-AP-0096 **DISMISSED** (26 April 2011)

Summary of Inspectors conclusions:

The proposed development would fail to preserve or enhance the character of appearance of the conservation area and would fail to respond positively to the local context. It is also the case that, in a number of respects, the development would not provide the exemplary standard of design and excellent living environment which the local plan requires for a development of the proposed density. The development would also result in some harm to the setting of a listed building and it is likely that there would be some post construction conflict with the protected London Plane tree.

13 The development would, however, provide 129 units of accommodation, including affordable housing, and would result in a number of improvements to the public realm. It would also provide employment opportunities, both during and after construction. These benefits would all be secured in a seriously deprived area and must weigh heavily in favour of the development.

14 The Government's support for economic growth and the development is clear. However, it is also recognised that such growth and development must be sustainable. The proposed development would conflict with the key sustainability principles in PPS1 and the benefits of the development would not be sufficient to outweigh the identified harm.

Planning history of adjoining sites

15 315-317 Camberwell New Road (Snooker Club)

09-AP-1096 – Planning permission **REFUSED** for the erection of building of four storeys above basement, in connection with development to provide a snooker club (use class D2) and retail floorspace (retail – use class A1, and drinking establishment within use class A4) and 27 residential units (7x one-bedroom, 16x two-bedroom, and 4x three-bedroom), together with works of hard and soft landscaping, disabled car parking and other associated enabling works.

16 10-AP-2600 - Planning permission **GRANTED** for erection of building of four storeys above basement, in connection with development to provide a snooker club (use class D2) and commercial floorspace (drinking establishment within use class A4) and 27

residential units (8 x one-bedroom, 15 x two-bed, and 4 x three bed), together with works of hard and soft landscaping, disabled car parking and other associated enabling works. (6 December 2010).

- 17 12-AP-2449 - Planning permission **REFUSED** for demolition of existing building and erection of building of five storeys above basement, in connection with development to provide a snooker club of 627 sqm (use class D2) at basement, retail use at ground floor of 360 sqm (Use class A1), and 36 residential units (10 x 1 bed, 18 x 2 bed and 8 x 3 bed), together with works of hard and soft landscaping, associated private and communal open space, 2 no. disabled parking spaces, cycle storage and other associated infrastructure works. (13 November 2012). An appeal has been lodged against this refusal of permission and a Hearing took place on 18 and 19 June 2013.
- 18 272-274 & 294-304 Camberwell Road
- 06-AP-0774 – Planning permission **GRANTED** for redevelopment of sites to provide two mixed-use buildings (at No's. 272-274, a 4 storey building; at No's. 294-304, a part 4 and part 7 storey building) comprising a total of 800sqm of commercial floorspace and 60 apartments with associated car and cycle parking.
- 19 12-AP-2444 - Planning permission **GRANTED** for demolition of existing buildings and erection of two buildings, one at 286-304 Camberwell Road (blocks A & B) ranging in height from four to seven storeys comprising 616 sqm of commercial floorspace (Use Classes A1 shops, A2 financial/professional services, B1 business and/or D1 non-residential institutions) and 57 residential units (26 x 1 bed, 26 x 2 bed and 5 x 3 bed) plus 5 disabled car parking spaces, the other at 272-274 Camberwell Road and Medlar Street (blocks C & D) ranging in height from three to four storeys and comprising 62 sqm of commercial floorspace (Use Classes A1, A2, B1 and/or D1) and nine residential units (3 x 3 bed and 6 x 4 bed), and with balconies, terraces, gardens and / or communal amenity space and roof garden, bicycle spaces, refuse/recycling storage and access. (Total 678sqm of commercial floorspace (Use Classes A1, A2, B1 and/or D1) and 66 residential units (26 x 1 bed, 26 x 2 bed, 8 x 3 bed and 6 x 4 bed)) (28 November 2012). This permission is now under construction.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 20 The main issues to be considered in respect of this application are:
- a) the principle of the development in terms of land use and conformity with strategic policies.
 - b] design issues including layout, heights, massing and elevations
 - c] impact of development on heritage assets, including Conservation Area and setting of Listed Buildings;
 - d] impact on trees;
 - e] housing mix and type;
 - f] quality of accommodation;
 - g] traffic issues;

- h] impact on the amenities of occupiers of adjoining properties;
- i] planning obligations; and
- j] energy and sustainability.

Planning policy

- 21 Core Strategy 2011
- 1 – Sustainable development
 - 2 – Sustainable transport
 - 3 – Shopping, leisure and entertainment
 - 5 – Providing new homes
 - 6 – Homes for people on different incomes
 - 7 – Family homes
 - 10 – Jobs and businesses
 - 12 – Design and conservation
 - 13 – High environmental standards

Adopted policy designations

Air Quality Management Zone
 Camberwell Green Archaeology Priority Zone
 Urban Density Zone
 Camberwell District Town Centre
 Camberwell Green Conservation Area
 Camberwell Action Area
 Camberwell New Road Protected Shopping Frontage (Camberwell Green frontage)
 Public Transport Accessibility Level (PTAL) 6a
 Classified Road (A)

- 22 Southwark Plan 2007 (July) - saved policies

The council's cabinet on 19 March 2013, as required by paragraph 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 1.4 Employment uses outside preferred office and industrial use locations
 Policy 1.7 Development within town and local centres
 Policy 1.9 Change of use within protected shopping frontages
 Policy 1.10 Small scale shops and services outside the town and local centres and protected shopping frontages
 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 3.5 Renewable energy
 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 3.15 Conservation of the historic environment
 Policy 3.16 Conservation areas
 Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites
 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
 Policy 7.6 West Camberwell Action Area

23 London Plan 2011

3.3 Increasing housing supply;
 3.5 Quality and design of housing developments;
 3.6 Children and young people's play and informal recreation facilities;
 3.9 Mixed and balanced communities;
 3.11 Affordable housing targets;
 3.16 Protection and enhancement of social infrastructure;
 4.3 Mixed use development and offices;
 5.1 Climate change mitigation;
 5.2 Minimising carbon emissions;
 5.3 Sustainable design and construction;
 5.5 Decentralised energy networks;
 5.6 Decentralised energy in development proposals;
 5.7 Renewable energy;
 5.11 Green roofs and development site environs;
 5.12 Flood risk management;
 5.13 Sustainable drainage;
 6.3 Assessing effects of development capacity and safeguarding land for transport;
 6.9 Cycling;
 6.10 Walking;
 6.13 Parking;
 8.2 Planning obligations.

24 Supplementary Planning Documents

Residential Design Standards SPD 2011
 Affordable Housing SPD 2008 and draft Affordable Housing SPD 2011
 Planning Obligations SPD

25 National Planning Policy Framework (NPPF)

The NPPF came into effect on 27 March 2012 and is a material planning consideration.

Principle of development

- 26 The application site is located within the Camberwell District Town Centre where a mix of uses is appropriate, and where existing retail floorspace (Class A uses) should be retained or replaced on the site. The existing uses on the site are formed of the Job Centre (Class A2 use - 819sqm) fronting onto Camberwell Green, a solicitors office at first and second floor (Class B1 use - 335sqm), and the HSS Hire Centre (Class A1 retail use - 1,156sqm) fronting onto Camberwell New Road. In total this amounts to 1,975sqm of Class A uses and 335 sqm of B1 office floorspace. However, both the HSS premises and the Job Centre are now vacant.
- 27 Saved policy 1.7 'Development within town and local centres' states that in town centres, any floorspace currently in A class use should be retained or replaced, unless the proposed use provides a direct service to the general public and the proposal would not harm the retail vitality and viability of the centre. Saved policy 1.4 'Employment sites outside of the preferred office locations and preferred industrial locations' states that on sites which have an established B class use and front onto or have direct access to a classified road, development will be permitted provided that the proposal would not result in a net loss of floorspace in class B use, however an exception to this may be made where the site is located in a town or local centre, in which case suitable Class A or other town centre uses will be permitted in place of Class B uses.
- 28 The proposed development would create 1,335sqm of flexible commercial floorspace that could be used for either use class A1, A2, A3 or B1. This results in a loss of 975sqm of commercial space which, depending whether the new space is used for Class A or Class B1 purposes, could constitute a loss of either A class or B class floorspace. In either case, this would be contrary to policy in this location.
- 29 The nature of the existing uses on the site is a material consideration. The existing HSS Hire Shop is not a typical 'high street' retail offer expected in town centre locations, since the space is used largely for the storage of heavy tools, for hire to the public, and the active sales space is limited. The site does not offer an active retail frontage to the street, and employment densities on this type of use would be low. The proposed units would provide better quality retail floorspace capable of more intensive use. The Job Centre is now closed, and the services relocated. As such the only employment/commercial use remaining on the site is the solicitor's offices. Solicitor's offices can be classified as either B1 offices or A2 professional services, depending on the extent to which they rely on trade from passing members of the public. For the purposes of this application, officers have treated this premises as a Class B1 office. In either case, policy 1.4 accepts A class uses as acceptable replacements for B1 space within town centres.
- 30 In determining the application, the main consideration in terms of land use should be the extent to which the development, and the consequent reduction in commercial floorspace, would undermine the vitality and viability of the town centre as a whole. The current site is largely vacant, and offers no real active frontage onto the streets. The proposal would bring activity directly onto all three frontages, including to currently blank Passage frontage. The layout uses the maximum available area of the ground floor for commercial space. The new units would be designed to appeal to a range of occupiers, and would have the potential for far higher employment levels than the current units - the applicant estimates that the development could support up to 79 jobs at industry-standard employment densities. The scheme would also introduce additional residents into the town centre, bringing new spending to local shops. In the circumstances, it is concluded that it would not be reasonable to refuse planning

permission based on the reduction in commercial/retail floorspace. The application would be consistent with the key policy aim of supporting town centres and making efficient use of brown field sites.

- 31 It is recommended that the large retail units fronting Camberwell Green be limited to A Class uses (retail, services or restaurants/cafes) in order to provide an active, customer-focussed frontage in this main Camberwell shopping frontage. This can be secured by condition.

Environmental impact assessment

- 32 The application site has an area of 0.33 hectares. This is below the threshold of 0.5 hectares included in the EIA regulations. Furthermore, the nature, scale and location of the development is not such that it would be likely to give rise to environmental effects of more than local significance. The site is not located within a 'sensitive area' as defined by the Regulations. Therefore an Environmental Impact Assessment would not be required.

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

Overshadowing and Loss of Daylight

- 33 GL Hearn produced a Daylight and Sunlight Report for the proposed development, dated 12 April 2013. The report describes what impacts the proposed development would have upon surrounding properties in terms of access to daylight and sunlight, as well as the quality of daylight within the proposed residential units. The following properties are the only properties which could be directly impacted by the proposed development due to their location close to the site:-
314 Camberwell New Road, 316-322 Camberwell New Road, 315-317 Camberwell New Road, 7 to 14 Camberwell Green.
- 34 In terms of the daylight assessment two tests have been undertaken for each of the above properties. Vertical Sky Component (VSC) assesses the loss of daylight entering existing rooms by considering the amount of available daylight from the sky reaching a window and is measured on the outside of that window. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that the daylight and sunlight can be reduced by about 20% of their original value (to not less than 0.8 times its former value) before the loss is noticeable. The Average Daylight Factor (ADF) determines the natural daylight appearance of a room, taking account of the interior dimensions and surface reflectance within the room and is therefore considered to be a more detailed and representative measure of the adequacy of light. The ADF values recommended by the BRE guide are 2% for family kitchens, 1.5% for living rooms and 1% for bedrooms. Daylight distribution has been assessed by plotting the 'no sky line' in each room. The availability of sunlight is dependant on the orientation of the window being assessed relative to position of due south. The Annual Probable Sunlight Hours (ASPH) is considered for all windows facing within 90 degree of due south.
- 35 The report concludes that the proposed development would have a negligible effect on the daylight amenity received to the surrounding existing properties on Camberwell Green and Camberwell New Road, when assessed in accordance with the BRE guidance. Analysis also shows that there would be negligible impact on sunlight amenity.

- 36 An assessment of the daylight and sunlight amenity issues for each property is set out below:

314 Camberwell New Road

- 37 This property is located to the west of the site, on the opposite side of Camberwell New Road. By reference to the VSC results, the windows assessed would be unaffected by the proposals. The overlooking windows do not face within 90-degrees of due-south and, as such, do not require assessment for access to sunlight.

316-322 Camberwell New Road

- 38 This property has been recently constructed, and is formed of 5 storeys on the opposite side of Camberwell New Road to this current application site. Only the rooms on the first and second floors have been assessed, as the ground floor is formed of non-residential floorspace, and the floors above would pass the preliminary 25-degree line test recommended by the BRE. The affected flats are all dual aspect, most with their primary living rooms orientated to the rear.
- 39 Of the 24 windows tested, 11 windows have their VSC reduced by more than 20% (or 0.8 times its existing value) and have a resultant value of less than 27% VSC. However, of these windows, only 1 has its VSC value reduced to less than 0.7 times its existing value, being 0.69 times, with the remainder ranging from 0.78 to 0.71 times existing values. Of the 11 affected rooms, 9 are bedrooms, and the BRE guidelines explain that daylight to bedrooms is considered to be less important. The scale of the impacts is not significant in this case.
- 40 In terms of sunlight amenity, none of the windows overlooking the proposals would face within 90 degrees of due south, so would not be required to be tested under the BRE criteria.

315-317 Camberwell New Road

- 41 Currently located on the site there is the disused snooker club, however planning permission was granted in December 2010 for the redevelopment of the site, to construct a four-storey building comprising a snooker club, commercial space and 27 residential units. Works to construct this development have not yet commenced, and a subsequent application was refused and subject to an appeal. The approved development has been assessed in accordance with the BRE criteria and the results included in the submitted GL Hearn Daylight and Sunlight Report. The redevelopment of the snooker hall site was not approved when planning permission was previously refused on this application site. Therefore the scheme was not included in the assessment of impacts upon surrounding dwellings daylight and sunlight, undertaken as part of that previous scheme.
- 42 The impacts on the neighbouring site from this proposed development would be significant. Currently of the 52 windows tested in the approved (unconstructed) development, 42 would experience a reduction in VSC to less than 0.8 times the existing value, and all of these 42 windows would have a new VSC of less than 27%. In terms of ADF, only 7 of the 23 rooms served by these 42 windows would have an ADF at the level recommended by the BRE for the particular room type. The GL Hearn report points to a number of rooms in the proposed development having their light limited by overhanging balconies, but in reality relatively few are affected by this condition. As such, it is clear that this proposed development would have a noticeable impact on the daylight enjoyed by the proposed new flats on the Snooker Hall site.

The application subject to the current appeal has not been tested, but includes basement level residential accommodation which are likely to be subject to still lower levels of natural light. The fact that this neighbouring site currently overlooks a single storey building (and in part a clear service yard) does mean that any new development over around 3 or 4 storeys would have a significant impact.

- 43 The previously refused application on 1-6 Camberwell Green was submitted in 2009, so the neighbouring landholder would have long been aware of the development aspirations for the land across the Passage. Given the location of the two sites in such close proximity across the Passage, it is inevitable that the development of the two sites, each up to its respective site boundary, would result in impacts upon the daylight and sunlight of the adjoining site. Yet the development proposals for the snooker hall site always included habitable room windows along this edge, including at ground floor level. It would be unreasonable to expect any development on the current application site to take full responsibility for the mitigation of impacts upon the snooker hall site, when the design for that approved development has not been designed to maximise the available light to rooms. It is also relevant that the approved development over the snooker hall site has not yet been constructed, and therefore once constructed, future occupiers will be fully aware of the proximity of the current application site, and the relationship between the two sites, prior to occupation of the building. There are no existing occupiers on this site that would be significantly impacted by the current development proposal, as the development has not yet been constructed or occupied.
- 44 The owner of the adjacent site has objected to this application proposal, in part because of impacts upon residential amenity, specifically overshadowing and loss of light. Whilst it is recognised that there will be loss of light to the neighbouring snooker hall site as a result of this current development proposal, there were equally concerns regarding the impacts from the snooker hall redevelopment proposal upon this application site. It was concluded in the report recommending approval of that scheme, that there was likely to be loss of light to the site to the north, but that the proximity of the two sites and the narrowness of the passage meant that impacts upon light and overlooking were inevitable. If officers required the widening of the Passage to address these impacts, this would have to be accommodated on both sides of the passage and impact both sites, and as this was not required on the Snooker Hall site, it would be unreasonable to now expect it of this proposal scheme. However the developer of this current application site, has confirmed that improvements have been sought in response to these concerns, and that the building has been slightly set back on the site, further from the snooker hall, to slightly widen the passage and reduce impacts, and the height of the development on the passage is also reduced when compared to the previously refused application.
- 45 In terms of sunlight amenity, 12 windows face within 90 degrees of due south and require assessment. The proposed scheme would not cause any change to the winter sun target values and there would only be minor impacts to 3 windows that have low values in their existing situations. Therefore impacts upon the approved developments sunlight amenity would not be significant.
- 46 Given the circumstances across the two sites, it is not considered that the impacts upon the daylight and sunlight received within the approved development scheme would warrant a refusal of this current application.

7 Camberwell Green

- 47 This property has retail units at ground level facing Camberwell Green, with residential accommodation above. There are windows in the flank wall facing the application site,

but these serve hallways and bathrooms, so are not habitable spaces which are required to be tested. Of the two windows assessed, both would have VSC levels reduced to less than 0.8 times the existing values (to 0.72 and 0.76 times existing). One of those windows, a kitchen, would also have a resultant VSC below 27%. However, the degree to which the results fall below the BRE guidelines is not significant and the property should retain light levels acceptable within an urban context. The rooms and the garden would retain acceptable levels on sunlight following the development.

8 Camberwell Green

- 48 This property lies to the south of the site, and 7 windows were assessed against the BRE criteria. Of these, only 1 had its VSC level reduced to less than 0.8 times its former value. That window is at ground floor and is likely to relate to the retail use that is visible to the front of the property. Therefore it is not considered that impacts upon this property's daylight and sunlight would be significant as a result of the proposed development.
- 49 In relation to sunlight, the target values recommended by the BRE Report would be met by all of the windows that face within 90 degrees due south and serve residential accommodation, and there would be no noticeable change to overshadowing within garden areas.

9 Camberwell Green

- 50 Of the 4 windows assessed on the upper floors of this property, there are 2 that would have VSC levels reduced to less than 0.8 times the current value (to 0.69 and 0.73 times the current value). However, both these windows serve the same bedroom, which means that the room is likely to remain well lit overall. In terms of sunlight, both the relevant rooms, and the garden area, would retain adequate levels of sunlight.

10-11 Camberwell Green

- 51 Of the 16 windows assessed at this property, only 1 room would see its VSC reduced to less than 0.8 times its current value, and in that case it would retain 0.79 times that value. This marginal transgression would not be noticeable, and overall the property would retain acceptable levels of daylight. All relevant windows would retain acceptable levels of sunlight.

12-14 Camberwell Green

- 52 The daylight and sunlight to these properties would meet all the recommended levels set out in the BRE guidelines.

Conclusion of Overshadowing and Loss of Daylight to Neighbouring Properties

- 53 The criteria set out in the BRE guidelines are not intended to be applied strictly and are not a mandatory set of regulations. Taking into account the context within which the development is set, the impacts upon existing neighbouring properties from the proposed development would be considered acceptable. The most significant impacts are to the proposed flats on the Snooker hall site at 315-317 Camberwell New Road. Given that the permission to redevelop this site has not been implemented, and a subsequent application is awaiting the outcome of an appeal, it could be afforded less weight than would be given to existing accommodation. In this case, the two proposed developments impact upon each other because of their proximity across the narrow

Camberwell Passage. The enclosure of the Passage is appropriate in townscape terms, and given that both schemes have been designed in the full knowledge of the emerging proposals on the opposite site, it would not be reasonable to refuse planning permission based solely on the impact on this unimplemented permission. Whilst the impacts are significant, these need to be weighed against the wider benefits of developing this key site within the town centre, and since the townscape response is considered acceptable, as is the density, the impacts on the daylight of an unconstructed development is not sufficient to warrant refusal of an otherwise acceptable scheme.

Privacy

- 54 Supplementary Planning Guidance for Residential Design Standards 2011 states that in order to prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve the following distances:
- A minimum distance of 12m at the front of the building and any elevation that fronts onto a highway;
 - A minimum distance of 21m at the rear of the building.
- 55 The proposed development fronts onto Camberwell Green and Camberwell New Road, as well as Camberwell Passage. Properties on the opposite side of Camberwell Green and Camberwell New Road are located beyond the required 12m distance to ensure privacy. The closest existing residential properties are located south of the site, onto Camberwell Passage. Here properties are located adjacent to the site with windows at right angles to the site. These windows would not be significantly overlooked by the proposal. There are windows for no.7 Camberwell Green which are located in its flank wall, fronting onto the Passage and the application site. The daylight and sunlight assessment submitted with the application details that these windows serve hallway and bathroom areas, and are not habitable room spaces which would require protection from adverse impacts upon privacy. Following an Officer visit to the site, it is considered that none of the windows within the flank elevation for no.7 serve habitable rooms.
- 56 As set out above in the daylight and sunlight section of this report, there is a very close proximity across the Passage between this application site, and the approved development on the Snooker Hall site. While this distance is less than the 12m ordinarily expected between facades across public highway, the distance is a natural result of the Passage arrangement, and both developments have elected to locate their building footprints close to the edge of the Passage. It would be unreasonable to require this site to step significantly away from this edge to accommodate the design of the approved development to the south that did not itself set back from the Passage. The application has been set back marginally from the site boundary, and the upper storeys along the Passage are now set well back behind the first floor garden area. As such, it is not considered that the impacts on privacy are significant within this tight urban context.

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

- 57 The development is located in an area characterised by mixed uses, with both residential and commercial properties in the surrounding streets. Therefore there would be no conflict between the existing occupiers of the area and the proposed occupiers / users of this development.

Density and quantum of development

- 58 Density is a measure of the intensity of a development, by looking at the amount of habitable rooms proposed in relation to the site area. Strategic Policy 5 'Providing new homes' of the Core Strategy describes the density range that development is expected to fall within in different parts of the borough. This is also described in saved policy 4.1 'Density of residential development' in the Southwark Plan. This development site is located within the 'urban density zone' and developments in this zone are expected to contain between 200 and 700 habitable rooms per hectare. The policy then goes on to describe that within the opportunity areas and action area cores the maximum density range may be exceeded when developments are of an exemplary standard of design. The criteria for what can be considered an exemplary standard of design, is then set out in detail within the Residential Design Standards Supplementary Planning Document 2011 (SPD).
- 59 The SPD states that for development to be considered as achieving an exemplary standard of design, and excellent standards of living, the proposal must demonstrate the following:
- i) Significantly exceed minimum floorspace standards;
 - ii) Provide for bulk storage;
 - iii) Include a predominance of dual aspect units in the development;
 - iv) Have natural light and ventilation in kitchens and bathrooms;
 - v) Exceed amenity space standards;
 - vi) Obtain Secured by Design certification;
 - vii) Make a positive contribution to local context, character and communities, including contributing to the streetscape.
- 60 This development proposal has 264 habitable rooms and 1,335sqm of commercial floorspace, which following the methodology in the saved Southwark Plan gives a density of 947 habitable rooms per hectare (based on a site area of 0.33 hectare), which is in excess of the normal density range of 200 – 700 expected in the urban density zone. Therefore it is necessary to assess the development against the criteria set out in the Residential Design Standards SPD, and this is undertaken below in the Design and Residential Quality of Accommodation sections of this report. It should be noted that the density of this current application is significantly less than the 1,269 habitable rooms per hectare of the refused scheme.

Design issues

- 61 Strategic Policy 12 'Design and conservation' of the Core Strategy requires development to achieve the highest possible standards of design for buildings and public spaces, to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. Saved policy 3.13 'Urban design' of the Southwark Plan asserts that the principles of good urban design must be taken into account in all developments. This includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape. Saved policy 3.12 'Quality in design' asserts that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive and high amenity environments people will choose to live in, work in and visit. In addition to these policy considerations, the seventh category of the criteria for exemplary design set out in the Residential Design Standards SPD (as described above), also requires that the development 'Make a positive contribution to the local context, character and communities, including contributing to the streetscape.'

- 62 The NPPF states in paragraph 129 that “*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset)*” and “*avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal*”. In relation to good design, paragraph 56 of the NPPF states that “*Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people*”.
- 63 This is a very prominent site in the Camberwell Green Conservation Area. There are a number of listed buildings the area including No. 323 Camberwell New Road and 15 and 17 Camberwell Green. No. 17 Camberwell Green is the Grade II Listed Former London County Bank, which has a prominent domed corner tower, and forms the pre-eminent landmark in the area.
- 64 The Inspector's decision dated 26 April 2011 is an important material consideration in relation to this site and the current proposal. Briefly, the Inspector dismissed the appeal primarily on the basis of the impact of the proposal on the character and appearance of the Camberwell Green Conservation Area and the quality of the proposed accommodation. The Inspector also questioned the impact of the proposed development on the setting of nearby listed buildings in the views, and the proximity of balconies to the canopy of a prominent preserved London Plane tree adjacent to the site.
- 65 Any proposal on this site will need to refer to the council's published Camberwell Green Conservation Area Appraisal. Application 12-AP-1309 seeks Conservation Area Consent to demolish the existing buildings on the site. This building does not make a positive contribution to the area, and there is no objection raised to its removal, however any replacement building will need to balance a number of conflicting demands in order to be considered acceptable. It will not only need to ‘knit-back’ the two frontages onto Camberwell Green and Camberwell New Road but also need to draw activity into and respond sensitively to Camberwell Passage.
- 66 The proposed scheme has sought to respond to the reasons given by the Inspector for dismissing the earlier appeal, as well as issues raised separately by officers. The current proposal reduces the height of the building fronting Camberwell Green by one storey to 6 storeys overall. It also reduces the height onto the Passage to 6 storeys (from 6-8 storeys in the appeal scheme). On Camberwell New Road the proposed building has been retained at the 6-storey height of the appeal scheme, which the Inspector found to be acceptable, although it no longer features a set-back to the 6th storey, so could be viewed as more prominent.
- 67 Since the appeal decision is an important material consideration, it is appropriate to consider this application in terms of the criticisms in the Inspectors report, as well as the Council's development plan. The key issues in relation to design are set out below.
- 68 The impact of the proposal on the character and appearance of the conservation area.

The Inspectors decision focused on the presence of the proposed development onto Camberwell Green and noted the importance of the Green to the character of the area. Paragraph 11 of the decision notes that the Green is recognised in the Conservation Area Appraisal as forming the core of the conservation area. The proposal forms an important part of the western frontage of the Green and is immediately adjacent to a three-storey Georgian terrace to the south.

- 69 In paragraph 25 of the decision, the Inspector notes that *“the development would be seen at its full height”* in the views from Camberwell Green *“and would appear to dominate the terrace; the relationship would seem awkward and incongruous.”* And further that: *“Whilst the appellant considers this terrace typical or ordinary, it is identified in the CAA as falling within the ‘Key Unlisted Buildings and Building Groups’.* *Notwithstanding the poorly executed shop conversions I consider the terrace makes a positive contribution to the CA.”* The Inspector is referring in particular to the way the appeal scheme extended back along Camberwell Passage in a form that would be seen in the backdrop and over the parapets of the terrace immediately to the south of the appeal site.
- 70 This proposal rises to 6 storeys across the development, but steps the main part of the building back from the Passage. In this regard, the revised proposal addresses the point raised by the inspector in the appeal decision. The inspector noted the importance of the view from the northern edge of the Green and was concerned that the singular form returning into Camberwell Passage to the rear of the site did not reinforce the edge of the Green sufficiently, and affected the diminutive group of buildings to the south of the site. Therefore the proposal can be considered much improved in this aspect.
- 71 The Inspector quotes the CAA in his consideration of the appropriate scale for the site in paragraph 13: *“The guidelines go on to say that particular characteristics which should be observed in new design include heights of three and four storeys and not less than two – noting further that in each situation buildings should remain within the range of the block of buildings on which they are sited.”*
- 72 The step back at the entrance to the Passage mediates between the proposed 6-storey height of the new development and the three-storey scale of the existing parade of neighbouring shops to the south. It incorporates a commercial active frontage on the ground floor facing the Green that also extends along Camberwell Passage, bringing much-needed activity onto this narrow thoroughfare. Entrances for future residents are located in the Passage and reinforce this part of the scheme.
- 73 The Camberwell Green elevation is articulated in five bays echoing the plot-width of the terrace to the south, whilst also reflecting a modern interpretation of the Peabody Buildings on the eastern side of the Green. The vertical hierarchy is articulated by the commercial frontages at the base, the main body of the building faced in a brick that will reflect the character and appearance of the conservation area, and a set-back metal-clad attic storey which will give the development its articulated top.
- 74 In terms of its detailed design, the proposed elevation onto Camberwell Green includes a new feature in the form of three deep recesses or ‘slots’. These ‘slots’ are intended to bring natural light and ventilation to bedrooms and are set-back over 3 metres from the face of the building and lined with light coloured brickwork. This architectural feature will give the Camberwell Green facade a deliberate and highly articulated profile. In addition, the contrast of the different colours of brickwork could help to give more interest to the facade of the building.
- 75 Officers are satisfied that in height, scale and massing, as well as in its detailed design, the revised building facing Camberwell Green addresses the points raised by the Inspector in the earlier appeal decision. It complies with saved Southwark Plan policy 3.16 in terms of its response to the character of the conservation area.

The views of the Green and the listed buildings

- 76 In paragraph 10 of the decision the Inspector states that: “*Views into and out of the Green are acknowledged as notable and the Green’s importance as a recreational space is identified.*” It goes on in paragraph 27 to state that: “*In the longer views across Camberwell Green the bulk of the development would be apparent – especially when seen from the most active part of the green to the south*”... “*This strident announcement of the bulk would contrast markedly with the nearby and more modestly proportioned historic buildings.*”
- 77 The applicants have submitted an updated version of the view from the south of the Green and it is evident that the changes in the upper storeys from the appeal scheme have improved the appearance of the scheme in this $\frac{3}{4}$ view of the Green. The set-back of the 6-storey mass of the building onto the Camberwell Passage has reduced the scale and bulk of the development in the view and reinforced the edge of the Green. This change has meant that the buildings along the Passage will no longer appear to dominate the diminutive parade of shops along the western edge of the Green.
- 78 In the view of officers, this revised proposal addresses the council’s concerns raised at the Inquiry over the scale and bulk of the scheme extending back into Camberwell Passage. Accordingly the impact of this proposal on the character and appearance of the conservation area is improved considerably and helps to reinforce the Camberwell Green frontage.
- 79 The views submitted with this application demonstrate that the revised proposal will not impact on nearby listed former London & County Bank at the corner of Camberwell Green and Camberwell New Road. This is a significant listed building in the area which the inspector noted and considered in detail. Paragraph 36 of the appeal decision states: “*I am in no doubt that this more cluttered background would detract from The Bank’s highly distinctive landmark status and would be harmful to its setting.*” The backdrop of the listed building is sensitive in the series of views approaching the Green from Denmark Hill, reinforced by the ability of the viewer to recognise and appreciate the silhouette of the corner turret and the cupola of the former Bank. The revised proposal responds to this sensitive context with the set-back at the centre of the site ensuring that the silhouette of the London & County Bank is not affected by this design.

The impact on the Camberwell Passage

- 80 The revised scheme for Camberwell Passage presents an active frontage at grade with main entrances to the residential cores and commercial units on the corners and within the Passage. This narrow historic route is well-used but is unattractive and can feel unsafe due to the inactive flanks of the commercial units currently on the site.
- 81 The active frontages and the renewed emphasis on this important local link are welcomed. Above the active frontages the proposed scheme includes an elevated south-facing communal garden flanked on three sides by flats. This revised proposal reinforces and respects the Camberwell Passage, whilst the first floor garden will give it a generous and open appearance at the upper levels.
- 82 In its architectural design, the elevation onto the Passage is more informal whilst still reflecting the character and appearance of the conservation area. Here too the base of the building is predominantly glazed with the active commercial frontages whilst the main body is in brick and the attic storey is metal-clad. Away from the busy streets and facing onto the elevated garden, the design incorporates generous balconies which will benefit from a southerly outlook.

- 83 The link between the scale of development on Camberwell Passage and the impact of the perceived bulk on the character of the conservation area is stated in paragraph 32 of the appeal decision which states that: *“Nevertheless, even were I to find the design appropriate in relation to Camberwell Passage this would not alter the fact that the scale of development along the passage is a key contributor to the perception of bulk that I have previously found significantly harmful in views from the green.”*
- 84 In the view of officers, the arrangement and massing onto the Passage as well as the revised architectural expression are a significant improvement when compared to the appeal scheme. In its proposed scale, bulk and height, the proposed development responds to the character and appearance of the Camberwell Green Conservation Area when viewed from the Green and will enhance the Camberwell Passage.

The Camberwell New Road frontage

- 85 The proposed frontage onto Camberwell New Road varies from the appeal scheme in that it rises to six storeys to the parapet where the appeal scheme was set at 5-storeys to parapet with a set-back sixth floor.
- 86 In his appeal decision, the Inspector referred to the scale of the recently consented Snooker Hall scheme to the east and accepted the proposed height of the appeal scheme, which at that time proposed height of five-storeys to the parapet, with a set-back sixth floor. The Camberwell New Road frontage of this site is remote from the Green and as a consequence it plays a different role in the conservation area. Here its role is to reinforce the streetscene and help to fill in the gap created by the set-back HSS shed currently on the site. This part of Camberwell New Road is bookended by two important buildings in the conservation area, the London & County Bank at the corner of Camberwell Green and Camberwell New Road and the Greek Church on the neighbouring site. In addition to this, the neighbouring site has a significant tree which is noted in the conservation area appraisal and this was also considered as part of the appeal scheme.
- 87 The design responds to this sensitive context. It is set back around the tree at the northern edge of the site and aligns with the street edge to reinforce the Camberwell New Road street scene and the corner into Camberwell Passage. In terms of its detailed design, the proposal presents an ordered and well mannered facade onto Camberwell New Road with a dynamic angular corner to draw the viewer into the Passage. This reflects the guidance stated in the CAA which states in 5.2 3 (point 3) that facades should *“echo the narrow module of the traditional building plot, creating strong rhythms with architectural elements along the street and expressing verticality.”*

The views of the Design Review Panel

- 88 The scheme was reviewed on two occasions by the DRP: in October 2012 after which the scheme was revised to take on board their comments before it was presented to the Panel again December 2012. In this case the DRP encouraged the designers to change the massing of the proposal and to set the building back along the northern edge of the site. The intervention of the DRP has therefore led to the improved scheme currently under consideration. The full comments provided by the DRP on the scheme prior to the scheme being revised and as currently proposed, are included in appendix 2 of this report.

Application for Conservation Area Consent (12-AP-1309)

- 89 Application 12-AP-1309 seeks Conservation Area Consent to demolish the existing

building on the site. Saved Policy 3.16 Conservation areas states that there is a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the conservation area. This building dates from the early 1980's, and although it is modestly scaled and brick-built, it does not make a positive contribution to the character of the conservation area. Provided that the replacement buildings are of an acceptable quality, and provided that the existing buildings are not demolished until a contract is in place to construct the replacement buildings, there would be no objection to the demolition of the existing buildings.

- 90 There is a requirement to formally consult English Heritage on proposals to demolish buildings in conservation areas. The response to the consultation has not yet been received, but it is considered highly unlikely that English Heritage would raise any concerns about the demolition. Therefore it is recommended that, if planning permission for application 12-AP-1308 (for redevelopment of the site) is granted, then conservation area consent also been granted for demolition, in the event that English Heritage raise no formal objection.

Quality of accommodation

- 91 Saved policy 4.2 'Quality of residential accommodation' of the Southwark Plan sets out that planning permission will be granted for residential development, including dwellings within mixed use schemes, provided that they achieve good quality living conditions. However as described above, the density of this development is beyond the normal range for the urban density zone (being 947hr/h and above the 200-700hr/h range), and therefore the requirement is not merely to meet minimum standards to achieve good quality living conditions, but to go beyond this and demonstrate an exemplary standard of design. The Residential Design Standards SPD sets out criteria by which exemplary standards will be judged. Taking each of these criterion in turn, an assessment is provided below of the proposed development.

Significantly exceed minimum floorspace standards

- 92 The proposed development includes units that have a generous total floor area, with individual rooms all complying with Southwark's residential room sizes as a minimum. Below is a table that describes the range in room sizes compared to the minimum unit size set out in Southwark's Residential Design Standards SPD 2011.

Table of Unit Sizes in Square Metres

Number of bedrooms	Minimum overall gross internal area (sqm) required in SPD	Proposed unit sizes (sqm)
Studios	36	47-52
1	50	53-60
2 (3 persons)	61	62-76
2 (4 persons)	70	78-91
2 (average)	66	70+
3 (4 persons)	74	88
3 (5 persons)	86	93
3 (6 persons)	95	96-113
3 (average)	85	90+

This is a welcome improvement in the scheme, with all units now exceeding overall minimum floor areas required by the SPD. In the previous refused appeal scheme, a number of units only just met minimum floorspace standards.

Provide for bulk storage

- 94 The scheme provides each individual unit with storage cupboards, but there is no provision for bulk storage in the development. While this is disappointing, it is not a fundamental indicator of accommodation quality, and is more an ancillary benefit to residents. Therefore the failure to achieve this feature alone would not lead to a recommendation that the application be refused.

Include a predominance of dual aspect units in the development

- 95 The previously refused appeal scheme had 56% of units with a dual aspect, which represented just over half of the units. This was not found to be reflective of a predominance of units, and this was confirmed by the Inspector in his decision on that appeal. In this current application there are 75 units (74.2%) in the scheme that benefit from a dual aspect, which represents a clear predominance of units. This has been possible due to the realignment of the proposed building, setting back from the passage, and with the inclusion of an external walkway / core to access units located to the northern boundary. This is a welcome feature arising from the design changes to the development. It is also worth noting that there are no single aspect north facing units, another significant improvement to the development.

Exceed the minimum ceiling height of 2.3 metres required by Building Regulations

- 96 All floors exceed the minimum ceiling height of 2.3m.

Have natural light and ventilation in kitchens and bathrooms

- 97 The majority of units do not include windows to bathrooms, but kitchens do achieve natural light and ventilation as they are generally open plan and benefit from windows included to living room areas.

Exceed amenity space standards

- 98 Both saved policy 4.2(ii) of the Southwark Plan and Section 3 of the Residential Design Standards SPD, state that development should provide high standards of outdoor amenity space. The SPD advises that new flat developments should as a minimum meet and seek to exceed the following standards:

- 50sqm of communal amenity space per development;
- For units containing three or more bedrooms, 10sqm of private amenity space;
- For units containing two or less bedrooms, 10sqm of private amenity space should ideally be provided. Where it is not possible to provide 10sqm of private amenity space, as much space as possible should be provided as private amenity space, with the remaining amount added towards the communal amenity space requirement. Balconies, terraces and roof gardens must be a minimum of 3sqm, and should be accessible from a communal living space (not a bedroom) to count towards private amenity space provision.

- 99 The proposed development includes approximately 516sqm of communal amenity space in the form of two roof terrace areas at first and fifth floor levels. Each individual unit also benefits from private balcony spaces or terraces between 5sqm and 25sqm

in size, with all units with 3 bedrooms having at least 10sqm of private amenity space. Therefore the scheme comfortably exceeds the minimum outdoor amenity space standards set out in Southwark's Residential Design Standards SPD.

Meet good sunlight and daylight standards

- 100 Of the total 293 rooms analysed, there are 16 rooms (or 5.5% of the total) with an ADF daylight level less than the recommended level set out in the BRE Guidelines 2011. Of these 16, there are 11 rooms that have ADF values within 0.2% of the recommended BRE level. This indicates that the difference between the recommended BRE ADF daylight level for that room, and the actual level achieved, will not be perceptible to future occupiers, and those rooms can still be described as achieving good daylight levels. There are only 6 rooms that have ADF daylight levels more than 0.2% less than the recommended BRE targets, and of these rooms, only 3 are open plan kitchen / livingrooms, and all 3 open plan kitchen / livingrooms retain ADF values of at least 1.5%. In light of the small number of rooms that do not achieve the normal BRE recommended ADF levels, and of these rooms, the small number that are open plan kitchen / livingrooms, and the fact that all open plan living / kitchen rooms achieve at least 1.5% ADF, officers are satisfied that the overall quality of daylight, on balance, is good. In relation to sunlight, of the 184 rooms with a window facing within 90-degrees of due-south and requiring assessment, 147 would meet the target BRE values for annual and winter sunlight hours using the APSH test. Of the 37 rooms where the windows would not meet the recommended guidance, 34 serve bedrooms which by their nature have less of a requirement for sunlight than lounges and open plan kitchen / livingrooms. Officers are satisfied overall with the quality of daylight and sunlight for future occupiers within the proposed development.

Have excellent accessibility within dwellings including meeting Lifetime Homes standards

- 101 The submitted Design and Access Statement sets out that the development will achieve secure by design certification and this can be secured by condition.

Minimise corridor lengths by having an increased number of cores

- 102 Cores are organised in a logical manner and efficiently, minimising the length of internalised corridors and ensuring that no more than 4 units are accessed from any single corridor.

Obtain Secure by Design certification

- 103 The submitted Design and Access Statement confirms that the development will obtain secure by design certification and this can be secured by condition.

Have exceptional environmental performance that exceeds the standards set out in the Sustainable Design and Construction Supplementary Planning Document

- 104 It is proposed to incorporate energy efficient measures into the fabric of the building that will reduce carbon emissions associated with the site by 5.34%. A CHP (combined heat and power) gas boiler will also be incorporated to reduce carbon emissions by 39.89%. In addition to this, PVs will be installed on the roof to further reduce carbon emissions associated with the operation of this development by 10.97%. A condition is recommended to ensure that these panels do not become visually obtrusive if they are steeply angled to capture sunlight from the south. The total carbon emission reductions achieved on the site will therefore exceed minimum

policy standards set out in the Core Strategy and Sustainable Design and Construction SPD.

Make a positive contribution to the local context, character and communities, including contributing to the streetscape

- 105 This criterion concerns the design and appearance of the proposal and specifically the acceptability of the proposed development, in the existing local townscape. An assessment of this is provided above, in the design section of this report. Overall it is considered that the proposed scheme would make a positive contribution to the streetscape.
- 106 Overall the quality of accommodation can be described as being good, exceeding minimum standards and demonstrating a vast improvement on the refused appeal scheme. As such it would satisfy the requirements of Southwark Plan saved Policy 4.2 'Quality of Accommodation' and the Residential Design Standards SPD.

Traffic issues

- 107 Strategic policy 2 'Sustainable transport' of the Core Strategy, requires developments to minimise their impacts upon surrounding highway networks, minimise car parking and maximise cycle parking to provide as many sustainable transport options as possible. Saved policy 5.1 'Locating developments' requires development to be appropriate to the size and trip-generating characteristics of the proposed use. Saved policy 5.2 'Transport impacts' requires developments to mitigate any adverse impacts upon transport networks and have adequate provision for servicing, circulation and access to and from the site. Saved policy 5.3 'Walking and cycling' states that development should have adequate provision for pedestrians and cyclists within the development. Saved policies 5.6 and 5.7 set out the requirements for car parking and disabled parking within developments.
- 108 The application site is located in an area with a high PTAL rating (6a), which reflects the area's excellent access to public transport. Due to the high accessibility of the site, the 'car free nature' of the scheme (notwithstanding provision for disabled spaces), is considered acceptable. However, it will still be necessary to prevent overspill parking and account for the high reliance upon public transport which this development will generate. In order to prevent possible overspill parking from the development, a condition is recommended which will prevent future residents from this development obtaining on-street parking permits. The applicant has indicated that this would be acceptable. The proposal provides two disabled parking bays as part of the application which reflects the arrangement of the appeal scheme, and the Council did not make a case that this was insufficient, and the Inspector did not conclude that this was unacceptable. It is also clear that the constrained layout of the ground floor as currently designed would not permit further provision. However, the very low level of disabled parking relative to the number of wheelchair accessible flats is likely to mean that disabled persons are discouraged from taking up the wheelchair accessible accommodation in this development. The location of the site means that it would be extremely difficult for a person to use disabled bays on street within a convenient distance. Whilst this is a serious shortcoming of the application, on balance it is not considered sufficient to warrant refusal of permission given the particular circumstances of the site and the wider benefits of the development. However, further details would be required by way of condition in order to ensure that the bays were fully accessible.

Cycle parking

- 109 The development is required to provide 124 residential cycle spaces in accordance with Southwark and London Plan requirements for 1 space for every 1 or 2 bedroom unit, or 2 spaces for all units with 3 or more bedrooms. The proposed scheme includes provision for 135 residential cycle spaces which is in excess of minimum requirements, and is a welcome feature of this car free development. In relation to the commercial floorspace, provision of 1 space per 250sqm is required, which would generate a requirement for 6 spaces, however the proposal includes 10 cycle spaces associated with the commercial units. In addition to this, there are Sheffield stands proposed in Camberwell Passage to accommodate visitors to both the residential and commercial elements of the development.

Servicing

- 110 A service management plan has been submitted with the application. This states that on a daily basis there will be 19 vehicles servicing both the commercial and residential elements of the development. All types of service vehicles likely to be associated with the proposed development can enter and exit the development in a forward gear. From the information submitted with the application it is understood that no vehicles will be stationary on the highway (Camberwell New Road), obstructing the flow of traffic while waiting to enter the development. Therefore the operation of the service access will not impact negatively on the performance and safety of the surrounding highway network.
- 111 Overall the development is considered to be acceptable in relation to traffic and highway impacts.

Impact on trees

- 112 Strategic policy 11 'Open spaces and wildlife' states that in the assessment of planning applications the council will protect woodland and trees and improve the overall greenness of places. Saved policy 3.15 Conservation of the historic environment explains that the term 'historic environment' includes (amongst other things) conservation areas and trees that contribute to the character or appearance of a conservation area. Accordingly, trees located in and around this site should be protected and preserved where they provide a valuable contribution to biodiversity and / or the character to the conservation area.
- 113 A Supplementary Arboricultural Impact Assessment Report dated December 2011 has been submitted with the application. It describes the loss of 4 trees within the site as a result of the development (labelled trees T3, T4, T5 and T6) and whether there are potential impacts upon an adjacent tree labelled T1.
- 114 A London Plane tree located on Camberwell New Road adjoining the site, within the grounds of St Mary's Greek Orthodox Church is identified as T1. This tree is concluded to be an exceptional example of the species. Between 80-100 years old, this tree has a high visual amenity with no external indications of weakness or decay.
- 115 The Inspector previously concluded that the loss of trees T3-T6 could be appropriately mitigated by replacement planting and therefore there is no objection raised to this, subject to appropriate clauses in the legal agreement securing replacement planting. However the appeal was dismissed in part due to the potential harmful impacts upon T1 as a result of the occupation of the proposed development post-construction, and therefore this current scheme would need to address this issue if it is to be considered acceptable. The Inspector in his decision on the appeal scheme stated that:-

- 116 *“The relationship of the tree with the balconies at 2nd and 4th floor levels is likely to be more problematical in that the tree could physically interfere with the use of the balconies. In these circumstances it would be much more difficult to resist requests to reduce the crown. I acknowledge that plane trees can be pruned quite severely without undue health effects and from my observations during the site visit it appears as though the tree has already been subject to some pruning of the crown. However, ‘BS 5837:2005 Trees in relation to construction – Recommendations’ notes that trees should not be retained on the basis that their ultimate branch spread can be controlled by periodic pruning. Given the importance of the plane tree I consider this a shortcoming in the building’s design. The potential for avoidable harm to a tree of acknowledge importance must weigh against the proposal.”*
- 117 The current proposal has been altered to reduce the proximity of the development to the preserved London Plane tree (T1), and the balconies for units have been relocated to avoid conflict with the canopy of the tree.
- 118 The appeal decision set aside concerns regarding damage to roots and these have been further allayed by the amendment to the proximity of the proposed building to the tree, ensuring that there is no need for piles to be inserted beneath tree T1. Therefore potential damage to the tree roots of T1 is not of concern in relation to the proposal, albeit with the proviso that any excavation must consider suitable preventative protection measures, and this can be secured by conditions attached to a grant of planning consent.
- 119 The amended proposal increases the distance between the Plane and the northern edge of the building from 8 to 10.3 metres. Having reference to aerial photos of the site, officers are satisfied that the development has addressed the Inspectors concerns relating to the location of balconies in the development and the pressure to permit pruning of the tree. Balconies no longer project from the facade and are not located beneath the canopy of the tree, therefore future occupiers will be able to use balconies without conflict with the tree.
- 120 Elsewhere, the landscape strategy shows the retention of a large Sycamore in Camberwell Passage and of two semi-mature Plane trees on the pavement at Camberwell Green.
- 121 Four semi-mature Plane trees grow within a raised bed perpendicular to Camberwell Green on the northern edge of the site. These have been repollarded at regular intervals to contain their size and effect on the brick planter. Suitable replacements are required to mitigate their loss. As this cannot be provided on site, planting is required on Camberwell Road which should be included as part of a s106 agreement. It should be noted that to conform with highways design requirements the building would need to be set back by at least 5m on Camberwell Green to provide planting along this elevation. One additional tree is shown on this frontage, to complement the two retained Plane trees, but there is a question as to whether this tree could thrive in this location. A financial contribution should be secured in the event this tree cannot be planted.
- 122 Outside communal amenity space exists at first and fifth floor level. Communal amenity green space as proposed will require ample soil volume to adequately sustain root growth, particularly for trees in combination with mature hedges and herbaceous planting. Structural design, heights and internal layouts may therefore need to be amended to cater for the substantial weight loading necessary to ensure the landscape quality aspired to can be realised.

- 123 Overall, officers are satisfied that the Inspectors reasons for dismissing the appeal in relation to tree T1 have been overcome by this proposal, and that conditions can be used to secure information regarding protective measures during construction, and requesting further details of the landscape strategy for the raised communal gardens.

Affordable housing

- 124 Strategic Policy 6 'Homes for people on different incomes' requires affordable housing in all new developments of 10 or more units. In the Camberwell Green ward, developments are required to provide a minimum of 35% affordable housing and at least 35% of the scheme should be for private housing. The draft Affordable Housing SPD 2011 acknowledges that viability may be an issue for some developments, and explains that developments must provide the maximum affordable housing that can be supported in a viable scheme, and that applications should be supported by full Viability Appraisals.
- 125 When the application was originally submitted in April 2012 it was accompanied by a Viability Appraisal. This was based on the 119 residential units proposed at that time. This appraisal was scrutinised on behalf of the Council by the District Valuers Service (DVS). The DVS concluded that the development was not viable. Despite this, the applicant did at that time offer 18% affordable housing made up of 12 social rented and 10 intermediate units.
- 126 However, the form and massing of the development, and the quality of the residential accommodation, were found by officers to be unacceptable, and substantial revisions to the application were sought. This ultimately led to a reduction in the number of units to 101 flats. To reflect this revised scheme, and address any potential changes in costs of values across the period, the applicant submitted a second viability appraisal dated December 2012. This was again scrutinised by the DVS.
- 127 The DVS reported that the inputs to the appraisal, including construction costs, residential sales values, commercial rents and land value were all reasonable, and therefore the applicant's conclusion that the scheme remained unviable was accepted. This was not surprising since the overall quantum of development was significantly reduced. However, officers sought verification of the DVS' conclusion from the Council's internal property service. This concurred with the DVS' conclusions, and following further sensitivity analysis found that sales values would need to rise significantly before a development of this nature would become viable.
- 128 However, following negotiations, the applicant has offered 16 units of shared ownership housing, made up of 6 x 2 bedroom and 10 x 3 bedroom units. This equates to 20% when measured by habitable rooms. These flats would be within Core C of the development (towards Camberwell New Road). No social rented housing has been offered.
- 129 The affordable housing offer is well below the 35% policy expectation (and does not include the expected mix of rented and shared ownership housing). However, it is much more than the Council could demonstrate could be supported within a viable development. The applicant has not brought on board an RSL partner for the development, which may have identified other options for increasing affordable housing. The London Plan, and Southwark's draft Affordable Housing SPD, does encourage early engagement with RSL's to explore ways of maximising affordable housing within developments.
- 130 The development does have the potential to benefit the regeneration of Camberwell

town centre, and to create a significant number of new homes and jobs, including construction jobs. As such, it is compliant with the NPPF. It is in a Ward (Camberwell Green) that does have a high level of social housing, as reflected in the Core Strategy policy SP6 'Homes for people on different incomes' which requires applications to provide at least 35% private housing to support a mixed and balanced community. The offer of 20% affordable housing, as shared ownership units, is compliant with the London Plan and Core Strategy in so far as it is more than can be demonstrated could be supported in a viable development. As such, it is recommended that this provision be accepted in the particular circumstances of this case.

- 131 However, this assessment is based on present day costs and values. If, perhaps as a result of successful regeneration of Camberwell, residential or commercial values were to rise, then the viability of the scheme could improve. In these circumstances, the Council would expect to see the level of affordable housing increase. Therefore, the S106 agreement should include a clause which requires a further review of viability to be submitted and agreed if the development has not been substantially commenced, and evidence of ongoing construction supplied, within 18 months of the date of any permission. In the event of a delayed start, or if construction were to cease for more than a nominal period, then the requirement for a further review would be triggered. Any additional units could be secured as rented or shared ownership housing depending on the circumstances at that time.

Dwelling Mix

- 132 Strategic Policy 7 'Family homes' of the Core Strategy requires developments with 10 or more units to provide a minimum 60% of units with 2 or more bedrooms and within the urban zone a minimum of 20% 3, 4 or 5 bedroom units.
- 133 The table below shows the breakdown of units by bedroom number in the proposed development.

Table showing unit breakdown

Bedroom no.	No. of units	Percentage (%)	Policy compliance
Studio	2	1.9	Less than 5% studios, all private tenure - complies.
1 bedroom	30	29.7	Less than 40% 1 bed and less - complies
2 bedrooms	46	45.5	68.2% units with 2 or more beds - complies; 22.7% of units with 3 or more beds - complies.
3 bedrooms	23	22.7	

The development therefore satisfies policy requirements concerning dwelling mix.

Planning obligations (S.106 undertaking or agreement)

- 134 Saved policy 2.5 of the Southwark Plan and Policy 6A.5 of the London Plan advise that planning obligations should be secured to overcome the negative impacts of a generally acceptable proposal. Saved 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 merits against relevant policy, guidance and other material considerations when assessing planning obligations.

- 135 The table below demonstrates the standard contributions generated from the Supplementary Planning Document's s106 toolkit and the contributions proposed by the applicant:

Table of Planning obligations

Planning Obligation	Amount of planning gain calculated by toolkit	Applicant contribution
Education	110,232	110,232
Employment in the development	19,683	19,683
Employment during construction	96,298	WPC to be provided on site (£96,298 payable in event of failure to provide or significant under-performance)
Employment during construction management fee	7,547	7,547
Public open space;	44,611	44,611
Children's play;	14,000	14,000
Sports	108,864	108,864
Transport strategic	68,170	68,170
Transport site specific	70,525	50,000
Public realm	95,775	In kind works (costed to £130,000)
Health	114,018	114,018
Community facilities	16,559	16,559
Archaeology	5,363	5,363
Sub total	772,402	559,047 plus works to the value of 226,298
Admin	15,448	14,822
Total	£787,850	£573,869 (£800,167 including cost of WPC and in-kind public realm.)

- 136 In addition to the above financial contributions, the applicant has agreed to provide;

20% affordable housing (shared ownership within Southwark's affordability thresholds), with a review mechanism within the S106 agreement
 An exclusion for residents from applying for on street parking permits
 3 years free car club membership to each eligible resident
 £1,000 contribution towards tree planting in the vicinity of the site.

- 137 The developer would carry out works to improve Camberwell Passage and the adjoining footways; the cost of these works is above the sum normally secured for public realm improvements through the SPD tariff for a development of this scale. The works will improve the pedestrian environment, including interchange between buses on Camberwell Road and Camberwell New Road, and as such a lower contribution for site specific transport is acceptable.

- 138 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.

139 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 school places as a result of the development, job creation during construction, 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.

140 In accordance with the recommendation, if the Section 106 Agreement is not signed by 5th September 2013, the application should be refused for the reason below:

‘In the absence of a signed Section 106 Agreement, there is no mechanism in place to avoid or mitigate the impact of the proposed development on the public realm, public open space, health care service, the transport network, and employment and the proposal would therefore be contrary to Policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan’.

Mayors Community Infrastructure Levy (CIL)

141 The Mayor’s CIL came into effect in April 2012 and 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 Central London and will be prioritised over all other planning obligations. The levy against the proposed development is indicated to be in the region of £252,872.

Sustainable development implications

142 The National Planning Policy Framework (NPPF) sets out that the purpose of the planning system is to contribute towards the achievement of sustainable development. Sustainable development is described as consisting of three broad dimensions, economic, social and environmental. The economic and social implications from this proposed development are covered in greater detail above. In relation to environmental implications of development, section 10 of the NPPF ‘Meeting the challenge of climate change, flooding and coastal change’ describes the key role that planning has in securing radical reductions in greenhouse emissions, providing resilience to the impacts of climate change and supporting the delivery of renewable and low carbon energy and associated infrastructure. Southwark’s Core Strategy sets out the approach to achieving sustainable development in the borough in Strategic Policy 1, describing that development will be supported if it meets the needs of Southwark’s population in a way that respects the limits of the planet’s resources and protects the environment. Strategic Policy 13 ‘High environmental standards’ then sets out how this can be achieved, by requiring development to meet the following targets:-

- Residential development should achieve at least Code for Sustainable Homes

Level 4;

- All other non-residential development should achieve at least BREEAM 'excellent';
- Major development should achieve a 44% saving in carbon dioxide emissions above building regulations from energy efficiency, efficient energy supply and renewable energy generation;
- Major development must achieve a reduction in carbon dioxide of 20% from using on-site or local low and zero carbon sources of energy;
- Major development must reduce surface water run-off by more than 50%;
- Major housing developments must achieve a potable water target of 105 litres per person per day.

Southwark's sustainable design and construction supplementary planning document also provides further guidance on how to incorporate sustainable design and construction methods into development.

- 143 A sustainability statement and energy strategy report dated April 2012; both produced by MTT sustainable building services solutions, have been submitted with the application. The sustainability statement describes that it is possible for the residential part of the development proposal to achieve a code for sustainable homes level 4, although the pre-assessment has currently scored it at Level 3 or better. The statement also describes that the commercial element is capable of achieving BREEAM 'very good'. It will be necessary to attach conditions to require the minimum standards of code for sustainable homes level 4 and BREEAM 'excellent' to be achieved in the development, and some internal design changes will be required to the fit out of the commercial units to achieve an 'excellent' rating. However as it is possible to request the achievement of BREEAM 'excellent' and level 4 by condition, officers are satisfied that the failure at this stage should not form a reason for refusal, and that the required alteration to the commercial units will not fundamentally or materially alter the scheme as currently designed.
- 144 The submitted energy strategy has applied the London plans energy hierarchy, including measures to reduce carbon emissions associated with the operation of the development. Policies within the London Plan and Southwark's Core Strategy require developments to apply the Mayor's Energy Hierarchy. The 'Hierarchy consists of applying the following measures into the development as a consecutive set of principles:-
1. Be Lean – use energy efficient design to reduce the need for energy in the operation of the development;
 2. Be Clean – use on site low carbon energy generation, including the use of Combined Heat and Power Systems; and lastly
 3. Be Green – incorporate renewable energy technologies into the development.
- The premise of the Energy Hierarchy is to reduce the need for energy within a development in so far as is possible, before applying measures to deal with the remaining (reduced) energy demand from low and zero carbon sources.
- 145 Energy efficiency measures in the development will reduce carbon emissions by 5.34%, and the inclusion of a gas fired combined heat and power system (CHP) will further reduce the carbon emissions associated with the development by 39.89%. It is also proposed to incorporate PVs on the roof of the development, providing a further reduction in carbon emissions of 10.97%. While the total reduction from renewable technologies alone does not amount to 20% set out in policy, the strategy provides an adequate investigation of available renewable technologies and demonstrates that the 10.97% from PVs is the maximum feasible carbon reduction that can from renewable energy technologies on the site.

Other matters

Noise and Air Quality

- 146 The site is subject to high levels of noise and poor air quality, reflecting its position on a major strategic road. The applicant has submitted air quality and noise reports which suggest mitigation measures such as highly insulated glazing and mechanical ventilation. Environmental Protection have raised no objection to the proposal subject to the imposition of appropriate conditions.

Conclusion on planning issues

- 147 The development would make efficient use of an urban brownfield site, and support the regeneration of Camberwell Town Centre. It would bring active frontages to Camberwell Green and Camberwell New Road, and importantly, bring activity and environmental improvements to Camberwell Passage, making this well-used route feel safer and more attractive.
- 148 The scale has been reduced significantly from the scheme which was subject to the dismissed appeal, and during the course of the application the arrangement and design has been further amended to better reflect the role of the site within the conservation area, and to improve the relationship with Camberwell Green and Camberwell Passage. The scale and design are now acceptable, not dominating nearby Listed buildings, and allowing the turret of the former London and County Bank building to retain its prominence in important views from Denmark Hill. The significant Plane tree on the neighbouring site on Camberwell New Road is suitably protected, and will continue to be able to thrive.
- 149 The development would provide 101 housing units in a policy compliant mix of unit types, and with sizes which exceed the expected standards. The affordable housing provision is limited to 20% shared ownership units (16 two and three bedroom units). This is below the policy expectation of 35%, but the level exceeds that which could be supported within a viable development. As such, the provision is considered to be acceptable in the specific circumstances of the scheme, subject to the S106 agreement containing a requirement for a further viability review in the event that the development is not substantially commenced within 18 months of the permission.
- 150 The impact on neighbours is found, on balance, to be acceptable. There are some impacts on the daylight received by existing neighbouring properties, but none of these are significantly adverse. The impacts on flats within the approved development at the adjacent Snooker hall site on Camberwell New Road are more severe. However, given that both these developments have been designed in the knowledge of the development potential of the adjoining site, and the Snooker hall permission has not been implemented (and indeed a subsequent application is now subject to an appeal), it is not considered reasonable to refuse permission on these grounds.
- 151 The development would mitigate its impacts through works and contributions secured in the S106 agreement, including to the public realm, reflecting that a largely car-free development would increase pressure on public transport and pedestrian and cycle routes. It is a high density scheme, but policy would support efficient use of sites in this kind of highly accessible location. Given the overall potential for the mix of uses to support the regeneration of Camberwell Town centre, and the compliance with the NPPF objective of supporting sustainable development, it is recommended that planning permission be granted subject to the timely completion of a S106 agreement.

- 152 The related Conservation Area consent, required to demolish the existing buildings on site, should be granted since the buildings are of no architectural or historic value, and do not positively contribute to the character of the conservation area. The issue of the consent is subject to no objections being raised by English Heritage.

Community impact statement

- 153 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.

a) The impact on local people is set out above.

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultation

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

Consultation replies

- 155 Details of consultation responses received, including the DRP reports, are set out in Appendix 2.

Summary of consultation responses

- 156 5 letters of objection were submitted in relation to the original consultation, and 2 additional objections in relation to the reconsultation on the revised application. The main issues raised relate to the scale and design of the development, expressing a view that although the proposals are an improvement on the refused scheme, and the revised scheme further improved the development, it remained out of character with the conservation area. Other issues raised include construction disturbance, noise, transport issues and impact on amenity (daylight and outlook).

Human rights implications

- 157 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.

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2029-L Application file: 12/AP/1308 Southwark Local Development Framework and Development Plan Documents	Deputy Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5597 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received (including Design Review Panel reports)
Appendix 3	Images
Appendix 4	Recommendation item 6.1
Appendix 5	Recommendation item 6.2

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Yvonne Lewis, Group Manager, Major Applications Team	
Version	Final	
Dated	21 June 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	No	No
Director of Planning	No	No
Strategic Director of Environment and Leisure	No	No
Date final report sent to Constitutional Team		21 June 2013

APPENDIX 1

Consultation undertaken

Site notice date: 03-07-2012

Press notice date: 07-06-2012

Case officer site visit date: Various over previous 2 years.

Neighbour consultation letters sent: 31-05-2012

Internal services consulted:

Archaeology Officer
Urban Forester
Property and Regeneration
Public Realm
Transport Group
Waste Management
Environmental Protection Team

Statutory and non-statutory organisations consulted:

Metropolitan Police
Environment Agency
London Fire and Emergency Planning Team
London Borough of Lambeth
Transport for London

Neighbours and local groups consulted:

Camberwell Working Party

3643 letters sent to occupiers on the following streets surrounding the site:-

Medlar Street, Camberwell New Road, Dunnage Crescent, Camberwell Road, Dagmar Road, Belham Walk, Kimpton Road, Bullace Row, Benhill Road, Camberwell Green, Mary Datchelor Close, Broome Way, Harvey Road, Lomond Grove, Wren Road, Denmark Hill, Camberwell Station Road, Grove Lane, Elmington Road, Camberwell Church Street, Mornington Mews, Vicarage Grove, Valmar Road, Deynsford Road, Artichoke Place, Benhill Road, Kimpton Road, Warner Road, Brisbane Street, Comber Grove, Knatchbull Road, Hodister Close, Flodden Road, Tillings Close, Pearson Close, Picton Street, Coldharbour Lane, Don Phelan Close, Badsworth Road, Milkwell Yard, Hopewell Street, Sansom Street, Jago Walk, Brunswick Park, Jephson Street.

Re-consultation:

Re-consultation sent to all residents that made representations on 03/09/2012 – reduction in the number of residential units proposed and changes to the design.

Site Notice with revised description 06/09/2012.

Press notice with revised description 06/09/2012.

APPENDIX 2

Consultation Responses Received

Internal services

Transport Team

Raise serious concerns about the proposed development because it does not conform with Policy 5.8 due to an under provision of parking for disabled residents - the 2 spaces are a serious underprovision in relation to the 12 required wheelchair flats, and it will not be possible for any disabled resident to find an on street disabled parking space within any convenient distance of the site. Also contrary to Policy 5.3 due to the suggested provision of cycle parking failing to meet the requirements of being convenient for all users.

[Case officer response: - The previous scheme contained the same disabled parking and cycle parking provision as this current proposal, and therefore there is actually a higher ratio of both disabled parking and cycle spaces to residents, given the reduction in units. The previous application was not refused on the basis of underprovision of disabled parking, and as such, this issue never formed a ground for refusal or point of discussion in the previously refused appeal scheme. Although the lack of sufficient disabled parking is likely to discourage take up of the wheelchair units, and this is a serious shortcoming in the application, it is not considered reasonable to refuse permission on this basis given the wider benefits of the development]

Urban Forester

The resubmitted proposal changes the extent of the first floor canopy over the service yard and proximity to the large protected London Plane tree.

The appeal decision set aside concerns regarding damage to roots and these have been further allayed by an amendment to the proposed canopy attached to the boundary wall with the Church, whereby no piles are required for insertion beneath that of the tree.

Damage to tree roots does not therefore represent a reason for refusal or a constraint to development, albeit with the proviso that any excavation must consider suitable preventative protection measures.

The amended proposal increases the distance between the Plane and the northern edge of the building from 8 to 10.3 metres. Historical very minor shortening of the crown extremities is noted on a few selected limbs and future pruning can be controlled via applications to work on the tree which is protected by reason of a TPO.

Elsewhere, the landscape strategy shows the retention of a large Sycamore in Camberwell Passage and of two semi-mature Plane trees to the front of Camberwell Green.

Four semi-mature Plane trees grow within a raised bed perpendicular to Camberwell Green. These have been repollarded at regular intervals to contain their size and effect on the brick planter. Suitable replacements are required to mitigate their loss. As this cannot be provided on site planting is required on Camberwell Road which should be included as part of a s106 agreement. It should be noted that to conform with highways

design requirements the building would need to be set back by at least 5m on Camberwell Green to provide planting along this elevation. Alternative locations may therefore need to be agreed. Tree protection should take into account the proximity of scaffolding and potential for damage during construction.

Communal amenity green space as proposed for first, fifth and sixth floors will require ample soil volume to adequately sustain root growth, particularly of trees in combination with mature hedges and herbaceous planting. Structural specifications will therefore need to be confirmed which can cater for the weight loading necessary to ensure the landscape quality aspired to.

Overall, the application has been revised to relocate balconies away from the canopy and the proximity to the tree has also been increased in distance. These are the only matters raised by the Inspector in his decision to uphold the council refusal of the previous application, and therefore the alterations have addressed the reasons that resulted in the dismissal of the appeal

Statutory and non-statutory organisations

Transport for London

No objection, suggest conditions:

- Request a Construction Logistics Plan and Construction Method Statement, prior to commencement on the site. To safeguard the operation of the TLRN and local bus services during the construction phase;
- Suggest a Delivery and Servicing Plan is prepared prior to occupation of the site to help manage deliveries to site and ensure this can be accommodated within encroachment on the operation of the TLRN;
- Welcome the level of proposed cycle parking on the site and request that it is designed to a suitable standard ensuring it is secure, safe, sheltered and routes to and from the adjacent highway are direct and clear as well as safe;
- It is noted that the site is adjacent to TfL's Bus Garage, which operates 24 hours a day 7 days a week. Therefore the design of the residential element of the proposals, particularly noise insulation and ventilation, should be of a standard that does not lead to complaints from the new residents and protects them from current noise generated by the bus garage;
- A license is required for any scaffolding that oversails or encroaches on the footway or carriageway of the TLRN or the adjacent bus garage.

Further response following reconsultation:-

- Upon further observation, the existing crossover is in poor condition and as a result, TfL request that a Section 106 planning condition / obligation is imposed to require that the developer enters into a Section 278 agreement under the Highways Act 1980 with TfL to undertake works to improve the existing access.

Subject to the agreement of the above, TfL are content that the above application would have no adverse implications upon the operation of the TLRN.

[Case officer response: - The legal agreement will include provision for this request.]

London Borough of Lambeth

No objection.

Environment Agency

- No objections subject to conditions being put in place concerning land contamination.

Design Review Panel

First review, 7 October 2012:

The Panel thanked the applicant for their presentation which had prompted a lively and energetic debate. The difficulty for the Panel is that this is subject to a current application which they are not able to endorse at this stage. The Chair noted that presentation lacked architectural detail; of the six boards that were presented only 2 boards were relevant to the current application – the remainder referred to earlier designs which were the subject of previous applications and an appeal. The Panel felt the information presented was inadequate. Notwithstanding this they found the scheme unacceptable and had significant concerns about the scale and massing of the proposed development especially onto the Camberwell Passage, the public realm, the composition of the facades and the standard of accommodation for future occupiers including the quality of the north facing communal courtyards.

Firstly the Panel's set out the design expectation for this scheme. As substantial development located at the heart of an important conservation area, within the setting of a number of listed buildings, extending between two main roads and fronting onto Camberwell Green, it is expected to take on a civic role and to be of exceptional quality of design. To fulfil this important civic role the development should, in the first instance, reinforce, respect and compliment the historic context especially the two important frontages onto Camberwell Green and Camberwell New Road, respond sensitively to the narrow Camberwell Passage and create an attractive place to live and visit. The Panel felt the form of the development and the quality if the design failed to do this and instead overwhelmed the Camberwell Passage frontage the lower-scaled group of buildings to the south, failed to reinforce the frontage onto Camberwell Green and lacked architectural composition and articulation.

Next the Panel considered the public realm proposals for the scheme including the two street frontages, the Camberwell Passage and the elevated communal amenity spaces. The architects had not presented their proposals for the public realm in detail. This should have been done with landscape plans or with accurate visualisations. Notwithstanding this the Panel felt this important aspect of the scheme had been overlooked and stressed that, in this urban context, the public realm needs to be carefully considered to better reflect the historic character of the area and will require high quality fixtures and finishes. Further, the scheme relies on podium gardens which are largely raised from the ground with the most convenient spaces being predominantly north-facing. This is a significant concern for the Panel and will affect the quality of accommodation provided.

The Panel felt the current 'F' shaped arrangement and massing was an inappropriate compositional strategy for the site. The Chair referred to the views from Camberwell Green and Camberwell New Road and felt the form of the design failed to give these streets an appropriate edge because the more dominant face of the development was the long facade extending along the Camberwell Passage. The Panel felt the development needed to be sub-divided into separate 'frontage buildings', at either end of the site facing onto Camberwell Green Camberwell New Road. These frontage buildings should contribute to the urban legibility of these two street frontages. The Camberwell Passage requires a different response, one that is visually separated from the buildings onto Camberwell Green and Camberwell New Road and allows them to perform their role as frontage buildings.

When the Panel considered the internal layouts they found them to be dominated by overly long internalised corridors with double-banked accommodation which would result in too many flats having a single aspect. They were not able to review the internal layouts of each flat but retained significant concerns over the quality of accommodation due to the lack of dual aspect units provided. In relation to the

recessed slot feature used around the site they concluded that it cannot be considered to offer the affected units a true second aspect and they questioned its effect on the urban design of the scheme. They felt that the deep recesses on the Camberwell Green frontage would interrupt the strong sense of urban enclosure that the historic frontages established.

Finally, the Panel felt the detail and the composition of all the facades lacked quality and conviction. They referred to the expectation for a high quality design and found that the elevations, with their variety of materials, features and proportions, coupled with the inappropriate scale and massing did not convince them that the design will be good quality in this historic context. They were not able to endorse the architectural expression of the scheme and found the design as presented in the elevations and the CGIs overly complex and inappropriate in this sensitive context. In particular they felt the scheme lacked legibility at the street level with front doors that were poorly expressed and did not relate to the building they were serving or the important street frontages. This disjuncture between the public frontages at the ground floor and the arrangement of the main components of the development resulted in a poor design which they could not support.

In conclusion the Panel found the scheme to be unacceptable in architectural design and were unable to endorse the urban design approach. They raised significant concerns about the scale and massing, the public realm, the composition of the facades and the standard of accommodation of the proposed development. They challenged the architects and the client to review this scheme and re-design the approach to address these concerns.

Second Review: 11 December 2012:

The Chair thanked the applicants for presenting to the Panel and recognised the hard work that the designers had put into the scheme. The presentation included plans and elevations of the proposal in its context as well as a number of rendered views. The DRP noted the views of the earlier Panel and felt they had gained a full understanding of the issues. This is an important site at the heart of a conservation area and, while they were satisfied with revised arrangement and massing on the site they, raised questions of detail in relation to the design of the ground floor, the two primary street frontages, the quality of the Camberwell Passage facade and the articulation of the attic storey which they wanted the designers to address.

The Panel felt the scheme was broadly travelling in the right direction but felt the principle street facades were overly fussy. They felt the scheme could benefit from a simplification of the facade treatment. The design needs to strike a better balance between horizontal and vertical. They felt that the Camberwell Green frontage emphasised the vertical when it should reintroduce the horizontal. They questioned the introduction of the interrupted corbelled banding and they asked the designers to re-consider this especially as its use is not consistent across the elevations and appears tentative.

When they considered the two street frontages they questioned the detailed design. On the Camberwell Green frontage they raised questions over the deep recesses which subdivide this facade. They felt the details of the balconies and the recesses – as shown on the CGIs – were poorly articulated and lacked finesse and will require further detailed analysis. On the Camberwell New Road frontage the Panel felt the design was less successful. The curved treatment of the north-west corner of the building would be a bold architectural feature but only if the curve was reflected in the glazing and not if this was faceted. They felt this was creating a problem which it did not intend to resolve.

On the ground floor the Panel welcomed the active frontages arranged along the principle frontages including the Camberwell Passage. They questioned the large areas of brickwork in the design and encouraged the architects to follow the design of the adjacent existing shop fronts which are largely glazed with the solid facade of the building appearing to 'hover' over the shops. This could be done simply by removing the brick panels and creating a continuous shop front that is interrupted only by the columned structure of the horizontal building floating above it. In addition, they felt the brick framing of the residential entrances was crude and did not allow for light to enter the entrance halls.

The Panel welcomed the design onto Camberwell Passage. However they noted that they were not able to comment on the qualities of the elevated courtyard because a cross section of the development was not presented to them as requested by the earlier Panel. They questioned the design of the balconies and the inclusion of slot windows. They felt the balconies could become more a part of the architecture of the building rather than simple 'bolt-on' features. Added to this, due to their proximity, projecting balconies would need to incorporate screening devices to protect the amenity of future residents. The Panel felt the design of the balconies should be re-considered and either be inset into the building or become stronger, framed features of this important facade.

The Panel noted that the designers had not presented the north elevation. This is an important facade of the scheme and overlooks the church and bus depot to the north. They felt certain aspects of needed to be defined including the galleried access to the rear of the central section of the building as well as the fenestration to the north. They encouraged the architects to consider this more carefully and find out more about galleried access design especially as the plan appears to include windows to bedrooms from the gallery.

The Panel felt the ground floor plan lacked clarity and could benefit from a fourth core offering a front door to the development from Camberwell Green. They questioned the servicing crossing over of private and commercial functions currently proposed and encouraged the designers to re-consider the distribution of the large footprint retail relative to the remaining commercial space. The Panel felt an additional core on the Camberwell Green building could limit the length of corridor which is currently completely internalised and lacks natural light.

When they considered the attic storey, the Panel felt this feature lacked refinement. This is a prominent feature of all the elevations, especially on the Camberwell Green frontage where the set-back at the top floor coincides with a step forward in the facade to reveal the attic storey in full. Further, this predominantly metal-clad feature is prominent on the Camberwell Passage elevation where it is not set-back. This feature appears heavy and overly dominant in its current design. The Panel felt the attic storey should become lighter with more glazing to reduce the expanse of metal cladding and give it an appropriate top.

In conclusion, they felt the scheme is much improved since it was last presented to the Panel. They felt the arrangement of the buildings on the site and the distribution of built mass were sound and they questioned the detail of the scheme especially in relation to the design of the facades, the arrangement and design of the ground floor and the articulation of the attic storey. They challenged the architects to revise the detailed design of the scheme to address their concerns before a planning decision can be reached.

Neighbours and local groups

5 responses in objection to the proposal in relation to both applications 12-AP-1308 & 12-AP-1309

The Camberwell Society

- An improvement on previous iterations but still not worthy of this prominent site. The reduction in scale compared with previous versions, and the creation of a more active Camberwell Passage frontage are both welcome and appropriate for the location. However the Camberwell Green and Camberwell New Road frontages lack the visual continuity required of convincing shopping streets. Some of the rooms particularly bedrooms and kitchens have either no natural light at all, or are set back too far into the plan for adequate natural lighting to be provided for those rooms.

15 Flodden Road

- Ask that any buildings on Camberwell New Road be set back from the road;
- The existing flats at 295, 295a, 297 Pearson Road are hard up onto the road and dominate the street;
- With the new flats being built opposite 307-311 Camberwell New Road, there is not only a danger of wind tunnels being created, but also the feeling as one walks down the road, of not being able to see the sky and of living in a concrete jungle, which would be oppressive;
- 6 storeys is too tall;
- Concern that ground floor shops will not be occupied, the ones on Wyndham Road are still unlet and are boarded up with grills looking like a Third World Country;

1 Dagmar Road

- Compared with the previous application that was refused, there is some improvement in height, which has been reduced;
- However remains a very large building, and Camberwell Green is not a large place, it will be dominated by such a development. More could be done to harmonize the new structure with the existing building;
- Disagree with the statements made in the Design and Access Statement;
- The scale of all the architectural features is too large;
- Horizontal lines dominate, whereas in the surrounding buildings vertical lines dominate; A major contributor to this is the individual windows, which are mostly wider than they are high;
- A powerful contributory factor is the use of wraparound windows;
- The design is characterized by haphazard irregularities that break such vertical lines as there are;
- It would be an enormous shame if a building so contrary to what is desirable on the site should be permitted.

308C Camberwell New Road

- Building work of one sort or another has been going on in this area for a very long time without any consideration whatsoever for the residents;
- The Bus Garage redevelopment has only just finished after more than a year and the block of flats on the old petrol station site on the New road is yet to be

finished;

- For as long as one can remember, the entire area has been turned into one vast building site, noisy, unpleasant, deeply disruptive – and, one might conclude, poorly planned;
- A moratorium should be called on building work to allow people to recover some semblance of equilibrium;
- A modest space of a few weeks between building works, demolition etc. would be acceptable;
- Object to the council's policy of tacitly countenancing the engineering and encouragement of decay as a means to launch spurious regeneration projects. There is a self-fulfilling, self-reproducing mechanism at the heart of this policy whereby

a) building is allowed to be vandalised and / or rot;

b) building then has to be destroyed;

c) building becomes a ruin or building site for as long as property developer decides;

d) new building is announced as not merely desirable but necessary to make the area look better.

No address

- The redevelopment proposals including the facilitating demolition works should be refused;
- The development is out of character with the scale of the adjacent conservation area;
- The proposed site lies within the redefined Camberwell Town Centre, the primary use, i.e. the high density residential accommodation is not compatible with providing for a sustainable town centre;
- The long lease length, upwards of 99 years for residential property, means that the commercial, leisure and retail functions which are vital for a sustainable town centre are being replaced with a fixed residential use;
- There are recently approved residential uses surrounding;
- The site should have a planning brief.

315-317 Camberwell New Road (O'Loughlin Leisure Jersey Limited)

- The revised application has not addressed the issues set out in the Inspectors Report and Decision Letter of an appeal for development of the same general character and description. More specifically the precise scale, form and nature of the development proposed;
- Query why the applicant has not approached to discuss the proposals, particularly during its preparation, given the site lies immediately adjacent;
- Consider the overall design, scale and siting to be unacceptable and out of keeping with the immediate and surrounding residential development. It is acknowledged that in this case also, the proposals need to preserve or enhance the character and appearance of the Camberwell Conservation Area and also to protect the setting of nearby listed buildings;
- In longer views the roof form would be apparent and despite the set-back, the eye would not be fooled. The development would be seen at its full height and would appear to dominate the terrace. The relationship would seem awkward and incongruous;
- While the design is considered appropriate in relation to Camberwell Passage this would not alter the fact that the scale of development along the passage is a key contributor to the perception of bulk that is considered significantly

harmful in views from Camberwell Green. The previous concern over the scale of development within the passage remains;

- In longer views across Camberwell Green, the bulk of development would be apparent, especially when seen from the most active part of the Green to the south. From here, the building, and particularly, the central finger, would dominate these views. The strident announcement of bulk would contrast markedly with the nearby and more modestly proportioned historic buildings. In particular, the three and four-storey terrace would appear dwarfed against the backdrop of the proposed building;
- It is recognised that Camberwell is a dynamic urban area and whatever form of development is adopted, it is agreed that buildings should have strong frontages onto the principal roads. Nevertheless, the development proposed does not reflect the scale of the buildings that frame Camberwell Green. In particular the neighbouring buildings and developments on Camberwell Green;
- There is no doubt that the proposal would compromise the visual amenities of surrounding residents through its unacceptable siting, scale, design, and loss of back garden land. There would also be noise concerns;
- The considerable number of vehicular movements associated with the proposed dwellings would harm the residential amenities of the occupiers of neighbouring properties in terms of increased levels of noise and associated general activity;
- The proposed development would not provide the exemplary standard of design given the siting, scale, design, height and bulk of the proposal represent an inappropriate and visually obtrusive form of overdevelopment that would harm the character and appearance of the site and area in general, and the visual amenities of surrounding residents;
- The Government's support for economic growth and the development is clear. However, it is recognised that such growth and development must be sustainable. The proposed development would conflict with the key sustainability principles, and the benefits of the development would not be sufficient to outweigh the identified harm.

3 responses in support in relation to both applications 12-AP-1308 & 12-AP-1309

9 Arnot House

- They should make it child friendly, with parks for kids play and to keep children active, apart from that, very positive and fully support this application as a means of progress for the community.

No address given

- The application is a laudable idea to pursue, therefore recommend that the plan should go ahead.

Flat 2, Block E, Camberwell Green Estate (2 responses received under each reference)

- Support the application. The building proposed should provide better enclosure of Camberwell Green, add positively to the values of the Camberwell Green conservation area, provide valued additional residential and commercial space in Camberwell and provide needed additional demand for local shops and services. However, there are three matters we would like to see made the subject of conditions of consent;
- The development proposes 10 cycle parking spaces for the commercial part of the development. This is not in conformity with the London Plan standards, despite the statement to the contrary in the transport statement;

- The development proposes no creation of any new public rights of way within or adjacent to the site, which implies that the proposed additional widths for Camberwell Green and Camberwell New Road footways and the Camberwell Passage footpath are not to be dedicated as public rights of way;
- The development proposes that Camberwell Passage be resurfaced. While this is welcome, it implies that the existing paving materials, which are of high quality and add to the local character of the conservation area, would be lost or destroyed. This seems wasteful and unnecessary as most of the paving slabs are not in a poor condition, but simply exhibit interesting patterns of wear. The uneven surface and levels of the passage is, however, a problem, particularly for pedestrians with mobility difficulties. I would therefore like to see the existing Camberwell Passage paving slabs lifted and re-laid on a more even base, with patching with new natural stone slabs only where the existing slabs are in too poor a condition to reuse. The life of many of the existing paving slabs is likely to be able to be significantly extended by re-laying them the other way up (with the existing worn side face down into the basecourse).

Reconsultation responses in relation to both applications 12-AP-1308 & 12-AP-1309

1 Dagmar Road – second response

- By and large the changes can be seen as improvements over what was proposed before, but the development remains very unattractive and out of keeping with the Camberwell Green conservation area and should not be permitted.

No address – second response

- Reference to consultation documentation ‘Camberwell SPD – Vision & Issues Paper’;
- The application is within the area designated as the district town centre;
- The current application does not address the issues of Town Centre development or address the importance of keeping and maintaining a District Town Centre which is able to adapt to changes in social, retail and leisure demand;
- By allowing a change of use to substantively residential the future of the Town Centre will be compromised. Residential leases are for a minimum of 100 years and longer, this effectively prevents any subsequent change to new, better or more sustainable uses;
- Allowing the ground storey to have no residential use does not alleviate the issue as it does not allow the flexibility to deal with a variety of alternative possibilities and the problems of noise, deliveries and licensing;
- This application is a cynical attempt to maximise the development value by means of change of use to residential, there is already significant residential development approvals in the area around the Green and it should be noted that primary school places in Camberwell catchment area are already over subscribed and have required Southwark to commission additional class provision in several of the local schools.