

Item No. 7.3	Classification: Open	Date: 3 September 2018	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 17/AP/4596 for: Full Planning Application Address: NYES WHARF, FRENHAM STREET, LONDON, SE15 6TH Proposal: Demolition of existing buildings and erection of mixed-use scheme comprising 1,193sqm Class B1 floorspace at ground and mezzanine levels; with 153 Residential units (Class C3) above in a building ranging from 9 to 18 storeys (max height 56.202m) with hard and soft landscaping including a new park and associated infrastructure works, including three disabled spaces and cycle parking. (This application represents a departure from strategic policy 10 'Jobs and businesses' of the Core Strategy (2011) and saved policy 1.2 'strategic and local preferred industrial locations' of the Southwark Plan (2007) by virtue of proposing to introduce residential accommodation in a preferred industrial location).		
Ward(s) or groups affected:	Old Kent Road		
From:	Director of Planning		
Application Start Date 15/12/2017		Application Expiry Date 16/03/2018	
Earliest Decision Date 04/02/2018		Time extension agreed until 8 March 2019	

RECOMMENDATION

1. That planning permission be granted, subject to conditions and following the completion of a s106 agreement by no later than 8 March 2019 and subject to the referral to the Mayor of London.
2. In the event that the s106 agreement is not completed by 8 March 2019, that the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 162 of this report.

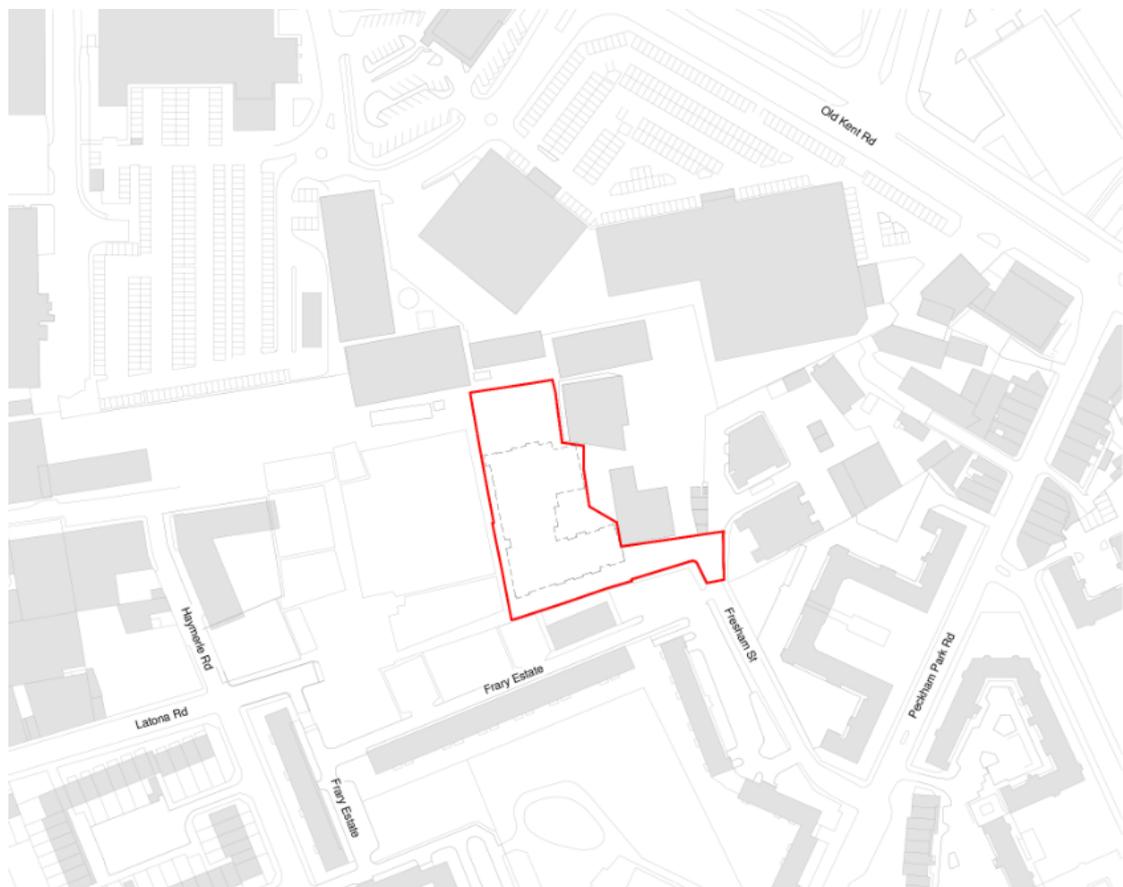
BACKGROUND INFORMATION

Site location and description

3. The site is an irregular shaped plot of land which has an area of 0.3 hectares. It was previously in use as a coach depot (sui generis use class) until 2016 and remains in use for the ad hoc storage and maintenance of vehicles in association with vehicle recovery.

4. The site currently comprises a number of poor quality buildings around a large area of hardstanding. On the southwest boundary is a double height vehicle maintenance building. On the southern boundary of the site are temporary single and two storey porta cabins. On the eastern boundary there is a single storey prefabricated accommodation building as well as another two storey porta cabin.
5. The site was historically used as a wharf for the loading and storage of timber, with the former Surrey Canal that passed the northern edge of the site transporting the materials. In the 1970s, the Surrey Canal was filled in.
6. The site has a single vehicular and pedestrian access off Frensham Street.
7. There are no trees on the site. The site does not lie in a conservation area, nor is it within the setting of a listed building.

Existing site plan



8. The site is surrounded on three sides by light industrial and commercial buildings. To the east is the Travis Perkins builders' merchants. Further to the north is the Cantium Retail Park which includes B&Q, Halfords and Pets at Home. The route of the former Surrey Canal is adjacent to the northern boundary of the site. To the west is an open storage yard area. The southern edge of the site backs onto the rear of the single storey Unwin and Friary Tenants Association Hall. Beyond this is Ednam House, a brick built seven storey residential building which is part of the Friary Estate.
9. Historically, the immediate surrounding area has been primarily industrial and commercial in use with residential housing buildings to the south. However, the area

will be undergoing transformation in the coming years, with a number of mixed use development schemes coming forward for redevelopment in line with the aspirations of the Old Kent Road Opportunity Area. One of these includes the Berkeley Homes Malt Street scheme which was submitted in July 2017 but has not yet been determined. The Malt Street site surrounds the site to the east, north and west.

Details of proposal

- The scheme is for the demolition of all of the existing buildings and structures to allow for a mixed use redevelopment of the site.

Land uses

- The scheme comprises a total of 1,193sqm of Class B1 commercial floorspace at ground and mezzanine levels and 153 residential units in a 'C' shaped building ranging from 9 to 18 storeys.

Table – employment provision

	Existing (sqm)	Proposed (sqm)	Difference
Class B8	757.3 portacabins 2,242.7 yard		
Class B1		1,193 floorspace 778 service courtyard	
Total	3,000	1,971	-1,029

- The Class B1 floorspace would be provided at ground and mezzanine floor levels. A range of flexible workspaces would be provided to offer a broad range of accommodation. These units would be provided with two entrances, one to the front of the development and one to the service courtyard to provide maximum flexibility for prospective occupiers.



Proposed site plan

Residential

13. The proposed development would provide a mix of market and affordable housing with 37% of habitable rooms as affordable housing. The scheme would provide 27% of habitable rooms as social rent and 10% of habitable rooms as intermediate housing.
14. The residential units would be served by two cores and accessed both from the outside of the building and from proposed courtyard.

Transport and servicing

15. The proposal includes the formation of a brand new vehicle access road which would link Frensham Street to Haymerle Road.
16. A new courtyard servicing area to the east of the site would facilitate deliveries and servicing of the residential and commercial units. Vehicles would access the site from Frensham Street and proceed to the loading bays within the service courtyard and turn around and exit via Frensham Street. Two bin stores would be provided on the ground floor and accessed from the courtyard area.
17. The development is proposed to be car free except for three disabled car parking spaces which would be provided in the service courtyard area. Cycle parking would be provided on the mezzanine level with access from a dedicated lift. Visitor cycle parking would be at ground floor level.

The new park and landscaping

18. New landscaping and public realm would be provided within the site. To the north of there would be a new area of open space which would eventually form part of a public linear park.

Scheme amendments

19. The following amendments were made during the course of the application:
 - The replacement of the A and D Class floorspace with B Class floorspace;
 - The removal of the decked over service yard with an open courtyard;
 - Redesign of the ground and mezzanine levels to include an industrial aesthetic;
 - Pulling back of north façade by 0.5m;
 - Introduction of a break in the building at ground floor level to connect to the service area;
 - Provision of an improved residential concierge;
 - Improvements to the layouts of the three bedroom flats to include provision of 10sqm of private amenity space;
 - Improved service vehicle access and cycle store access;
 - Minor alterations to the facades and materiality of the building; and
 - Receipt of an updated viability appraisal to demonstrate the viable delivery of 37% affordable housing of which 72% is social rented and 28% intermediate.
20. No re-consultation was carried out on these plans as the appearance of the building when viewed from surrounding residences would not substantially alter when compared to the original scheme. The revised plans were however sent to the Greater London Authority.

Planning history

21. 09/AP/1613 Application type: Full Planning Application (FUL)
Change of use to coach parking and vehicle workshop with ancillary offices and staff welfare facilities.
Decision date 20/01/2010 Decision: Granted (GRA)

Planning history of adjoining sites

At the Malt Street Regeneration Site, land bounded by Bianca Road, Latona Road, Haymerle Road, Frensham Street and Malt Street, SE1

22. 17/AP/2773 Hybrid application submitted on 17 July 2017 comprising a full planning application for Phase 1 and outline planning permission for subsequent Phases:
Full planning permission is sought for the demolition of existing buildings and structures and redevelopment of the central area (Phase 1) for the erection of 3 buildings at 6, 15 and 40 storeys (+137.070m AOD) (+ single basement) to provide 359 new homes and 1,796sqm (GEA) of non-residential floor space within classes A1-A4 (retail), class B1 (business), class D1 (community uses) and class D2 (leisure uses); an energy centre (750sqm), new public open space and public realm, associated car parking (including 4 car club spaces), 563 cycle spaces and other associated works;

and

Outline planning permission (scale, layout, landscaping, access and appearance reserved) for the demolition of existing buildings and structures and erection of a series of buildings to provide up to 72,400sqm (GEA) of floor space ranging in height from +21.4m AOD to +111.8m AOD, comprising up to 691 residential units and up to 3,704sqm (GEA) of non-residential floor space within classes A1-A4, class B1, class D1 and class D2, with associated public open space, public realm, car parking, cycle parking and associated works.

23. The application is yet to be determined.

At 49-53 Glengall Road, SE15 6NF

24. 17/AP/4612 Application for planning permission submitted on 5 December 2017 for the demolition of all existing buildings and structures (excluding some of the facades along Glengall Road and Bianca Road and the industrial chimney) and erection of a part 6, 8 and 15 storey mixed-use development comprising 3,855 sqm (GIA) of flexible workspace (Use Class B1) and 181 residential units (Use Class C3) with amenity spaces and associated infrastructure.

25. The application is yet to be determined.

At Land at Cantium Retail Park, Old Kent Road, SE1 5BA

26. 18/AP/1913 Environmental Impact Assessment Scoping Opinion issued for the demolition of all buildings and redevelopment of the site to provide a mixed use development including new buildings ranging between 3 to 48 storeys in height providing up to 1,160 residential units (Class C3), 4,318 sq. m of office floorspace (Class B1), 2,675 sq. m of commercial floorspace (Classes A1 – A3), 2,210 sq. m of

destination space (flexible uses), together with associated car parking, landscaping and infrastructure works.

At Livesey Place and former Civic Centre Sites, 600-608 Old Kent Road, SE15

27. 18/AP/4234 Environmental Impact Assessment Scoping Opinion issued for the Scoping Opinion for a mixed-use redevelopment of sites comprising demolition of all existing buildings/structures and redevelopment to comprise buildings up to 40 storeys to provide a range of uses including residential, retail, office and a place of worship.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

28. The main issues to be considered in respect of this application are:
- Principle in terms of land use in terms of the loss of the Strategic Industrial Land;
 - Environmental impact assessment;
 - Affordable housing;
 - Design issues, including height, scale and massing and park provision;
 - Housing mix;
 - Quality of accommodation;
 - Impact upon the amenity of neighbouring residential occupiers and the surrounding area;
 - Transport issues;
 - Planning obligations (Section 106 Undertaking or Agreement);
 - Sustainable development implications; and
 - Other matters

Planning policy

29. Site designations:
- Old Kent Road Preferred Industrial Location (Strategic);
 - The Old Kent Road Opportunity Area;
 - The Urban Density Zone;
 - The Air Quality Management Area;
 - The Bermondsey Lake Archaeological Priority Zone;
 - The site is allocated within the emerging Old Kent Road Area Action Plan as forming part of proposal site OKR 10.
 - Public transport accessibility level of 2 on a scale of 1-6 where 1 is the lowest level and 6 represents the highest.
30. The site does not fall within a conservation area and there are no listed buildings adjoining the site. The Northfield House Community Wildlife Garden is located to the south-west of the site, in the grounds of the Northfield House. This garden is designated as a site of importance for nature conservation.

Legal context

31. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark

Plan 2007.

Adopted policy

National Planning Policy Framework (the Framework)

32. National planning policy is set out in the National Planning Policy Framework ('NPPF') which was adopted on 27 March 2012 and was later revised in July 2018. The NPPF focuses on a presumption in favour of sustainable development, of which there are three strands; economic, social and environmental. The core planning principles include, amongst others, the requirement to 'drive and support development'.

33. The relevant policies of the NPPF are listed below.

Section 1: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making efficient use of land

Section 12: Achieving well designed places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

The London Plan 2016

34. The London Plan is the regional planning framework and was adopted in 2016. The most relevant policies are listed below.

Policy 2.17 Strategic Industrial locations

Policy 3.3 Increasing housing supply

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 3.13 Affordable housing thresholds

Policy 4.3 Mixed use development and offices

Policy 4.4 Managing industrial land and premises

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.21 Contaminated land

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings
Policy 7.8 Heritage assets and archaeology
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

The Local Plan

35. The adopted local plan for Southwark includes the saved policies from the 2007 Southwark Plan in addition to the 2011 Core Strategy including its strategic policies.

Core Strategy 2011

36. The relevant policies are listed below.

Strategic Policy 1 - Sustainable development
Strategic Policy 2 - Sustainable transport
Strategic Policy 5 - Providing new homes
Strategic Policy 6 - Homes for people on different incomes
Strategic Policy 7 - Family homes
Strategic Policy 10 - Jobs and businesses
Strategic Policy 11 - Open spaces and wildlife
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

37. The council's cabinet on 19 March 2013, as required by para 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.

The relevant policies are listed below.

1.1 - Access to employment opportunities
1.2 - Strategic and local preferred industrial locations
1.5 - Small businesses
2.5 - Planning obligations
3.2 - Protection of amenity
3.3 - Sustainability assessment
3.4 - Energy efficiency
3.6 - Air quality
3.7 - Waste reduction
3.9 - Water
3.11 - Efficient use of land
3.12 - Quality in design
3.13 - Urban design
3.14 - Designing out crime
3.19 - Archaeology
3.20 - Tall buildings
3.28 - Biodiversity
4.2 - Quality of residential accommodation

- 4.3 - Mix of dwellings
- 4.4 - Affordable housing
- 4.5 - Wheelchair affordable housing
- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.6 - Car parking
- 5.7 - Parking standards for disabled people and the mobility impaired

Supplementary Planning Documents

- 38. Affordable Housing SPD 2008 and draft 2011
- Design and Access Statements SPD 2007
- Development Viability SPD 2016
- Residential Design Standards SPD October 2011 with 2015 technical update
- Section 106 Planning Obligations and CIL SPD 2015 and 2017 addendum
- Sustainability Assessment 2007
- Sustainable Design and Construction SPD 2009
- Sustainable Transport Planning SPD 2009

Greater London Authority Supplementary Guidance

- 39. Housing SPG 2016
- London View Management Framework 2012
- London's World Heritage Sites SPG 2012
- Providing for Children and Young People's Play and Informal Recreation 2008
- Use of planning obligations in the funding of Crossrail 2010
- Affordable Housing and Viability SPG 2017

Emerging policy

- 40. Paragraph 216 of the NPPF states that weight can be afforded to relevant policies in emerging plans depending on the stage of preparation of the plan. The council is preparing the New Southwark Plan and Old Kent Road Area Action Plan (AAP) which are emerging policy documents. The new London Plan is also in draft form.

Old Kent Road Area Action Plan (OKR AAP)

- 41. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent Road area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. Consultation has been underway for 3 years, with a first draft published in 2016. A further preferred option of the Old Kent Road AAP (Regulation 18) was published in December 2017 and concluded consultation on 21 March 2018. As the document is still in draft form, it can only be attributed limited weight.

New Southwark Plan

- 42. For the last 5 years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. It is anticipated that the plan will be adopted in 2019 following an Examination in Public (EIP). Similarly with the OKR AAP, as the NSP is not yet adopted policy, it can only be attributed limited weight.

Principle of development

43. The site is located in a strategic preferred industrial location (SPIL) identified in the Core Strategy. Strategy policy 10 of the Core Strategy states that SPIL will be protected for industrial and warehousing uses. Saved Southwark Plan policy 1.2 states that the only developments that will be permitted in SPIL are B class uses and other sui generis uses which are inappropriate in residential areas. The proposal would be contrary to strategic policy 10 of the Core Strategy which advises that industrial and warehousing floorspace will be protected in preferred industrial locations. It would also represent a departure from saved policy 1.2 of the Southwark Plan by introducing residential uses into the SPIL.
44. The Core Strategy 2011 however also sets out the future vision for Old Kent Road as a growth and regeneration action area, subject to a future area action plan (AAP). The Old Kent Road was designated as an opportunity area in the London Plan in 2015. Opportunity areas are described in the adopted London Plan 2016 as London's major reservoirs of brownfield land with significant capacity to accommodate new housing, commercial and other development linked to existing or potential improvements to public transport accessibility.
45. Policy 2.13 in the adopted London Plan sets out the strategic policy for the development and intensification of opportunity areas. Annex 1 includes an indicative capacity for Old Kent Road for 2,500 homes and 1,000 jobs and supports the development of a planning framework to realise the area's full growth potential. Annex 1 identifies Old Kent Road as having a significant potential for residential led development and states that the employment and minimum homes figures should be explored further and refined in a planning framework for the area and through a review of the Strategic Industrial Location and capacity to accommodate a phased rationalisation of its functions in the opportunity area or a provision elsewhere.
46. Policy 2.17 (Strategic Industrial Locations) in the adopted London Plan 2016 states that development proposals in SILs should be refused unless they are part of a strategically co-ordinated process of SIL consolidation through an opportunity area framework or borough development plan document. The policy requires boroughs to identify SILs on proposals maps and develop local policies in relation to protecting their function. Policy 4.4. (Managing Industrial Land and Premises) requires industrial sites to be planned and managed in local circumstances in line with this strategic policy, taking account of borough level groupings for the transfer of industrial land to other uses (part c). Map 4.1 shows Southwark as a limited transfer borough with exceptional planned release. This is reflective of the designation of the Old Kent Road opportunity area, which contains the majority of Southwark's SIL.
47. In terms of planning decision making in opportunity areas, Part B of the adopted London Plan Policy 2.13 states that planning decisions should be made for development proposals that support the strategic policy directions for the opportunity areas set out in Annex 1, and where relevant, in adopted opportunity area planning frameworks (part a). The policy requires the optimisation of residential and non-residential output and densities, providing infrastructure to sustain growth, and where appropriate a mix of uses (part b). The policy also requires meeting or, where appropriate, exceeding the minimum guidelines for housing and employment capacity as set out in Annex 1, tested through OAPFs (part c), realise scope for intensification associated with significant transport improvements (part d) and supporting wider regeneration.

48. Whilst the Old Kent Road area contains designated SPIL which has not yet been amended with a newly adopted policy, the adopted London Plan clearly identifies the Old Kent Road as an opportunity area which will undergo significant transformation where it is expected that a SPIL review will take place to accommodate such change.
49. Emerging policy is developing at the regional and local scale to realise the ambitions of the Old Kent Road opportunity area set by adopted policy. The draft new London Plan recognises much greater capacity for development within the Old Kent Road accompanied by a commitment to major new transport improvements with the extension of the Bakerloo Line. The draft also sets out ways in which industrial land can be managed, including how uses can be mixed within some industrial designations. The emerging AAP for the Old Kent Road contains proposals for an innovative mix of industrial and residential uses in a detailed masterplanning approach across the opportunity area, including phased rationalisation and proposed new sites for SPIL. Whilst the draft London Plan and Old Kent Road AAP currently have limited weight in planning decisions, it is important to note the future strategic direction envisaged for the Old Kent Road in the adopted London Plan as further policy is being developed in line with LB Southwark and the Mayor's aspirations for the designated opportunity area.
50. The GLA, in their officer comments (found in the consultation section of the report) have stated that the quantum of development proposed here could sustainably be supported in advance of the extension to the Bakerloo Line, subject to additional transport measures such as contributions to bus services being secured in the interim. In respect of the draft Old Kent Road AAP the GLA and LB Southwark are very close to agreeing and finalising the phasing for the industrial land release. The site is agreed to be in the first phase of released sites. Although it should be noted that even with this agreement the plan would still need to be subject to an EIP and approval of the Secretary of State before it becomes the adopted development plan position.
51. In determining whether the principle of the proposed development would be acceptable in land use terms, Members need to consider whether the wider regeneration benefits of the scheme would outweigh any harm caused, and whether those benefits therefore justify a departure from the adopted planning policy. Officers consider that the key benefits arising from the proposal would be as follows.

Employment re-provision

52. The proposal would replace 757sqm of low grade industrial space with 1,193sqm of modern, high quality and flexible workspace to meet the needs of employment generating uses in the Old Kent Road area. The proposed workspaces are provided in a variety of sizes with large floor to ceiling heights to ensure the availability of workspace for a diverse range of employment uses. The provision of a courtyard service yard will help the functioning of the workspace and is a positive aspect of the scheme.
53. The amendments to the scheme, involve the replacement of the A and D Class provision by B Class accommodation ensuring employment uses are maximised within the scheme. A condition has been added to the draft decision notice to require the use to be limited to B1 a (c) light industrial use which has been accepted by the applicant.
54. The GLA, in their comments, have asked the applicant to demonstrate there would be no loss of industrial floorspace through the 65% plot ratio test set out in the reasoned justification to Policy E4 of the draft London Plan. Whilst recognising that the draft London Plan has little weight, the proposal would make this plot when taking into

account the amount of B1 accommodation and servicing space at ground level, which would exceed 65% of the site area. The redevelopment of the site has enabled a far more efficient and intensive use of the site when compared with the existing and would result in a significant increase in job capacity.

55. Whilst there is a gain of industrial floorspace in the development there is a loss of open yard space. To mitigate this loss a contribution of £4,889 would be required towards skills and employment programmes in the borough, which in turn would help residents into employment. This has been calculated in accordance with the Council's Planning Obligations and CIL SPD and would be secured through the s106 agreement.

Job Creation

56. Currently, 6 full time staff are employed in association with the vehicle storage and maintenance use. By comparison, the new development could support a higher number of jobs estimated at 85 full time equivalent jobs. The new workspaces would meet the needs of the small to medium enterprises (SMEs) and emerging creative sectors. This is a positive aspect of the proposal.
57. The workspace units at ground and first floor are varied in size to provide a wide offer to prospective tenants and would support the growth of existing and new businesses in the borough. The floorspace would be of a modern high quality and well designed. All units would have entrances at the front of the unit and to the courtyard to the rear to enable efficient servicing.

Business relocation and retention

58. The coach depot closed in 2016 as it went into liquidation. The site is currently being used for the storage and maintenance of vehicles with 6 staff employed. The business is on a short term, two month rolling contract. Efforts will be made to relocate the business, with a priority to investigate sites within Southwark first and if no sites are found, the wider London area. The business does have links to other sites in London, mainly in the Deptford Area. Further details of the relocation will be secured by the legal agreement.

Affordable workspace

59. The applicant has provided plans to demonstrate the provision of affordable workspace within the scheme. Three separate units of affordable workspace have been proposed, two of which are on the ground floor and one at mezzanine level. Combined, 131sqm of affordable workspace would be provided, which equates to 11% of the total B Class floorspace. The floorspace has been offered at £12 per sq ft for a 15 year period. The level of rent would make the space very affordable to creative businesses or light industrial operators. The space would be offered to existing businesses in the Old Kent Road Opportunity Area first. The amount of affordable provision, together with the level of discount, make this a very good offer.

Specialist workspace provider

60. The employment space has been designed to be flexible so that it could accommodate a range of different unit sizes and shared workspaces. The applicant has committed to secure a creative workspace provider. This can be secured through a section 106 planning obligation.

Provision of housing, including affordable housing

61. The scheme would provide 153 new residential units, including policy compliant affordable housing comprising social rented and intermediate units. There is a pressing need for housing in the borough. Policy 3.3 of the London Plan supports the provision of a range of housing and sets the borough a target of 27,362 new homes between 2015-2025. This is reinforced through Strategic Policy 5 of the Core Strategy which requires development to meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive areas, particularly growth areas. It would also be in accordance with emerging policy for the Old Kent Road Opportunity Area and the expectation of significant new housing provision.

Contribution towards the Greener Belt park strategy

62. Policy AAP 10 – The Greener Belt of the draft AAP states that we will provide new and improved parks, streets, open spaces and green routes that form the urban structure at the heart of the design of new neighbourhoods. It sets out that we will deliver the Greener Belt Strategy by completing the links between Southwark's major parks and those in Lewisham and Lambeth through the creation of new parks as set out in Table 4. Table 4 sets out the new parks and spaces which includes the Surrey Canal Park East and West. This Surrey Canal Park is the former Surrey Canal route which would be reimagined as a green corridor crossing the Old Kent Road and would link new neighbourhoods to Burgess Park in the west and eastwards towards Canada Water and Deptford.
63. Nye's Wharf sits within the Surrey Canal route as identified in the draft AAP. Accordingly, the northern section of the site has been designated as a park on the plans, with soft landscaping and tree planting included. The park would be capable of linking with the linear park proposed as part of the Malt Street planning application which would provide a continuous route along these two separate sites. In the interim, and prior to the whole of the linear park being completed, it can be made available as landscaped amenity space for use for the residents and workers of the commercial units. It is recommended that the delivery of the park be secured as part of the legal agreement to secure the timing for its delivery, access by foot and by bicycle and sustainable drainage. The details of the landscape for the park should be reserved by condition. The legal agreement should also include clauses relating to maintenance. Eventually, when the entire linear park has been made available, a linear park management company should be established to run and manage the park, similar to the Nine Elms Model in Vauxhall, with details to be secured by the legal agreement.

Conclusion on land use

64. To conclude in relation to land uses, the proposed development would be contrary to strategic policy 10 of the Core Strategy because the introduction of residential would uses represent a departure from saved policy 1.2 of the Southwark Plan. The adopted London Plan however clearly identifies the Old Kent Road as an opportunity area which will undergo significant transformation which would include residential uses and where it is expected that a SPIL review will take place to accommodate such change.
65. In advance of the draft London Plan and the Old Kent Road AAP being adopted, the proposal must therefore be weighed against the benefits of the scheme including job creation, delivery of affordable workspace, the provision of housing, of which 37% would be affordable, contribution towards the linear park delivery and the provision of good quality, flexible commercial space. In light of this officers consider that the

principle of the proposed development in land use terms should be supported.

Environmental impact assessment

66. On 5 October 2017 a screening request was made to determine whether an Environmental Impact Assessment (EIA) would be required for the proposed development. It was confirmed, in a response dated 25 October 2017, that an EIA was not required.

Affordable housing

67. The proposed development would provide 37% affordable housing with 72% social rented and 28% intermediate housing.
68. The Southwark Plan saved policy 4.4 requires at least 35% of all new housing as affordable housing. Of that 35%, there is a requirement for 50% social housing and 50% intermediate housing in the Old Kent Road Action Area. The adopted London Plan 2017 sets a strategic requirement of 60% social housing and 40% intermediate housing. The emerging New Southwark Plan sets a requirement for a minimum of 25% of all the housing to be provided as social rented and a minimum of 10% intermediate housing to be provided, this equates to approximately 70% social housing and 30% intermediate housing. As such, the proposed development is in accordance with the emerging New Southwark Plan.
69. The requirement for social housing set out in the New Southwark Plan is higher than the London Plan and the saved Southwark Plan policy given the acute need for social housing in Southwark. Approximately 57% of the borough's total affordable housing need is for intermediate housing to meet the housing needs of lower and middle income residents. However, the most acute affordable housing need is for social rented housing to meet the needs of homeless households living in unsuitable temporary accommodation such as beds and breakfasts or overcrowded conditions. Overcrowding is strongly related to poor physical and mental health and can strain family relationships. Children in overcrowded homes often achieve poorly at school and suffer disturbed sleep. Social rented housing is vital to social regeneration as it allows residents who cannot afford suitable market housing to remain close to their families, friends and employment. For this reason emerging Policy P1 of the New Southwark Plan requires a minimum 25% of homes to be provided as social rented housing which the proposed development more than complies with.
70. In total, 491 habitable rooms would be provided in the development. The development would provide a total of 184 affordable habitable rooms which would equate to an overall provision of 37%. The level of provision would exceed the minimum target of 35% and is therefore fully policy compliant and a positive aspect of the scheme. Viability information has been submitted which supports the delivery of the quantum of affordable housing proposed.
71. With regard to tenure split, out of the 184 affordable habitable rooms, 133 would be social rented (72%) and 51 would be intermediate shared ownership (28%). This is slightly out from the 70% social rented and 30% intermediate split required but it is in the favour of social rented which is welcomed and supported.

Table: Affordable housing

Units	Social rented	Intermediate (shared	Total
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		ownership)	
1 bed	7	3	10
2 bed	13	15	28
3 bed	16	0	16
Total	36	18	54

72. The proposal would provide a total of 54 affordable units in a mix of unit sizes, including larger number social rented family sized 3 bed units (16), which is a positive aspect of the scheme. A section 106 agreement is recommended to secure the delivery of these units, including a clause preventing more than 50% of the private units from being occupied until the affordable units have been completed. In line with the Mayor's Affordable Housing and Viability SPG, an early review mechanism should be secured by the legal agreement if the development does not substantially commence within 24 months. The review would determine whether the viability of the development has improved during that time, and accordingly whether it could deliver any more affordable housing.
73. A contribution of £7,147 (a charge of £132.35 per unit) has been agreed towards affordable housing monitoring and maintained provision of these units, and would be secured by the legal agreement.

Design issues, including height, scale and massing

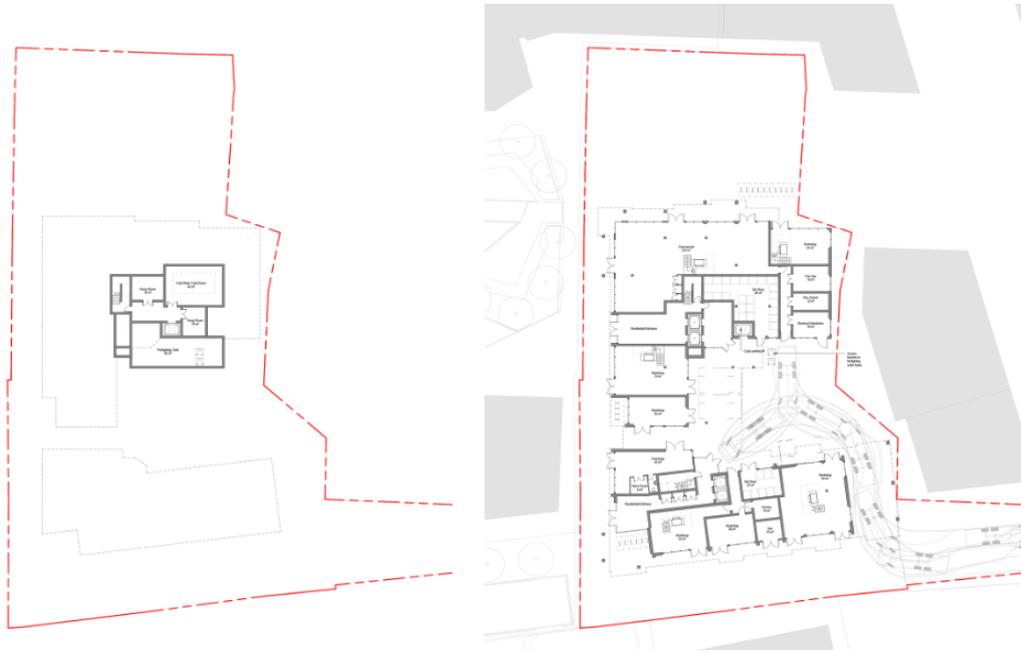
74. Strategic Policy 12 of the Southwark Core Strategy (2011) states that all development in the borough will be expected to "achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in." Saved Policy 3.12 'Quality in design' of the Southwark Plan 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, high amenity environments people will choose to live in, work in and visit. Consideration of design quality needs to address the fabric, geometry and function of the proposal, as all three are bound together. Saved Policy 3.13 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.
75. The site is within the core area of the Old Kent Road Opportunity Area, where the council are expecting to see considerable change, whilst also ensuring that design responds well to the existing character and sense of place. The proposed development would play an important role in the regeneration of the wider area both in terms of providing a new street frontage onto Frensham Street and in contributing to the potential linear park that would follow the route of the former Surrey Canal.

Site layout

76. The building would be arranged in a 'C' shape around a central service courtyard. Initially, it was proposed that this service yard would be roofed over, but following feedback from DRP and Southwark Officers, it has been opened up to create a light, airy and easily accessible urban space that also allows full access to service and delivery vehicles from Frensham Street. Not only is this space considered important for servicing the proposed development, it also establishes the 'yard' typology that is reflective of the industrious, working history and character of the area. To emphasise this character, it would be cobbled, taking inspiration from existing streets in the area

like Livesey Place. It would also considerably improve pedestrian permeability and visual connectivity, with the potential for this to improve further still with the delivery of regeneration proposals on the surrounding sites. The ground floor commercial units have been designed to be through-units with dual frontages, accessed from both within the courtyard and the outside of the building. The residential entrances have similarly been designed with dual access.

Basement And Ground Floor Plan



Height, scale and massing

77. The proposal is for a large, singular building divided into two parts, a 9 storey southern block, rising to an 18 storey tower at the northern end. It is felt that this massing responds well to the existing context as it steps down towards the 7 storey Ednam House to the south, whilst responding to the potential future development around the site including the 40 storey tower proposed as part of the Malt Street scheme. Accordingly, this massing strategy is in line with the emerging policy set out in the draft AAP (acknowledging the limited weight of that document), which states that the tallest “tier 1” elements within the masterplan should be at the “crossing” where Rotherhithe New Road /St James Road meets the Old Kent Road , and should reduce towards the interface between new development and surrounding residential development. This site is located within Sub Area 3 of the draft AAP and the Building Heights section for this site shows a taller building facing the linear park, with a lower element opposite Ednam House.
78. At its highest point, the development under consideration would be 56.2m tall. As this is substantially taller than its existing surroundings, it would be defined as a tall building in the adopted London Plan (2016). Policy 7.7 of the 2016 London Plan, ‘Location and Design of Tall and Large Buildings’, states that tall buildings should be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport. The Old Kent Road was designated as an Opportunity Area in the 2016 adopted London Plan. London Plan Policy 2.13 requires development in Opportunity Areas to optimise residential and non-residential output densities, meet or exceed minimum housing and employment guidelines and support wider regeneration objectives. Annexe 1 of the 2016 London

Plan sets out the specific requirements for the Old Kent Road Opportunity Area, identifying it as having significant potential for residential-led redevelopment. As such, it is considered that the Old Kent Road Opportunity Area is, in principle, an acceptable location for tall buildings which optimise housing delivery and regeneration benefits. The propose development is considered to achieve both, whilst also meeting the other requirements of Policy 7.7, as set out below.



79. London Plan Policy 7.7 also states that tall buildings should:

- only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building;
- relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level;
- individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London;
- incorporate the highest standards of architecture and materials, including sustainable design and construction practices;
- have ground floor activities that provide a positive relationship to the surrounding streets;

- contribute to improving the permeability of the site and wider area, where possible;
- incorporate publicly accessible areas on the upper floors, where appropriate;
- make a significant contribution to local regeneration;
- Not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference; and
- Not impact on local or strategic views adversely

80. The following paragraphs assess the proposed development against each of these criteria. The character of the area would not be adversely affected by the scale, mass or bulk of the tall buildings proposed. The character of the application site and surrounding area is very variable with commercial and industrial to the northeast and residential to the south. The nearest conservation area is at least 265m from the site. The nearest Listed feature, the mural on the Civic Centre is approximately 170m away and faces away from the site. The other closest listed buildings are all over 250m away. The current dilapidated condition of the application site is not considered to contribute positively to the settings of any of these heritage assets, or indeed to the townscape value of its immediate surroundings. It is therefore considered that the proposed development represents an opportunity to optimise the development potential of the site whilst enhancing the qualities of its immediate and wider setting, as encouraged by the London Plan 2016. The specific impact of the proposed development on the townscape of the area is assessed in more detail in paragraphs 99 to 104 below, where the submitted Townscape and Visual Impact Analysis (TVIA) is considered.
81. The application site is currently surrounded on three sides by modern, light industrial and commercial buildings, with the southern edge backing onto the Friary Housing Estate. As such, there is very little urban grain to respond to. Instead, the proposed development seeks to catalyse the longer term development of a new, more permeable and pedestrian friendly urban grain in the area, as promoted by the draft Old Kent Road Area Action Plan. Similarly, the form, proportion, composition and character of the surrounding industrial and retail sheds is not considered to set a design precedent to be emulated. The Friary Estate is a generally well articulated post war housing estate. Although, it lacks active frontage at ground floor. The proposed form, proportion, scale and character therefore establishes a new approach that would enhance the existing area whilst also relating to the best of the more historic industrial architecture in the wider area.
82. Whilst not located at a point of civic or visual significance, the London Plan does not require this for every tall building, only “where appropriate”. It is considered however, that the proposed development would enhance the legibility of the area by enhancing the skyline with a high quality new brick building signifying the beginning of the regeneration of the Old Kent Road Opportunity Area. The proposed development would incorporate the highest standards of architecture and materials, as described below. This is considered a very positive aspect of the scheme, the delivery of which will be controlled by planning conditions requiring material samples and detailed drawings.
83. At ground floor, the flexible workspaces are proposed around the outer edge of the building, creating a vibrant active frontage that would animate the proposed and future public realm. These would be through-units that would also provide frontage onto the proposed service yard. Each workspace unit would also incorporate a horizontal bi-folding glazed door that could be fully opened up to the street, not only for ease of

servicing but also to contribute to the character and vitality of the street scene.



84. The proposed development would make an important contribution to the future permeability of the area by opening up access into this currently segregated industrial area. Although the full benefits of this will not be delivered until the surrounding area is developed, it is considered that this is an important first piece in the wider area plan. As described above, opening up the proposed service yard also provides a light, airy and easily accessible urban space, albeit of a working, industrious character.
85. It is not considered appropriate to incorporate a publicly accessible open space on the upper floors of this building. At a maximum of 18 storeys tall, this building would not be of the scale at which this sort of public gesture is necessary or reasonable.
86. As set out elsewhere in this report, the proposed development would also make a very significant contribution to local regeneration with a substantial contribution to the borough's housing stock (including affordable housing), a good amount of flexible workspace and an important piece of public open space provided.
87. The impacts of the proposed building on surrounding environmental conditions including microclimate, wind turbulence, noise and overshadowing are also set out elsewhere in this report. It is considered that there would be no harmful impacts.
88. In terms of strategic views, two protected vistas identified in the London View Management Framework are orientated towards the Nyes Wharf site. These are the views from Parliament Hill (viewpoint 2A.1) and Kenwood (viewpoint 3A.1) towards St. Paul's Cathedral. However, as the Nye's Wharf site lies well beyond the Background Wider Setting Consultation Area in both cases and given the height of the building proposed, it would not be visible in these views.
89. As the most recently adopted document in the Local Plan, and the only document adopted after the Old Kent Road was designated as an Opportunity Area with significant potential for residential-led redevelopment, it is considered that these London Plan (2016) policies in relation to tall buildings are more relevant than Southwark Saved Policy 3.20 dating from 2007. Nevertheless, the proposed development has also been assessed against the requirements of this saved policy. As it would exceed 30m in height, Saved Policy 3.20 requires the proposal to:

- i. Make a positive contribution to the landscape; and
 - ii. Be located at a point of landmark significance; and
 - iii. Be of the highest architectural standard; and
 - iv. Relate well to their surroundings, particularly at street level; and
 - v. Contribute positively to the London skyline as a whole consolidating a cluster within that skyline or providing key focus within views.
90. The proposed development is considered to make a positive contribution to the landscape through both the landscaped open space to the north, which could eventually form part of the linear park proposed in the draft Old Kent Road AAP and the proposed open service yard at the centre of the site. The service yard, whilst a working space, would also contribute well to the urban landscape, particularly though the way it relates to the industrious character of the wider Old Kent Road area. A non accessible wild flower roof is also proposed on top of the lower part of the building which would contribute well to visual amenity and biodiversity.
91. It is not considered that the proposed development would be located at a point of landmark significance, but as noted above, this is no longer a requirement of the London Plan (2016). It would however be within the designated opportunity area and would optimise the development capacity of the site without harming the character of the surrounding area. Officers are of the view that these considerations, along with the significant regeneration benefits of the scheme, outweigh the notion of tall buildings always needing to mark a particular location.
92. As set out below, the proposed development would be of a high architectural standard and would significantly enhance its surroundings particularly at street level. It would also contribute positively to the London skyline, initially providing a key focus within views from the surrounding area, and eventually as part of a cluster following the regeneration of the area.

Design Quality

93. The design proposed is of a high quality that responds well to the best of the industrious character of the surrounding area. The ground and mezzanine floors in particular propose a very successful industrial aesthetic, with facades broken into bays defined by sturdy brick piers and double height glazing. The glazing would echo industrial crittall windows. As mentioned above, each commercial unit would include a horizontal bi-folding glazed door to fully open up the units, thus animating the façade and enabling the tenants and users of the units to interact with the public realm. In contrast to the open character of the workshop and commercial units, the residential entrances would use full height glazing supported by glass fins, creating a clear distinction between 'live' and 'work' in this mixed use building.

Materials

94. The building would be predominantly finished in brick in response to the robust, working character of the best of the industrial heritage in the area. There would be a mix of white, light grey and dark grey facing brickwork to provide interest and variety. A metallic brown cladding system would be used to compliment the brickwork. The ground floor would comprise of active and glazed frontages. The balconies would be enclosed by laminated glass balustrades. This is considered a high quality palette of materials, which would be durable, robust and characterful.

The park

95. The proposed building would be set back to create a generous open space to the north of the site, which would provide valuable amenity for residents and would contribute towards the draft Old Kent Road AAP aspiration for a linear park in the future. The space would be fronted onto by the proposed flexible commercial unit, which would animate it and ensure vibrancy and footfall. The space would include lawned areas and tree planting, all of which would create a pedestrian friendly environment. This is welcomed, as very positive aspect of the scheme. Patel Taylor Architects have been commissioned to develop the wider linear park strategy and are currently preparing a detailed framework for the design of the park. In recognition of this work, and in order to ensure the park provision proposed here fits with the work being carried out, it is recommended that full landscape details be reserved by condition. There is an aspiration for natural stone materials to be used in the hard landscaping. Any landscape details submitted pursuant to the condition should include these design principles.

Conclusion on design

96. In conclusion in relation to design, it is considered that the proposals would deliver a building of high architectural quality, with a generous and characterful contribution to the surrounding landscape. As an Opportunity Area site, it is considered that the height proposed would be in accordance with the objectives of the London Plan (2016), and draft Old Kent Road AAP in that it would optimise the development potential of the site without harming the character of the surrounding area. Indeed through improved permeability, contribution to the skyline and characterful ground floor frontages, it is considered that the proposals would enhance the surrounding area.

Impact on character and setting of a listed building and/or conservation area

97. London Plan (2016) Policy 7.4, Local Character, states that development proposals should respond to their context, including buildings, opens spaces, street patterns and the historic environment and Policy 7.8, Heritage Assets and Archaeology, seeks to record, maintain and protect London's heritage assets in order to utilise their potential within the community. It states that development should conserve the significance of any heritage asset it affects. Southwark Core Strategy Strategic Policy 12, Design and Conservation, requires development to ensure that the significance of built heritage assets is conserved, Southwark Plan Saved Policy 3.15, Conservation of the Historic Environment, states that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance and Saved Policy 3.18, Setting of Listed Buildings, Conservation Areas and World Heritage Sites states that the immediate or wider settings of designated heritage assets must be preserved. This is reiterated in the draft NSP and OKR AAP.
98. The application site does not sit in a conservation area and it contains no listed buildings. The nearest designated heritage assets are the protected London Square at Leyton Square (40m to the south) and the Grade II Listed mural on the Civic Centre building on the Old Kent Road. Other heritage assets in the surrounding area include:
- Glengall Road Conservation Area, 250m north-west;
 - Celestial Church of Christ, Glengall Road (Grade II listed), 270m south-west;
 - Nos 2 and 3 Canal Grove (Grade II listed), 290m north-east;
 - Church of Our Lady of Seven Colours (Grade II listed), 300m south;
 - Peckham Hill Street Conservation Area, 340m south-west;
 - Camberwell Public Library/Livesey Museum (Grade II listed), 340m east;
 - Trafalgar Avenue Conservation Area, 425m north-west;

- Cobourg Road Conservation Area (including Grade II listed New Peckham Mosque/former Church of St. Mark), 520m north-west; and
 - Caroline Gardens Conservation Area/Former Licensed Victuallers Asylum (Grade II listed), 530m south-east.
99. The submitted Townscape and Visual Impact Assessment (TVIA) assesses the impact of the proposals on 12 local views, identified in discussion with Southwark Officers. The most sensitive are considered to be the views of the Cobourg Road Conservation Area from Burgess Park and from within the Caroline Gardens Conservation Area.
100. The proposed development would be visible in the background of the view from Burgess Park towards the Cobourg Road Conservation Area. It would form a new distinct layer of townscape and skyline in this view; particularly when considered cumulatively along with the proposed Malt Street scheme. It would however, be clearly separate from the park in the foreground and other lower scale buildings (including those within the Cobourg Conservation Area) in the middle distance. The proposed building would not be taller than the existing tree canopy line and the muted tones of the grey bricks proposed would ensure a high quality, relatively subtle appearance on the skyline. Given the relatively low height of the buildings, the distance of the viewing point from the conservation area and the substantial tree coverage screening many of the heritage assets, Officers do not consider that the impact would result in substantial harm, but it should be noted that there would be a slight detrimental impact. Members are advised to balance any potential harm caused against the wider regeneration benefits of the proposal.
101. The proposed development would marginally break the roofline of the Grade II listed Former Licensed Victuallers Asylum in the Caroline Gardens Conservation Area, as it would be visible just above the ridgeline of the building. Given the very minor visibility, the impact would be minimal. The proposed development would also be clearly distinct from the listed building in the foreground of the view. As a result, it is considered that there would be no additional harm caused to this view.
102. Historic England considers that the development would cause some harm to these conservation areas but given the limited extent of visibility, it is not felt that the impacts would be significant.
103. The impact of the building on protected Borough views from One Tree Hill and the Nunhead Cemetery has been tested. These views would be unharmed as the building would not be visible within either.
104. In conclusion, the proposed development is not felt to harmfully impact on the local or wider views, and accordingly this aspect of the scheme is also considered acceptable.

Housing mix

105. Strategic Policy 7 of the Core Strategy 'Family homes' requires developments of 10 or more units to provide at least 60% 2+ bedroom units and 20% 3+ bedroom units. No more than 5% studio units can be provided and these can only be for private housing. At least 10% of the units should be suitable for wheelchair users. The proposed housing mix is fully compliant with the development plan and is detailed below.

Table: Unit mix

	Total units (number)	Total units (%)
1 bed	31	20%

2 bed	90	59%
3 bed	32	21%
Total units	153	100%

106. 80% of units would have two or more bedrooms; this significantly exceeds the 60% target and is therefore a positive aspect of the scheme. 21% of the units would have three or more bedrooms, which exceeds the 20% minimum. 16 wheelchair units (10.5%) would be provided, and secured by condition. The units would be provided in the social, intermediate and private tenures in a range of unit sizes. The social rented and intermediate units would be required to be fully fitted for first occupation, with private units being adaptable. In summary the housing mix would be in accordance with the relevant policies.

Density

107. Policy 3.4 Optimising Housing Potential of the London Plan states that development should optimise housing output for different types of location within the relevant density range shown in Table 3.2 of the Plan. It also requires local context, the design principles and public transport capacity to be taken into account. Strategic Policy 5 – Providing new homes of the Core Strategy sets out the density ranges that residential and mixed use developments would be expected to meet. As the site is located within the Urban Density Zone, a density range of 200 to 700 habitable rooms per hectare would be sought. In order for a higher density to be acceptable, the development would need to meet the criteria for exceptional design as set out in section 2.2 of the Residential Design Standards SPD.
108. The development as a whole would have a density of 1,755 habitable rooms per hectare (hrh). Since the maximum upper limit of 700 hrh would be significantly exceeded, the development would need to demonstrate that it would provide exemplary accommodation to the highest design standards. If it can be demonstrated that an excellent standard of accommodation would be provided, and the response to context and impact on local services and amenity to existing occupiers is acceptable, then it is considered that the high density in this Opportunity Area location would not raise any issues to warrant withholding permission. This is considered in the following paragraphs.

Quality of accommodation

109. Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The standards in relation to internal layout are set out in the adopted Residential Design Standards SPD 2011 and include guidance on overlooking standards as well as requiring the predominance of dual aspect accommodation.

Aspect

110. 81% of the proposed units would be dual aspect and there would be no single aspect north facing units. A significant proportion of the units would therefore be dual aspect which is a very positive aspect of the scheme.

Unit size

111. The following table sets out the minimum flat size requirements as set out in the Residential Design Standards 2011 (as amended in 2015), and also the flat sizes that would be achieved.

Table: Flat sizes

Unit Type	SPD (sqm)	Size Range (sqm)
1 Bed (flat)	50	51-68
2 Bed (flat)	61-70	71-86
3 Bed (flat)	84-102	85-111

112. All of the flat sizes exceed the standards as set out in the SPD. On this basis, the flats would provide for a very good standard of internal amenity.

Internal daylight

113. A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted which considers light to the proposed dwellings using the Average Daylight Factor (ADF). ADF determines the natural internal light or daylight appearance of a room and the BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. This also adopts an ADF of 2% for shared open plan living room/kitchens/dining.
114. The assessment considered the levels of internal daylighting to the lower three floors of the development. Out of the rooms tested on these floors, 88% would achieve full compliance with the BRE. Of the rooms that do not meet the required levels of daylighting, the level of shortfall against the required ADF is considered marginal. For example, bedrooms would achieve between 0.81% ADF and 0.89% ADF which is just short of the required 1%. When considering the overall pass rate of 88%, the level of internal daylighting to the units is considered acceptable.

Overlooking within the scheme

115. There would be some opportunities for overlooking between habitable windows of differing residential units within the scheme with a distance of around 8m between the facing windows. The GLA did note this overlooking relationship in their comments. However, the number of flats affected would be very small with only a limited number of flats from the first to seventh floor affected and not all views would be direct with many oblique. Accordingly, this aspect of the scheme is also considered acceptable.

Amenity space

116. All new residential development must provide an adequate amount of useable outdoor amenity space. The Residential Design Standards SPD sets out the required amenity space standards which can take the form of private gardens and balconies, shared terraces and roof gardens. Policy 3.6 of the London Plan requires new developments to make provision for play areas based on the expected child population of the development. Children's play areas should be provided at a rate of 10sqm per child bed space (covering a range of age groups). The emerging OKR AAP requires 5sqm of public open space per dwelling as per AAP 10.
117. The following amount of amenity space would need to be provided:
- For units containing 3 or more bedrooms, 10sqm of private amenity space as required by the SPD;
 - For units containing 2 bedrooms or less, ideally 10sqm of private amenity space, with the balance added to the communal space;

- 50sqm communal amenity space per block as required by the SPD;
- 10sqm of children's play space for every child space in the development as required by the London Plan;
- 5sqm of public open space per dwelling as required by the OKR AAP. If it is not feasible to deliver the open space on site, a financial contribution will be required.

Private amenity space

118. All flats, have been provided with private amenity space in the form of balconies, which is a positive benefit of the scheme. The three bed units have also been provided with at least 10sqm of private amenity space which meets the SPD requirement.

Communal amenity space

119. Where the full recommended provision of 10sqm per residential unit has not been provided, the shortfall has been added to the communal requirement. In this case, a total of 199sqm of communal space would need to be found. Combined with the 50sqm required per block, a total of 249sqm of communal amenity space would be required. The park to be delivered as part of the scheme would provide 702sqm of amenity space, and accordingly, would be more than capable of delivering the communal amenity space requirement.

Children's playspace

120. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG the development would be required to provide 580sqm of children's play space. As no dedicated play area would be provided within the scheme, a payment of £87,500 (at a cost of £151 per sqm as set out in the section 106 SPD) has been secured and would go towards off site provision. This money would be spent on play space in the linear park and Frensham Street.

Public open space

121. Policy AAP10 of the emerging OKR AAP requires the provision of 5sqm of public open space per dwelling. In this case, this would amount to 765sqm based on the 153 units proposed. The proposed park could accommodate most of this requirement, but a payment of £63,960 would still be required to account for the 312sqm shortfall, which could go towards off site delivery, and can be secured by the legal agreement. This would also be spent on the linear park and Frensham Street.

Conclusion on quality of accommodation

122. The proposed development would provide well lit and well ventilated homes that meet the space requirements of the Residential Design Standards. The quality of accommodation is therefore considered to justify the high density of the scheme. Section 106 payments have been secured for public open space which can go towards the delivery of open space elsewhere since it is not possible to provide this on site.

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

123. Strategic Policy 13 of the Core Strategy sets high environmental standards and requires developments to avoid amenity and environmental problems that affect how we enjoy the environment. Saved Policy 3.2 of the Southwark Plan states that planning permission for development will not be granted where it would cause a loss of

amenity, including disturbance from noise, to present and future occupiers in the surrounding area or on the application site. Furthermore, there is a requirement in Saved Policy 3.1 to ensure that development proposals will not cause material adverse effects on the environment and quality of life.

Overlooking to adjoining neighbours and sites

124. In order to prevent harmful overlooking, the Residential Design Standards SPD 2011 requires developments to achieve a distance of 12m at the front of the building and any elevation that fronts a highway and a minimum of 21m at the rear.
125. The site is surrounded by the Malt Street proposal on the north, east and west sides. Discussions have been taking place with the developer of the Malt Street proposal (Berkeley Homes) so that a comprehensive approach to the redevelopment of the sites is achieved. At present, the proposed scheme currently includes windows on the eastern façade of the building which would overlook the Block B7 of the Malt Street site (a gap of under 3m) and could constrain its future redevelopment potential. By re-positioning these windows further south on the façade would mean that no direct overlooking would arise. It is considered that this change can be requested by condition, and the applicant has agreed to accept such an approach.
126. The proposed scheme also has windows on the western façade which would overlook B9 of the Malt Street block, however, the distance here would be 18m, which is considered to satisfactory protect against harmful overlooking.
127. In relation to proposed Block B5 to the north, there would be a gap of 21m, thereby complying with the SPD requirement.
128. To the south, where the proposed building would face Ednam House, there would be a distance of 25m between the habitable room windows. This exceeds the 12m minimum as required by the SPD and is therefore acceptable.

Daylight and sunlight

129. A daylight and sunlight report has been submitted as part of the application, based on the Building Research Establishments (BRE) guidelines on daylight and sunlight.
130. The BRE sets out three detailed daylight tests. The first is the Vertical Sky Component test (VSC), which is the most readily adopted and the one used in the submitted report. This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that the daylight can be reduced by about 20% of their original value before the loss is noticeable.
131. The submitted report has taken into account the daylight and sunlight impacts for the following buildings which are in residential use, or partly in residential use:
 - Ednam House, 1-72 Friary Estate, London
 - Greystoke House
 - Northfield House
 - Malt Street scheme – blocks B4 and B9

132. The remaining surrounding properties are either too far away to be affected by the proposed development or are in commercial use.

Ednam House, Friary Estate

133. This property is located to the immediate south of the site. Out of a total of 45 windows tested, 9 would be fully compliant with the BRE once the proposed development has been fully built. 36 windows however, would fail to meet the BRE recommendations as they would have reductions of more than 20%. The worst case windows would be two kitchen first floor windows (referenced W4 and W5) which would experience a 74% reduction, resulting in a proposed VSC values of 3.1% and 3.2% respectively.
134. These losses are large but there are a number of mitigating factors that should be considered. The majority of windows are located below overhanging walkways, which limit light availability themselves. The BRE guide cites these features as having a negative effect on light availability and the guide suggests that they should be taken into account when considering the impact to a property.
135. The BRE goes on to say that an additional calculation of the VSC can be carried out without the walkway in place. The submitted daylight report has carried out this analysis without the walkways in place. The results show that out of the same 45 windows tested, only 4 would fall short of the BRE criteria.
136. In addition, floorplans and data held from Rightmove property website and also correspondence from residents at Ednam House makes clear that it is solely small kitchens and bathroom windows that face onto the site with the main habitable rooms of living rooms and bedrooms facing away from the site to the south onto Leyton Square. Based on these mitigating factors, the impacts on Ednam House are considered acceptable.

Greystoke House, Peckham Park Road

137. This end elevation of this block is located to the south east of the site. A total of 12 windows on the end elevation of the block have been tested. All 12 of the windows would be in full compliance with the BRE guide as none would experience a reduction of more than 20%. The impacts to this property are therefore considered acceptable.

Northfield House, Peckham Park Road

138. This property is also located to the south east of the site. A total of 19 windows on the north west elevation of the block have been tested. Of the 19 windows tested, 4 would continue to meet the BRE criteria for VSC compliance. 15 would fall short. The worst affected windows would be ground floor windows which would experience reductions of between 68% and 71%, resulting in proposed VSC values of between 7.35% and 8.59%.
139. Similar with Ednam House, the majority of affected windows are located below overhanging walkways, which limit light availability themselves. The same analysis without the walkways has therefore been carried out, the results of which demonstrate that of the 19 windows tested, all 19 would comply with the BRE recommendations and would not experience any reduction greater than 20%. On this basis, the impacts to this property are considered acceptable.

Malt Street scheme Block B4 and B9

140. As referred to in paragraph 22 to 23 above, this application has yet to be determined with discussions still ongoing. The building proposed under this application would be located within close proximity to a number of buildings proposed by the Malt Street planning application. These include blocks B4 and B9 which have been submitted as 'full' with all details provided, as well as blocks B5 and B7 which have been submitted in outline with only broad parameters for the buildings submitted and no detailed floor plans.
141. Blocks B4 and B9 have been included within the submitted daylight assessment as detailed design for these buildings exist. Block B9, which is located to the west of the site, has a mixture of bedrooms and living rooms facing onto the site. There would be a gap of 18m separating the elevations, and given this distance, natural daylight availability would not be unduly restricted. Block B4 is located to the north-west of the site and does not directly face onto the site. Accordingly both the proposed Nye's Wharf and block B4 would be able to co-exist and not substantially affect the amount of daylight received to either development. Blocks B5 and B7 have not been included within the assessment as no detailed floor plans for them exist. This is considered acceptable.

Sunlight

142. The development would not impact on the amount of sunlight received by the existing residential blocks because none of the windows that face the site are within 90 degrees of due south of the proposed building.

Sunlight to the linear park

143. An overshadowing analysis has been carried out of the park to the north of the site. The BRE guidelines state that for an amenity area to appear adequately sunlit throughout the year, at least 50% of the area should receive at least two hours of sunlight on 21 March. The results of the assessment show that the linear park would receive 60.7% of sunlight; this exceeds the 50% target of the BRE and would therefore be policy compliant.

Wind microclimate

144. A microclimate assessment has been submitted as part of the application, which considers the impact of the development on the wind conditions both on the site and surrounding the site.
145. The microclimate assessment does indicate that some limited areas within the park would not be suitable for long term sitting and accordingly would need mitigation. It is therefore recommended a mitigation strategy to include some low level planting as well as tree planting be secured by condition to shelter those parts of the park from the winds.

Transport issues

146. Core Strategy Strategic Policy 2 encourages walking, cycling and the use of public transport rather than travel by car. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; 5.3 requires that the needs of pedestrians and cyclists to be considered and 5.6 establishes maximum parking standards.

Accessibility

147. The site is identified as having a public transport accessibility level (PTAL) of 2 (moderate) on a scale of 1 to 6 where 1 represents low accessibility and 6 represents the highest accessibility. The nearest bus stops are located on Peckham Park Road (approximately 275m from the site) and Old Kent Road (approximately 530m from the site). These provide regular services to a number of destinations including Waterloo, Westminster, Liverpool Street, Peckham, Woolwich and Deptford. There are no London Underground or National Rail stations in close proximity to the site, the nearest stations being Queens Road Peckham and South Bermondsey Rail Stations, approximately 1 mile southeast and northeast of the site respectively. The extension to Bakerloo Line would bring excellent transport connections to the area within the lifetime of the proposed development.

Servicing

148. The proposal includes the formation of a brand new vehicle access road which would link Frensham Street to Haymerle Road. Design details of which can be requested by the legal agreement. It has been estimated that the proposed development would result in approximately 20 two-way vehicle trips per day. Vehicle access to the site would be from Frensham Street only, into the internal courtyard of the development, and tracked drawings have been provided to demonstrate vehicles can safely manoeuvre within the site and back onto the public highway in forward gear. As all servicing would be taken off the highway, the proposal is welcomed and supported.
149. A plan has been provided to show the separate vehicle and pedestrian areas within the courtyard to ensure there would be no conflict between goods vehicles and pedestrians.



150. In order to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the council is currently working on proposals to recommend that applicants in the Old Kent Road Opportunity Area enter into Delivery Service Plan Bonds against their baseline figures for daily servicing and delivery trips. These bonds would be calculated at £100 per residential unit and £100 per 5,000 sqm non-residential floorspace. In this instance, this has been calculated to be £15,538.40. If, post implementation, the trip generation of the development is above the estimate set out in the transport assessment, the applicant will lose the bond. The bond is not intended as a financial penalty, but as a means of mitigating any harmful impacts from the proposed development and ensuring a better quality of life for current and future

residents.

Car parking

151. The residential aspect of the scheme will be car free with the exception of three disabled parking bays which would be provided within the courtyard. The level of provision is considered appropriate and would reflect car ownership levels in the area. In addition, there are also three car club bays within a 5 minute walk of the development. All new residents and commercial occupiers should be made exempt from obtaining parking permits and the relevant condition would be attached to any permission issued. Three year car club membership for all eligible residents has been secured under the terms of the legal agreement. In addition, electric vehicle charging points should be provided for each space, which can be secured by condition.

Cycling

152. The site is located to connect easily to Haymerle Road, Bird in Bush Road, Green Hundred Road, Friary Road and parts of Peckham Park Road. These roads are classified as roads that have been recommended by cyclists. Once the entire linear park is delivered, it also has the potential to provide good cycle links.
153. The cycle parking would be provided at first floor level. The cycle parking would be accessed by three lifts which connects the service yard to the first floor cycle store.
154. 278 cycle parking space would be provided in total for residents, equating to 1.8 spaces per residential unit. The cycle parking would comprise of both stacked and Sheffield spaces. For visitors, 20 Sheffield spaces would be provided. Cycle storage for staff would be provided internal to each commercial unit. The level of cycle parking provision is considered acceptable and a condition shall be attached to the permission requiring further details.
155. The applicant has agreed to provide three years membership to all eligible residents to Dockless cycle hire schemes which can be secured by legal agreement.

Construction management

156. In order to ensure that increases in traffic, noise and dust associated with the construction phase of the development are minimised, a construction management plan is requested by condition.

Planning obligations (S.106 undertaking or agreement)

157. Saved Policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 of the Southwark Plan is reinforced by the adopted Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that qualifies for planning obligations. Strategic Policy 14 'Implementation and delivery' of the Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments. The NPPF which echoes the Community Infrastructure Levy Regulation 122 which requires obligations be:
- 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.

158. The application would be supported by the following s106 obligations:

Planning Obligation	Mitigation	Applicant Position
Archaeology	£5,585.50	Agreed
Affordable housing monitoring	£7,147	Agreed
Carbon Offset – Green Fund	£276,244	Agreed
Delivery and service bond	£15,538.40	Agreed
Loss of employment floorspace shortfall	£4,889	Agreed
Children’s play space	£87,580	Agreed
Public open space	£63,960	Agreed
Transport for London Buses	£80,100 for 5 years totalling £400,500	£52,300 for 5 years totalling £256,500
Transport for London Legible signage	£12,000	Not agreed
Transport for London Healthy Streets	£153,000	Not agreed
Transport for London cycle hire contribution	£30,600	Not agreed
Admin fee	2%	Agreed

159. All contributions as required by the council’s S106 SPD have been agreed.

160. In relation to the Transport for London contributions, the applicant has offered a reduced contribution towards buses. At the time of writing, Transport for London have not confirmed acceptance of the sum. An update will be provided in the addendum report. In relation to the other three contributions relating to Legible signage, Healthy Streets and Cycle hire, it is considered that these can reasonably be covered by CIL since they relate to infrastructure.

161. In addition to the financial contributions set out above, the following other provisions would be secured:

- Affordable housing provisions, including provision for an early review mechanism if the scheme has not substantially commenced within 24 months
- Wheelchair housing provisions
- Business relocation strategy
- Appointment of workspace co-ordinator
- Affordable workspace – 11% of floorspace at £12 per sq ft for a 15 year period, to be offered to existing OKR businesses first
- Delivery of the park and establishment of a management company to set up and run and manage the park
- Construction phase jobs
- Highway works – s278 works for a new vehicle route
- Delivery of service route
- Dockless cycle hire for 3 years
- Car club membership for 3 years
- Connection to a future district heating system

162. In the event that an agreement has not been completed by 16 March 2018, the Committee is asked to authorise the Director of Planning to refuse permission, if appropriate, for the following reason:

In the absence of a signed S106 legal agreement there is no mechanism in place to secure adequate provision of affordable housing and mitigation against the adverse impacts of the development through contributions and it would therefore be contrary to Saved Policy 2.5 Planning Obligations of the Southwark Plan 2007, Strategic Policy 14 Delivery and Implementation of the Core Strategy (2011) Policy 8.2 Planning Obligations of the London Plan (2015) and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).

Mayoral and Southwark Community Infrastructure Levy (CIL)

163. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.
164. In this instance a Mayoral CIL payment of £593,029.03 and a Southwark CIL payment of £2,711,850.46 would be required. These are pre-social housing relief figures and accordingly would be reduced when the CIL Social Housing Relief claim is submitted after the grant of planning permission.

Sustainable development implications

165. Policy 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and policy 5.7 requires the use of on-site renewable technologies, where feasible. The residential aspect of the proposal would be expected to achieve zero carbon, and the commercial aspect a 40% reduction against part L of the Building Regulations. An Energy statement and Sustainability Assessment based on the Mayor's hierarchy have been submitted.
166. The applicants have submitted an energy strategy and a sustainability assessment for the proposed development which seek to demonstrate compliance with the above policies.

Be lean (use less energy)

167. Energy efficient measures included in the strategy are high efficiency glazing and energy efficient lighting using LED lamp technology and a reduced air permeability rate. These measures would achieve a 16% reduction in carbon emissions.
168. The applicant would need to submit an overheating analysis report for review. This can be requested by condition. The report should outline all measures to limit overheating risk, and include necessary mitigation where required.

Be clean (supply energy efficiently)

169. Consideration was given to using a combined heat and power plant for the development but this was discounted because of an unsuitable electrical/thermal load profile. This is accepted. Instead a centralised high efficiency gas fired heating plant has been proposed. This would result in an extra 1% of savings, amounting to 17%.

170. The building would be future-proofed for connection to a future district heating system which would be secured through the S106 agreement.

Be green (low or carbon zero energy)

171. A range of low or zero carbon technologies was considered and photo voltaic panels (PVs) were found to be most suitable for this scheme. The PVs proposed would reduce carbon emissions by 10%; this would fall short of the 20% Core Strategy target for Strategic Policy 13 of the Core Strategy. Combined with the be lean and be clean measures described above, there would be a total saving of 27% in carbon emissions.
172. The 'be lean', 'be clean' and 'be green' measures would result in an overall reduction of 27% in carbon dioxide emissions when compared to a scheme compliant with the building regulations. For the residential element, a 23.3% carbon reduction would be achieved falling short of the zero carbon requirements as set out in policy 5.2 of the London Plan, amounting to a 151 tonne shortfall. For the commercial element, a 27.9% reduction in carbon emissions would be achieved, falling short of the 35% target against Part L of the Building Regulations, amounting to a 2.2 tonne shortfall.
173. Recognising that both the residential and commercial aspects fall below the policy requirements in relation to carbon savings, a contribution towards the council's carbon offset fund would be required. Calculated on the basis of £1,800 per tonne, the residential component would generate a contribution of £272,210 and the commercial component a contribution of £4,034 (total £276,244). The applicant has agreed to make the contribution of £276,244 to the carbon off set fund which would therefore make this aspect of the scheme fully policy compliant.

BREEAM

174. Strategic policy 13 of the Core Strategy requires the commercial units to achieve BREEAM 'excellent'. A BREEAM Pre-assessment report has been undertaken which demonstrates that an "excellent" standard can be achieved which meets the policy requirement and is therefore acceptable. A condition to secure this is therefore recommended.

Ecology

175. A green roof and a green wall would be provided within the development. It is also recommended that 8 swift bricks are also included. Relevant conditions to secure these ecological features are therefore recommended.
176. The Northfield House Community Wildlife Garden should continue to thrive with the development in place; there would be no overshadowing impacts since the proposed development is located to the north-west of the garden, rather than to its south.

Other matters

Archaeology

177. The site is partially within the Bermondsey Lake Archaeological Priority Zone and accordingly may have archaeological remains which should be appropriately managed. The applicant has submitted an Archaeological Desk Based Assessment of the site which accurately notes that the archaeology of the area comprises of prehistoric remains. It is therefore recommended that a series of archaeological conditions are recommended in relation to securing a programme of archaeological

evaluation, mitigation and foundation design. A s106 contribution of £5,585.50 will be collected in recognition of the small proportion of the site that falls within the Priority Zone.

Noise

178. An environmental noise assessment has been undertaken to assess whether the site would be suitable for residential development. The report has been reviewed by the Council's Environmental Protection Team (EPT) who recommend conditions be attached to require adequate sound insulation between the residential and employment uses as well as a condition to control any plant noise.

Air quality

179. The site is located in an Air Quality Management Area and an Air Quality Assessment has been submitted, which considers the air quality impacts arising from the construction and use of the development.
180. The Council's Environmental Protection Team (EPT) has reviewed the submission and advised that they will require the emissions during the construction phase to be controlled by measures contained within a Construction Management Plan. Such a plan should detail details of continuous monitoring for dust and noise. It is recommended that this plan be requested by condition.

Land contamination

181. The site is located in a historically industrial area, and therefore contamination may exist in the ground from previous industrial uses. It is therefore recommended a condition be imposed requiring site investigations be undertaken to determine the nature and extent of any contamination. If contamination is found to be present, remediation works would be required to be carried out.

Flood risk and water resources

182. The application site is located within Flood Zone 3, which is considered to be 'High Risk' but does benefit from the Thames tidal defences. The Environment Agency has reviewed the applicant's Flood Risk Assessment and considers it to be acceptable subject to the attachment of conditions being attached to any grant of planning permission.
183. Amendments were made during the course of the application to include a green roof which will improve run off rates within the development. The Flood and Drainage Team have commented that they would have no concerns with the development, subject to a basement impact assessment being undertaken.

Conclusion on planning issues

184. The proposed development would result in the introduction of residential uses in to the SPIL would represent a departure from the adopted development plan. However, the adopted London Plan (The most up to date adopted development plan for the area) clearly identifies the Old Kent Road as an opportunity area which will undergo significant transformation with substantial growth including new housing.
185. In advance of the draft London Plan and the Old Kent Road AAP being adopted, the proposal must therefore be weighed against the benefits of the scheme including job

creation, delivery of affordable workspace, the provision of housing, of which 37% would be affordable, contribution towards the linear park delivery and the provision of good quality, flexible commercial space. In light of this officers consider that the principle of the proposed development in land use terms should be supported, and justify the departure from adopted local plan policy..

186. The scheme would deliver 153 residential units with 37% affordable housing contributing to the boroughs housing need. The level of affordable housing would be above the target of 35% and accordingly a positive aspect of the proposals.
187. The proposals would deliver a building of high architectural quality, with characterful ground floor frontages which would enhance the surrounding area. As an Opportunity Area site, it is considered that the height proposed would be in accordance with the objectives of the London Plan (2016), in that it would optimise the development potential of the site without harming the character of the surrounding area.
188. The proposal would include a generous open space to the north of the site, which would provide valuable amenity for residents and could contribute towards the draft Old Kent Road AAP aspiration for a linear park in the future.
189. The proposal would deliver a very high standard of accommodation and would comply with the standards as set out in the residential design standards adopted by the council in relation to unit mix, unit size, dual aspect and wheelchair housing.
190. The impacts of the scheme in relation to daylight and sunlight are considered acceptable, when taking into account the specific circumstances of the case in relation to the layouts of the adjoining flats and the overhanging walkways.
191. Servicing would be accommodated on the site, with disabled parking provision and cycle parking included.
192. It is therefore recommended that planning permission be granted subject to conditions, referral to the Mayor of London and the completion of a legal agreement under the terms as set out above.

Community impact statement / Equalities Assessment

193. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three “needs” which are central to the aims of the Act: -
 - a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
 - b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connect to that characteristic;
 - Take steps to meets the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by

such persons is disproportionately low.

- c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

- 194. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
- 195. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
- 196. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

Statement of community involvement

- 197. Details of consultation undertaken by the applicant on the proposed development prior to submission of the planning application have been provided. Letters were sent to 1,800 nearby residents and business owners as well as ward and Cabinet members. A public consultation event was held on 17 October 2017. 13 residents attended the event. The main points raised by the residents were around the building height and impact on views. There was support for the new homes as it was felt these would benefit the local area.

Consultations

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

Consultation replies

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

Summary of consultation responses

- 200. 3 residents have objected to the scheme on the following grounds.

- 201. Objection: Inappropriate building height and massing.

Officer response: The height and massing is considered appropriate, see further assessment in main body of report.

- 202. Objection: There is no sunlight assessment found as part of the application documents. Northfield House will lose direct sunlight from the latter part of the day and cast shadows over the flats within the building.

Officer response: The proposed development would sit to the north west of Northfield House. As it would not sit to its south, there would be no sunlight impacts on the building.

- 203. Objection: The Northfield House Community Wildlife Garden is listed as a local site of importance for nature conservation and should be protected from inappropriate

development. The community garden which contains allotments have been used by Northfield House residents and the activities carried out within could be under threat from overshadowing.

Officer Response: The Wildlife Garden should continue to thrive with the development in place; there would be no overshadowing impacts since the proposed development is located to the north-west of the garden, rather than to its south.

204. Objection: Affordable rent is proposed which at 80% of market rent does not make them affordable.

Officer Response: The development now includes a policy compliant amount of social rented housing. It does not include any affordable rent.

205. Objection: The target of 35% affordable housing should be made higher especially as Peabody Housing is associated with the development.

Officer Response: It is higher than 35%, and is 37%. The amount of provision has been viability tested and is the maximum that the development can support.

206. Objection: Impacts on wind microclimate.

Officer Response: The microclimate assessment does indicate that some limited areas within the park would not be suitable for long term sitting and accordingly would need mitigation. It is therefore recommended that some low level planting as well as tree planting be secured by condition to shelter the park from the winds.

Summary of responses from external and statutory consultees

Greater London Authority

207. The formal stage 1 report has not been issued at the time of writing but informal officer level comments have been made which have been summarised below.

- The application site falls within the area covered by the council's draft Old Kent Road Area Action Plan (draft OKR AAP) as well as Old Kent Road Opportunity Area identified in the London Plan and draft London Plan. It also falls within a currently protected Strategic Industrial Location (SIL). The BLE programme and location of its tube stations is subject to ongoing discussion with TfL, GLA and local Councils. The quantum of development the area could sustainably support in advance of the BLE, what additional transport measures would be needed in the interim, and how new development can fairly contribute towards these costs is also being proactively reviewed.
- Once this strategy is agreed in partnership with the council, a number of currently protected industrial sites, such as this, could be released to provide land for new open spaces, schools and homes the area will provide; where such release is accepted, the Mayor will expect all existing employment floorspace to be re-provided and will also expect significantly higher levels of affordable housing to be delivered. Until such time as this strategy has been agreed, the introduction of residential into this currently protected industrial site is contrary to the London Plan and draft London Plan, and cannot be supported at this stage. GLA officers will continue to engage with the applicant to address the outstanding concerns in relation to housing, urban design, energy and transport to ensure the proposal is otherwise acceptable whilst discussions with the council are being finalised.

- The applicant is also still required to demonstrate their will be no net loss in industrial (B1c) floorspace through the 65 per cent plot ratio test set out in Policy E4 of the draft London Plan.
- GLA officers remain to be convinced by the removal of the deck over the service yard and require further information on the rationale for removing it, as it appears to have been done to promote east-west pedestrian connectivity. Further information is therefore required on the proposed mitigation strategy to demonstrate both residential and commercial uses can successfully co-exist.
- The internal layouts in the southern block should be refined to avoid bedrooms fronting onto deck access where possible and where this is not achievable, demonstrate that adequate levels of defensible space and screening can be provided to ensure these units will achieve appropriate levels of privacy. Concerns are also raised with regards to overlooking between the units at the internal corner of the two blocks where living rooms will have direct views into the bedroom of the adjacent unit in the southern block. This can be addressed by flipping the layout of the southern unit so that the living room overlooks the kitchen.
- The setting back of the proposed building to make a generous contribution towards the OKRAAP aspiration for a linear park to the north of the site is welcomed. Notwithstanding this, the landscape/ground floor uses strategy for the wider area is currently unclear and further information is needed to assess the quality of the proposed 'park' space to the north of the site, in addition to future pedestrian movement network and how these relate to key desire lines and residential entrances.
- The site is surrounded by the emerging Malt Street proposal. At present, the proposed scheme currently includes windows on the eastern facade of the southern block which overlook the adjacent site and would constrain its future development potential. This could be addressed by removing these windows given the dual aspect nature of the deck-accessed flats.
- Furthermore, as previously discussed, the applicant is strongly encouraged to engage with adjacent landowners to develop a consolidated servicing strategy for the two sites to reduce the potential impact on Frensham Street.
- A total of three disabled parking spaces are proposed, which falls short of London Plan and draft London Plan minimum requirements and this provision should therefore be increased to at least meet the minimum requirement set out in Policy T6.1 of the draft London Plan for 3% provision from the outset.
- Information should clearly set out how the shared service yard/residential courtyard space will be safely navigated given the potential conflict between goods vehicles and pedestrians in this confined space.
- The submitted energy strategy lacks sufficient information to allow an appropriate assessment of the strategy against strategic planning policy and the carbon emission figures in tonnes per annum for each stage of the energy hierarchy for residential and non-residential elements should be provided.

Metropolitan Police

208. Condition recommended and the development could achieve the security requirements of Secured by Design, as long as it installs security rated products. Recommend that the secured by design condition be attached to any permission that may be granted.

London Underground

209. No comment.

Design Review Panel

210. Comments made.

- The Panel raised a number of significant concerns about the urban form and design of the proposal.
- They felt the courtyard idea held some promise but was compromised by the covered service yard.
- There was a significant concern for future residents and businesses who would want to access the northern end of the site furthest from Frensham Street as the access here would be narrow prior to the Berkeley Homes Malt Street scheme being delivered. Access should run from an open courtyard instead.
- The Panel requested that the applicant research the site and its history – the site name of Nye's Wharf suggests that it had an immediate relationship to the Surrey Canal and this should be the starting point for an architectural response to the site.
- The Panel felt that the two parts of the building; the 9 storey and 18 storey block resulted in large clumsy and bulky building. They encouraged the architects to develop the design.
- They felt the building height was not properly justified and needed a clearer vision for the site as a whole relative to the masterplan and its relationship with the Berkeley Homes Malt Street site.

211. Officer Response: The proposal has been amended in the light of the DRP feedback. The covered service yard was removed and access opened up from the courtyard. More subtle changes were incorporated to the design and appearance of the building.

Historic England

212. The development would break the roofline of the Grade II listed Caroline Gardens' in the Caroline gardens Conservation Area and would also impact on the Cobourg Conservation Area in views from Burgess Park. We conclude that this development would accordingly cause some harm to the historic environment and if the council is minded to approve, recommend that it is appropriately balanced by public benefits.

Natural England

213. No objection and the proposal is unlikely to affect any statutorily protected sites or landscapes.

Environment Agency

214. Recommend conditions in relation to contamination.

Thames Water

215. Recommend condition in relation to piling in order to prevent damage to subsurface water infrastructure.

Transport for London:

216. Comments made.

- Access to the new park together with lighting should be secured.
- Doors opening out onto Frensham Street would not be acceptable. (Officer

- comment – This is incorrect. No doors would open out onto Frensham Street).
- Over sailing of the building at first floor level onto Frensham Street is not acceptable. (Officer comment – This is incorrect. There would be no over sailing of the building.
 - An assessment of the pedestrian and cycling environment around the site should be submitted and any deficiencies corrected.
 - Request £153,000 towards TfL’s Healthy Streets scheme towards the Peckham Park Road/Old Kent Road junction.
 - The cycle provision meets the London Plan quantum but more Sheffield stands need to be included and the general accessibility to these spaces needs to be improved.
 - Request £30,600 to be used to increase the size of the proposed cycle docking station at Malt Street.
 - Request £12,000 towards two Legible London signs.
 - Welcome car free provision but cannot endorse the very low level of disabled parking spaces (3).
 - Request £80,100 a year for 5 years for improving bus capacity.
 - Travel plans and construction plans should be secured.
 - The Delivery Plan should indicate what happens when more than one delivery vehicle requires access.

Human rights implications

217. 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.
218. This application has the legitimate aim of providing a new building with employment and new homes. 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/2390-A Application file: 17/AP/4596 Southwark Local Development Framework and Development Plan Documents	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 5513 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Kiran Chauhan, Team Leader Planning	
Version	Final	
Dated	15 August 2018	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Governance	No	No
Strategic Director, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		20 August 2018

APPENDIX 1

Consultation undertaken

Site notice date: 12/01/2018

Press notice date: 21/12/2017

Case officer site visit date: n/a

Neighbour consultation letters sent: 04/01/2018

Internal services consulted:

Ecology Officer
Economic Development Team
Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]
Flood and Drainage Team
Highway Development Management
Housing Regeneration Initiatives
Waste Management

Statutory and non-statutory organisations consulted:

EDF Energy
Environment Agency
Greater London Authority
Historic England
London Fire & Emergency Planning Authority
London Underground Limited
Metropolitan Police Service (Designing out Crime)
Natural England - London Region & South East Region
Network Rail (Planning)
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

Flat 8 Greystoke House Friary Estate SE15 6TQ
Flat 9 Greystoke House Friary Estate SE15 6TQ
Flat 6 Greystoke House Friary Estate SE15 6TQ
Flat 7 Greystoke House Friary Estate SE15 6TQ
2 Livesey Place London SE15 6SL
24 Peckham Park Road London SE15 6TW
6 Peckham Park Road London SE15 6TW
Flat 5 Greystoke House Friary Estate SE15 6TQ
Flat 31 Greystoke House Friary Estate SE15 6TQ
Flat 32 Greystoke House Friary Estate SE15 6TQ
Flat 3 Greystoke House Friary Estate SE15 6TQ
Flat 30 Greystoke House Friary Estate SE15 6TQ
Flat 35 Greystoke House Friary Estate SE15 6TQ
Flat 4 Greystoke House Friary Estate SE15 6TQ
Flat 33 Greystoke House Friary Estate SE15 6TQ
Flat 34 Greystoke House Friary Estate SE15 6TQ

22 Peckham Park Road London SE15 6TW
16 Peckham Park Road London SE15 6TW
18 Peckham Park Road London SE15 6TW
Flat 10 Northfield House Friary Estate SE15 6TL
Flat 11 Northfield House Friary Estate SE15 6TL
8 Peckham Park Road London SE15 6TW
Flat 1 Northfield House Friary Estate SE15 6TL
14 Peckham Park Road London SE15 6TW
Flat 6 Denstone House Friary Estate SE15 6SG
Flat 7 Denstone House Friary Estate SE15 6SG
Flat 4 Denstone House Friary Estate SE15 6SG
Flat 5 Denstone House Friary Estate SE15 6SG
10 Peckham Park Road London SE15 6TW
12 Peckham Park Road London SE15 6TW
Flat 8 Denstone House Friary Estate SE15 6SG
Flat 9 Denstone House Friary Estate SE15 6SG
Flat 22 Northfield House Friary Estate SE15 6TL

Ground Floor 10 Peckham Park Road SE15 6TW
11 Ednam House Friary Estate Latona Road SE15 6SE
12 Ednam House Friary Estate Latona Road SE15 6SE
1 Ednam House Friary Estate Latona Road SE15 6SE
10 Ednam House Friary Estate Latona Road SE15 6SE
Ground Floor 8 Peckham Park Road SE15 6TW
13-14 Frensham Street London SE15 6TH
14 Frensham Street London SE15 6TH
16a Peckham Park Road London SE15 6TW
First Floor Flat 18 Peckham Park Road SE15 6TW
Western Wharf Livesey Place SE15 6SL
Third Floor Flat Surrey Wharf SE1 5AU
90 Haymerle Road London SE15 6SB
Hygrade Meats Ltd Latona Road SE15 6RX
Flat 29 Greystoke House Friary Estate SE15 6TQ
Flat 98 Northfield House Friary Estate SE15 6TN
Flat 99 Northfield House Friary Estate SE15 6TN
Flat 96 Northfield House Friary Estate SE15 6TN
Flat 97 Northfield House Friary Estate SE15 6TN
Flat 11 Greystoke House Friary Estate SE15 6TQ
Flat 12 Greystoke House Friary Estate SE15 6TQ
Flat 1 Greystoke House Friary Estate SE15 6TQ

Flat 10 Greystoke House Friary Estate SE15 6TQ
Flat 95 Northfield House Friary Estate SE15 6TN
Flat 89 Northfield House Friary Estate SE15 6TN
Flat 90 Northfield House Friary Estate SE15 6TN

Flat 87 Northfield House Friary Estate SE15 6TN

Flat 88 Northfield House Friary Estate SE15 6TN
Flat 93 Northfield House Friary Estate SE15 6TN
Flat 94 Northfield House Friary Estate SE15 6TN
Flat 91 Northfield House Friary Estate SE15 6TN
Flat 92 Northfield House Friary Estate SE15 6TN
Flat 23 Greystoke House Friary Estate SE15 6TQ
Flat 24 Greystoke House Friary Estate SE15 6TQ
Flat 21 Greystoke House Friary Estate SE15 6TQ
Flat 22 Greystoke House Friary Estate SE15 6TQ
Flat 27 Greystoke House Friary Estate SE15 6TQ
Flat 28 Greystoke House Friary Estate SE15 6TQ
Flat 25 Greystoke House Friary Estate SE15 6TQ
Flat 26 Greystoke House Friary Estate SE15 6TQ
Flat 20 Greystoke House Friary Estate SE15 6TQ
Flat 15 Greystoke House Friary Estate SE15 6TQ
Flat 16 Greystoke House Friary Estate SE15 6TQ
Flat 13 Greystoke House Friary Estate SE15 6TQ
Flat 14 Greystoke House Friary Estate SE15 6TQ
Flat 19 Greystoke House Friary Estate SE15 6TQ
Flat 2 Greystoke House Friary Estate SE15 6TQ
Flat 17 Greystoke House Friary Estate SE15 6TQ
Flat 18 Greystoke House Friary Estate SE15 6TQ
51 Ednam House Friary Estate Latona Road SE15 6SF
52 Ednam House Friary Estate Latona Road SE15 6SF
49 Ednam House Friary Estate Latona Road SE15 6SF
50 Ednam House Friary Estate Latona Road SE15 6SF
55 Ednam House Friary Estate Latona Road SE15 6SF
56 Ednam House Friary Estate Latona Road SE15 6SF
53 Ednam House Friary Estate Latona Road SE15 6SF
54 Ednam House Friary Estate Latona Road SE15 6SF
48 Ednam House Friary Estate Latona Road SE15 6SF
42 Ednam House Friary Estate Latona Road SE15 6SF
43 Ednam House Friary Estate Latona Road SE15 6SF
40 Ednam House Friary Estate Latona Road SE15 6SF
41 Ednam House Friary Estate Latona Road SE15 6SF
46 Ednam House Friary Estate Latona Road SE15 6SF
47 Ednam House Friary Estate Latona Road SE15 6SF
44 Ednam House Friary Estate Latona Road SE15 6SF
45 Ednam House Friary Estate Latona Road SE15 6SF
68 Ednam House Friary Estate Latona Road SE15 6SF
69 Ednam House Friary Estate Latona Road SE15 6SF
66 Ednam House Friary Estate Latona Road SE15 6SF
67 Ednam House Friary Estate Latona Road SE15 6SF
72 Ednam House Friary Estate Latona Road SE15 6SF
70 Ednam House Friary Estate Latona Road SE15 6SF
71 Ednam House Friary Estate Latona Road SE15 6SF

Flat 23 Northfield House Friary Estate SE15 6TL
Flat 20 Northfield House Friary Estate SE15 6TL
Flat 21 Northfield House Friary Estate SE15 6TL
Flat 26 Northfield House Friary Estate SE15 6TL
Flat 27 Northfield House Friary Estate SE15 6TL
Flat 24 Northfield House Friary Estate SE15 6TL
Flat 25 Northfield House Friary Estate SE15 6TL
Flat 2 Northfield House Friary Estate SE15 6TL
Flat 14 Northfield House Friary Estate SE15 6TL
Flat 15 Northfield House Friary Estate SE15 6TL
Flat 12 Northfield House Friary Estate SE15 6TL
Flat 13 Northfield House Friary Estate SE15 6TL
Flat 18 Northfield House Friary Estate SE15 6TL
Flat 19 Northfield House Friary Estate SE15 6TL
Flat 16 Northfield House Friary Estate SE15 6TL
Flat 17 Northfield House Friary Estate SE15 6TL
Flat 3 Denstone House Friary Estate SE15 6SG
1d Livesey Place London SE15 6SL
6a Peckham Park Road London SE15 6TW
1b Livesey Place London SE15 6SL
1c Livesey Place London SE15 6SL
The Everlasting Arms Ministry 600-608 Old Kent Road SE15 1JB
596-598 Old Kent Road London SE15 1JB
524 Old Kent Road London SE1 5BA
1a Livesey Place London SE15 6SL
Unwin And Friary Tenants And Residents Community Hall
33 Frensham Street SE15 6TH
The Laundry Room Greystoke House Friary Estate SE15 6TQ
Surrey Wharf 30 Olmar Street SE1 5AY
Council Depot Frensham Street SE15 6TH
Ground Floor Front 16 Peckham Park Road SE15 6TW
Ground Floor Rear 16 Peckham Park Road SE15 6TW
Unit 2a Cantium Retail Park SE1 5BA
Unit 2b Cantium Retail Park SE1 5BA
Flat 2 Denstone House Friary Estate SE15 6SG
Flat 20 Denstone House Friary Estate SE15 6SG
Flat 18 Denstone House Friary Estate SE15 6SG
Flat 19 Denstone House Friary Estate SE15 6SG
Flat 23 Denstone House Friary Estate SE15 6SG
Flat 24 Denstone House Friary Estate SE15 6SG
Flat 21 Denstone House Friary Estate SE15 6SG
Flat 22 Denstone House Friary Estate SE15 6SG
Flat 17 Denstone House Friary Estate SE15 6SG
Flat 11 Denstone House Friary Estate SE15 6SG
Flat 12 Denstone House Friary Estate SE15 6SG
Flat 1 Denstone House Friary Estate SE15 6SG
Flat 10 Denstone House Friary Estate SE15 6SG
Flat 15 Denstone House Friary Estate SE15 6SG
Flat 16 Denstone House Friary Estate SE15 6SG
Flat 13 Denstone House Friary Estate SE15 6SG
Flat 14 Denstone House Friary Estate SE15 6SG
Flat 63 Northfield House Friary Estate SE15 6TN
Flat 64 Northfield House Friary Estate SE15 6TN
Flat 61 Northfield House Friary Estate SE15 6TN
Flat 62 Northfield House Friary Estate SE15 6TN
Flat 67 Northfield House Friary Estate SE15 6TN
Flat 68 Northfield House Friary Estate SE15 6TN
Flat 65 Northfield House Friary Estate SE15 6TN
Flat 66 Northfield House Friary Estate SE15 6TN
Flat 60 Northfield House Friary Estate SE15 6TN
Flat 54 Northfield House Friary Estate SE15 6TN
Flat 55 Northfield House Friary Estate SE15 6TN
Flat 103 Northfield House Friary Estate SE15 6TN
Flat 53 Northfield House Friary Estate SE15 6TN
Flat 58 Northfield House Friary Estate SE15 6TN
Flat 59 Northfield House Friary Estate SE15 6TN
Flat 56 Northfield House Friary Estate SE15 6TN
Flat 57 Northfield House Friary Estate SE15 6TN
Flat 80 Northfield House Friary Estate SE15 6TN
Flat 81 Northfield House Friary Estate SE15 6TN
Flat 78 Northfield House Friary Estate SE15 6TN
Flat 79 Northfield House Friary Estate SE15 6TN
Flat 84 Northfield House Friary Estate SE15 6TN
Flat 85 Northfield House Friary Estate SE15 6TN

APPENDIX 2

Consultation responses received

Internal services

Economic Development Team

Statutory and non-statutory organisations

Environment Agency

Greater London Authority

Historic England

London Underground Limited

Metropolitan Police Service (Designing out Crime)

Natural England - London Region & South East Region

Thames Water - Development Planning

Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

71 Northfield House London SE15 6TN