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<b>Item No.</b> 5.1	<b>Classification:</b> Open	<b>Date:</b> 15 June 2020	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>	<b>Development Management planning application:</b> Application 19/AP/1773 for: FULL PLANNING APPLICATION  <b>Address:</b> 227-255 ILBERTON ROAD, LONDON SE15 1NS  <b>Proposal:</b> Demolition of existing buildings and the erection of a part 2/3, 9 and 28 storey (up to 94.65m AOD) mixed-use development comprising of 3,581 sqm including 2,538 sqm of industrial floorspace (Use Classes B1c/B8) at ground and intermediate levels, 598 sqm of internal loading yard, 445 sqm ancillary plant and equipment; and 254 residential apartments (C3), 35.5% affordable by habitable room, and other associated infrastructure.  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.		
<b>Ward(s) or groups affected:</b>	Old Kent Road		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 24/05/2019		<b>Application Expiry Date</b> 23/08/2019	
<b>Earliest Decision Date</b> 31/08/2019			

## RECOMMENDATIONS

1. That planning permission be granted, subject to conditions and referral to the Mayor of London, and the applicant entering into an appropriate legal agreement by no later than the 15 December 2020.
2. That the environmental information be taken into account as required by Regulation 30 of the Town and Country Planning (Environmental Impact Assessments) Regulations 2017.
3. That following issue of the decision it be confirmed that the director of planning shall place a statement on the Statutory Register pursuant to Regulation 30 of the Town and Country Planning (Environmental Impact Assessments) Regulations and that for the purposes of Regulation 30(1) (d) the main reasons and considerations on which the Local Planning Authority's decision is based shall be set out as in this report.
4. In the event that the requirements of (1) are not met by 15 December 2020 that the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 277 of this report.

## **EXECUTIVE SUMMARY**

### **Site at 227-255 Ilderton Road:**



The major redevelopment of the site is supported and delivers many of the key aspirations of the AAP. The mix of uses achieved is considered to be exemplary, successfully combining industrial and residential uses in a carefully considered design led approach. The scheme would make a significant contribution to the councils housing and jobs targets in one of the boroughs major regeneration areas.

### **Existing land use (Paragraphs 6 and 12)**

- Use Class B8 – industrial food storage and distribution warehouse with ancillary B1 office space, owned and occupied by Leathams Limited, a family owned business and independent provider of high-quality ingredients to the food industry.
- Total floorspace of 2,972 sqm (GIA) – comprising 2,005 sqm of storage and distribution space and 967 sqm of ancillary office space

### **Proposed Development (Paragraphs 13 - 24)**

#### **Industrial**

3,581 sqm (GIA) of flexible industrial floorspace, comprising:

- 2,184 sqm of B8/B1c industrial floorspace;
- 354 sqm of B1c affordable workspace (10%);
- 598 sqm internal loading yard ancillary B8/B1c
- 445 sqm ancillary plant and equipment space for B8/B1c use
- Total B8 and B1c is 3581sqm

## **Residential**

254 new homes, comprising:

- 12 x studio (5%);
- 89 x 1-bedroom (35%);
- 102 x 2-bedrooms (40%); and
- 51 x 3-bedrooms (20%).

## **Affordable**

35.5% affordable homes (by habitable room), comprising;

- 27.8% Southwark Social Rent; and
- 7.7% Intermediate.

## **Accessibility**

All flats are accessible, comprising:

- All units are Building Regulations Part M4(2) compliant; and
- 26 units (10%) are Building Regulations Part M4(3) accessible.

## **Amenity**

All private and communal space is met on site. All under 12 children's play space met on site, comprising:

- 2,087 sqm of private amenity space in the form of balconies and winter gardens;
- 503 sqm of communal space, 76 sqm communal room (for older children's play)
- 909 sqm of children's play space;
- 144 sqm public open space
- A financial contribution would be made to off site play and public open space provision

## **Aspect**

- 70% homes are dual aspect ;
- 92% of affordable housing units are dual aspect; and
- 60% of the private units are dual aspect .

## Heights

Buildings of up to 28 storeys in height, comprising:

- A tower of 25-storeys set above a 2/3 storey commercial podium (28-storeys above ground) – a total of 94.65m AOD; and
- A 'u-shaped' building of 6-storeys set above a 2/3 storey commercial podium (9-storeys above ground) – a total of 30.24m AOD.

## Parking

Commercial:

- Two disabled parking spaces for employees; and
- 10 long stay and 3 short stay cycle parking spaces.

Residential:

- Car free with potential for up to 7 disabled parking bays; and
- 453 cycle parking spaces and 6 visitor cycle parking spaces.

## Environment

- Net gain in biodiversity;
- Greenfield runoff rates; and
- Will achieve 18% CO2 savings over the building regulations baseline and will achieve net carbon zero following a contribution of £475,991 to the carbon offset fund.

## Community Infrastructure Levy

- Estimated CIL of *circa* £6,807,494.74 before relief and indexation.

**Image: Section through of ground floor uses and dual aspect affordable units**

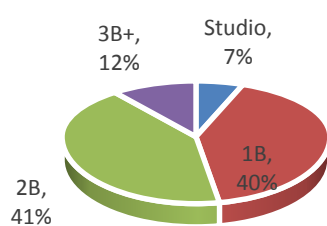


Image: Podium courtyard space for amenity and play space



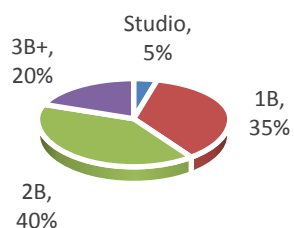
**Affordable Housing (Paragraphs 59-67):**

Unit Mix – Social Rent	Unit Size No.	Studio	1-bed	2-bed	3-bed	Total
		0	10	24	24	58
Unit Mix – Intermediate	Unit Size No.	Studio	1-bed	2-bed	3-bed	Total
		0	7	5	6	18
Unit Mix – Private	Unit Size	Studio	1-bed	2-bed	3-bed	Total



No.	12	72	73	21	178
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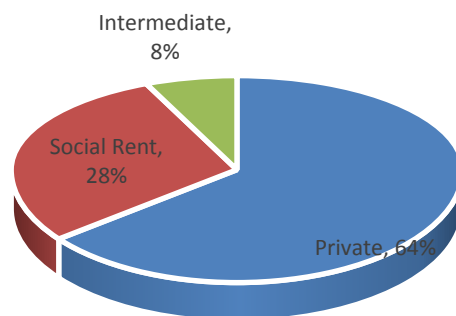
#### Unit Mix – Total



Unit Size	Studio	1 bed	2 bed	3 bed	Total
No	12	89	102	51	254

#### Habitable Rooms by Tenure and Tenure mix:

Tenure	Habitable Rooms
	No.
Private	492
Social Rent	212
Intermediate	59
Total	763



#### Unit Location and Totals:

Location	Private	Social Rent	Intermediate	Total	Wheelchair
Core A	178	0	18	196	20
Core B	0	58	0	58	6
<b>Total</b>	<b>178</b>	<b>58</b>	<b>18</b>	<b>254</b>	<b>26</b>

#### Residential Design – Dual Aspect (Paragraph 149):

##### By Tenure

	Affordable	Private	Total
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<b>Total (No.)</b>	70/76	107/178	177/254
<b>%</b>	92%	60%	70%

By Core

	<b>Core A</b>	<b>Core B</b>	<b>Total</b>
<b>Total (No.)</b>	119/196	58/58	177/254
<b>%</b>	61%	100%	70%

**Amenity Space and Public Open Space(Paragraphs 102-103 & 156-177):**

Private, Communal and Play

	<b>Requirement</b>	<b>Proposed</b>	<b>Difference</b>
<b>Private Amenity Space</b>	2,540 sqm	2,087 sqm	-453 sqm provided as communal space
<b>Communal Amenity Space</b>	50 sqm plus 453 sqm = 503sqm	503 sqm	0
<b>Children's Play Space</b>	1,115 sqm	909 sqm	-206 sqm
<b>Public Open Space</b>	None required in the AAP masterplan for this site, however a payment base on 5sqm of public open space per flat is required.	144 sqm	-1,126





- Older children's play (12+ years) is to be provided in part by way of a financial contribution, equivalent to £31,106 (206 sqm x £151), to be spent on new and existing public open spaces including Bramcote Park.

#### Public Open Space

The building is set back from the site boundaries thereby facilitating an open space provision of 144 sqm on the corner of Rollins Street and Ilderton Road.

The outstanding public open space requirement is to be provided by way of a financial contribution, of £230,830 to be spent on new and existing public open spaces in the AAP including Bramcote Park.



### **Sustainability:**

#### **Energy (Paragraphs 258-267)**

- Alongside energy efficiency measures to improve the building fabric and services, the proposed development would include an Air Source Heat Pump for the industrial uses and Photovoltaic Panels for the residential;
- Residential areas would achieve a 18% carbon reduction beyond building regulations baseline and non-residential areas would achieve a 21%

- reduction;
- A carbon offset payment of £475,991 (comprising £443,411 for the residential areas and £32,580 for the non-residential) is proposed to achieve net zero carbon; and
  - The proposed development has been designed so that it can be connected to the SELCHP District wide heating network that is currently being developed by the GLA and Veolia. This future connection would reduce CO2 emissions for the residential areas by 76%. The non-residential areas could also be connected.

#### Car and Cycle Parking (Paragraphs 219-220 & 224-225)

- As well as operational parking for the end user, the commercial element would also include two disabled parking spaces for employees and 10 long stay / 3 short stay cycle parking spaces.
- The residential element will be “car free”, however, space has been safeguarded for up to 7 disabled parking bays on Ilderton Road, Sharratt Street and Rollins Street through the conversion of some of the proposed servicing areas should a parking space be required by a blue badge holder in the future.
- 453 cycle parking spaces are proposed (comprising 200 Sheffield stands, 26 oversized Sheffield stands, 142 stackers and 85 lockers for folding bikes) as well as 6 visitor cycle parking spaces.

#### Proposed development viewed from surrounding area



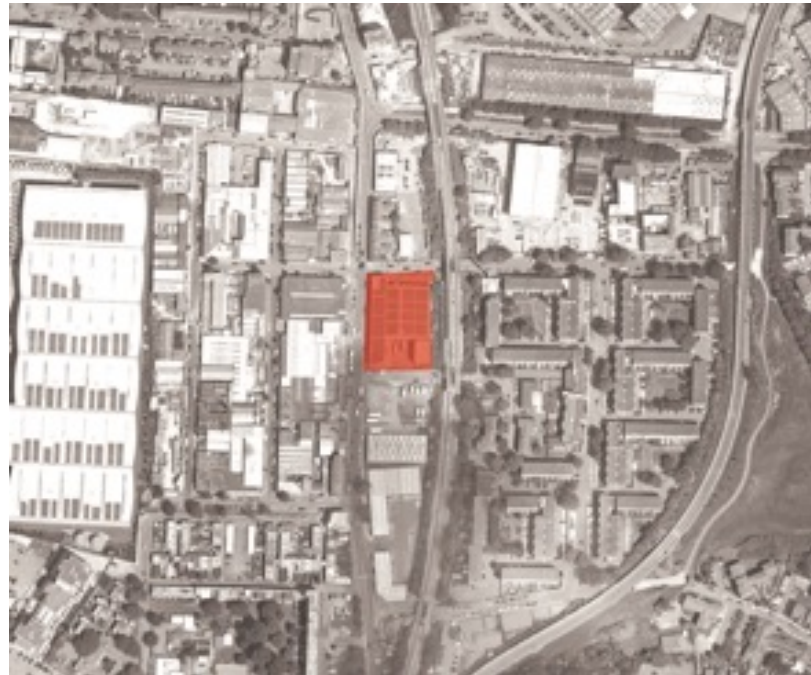


## **BACKGROUND INFORMATION**

### **Site location and description**

5. The subject site is a parcel of land located on the eastern side of Ilderton Road comprising of circa 0.43 hectares. It comprises a two storey warehouse with an ancillary office building located to the eastern end of Ilderton Road at its junctions with Rollins Street and Sharratt Street.
6. Leathams Ltd, is a family owned business and independent provider of high-quality ingredients to the food industry. It has been trading since 1980, sourcing products globally and distributing both nationally and internationally. Its current headquarters and distribution centre have been located at 227-255 Ilderton Road since 1995 and have been added to incrementally as the business has grown. Due to the growth of the business, the current on-site facilities can no longer meet operational requirements.
7. The site is located on the eastern side of Ilderton Road between the junctions with Rollins Street to the north, and Sharratt Street to the south. The rear of the site is abutted by the railway line between the stations of South Bermondsey and Queens Road Peckham. The location of the railway line is also the administrative boundary between Southwark and Lewisham Councils. Beyond the railway line is a block of flats within the Lewisham borders, which comprises of a series of four storey brick buildings arranged around shared communal yards called the Winslade Estate.
8. To the west of the site is 180 Ilderton Road which received planning permission for the demolition of existing building and erection of a part 5, 8 and 9 storey plus basement mixed-use development under planning permission 17/AP/4546. This site has been cleared pending the start of construction. To the north of the site is the Jewson Yard (Ilderton Wharf) which is fronted by a row of terraced properties (two storeys towards the western end of the terrace, and three storeys at the eastern end). The two storey properties consisting of nos. 215-225 Ilderton Road are not in residential use; however, the three storey buildings at the eastern end of the terrace are in residential use. This terrace is one of the few remaining terraces within Ilderton Road, and is a typology that once dominated the streetscene of Ilderton Road. The site location plan below demonstrates the site within the surrounding context.

**Image: Site Plan**



9. The site has a (PTAL) rating of 2. The closest Bus Stop to the application site is Manor Grove, which is located circa 65 metres south of the subject site. The Bus Stop is served by Transport for London Bus Route P12. South Bermondsey Station is located approximately 0.5 miles north of the application site as is Quiet Way 1.
10. The location of the site along Ilderton Road is likely to result in an increase of the PTAL rating given that the proposed Bakerloo Line Extension (BLE), and New Bermondsey Station would provide further transport options to the site and surrounding area.
11. The application site is within the boundaries of sub-section OKR 16 of the Old Kent Road Opportunity Area. This sub-section is known as '*Hatcham Road and Ilderton Road*'. The OKR 16 allocation has a total site area of 7.9 hectares with an indicative capacity for the creation of 1,460 new homes and 1,170 new jobs. It is the intention of this allocation to replace existing employment floor space in Use Class B8 and B1c whilst also providing residential and mixed use schemes along with on-site servicing.
12. The table below demonstrates the existing area schedule on the application site.

**Table: Existing Area Schedule**

			<b>Total</b>
Occupier	Leathams	Leathams	
Use Class	B8	B1	
Sqm (GIA)	2,005	967	2,972

## Details of proposal

13. Planning permission is sought for the demolition of the existing buildings on site to facilitate the construction of a mixed-use scheme comprising of 2,538 sqm of industrial floor space (Use Classes B1c and B8) at ground and intermediate levels, an ancillary internal loading yard of 598 sqm and 445 sqm of ancillary plant space; 254 residential apartment (Use class C3) in two blocks ranging from 6 to 25 storeys above a 2/3 storey podium (9 and 28 storeys above ground); and other associated infrastructure.
14. The development comprises a total industrial Gross Internal Area (GIA) of 3,581 sqm (including loading yard and plant). The ground floor would facilitate the industrial aspects of the scheme with the B1c Affordable unit located to the northwest corner, and the B1c/B8 floor space using up the majority of the ground floor, adjacent to the loading yard which is accommodated at the rear of the site. The northern and southern edges of the ground floor provide lift and stair access next to cycle and refuse storage.
15. At intermediate level there is provision for plant equipment in relation to the B1c and B8 Uses, with additional floor space provided for the B1c Affordable work space. To the northeast corner of the intermediate level are four residential flats, including one flat that is Wheelchair Accessible.
16. Floor two and above facilitates the residential element of the development, providing 254 units. 26 of the 254 units will be wheelchair accessible and adaptable units. The residential aspect is spread over two areas of the site, one consisting of the '*southern block*', and the '*tower block*'. The breakdown of the proposed land uses is detailed in the table below:

**Table: Proposed land uses**

Land Use	Use Class	GIA
Residential	C3	23,458.50 sqm
Industrial	B8	2,184 sqm  598 sqm Internal service yard  445 sqm plant and equipment
Work space	B1c	354 sqm

17. The proposal would facilitate the provision of 35% affordable housing units within the scheme comprising 72% Social Rent at no more than HCA rent cap levels inclusive of service charge and 28% for Shared Ownership. Whilst studio units are proposed, this does not form part of the social and intermediate units.
18. The development will be car free; however, space has been safeguarded for the installation of disabled parking bays on Ilderton Road, Sharratt Street and Rollins

Street should a parking space be required by a blue badge holder. In addition to this, two disabled spaces are facilitated within the loading yard for industrial employees.

19. Cycle parking provision is in line with the standards required within the emerging London Plan. The mix of cycle parking will be in the form of 50% Sheffield stands, 31% cycle stackers, and 19% foldable bike lockers. For residential occupiers, the cycle stores are to be located at ground and intermediate level, with the intermediate level accessed via entrance cores and lifts suitable to accommodate cycles. For Industrial employees, the cycle parking is also located at intermediate level and is accessible from Sharratt Street via a lift. The overall provision is detailed below:

- Residential: 453 long-stay spaces and 6 short-stay
- Industrial = 10 long-stay and 3 short-stay

20. The following table demonstrates the housing mix that is proposed for the development.

**Table: Housing mix**

Unit size	No. of homes	% of homes
Studio	12	4.72%
1 bed	89	35.04%
2 bed	102	40.16%
3 bed	51	20.08%
Total	254	100%

21. The majority of amenity and play space proposed within the development is located on the second floor courtyard podium. This area is situated between the '*southern block*', and the '*tower block*' and provides 1,083 sqm of play and communal amenity space. An additional play terrace is centrally located on the seventh floor of the '*southern block*' of 115 sqm with a further terrace on the seventh floor of the '*tower block*' providing 224 sqm of communal amenity and a 76sqm communal room. The total provision of accessible community amenity and play space is 1,422 sqm.
22. Improvements to the public realm would include the removal of the existing advertisement hoardings which currently run parallel with Ilderton Road. This enables the footpath width to be extended from its current 1.80 metres, to 5.00 metres. The improvements would allow for new landscaping and planting to be inserted around the site whilst also enhancing the pedestrian environment. Furthermore, an additional area of public open space will also be created adjacent to the main residential tower entrance on Rollins Street.

#### Revisions and amendments

23. Whilst no design or alterations to the total number of residential units has occurred during the lifespan of this application, additional information regarding some areas

of assessment was submitted. The documents were submitted in light of comments received from consultee comments. In acknowledging the further documents, the nature of the information received re-consultation of the scheme was not required.

24. The documents of additional information submitted during the course of this application were as follows:

- Drainage addendum
- Sustainable Energy Strategy Revision 2
- GLA Domestic Overheating Checklist
- Summer Overheating Assessment In Dwellings
- Transport Assessment Addendum

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

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

- The principle of the proposed development in terms of land use and the release of the site from its industrial designation;
- Affordable housing;
- Design, layout, heritage assets and tall buildings including views;
- Public realm, landscaping and trees;
- Housing mix including wheelchair housing;
- Quality of accommodation;
- Density;
- Impact of proposed development on amenity of adjoining occupiers and surrounding area;
- Transport;
- Noise and vibration;
- Sustainable development implications;
- Ecology;
- Air quality;
- Wind microclimate;
- Equalities and human rights;
- Statement of community involvement.

### **Legal context**

26. 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.
27. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections in the overall assessment at the end of the report.

## Equalities

28. The Equality Act (2010) provides protection from discrimination for the following protected characteristics: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership. Section 149 of the Equality Act 2010 places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers, including planning powers. Officers have taken this into account in the assessment of this application and Members must be mindful of this duty, inter alia, when determining all planning applications. In particular Members must pay due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act; and
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
29. As set out in the Essential Guide to the Public Sector Equality Duty (2014), “the duty is on the decision maker personally in terms of what he or she knew and took into account. A decision maker cannot be assumed to know what was in the minds of his or her officials giving advice on the decision”. A public authority must have sufficient evidence in which to base consideration of the impact of a decision.
30. The closest Travellers site to the proposed development is located close to the junction with Rotherhithe New Road and Ilderton Road. The distance between the Travellers site and the subject site is circa 490 metres to north. Given the separation distance it is considered that there would be no adverse impacts on the traveller’s site. There are no other groups with protected characteristics that would be adversely affected by the development.

### Other Equality Impacts

31. The Strategic Housing Market Assessment (SHMA) prepared on behalf of a number of South East London boroughs states that Southwark, together with Lewisham, has the most ethnically mixed population in the South East London sub-region. Compared to the population at large a very high proportion of Black households (70%) are housed in the social/affordable rented sector. These groups could therefore stand to benefit from the proposed affordable housing, which would include social rented units. The provision of communal amenity spaces to be shared by different tenures would also contribute to the potential for increased social cohesion. This is a positive aspect of the scheme.
32. Proposed enhancements to the streetscape (Including the widening of the footpath) on Ilderton Road would prioritise the movement of pedestrians and promote “healthier, active lives” in accordance with draft Policy AAP 10 of the draft OKR AAP.
33. The proposed development would also generate additional opportunities for local employment. The proposed development would deliver 2,184 sqm (GIA) of B8/B1c Use Class floor space on the ground and intermediate floors representing an uplift of 179 sqm. An additional 1,043 sqm of ancillary loading yard and plant and equipment space is also provided. Furthermore, 354 sqm of B1c Affordable Work

Space is facilitated which is currently not present on site therefore resulting in an uplift of 354 sqm of B1c Use.

#### Conclusion on Equality Impacts

34. The proposed development would not result in any adverse equality impacts in relation to the protected characteristics of religion or belief and race as a result of the re-provision and uplift of B8 Use on site along with the introduction of B1c and C3 Residential Uses. Notwithstanding that the development would result in a significant change to the site, Officers are satisfied that equality implications have been carefully considered throughout the planning process and that Members have sufficient information available to them to have due regard to the equality impacts of the proposal as required by Section 149 of the Equality Act 2010 in determining whether planning permission should be granted.
35. The proposed development would undoubtedly result in a significant change to the site. The public sector equality duty does not prevent change but it is important that the council consider the acceptability of the change with a careful eye on the equality implications of that change given its duty under Section 149 of the Equality Act 2010. The council's duty is to have due regard to the objectives identified above when making its decision. In the present context, this means focusing carefully on how the proposed change would affect those with protected characteristics and ensuring that their interests are protected and equality objectives promoted as far as possible.

#### **Principle of development in terms of land use**

36. The NPPF (2019) offers a number of key principles that emphasise a focus on driving and supporting sustainable economic development to facilitate the delivery of new homes and commercial business units etc. The application site is located within the Old Kent Road Opportunity Area. In locations such as this, both London Plan and Southwark Plan policies strive for higher density, high quality mixed use developments which assist in addressing the need for new homes and ranges of employment opportunities.
37. In the draft OKR AAP, the site is identified as falling within Proposal Site OKR16. The draft site allocation states that redevelopment on this site must:
  - Replace existing employment space (B Use Class) and provide a range of employment spaces which is consistent with the building and land use types such as B8
  - The east side of Ilderton Road is suitable for industrial uses within mixed use developments that provides new homes
  - Provide on site servicing.
  - Improvement the surrounding environment and public realm to the benefit of walking and cycling
38. The existing Leatham's Ltd Use on site is not considered to maximise the potential of this Opportunity Area Proposal Site. The proposed re-development of the site would provide an uplift of B8 Industrial space, the introduction of B1c Affordable Workspace, and the facilitation of 254 units on the upper floors of the buildings would deliver major regeneration benefits that are further discussed in the proceeding parts of this report.

Image: OKR Sub Area 4, showing Site Allocation OKR 16 outlined in red.

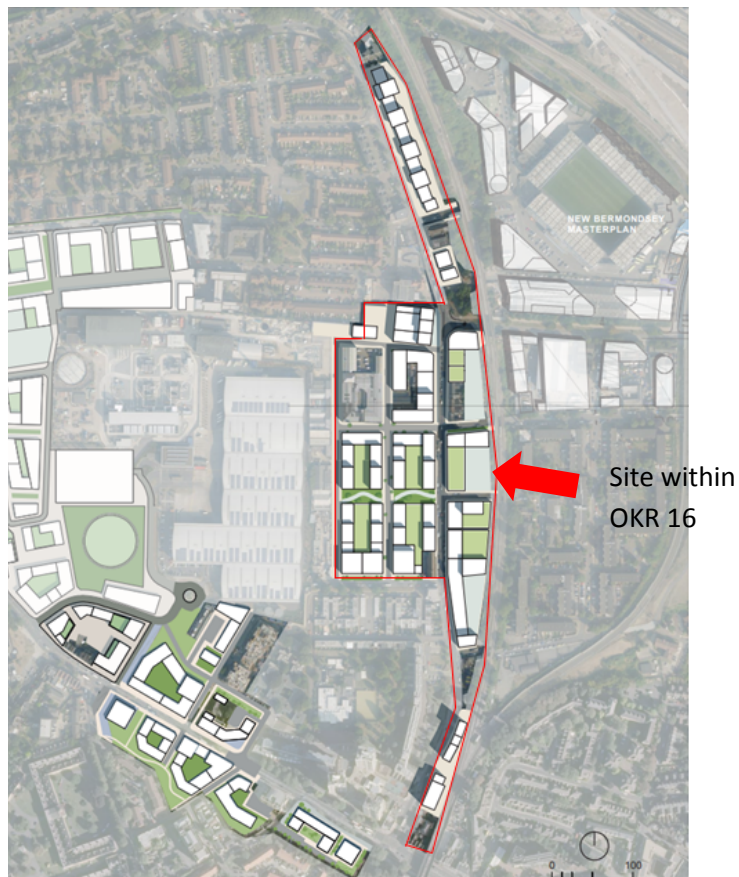


Image: Subject site within the OKR area.



## Industrial Land

39. The entire site is located within Strategic Industrial Land (SIL), as identified in the Core Strategy (2011) and London Plan (2017). Strategic Policy 10 of the Core

Strategy states that SIL will be protected for industrial and warehousing uses. Saved Southwark Plan Policy 1.2 states that the only land uses that will be permitted in SIL are B class uses and other sui generis uses which would be inappropriate in residential areas. This proposal represents a departure from these policies by proposing residential use within SIL.

The Core Strategy does however also recognise that structural changes in the economy are resulting in a declining need for industrial land in London and that diversifying the range of job opportunities in industrial locations can be of benefit to local people. Furthermore, it also sets out the future direction of the Old Kent Road as a growth and regeneration action area, subject to a future area action plan (AAP).

40. Adopted London Plan (2017) Policy 2.17 seeks to promote, manage and where appropriate, protect SIL as London's main reservoir of industrial and related capacity, which includes general and light industrial uses. It states that developments on SIL should be refused unless they:
  - Provide for broad industrial type activities;
  - Are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework;
  - Meet the needs of small to medium sized enterprises
41. The adopted London Plan (2017) also designates the Old Kent Road as an Opportunity Area, with an indicative capacity of 1,000 new jobs and a minimum of 2,500 new homes. This capacity has been increased to a minimum of 12,000 new homes in the emerging new London Plan. Both adopted and new London Plan identify the potential for residential-led development along the Old Kent Road corridor, with homes and jobs targets to be explored and further refined through the preparation of a planning framework and a review of the Old Kent Road SIL.
42. Furthermore, the draft OKR AAP sets targets of 20,000 new homes and 10,000 new jobs, to be supported by new infrastructure, including parks and schools. It proposes the release of a substantial part of the Strategic and local Preferred Industrial Location designation to allow for the creation of mixed use neighbourhoods where new and existing businesses would co-exist with new homes.
43. Paragraph 48 of the NPPF (2019) states that weight can be afforded to relevant policies in emerging plans depending on the stage of preparation of the plan. The New Southwark Plan and draft OKR AAP have been subject to extensive consultation however they have yet to be subject to independent examination and therefore the documents have limited weight. They do, however, provide an indication of the direction of travel for planning policy in the opportunity area.
44. Taking into account the adopted policy position, when 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 by the loss of SIL and the introduction of a residential use into SIL, and whether those benefits would justify a departure from adopted planning policy.

Employment Re-provision (No Net Loss)

45. The current headquarters and distribution centre for Leathams has been located at the subject site since 1995 with the business growing incrementally in the years since. Draft London Plan Policy E4 ('Land for Industry, Logistics and Services to Support London's Economic Function') requires Southwark to retain industrial capacity, according to a general principle of "no net loss". It should be noted that the Secretary of State recently directed the Mayor to delete some policies from his plan including the no net loss provision.
46. The existing provision of B8 floor space on the site comprises 2,005 sqm with 967 sqm of ancillary B1 Office Use (2972 sqm in total). The proposed would provide 2,184 sqm of B8 floor space on the ground and intermediate floor levels with an additional 1,043 sqm of Ancillary B8 floor space comprising the internal Loading Yard (598 sqm), and associated plant space(445 sqm). This would total 3,227 sqm of B8 space an increase of 255 sqm. In addition 354sqm of affordable B1c space would also be provided, providing 3581 sqm of B8 and B1c space in total an increase of 609 sqm.
47. The site currently provides 967 sqm of Ancillary B1 Office space. This would not be replaced, and had been introduced over time as the business grew. This is considered acceptable as B8 and B1c uses are being prioritised in this part of the AAP. In addition the form of the building is inherently flexible so should the need to provide office space arise it could be accommodated within the built form.
48. The proposals would result in an uplift of industrial floor space, the removal of some office floor space, and the creation of affordable workspace in line with the requirements of the emerging New Southwark Plan and AAP. In addition, the ancillary loading yard space is anticipated to provide good provision for operational requirements for businesses using the B8 floor space as per the requirements of the draft AAP and emerging London Plan Policy E4.
49. An additional benefit of the development is that the proposed industrial floor space has been carefully thought-out compared to the existing provision on site which is ad hoc. The floor to ceiling heights within the B8 space is 7.00 metres. Furthermore, a minimal number of columns are proposed, as well as two floors of B1c workspace (3.50 metre floor to ceiling heights) running parallel with Ilderton Road. This space can be used to provide ancillary space associated with a single large tenant; or could be divided up to create space for a number of distinct small industrial companies. The flexibility of the industrial floor space in order to accommodate a variety of potential occupiers is an exemplary part of this scheme.

Image: Ground floor layout demonstrating the areas of B1c and B8 floor space

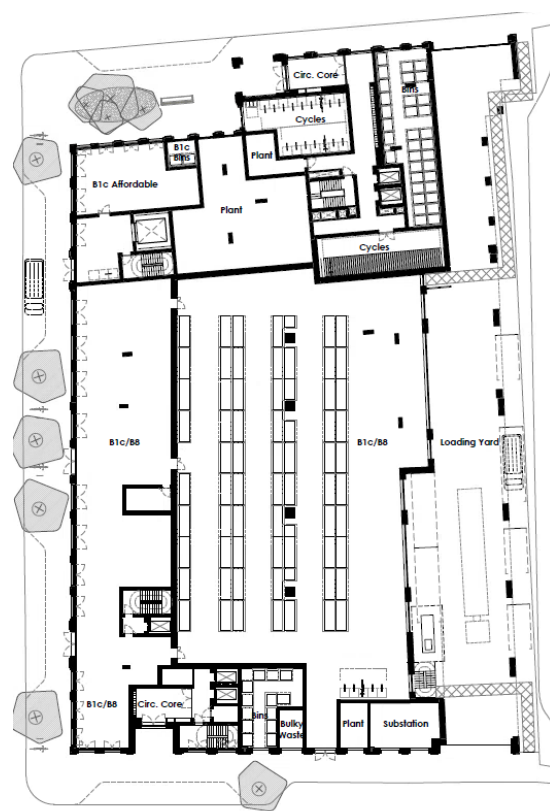
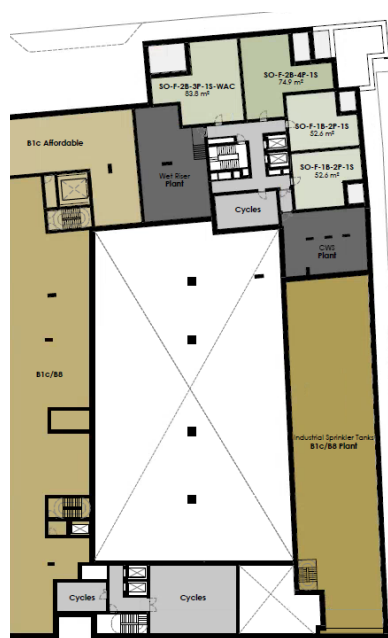


Image: Intermediate floor layout demonstrating the areas of B1c and B8 floorspace



**Image: Floor to ceiling heights of B1c (3.50 metres over two floors) and B8 (7 metres)**



### Job Creation

50. Leathams currently employs 145 staff with approximately 50% of the overall number in Office and Administrative roles as opposed to pure industrial employment. Based on the HCA's Employment Density Guide 3<sup>rd</sup> Edition (November 2015), the proposed industrial space would generate approximately 76 jobs. Whilst this is a reduction in overall employment, the 76 jobs provided is the equivalent of the current industrial jobs within Leathams business. Furthermore, the actual number of jobs that would be created will depend on the end operator or operators, which could end up higher than the 76 estimated. It is also worth noting that the requirement for uplift in jobs is to be achieved across the Opportunity Area as a whole, not necessarily on specific sites such as the subject site.
51. The Local Economy Team (LET) within Southwark supports the application given that it matches the economic, job, and growth plans for the Borough. The development provides uplift in employment space, and is expected to deliver 45 sustained jobs to unemployed Southwark residents, 45 short courses, and take on 11 construction industry apprentices during the construction phase, or meet the Employment and Training Contribution. In addition to this, the provision of 10% of the employment floor space for Affordable Workspace is welcomed by LET.
52. All LET recommendations would be secured through the Section 106 agreement. If any of these expectations were not to be achieved, financial contributions would be sought in accordance with the council's Planning Obligations and CIL SPD. An Employment, Skills and Business Support Plan would also be secured through the Section 106 Agreement.

### **Assessment of main town centre uses**

53. The site is not currently within a designated Town Centre, and as the development does not propose the introduction of A Class Units an assessment of Town Centre Uses is not required to be assessed as part of this report.

### **Provision of housing, including affordable housing**

54. The scheme would deliver 254 new homes, including policy compliant affordable housing 35.5% by habitable rooms. This is a significant positive aspect of the scheme. 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 and 2025. This is reinforced through

Strategic Policy 5 of the Core Strategy and emerging policy in the draft new London Plan, NSP and draft OKR AAP.

### **Prematurity**

55. Legal Advice received in relation to this issue highlights the following from the National Planning Policy Guidance:

“arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and
  - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
56. Refusal of planning permission on grounds of prematurity would seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.”
57. The most up to date adopted development plan document pertinent to the Old Kent Road is the 2016 London Plan. This identifies the Old Kent Road Opportunity Area as having significant potential for housing led growth. The draft OKR AAP has been developed in response to this adopted plan and has also sought to address the emerging policy position of the draft New London Plan including the increased housing target for the opportunity area and the need to ensure that the draft New London Plan aspirations for industrial land and employment are addressed. The scheme under consideration here is not considered to undermine either the strategic or local plan making process, and reflects the adopted statutory development plan position of the 2016 London Plan and the direction of travel of the draft NSP and the 2016 and 2017 draft OKR AAPs and the 2018 draft New London Plan (including changes proposed by the Secretary of State in 2020. It is not therefore considered to be premature.

### Conclusion on Land Use

58. The scheme would deliver major regeneration benefits, including a significant contribution to the borough’s housing stock, a policy compliant level of affordable housing, job creation, high quality industrial and affordable workspace. In light of the above, it is considered that the development, in land use terms, is acceptable, and its contribution to Ilderton Road and surrounding area should be supported.

### **Affordable housing and development viability**

## Affordable Housing

59. In summary, the proposed scheme would deliver 76 affordable homes to the borough's housing stock. When calculated as habitable rooms, this represents a policy compliant 35.5% affordable housing offer. In line with draft New Southwark Plan Policy P1, 27.8% of the all proposed habitable rooms would be for social rent (at least 25% is required by policy), and 7.7% would be intermediate.
60. Southwark Plan Saved Policy 4.4 requires at least 35% of all new housing to be provided 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. Emerging New Southwark Plan Policy P1 sets a requirement for a minimum of 25% of all the housing to be provided as social rented and a minimum of 10% as intermediate housing.
61. 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 bed 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 draft Policy P1 of the New Southwark Plan requires a minimum 25% of homes to be provided as social rented housing, which the proposed development complies with.
62. In accordance with the council's Affordable Housing SPD, rooms that are over 28 sqm have been counted twice for the purposes of calculating affordable housing. This accounts for large open plan living room spaces that include kitchens and dining areas.
63. In total, 763 habitable rooms would be provided. 271 of these would be affordable habitable rooms, which would equate to an overall provision of 35.5% and is therefore fully policy compliant and a very positive aspect of the scheme. Viability information has been submitted which supports the delivery of the quantum of affordable housing proposed.
64. With regard to tenure split, out of the total 763 habitable rooms, 212 would be social rented (27.8%), 59 would be intermediate (7.7%). This exceeds the requirement for 25% of homes to be social rented.

**Table: Tenure Split**

Tenure	Habitable Rooms		Units	
	No.	%	No.	%
Private	492	64.48%	178	70.08%

Social rented	212	27.8%	58	22.83%
Intermediate	59	7.7%	18	7.09%
Total	763		254	

65. All 58 social rented homes would be delivered in the '*southern block*', with the 18 intermediate homes to be located in the '*tower block*' along with all 178 private homes. The Section 106 Legal Agreement would secure the delivery of these units.
66. As with all Old Kent Road schemes, service charge costs to social rent tenants would be capped within social rent cap levels. This would be required in the Section 106 and confirmed when a registered social landlord is on board.
67. A contribution of £10,058.60 (a charge of £132.35 per affordable home) has been agreed towards affordable housing monitoring and maintained provision of these units, and would be secured by the legal agreement.

### **Development viability**

68. Southwark's Development Viability SPD requires a Financial Viability Appraisal (FVA) to be submitted for all planning applications which trigger a requirement to provide affordable housing. The FVA should identify the maximum level of affordable housing that can be sustained and justify any proposed departures from planning policy requirements.
69. This application is therefore accompanied by a FVA, which was reviewed by independent consultants on behalf of the council. The findings from the Independent consultant's report indicate that the scheme would generate a deficit when benchmarked against the site value. The sensitivity analysis has determined that if the sales value grew, and construction costs rise, the scheme would be able to deliver a surplus when benchmarked against the site value. In concluding their report, the assessment of the proposed development demonstrates that the scheme cannot currently viably deliver the prescribed amount of affordable housing. As the subject site is located near to the proposed Bakerloo Line, and close to the location of the New Bermondsey Station, the development would benefit from the wider regeneration of the area. This would boost sales and thus the scheme would be likely to directly benefit from increases in residential pricing in the longer term. Therefore it is considered that the applicant's proposal of 35.5% affordable housing contribution by habitable rooms is reasonable.

### **Conclusion on Affordable Housing**

70. In conclusion, the level of affordable housing proposed at 35.5% is a very positive aspect of the proposals. The offer is therefore considered deliverable on this basis and terms to secure the affordable housing would be included in the legal agreement, together with an early stage viability review should the scheme not be implemented within two years.

## Design considerations

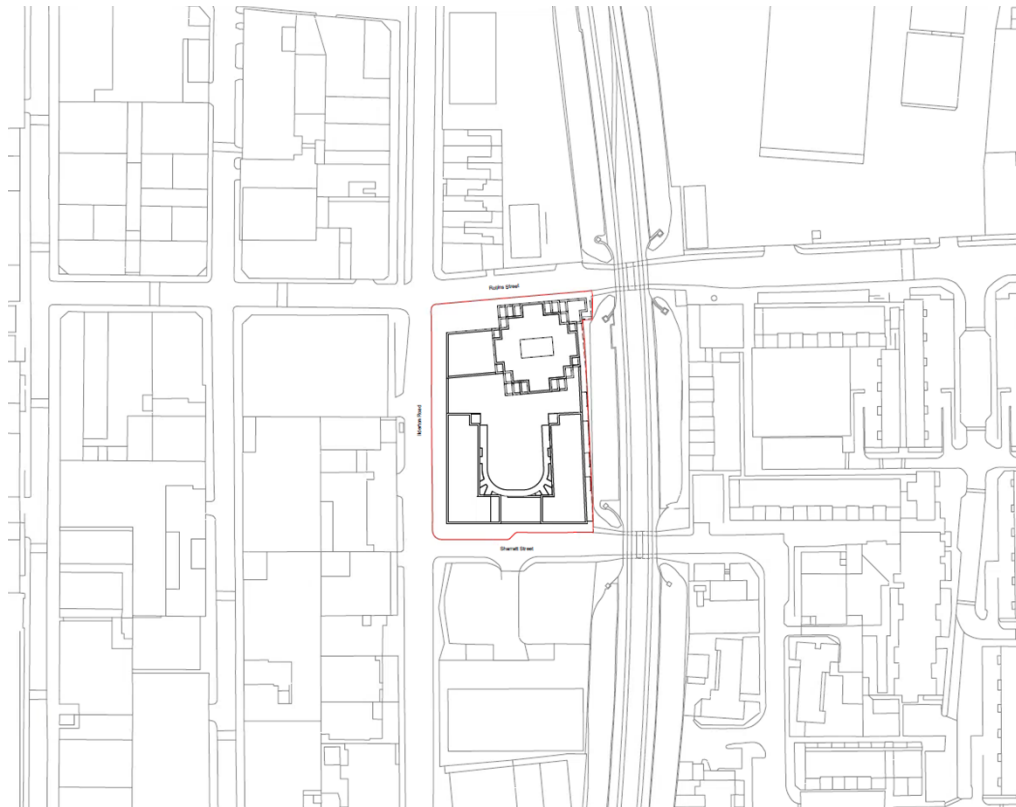
71. Strategic Policy 12 of the Southwark Core Strategy (2011) states that all development in the borough will be expected to “achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure 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. 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. With specific reference to tall buildings, Policy 7.7 of the London Plan (2016), ‘Location and Design of Tall and Large Buildings’ and Saved Policy 3.20 of the Southwark Plan sets out design requirements for tall buildings, both of which are discussed in further detail in the following paragraphs.
72. The emerging design policy in the New Southwark Plan includes P12, Design Quality and P14 Tall Buildings. P12 states that development must provide, amongst other things, high standards of design with appropriate fabric, function and composition. P14 sets out locational and design requirements for tall buildings (defined as significantly taller than surrounding buildings or their context). It states that the highest tall buildings will be located in areas where there is the greatest opportunity for regeneration, including Opportunity Areas, such as The Old Kent Road Opportunity Area.

## Site layout

73. The proposed layout of the site would comprise of one urban block with two distinct buildings rising above the podium, one on the northern and one on the southern side of the site. The building rising at the northern corner of the site is known on as the ‘*tower block*’. The tower block is 28 storeys and 94.65m in height. The building at the southern end of the site is known as the ‘*southern block*’. This building is 9 storeys in height. The podium space is located centrally between the two residential buildings. The ground and intermediate levels provide the workspace for B1c and B8 Uses within the site. To the rear of the site is the Loading Yard which is accessed from both Rollins Street and Sharratt Street.
74. The central podium space will provide 1,083 sqm of amenity space, 289 sqm as communal space and 794 sqm of play space for all age groups. An additional play terrace is centrally located on the seventh floor of the ‘*southern block*’ of 115 sqm with a further terrace on the seventh floor of the *tower block*’ providing 224 sqm of communal space and a 76 sqm communal room, which could be used for older children’s play. The total provision of communal amenity space in the scheme is 503 sqm and this meets design guidance requirements. The on site play space is 909 sqm in total, and whilst this meets provision for under 5’s to 12 year olds there is a shortfall in space for the over 12’s.
75. The existing public realm would be significantly improved as part of the development. Improvements include the removal of the existing advertisement hoardings which currently run parallel with Ilderton Road. This allows for the

footpath width to be extended to 5.00 metres allowing for increased movement and comfort for pedestrians entering, leaving, or walking past the site. The improvements would also facilitate new landscaping and planting to be inserted around the site. Furthermore, an additional area of public open space will also be created adjacent to the main residential tower entrance on Rollins Street. The improvements would create active frontages onto Ilderton Road, Rollins Street and Sharratt Street.

**Image: Site layout**



**Image: Frontage onto Ilderton Road**



76. The active frontages take the form of entrances to the proposed residential and B1c/floorspace on the ground floor. The Sharratt and Rollins Street elevations, have residential entrances to each respective residential towers. The entrances to the commercial uses are evenly distributed along Ilderton Road and this ensures the

activeness of the frontages. The introduction of landscaping and planting to each elevation provides a variety of street character with appropriate levels of activity on each edge of the subject site.

### **Height scale and massing (including consideration of tall buildings)**

**Image: The development, viewed from Ilderton Road**



77. This mixed use development forms a single urban block composed of a variety of strata; an industrial part 2 part 3 storey podium stretches across the majority of the urban site with three extruded blocks forming the upper residential units. A U-shaped block is positioned to the south of the site comprised of 6 residential storeys (9 storeys above ground at a height of +30.24m AOD) encompassing the courtyard. The centre of the block on the southern edge at Sharratt Street has been recessed by a storey to allow for a reduction in massing and increase sunlight exposure to the internal courtyard. A vertical tower is located to the north east of the site reaching 25 residential storeys (28 storeys above ground at a height of +94.65m AOD) above podium level, adjoined is a 'shoulder' extrusion of 5 storeys that steps down to the existing context along Ilderton Road. The tallest element of the proposal is situated north east of the site set back from Ilderton Road. The massing of the tower is reduced by the chamfering of edges expressing an elegant verticality. While the massing and height of the proposal contrasts with the mainly low-rise buildings of the surrounding area, it does not conflict with the prevailing pattern of development within the wider planned context. The proposal is a contextual response to the proposed varied and changing scales of the area and follows the tall building strategy contained in the AAP.

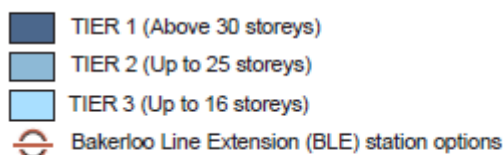
78. The proposed tall and mid-rise volumes create transitional scales, forming well articulated elevational designs. Building frontages have been generously set back from the edge of the urban plot to create an increased public realm. The removal of the existing hoardings facilitates a 5m setback on the western edge of the site which allows provision for an improved pedestrian and cycle footway. Setbacks of 2.4m are applied along Rollins Street and Sharratt Street, creating an increase to the streetscape along these secondary roads. At the North western corner the footprint has been recessed to create a public open space. The setback of the building massing provides a new public space at the entrance of the tower as well as providing a transition space between the new tower and the scale of the two storey terrace properties at the north. The proposed podium will have a strong street presence with the addition of an active frontage along Ilderton Road. A linear servicing route has been proposed adjacent to the railway viaduct to the east of the site; ensuring servicing requirements are to the rear of the development away from the residential uses. .

#### Draft OKR AAP

79. Policy 8 of the draft OKR AAP sets out a tall building strategy, the OKR 'Stations and Crossings' that should be adhered to in order to maximise the potential of the Old Kent Road. 'Tier One' buildings represent developments that exceed 30 storeys in height. These developments are proposed to be sited in the vicinity of the proposed BLE stations, to mark their city wide significance and optimise the use of land in the most accessible locations. A 'Tier Two' development proposes building heights within the range of 16 to 25 storeys. The strategic locations of Tier Two buildings located along important crossings and junctions of the Old Kent Road, and near to the boundary between Ilderton Road, New Bermondsey and the Old Kent Road. '*Tower block*', at a height of 25 storeys is compliant with the height range proposed within the AAP.
80. The AAP states that other buildings in the area will vary in height from 8 to 16 storeys depending on their immediate context. Given that the proposed '*southern block*' has a height of 6 storeys above the podium space, its proposed height is in line with the requirements of the draft OKR AAP.

**Image: The 'Stations and Crossings Strategy in the draft OKR AAP**





81. In line with the draft OKR AAP, the design of the tall buildings would be exemplary, with careful consideration of their impact on the skyline. The separation distance between the two buildings above the ground floor successfully enables the development to provide amenity and play space on the podium, and terraces located on the 7<sup>th</sup> floor of each respective building. The distance between the two buildings facilitates sufficient space that allows natural daylight to reach key habitable windows within the development.

#### London Plan (2016)

82. As the development would be 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. Furthermore, 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, the Old Kent Road Opportunity Area is, in principle, an appropriate location for tall buildings which optimise housing delivery and regeneration benefits. The proposed development is considered to achieve both, whilst also meeting the other requirements of London Plan Policy 7.7.
83. National, Regional, and Local Policy state that the impact of tall buildings in sensitive locations, including the settings of conservation areas and listed buildings should be given particular consideration. In acknowledgement of the subject site not being within the boundaries of a conservation area, the closest sensitive location is the Grade II Listed Gasholder 13 located circa 395 metres southwest of the subject site. The specific impact of the proposed development on this sensitive setting, and the wider townscape context is assessed in more detail below where the submitted Townscape and Visual Impact Analysis (TVIA) is considered.
84. Ilderton Road is dominated by Industrial land and uses with limited active frontages and poor urban streetscapes. It is considered that the industrial nature of the existing townscape is not considered worthy of protection. The replacement of the industrial use with a high quality architectural mixed use scheme is a significant public benefit of the proposed development.
85. The uplift of existing B8 floorspace and the introduction of B1c Affordable workspace along with the delivery of housing (including affordable housing), and a generous Children's play space and general amenity space would deliver significant contributions to local regeneration. Furthermore, the improvements to the public realm would be appropriately landscaped, and would increase permeability when moving through or past the site.

86. The impact of the proposed development on microclimate, wind turbulence, overshadowing, noise, aviation, navigation and telecommunication interference is all assessed and presented elsewhere in this report. In the majority of cases however, there would be no significant adverse impacts. Please see the relevant section of this report for more detail.

#### Southwark Plan

87. 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 Plan Saved Policy 3.20 dating from 2007. Nevertheless, the proposed development has also been assessed against the requirements of this saved policy. Saved Policy 3.20 requires any building over 30 metres tall to ensure that it:
- Makes a positive contribution to the landscape; and
  - Is located at a point of landmark significance; and
  - Is of the highest architectural standard; and
  - Relates well to its surroundings, particularly at street level; and
  - Contributes positively to the London skyline as a whole consolidating a cluster within that skyline or providing key focus within views.
88. The development has provided a number of significant extensions to the public realm. The development has been set back in the urban plot creating a generous 5m extension to the existing footway at the western edge. As a result a pedestrian focused streetscape with the provision of street trees and active frontage is provided, recreating the public space at Ilderton Road. Entrances to the residential units are at the northern and southern ends of the site encouraging increased movement along Rollins street and Sharratt Street. A linear circulation for servicing has been provided at the eastern edge of the street, removing immediate servicing requirements from Ilderton Road.
89. It is considered that the tall buildings value lies in forming a local landmark. The existing railway line provides a physical barrier between boroughs Southwark and Lewisham. The tower will provide urban legibility, positioned along the eastern edge of the railway viaduct at the junction of borough boundary. The OKR AAP intends to create a green link to the park at Bridgehouse Meadows 250m to the east of the site, the tower will assist as a wayfinder to and from that space.
90. The articulate composition of the tower expresses verticality, with stepped balconies, a clear vertical order and chamfered corners. Stepped modelling of the upper floors adds interest and definition to the top of the tower, distinguishing from the main body. The top faceting creates architectural interest as well as allow further light into the depth of the plan providing second aspects to many units. Deep reveals and recessed corners accentuate the slenderness of the tall building.
91. The tower entrance is formed as a permeable double height brick portico entrance that has a grand presence at street level. The extension of public space at the north east corner improves the streetscape. The materiality of the tower has been composed to integrate with the rest of the AAP development to create a coherent set piece. Tonal alterations of brickwork emphasise reveals and elevational details.
92. The tall building relates well to its immediate surroundings, both in terms of its base

and its general design. The double-height entrance creates a sense of openness and permeability. The scale and the robust quality of the outer brick columns relate to the industrial character of the area and the adjacent railway arches. Its contextual relationship is the detailing and material finishes of the building itself, with its elevational architecture and industrial connotations. It brings interest to the street scene and setting of the developing area.

93. The chamfering and recessed elements at the top of the tower, help to decrease the overall massing impact as well as provide an articulated aesthetic that adds visual interest to the building from longer and shorter views. It is considered to contribute positively to the London Skyline.

#### **Architectural design and materiality**

94. The proposed scheme has been designed as a singular piece within the urban fabric, despite the mixed of uses the urban blocks are composed to be visually coherent. Each block of the scheme is well-designed in terms of their individual functional qualities, but also in creating a mixed use development that compliments the industrial character of the area.

The ground floor industrial and commercial unit's benefit from 7m heights, allowing for future adaptation of the space, considered a sustainable approach. The ground floor units facilitate an active frontage at the western edge of the site. An alteration in entrance designs creates interest as well as defining residential and industrial separation. Both residential entrances are double height to create a sense of openness and permeability into the foyer, ensuring that the residential apartments above have a prominent ground floor presence.

95. The residential tower has a definitive base middle and top, the vertical articulation of the tower reduces its over massing and creates a clever plan form. Further recessing at the top of the tower adds visual interest for longer and shorter views as well as creating an interesting silhouette. The proposed U-block has a curved deck access to the dual aspect apartments facing the courtyard. Voided areas beside entrances create a level of privacy to the apartments, with separation from the main walkway avoiding the creation of a narrow utilitarian corridor space. It should be ensured that this 'gallery access' is well lit and landscaped to create an inviting environment.

**Image: Vertical articulation of the tower block with reduced massing at the top**



96. The proposal uses a minimalist material palette, predominantly brick to inform the industrial context of the area. The pale blush brick will create an elegant finish across the development. A darker brick wraps the skirt of the scheme and architraves of ground floor entrances unifying the singular urban block.
97. The proposed design is well conceived and executed. The detailed massing and façade treatments work well together to articulate the built form, following the existing industrial character of the area. The development offers a variety of transitioning scales and an appreciation of the existing and emerging the local context. Overall, the architecture is effective and engaging. However, much will depend on the final materials and detailing, and therefore conditions have been attached to this decision to ensure the highest quality to the scheme.



**Images: View of development from Ilderton Road looking south**



### **Landscaping**

98. The proposed development would consist of a hard and soft material palette. The hard landscaping would provide high quality and durable materials for the podium and public realm that includes landscape furniture such as cycle stands. The soft palette would balance aesthetic, ecological and maintenance issues. This involves plant species that would be chosen on seasonal interest, durability, suitability for elevated locations, and maintenance requirements. Furthermore, ecological and biodiversity landscaping is proposed that focuses on enhancing the ecological value of the development.
99. The design for the landscape and public realm would also balance the needs of residents and employees working on the ground floor. A simple and robust public realm on the ground floor is contrasted by the verdant garden and terraces on the upper levels. The open aspect to Ilderton Road to the west, and the railway line to the east provide a visual connection to the street below, as well as long distances views of the surrounding neighbourhood.
100. The proposed landscaping at the ground floor level would increase the area of public realm by removing the existing advertisement hoardings that currently front on to Ilderton Road. The space would be increased from 1.80 metres in width to 5 metres in width. This additional space facilitates extra circulation and permeability benefits to pedestrians entering, leaving or moving past the site. Further space is afforded to the public realm next to the main residential entrance on the corner of Rollins Street and Ilderton Road.
101. The hard landscape treatment to the public realm takes inspiration from the tough and hard working surfaces in the area. Standard surface treatments are proposed to each street frontage to be in keeping with the surrounding streets. Permeable resin bound gravel is used to surface tree pits to proposed trees. The main residential street entrances are marked with a Herringbone Dutch brick paver 'doormat'. The soft landscape palette to the ground floor public realm is restricted to semi-mature

trees along each street frontage. The trees along Ilderton Road and Sharratt Street are a native Field Maple, with the three trees at the corner of Ilderton Road and Rollins Street providing a mix of species that enhances the main entrance to the development.

102. Two roof terraces, one in each residential block, would consist of an Ecology Terrace to the '*tower block*' and a Play Terrace to the '*southern block*'. Both spaces are located on the 7<sup>th</sup> floor within each block. The Ecology Terrace includes grassland with stepping stones reaching to circular lawn spaces and timber seating benches. It would provide a mix of ornamental grasses, ferns, bulbs, herbaceous perennials, five trees and bird boxes located throughout to enhance the ecology and biodiversity of the space. The Play Terrace comprises of a colourful grid of blocks with five multi-stem trees planted within. This terrace would also consist of a viewing gallery that would provide views primarily to the south of the development.
103. To the podium level, the landscape palette consists of a diverse, sustainable and drought tolerant species. The podium would provide space for 16 trees, concrete planters, and mixes of ornamental grasses, ferns bulbs and herbaceous perennials. Climbers are to be planted along a lightweight metal structure that connects the openings at the edge of the building to the central lawn.
104. The central podium and play terrace located on the 7<sup>th</sup> floor of the '*southern block*' would accommodate the Children's Play space that is to be contained within the development. The play space is to be provided primarily for the Under 5 age group and for the 5-11 age group. In total, 909 sqm of Children's play space will be provided within the development. At the podium level, the play space is to be located centrally between the two residential towers. The incorporation of Children's Play Space into the Central Podium enables the area to function as a mixed use and multi-functional play and general amenity area within the development. Subject to a condition attached to this decision, the final design and details submitted for the Children's Play space would be reviewed by Planning Committee Members.

Image: Preferred Podium and play space elements

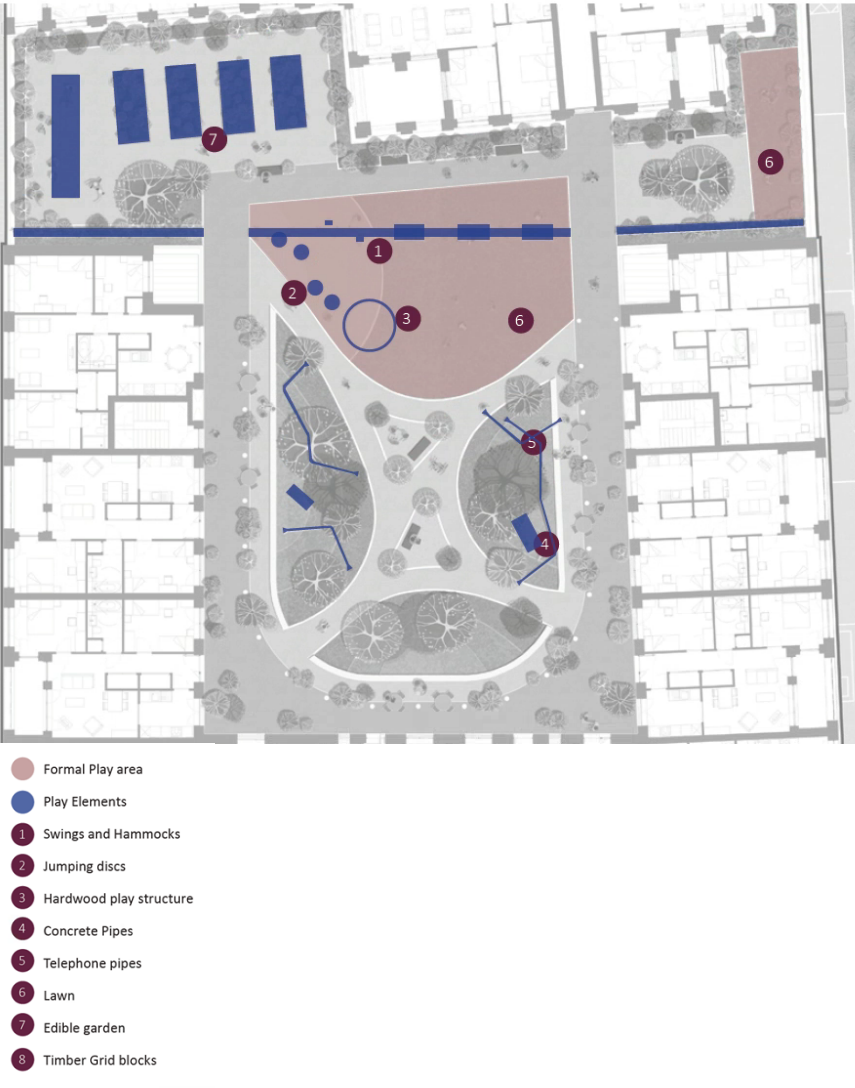
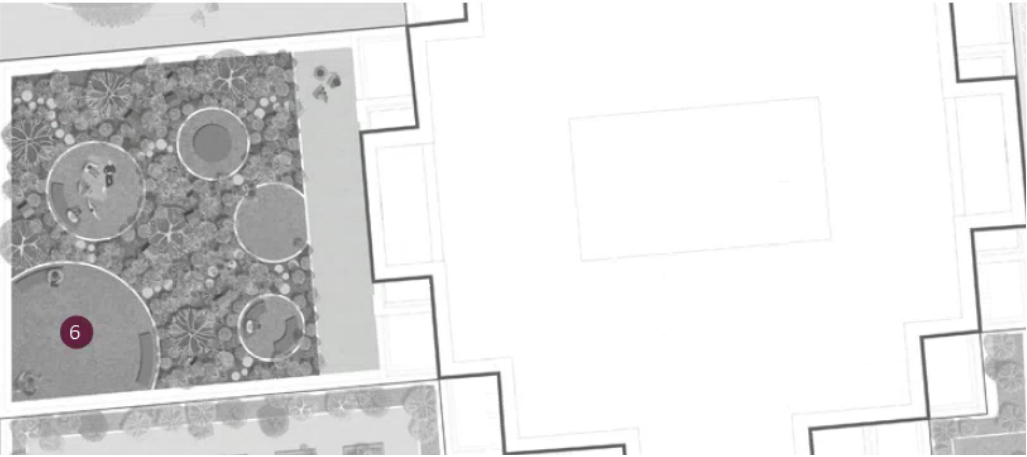
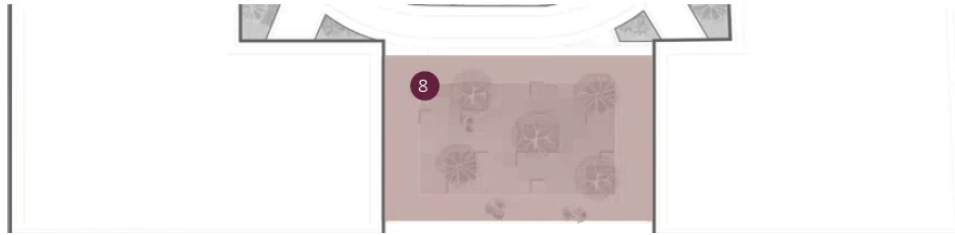


Image: 7<sup>th</sup> floor Ecology Terrace and Play Terrace in the ‘Southern block’





105. The council's Ecology Officer has reviewed the proposals. As the subject site is adjacent to a borough Site of Importance for Nature and Conservation (SINC), it is advised that lighting used in the scheme should, where possible during the construction and operation phases of the development, be designed to avoid impacting on the railway embankments and bridges to the east of the site. This is advised by the Ecology Officer in order to minimise the disturbance to bats which may opportunistically use these linear features for commuting to foraging habitat in the wider area. Such lighting could include the installation of bollard lighting, use of warm-white LED lighting, directional installation of lighting, installation of recessed external lighting.
106. There is the potential to provide an increase in onsite roosting opportunities for bats through the incorporation of bat boxes into the design of the development. General purpose bat boxes (such as the Schwegler 1FF mentioned in Appendix 3 of the submitted Preliminary Ecology Appraisal) could be installed on buildings or newly planted trees in the post-construction phase of the development. It is considered that these boxes offer suitable roosting conditions for a range of crevice dwelling bat species such as the common pipistrelle. This enhancement of biodiversity would be in line with the Section 15 of the NPPF and the New Southwark Plan (2017) Policy SP59, which seeks to provide biodiversity net gain at sites of development.
107. Within the Preliminary Ecology Appraisal submitted as part of this proposal, the council's Ecology Officer welcomes the creation of an Ecology Terrace on the 7<sup>th</sup> floor of the 'tower block' that creates additional green infrastructure. Furthermore, the applicant is advised that habitat creation within the development should include native shrub and scrub planting for the benefit of bats, invertebrates, and birds. The landscape planting should also include species of local provenance and species that have known benefits to wildlife.
108. Conditions recommended by the council's Ecology Officer have been attached to this decision to ensure that the ecological benefits of the scheme are maximised.
109. The public realm, streetscape and communal amenity spaces, would be fully accessible, and provide a level threshold between internal and external spaces and across the open spaces.
110. The security of existing and new residents has also been considered, with lighting arranged around the central podium, and the Ecology and Play spaces on the 7<sup>th</sup> floor of each respective residential building. The lighting has been strategically placed so that there are no hidden corners within the development. A lighting strategy would be secured by condition and the metropolitan police are satisfied that this scheme could achieve Secured By Design accreditation.
111. The landscape details submitted to date are considered to be of good quality and appropriate for the development of this part of the Old Kent Road Action Area. Final details of the design, materials and planting proposed would be required by

condition.

### **Trees**

112. Saved Policy 3.13 of the Southwark Plan requires high quality and appropriately designed streetscape and landscape proposals.
113. There are no tree or landscape constraints on, or adjacent to the subject site. Given that the site currently contains no trees, the development would result in a significant increase to the number of trees. Locations for the trees include street trees on the public space fronting Ilderton Road and Rollins Street, on the central podium, the 7<sup>th</sup> floor roof terraces at each residential tower, and also at roof level.
114. The council's Urban Forester recommends a specific tree planting condition is attached to this decision to ensure that the trees are provided, especially on the Ilderton Road and Rollins Street locations. In the event that these or other trees proposed within the red line boundary of the site are not feasible, a payment in lieu can be agreed for provision elsewhere within the subject site. The council's Urban Forester also recommends that as part of the S106 Agreement, funds should be identified for investment of nearby open spaces such as Bramcote Park.

### **Southwark Design Review Panel (DRP)**

115. The proposed scheme was presented to the Southwark DRP on 11<sup>th</sup> March 2019. Whilst the meeting was fairly positive, members of the DRP highlighted a range of concerns. From this the applicants have adjusted the scheme with four key changes to the overall development being incorporated following the meeting. The adjustments are discussed in detail below:

#### DRP: 11th March 2019

116. DRP comment:

The Panel felt the plan form and arrangement of units in the tower were very good. They enjoyed the set-backs at the corners and the recessive modelling at the top added interest to the design. The Panel recognised that this proposal was evocative of a similar tower designed by this architect at St George's Circus and they welcomed this reference. They encouraged the architects to develop the design further and to broaden the palette of materials especially on the tower to give it a more refined appearance and to distinguish it from the buildings around the base of the block.

117. Response to DRP comments:

The base of the tower was amended to include a more articulated plinth that distinguishes the more commercial base from the residential tower above. It was considered that a more proportioned and more significant covered entrance be proposed for the tower that better relates to the new public space as well. A palette of high quality materials were integrated with simple and crisp detailing. Furthermore, the tower was further refined to reveal a more faceted and visually intricate top.

118. DRP comment:

The Panel questioned the detailed design of the U-shaped deck-access block. They felt the uniform height applied across the block gave it a monolithic and overbearing appearance especially on Sharratt Street and overshadowed the courtyard. They encouraged a step down on the southern edge of the U-shaped block and felt that a 2-storey step-down was the minimum necessary along that Sharratt Street face. Such a step down would break down the block into its constituent parts and also improve solar penetration into the elevated courtyard.

119. Response to DRP comments:

A 'step down' has been retained on the 7th floor of the Sharratt Street elevation to (a) break up the massing (b) provide amenity space and (c) improve the level of solar penetration into the courtyard. A curved access gallery is proposed that pulls away from the internal corners and long façades, thereby providing privacy to any rooms looking onto the access gallery. It also provides each entrance with its own semi-private threshold and separation from the walkway. These can be used by residents for plants or other domestic features to soften the interior architecture and create a welcoming feel. The curved access also creates a series of openings that allow light to penetrate down to all levels.

120. DRP comment:

When they considered the elevated garden which is also the communal amenity for residents the Panel questioned its detailed design, scale and proportions. They enjoyed the communal 'feel' of the courtyard which arises from it being surrounded by the deck-access apartments. However, they requested more information including cross-sections across the block with figured dimensions, as well as more details about the deck-access spaces.

121. Response to DRP comments:

A detailed landscaping strategy for the courtyard has been submitted with the application including scale drawings in cross section and a sun path analysis. The space would be a safe and attractive environment for neighbours to meet and interact. The space includes shaded woodland planting, lawns, seating / relaxing spaces, a growing garden, as well as play areas for all ages.

122. DRP comment:

When they considered the commercial ground floor plan the Panel had concerns that the lack of detail resolution of this aspect of the project compared with the residential. They noted that the main structural columns of the tower for example did not appear on the ground floor plan and this could have a serious impact on the practicality and usability of this space. The Panel also raised questions over the impact of this proposal on the Ilderton Road frontage. This eastern edge of the site is important to this proposal and one that should benefit from active uses along its length. It should not be the windowless flank of a factory space which is what it is at the moment.

The Panel encouraged the architects to review their proposals and to consider this as an important active façade. The brief requires affordable workspace and every light Industrial or logistics facility has administrative, research and/or retail requirements all of which could be better located on the important Ilderton Road frontage in order to contribute positively to the street scene.

123. Response to DRP comments:

Active frontage associated with both the residential and commercial uses are proposed along Ilderton Road and the corners of Rollins Street and Sharratt Street. By positioning the warehouse in the centre of the plan, it allows the more active ancillary uses, such as office space and staff facilities, to occupy the street frontages.

**Heritage and townscape considerations**

124. London Plan (2016) Policy 7.4, Local Character, states that development proposals should respond to their context, including buildings, open 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', states that development should ensure that the significance of built heritage assets is conserved. Saved Policy 3.15, Conservation of the Historic Environment of the Southwark Plan (2007) 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 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. The NPPF (2019) requires Local Authorities to consider the impact of a proposed development on the significance of a designated heritage asset. Any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should be categorised as either substantial or less than substantial. Substantial harm should only be permitted in exceptional circumstances. Less than substantial harm should be weighed against the public benefits of the proposal.

**Conservation areas**

125. The application site does not sit within a conservation area and it contains no listed buildings. There is however, one conservation area within 1km of the site, meaning that their settings could be impacted upon by the proposed development. The conservation area is listed below:

**Table: Conservation areas within 1km of the application site**

<b>Conservation Area</b>	<b>Distance from Application Site</b>
Caroline Gardens Conservation Area	Approximately 520m

126. Also within the area between the subject site and Caroline Gardens are a number of Grade II listed buildings and structures, including the following:

- Nos. 864 and 866 Old Kent Road;
- Nos. 880, 882 and 884 Old Kent Road;
- Licensed Victuallers Benevolent Institution (Caroline Gardens);
- Licensed Victuallers Almshouses (Caroline Gardens);
- Gasholders Nos.13

#### Draft OKR APP and Draft Local List

127. Although of very limited weight, the draft OKR AAP also identifies buildings and features of townscape merit and buildings of architectural or historic interest. The following buildings, within the immediate vicinity of the site, are identified as such. These buildings are also included on the draft Local List published by the council in March 2018. The following are within or immediately adjacent to the application site:
128. The following buildings are within the immediate vicinity of the application site:

**Table: Draft AAP Building or Feature of Townscape Merit within the immediate vicinity of the site:**

Property	Description
209-225 Ilderton Road	Building of Townscape Merit
Penarth Centre, 30 Penarth Street	Building of Townscape Merit
Christ the King Chapel, 8 Manor Grove	Building of Townscape Merit

#### **Townscape and Visual Impact Assessment (TVIA)**

129. The submitted TVIA appraises ten viewpoints which demonstrate that whilst the proposed development will introduce substantial change to the Site and its locality, such change can be accommodated when considering the cumulative developments without unacceptable effects on townscape character, and visual amenity of the wider landscape. Six of the ten viewpoints are considered to be sensitive and are shown below with an individual assessment undertaken within each proposed viewpoint. Additionally, London View Management Framework (LVMF) Views have also been taken into consideration as part of this report. The view from Parliament Hill forms one of the six viewpoints considered as part of this development.

#### London View Management Framework (LVMF) Views

130. London Plan (2016) Policy 7.11, London View Management Framework, and Policy 7.12, Implementing the London View Management Framework, relate to the identified strategic views in London. They state that development should not harm these views, and where possible should make a positive contribution to the characteristics and composition of strategic views. Supplementary Planning Guidance on the LVMF was published in March 2012.
131. The LVMF view likely to be impacted upon by the proposed development is from Parliament Hill, approximately 11km northwest of the subject site.

<b>View 16 (LVMF 2A.1 Parliament Hill)</b>	
View location	The summit of Parliament Hill
Heritage Significance	LVMF protected view. The view crosses a wide span of London. The foreground is occupied by the open space

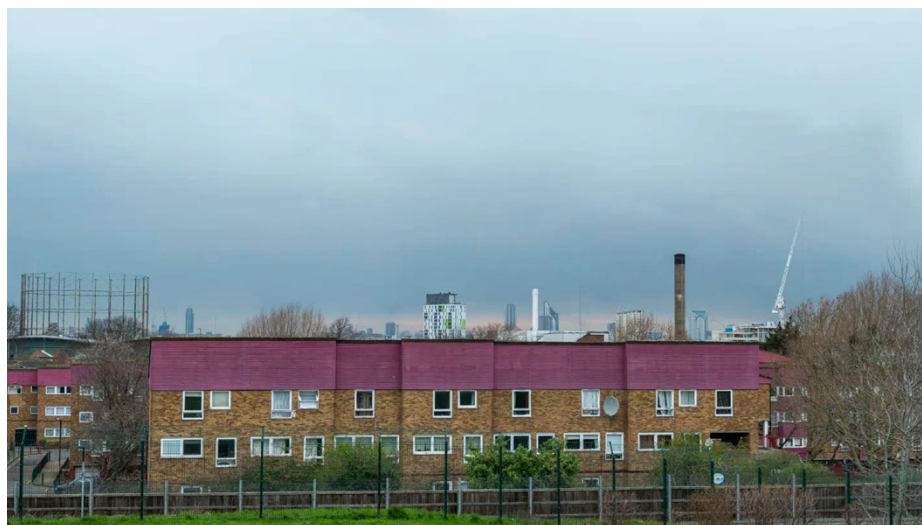
	of Hampstead Heath. The tall buildings of central London appear in the distance, including the City of London cluster. The vista to St Paul's Cathedral in the centre of the view is protected.
Other Significance	Public open space.
Sensitivity to change	High
Impact of proposal	The ' <i>tower block</i> ' building of the development would be visible in the distance to the east of The Shard. The building would not have an impact or disrupt views of St. Paul's Cathedral.
HE Comments	None
Conclusion	The proposed scheme would have no impact on the silhouette of St. Paul's Cathedral or the ability to appreciate St. Paul's in this view. As the silhouette of the Cathedral would be preserved, and the wider setting consultation area would not be encroached upon, it is not considered that there would be any harm to this view. Furthermore, the Shard would remain the tallest feature in the view.

#### Local Views

132. The five remaining viewpoints of the submitted TVIA considered in this report are from locations nearby that have been assessed due to their potential impacts on Grade II Listed buildings and structures within the borough boundaries.

<b>Viewpoint 1</b>	
View location	Bridgehouse Meadows
Heritage Significance	None
Other Significance	Gasholder no. 13 is visible in this viewpoint and is identified as a Grade II Listed structure within Southwark
Sensitivity to change	High.
Impact of proposal	From this location, a block of four storey blocks of flats are visibly in the central view. In the wider view, the Listed Gasholder is visible to the left side, with the high-rise buildings within Elephant and Castle visible in the distance. The development would be visible in the centre of this view, but would be some distance away from the Listed Gasholder as to not harm or disrupt views of its setting.
HE Comments	None
Conclusion	The proposed development would not harm the setting of the Grade II Listed Gasholder no. 13.

Image: Viewpoint 1 showing the existing view and proposed view:



Viewpoint 3	
View location	Junction of Commercial Way and Old Kent Road
Heritage Significance	None.
Other Significance	Gasholder no. 13 is visible in this viewpoint and is identified as a Grade II Listed structure within Southwark
Sensitivity to change	Low
Impact of proposal	This view looks southeast with the Gasholder visible to the left of centre with the roof of the Southwark Recycling centre visible in the distance, with the Hertz Car Rental Company visible in front centre of this view. The proposed 'tower block' would be visible in the distance in the centre of the photo and would not impede on the views of the Grade II listed Gasholder no. 13
HE Comments	None
Conclusion	As the proposal is located away from the main viewpoint

	of the listed Gasholder no. 13, it would not harm the significance of the heritage asset.
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**Image: Viewpoint 3 showing the existing view and proposed view:**



<b>Viewpoint 4</b>	
View location	Southwark Park
Heritage Significance	Medium. Southwark Park is a Grade II Registered Park and Garden, and the Grade II Listed former Clare College Mission Church is visible from this view looking southeast to the subject site
Other Significance	None.
Sensitivity to change	Low
Impact of proposal	Current views southeast are screened by mature tree canopies even during the winter months when trees are not in leaf. The upper 16 floors of the 'tower block' would be visible from this viewpoint; however, as noted, the

	views are restricted by the existing mature trees around the perimeter of the park.
HE Comments	None
Conclusion	The proposal would not impact on the setting of Southwark Park, nor would any visual amenity impacts arise from the proposed development in this viewpoint

**Image: Viewpoint 4 showing the existing view and proposed view**



<b>Viewpoint 7</b>	
View location	Burgess Park
Heritage Significance	Medium. Burgess Park is a Locally Listed Park designated as Metropolitan Open Land.
Other Significance	None
Sensitivity to change	High
Impact of proposal	The Cobourg Road Conservation Area and Grade II Listed New Peckham Mosque are located centrally within the existing view. The proposed development would be partially visible from the upper floors of the 'tower block'; however, once the Malt Street development is completed, the 'tower block' would not be visible from this viewpoint

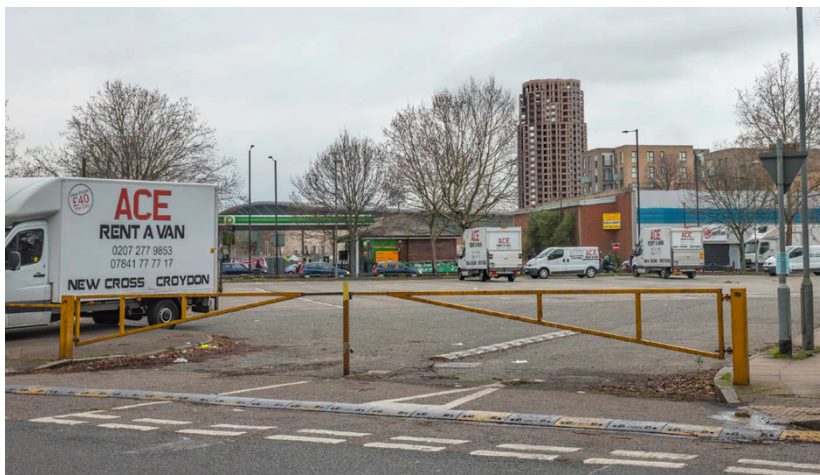
HE Comments	None
Conclusion	The impact on this view would not cause harm to the setting of the park, conservation area or listed building.

**Image: Viewpoint 7 showing the existing view and proposed view**



<b>Viewpoint 10</b>	
View location	North Lodge to Licensed Victuallers Benevolent Institution (Caroline Gardens) looking northeast
Heritage Significance	High.
Other Significance	None
Sensitivity to change	Low – given the separation distance (circa 540 metres) between the development site and the listed buildings.
Impact of proposal	The proposed development would result in the addition of considerable height and scale compared to the middle distance of the view. However, in this context, it is not considered to harm the setting of the listed buildings given the aforementioned separation distance.
HE Comments	None
Conclusion	It is not considered that the special architectural or historic interests of the listed building or their setting would be harmed from this development.

**Image: Viewpoint 10 showing the existing view and proposed view**



#### Conclusion on the Setting of Listed Buildings, Conservation Areas and Townscape

133. The following table summarises the designated heritage assets that could be impacted by the proposal, and what harm, if any has been identified.

**Table: Impact on heritage significance**

Listed Buildings and Conservation Areas	Assessment of Impact on heritage significance
LVMF Views	No harm identified
Local Views	No harm identified
Caroline Gardens Conservation Area	Some less than substantial harm identified to setting given the separation distance to the subject site
Listed Buildings	Some less than substantial harm
Draft Locally listed buildings/ undesignated assets identified in the draft Old Kent Road AAP	No harm identified. Whilst the buildings are located nearby to the development the impacts would be less than substantial.

134. In conclusion, the proposed development would not have a significant impact on the views assessed despite it being a highly visible feature in the surrounding townscape. The development is considered to be a beneficial addition to the

viewpoints assessed due to its high quality of design which generates new interest in the skyline within Southwark.

135. Historic England and the Greater London Authority raised no objection to any of the viewpoints assessed. As the development is considered to significantly improve the appearance of the subject site, creates an active frontage along Ilderton Road, and facilitates a high quality design, the less than substantial harm to some of the surrounding assets is considered to be outweighed by the wider regeneration benefits of the proposal.
136. Whilst limited weight has been given to emerging policy, full weight has been given to adopted policies, including the NPPF (2019), London Plan (2016) and Southwark Plan (2007) and Core Strategy (2012). As can be seen from the assessment contained within this report, the proposals are considered to be in compliance with these adopted policies.

## **Housing mix, density and residential quality**

### **Housing mix**

137. 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 housing mix requirements are replicated in the draft OKR AAP (Policy 5).
138. The proposed housing mix would be as follows:

**Table: Proposed Housing Mix**

Unit size	No. of homes	% of homes
Studio	12	4.72%
1 bed	89	35.04%
2 bed	102	40.16%
3 bed	51	20.08%
Total	254	100%

139. 60.24% of the proposed homes would have two or more bedrooms. This provision meets the minimum requirement for a development proposing two bedrooms or more. Furthermore, the allocation of 51 three bedroom units meets also meets the minimum requirement to be provide 20% three or more bedrooms in accordance with Strategic Policy 7.
140. Of the affordable housing units for, 17 are one bed units, 29 are two bed units and 30 three bed. The breakdown above demonstrates that the housing mix within the development is acceptable.

**Table: Proposed housing mix broken down by tenure**

Unit size	Private homes		Intermediate homes		Social rented homes	
	No.	%	No.	%	No.	%
Studio	12	6.67%	0	0%	0	0%
1 bed	72	40.44%	7	38.89%	10	17.24%
2 bed	73	41.10%	5	27.78%	24	41.38%
3 bed	21	11.79%	6	33.33%	24	41.38%
Total	178		18		58	

### **Wheelchair housing**

141. Saved policy 4.3 of the Southwark Plan requires at least 10% of all major new residential developments to be suitable for wheelchair users and London Plan Policy 3.8 requires 90% of new housing to meet Building regulations M4(2) “accessible and adaptable” and 10% to meet Building Regulations M4 (3) “wheelchair user dwellings”. This is reiterated in emerging policy in the draft OKR AAP and the New Southwark Plan.
142. 26 of the proposed new homes would meet Building Regulations Part M4 (3) “wheelchair user dwellings”, which equates to 10.23% of all dwellings. Fourteen of the units would be private units, six would be for social rent, and six units would also be facilitated for the intermediate units. The social wheelchair unit provision equates to circa 23%, and is considered to be an acceptable level of provision which is reflective of the overall proportion of social rent homes proposed. Of the wheelchair units, the majority of would be provided in the 3-bed dwellings. The wheelchair user dwellings would be secured through the Section 106 Legal Agreement.

### **Density**

143. Policy 3.4, Optimising Housing Potential, of the London Plan states that development proposals 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.
144. Emerging Policy P9 of the New Southwark Plan seeks development within the Old Kent Road Opportunity Area (OKROA) Core to provide 650-1,100 habitable rooms per hectare. However, the OKROA allows development to exceed this range where it achieves exemplary standards of residential design. The development as a whole delivers 763 habitable rooms over 0.43 hectares. This equates to 2,009 habitable rooms per hectare calculated in accordance with the Residential Design Standards SPD 2011.
145. Since the maximum upper limit of habitable rooms per hectare would be exceeded, the development would need to demonstrate that it would provide exemplary

accommodation of 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 a high density in this Opportunity Area location would not raise any issues to warrant withholding permission. This is considered in the following table and paragraphs.

**Table: Indicators of exemplary design**

Indicators of Exemplary Design	Proposal
Provide for bulk storage	All of the units would exceed the minimum requirements for storage.
Exceed minimum privacy distances	Minimum privacy distances would not be exceeded in relation to the units within each respective building. Whilst the largest distance between the buildings is approximately 12.10 metres, at the smallest point it is circa 7.85 metres. Notwithstanding this, due to the units in the ' <i>southern block</i> ' all being dual aspect and having no windows in the north elevations at this narrow point, facing the tower the development retains a high degree of privacy for occupiers within the development.
Good Sunlight and daylight standards	The development has been designed to maximise daylight inside the dwellings and ensure good levels of sunlight to the external amenity spaces
Exceed the minimum ceiling height of 2.3m required by building regulations	All habitable room ceilings would be at least 2.5m high.
Exceed amenity space standards (both private and communal)	The private and communal amenity space standards are met. All three bed flats have balconies of at least 10 sqm and the required communal amenity space is provided, albeit not exceeded. A large communal courtyard is provided at podium level. Additionally, two communal roof terraces are provided with a community room in the ' <i>tower block</i> '.
Secured by Design Certification	The Met Police's Officers are satisfied that the development will meet the Secure by Design requirements. A condition is attached to this decision informing the applicant of the secure by design standards that are required to be adhered to.
No more the 5% studio flats	12 (4.72%) of the units proposed in the development are studio flats
Maximise the potential of	The existing site does not meet the potential that

the site	can be facilitated within the site. The proposed development is considered to enable the site to maximise its potential incorporating the existing B8 Use Class into a mixed use scheme providing B1c and C3 Use Classes that is of a high quality design.
A minimum of 10% of units are suitable for wheelchair users	All of the proposed dwellings are designed to meet the wheelchair accessibility standards set out in M4(3), Accessible and Adaptable Dwellings. 10.23% of these dwellings would be easily adaptable to meet the needs of a wheelchair user.
Excellent accessibility within buildings	
Exceptional environmental performance	London Plan compliance with respect to improvement on Building Regulations Approved Document L
Minimise noise nuisance between flats, through vertical stacking of similar room types	The proposed dwellings would be vertically stacked to minimise noise transfer. Wherever possible, living rooms would abut living rooms across party walls. The proposals would be designed to meet or exceed Building Regulations Part E - Resistance to the passage of sound.
Make a positive contribution to local context, character and communities	The proposal has been designed to contribute positively to the existing and emerging local character of the area. The use of high quality materials and simple, robust detailing will ensure the building stands the test of time. Furthermore, the removal of the existing hoardings along the Ilderton Road elevation will create a new active frontage onto Ilderton Road.
Include a predominance of dual aspect units	70% of the units, 177 of 254 within the scheme are dual aspect. None of the single aspect units are north facing. 92% of the affordable homes are dual aspect, 60% of the private homes are dual aspect.
Have natural light and ventilation in all kitchens and bathrooms	<p>Within the development, most of the kitchens are combined with a dining area. Where kitchens are separate they would have window openings. The three bed affordable units in the southern block would all have separate kitchens.</p> <p>All bathrooms would be internal. These would be provided with mechanical ventilation, a common approach to flatted development.</p>
At least 60% of homes contain two or more	60.24% of the proposed homes would have two or more bedrooms.

bedrooms	
Significantly exceed minimum floor space standards	<p>All dwellings exceed the minimum space standards set out in Southwark's Residential Design Standards SPD, including extra floor space for wheelchair accessible units. The breakdown of extra sqm for the dwellings is as follows:</p> <p>0% - 5% oversized: 100 units (39% of total)  5% - 10% oversized: 140 units (55% of total)  10% + oversized: 14 units (6% of total)</p>
Minimise corridor lengths by having an increased number of cores	<p>The compact nature of the <i>tower block</i> keeps corridor lengths short. Private entrance doors are arranged in pairs to create a more neighbourly atmosphere.</p> <p>The southern block, has deck access and the two additional stairs at either end of the gallery deck provides additional routes to the podium courtyard. The deck access nature of the affordable block is a particularly positive aspect of the schemes design.</p>
No more than 8 units per core	<p>The <i>'tower block'</i> has a maximum of eight units per core.</p> <p>The <i>'southern block'</i> has 10 units per floor; however, the core is centrally positioned to an external deck access gallery that is open to the air and natural light. The gallery forms two wings to the building, with one providing access to 6 units and the other providing access to 4 units, each with a stair accessing the podium.</p>
Achieve exemplary architectural design	The architectural design proposed for the buildings is of the exemplary standard.

### Quality of residential accommodation

146. Saved Policy 4.2 of the Southwark Plan states that development should achieve good quality living conditions and include high standards of accessibility, privacy and outlook, natural light, ventilation, space, safety and security and protection from pollution. This policy is further reinforced by the Residential design Standards SPD 2011 (including 2015 Technical Update).

#### Unit Size

147. Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The adopted standards in relation to internal layout are set out in the adopted Residential Design Standards SPD 2011 (including 2015 Technical Update).
148. All proposed homes would meet or exceed the standards as set out in the SPD. The following table sets out the minimum flat size requirements as set out in the

Residential Design Standards SPD, and also the flat sizes that would be achieved:

**Table: Proposed flat sizes**

Unit Type	SPD Requirement (sqm)	Size range proposed (sqm)*
0 Bed 1 Person (Studio)	39 sqm	42.27 sqm
1 Bed 2 Person (flat)	50 sqm	51.05 – 55.13 sqm
2 Bed 3 Person (flat)	61 sqm	63.52 – 83.77 sqm
2 Bed 4 Person (flat)	70 sqm	70.74 – 74.95 sqm
3 Bed 5 Person (Flat)	86 sqm	86.63 – 114.78 sqm

\* This includes wheelchair accessible homes, which have higher space standard requirements

149. The private and intermediate units within the '*tower block*'. Larger three bedroom units are concentrated to the lower levels and the top three floors. Where possible, layouts have been designed to position a window in the resident's line of sight immediately upon entering the unit. All units within the '*tower block*' would be served by open plan rooms that combine kitchen/living/dining into one space. The '*southern block*' facilitates the provision of the social rent units of the development. In this block there is a weighting towards larger family sized dwellings. All units, with the exception of one stack, are accessed from an external gallery which enables the all of the social rented units to be dual aspect. The depth of the block allows living spaces to span the full depth of the plan, providing natural light to the both the kitchen and living/dining spaces. It is considered that the larger three bed units in this block are more likely to be fully occupied than in the private units in the adjacent '*tower block*'. As such, all 3 bed units have been designed to have a kitchen/dining room separate from the living room to cater for a number of activities taking place simultaneously.
150. Overall, it is therefore considered that the flat sizes and layouts are acceptable, and would provide a good quality of accommodation.

#### Internal daylight and sunlight

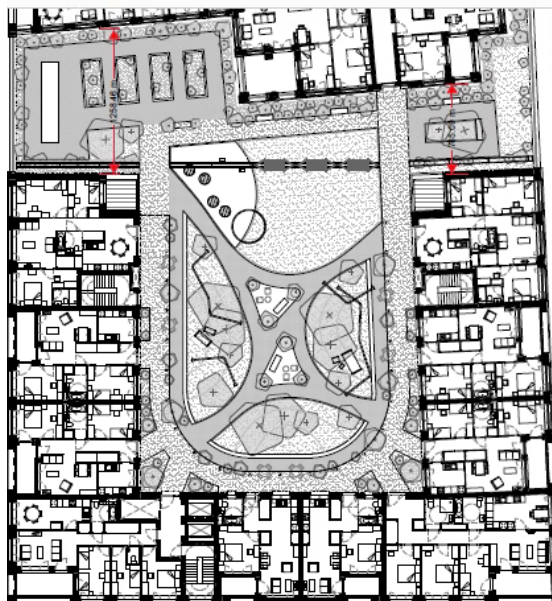
151. An Internal Daylight and Sunlight report, based on Building Research Establishment (BRE) Guidance, has been submitted. This considers light to the proposed dwellings using the Average Daylight Factor (ADF). ADF determines the natural internal light or daylight appearance of a room and the BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. The guidelines also recommend that in cases where a room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. Accordingly, in an open plan Living/Kitchen/Dining (LKD) room, the BRE recommends minimum ADF of 2%. The report submitted in this case however, argues that the principal use of LKD rooms is as living rooms and accordingly the minimum ADF should be 1.5%.
152. Winter gardens and balconies within the development and the rooms that they serve are predominantly separated by glazing. The winter gardens therefore provide well daylight spaces attached to the main living area, and contribute to the overall levels of internal daylight. Given this, the submitted document provides two ADF

figures for LKD, and one including the area of the associated winter gardens in the calculations. Out of the 737 habitable rooms assessed 659 rooms (89%) with Winter Gardens not included in the analysis meet the 1.5% target for LKD. When the Winter Garden is included in the analysis, 683 rooms (93%) meet the 1.5% LKD target. The results demonstrate that the overall daylight amenity within the proposed development will be very good, and further emphasises the overall quality of accommodation

#### Overlooking and privacy within the proposed development

153. In order to prevent harmful overlooking, the Residential Design Standards SPD requires proposed developments to achieve a distance of 12m between the front elevations of buildings and/or across a highway, and a minimum of 21m between rear elevations.
154. The closest distance between the two residential blocks on the Ilderton Road elevation is approximately 12.10 metres. Towards the rear of the buildings the closest point is approximately 7.85 metres apart. Whilst this is not compliant, the units in the '*southern block*' are all dual aspect and have no windows in this north facing elevation. The flats have been designed to maintain privacy and overcome the concern regarding the distance between the buildings at this point.

**Image: Distances between '*tower block*' and '*southern block*'**



#### Conclusion on Quality of Accommodation

155. In light of the assessment above, the quality of residential accommodation proposed is considered to be a great feature of the development, and the future occupiers will enjoy adequately sized units that do not impinge on circulation or movement. The addition of a generously sized podium courtyard and deck access dual aspect flats further enhances the excellent quality of accommodation within the scheme.

## **Outdoor amenity space, play space and public open space**

156. Saved Policy 3.11, Efficient Use of Land, of the Southwark Plan (2007) requires a “satisfactory standard of accommodation and amenity for future occupiers”. Saved Policy 4.2. Quality of Residential Accommodation requires that all residential development provide an adequate amount of useable outdoor amenity space, and that the nature and scale of the amenity space should be appropriate to the location of the development, and the character of the area.
157. Four categories of open space are required in major planning applications in the Old Kent Road Opportunity Area:
- Private amenity space (usually gardens, balconies and winter gardens);
  - Communal amenity space (usually courtyards, podium gardens or roof terraces);
  - Children’s play space; and
  - Public open space.
158. The requirements for private amenity space, communal amenity space and children’s play space are set out in adopted policy and the Residential Design Standards SPD. The requirement for public open space is specific to the Old Kent Road Opportunity Area and set out in the draft Old Kent Road Area Action Plan. The policy position on each is set out in turn below:

### **Private outdoor amenity space**

159. The supporting text to Strategic Policy 7, Family Homes, of the Core Strategy (2011) states that family housing must provide a minimum of 10sqm of private amenity space to ensure that children have somewhere safe to play. It also states that new developments must provide additional communal play areas for children, as required by the Mayor’s Supplementary Planning Guidance on Providing for Children and Young People’s Play and Informal Recreation (there is further detail on play space requirements below).
160. The private outdoor amenity space requirements are clarified further in the 2015 Technical Update to the Residential Design Standards SPD, as follows:
- Units containing three or more bedrooms should provide 10sqm of private amenity space; and
  - Units containing two bedrooms or fewer should ideally provide 10sqm of private amenity space. Where this is not possible, any shortfall should be added to the communal amenity space requirement; and
  - Private amenity spaces must be at least 3sqm in area.
161. The Residential Design SPD also states that a development is within an immediate proximity of a substantial area of public open space, accessibility to the open space, combined with better outlook, and may justify less amenity space as part of the development. In these circumstances a planning contribution may be required to provide improvements to off-site public amenity space.
162. In light of the above supplementary guidance, it is assumed that all units require 10 sqm of private amenity space; the total requirement would be 2,540 sqm (i.e. 254 units x 10 sqm). All of the proposed three bedroom units within the scheme either

meet or exceed the 10sqm requirement. All one bedroom units have at least 5+ sqm balconies, and all two bedroom units are provided with 7+ sqm balconies. The total amount of private amenity space within the scheme is 2,087 sqm which gives a shortfall of 453 sqm from the requirement. This shortfall is as required by supplementary guidance provided in the communal space within the development.

### **Communal amenity space**

163. In order to comply with the requirements of the Residential Design Standards SPD, 50sqm communal amenity space per development should be provided. This should be provided in addition to the requirement to compensate for any shortfall in private amenity space.
164. The communal requirement comprises a minimum of 50 sqm, plus the 453 sqm shortfall from the private, which equals 503 sqm. A total of 503 sqm of communal amenity is proposed. Two areas within the scheme provide communal amenity are as follows:

Podium Courtyard (284 sqm communal amenity space 794 sqm play space): Located on the level between the residential towers above the B1c and B8 floor space.

Ecology Terrace (224 sqm communal amenity space): Located on the 7<sup>th</sup> floor of the 'Tower block'.

Community Room (76 sqm, this doesn't count to the communal amenity space total): Located on the 7<sup>th</sup> floor of the 'Tower block' opening on to the ecology terrace.

### Private and Communal Outdoor Amenity Space Calculations

165. The following table summarises the private and communal amenity space requirements, against that proposed. All the podium courtyard and terrace communal amenity and play spaces would be accessible to all residents.

**Table: Proposed external private amenity space for the development, and shortfall against policy requirements**

<b>Private amenity space proposed</b> (Private balconies and terraces)	<b>Dwelling size</b>	<b>Residential Design Standard SPD (2011) requirement</b> (Para 3.2 New flat developments. Outdoor amenity space (page 23))	<b>No. of flats and amenity Proposals</b>	
	3 beds	10 sqm	All three bed homes would have at least 10sqm private amenity space.	Compliant
	1-2 bed flats	Up to 10m2 should ideally be provided. Where this is not possible the remaining amount	89 x 1 bed flats 102 x 2 bed flats All 1-beds have 5+ sqm	Not possible to provide all flats with 10sqm balconies or

		should be added to the communal amenity space. For example, if a private balcony of 3sqm can be provided, 7sqm should be added onto the communal amenity space.	balconies  All 2-beds have 7+ sqm balconies	additional internal living space, resulting in a 453 sqm shortfall.
<b>Total shortfall</b>		Total requirement would be 2,540 sqm	Total provided = 2,087 sqm	453 sqm

**Table: Proposed external communal amenity space in the development, and remaining shortfall against policy requirements**

<b>Communal amenity space</b> (excluding play space)	<b>Required</b>	<b>Proposed</b>
	50 sqm plus 453 sqm  =503 sqm	503 sqm

166. As demonstrated in the tables above, the provision of private and communal amenity space would meet the design guidance requirements.

### **Children's play space**

167. The supporting text to Strategic Policy 7, Family Homes, of the Core Strategy (2012) states that new developments must provide communal play areas for children, as required by the Mayor's Supplementary Planning Guidance on Providing for Children and Young People's Play and Informal Recreation. 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 updated GLA Child Play Space Calculator has been used in assessing this application.
168. The Mayor's SPG sets out the intended strategic approach to delivering new and enhanced play space both on and off-site in new developments. It explains that 'doorstep' play (Under 5s) should usually be provided on-site, unless there is existing provision within 100 metres. For 5-11 year olds and children over 12 years old, it recommends that off-site provision is acceptable, if there is existing provision within 100-400 metres and 400-800 metres respectively. This is summarised in Table 4.5 of the SPG, reproduced below.

**Table 4.5 of the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG**

**Table 4.5 Provision of play space to meet the needs of new development**

		Under 5s	5-11	12+
<b>Existing provision</b>	within 100 m	On site or off-site contribution	Off-site contribution	Off-site contribution
	within 100-400m	On-site	On site or off-site contribution	On site or off-site contribution
	within 400-800m	On-site	On-site	On-site or off-site contribution
<b>No existing provision</b>	within 100 m	On-site	Off-site provision	Off-site provision
	within 100-400m	On-site	On-site	On site or off-site provision
	within 400-800m	On-site	On-site	On-site

169. The financial contributions required in line with the Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015) would pay for 'off-site' provision, directly funding new and enhanced play equipment close to the site as part of a strategic approach. In this instance, they would go towards new or existing park spaces such as Bramcote Park.
170. Using the GLA's latest Population Yield Calculator (v3.2) and assuming Inner London and a PTAL of 2, the scheme generates a total child yield of 111.5, which equates to a total play space requirement of 1,115 sqm. In total 909 sqm of play space is provided on site. Whilst all the under 5 and up to 12 play provision is provided on site, there is a shortfall in 12+ provision of 206 sqm. This would be provided for by way of a financial contribution. The developer has also proposed that the communal room could be used to provide play facilities for older children. The GLA guidance on play provision does note that indoor space can form part of play provision. The indoor space in this instance is however not being counted as part of the overall play space provision, so does not impact the in lieu payment. The in lieu payment would fund play provision on new and existing play spaces within the AAP area.
171. The play space is provided over two areas; the podium courtyard, and on the 7<sup>th</sup> floor terrace of the 'southern block' within the development. The design would incorporate landscaped and ecological features amongst a variety of play equipment that would be suitable for both children and toddler play. This will also require the submission of detailed planting and screening to mitigate against potential wind conditions as set out in paragraphs 245 and 246 of this report. This is in accordance with the Mayor's SPG. The spaces would be welcoming for children and young people of all ages and abilities, but also for parents and carers as well as any resident of the development. Detailed drawings of the landscape design, including all play provision, will be secured by condition and will be subject to review by planning committee members before being determined.

#### Children's Play Space Calculations

**Table: Proposed areas of dedicated external play**

Location	Area of dedicated play space
Courtyard Podium (all residents)	794 sqm

Southern Terrace 7 <sup>th</sup> floor	115 sqm

172. The following table summarises the policy requirements for children's play space, against that proposed. It is important to note that the internal community room will facilitate children's play space although this does not count towards the play space provision as it is internal.

**Table showing proposed external play space in the development, and shortfall against policy requirements**

<b>Dedicated outdoor child play Space.</b> This can be provided in either the communal or public open space but must be provided in addition to that space, rather than as a sub set of that space.	<b>Required play space based on child yield.</b>	<b>Proposed play space</b>	<b>Shortfall</b>
Up to 12 years old	855 sqm (855 sqm required)	Play space proposed for children up to 12 years old within the podium, the southern terrace and the community room.	No 12+ play space provided resulting in a shortfall of 260 sqm within the development £151 per sqm
Over 12	54sqm (260 sqm required)		206 x 151 = <b>Financial contribution of £31,106.00</b>

173. In accordance with the Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD, any shortfall in the required amount of child play space will be charged at £151 per square metre. £151 per square metre is an average cost in Southwark for improving play space. Whilst it is acknowledged that there is adequate play space for children up to 11 years old, as there is no provision for 12+ play there would be an overall shortfall in children's' playspace of 260 sqm, which would generate a financial contribution of £39,260 in line the Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015).

## Public open space

174. The Old Kent Road Area Action Plan identifies within its masterplans which sites will contribute land to new public open space and which will not. Policy AAP10 of the draft OKR AAP requires the provision of 5sqm of public open space per proposed home. Any shortfall will be charged at £205 per square metre. As set out in the Section 106 and CIL SPD, £205 per sqm represents the average cost for improving open space in Southwark. Sites that aren't providing land for public open space as required in the AAP, will still therefore make contributions to public space provision in the wider plan area through this charging mechanism.
175. The strip of land that faces Ilderton Road, the eastern end of Rollins Street, and along Sharratt Street, is areas where public realm improvements will total circa 274 sqm. These improvements, including tree planting and the widening of the pavement don't count towards the provision of public open space, as the SPD excludes pavements. The Public Open Space offering within the scheme is the area on the corner of Ilderton Road and Rollins Street nearby to the entrance into the 'tower block', which comprises of 144 sqm.

### Public Open Space Calculation

**Table: Public open space proposed**

Public Open Space	Draft OKR AAP (2017) requirement AAP 10: Parks, streets, open spaces –The Greener Belt. (Page 46) and sub area masterplan page 129.	Proposed public open space	Shortfall
	Provide 5sqm of public open space per dwelling. If the site is not identified as providing public open space on site, a financial contribution will be required.  1270 sqm required	144 sqm of public open space within the development	1126 sqm shortfall

176. As demonstrated in the table above, there would be an overall shortfall in public open space of 1126 sqm, which would generate a financial contribution of £230,830.00. The payment of the financial contribution, which would be secured through the Section 106 Legal Agreement. The money would go towards new or existing park spaces including the nearby Bramcote Park.

## Overall contribution to private, communal, play and public space

177. The table below demonstrates the overall provision of Children's Play Space, Communal Amenity, Private Amenity, and Public Open Space:

**Table: Space provision**

	<b>Playspace</b>	<b>Communal Amenity</b>	<b>Private Amenity</b>	<b>Public Open Space</b>
<b>Required</b>	1,115 sqm	50 sqm +453 sqm	2540 sqm	1270 sqm
<b>Proposed</b>	909 sqm	503 sqm	2087 sqm	144 sqm
<b>Shortfall</b>	-206 sqm	0	-453 sqm is provided in communal amenity	-1126 sqm

The total contribution to new and existing public and play spaces £230,830 +£31,106 is £261,936.

### **Sunlight amenity analysis within the proposed development**

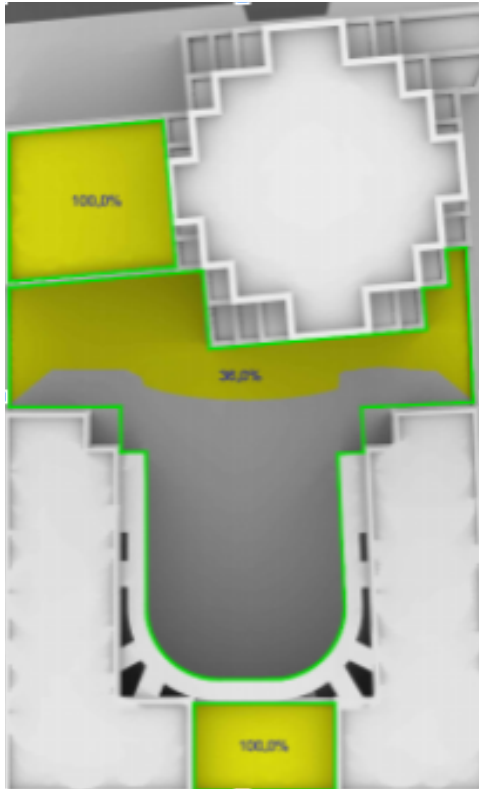
178. Section 11 of the Daylight and Sunlight Assessment demonstrates the amount of daylight that will be facilitated to the three areas of amenity within the development; the central podium, and the 7th floor amenity areas in each respective building. The analysis provides a demonstration of how much natural sunlight will penetrate the proposed amenity areas on March 21st. The results show that the two terraces located on the 7th floor of each respective building will both be able to receive 2 hours of direct sunlight on March the 21st. Regarding the central podium, 36% of the 943.90 sqm would receive 2 hours of direct sunlight on March the 21st. The table below demonstrates the results of the analysis.

<b>Amenity Space</b>	<b>Area (sqm)</b>	<b>Proportion of Area receiving 2 hours sunlight on 21 March</b>
Podium Courtyard	1083	36% (390 sqm)
Ecology Terrace	224	100% (224 sqm)
Southern Block Amenity Terrace	115	100% (115 sqm)
<b>Total</b>	<b>1,422</b>	<b>51% (729 sqm)</b>

179. For an amenity area to be considered well sunlit throughout the year, the BRE guide suggests that at least 50% of the space should enjoy at least two hours of direct sunlight on March 21st. Whilst it is acknowledged that the podium space receives

direct sunlight on March 21st is below the recommended 50%, overall sunlight amenity within the proposal is sufficient with over 50% of the entire amenity space provided within the development facilitating at least two hours of sunshine on March 21st.

Image: Sunlight amenity analysis for March 21st



#### Conclusion on Outdoor Amenity Space, Play Space and Public Open Space

180. In conclusion, given the density and site coverage of the scheme under consideration, Officers are satisfied with the quality and quantity of outdoor amenity space, play space and public open space proposed. The site is not identified as providing public open space in the AAP masterplan and the agreed financial contributions would directly fund new and existing public open space including at Bramcote Park. There is some shortfall in older children's space and this will be met by off site contributions. Where amenity space is proposed on site, it is well planned, with efficient layouts that do not restrict movement or circulation. The landscape proposals are well thought through and of high quality, which is a positive aspect of the scheme. To ensure the spaces delivered are of the highest quality, detailed landscape design will be secured by condition.

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

181. 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.

### **Impact of the proposed uses**

182. The retention of the existing B8 Use and the introduction of B1c Affordable workspace within the ground floor and intermediate floor level are compatible with the predominantly industrial character of the surrounding area. On this basis, it is considered that the proposed uses would not cause any harm to surrounding neighbour amenities, and accordingly are all found to be acceptable uses.

### **Daylight and sunlight impacts**

183. The following section of this report details the potential daylight, sunlight, and overshadowing impacts of the proposed development on surrounding residential properties. This analysis is based on guidance published by the Building Research Establishment (BRE). As required by Regulations, the submitted assessment has been undertaken by competent, experienced, registered professionals.

#### BRE Daylight Tests

184. Guidance relating to developments and their potential effects on daylight, sunlight, and overshadowing is given within the 'Building Research Establishment (BRE) Report 209 Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice 2nd Edition (2011)' (BRE, 2011) and also in 'Lighting for Buildings Code of practice for daylighting (AMD 7391) BS 8206-2:1992' (BSI, 2008). The Building Research Establishment's (BRE) Site Layout Planning for Daylight and Sunlight, a guide to good practice (1) gives criteria and methods that are explained subsequently for calculating DSO effects on surrounding receptors as a result of the proposed development.
185. While the BRE benchmarks are widely used, these criteria should not be seen as an instrument of planning policy. As stated in the Introduction to the BRE Guidelines paragraph 1.6:
- “The guide is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design.”
186. The BRE guidelines provide two principal measures of daylight for assessing the impact on properties neighbouring a site, namely Vertical Sky Component (VSC) and No-Sky Line (NSL). They also detail a third measure of daylight which is primarily used for assessing amenity within proposed accommodation, namely Average Daylight Factor (ADF).
187. The VSC test calculates the angle of vertical sky at the centre of each window and plots the change between the existing and proposed situation. 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 also advises that VSC can be reduced by about 20% of its original value before the loss is noticeable. In other words, if the resultant VSC with the new development in place is less than 27% and/or

less than 0.8 times its former value, then the reduction in light to the window is likely to be noticeable.

188. NSL is a measure of the distribution of daylight within a room. It maps out the region within a room where light can penetrate directly from the sky, and therefore accounts for the size of and number of windows by simple geometry. The BRE suggests that the area of the working plane within a room that can receive direct skylight should not be reduced to less than 0.8 times its former value (i.e. the proportional reduction in area should not be greater than 20%).
189. ADF is a measure of the overall amount of diffuse daylight within a room. It is the average of the daylight factors across the working plane within a room. This equates to the ratio of the average illuminance across the working plane, to the illuminance due to an unobstructed sky. In addition to accounting for external obstructions, the ADF accounts for the number of windows and their size in relation to the size of the room, the window transmittance and the reflectance of the internal walls, floor and ceiling. The ADF is detailed in both British Standard 8206 Part 2:2008 and Appendix C of the BRE Report. Both these documents provide guidance for acceptable ADF values in the presence of supplementary electric lighting, depending on the room use. These are 1.0% for a bedroom, 1.5% for a living room and 2.0% for a kitchen.

#### BRE Sunlight Tests

190. In relation to sunlight, the BRE recommends that the Annual Probable Sunlight Hours (APSH) received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period (i.e. the proportional reductions should not be greater than 20%). The BRE guidelines state that '...all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block out too much sun'. The APSH figures are calculated for each window, and where a room is served by more than one window the contribution of each is accounted for in the overall figures for the room. The acceptability criteria are applied to overall room based figures.

#### Overshadowing

191. Section 3.3 of the BRE guidelines describes the method of assessment of the availability of sunlight within garden/amenity spaces. This relates to the proportion of shading on March 21st. The BRE criteria for gardens or amenity areas are as follows, 'It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity space should receive at least two hours of sunlight on 21 March. If as a result of a new development an existing garden or amenity space does not meet the above, and the area which can receive two hours of sunlight on 21 March is less than 0.8 times its former value, then the loss of amenity is likely to be noticeable.'
192. Given the predominantly industrial character of Ilderton Road, there are not too many neighbouring buildings that are in residential use. The daylight and sunlight impacts for the following buildings in residential use and therefore of high sensitivity to impacts are:

- 1-16 Penshurst House
- 180 Ilderton Road;

Adjacent to the application site is the approved development at 180 Ilderton Road that is currently under construction. The submitted assessment takes into consideration the residential units within the planning consented scheme (17/AP/4546). To the immediate south of Penshurst House lies Otford House; however, as no windows in the building face towards the development site and therefore not included in the assessment. This is also the case with the terraced row of dwellings to the northeast of the site nos. 213-225 Ilderton Road.

**Image: Plan demonstrating potentially affected neighbours located near to the application site**



### Daylight and sunlight impacts

#### 1-16 Penshurst House

193. The properties are in residential use and located to the east of the site on the opposite side of the Railway line. Each dwelling has windows serving habitable spaces that face the proposal and have therefore been included within the assessment.
194. These dwellings in this building receive extremely good levels of daylight in the existing situation, and therefore the redevelopment of the site results in proportional reductions in both VSC and NSL that are in excess of default BRE guidance. However, while proportional reductions in VSC at the windows serving the flats are generally in the region of 0.7 to 0.6 (30% to 40%), retained VSC values to all the primary windows at ground floor level (windows W4/10, W8/10, W12/10, W15/10, W18/10, W21/10, W26/10 and W29/10) are all upwards of 22%. This represents a very good level of daylight for an urban location. Naturally the upper levels within the property will retain higher levels of daylight, with windows at 3rd floor retaining VSC values of up to 27% (the default BRE target). It is therefore considered that after the proposed development is completed the daylight amenity to these flats will remain good.

195. The APSH figures show that all the potentially impacted flats will continue to receive very good sunlight amenity after development. All rooms will continue to receive comfortably more than the BRE targets of 25% of total APSH with at least 5% in winter after development. Regarding the effects on these flats, the proposal therefore fully accords with the BRE guidance on sunlight.

**Image: 'affected windows' on the rear elevation of nos. 1-16 Penshurst House**

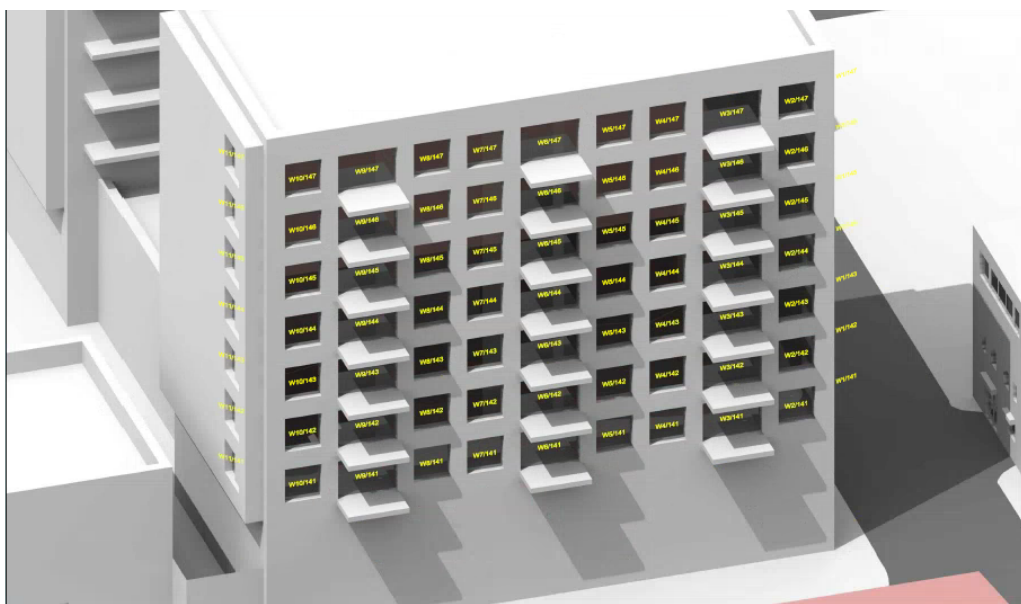


### 180 Ilderton Road

196. The east facing residential units within this consented planning scheme front onto Ilderton Road and the application site. The windows that face east onto the subject development serve habitable rooms.
197. The daylight assessment demonstrates that the retained VSC figures with the effects of the balconies removed, each window serving the planning consented scheme would retain a VSC value in excess of 17%. This demonstrates that the levels of daylight reaching 180 Ilderton Road will remain good for an urban location after proposal is implemented.
198. The calculation of the ADF demonstrates that the combined living/kitchen/dining rooms within the consent are over 7 metres deep, single aspect and, as is common in many modern residential developments, have their kitchen areas located to the rear of the space furthest from the window. Due to their location within the spaces these kitchen areas will receive lower levels of daylight and will require supplementary electric lighting. It is therefore appropriate to discount the kitchen area from the calculations, and to consider the amenity of the main habitable living area within the room.
199. On this basis all the living areas within 180 Ilderton Road will achieve an ADF in excess of the 1.5% BRE target, and similarly all bedrooms will comfortably achieve the 1.0% target. Overall levels of daylight will therefore remain good after the application scheme is implemented.
200. Regarding sunlight, the APSH figures with the balcony effects removed show that

very good levels of sunlight will reach 180 Ilderton Road after the application site is developed. All windows would receive the BRE target of 25% of total APSH with at least 5% in winter. This is a good result, particularly as the windows face almost directly due east. As would be expected, APSH values with the balcony effects included are lower. However, considered in tandem, the analyses demonstrate that the rooms receiving lower levels of sunlight do so due to the presence of the balconies above the windows rather than overdevelopment of the site.

**Image: 'affected windows' on the front elevation of no 180 Ilderton Road**



#### Daylight and sunlight conclusions:

201. Whilst it is acknowledged that there will be reductions in daylight and sunlight to the neighbouring properties, retained levels of amenity to both the existing residential properties neighbouring the site, and also the planning consented scheme at 180 Ilderton Road, will remain good after development. The analysis undertaken within the submitted daylight and sunlight assessment demonstrate that the development and its impact on nearby properties compare favourably with appropriate urban daylight levels.
202. Regarding the transient shadowing and the existing shadows cast by the properties surrounding the site. The shadow path of the 'tower block' is fleeting and still enables neighbouring properties to achieve at least two hours of direct daylight and sunlight on March 21<sup>st</sup>. In terms of the shadow path cast on June 21<sup>st</sup>, there will be little impact to neighbouring properties or to the immediate vicinity surrounding the site.

#### **Overlooking of Neighbouring Properties**

203. The two closest occupiers to the application site are the residential units contained within nos. 1-16 Penshurst House, located to the rear of the site beyond the Railway Line in the London Borough of Lewisham. The other residential property is the development that is yet to be completed adjacent to the application site at 180 Ilderton Road. Penshurst House forms part of the Winslade Estate that comprises of four residential estate blocks; however, only

Penshurst House has windows facing towards the development and is therefore most at risk of the properties within the Winslade Estate. Regarding the impact to the occupiers of the units within Penshurst House, this is limited given that the distance between the rear of the '*tower block*' building in the development and the rear building line of Penshurst House is circa 48 metres, and the distance from the rear of the '*southern block*' is approximately 44.50 metres. The distance between the front elevation of 180 Ilderton Road and the '*tower block*' building of the development is 19.60 metres. Given the sufficient distances between the development and closest occupiers, the scheme is unlikely to result in harmful overlooking to neighbouring occupiers.

### **Transport considerations**

204. Saved Policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; 5.3 requires the needs of pedestrians and cyclists to be considered and 5.6 establishes maximum parking standards.
205. Southwark have recently adopted the Movement Plan, a people, place and experience approach to transport planning rather than modal one. This application has been assessed on how it will contribute to the 9 Missions.
206. The Mayors Transport Strategy (MTS) Mayors Transport Strategy (MTS) includes three strategic challenges that are of significant importance to assessing this application.
- Vision Zero
  - Healthy Streets
  - Air Quality
207. The submitted Transport Assessment (TA) is considered to provide an adequate appraisal of the relevant transport and highway related matters including an assessment of the potential for journeys to be made by sustainable modes of transport as well as detailed estimates of vehicular trips resulting from the development.
208. Officers have reviewed this application and identified the following areas for detailed comments:
- Access and Road Safety – The safe movement of all modes entering and exiting the public highway
  - Trip Generation – The existing and proposed trips related to the site
  - Servicing and Delivery – How the development will manage the vehicular trips required
  - Car Parking - How the development will manage the vehicular trips required
  - Public Transport – Current access and future potential

Active Transport – Walking and cycling and behaviour change

### Existing Site Layout

209. The site is located along the eastern side of Ilderton Road. The site is bound to the north by Rollins Street and to the south by Sharratt Road and to the west by Ilderton Road. Rollins Street is a 300m long cul-de-sac, which provides a

pedestrian/cycle access only from its terminus to the residential area to the east. Sharratt Road provides access to housing estates and therefore not suitable for heavy trips. There is a bus stop located directly opposite the site. The kerbside is currently not controlled and utilised by various businesses to park vehicles which are often uninsured. This does not contribute to a pedestrian friendly environment. Due to the proximity of Millwall Stadium on match days there are a lot of extra vehicle movements in the area. The rear of the site is bounded by the railway line.

### Proposed Site Layout

210. The proposed future site layout will improve the pedestrian movement by wider footways. The proposed access arrangements and loading bay will be detailed up as part of the S278 agreement. The council programme for CPZ includes this area and subject to consultation will be implemented within the next two years. The council is also introducing improved cycle routes from Rotherhithe to Peckham and this proposal does not impede that project. The traffic management related to site should focus ensuring a one way movement through the site returning vehicles onto Ilderton Road as neither Sharratt nor Rollins are suitable.
211. The proposal included tracking of a variety of vehicles sizes to ensure the movement can be made. There is sufficient space on Rollins and Sharratt to consider the proposed loading bays which will be detailed within the S278 process. The proposed new loading bay will be sited to ensure the P12 bus route will not be impeded. All works within the extent of the S278 for Southwark will be done in accordance with Southwark Street Design Manual SSDM and TfL's Healthy Streets design guidance. A Condition requirement for the detailed design of the landscaping and public realm will ensure secure by design and road safety is fully considered.

### **Trip Generation**

212. The existing site generates some 170 two-way vehicle trips across the day. Mostly freight vehicles related to the business. As part of a review of the trip data post GLA stage 2 further information related to future use was provided taking the position of a worst case scenario. In the case of the B8 warehousing, estimates of 64 two-way movements per day, all via the dedicated loading yard, which can accommodate 5 sprinter vans, 1 car or 2-3 motorcycles, plus up to 3 HGVs at a time. The assumption of 11 hours activity per day could generate a total of 419 two-way trips across all vehicle type per week, - 35 vehicles equate to only some 3 vehicles per hour on average, which can be accommodated by the proposed loading yard.
213. In the case of the B1c uses estimates of 234 two-way trips per week with hours of operation likely to be between 07:00 – 18:00 5 days a week. This equates to some 47 two-way trips per weekday or 23 vehicles across an 8-hour delivery day. The residential use would generate some 10 two-way trips per day across all vehicle types or 5 vehicles. Spread across the day, this is less than one vehicle per two hours.
214. The proposed development is estimated to generate (a worst case scenario) following daily trips:

		<b>Motorised Vehicular Trips</b>
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	<i>Residential motorised vehicle trips</i>	10
	<i>Non residential</i>	87

### **Servicing and Delivery**

215. The proposal includes provision of off street servicing from Ilderton Road. The council will also consider an additional loading bay on Ilderton Road, the exact location of which will be agreed within the S278 agreement. The refuse collection will take place from Ilderton Road, and the bin stores are located within 10 metres of the kerb.

216. In order to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the council is recommending that applicants in the Old Kent Road Opportunity Area enter into Delivery Service Plan Bonds against their baseline figures for all daily servicing and delivery trips. These bonds would be calculated at £100 per residential unit and £100 per 500 sqm of non-residential floor space. In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, this 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. As such, it is considered to meet the CIL Regulations 122 test, in that it would be:

- i. Necessary to make the development acceptable in planning terms;
- ii. Directly related to the development; and
- iii. Fairly and reasonably related in scale and kind to the development

217. The proposal is for the management of the new development to monitor the daily vehicular activity of the site both commercial and residential, quarterly for a period of 2 years from 75% occupancy. If the site meets or betters its own baseline target the bond will be returned within 6 months of the end of the monitoring period. If the site fails to meet its own baseline the bonded sum will be made available for the council to utilise for sustainable transport projects in the ward of the development. The council will retain £1,600.00 for assessing the quarterly monitoring. The bond in this instance would be £25,900.00 based on the 254 residential units and 2,538sqm of non-residential floor space. The applicant has agreed to the contribution which can be collected via the legal agreement.

<b>Type</b>	<b>Quantum</b>	<b>Bond Amount</b>
Residential	254	£25,400.00
Non Residential	2,538 sqm	£500.00
Daily Trips	35	£25,900.00

218. All uses in the development will be subject to a condition on the marketing and promotional material related to the work to ensure this is explicit in how the development has been designed to discourage private cars and encourage sustainable living, working and visiting.

### **Car parking**

219. The site is not located in a designated Controlled Parking Zone and there are sections of unrestricted on-street parking available in the immediate vicinity of the site. However, the area around the junction is restricted by yellow lines that

prevent parking from 0800-1830 Monday to Saturday.

220. The proposed development will be car-free and no general car parking will be provided. There will; however, be two on-site parking spaces for Blue Badge holders (space has been safeguarded for up to 7 disabled parking bays) as well as a loading bay located to the north of the site which will be accessed via a new footway crossover from Ilderton Road. Swept path analysis has been provided to demonstrate a 10 metre manoeuvring to enable exiting onto the public highway in forward gear. A S106 obligation that prevents future residents or occupiers of the proposed development from obtaining resident parking permits for any future CPZ. Furthermore, a condition to ensure all marketing of the development promotes car free living, to ensure the occupants are well aware they will not be entitled to permits.

### **Public transport**

221. The site has convenient access to the P12 Bus Route which is a single decker bus linking Canada Water to Peckham via the Old Kent Road. The bus stops on both Ilderton Road and Old Kent Road which is understood to have capacity for approximately 60 passengers (including standing capacity) during morning and evening peak (Information obtained from the TA acquired summer 2018).
222. Southwark Council agrees with TfL that bus services will need to be increased in the area ahead of the BLE to accommodate the demand generated by additional homes and jobs generally in the Old Kent Road area. This is required in advance of the opening of the planned BLE which, subject to the granting of powers and availability of funding, would be 2029/2030 at the earliest. The requirement for TfL to provide evidence to prove both previous contributions has been spent appropriately and the evidence for the further draw is the fairest way this could be managed. A contribution for this site has been agreed as £2,700 per residential unit to be secured in the S106 Agreement. It is also noted that within the next ten years the area is likely to benefit from the Bakerloo Line Extension, and the application site will be within walking distance of both planned Tube Stations, as well as the proposed New Bermondsey Station.

### **Active transport**

#### Walking and public realm

223. The Transport Assessment includes an active travel zone assessment which was conducted on December 3<sup>rd</sup> 2019. The application provides for wider footways, and this will be delivered through the S278 Agreement. Further to this, the wider footways will enable a strong active frontage along Ilderton Road. The subject site is within close distance of the proposed linear park and the Bonamy Liveable neighbourhood.

#### Cycling

224. The site is located close to Quietway 1, and is proposed to be on the new Rotherhithe to Peckham cycle route. The development will provide cycle parking in line with draft London Plan standards acknowledged by the GLA at the stage 1 review. The cycle parking is located in secure rooms on the ground, intermediate, and first floor levels adjacent to each core. Upper level stores are accessed via lifts within the residential core that can accommodate cycles.

225. There are 453 spaces provided in total across a combination of Sheffield Stands (50%), two tier stacked cycle racks (31%) and Brompton style bicycle lockers (19%). Workspace Cycle Storage for the workspace has been calculated based on predicted occupancy levels for the two spaces. The S106 Agreement will include a contribution towards the delivery of a new Cycle Hire Docking Station of £50 per residential unit. In addition to this, a condition is attached to the decision regarding a detailed design of the cycle provision.

### **Construction**

226. A Draft Construction Traffic Management Plan has been prepared as a standalone document submitted along with this application. The S106 Agreement would secure a detailed Construction and Environmental Management Plan (CEMP) and a £40 per unit contribution for Construction Management within the OKR AAP area. This is to enable the council to manage cumulative impacts on the highways and environment.

### Conclusion on Transport

The proposal is supported as it will reduce car dependency which will contribute to the efforts against climate change and to the delivery of some of the Movement Plans 9 missions. In particular, these include Vision Zero and Healthy Streets, and allows for the emerging plans for the surrounding public highway to be facilitated subject to the adherence to the S106 obligations and planning conditions mentioned in this section of the report.

### **Achaeology**

227. The proposed development site is located within the 'Bermondsey Lake' Archaeological Priority Zone which is designed to protect the palaeoecological environment and prehistoric archaeology recovered from the shoreline and relict fills of the large late glacial Bermondsey Lake and the associated riverine geology and topology. Saved Policy 3.19 of the Southwark Plan (2007) requires that applications for development in APZs should be accompanied by an archaeological desk-based assessment (DBA) and an evaluation report.
228. Southwark's Senior Planner Archaeologist was previously consulted on the impact of this scheme on any archaeological remains. During this consultation it was advised that as the site has already been subject to an evaluation and no further safeguards were applied (before the Leathams Larder building was constructed), it is illogical to ask for any further archaeological assessment work or conditions to be applied to this scheme if a clear evidence base to justify this can be provided. It was also advised that there may still be impacts on archaeological assets from ground interventions for the development scheme which may require a watching brief by condition.
229. The submitted archaeological assessment and its appendices are sufficient evidence to make an informed decision. The 1994 evaluation report evidenced the survival of natural and inundation horizons with no evidence for settlement in situ, these were sealed by 19<sup>th</sup> century material. The report has demonstrated that no further archaeological measures are required and a watching brief is not required in this instance.
230. The reason for this deviation from policy is that current good practice advice for

the historic environment emphasises that the information required in support of applications for planning permission should be no more than is necessary to reach an informed decision, and that there is a duty on decision makers to ensure that activities to conserve or investigate the asset need to be proportionate to the significance of the heritage assets affected and the impact on that significance. The reasons for this are complex, and every site is assessed on its own individual merits, in this instance there is compelling evidence that no further archaeological work is required for this proposed development.

### **Aviation**

231. The National Air Traffic Safeguarding Office (NATS) have reviewed the proposed development and from a technical safeguarding aspect and have stated that it does not conflict with their safeguarding criteria. Accordingly, they have no objections to the proposal.

### **TV and radio signals**

232. Arqiva own and operate the UK Terrestrial Television Broadcast network and supply the Freeview platform. They also own and operate 90% of the UK Radio Broadcast network, through which they broadcast the full range of BBC and commercial radio stations. In addition, many sites that they own or manage are shared by other operators, such as BT, the Mobile Network Operators, Airwave (Emergency Services Networks), roadside services and Central and Local Government departments and agencies.
233. Following a reply to a consultation letter from LBS, Arqiva have determined that the proposed development will not impact upon their radio transmission and broadcasting links and therefore raise no objection to the development.

### **Environmental considerations**

#### **Wind and Microclimate**

234. A wind microclimate report has been produced two proposed configurations (2 and 3) within the analysis that assesses the likely wind and microclimate impacts of the development. The breakdown of configurations within the report is as follows:
- Configuration 1 – Existing site with existing buildings
  - Configuration 2 – Proposed development with existing buildings
  - Configuration 3 – Proposed development with cumulative buildings (Other OKR 16 developments once completed)
235. The methodology undertaken for this assessment comes from the Beaufort Wind Scale. As part of the assessment, a comfort criterion has been developed to analyse pedestrian wind comfort in potential wind tunnelling areas. The criteria used for this is the Lawson Criteria. This is based on the percentage of time that the windspeed at a location exceeds the Beaufort values shown in the table below. The Lawson Criteria allow the wind conditions to be assessed as 'unacceptable', 'tolerable' or 'acceptable' for a given activity where these terms are defined as:
- Unacceptable – unpleasant conditions for the activity which should not

- normally be allowed to occur
- Tolerable – conditions which might be described as windy, but which are tolerated for the activity
- Acceptable – conditions that would not elicit no adverse comments about the wind

**Table: Beaufort wind force scale**

Type of Winds	Beaufort Number	Mean Wind Speed (m/s)	Effects
Calm	0	Less than 0.3	Negligible
Calm, light air	1	0.3 - 1.6	No noticeable wind
Light breeze	2	1.6 - 3.4	Wind felt on face
Gentle breeze	3	3.4 – 5.5	Hair is disturbed, clothing flaps, newspapers difficult to read
Moderate breeze	4	5.5 – 8.0	Raises dust, dry soil and loose paper, hair disarranged
Fresh breeze	5	8.0 – 10.8	Force of wind felt on body, danger of stumbling
Strong breeze	6	10.8 – 13.9	Umbrellas used with difficulty, hair blown straight, difficult to walk steadily, wind noise on ears unpleasant
Near gale	7	13.9 – 17.2	Inconvenience felt when walking
Gale	8	17.2 – 20.8	Generally impedes progress, difficulty balancing in gusts
Strong gale	9	Greater than 20.8	People blown over

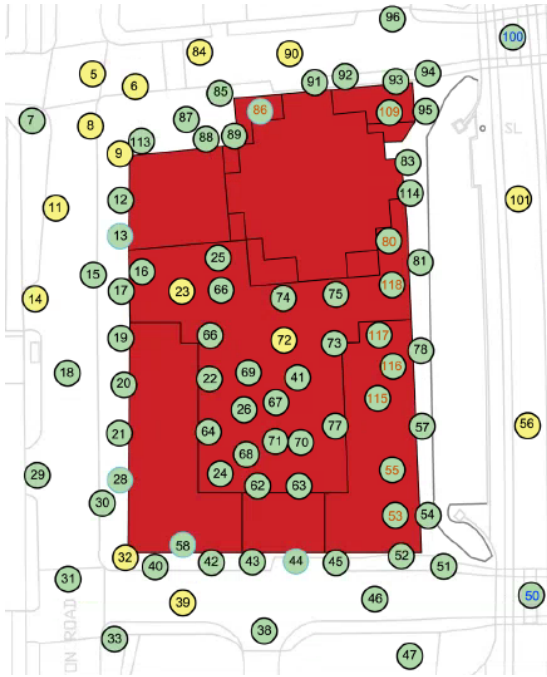
**Table: Beaufort Comfort Criteria**

Activity	Lawson Comfort Criteria		
	Acceptable	Tolerable	Unacceptable
<b>Business walking (fast walking from point A to B)</b>	1-8	9	10-12
<b>Workers around buildings (maintenance and deliveries)</b>	1-6	7-8	9-12
<b>Strolling (slow walking with occasional stops)</b>	1-5	6-7	8-12

<b>Long-term sitting (parks, cafes, open air)</b>	1-3	4-5	6-12
<b>Entrance doors (specifically for entrances to buildings)</b>	1-2	3-5	6-12

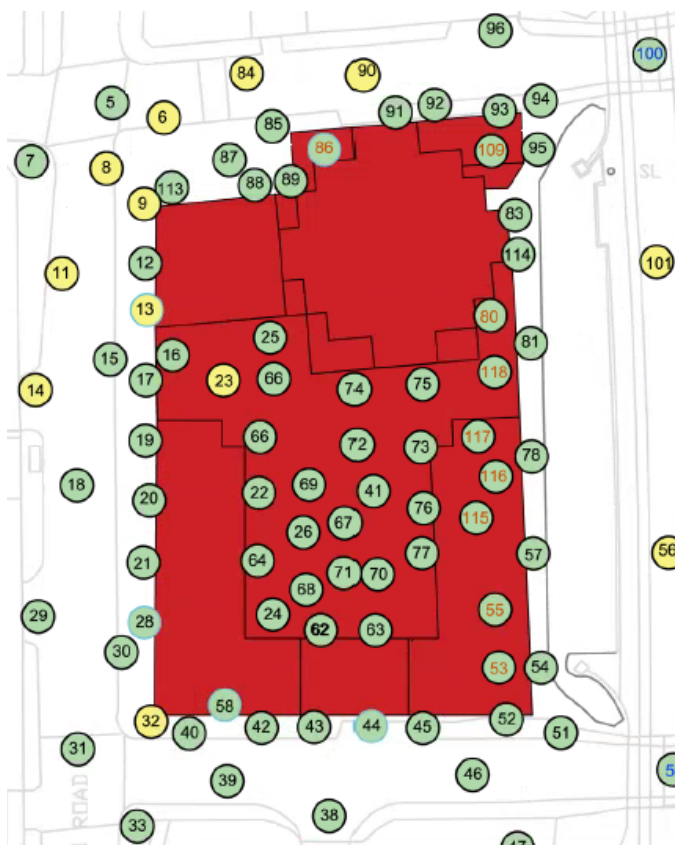
236. The assessment of Configuration 1 demonstrates that the wind conditions around the existing site are suitable for all pedestrian activities during the winter and summer months. In addition, assessments of road safety within all configurations found that no locations on roads surrounding the development site where wind conditions exceed the road safety vehicle criterion adopted by BRE.
237. The results of Configuration 2 indicate that all entrances to the development would have wind conditions suitable for their intended usage during the winter and summer months. Pedestrian activity including strolling and other strenuous activities were found to be suitable during the winter and summer months as well. At the proposed podium and terraces levels for pedestrian activities and strolling was found to be suitable in summer time for all locations, and suitable in winter time in all but two locations. At the podium level the two areas of concern (nos. 23 and 72 in image below) have been identified near to the flank wall of the *'tower block'* where it abuts with the podium. These windier conditions may be caused by a windward vortex generated by the height of the *'tower block'* next to the podium, by the acceleration of the wind around the corners of the *'tower block'* and/or through the passageway between the two smaller blocks.
238. The suitability of the wind conditions will ultimately depend on what activities are proposed for this location within the podium. If the areas in question are to be used for pedestrian strolling then the usage will be suitable. However, if long term sitting is proposed at these locations then the wind conditions would not be suitable for the intended usage and mitigation measures would need to be required. This is a key consideration for the applicant to adhere to when submitting a detailed landscaping and general details of the podium space as part of an overall condition as a result of this permission.

**Image: Wind locations within configuration 2**



239. Regarding Configuration 3 the results of the analysis indicate similar results at podium level with configuration 2 with the only impacted area being location 23. Similarly with the previous analysis of configuration 2, the wind conditions ultimately depend on what activities are proposed for this location within the terrace area. If long term sitting is proposed at these locations then the wind conditions would not be suitable for the intended usage and mitigation measures would need to be required. Regarding door entrances within this configuration, landscaping should be provided as a mitigation at entrance 13 in the submission of the landscape plan for the overall development which is conditioned as part of this approval.

**Image: Wind locations within configuration 3**



**Image: Entrance locations within configuration 3**

240. Overall, the wind and microclimate around and within the proposed development is considered to be suitable for the intended usage. The areas where wind conditions can cause some concern will be appropriately mitigated through suitable landscaping.

### **Flood risk and water resources**

241. The application site is located within Flood Zone 3 of the River Thames which is tidally influenced at this location, although in an area shown to be benefiting from existing flood defences. Flood Zone 3 is classified as comprising land assessed as having a 1 in 100 or greater annual probability of river flooding ( $>1\%$ ) or a 1 in 200 or greater annual probability of tidal flooding ( $>0.5\%$ ). Flood defences are indicated to be in good condition and afford the Site a standard of protection up to the 1 in 1000 year event.
242. The Environment Agency (EA) has reviewed the submitted information in relation to flood risk and has no objection to the proposed development. On the advice of the EA, recommendations attached to this decision should include conditions relating to Piling and a Surface Water Drainage Strategy. Regarding piling, given the height of the proposed structure, it is assumed that the existing foundations would not be substantial enough therefore a piling process is required.
243. The council's Flood and Drainage Officers have also reviewed the submitted proposals, and are encouraged to see proposals for limiting surface water discharges to greenfield runoff rates. Southwark Flood Risk Officers generally accept discharge rates of no greater than 2 l/s. The Drainage Addendum

submitted in December 2019 demonstrates that the development is able to achieve a greenfield rate of 1.8 l/s through a combination of permeable paving storage and geo cellular storage. Given the evidence submitted with the Drainage Addendum, Southwark Flood Risk Officers raise no objection to the development.

### **Ground conditions and contamination**

244. The environmental assessment has identified numerous potential sources of contamination associated with Made Ground on site and the current / historical industrial land uses nearby. In the context of a proposed residential development, the site is considered to represent a moderate to low risk to identify human health receptors and a moderate risk to controlled waters receptors.
245. The council's Environmental Protection Team have reviewed the preliminary risk assessment and accordingly recommended the attachment of a condition to require a phase 2 site investigation and risk assessment is undertaken. This investigation should include a detailed remediation and/or mitigation strategy to be prepared and submitted. This condition has been included on the draft decision notice.
246. The Environment Agency have reviewed the proposals in relation to contaminated land and made the following recommendation.
247. "We have reviewed the document 'Preliminary Geo-Environmental Risk Assessment' (PRA) by BWB Consulting. The document recommends an intrusive investigation in order to assess the potential for ground contamination to be present. It should be considered that planning permission should only be granted to the proposed development as submitted if the appropriate planning conditions are attached to the approval.
248. The recommended conditions are included in the draft decision notice.

### **Air quality**

249. The subject site is located in the Southwark Air Quality Management Area which is designated for the potential exceedance of the annual mean nitrogen dioxide (NO<sub>2</sub>) and daily mean PM<sub>10</sub> air quality objectives. Southwark Plan Policy 3.6, Air Quality, states that planning permission will not be granted for development that would "lead to a reduction in air quality." London Plan (2016) Policy 7.14 states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality.
250. A qualitative construction phase dust assessment was undertaken in accordance with Institute of Air Quality Management and Greater London Authority guidance and measures were recommended for inclusion in a Dust Management Plan to minimise emissions during construction activities. With the implementation of these mitigation measures the impact of construction phase dust emissions was considered to be 'not significant' in accordance with Institute of Air Quality Management and Greater London Authority guidance.
251. A detailed road traffic emissions assessment was undertaken to predict concentrations of NO<sub>2</sub> and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) across the proposed development, and the suitability of the Site for the proposed residential use was considered with regard to air quality. Road traffic emissions were

modelled using the dispersion model ADMS-Roads and the modelling assessment was undertaken in accordance with Defra Local Air Quality Management Technical Guidance and Institute of Air Quality Management & Environmental Protection UK guidance. Pollutant concentrations were predicted to be below the relevant air quality objectives and the Site was therefore considered suitable for the proposed use. Utilising the Air Pollution Exposure Criteria published by the London Councils, the Site was considered to fall into criteria A where there are considered to be no grounds for refusal. Finally, an Air Quality Neutral Assessment was undertaken to compare building emissions from the proposed development with GLA benchmarks. NO<sub>x</sub> emissions from the proposed development's energy centre were assessed to be below the benchmarked threshold.

252. The council's Environmental Protection Team was consulted on the air quality report submitted and agrees with the conclusions presented in the Air Quality Assessment by BWB Consulting, ref. MCP2141-001, April 2019. Officers recommend that a condition regarding details of a scheme for the internal ventilation of the development including appropriately located plant, inlets and outlets; filtration and treatment of incoming air. This condition is attached to the draft decision notice.

#### **Noise and vibration**

253. An environmental noise survey and noise impact assessment has been undertaken by BWB Consulting (ref: MCP2141 May 2019). The assessment indicates that with suitable provision for sound insulation measures to habitable rooms, preliminary specifications for which have been outlined in the assessment, the proposed development is acceptable from an acoustic perspective. A recommendation from the report indicates that an acoustician should be appointed during technical design to develop the preliminary guidance outlined within the noise assessment report.
254. The council's Environmental Protection Team has reviewed the submitted report by BWB Consulting. EPT Officers raise no objection to the development subject to a list of conditions that should be attached to the planning permission. EPT Officers advise that with respect to the dwellings hereby permitted within the overall development; these should be designed to ensure that internal noise levels are not exceeded due to environmental noise. The required standards are attached as a condition, and Officers advise that standards may be achieved by following the recommendations contained in the Noise Impact Assessment by BWB. Balconies and/or winter gardens shall meet the recommendations given in section 4.17 of this report. Following completion of the development and prior to occupation, a validation test to demonstrate achievement of the above internal noise levels shall be carried out on a sample of 5 premises with a façade facing Ilderton Road. The results shall be submitted to the LPA for approval in writing.
255. The recommended conditions are included in the draft decision notice.

#### **Rapid health impact assessment**

256. The development has been assessed against the London Healthy Urban Development Unit's Planning for Rapid Health Impact Assessment (RHIA) Tool: Fourth Edition (October 2019). The RHIA considers the potential health risks and

benefits that would result from the proposed development and consider the ability of local health services to cater for the additional demand created as a result of the development.

257. Of the 51 criteria considered, the proposed development will have a positive impact on 37 and a neutral impact on 14. There are no negative impacts identified. The development is therefore seen to have an overall positive impact on both mental and physical health for residents.

## **Sustainable development implications**

### **Energy**

258. 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. This involves the 'Be Lean', 'Be Clean', 'Be Green' 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 35% reduction against part L of the Building Regulations 2010.
259. An Energy Statement and Strategy has been submitted based on the guidance of the National Planning Policy Framework (2019), The London Plan (2016) and Draft London Plan (2017), Southwark Core Strategy (2011), Southwark Sustainable Design and Construction Supplementary Planning Document (2015), and the Mayor's Energy Assessment Guidance.
260. An updated Energy Statement and Strategy was submitted by the applicant following requests by the GLA to provide information on the following:
- SAP Modelling
  - Overheating
  - Notional cooling
  - Air Source Heat Pumps

### Be Lean (use less energy)

261. The GLA draft version of the London Plan and the Policy SI2 Minimising greenhouse gas emissions state that residential developments should achieve 10% and non-residential developments should achieve 15% through energy efficiency measure alone. The residential part of the proposed development achieves 15% carbon reduction when compare to the baseline using the SAP 10 data from the GLA carbon emissions reporting spreadsheet version 1.1 tool. The non-domestic unit of the proposed development achieves 4% carbon reduction when compare to the baseline using the SAP 10 data from the GLA carbon emissions reporting spreadsheet version 1.1 tool which do not achieve the 15% carbon reduction as stated in the Draft London Plan.
262. It is anticipated that once connected to the SELCHP district heating network the non-domestic building will achieve significantly greater levels of carbon reduction. Connection to SELCHP would also result in a significantly improved reduction in regulated CO2 emissions of around 76% for the residential uses. The building envelope for the commercial unit already seeks to achieve good levels of

performance with u values significantly greater than the minimum u values detailed within the approved document Part L2A. Elements available for improvement are limited due to the residential building partially covering a significant proportion of the commercial building limiting the opportunity for improvements through the building fabric.

263. The targeted air permeability of 5 m<sup>3</sup>/hr/m<sup>2</sup> at 50 Pa represents a significant improvement over the minimum requirements of the approved document Part L2A and resulting in limited opportunities for reducing the target air pressure considerably further. It has therefore not been deemed feasible to increase the performance of the external envelope such that a lower air permeability rate could be employed to improve the carbon reduction performance of the non-domestic building.

#### Be Clean (supply energy efficiently)

264. When a decentralised Combined Heat and Power (CHP) unit is compared to centralised electricity production and gas boiler heat, the CHP unit delivers energy savings as heat energy that would be returned to the atmosphere is recovered and used as heating. As the grid becomes more efficient, wasting less heat, the comparative emissions savings of a CHP system are reduced. Electricity with lower carbon intensity makes a strong case for the use of a heat pump to provide low energy water heating.
265. Air Source Heat Pumps (ASHP) absorbs heat from the outside air, which can then be used for space heating and domestic hot water. A refrigerant system involving a compressor and a condenser is used to absorb heat from the air and release it into the Low Temperature Hot Water (LTHW) system, the ratio of useful heating provided to work required is known as the coefficient of performance (CoP).

#### Be Green (Low or Carbon Zero Energy)

266. Photovoltaic Panels (PV) and ASHP's are the green/renewable energy technologies that have been considered as suitable for the proposed scheme. Regarding the commercial aspect of the development the updated strategy the incorporation of U-Values, ASHP's for the office areas, with background heating provided to the storage areas achieves a 21% reduction in regulated CO<sub>2</sub> emissions. To meet the zero carbon target, a carbon off-set payment of £32,580 is to be secured through the S106 Agreement.
267. In terms of residential use, the improved U-Values where feasible within the building fabric and services along with a gas boiler system for heating, and the incorporation of PV panels achieves an 18% reduction in regulated CO<sub>2</sub> emissions. To meet the zero carbon targets, a carbon off-set payment of £443,411 is proposed. This is to be secured through the S106 Agreement. It is important to note that an assessment of the revised carbon offset based upon the development being connected to the SELCHP district heating network requirement was carried out and on the basis of the scheme achieving a 76% carbon reduction the Carbon Offsetting Fund contribution would be reduced from £443,411.00 to £130,259.62.

## **Overheating**

268. Policy 5.9 of the London Plan “Overheating and Cooling” states that major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the cooling hierarchy. This policy seeks to reduce the impact of the urban heat island effect.
269. The commercial element of the development, currently proposed to serve as warehouse storage facility shall be predominantly heated to provide only background heating with the densely occupied office and ancillary areas being provided with Variable Refrigerant Flow (VRF) heating and cooling where natural ventilation will not be sufficient alone to achieve compliance with the associated overheating requirements of the internal occupied spaces.
270. The residential element will be fed from the communal heating system which distributes from the ground floor heating plantroom located within the ‘tower block’. The communal heating system is the water based LHTW system designed with a Flow and Return temperature of 70 Degrees Celsius Flow and 40 Degrees Celsius. Horizontal internal LHTW pipework runs have been minimised where possible in order to reduce the extent of heating pipework with enclosed corridors and ceiling voids. The LHTW service pipework has been routed to run externally, within external walkways where possible, to reduce heat gain within internal communal corridors and apartments. Finally, the thermal insulation levels in excess of those specified with the London Heat Network manual are proposed, with compliance of BS5422:2009 Annex G met as a minimum.

## **BREEAM**

271. Strategic Policy 13 of the Core Strategy requires commercial units to achieve BREEAM “excellent” and community facilities to achieve “very good”. A BREEAM Pre-assessment has been undertaken for this development with an initial rating of 71.20% considered to be rated as ‘Excellent’.
272. A planning condition is recommended to secure an independently verified BREAAAM report demonstrating that these target ratings would be achieved through the detailed and technical design stages.

## **Planning obligations (section 106 undertaking or agreement)**

273. 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 recently 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

274. The application would be supported by the following Section 106 obligations:

**Table: Section 106 Financial Obligations**

Planning Obligation	Mitigation
Archaeology	£0.00
Affordable housing monitoring	£10,058.60 (76 affordable homes x £132.35)
Carbon Offset – Green Fund	A maximum of £475,991 (reduced to £130,259.62 if the development is connected to SELCHP Network.
Delivery and Service Plan bond (Residential)	£25,400  ((254 homes x £100) +  The council will retain £1,600.00 for assessing the quarterly monitoring for 2 years
Greenfield run off rates	£0.00  (£366 per cubic metre shortfall against greenfield run off rates)
Contribution to existing and new public space in the AAP area.	Estimated cost: £230,830 open space.  £31,106 play space.
Transport for London Buses	£685,800 maximum capped contribution, to be drawn down according to TfL methodology review mechanism)  (Maximum £2,700 per residential unit)
Transport for London cycle hire contribution	£12,700 – maybe more if non residential contribution is required  (£50 per residential unit plus non residential contribution)
Construction Management Contribution	£10,160  (£40 per residential unit)
Trees	£0.00  This may change if the proposed trees within the red line not be feasible of which payment will be secured

Admin fee	2% for all cash contributions plus flat fee of £2,000 for costs incurred in transferring TfL buses contribution
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275. In addition to the financial contributions set out above, the following other provisions would be secured:

- Affordable housing provisions and delivery controls, including provision for an early stage review;
- Wheelchair accessible housing;
- Marketing, allocation and fit out of the wheelchair units
- Car park/Servicing bay/Site management plan;
- Appointment of workspace co-ordinator;
- Workspace Specification (including full M&E fit out);
- Triggers securing Practical Completion of workspace;
- 10% Affordable workspace – Available for 30 years minimum at £17 per sqft to the end user (subject to annual RPI increases);
- Affordable Workspace Management Plan, including marketing requirements;
- Construction phase jobs, short courses and apprenticeships or Employment and Training Contribution;
- Employment, Skills and Business Support Plan (Construction Phase);
- Skills and Employment Plan (End User Phase);
- Highways works – s278 works;
- Connection to a future district heating system (SELCHP);
- London Living Wage – best endeavours to being offered to all staff employed in the commercial units as well as workers during the construction period;
- Final Demolition and Construction Environment Management Plans;
- Final Delivery and Service Management Plan;
- Final Construction Logistics Management Plan;
- Local Procurement;
- Service charge costs to social rent tenants would be capped within social rent cap levels;
- Securing Maccleanor Lavington Architects to deliver the building detailed design, unless otherwise agreed in writing

276. The S106 heads of terms agreed would satisfactorily mitigate against the adverse impacts of the proposed development.

277. In the event that a satisfactory legal agreement has not been entered into by 15 December 2020, it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

“The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of affordable housing and mitigation against the adverse impacts of the development through projects or contributions in accordance with 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 Planning Obligations and Community Infrastructure Levy SPD (2015)”.

### S278 Works Outline

278. The council's Highway Officers raised initial concerns over the proposed loading bay on Rollins Street. However, as shown on drawing 18050-01, a minimum footway width of 4.3m is achieved behind the proposed loading bay and trees along Rollins Street; this has been achieved by setting back the proposed building line from that currently existing. It is proposed that all paved areas within the redline will be offered for adoption. This will provide a minimum 2.5m pavement width on Ilderton Road and 3m pavement width on Sharratt Street. In light of the above, the initial concern has been overcome.
279. An S278 agreement will need to be undertaken with Southwark Highways for works to the highway, and traffic management changes. Notwithstanding the S278 with Southwark, the applicant is advised that a separate Section 278 Agreement would be required for the development with TfL.

### **Mayoral and Southwark Community Infrastructure Levy (CIL)**

280. 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.
281. Based on the existing floor areas provided in the agent's CIL Form dated 23-May-19 and proposed areas in the Area Schedule (May-2019), the gross amount of CIL is approximately £6,807,494.74, consisting £1,435,424.64 of Mayoral CIL and £5,372,070.10 of Borough CIL. If CIL relief procedures have been followed correctly after grant of planning permission, it is expected over £1,661,789.51 of Social Housing Relief might be claimed, of which £312,732.03 of MCIL2 relief and £1,349,057.48 of Borough CIL relief.
282. That is, the anticipated CIL receipt for this scheme is circa £5,145,705.23 net of relief. It should be noted that this is an estimate, and the floor areas will be checked when related CIL Assumption of Liability Form is submitted after planning approval has been obtained.

### **Other matters**

283. None

### **Conclusion on planning issues**

284. The major redevelopment of the site is supported and delivers many of the key aspirations of the AAP. The mix of uses achieved is considered to be exemplary, successfully combining industrial and residential uses in a carefully considered design led approach. The scheme would make a significant contribution to the councils housing and jobs targets in one of the boroughs major regeneration

areas.

285. The re-provision of the existing B8 floor space on the ground floor along with the introduction of B1c Affordable Workspace is considered to be a major benefit of the scheme with the provision of 10% of the employment floor space for Affordable Workspace is welcomed.

286. The proposed mix of uses would add to the vibrancy of the area which would be complemented by public realm improvements to Ilderton Road, Rollins Street and Sharratt Street. There would be an enhanced relationship from the proposed development to the streetscene with active frontages created on the north, west and south sides of the development.

287. The scheme would deliver the following major regeneration benefits:

- 254 new residential units to the borough's housing stock;
- 35% affordable housing overall (27.8% social rented and 7.7% intermediate)
- The re-provision of the existing B8 Use Class with the introduction of B1c Affordable Workspace;
- 76 new full time equivalent jobs would be provided post development;
- Generous provision of door-step play for younger children along with a large degree of communal amenity for residents to use and enjoy.
- A contribution to new and existing parks including Bramcote Park, with delivery mechanisms secured through the Section 106;
- The site will benefit significantly from the planting of trees and landscaping features that are currently not available on site;
- The introduction of an Ecological Terrace to the '*Tower* block' represents significant ecological gain.
- The proposed development results in a series of significant economic, social and environmental benefits that outweighs any potential and minor harm to the surrounding area that may be caused

288. The proposals would deliver a high standard of accommodation, which would comply with the majority of the standards and principles of exemplary residential design, as set out in Southwark's residential design standards SPD. Overall 70% of the development would be dual aspect. Given the high density of the scheme this is considered to provide a high level quality of accommodation. Furthermore, all units have access to private amenity as well as communal amenity and play space located on the podium level and the two terrace levels in each respective block.

289. The proposed development would reduce car dependency whilst significantly increasing cycle provision within the development. The increased width of the public footway along Ilderton Road following the removal of existing hoardings is anticipated to significantly enhance the public realm and improve the pedestrian experience through comfort and circulation when entering, visiting or moving past the site.

290. The impacts of the scheme on neighbouring properties in relation to daylight and sunlight would not result in detrimental harm to the living conditions of neighbouring occupiers.

291. The architectural design is considered to be of the highest quality and would

significantly improve the site within the context of the surrounding area.

292. It is therefore recommended that planning permission be granted subject to conditions, referral to the Mayor of London, referral to the Secretary of State and the agreement of a Section 106 Legal Agreement under the terms as set out above.

### **Statement of community involvement**

293. Consultation was carried out by the applicant prior to the submission of the planning, and during the consideration of the application. The consultation undertaken was carried out with the local community and key stakeholders from the area. This is summarised in the tables below, which are taken from the submitted Development Consultation Charter.

**Table: List of meetings**

<b>Meetings</b>	<b>Date</b>	<b>Attendees</b>	<b>Summary of discussions</b>
Pre application meetings (Southwark Council)	4 pre-application meetings  Pre-application meeting dates:  17/07/2018  05/02/2019  28/02/2019  18/03/2019	Council Officers	<ul style="list-style-type: none"> <li>- Transport planning</li> <li>- Design development</li> <li>- Landscaping</li> <li>- Unit mix</li> <li>- Ground floor use</li> </ul>
External pre-application meetings	2 Pre-application meetings  Pre-application meetings  28/09/2018 (GLA)  11/03/2019 (DRP)	Design Review Panel  Greater London Authority	<ul style="list-style-type: none"> <li>- Design</li> <li>- Energy</li> <li>- Uses within development</li> <li>- Transport</li> </ul>

Councillor meetings	17/05/2018 11/12/2018 22/01/2019   05/02/2019 11/03/2019	Cllr J Situ  Cllr Richard Livingstone  Cllr Evelyn Akoto  Cllr Michael Situ   Lewisham Cllr Joe Dromey  Lewisham Cllr Paul Maslin	All Councillors welcomed the proposals with all supportive of the commercial retention and improvement of the overall area.
Resident group meetings	31/01/2019    21/03/2019	Tustin Estate TRA – Andrew Eke, Chair and approximately 17 Tustin estate residents  Winslade Residents Association - 13 people including Bianca Kent (BK) - Chair, Sarah Grindley - Secretary, Denise Missenden, Doreen Beadle, Sue Masson, Cherry Grant, Mdage Naliu, Karunakaran Arun, Jane Robinson, James Henderson, Amy Clement - Housing Officer, Lewisham Homes plus 3 others	Queries were raised by the Tustin TRA about the actual reduction in commercial vehicle movements, the impact of people moving into the development on parking in the area and affordability of the affordable housing.  Overall the Winslade Residents were positive with no one attending the meeting raising concerns either about the principle of development or the proposed scale and massing of the scheme.
Meeting with Renewal Group	05/02/2019	John Gallagher, Mark Taylor	Overall feedback was positive with both welcoming Leathams' proposals that they felt augmented Renewal's plans.
Ilderton Primary	06/02/2019	Carol Askins, Sarah Harris	Both were supportive of 'anything that

School			improves the surrounding area'
Meeting with Millwall FC	01/03/2019	Andrew Barrow, Matthew Black	Both voiced their support of the proposal
Argon Capital	11/04/2019	James Gilbert, Tom Sherwood	Both voiced their support of the proposal
Vital OKR	18/04/2019	Mark Brierley, Tim Cutts (Southwark Council)	Mark was constructive in his opinions of the development and raised no objection to the scheme

**Table: List of public consultation events carried out**

<b>Public consultation events</b>	<b>Date</b>	<b>Attendees</b>	<b>Summary of feedback</b>
Public exhibition 1 – Ilderton Road Primary School	13/03/2019 (4pm-8pm) and 15/03/2019 (10am-2pm)	30 members of the public attended	<p>Attendees were mostly supportive of the principle of a mixed-use development on this site.</p> <p>The points of concern raised during the consultation was in regards to the:</p> <ul style="list-style-type: none"> <li>-Form and arrangement of the buildings</li> <li>- Social infrastructure</li> <li>- Congestion and traffic</li> </ul> <p>The tall building strategy in OKR16 states that there is scope for taller buildings on the east side of Ilderton Road.</p> <p>In response to social infrastructure it should be noted that redevelopment of the Ilderton Road site will contribute through section 106 and CIL contributions to improve community infrastructure.</p> <p>Regarding traffic, It should</p>

			<p>be further noted that other than some disabled car parking spaces, the residential element of the scheme will be “car free”. Parking controls in the local area will be reviewed and new residents will not be able to apply for a parking permit. There will also be at least one secure cycle parking space for each residential unit and additional spaces will be provided for the commercial uses and for visitors to the site.</p>
Public exhibition 2 – Ilderton Road Primary School	04/04/2019 (4pm-8pm) and 06/04/2019 (10am-2pm)	18 members of the public attended	<p>The responses from the second public exhibition were again supportive of the proposal. The two areas of concern related to:</p> <ul style="list-style-type: none"> <li>-Traffic and congestion</li> <li>-Retail opportunities</li> </ul> <p>The exhibition reaffirmed that the development would be car free and residents will not be able to apply for a parking permit.</p> <p>In regards to retail opportunities within the scheme. Responses to these concerns reiterated that OKR 16 in the OKRAAP seeks to replace existing employment floor space with other industrial and warehouse uses. Retail opportunities are focused within the new Old Kent Road Town Centres.</p>

## Consultations

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

## **Consultation replies**

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

## **Summary of consultation responses**

296. This application was subject to a round of statutory consultation in June

297. At the time of writing, a total of three consultation responses had been received from members of the public and local businesses and organisations. Two of the three responses are opposed to the proposed development, the other comment is neutral.

298. The main issue raised by residents objecting to the proposed development are:

- Concern over the impact of the development in the short and long term due to the size of the proposal
- Height of the 28 storey building
- Overshadowing of neighbouring estate
- Negative impact on the character of the area
- Reduced sunlight in the evenings

299. Officer response: The development has been assessed in depth, and the development is not considered to give rise to any detrimental harm to the amenity of neighbouring occupiers as discussed in detail within this report. Additionally, the development, whilst tall, would not harm the character of the surrounding area. See Design section of this report for the positive contribution this development is anticipated to make on the surrounding area.

300. The neutral comment raised during the consultation period was not planning related; rather a member of the public was requesting information of the Design and Access Statement (DAS). The DAS is made public on the council's website and is viewable to all members of the public.

## GLA

301. The GLA's Stage 1 response considers the principle of development and proposed land uses to be appropriate and generally in compliance with London Plan policies. The design is also considered acceptable. However, the report also raises a few issues whereby more information was required at the planning application stage. Through the application process, these have been addressed, as set out below.

302. Climate change: Further information relating to SAP, overheating, notional cooling and ASHP is required. Contributions to the borough's offset fund and connection to the SELCHP should be secured.

303. Officer response: The applicant's have submitted further information in regards to the climate change mitigation, and the additional information is considered acceptable in overcoming initial concerns expressed in the GLA response.

304. Transport: Further work on Healthy Streets, the Transport Assessment, Blue Badge parking, servicing and construction is required.

305. Officer Response: The additional transport information submitted throughout the lifespan of the application are deemed acceptable by the council's Transport Officer

TfL

306. Disabled parking: No disabled parking provision is proposed for the residential uses, and therefore the proposal is still contrary to Policy T6. The applicant states a number of options were considered, however at an early state it was agreed with Southwark that residential disabled persons parking could not be safely accommodated within the curtilage of the site. We consider that the potential for disabled persons' parking equivalent to 3% of homes should be identified which does not encroach upon adequate and demonstrated servicing needs nor the safe and efficient operation of bus services, active travel and general traffic or upon the quality and extent of the public realm.
307. Officer Response: During early pre-application discussions, it was agreed that given the density of the site, the provision of disabled parking on site could not be safely accommodated. Further discussion and submission of a Transport Assessment in December 2019 demonstrates that 2 disabled spaces can be facilitated by the dedicated loading yard which frees up space for on street disabled persons' parking.
308. Servicing an Delivery: TfL is unconvinced that the delivery and servicing arrangements proposed are sufficient to accommodate the demand even with four as opposed to two on street bays. In the event that this amount of provision is accepted strong management and control will be expected to be secured to ensure that demand is spread and there is no risk of overspill.
309. Officer Response: The council's Transport Officer is encouraged by the Servicing and Delivery arrangement proposed for the development. Officers have recommended that the applicants enter into a Delivery Service Plan Bonds against their baseline figures for all daily servicing and delivery trips. These bonds would be calculated at £100 per residential unit and £100 per 500 sqm of non-residential floor space. The applicant has agreed to the contribution which can be collected via the legal agreement.

London Underground

310. No comments to make on the application.

Metropolitan Police

311. The Designing Out Crime Officer has advised that the development can attain secure by design accreditation. The Met Officer has recommended a condition be attached regarding the need for the development to attain secure by design accreditation.
312. Officer response: The recommended conditions are included with this recommendation.

Natural England

313. No comments to make on the application.

Environment Agency

314. No objection to the development.

Historic England (HE)

315. Historic England raises no objection to the scheme given that the proposed development will be of similar height to the existing Tustin Estate residential towers.

Arqiva

316. Arqiva has considered whether this development is likely to have an adverse effect on our operations and have concluded that the development will not impact on any of our SHF or RBL links.

Thames Water

317. On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

318. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>

319. The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets; as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

320. Officer response: The recommended informatives have been attached to this decision notice of this application.

### UKPN Network

321. UKPN objects to the development due to the existence of a nearby substation owned by UKPN that may be impacted by the development.

322. Officer response: The applicant has been made aware of the objection by UKPN and will engage to mitigate any impact to the substation owned by UKPN.

### Network Rail

323. Network rail are concerned by the cumulative impact that this and other proposed developments in the area will have on South Bermondsey Station. No formal objection is made however.

### **Internal consultees**

324. The advice received from other Southwark Officers has been summarised in the table below. Further detail is provided throughout this report.

<b>Officer</b>	<b>Summary of comments</b>	<b>Officer response</b>
Urban Forester	<p>No trees or landscaping of significance to amenity or screening are affected. A number of street trees are proposed together with those at grade, on podiums, terraces and at roof level. A specific tree planting condition is required to ensure these are provided, especially where agreement is needed by highways.</p> <p>Should these or others within the red line not be feasible then payment in lieu can be agreed for provision elsewhere within the vicinity.</p> <p>Also recommended that s106 or CIL funds be identified for investment of the new open space nearby at the junction of Surrey Canal Road. This is due to be adopted by parks</p>	Recommended conditions included. For S106 contributions, Bramcote Park is the area of open space agreed for investment in lieu of any payments needed
Local Economy Team (LET)	Subject to the employment and enterprise obligations outlined in this response, LET are happy to support this application which matches the economic, job, and growth plans as discussed in the planning statement.	Recommended contributions to be secured through the S106
Environmental Protection Team (EPT)	Approve subject to conditions	Recommended conditions included with this report.
Ecology Team	No objection. Recommendations include 10 swift bricks, 10 bat bricks + 6 house sparrow terraces, and green roofs for biodiversity be conditioned	Conditions attached to this report.
Flood Risk and Drainage Team	The submission of the surface drainage strategy demonstrates that the discharge rate is 1.8 l/s which is under the recommended 2 l/s. Flood risk officers therefore have no objection to the development.	N/A
Transport	Approve subject to conditions and	Recommended conditions

	Section 106 clauses.	included with this report, or as clauses in S106.
Highways	No objection subject to a conditions and applicant entering into S278 Agreement	Recommended conditions attached
Design and Conservation	Although it is considered that the proposal will introduce substantial change to the site and its locality, such change can be accommodated when considering cumulative developments set within the scope of the area masterplan. The context of the area is advancing with permitted developments reaching 8 storeys in height. This proposal attains the principles of exemplary design and will positively contribute to the changing landscape of the area. Overall, the developments design sufficiently meets the policy criteria for a new tall building and good urban design, in the creation of a local landmark.	Conditions attached to permission
Archaeology	No further archaeological work is required for this proposed development.	N/A

### **Community impact statement / Equalities Assessment**

325. 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 connected to that characteristic
  - Take steps to meet 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.

326. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

327. The council must not act in a way which is incompatible with rights contained

within the European Convention of Human Rights

328. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. This is addressed in detail in the relevant section of this report.

### **Relevant planning history**

329. The subject site has been subject to two planning application of note which are detailed below:

94/00387

'Erection of a two storey warehouse building with associated service yard and car parking'

Decision: Granted

13/AP/0534

'Extension to existing warehouse on south east corner of site along Sharratt Street'

Decision: Granted

### **Pre Application Advice**

330. Pre-application advice was provided in advance of the submission of this application, details of which are held electronically by the Local Planning Authority. A number of meetings were held with the applicant and discussions centred around the provision of affordable housing, the height and massing of the proposals, the re-provision of B8 floor space with the insertion of Affordable Work Space in Use Class B1c. Additionally, the amenity space, play space, the quality of the residential accommodation and potential impacts upon surrounding occupiers were discussed during the pre-application stage.

### **Planning history of adjoining sites**

331. The council has received a number of planning applications recently in the Old Kent Road Opportunity Area. These include the following:

332. 18/AP/0564 16 Peckham Park Road and 1 Livesey Place

Application type: FULL

Demolition of existing buildings and construction of a part three, part four storey building with retail and warehouse (A1) use on the ground floor and 5 residential units (3 x 2-bedroom and 2 studio flats) on upper floors.

Decision: Granted with Grampian Condition (3rd August 2018).

333. 17/AP/2773 Malt Street Regeneration Site, Land Bounded By Bianca Road, Latona Road, Haymerle Road, Frensham Street, and Malt Street

Application type: FULL and OUTLINE

Hybrid application comprising a full planning application for Phase 1 (the “Detailed Component”) and outline planning permission (the “Outline Component”) for Phases 2 and 3:

Detailed Component (Phase 1):

Full planning permission for the demolition of existing buildings and structures and redevelopment of the central area for the erection of a total of 4 buildings, two at 7 storeys (Buildings B9 and B12), one at 15 storeys (Building B10), and one at 44 storeys (Building B4) (max height 147.12m AOD) to provide 420 homes, 1,197 sqm GEA of Class B1(c) floorspace and 785 sqm GEA of non-residential floor space within classes A1-A4 (retail), Class B1 (business) and Class D1 (public services) and D2 (entertainment and leisure) use, an energy centre (750 sqm) and new public open space and public realm with on street and basement car parking spaces and cycle spaces.

Outline Component (Phase 2 and 3):

Outline planning permission (scale, layout, landscaping, access and appearance reserved) for the demolition of existing buildings and structures and the erection of a seven buildings (B1, B2, B3, B5, B6, B7, B11) ranging in height from 5 to 39 storeys (max height 132.9m AOD) to provide up to 88,052sqm floorspace GEA, comprising up to 880 residential units, up to 3,316 sqm GEA of Class B1(c) floorspace and up to 1,702sqm GEA of non-residential floor space within Classes A1-A4 (retail), Class B1 (business), Class D1 (public services) and D2 (entertainment and leisure) use and car parking spaces at ground level and cycle spaces, with associated new open space, public realm, car parking and associated works.

Totals: Up to 1,300 homes and up to 7,000sqm commercial floorspace.

Decision: Resolution to grant, subject to a legal agreement, referral to the Mayor of London and Secretary of State (3rd June 2019).

334. 18/AP/0897 Ruby Triangle Site, Land bounded by Old Kent Road, Ruby Street and Sandgate Street

Application type: FULL

Full planning permission is sought for demolition of existing buildings and structures on the site, and redevelopment consisting of three buildings at maximum heights of 17 storeys (including mezzanine) ( +64.735m AOD), 48 Storeys (+170.830m AOD) and 40 storeys (including mezzanine) (+144.750m AOD), plus single storey basement under part of the site. Development would provide 1,152 residential dwellings (Class C3), retail, business and community spaces (Classes A1, A2, A3, A4, B1(a),(b),(c) and D1), public sports hall and gym (Class D2), public and private open space, formation of new accesses and alterations to existing accesses, energy centre, associated car and cycle parking and other associated works.

335. 18/AP/3246 Land at Cantium Retail Park, 520 Old Kent Road

Application type: FULL

Demolition of existing buildings and redevelopment of the site to provide a new basement level and buildings ranging from 3 to 48 storeys in height (max height 159.05m above ground level) comprising up to 1,113 residential units (Class C3), up to 5,659 sq. m of office floorspace (Class B1(a)), up to 2,228 sq. m of retail floorspace (Class A1), up to 2,336 sq. m of flexible space including use within Classes A1, A3, B1(a), B1(b), D1, D2 and / or Sui Generis (Theatre) within Block B and up to 596 sq. m of flexible space within Classes A1, A2 and / or A3 within Block C together with associated access, car parking, landscaping and infrastructure works.

Decision: Resolution to grant, subject to a legal agreement, referral to the GLA and Secretary of State (5th March 2019).

336. 17/AP/4596 13-14 Frensham Street, (Nye's Wharf)

Application Type: FULL

Demolition of existing buildings and erection of mixed-use scheme comprising 321sqm (GIA) of flexible A1, A2, A3, A4, B1, D1 and D2 floorspace and 882sqm (GIA) of B1 floorspace at ground and mezzanine levels; with 153 Residential units (Class C3) above in two blocks ranging from 9 to 18 storeys with hard and soft landscaping and associated infrastructure works, including three disabled spaces and cycle parking.

Decision: Resolution to grant, subject to a legal agreement and referral to the GLA (3rd September 2018).

337. 17/AP/4612 49-53 Glengall Road

Application type: FULL

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.

Decision: Resolution to grant, subject to a legal agreement, referral to the GLA and Secretary of State (15th January 2019).

338. 18/AP/3551 Southernwood Retail Park

Application type: FULL and OUTLINE

Hybrid planning application for detailed permission for Phase 1 and outline planning permission for Phase 2 comprising:

Application for full planning permission for 'Phase 1' comprising demolition of existing buildings and the erection of a part 9, part 14, part 15, part 48 storey

development (plus basement) up to 161.25m AOD, with 940 sqm GIA of (Class A1) retail use, 541 sqm GIA of flexible (Class A1/A2/A3) retail/financial and professional services/restaurant and café use, 8671 sqm GIA (Class C1) hotel; 541 (class C3) residential units (51,757 sqm GIA); landscaping, public realm and highway works, car and cycle parking and servicing area, plant and associated works.

Application for outline planning permission (with details of internal layouts and external appearance reserved) for 'Phase 2' comprising demolition of existing buildings and the erection of a part 9, part 12, storey development (plus basement) up to 42.80m AOD, with 1049 sqm GIA of flexible (Class A1/A2/A3) retail/financial and professional services/restaurant and café use; 183 (Class C3) residential units (17,847sqm GIA), 1141 sqm GIA (Class D2) cinema and the creation of a 475 sqm GIA (Class C1) hotel service area at basement level; landscaping, public realm and highway works, car and cycle parking and servicing area, plant and associated works.

Decision: Resolution to grant, subject to legal agreement, and referral to GLA (28 May 2019).

339. 19/AP/1322 – 840 Old Kent Road

Application type: FULL

Demolition of existing building and redevelopment of the site to provide a new building of up to 13 and 21 storeys in height (maximum height 73.60m above ground level). Redevelopment to comprise 168 residential units (Class C3), a 1,778 sqm (GIA) retail unit (Class A1) and a 52 sqm (GIA) flexible retail unit (Class A1/A3), with associated landscaping, car parking, servicing, refuse and plant areas, and all ancillary or associated works.

Decision: Resolution to grant, subject to legal agreement, and referral to GLA (05 February 2020).

**Planning policy**

340. The statutory development plans for the Borough comprise the National Planning Policy Framework 2019, London Plan 2016, Southwark Core Strategy 2011, and saved policies from The Southwark Plan (2007 - July). The site falls within the area covered by the draft Old Kent Road Area Action Plan (draft OKR AAP).

**Planning policy designations**

341. The application site is found within the following Planning Policy Designations:

- The Old Kent Road Opportunity Area;
- Draft OKR AAP site OKR 16;
- Preferred Industrial Location - Strategic
- The Urban Density Zone;
- Bermondsey Lake Archaeological Priority Zone;
- The Air Quality Management Area;
- Public Transport Accessibility Level (PTAL) of 2;
- Extended background area (Wider Setting Consultation Area) of LVMF

- views 2A.1, 3A.1, and 6A.1 and
- Flood Zone 3

342. This application was determined in accordance with the development plan unless material considerations indicate otherwise; and the following national framework, regional and local policy and guidance are particularly relevant.

### **Adopted Policy**

#### National Planning Policy Framework

343. The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.

344. Paragraph 212 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

345. Section 2 - Achieving sustainable development  
 Section 5 - Delivering a sufficient supply of homes  
 Section 6 - Building a strong, competitive economy  
 Section 7 - Ensuring the vitality of town centres  
 Section 8 - Promoting healthy and safe communities  
 Section 9 - Promoting sustainable transport  
 Section 11 - Making effective 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  
 Section 16 - Conserving and enhancing the historic environment

346. National Planning Policy Guidance (2014) is a web-based resource which brings together planning guidance on various topics into one place.

#### London Plan 2016

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

348. Policy 2.17 - Strategic Industrial locations  
 Policy 3.1 - Ensuring Equal Life Chances for All  
 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 3.16 - Protection and Enhancement of Social Infrastructure

- 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 7.21 - Trees and woodlands
- Policy 8.2 - Planning obligations
- Policy 8.3 - Community infrastructure levy

349. The London Plan 2016 identifies the Old Kent Road as an Opportunity Area with “significant potential for residential – led development along the Old Kent Road corridor”. Opportunity Areas are described in the 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.
350. Policy 2.13 in the London Plan 2016 sets out the strategic policy for the development and intensification of opportunity areas. Annex 1 includes an indicative capacity for Old Kent Road of 2,500 homes and 1,000 jobs and supports the development of a planning framework to realise the area’s full growth potential. It goes on to state that the employment and minimum homes figures should be explored further and refined in a planning framework for the area.

#### Mayoral SPGs

351. The following Mayoral SPGs are relevant to the consideration of this application:
352. Homes for Londoners (2017)  
 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)

#### Core Strategy 2011

353. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

- Strategic policy 1 - Sustainable development
- Strategic policy 2 - Sustainable transport

Strategic policy 3 - Shopping, leisure and entertainment  
 Strategic policy 4 - Places for learning, enjoyment and healthy lifestyles  
 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  
 Strategic policy 14 - Implementation and delivery

#### Southwark Plan 2007 (July) - Saved Policies

354. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

Policy 1.1 - Access to employment opportunities  
 Policy 1.2 - Strategic and local preferred industrial locations  
 Policy 1.5 - Small businesses  
 Policy 2.2 - Provision of new community facilities  
 Policy 2.5 - Planning obligations  
 Policy 3.2 - Protection of amenity  
 Policy 3.3 - Sustainability assessment  
 Policy 3.4 - Energy efficiency  
 Policy 3.6 - Air quality  
 Policy 3.7 - Waste reduction  
 Policy 3.9 - Water  
 Policy 3.11 - Efficient use of land  
 Policy 3.12 - Quality in design  
 Policy 3.13 - Urban design  
 Policy 3.14 - Designing out crime  
 Policy 3.15 - Conservation of the Historic Environment  
 Policy 3.18 – Setting of Listed Buildings, Conservation Areas and World Heritage Sites  
 Policy 3.19 – Archaeology  
 Policy 3.20 – Tall Buildings  
 Policy 3.22 – Important Local Views  
 Policy 3.28 - Biodiversity  
 Policy 4.2 - Quality of residential accommodation  
 Policy 4.3 - Mix of dwellings  
 Policy 4.4 - Affordable housing  
 Policy 4.5 - Wheelchair affordable housing  
 Policy 5.2 - Transport impacts  
 Policy 5.3 - Walking and cycling  
 Policy 5.6 - Car parking  
 Policy 5.7 - Parking standards for disabled people and the mobility impaired

#### Supplementary Planning Documents (SPDs)

355. The following Southwark SPDs are relevant to the consideration of this application:

Development Viability SPD (2016)  
Technical Update to the Residential Design Standards SPD (2015)  
Section 106 Planning Obligations/CIL SPD (2015)  
Affordable housing SPD (2008 - Adopted and 2011 - Draft)  
Residential Design Standards SPD (2011)  
Sustainable Transport SPD (2010)  
Sustainable design and construction SPD (2009)  
Sustainability assessments SPD (2009)

### **Emerging planning policy**

#### Draft New London Plan

356. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2nd March 2018. Minor suggested changes to the plan were published on 13<sup>th</sup> August 2018 and an Examination in Public (EIP) began on 15th January 2019 and closed in May 2019. The Inspector's report and Panel Recommendations were issued to the Mayor of London in October 2019. The Mayor then issued his intentions to publish the London Plan along with a statement of reasons for not including all of the Inspector's recommendations to the Secretary of State. The Secretary of State has responded to the Mayor, in February 2020 and has directed changes to the New London Plan including the deletion of the no nett loss of industrial land policy. Until the London Plan reaches formal adoption it can only be attributed limited weight.
357. The draft New London Plan identifies the Old Kent Road as having a minimum capacity for 12,000 homes and a jobs target of 5,000, which increases the capacity of the adopted London Plan of 2,500 homes and 1,000 jobs.

#### New Southwark Plan

358. 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. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 consultation closed in May 2019. The New Southwark Plan Submission Version – Proposed Modifications for Examination was submitted to the Secretary of State in January 2020 for Local Plan Examination. It is anticipated that the plan will be adopted in late 2020 following an Examination in Public (EIP). As the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

#### Old Kent Road Area Action Plan (OKR AAP/OAPF)

359. 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 4 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.

360. Whilst acknowledging this limited weight, members are advised that the draft OKR AAP places the application site within the proposed Action Area Core, and within proposal site OKR 16 which covers the area bounded by Hatcham Road and Ilderton Road. Requirements for this allocation site include the re-provision of existing industrial floor space in Use Class B8, and to provide residential accommodation in Use Class C3, and the provision of Affordable Work space in Use Class B1c.

### **Environmental impact assessment**

361. Under planning reference 19/AP/0686 a Scoping Opinion was submitted detailing the proposal that eventually formed the scheme under consideration in this application. The documentation submitted as part of the Scoping Opinion was carried out in accordance with Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
362. As the development would introduce more than 150 dwellinghouses (Schedule 2 development classified under item 10 (b)), it was therefore necessary to assess the potential impact of the proposal against Schedule 2 of the EIA Regulations. This was to determine whether the proposed development should be subject to a formal EIA, taking into account a number of factors relating to the characteristics of the development, its location, and the types and characteristics of the potential impacts.
363. Based on the required assessment, no significantly likely impacts were identified and it was considered that the development would not impact upon the environment virtue of factors such as its nature, size and location. Given this assessment the conclusion was that the proposed development did not constitute EIA development and therefore an assessment is not required with this application.

### **Human rights implications**

364. This planning application engages certain human rights under the Human Rights Act 1998 (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.
365. This application has the legitimate aim of providing new mixed use development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 Council website: www.southwark.gov.uk

## APPENDICES

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

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning		
<b>Report Author</b>	Troy Davies, Team Leader		
<b>Version</b>	Final		
<b>Dated</b>	26 May 2020		
<b>Key Decision</b>	No		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>			
<b>Officer Title</b>		<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance		No	No
Strategic Director of Environment and Leisure		No	No
Strategic Director of Housing and Modernisation		No	No
Director of Regeneration		No	No
<b>Date final report sent to Constitutional Team</b>			27 May 2020