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Item No.	Classification:	Date:	Meeting Name:
7.1	OPEN	28 June 2021	PLANNING COMMITTEE
Report title:	Development Management planning application: Application 19/AP/7057 for: Full Planning Application		
	<p>Address: Butterfly Walk Shopping Centre and land to rear at Denmark Hill, Orpheus Street, Daneville Road and Wren Road Camberwell SE5 8RW</p> <p>Proposal: Part redevelopment, part refurbishment of the Butterfly Walk Shopping Centre and the addition of build-over development and new buildings, together accommodating the retained and remodelled supermarket, refurbished and reconfigured retail units, a mix of homes, a cinema, a community use unit, public realm and landscaping, replacement car parking for up to 32 vehicles, and other associated works.</p>		
Ward(s) or groups affected:	Borough & Bankside		
From:	Director of Planning and Growth		
Application Start Date	12.12.2019	Application Expiry Date	12.03.2020
Earliest Decision Date	30.05.2021	Extension of Time End Date	28.01.2022

RECOMMENDATION

1.
 - a) That full planning permission be granted for 19/AP/7057, subject to conditions, referral to the Mayor of London, and the applicant entering into a satisfactory legal agreement.
 - b) That in the event that the legal agreement is not been entered into by 28th January 2022 the Director of Planning and Growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 583 of this report.

EXECUTIVE SUMMARY

2. Located in Camberwell and occupying a prominent position on the western

side of Denmark Hill close to Camberwell Green, the site is at the heart of the District Town Centre. A brownfield site, it currently contains a collection of one- and two-storey retail buildings alongside servicing areas and surface car parking. The site lies partially in, and is adjoined along its east, north and west boundaries by, the Camberwell Green Conservation Area. There are a number of listed buildings nearby, mainly to the north.

3. The applicant, who currently operates the shopping centre and retains freehold of the supermarket and car parking areas, proposes to redevelop the site to provide three new urban blocks re-incorporating the existing shopping centre and supermarket in a reconfigured format. Alongside the retained and enhanced retail uses, these new buildings would contain a 101 bedroom hotel, a cinema, a small community facility and 145 new homes, of which over 35% would be in affordable tenures. New public realm and more pedestrian-friendly routes through the site, together with landscaping enhancements and new communal residential amenity space, would complete the scheme.
4. An initial round of public consultation was carried out in early 2020, with re-consultation in Spring 2021. Across these two rounds of consultation, a total of 208 members of the public commented on the application. 180 objected, 6 made a neutral comment and 22 expressed support for the proposal. The main material planning considerations raised by the objections were:
 - buildings are of an excessive height/scale;
 - buildings are of a poor architectural/design quality;
 - public services (GPs, schools etc.) would come under increased pressure;
 - not enough social housing would be provided;
 - cinema would not be viable;
 - hotel would not be viable;
 - no demand in the local area for additional retail uses;
 - neighbouring occupiers would experience harmful daylight/sunlight impacts;
 - would cause overshadowing (of properties and/or open spaces);
 - local public transport services would come under increased pressure; and
 - traffic/congestion on the local road network would increase.
5. As expanded on in the main body of the report, the various proposed buildings would be of a larger and more urban scale than their immediate surroundings. Notwithstanding, through the proposal's logical and neighbourly layout, well-considered articulation, and the use of high quality architectural treatments, the overall height and massing would sit comfortably within the townscape. While the proposal would be visible within some key views from the surrounding Conservation Areas, its presence would generally be of a distant and recessive quality such that it would cause less than substantial harm

to the setting of these designated heritage assets.



Figure 1 (above): Visualisation of the proposed development (right hand side, background), as seen looking south-eastwards along Camberwell New Road

6. While the proposal would result in a small net loss of retail floorspace, this is considered acceptable given the much improved quality of the new sales space, the modern and attractive shop fronts and shopping street, and the frozen rental rates secured for the existing small and independent retailers. Moreover, when accounting for the new cinema and hotel, there would be a net uplift in town centre uses. This mix of complementary town centre uses would be enhanced further by a small community facility, bookable by local groups for a nominal sum.
7. The provision of new homes is welcomed, and although 145 is 85 fewer than the indicative capacity given in the site allocation, it is expected that any future redevelopment of the adjacent Metropolitan Police Station Site (which forms part of the same site allocation) would be residential-led and thus would likely make up some of the difference. The delivery of over 35% of the proposed homes in social rent, London Living Rent and shared ownership tenures is welcomed and a major benefit of the proposed development, helping to meet the acute local housing need in SE5. The range of dwelling sizes, including a stronger weighting towards larger family-sized homes, is a positive attribute of the scheme.
8. Although on the whole the proposed housing would be of a good quality, some flats would be single aspect and north-facing, and three flats would have no private amenity space. In addition, while the internal light levels for the vast majority of proposed rooms would be good, in a small number of cases the internal light levels have been compromised by the layout. To some extent, these negative aspects of the proposed residential accommodation are

a consequence of negotiating various site constraints, including the retention of existing buildings. While these negative aspects of the proposed accommodation should be accorded weight in the determination of the application, the report explains the layout factors and design devices that would mitigate the harm caused to occupiers and overall the quality of accommodation is very good.

9. The proposal would result in substantial adverse daylight and sunlight impacts to a number of nearby residential windows, which should be accorded weight in determining the application. The main body of the report sets out in detail the degree of impact and the mitigating factors, and recognises that where existing properties currently overlook an open or low rise site, new buildings will impact in a noticeable way. In respect of outlook and privacy impacts, the report sets out why the separation distances between the development and surrounding dwellings are reasonable
10. With regard to transport considerations, the number of general town centre parking spaces to be re-provided, which amounts to only 20% of the existing provision, balances the policy objective of reducing private car journeys against ensuring the continued successful functioning of the retail units, supermarket and new town centre uses. The trips generated by the proposed town centre and residential uses would be made predominantly by public transport, and sustainable modes of travel will be further incentivised among residents and visitors through mechanisms such as cycle hire membership and travel plans. The servicing strategy is well-resolved, with the majority of deliveries to the town centre uses being made on a time-limited and bookable basis to a dedicated yard designed to ensure all vehicles can enter and exit in forward gear. Overall, there would be no harmful transport or highways impacts.
11. The proposal responds positively to the Council's climate emergency declaration and the relevant Mayoral and borough-level energy policies by achieving a 64% on-site reduction in carbon emissions beyond the baseline for the proposed non-residential uses and a 57% on-site reduction for the residential element, with a financial contribution in both cases bringing it to net carbon zero status.
12. As the report explains, the proposal would make efficient use of a substantial and under-utilised site to deliver a high quality and sustainable development that supports the Council's aspirations for the area, including the site allocation in the New Southwark Plan. The proposal would bring various economic benefits, such as the significant uplift in town centre floorspace and attendant job creation, to support the vitality of the Camberwell shopping centre by increasing footfall and diversifying the range of uses in the town centre. The hotel, while not a requirement of the draft site allocation, is an appropriate town centre use and would contribute to the evening economy as

well as potentially supporting other local institutions such as the hospitals and Camberwell College of Arts. The new homes, including 51 affordable homes, would make an important contribution to meeting the Council's housing targets and meeting a priority need. In addition, a range of financial contributions would be secured to offset the impacts of the development and assist with local and London-wide infrastructure investment.

BACKGROUND INFORMATION

Site location and description

13. The application site is a 1.25 hectare irregular-shaped plot of land located in the Camberwell Green ward. It is bounded:
 - Along its northern and north-eastern boundaries by properties fronting Denmark Hill, Camberwell Church Street, Wren Road and Jephson Street;
 - To the east by properties fronting Grove Lane;
 - To the south by Daneville Road;
 - To the south-west by Orpheus Street; and
 - To the west by Denmark Hill.



Figure 2 (above): Site location plan, showing the site boundary edged in red.

14. The site comprises three main areas: Zone A to the east; Zone B in the south-west part of the site; and Zone C in the north-west corner.

Zone A

15. Zone A is given over to surface 'pay-and-display' parking for up to 100 vehicles, with two points of vehicular access, one from Wren Road and one from Daneville Road.



Figure 3 (above): Aerial view of Zone A. Edged in black is land within the applicant's ownership. Edged in brown is public highway forming part of the application site.



Figure 4 (above): View across Zone A looking towards St Giles Church, taken from Wren Road.

Zone B

16. Zone B is occupied by a Morrisons supermarket, an associated external servicing yard and a small external car park, as well as the southern section of Wren Road.



Figure 5 (above): Aerial view of Zone B. Edged in black is land within the applicant's ownership. Edged in brown is public highway forming part of the application site.

Figure 6 (above): View of the Morrisons supermarket, as seen from the junction of Wren Road and Daneville Road.

17. Constructed in the mid-1980s, the supermarket is formed of a single-storey building providing the main open-plan sales floorspace and a two-storey range along its southern edge containing staff welfare and ancillary facilities. The supermarket's principal façade and main entrance is on Wren Road. It presents largely blank frontages to the south and west. The servicing yard and 31-space 'pay-and-display' surface car park are located along the southern edge of Zone B, directly to the south of the supermarket.
18. Zone B also includes the southern stretch of Wren Road, which is a no-through route and under the private ownership of the applicant.

Zone C

19. Zone C contains the Butterfly Walk Shopping Centre and two associated external servicing yards.



Figure 7 (above): Aerial view of Zone C. Edged in black is land within the applicant's ownership. Edged in brown is public highway on Orpheus Street forming part of the application site.



Figure 8 (above): View of the main entrance of the Butterfly Walk Shopping Centre, as seen from Denmark Hill.

20. The shopping centre, which dates from the early 1980s, ranges from one to two storeys in height, with the taller elements generally being located around the west and north edges of the building footprint. It is arranged as a

pedestrianised linear mall, with a principal entrance on Denmark Hill and a secondary entrance on Wren Road.

21. In total, the shopping centre contains 2,755 square metres GIA of Class A floorspace arranged as 16 separate units. All sales areas are at ground level. Amongst the small number of units that have a second storey of accommodation, this space is mainly used as staff facilities or for storage.
22. The retail units are served by two open service yards. The larger yard, located in the site's northern corner, is accessed via Wren Road. The smaller yard, located on the southern side of the mall, is accessed from Orpheus Street.

Land use schedule

23. A schedule of the existing uses across the application site can be found at Appendix 3.

Surroundings and designations

24. The surroundings are varied in terms of land use and building height. To the east, around Grove Lane and Camberwell Grove, residential uses predominate in buildings of between two and four storeys. Immediately to the south of the site is the 1980s Selborne Village residential development, which is of a low-rise suburban character. The area further south of Selborne Village is also characterised by residential buildings; these gradually increase in height towards the taller blocks within the Maudsley Hospital and King's College Hospital campus. To the west of the site is the busy high street of Denmark Hill, which is lined by predominantly Victorian buildings of typically three or four storeys, all of which contain commercial uses at ground floor level. Further to the west is the Valmar Industrial Trading Estate surrounded by a mix of low- and medium-rise housing. Directly to the north of the site is a mix of commercial and residential uses within late Georgian and early Victorian buildings of between three and four storeys. Further north, a break in the urban fabric is formed by the large open space of Camberwell Green.
25. The site falls within:
 - the Urban Density Zone;
 - Camberwell Action Area
 - Camberwell District Town Centre;
 - an Article 4 Direction restricting certain changes of use of any of the retail units and Morrisons supermarket;
 - Protected Shopping Frontages (Denmark Hill and Butterfly Walk Mall);
 - Flood Zone 1 (indicating low probability of flooding);
 - the Air Quality Management Area;
 - "West-Central" Multi-Ward Forum Area; and

- Community Infrastructure Levy Charging Zone 2.
26. Once the New Southwark Plan has been adopted, the site will also be subject to the following designations:
- Primary Shopping Frontage;
 - Hot Food Takeaway Secondary School Exclusion Zone; and
 - Camberwell Critical Drainage Area, including areas of identified low flood risk.
27. In respect of heritage designations, the site contains no listed structures but is enclosed along its western and northern boundaries by the Camberwell Green Conservation Area. A small portion of the large surface car park within Zone A forms part of the Conservation Area. This 260 square metres of land was formerly part of the Colonnades' amenity space, having been transferred to the applicant and converted to additional parking over a decade ago.
28. To the east of the site is Camberwell Grove Conservation Area, the boundary of which is at its closest point approximately 50 metres from the application site. In views along Daneville Road and Grove Lane, the site and Camberwell Grove Conservation Area can be seen in the same viewframe.
29. The site is within close proximity of the following Grade II listed buildings, and as such has the potential to affect their settings:
- The former London County Bank at 17 Camberwell Green, a three-storey Baroque revival building dating from 1899 with a two-storey corner steeple;
 - 15 Camberwell Green (and attached railings), a late 18th Century three-storey house in buff brick with projecting shop on the ground floor;
 - 323 Camberwell New Road, a Regency period three-storey house finished in brick with slate roof and entablature to the parapet;
 - 2 Camberwell Church Street, a former bank finished in red brick with an octagonal corner turret;
 - K2 Telephone Kiosk, in the Giles Gilbert Scott style featuring a domed roof, located at the southern end of Wren Road;
 - Camberwell Police Station (and attached lamp bracket), which is a part two-storey part three-storey building fronting Camberwell Church Street constructed of red brick in an Arts and Crafts style; and
 - 1-9 (odds) and 2-8 (evens) Jephson Street, which together form two rows of mid 19th Century townhouses enclosing a private courtyard.
30. The site is within the Camberwell Green Archaeological Priority Zone. When the New Southwark Plan is adopted the site will form part of the Camberwell Village Archaeological Priority Area.

31. The site is not within any London Strategic Viewing Corridors or any of the Borough Views defined by the New Southwark Plan.
32. Within the boundary of the site are 29 trees: one on Denmark Hill; four on Orpheus Street; 15 within the two car parks along Daneville Road; and nine on Wren Road. 15 are Category B (moderate quality), 13 are Category C (low quality) and one is Category U (unsuitable for retention).
33. With respect to transport designations, the application site is:
 - within PTAL Zones 5 and 6b, representing public transport accessibility levels of 'good' to 'excellent';
 - within a Controlled Parking Zone (Zone L, operational between 08:30hrs and 18:30hrs Monday to Friday);
 - adjacent to a loading bay at the southern end of Orpheus Street;
 - adjacent to 7 pay-for parking bays (lining the northern side of Daneville Road to the front of the smaller car park);
 - within 30 metres of 18 pay-for bays (nine at Grove Lane and nine at Wren Road);
 - within 50 metres of 23 Permit Holder parking bays (three to the front of nos. 3-9 Daneville Road, two opposite 72 Daneville Road, eight at Wren Road, and ten outside Mary Datchelor House);
 - within 30 metres of a dedicated Disabled Bay (opposite no. 4 Daneville Road)
34. Denmark Hill Station, which offers Overground and London Rail services, is located approximately 800 metres to the south of the site. Loughborough Junction, offering Thameslink and Southeastern services, lies approximately 1.1 kilometres to the southwest. The nearest underground stations are Brixton and Oval, both 1.8 kilometres away. The site benefits from good access to bus routes operating along Denmark Hill, Camberwell Church Street, Camberwell New Road and Camberwell Road. These provide connections east to Peckham, south to Denmark Hill and Loughborough Junction, west to Oval and north towards the city. The pedestrian routes around the application site provide easy access to the bus stops, overground and underground stations.
35. Three dedicated cycle lanes exist nearby. The first is Cycle Superhighway 5 on Camberwell Church Street and Camberwell New Road, approximately 100 metres to the north of the application site. To the east at a distance of approximately 150 metres is London Cycle Network Route 23 on Camberwell Grove. Further beyond to the east is Cycleway 17 (formerly Quietway 7), which runs along Wilson Road and continues along the southern two-thirds of Camberwell Grove via Graces Mews.
36. There are in excess of 90 public cycle spaces within a 100 metres radius of

the site; these can be found on Denmark Hill, Orpheus Street, Camberwell Church Street and Grove Lane.

Details of proposal

Overview

37. Planning permission is sought to redevelop the majority of the site to provide three new buildings alongside the partial refurbishment and partial redevelopment of the existing shopping centre. The existing Morrisons supermarket would be largely retained with minor external modifications.
38. The development would deliver retail uses (Classes A1 to A3, and one Class A3/A5 unit) effectively re-providing the existing shopping centre floorspace; a 101 bedroom hotel (Class C1); a two-screen cinema (Class D2); and 145 dwellings (Class C3) comprising a mix of 3 studios, 35 one-bedroom units, 74 two-bedroom units, 32 three-bedroom units and 1 four-bedroom unit.



Figure 9 (above): Artist's impression of the proposed development.

39. Alongside the provision of a linear landscaped shopping street in the place of the existing covered mall, the proposal would deliver new and reconfigured routes into and around the site, as well as resurfacing and other streetscape improvements to the surrounding public highways. The proposal would entail the removal of the existing 100-space surface car park in Zone A of the site, but would re-provide 32 car parking spaces for use by town centre visitors and disabled vehicle users.

40. The development comprises three blocks. Block A would be located on Zone A, Block B on Zone B, and Block C on Zone C. The following paragraphs detail, in turn, each of the three blocks.

Block A

41. Block A would take an L-shaped plan form and comprise two main parts: a row of mansion-block style buildings along Daneville Road and a taller 'bookend' block on the corner of Daneville Road with Wren Road. The mansion-block buildings would incrementally step up from two to four storeys, with each building defined by a central circulation core rising one storey above the main roofline. The 'bookend' element of Block A would stand eight storeys tall with one further set-back storey of plant. Along its northern and southeastern edges it would step down to six and five storeys respectively. The tallest part of Block A would measure 29.95 metres above the ground level (36.45 metres AOD).

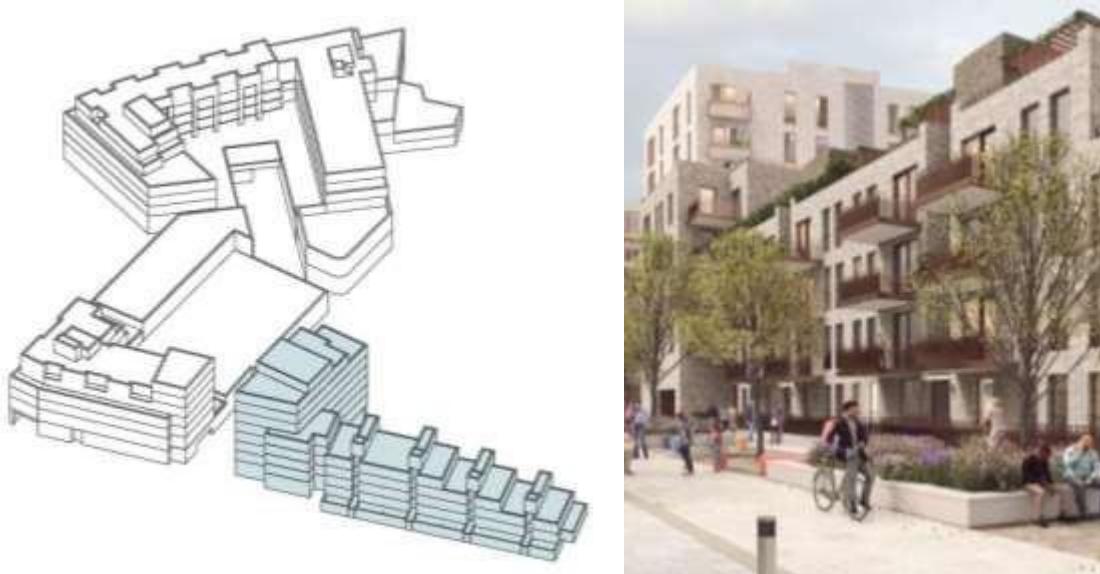


Figure 10 (above left): Site diagram showing Block A highlighted in blue. Figure 11 (above right): Visualisation looking west along Daneville Road, showing the south elevation of Block A; visible in the background is the taller element at the corner of Wren Road and Daneville Road.

42. Taking inspiration from the terraced townhouse typology common to the vicinity, the Daneville Road buildings would have a basement storey set back from the street behind an open lightwell, vertically-stressed fenestration, a rusticated brick base and protruding brick ribs where the façade breaks to reveal the four circulation cores. The base of the 'bookend' would be faced in matching brick, with the two upper storeys clad in a lighter buff colour. A lightweight steel pergola will be provided on each of the roofs to shade the residents roof gardens. Bronze coloured window frames and balustrades

would be used throughout Block A.

43. A mix of studio units and one-, two- and three-bedroomed dwellings is proposed, either in apartment or maisonette format, and each with access to a private outdoor amenity space. Communal amenity space and play space would be provided in the rear courtyard for use by all Block A residents. The residents of the 'bookend' element would also benefit from access to a fifth floor communal outdoor space.
44. At the ground floor level of the 'bookend' building, communal refuse/cycle storage and a small community room would be provided along with an area of covered parking. Although the majority of the 8 spaces within this car park would be for use by customers of the Morrisons supermarket, 3 would be DDA compliant and reserved for use by eligible residential occupiers.
45. Works are also proposed to the existing stopped-up section of Daneville Road onto which these buildings front. This stretch of the road would be remodelled as a space shared between pedestrians and cyclists. It would comprise two cycle lanes bordering a central spine of ornamental planting, seating, incidental play features and cycle stands.

Block B

46. Block B would comprise the retained and refurbished single-storey Morrisons supermarket, a new two-screen cinema principally laid out over the western section of the supermarket roof with high-level frontages onto Orpheus Street, and a residential building located above the car park and Morrisons service area. The three conjoined buildings would together form a broadly rectangular shaped footprint.

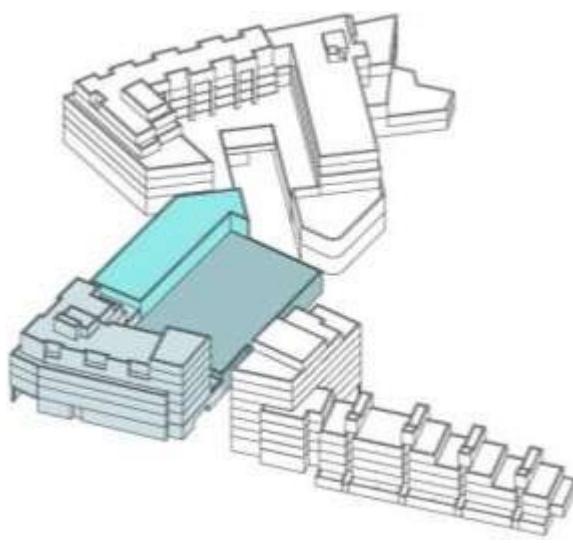


Figure 12 (above left): Site diagram showing Block B highlighted in shades of blue to represent the three different uses. Figure 13 (above right): Visualisation looking east along Orpheus Street, showing the cinema located above the retained and remodelled single-storey supermarket.

47. The application proposes to retain the main sales area and warehouse of the supermarket, but the majority of the two-storey southern range would be demolished to accommodate the proposed residential building. Other modifications include re-glazing the supermarket's principal Wren Road façade, re-cladding both the front and rear façade in new brickwork, and installing green wall panels on the rear elevation. In addition, a new green roof would be installed on the remaining undeveloped area of roof.
48. The proposed cinema would sit mainly above the retained Morrisons supermarket, producing a 37.5 metre long frontage along Orpheus Street at first floor level, and coming to ground only on the northwest corner of Block B, where it would present a full-height façade wrapping around onto the new shopping street. Both the Orpheus Street and shopping street elevations would share an architectural language of curtain walling interspersed by full-height bronze vertical fins and terminated by an exaggerated bronze-faced parapet fascia. To the roofline, the cinema building would stand 13.85 metres above ground level (20.5 metres AOD).
49. Internally, the cinema would comprise a foyer and two eighty-seat cinema screens along with customer and staff welfare facilities, all of which would be located at first floor level. The small ground floor area close to the bend of Orpheus Street would accommodate the entrance vestibule, from which customers would access the cinema foyer above via a lift and feature staircase.



Figure 14 (above): West elevation of Block B, showing how the cinema space would sit above the retained supermarket (remodelled on its rear façade with greening) and its relationship to the proposed residential block on the southern part of Zone B.

- 50. Located on the southern part of Zone B, the residential element of Block B would present frontages onto Orpheus Street, Daneville Road and WrenRoad. The building would be predominantly 6 storeys in height, rising one storey higher on the Wren Road frontage but stepping-down to 4 storeys on the corner of Orpheus Street and Daneville Road. At its maximum point, the building would stand 25.5 metres above ground level (32.15 metres AOD). At street level, the building would accommodate an enclosed servicing yard for the Morrisons supermarket together with a covered car park containing 21 parking spaces; 2 of the parking spaces would be reserved for wheelchair residential occupiers with the remaining 19 for use by supermarket customers. Also at ground level would be the main entrance to the residential flats above, along with refuse and cycle storage facilities.
- 51. The 41 proposed dwellings would range in size from one to four bedrooms, and each would benefit from access to private outdoor amenity space. In addition to a communal amenity space at rooftop (sixth floor) level, a courtyard containing communal amenity space and play space would be provided at podium (first floor) level
- 52. Externally, the residential element would be clad in three bands of brick, the tone becoming lighter from the building's base to its top. All openings would be bronze-framed and complemented by spandrel panels and balcony enclosures formed of bronze-effect metalwork. The larger bays at ground floor level enclosing the servicing yard and residential facilities would be fitted with bronzed steel screening.
- 53. The scope of the Block B works would also involve straightening the southern kinked stretch of Wren Road where it meets Daneville Road. Additionally, two car club parking spaces would be provided in the place of the built-out footway at the southern end of Opheus Street and a new crossover would be formed onto Daneville Road for delivery vehicles exiting the proposed Morrisons servicing yard.

Block C

- 54. Block C would comprise the existing shopping centre in a modified (partly demolished, partly extended) and refurbished format, over which a 101-bedroom hotel and a 41-dwelling residential block would be constructed. Arranged in a U-shape around the proposed open air shopping street, Block C would stand to a maximum of 6 storeys (7 if including plant) along its Denmark Hill frontage, stepping down to a minimum of 1 storey around the shopping street. At its maximum point, Block C would stand 23.85 metres above ground level (30.75 metres AOD).



Figure 15 (above left): Site diagram showing Block C highlighted in shades of blue to represent the three different uses. Figure 16 (above right): Visualisation looking northwest along the proposed shopping street, with the residential block visible in the background.

- 55. Block C's principal façade would be onto Denmark Hill, formed of six retail units and the entrance to the proposed hotel, broken only by a 10-metre wide canopied entrance to the shopping street.
- 56. Beyond the Denmark Hill frontage, the remainder of the ground floor internal space within Block C would be given over predominantly to retail use in a configuration of 7 single-storey and 2 two-storey units, all arranged around the central shopping street. This new public space would be aligned along a northwest-to-southeast axis, connecting Denmark Hill to Wren Road. There would also be an additional point of pedestrian entry from Orpheus Street, adjacent to the proposed location of the cinema entrance. The ground floor core and cycle/refuse facilities for the residential block would be positioned along Block C's southern edge, fronting onto Orpheus Street.



Figure 17 (above): Block C ground floor layout. The retail uses are edged in green, the residential core in pink, the hotel entrance in blue and shared retail/hotel ancillary spaces in orange.

- 57. The proposed hotel would be T-shaped in plan, with a main frontage extending along the northern half of Block C's Denmark Hill elevation. Its principal facilities –including a reception area, bar/dining room and kitchen– would be on the first floor, along with 18 guest bedrooms. A further 83 guest bedrooms would be provided on the three floors above.
- 58. The proposed residential component would be L-shaped in plan and, like the hotel, almost all of its floorspace would be at first floor level and above. It would extend along the southern half of Block C's upper floor frontage onto Denmark Hill, before wrapping around onto Orpheus Street. Its rear (north and east) elevations would overlook the shopping street. 41 dwellings are proposed with all but 3 benefitting from private outdoor amenity space. A mix of one-, two- and three-bedroom units would be provided in a range of single-storey and duplex formats. External communal amenity space and playspace would be provided at podium (first floor) level.
- 59. Externally on both Denmark Hill and Orpheus Street, the four lower storeys of Block C would follow the established building line by flanking the back of the footway, with the two top floors and rooftop plant stepped-back. The elevations would be faced in three different brick tones –dark brown on the lowest storey, brown in the middle, and buff at the top– creating a classic ‘base’, ‘middle’ and ‘top’ tripartite arrangement. On Denmark Hill, the tripartite design would break in the centre of the façade, where the lighter buff brick would extend the full height of the elevation to emphasise the canopied entrance to the shopping centre. All openings on Block C's Denmark Hill and Orpheus Street elevations would be framed in dark bronze. Unlike on Denmark Hill, the Orpheus Street façade would feature some overhanging balconies on the first, second and third floors, all enclosed by spindle-design balustrades formed of bronzed metal.



Figure 18 (above): West elevation of Block C, showing the ground level active frontage extending the full length of the façade, broken only by the canopied opening into the new shopping street.

- 60. The dark brown brick treatment applied to the base storey of Block C's Denmark Hill and Orpheus Street elevations would wrap around into the shopping street to reinforce the commercial character of the ground floor level.

The pair of two-storey retail units at the south-eastern end of the street would feature vertical bronze fins and glazed walling to reference the cinema opposite, while the residential and hotel facades at first to sixth floor levels would be faced entirely in buff-coloured brick.

61. The shopping street itself would be hard-surfaced and contain four feature trees, planting beds, street furniture and drinking fountains. Although the majority of this new public space would be open to the air, it would be canopied at its north-western end due to the oversailing nature of the residential block. The shopping street would be open between the hours of 7am and 11pm Monday to Sunday; the Wren Road gates would be shut at 10pm while the two other entry points on Denmark Hill and Orpheus Street would be closed to the public at 11pm.



Figure 19 (above): Visualisation of the shopping street, as seen from its southern extremity and looking northeastwards towards the undercroft.

62. Along its northeastern side, Block C would front onto the retained servicing yard, which as proposed would serve the hotel and all but two of the retail units. The yard would be re-arranged so that larger vehicles would be able to enter, exit and manoeuvre on-site while other vehicles load/unload. One accessible parking space for hotel guests would also be provided within the yard.

Land use schedule

63. A schedule of the proposed uses across the application site can be found at Appendix 3.

Planning history of the application site and nearby sites

64. Appendix 4 sets out in detail the full planning history for the site as well as details of relevant applications on adjoining or nearby sites.

Pre-application engagement and mid-application amendments

65. Planning application 19/AP/7057 was submitted following a detailed pre-application enquiry, the reference number for which is 18/EQ/0331. During the

course of the pre-application enquiry, the applicant made various amendments to the scheme design. The proposal also evolved in response to feedback from the Design Review Panel, more details of which are provided in a later part of this report. At the end of this iterative process, the Council issued a formal response letter. Although the letter was confidential at the time of issue, in accordance with the Council's commitment to ensuring all information relevant in the determination of a planning application is made publicly available, the response letter has been published on the Public Access for Planning Register alongside the 19/AP/7057 application documents. The letter should be referred to if any further information is required about the pre-application process.

66. Upon receipt of the formal pre-application enquiry response letter and before submitting their planning application, the applicant made further changes to the design of the proposal. These included reducing the heights of some buildings and reconfiguring the shopping street layout.
67. Over the course of the planning application process, the applicant has made further refinements to the proposal in response to concerns raised through the consultation process and/or issues highlighted by officers. These changes include:
 - Reducing the number of units from 146 to 145
 - Re-distributing the tenures so that Block C contains only intermediate and market dwellings, with social rent dwellings moved into Block B and thus further away from Denmark Hill;
 - Improving the range of dwelling sizes through the addition of a four-bedroom family home where previously the dwelling mix was limited to one-, two- and three-bedroom units.
 - Changing many of the dwelling layouts to provide rooms of a more practical shape and ensure minimum size compliance in all but a few instances.
 - Rearranging the deck-with-terrace arrangements for the deck access dwellings in Block C, so that each of these homes benefits from a better private amenity space.
 - Providing larger areas of playspace and communal amenity space in Blocks B and C.
 - Enlarging the capacity of the cinema screens from the 60 seats previously proposed to 80 seats; and
 - Providing free-to-use public drinking fountains in the shopping street;
 - Increasing the number of new trees within the site; and
 - Providing additional highways improvements in the form of raised tables, treatments and kerb realignment.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

68. The main issues to be considered in respect of this application are:
 - Environmental impact assessment;
 - Principle of the proposed development in terms of land use (including matters such as business retention/relocation and affordable retail);
 - Affordable housing and development viability;
 - Tenure mix, dwelling mix and wheelchair housing;
 - Density;
 - Quality of residential accommodation;
 - External amenity space and young people's play space;
 - Amenity impacts on nearby residential occupiers;
 - Design;
 - Public realm, landscaping, trees and urban greening;
 - Green infrastructure, ecology and biodiversity;
 - Transport and highways
 - Environmental matters;
 - Archaeology
 - Energy and sustainability;
 - Digital connectivity infrastructure;
 - Socio-economic impacts;
 - Planning obligations and Community Infrastructure Levies;
 - Community engagement and consultation responses and
 - Community impacts, equalities and human rights.
69. These matters are discussed in detail in the 'Assessment' section of this report.

Legal Context

70. 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 2021, the Core Strategy 2011, and the Saved Southwark Plan 2007. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest

which they possess.

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

Adopted planning policy

National Planning Policy Framework (NPPF)

72. The revised National Planning Policy Framework ('NPPF'), published in February 2019, sets out the national planning policy and how this should be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental. At its heart is a presumption in favour of sustainable development.
73. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
74. The relevant chapters of the NPPF are:
 - Chapter 2 - Achieving sustainable development
 - Chapter 6 - Building a strong, competitive economy
 - Chapter 8 - Promoting healthy and safe communities
 - Chapter 9 - Promoting sustainable transport
 - Chapter 11 - Making effective use of land
 - Chapter 12 - Achieving well-designed places
 - Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
 - Chapter 15 - Conserving and enhancing the natural environment
 - Chapter 16 - Conserving and enhancing the historic environment

London Plan 2021

75. On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London.
76. The strategic objectives of the London Plan 2021 are to build strong and inclusive communities, make the best use of land, promote a healthy city, optimise housing delivery including affordable housing, conserve and enhance London's global competitiveness, and move towards a more resilient and sustainable city. Development proposals must comply with the various policies

within the Plan and should follows the guidance set out within Supplementary Planning Documents, Guidance and Strategies.

77. The relevant policies of the London Plan 2021 are:

- Policy SD6 - Town centres and high streets
- Policy SD7 - Town centres: development principles and development plan documents
- Policy SD10 - Strategic and local regeneration
- Policy D1 - London's form, character and capacity for growth
- Policy D2 - Infrastructure requirements for sustainable densities
- Policy D3 - Optimising site capacity through design-led approach
- Policy D4 - Delivering good design
- Policy D5 - Inclusive design
- Policy D6 - Housing quality and standards
- Policy D7 - Accessible housing
- Policy D8 - Public realm
- Policy D10 - Basement development
- Policy D11 - Safety, security and resilience to emergency
- Policy D12 - Fire safety
- Policy D13 - Agent of change
- Policy D14 - Noise
- Policy H1 - Increasing housing supply
- Policy H4 - Delivering affordable housing
- Policy H5 - Threshold approach to applications
- Policy H6 - Affordable housing tenure
- Policy H7 - Monitoring of affordable housing
- Policy H8 - Loss of existing housing and estate redevelopment
- Policy H10 - Housing size mix
- Policy S1 - Developing London's social infrastructure
- Policy S4 - Play and informal recreation
- Policy S6 - Public toilets
- Policy E9 - Retail, market and hot food takeaways
- Policy E10 - Visitor infrastructure
- Policy E11 - Skills and opportunities for all
- Policy HC1 - Heritage conservation and growth
- Policy HC5 - Supporting London's culture and creative industries
- Policy HC6 - Supporting the night-time economy
- Policy G1 - Green infrastructure
- Policy G4 - Open space
- Policy G5 - Urban greening
- Policy G6 - Biodiversity and access to nature
- Policy G7 - Trees and woodlands
- Policy SI 1 - Improving air quality

- Policy SI 2
 - Minimising greenhouse gas emissions
 - Policy SI 3
 - Energy infrastructure
 - Policy SI 4
 - Managing heat risk
 - Policy SI 5
 - Water infrastructure
 - Policy SI 6
 - Digital connectivity infrastructure
 - Policy SI 7
 - Reducing waste and supporting the circular economy
 - Policy SI 8
 - Waste capacity and net waste self-sufficiency
 - Policy SI 12
 - Flood risk management
 - Policy SI 13
 - Sustainable drainage
 - Policy T1
 - Strategic approach to transport
 - Policy T2
 - Healthy Streets
 - Policy T3
 - Transport capacity, connectivity and safeguarding
 - Policy T4
 - Assessing and mitigating transport impacts
 - Policy T5
 - Cycling
 - Policy T6
 - Car parking
 - Policy T6.1
 - Residential parking
 - Policy T6.3
 - Retail parking
 - Policy T6.4
 - Hotel and leisure uses parking
 - Policy T6.5
 - Non-residential disabled persons parking
 - Policy T7
 - Deliveries, servicing and construction
 - Policy T9
 - Funding transport infrastructure through planning

Relevant London-level Supplementary Planning Documents/Guidance and Strategies

78. The relevant London-level supplementary planning documents and guidance documents are as follows:

 - Mayor of London: Accessible London - Achieving an Inclusive Environment (SPG, 2004)
 - Mayor of London: Affordable Housing and Viability (SPG, 2017)
 - Mayor of London: Climate Change Mitigation and Energy Strategy (2010)
 - Mayor of London: Climate Change Adaptation Strategy (2011)
 - Mayor of London: Crossrail Funding (SPG, 2016)
 - Mayor of London: Environment Strategy (2018)
 - Mayor of London: Housing (SPG, 2016)
 - Mayor of London: Planning for Equality and Diversity in London (SPG, 2007)
 - Mayor of London: Shaping Neighbourhoods - Character and Context (SPG, 2014)
 - Mayor of London: Shaping Neighbourhoods - Play and Informal Recreation (SPG, 2012)
 - Mayor of London: Social Infrastructure (SPG, 2015)

- Mayor of London: The Control of Dust and Emissions During Construction and Demolition (SPG, 2014)
- Mayor of London: Transport Strategy (2018)

Core Strategy 2011

79. The Core Strategy provides the spatial planning strategy for the borough. The relevant policies of the Core Strategy 2011 are:

- | | |
|------------------------------|---|
| • Strategic Targets Policy 1 | - Achieving growth |
| • Strategic Targets Policy 2 | - Improving places |
| • Strategic Policy 1 | - Sustainable development |
| • Strategic Policy 2 | - Sustainable transport |
| • Strategic Policy 3 | - Shopping, leisure and entertainment |
| • Strategic Policy 5 | - Providing new homes |
| • Strategic Policy 6 | - Homes for people on different incomes |
| • Strategic Policy 10 | - Jobs and businesses |
| • Strategic Policy 11 | - Open spaces and wildlife |
| • Strategic Policy 12 | - Design and conservation |
| • Strategic Policy 13 | - High environmental standards |

Southwark Plan 2007 (saved policies)

80. With the exception of Policy 1.8 (Location of retail outside town centres), the Council resolved in 2013 to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy. 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 saved policies of the Southwark Plan 2007 are:

- | | |
|---------------|---|
| • Policy 1.1 | - Access to employment opportunities |
| • Policy 1.12 | - Hotels and visitor accommodation |
| • Policy 1.4 | - Employment sites |
| • Policy 1.7 | - Development within town and local centres |
| • Policy 2.2 | - Provision of new community facilities |
| • Policy 2.5 | - Planning obligations |
| • Policy 3.1 | - Environmental effects |
| • Policy 3.2 | - Protection of amenity |
| • Policy 3.3 | - Sustainability assessment |
| • Policy 3.4 | - Energy efficiency |
| • Policy 3.6 | - Air quality |
| • Policy 3.7 | - Waste reduction |
| • Policy 3.8 | - Waste management |

- Policy 3.9 - Water
- Policy 3.11 - Efficient use of land
- Policy 3.12 - Quality in design
- Policy 3.13 - Urban design
- Policy 3.14 - Designing out crime
- Policy 3.15 - Conservation of the historic environment
- Policy 3.16 - Conservation areas
- Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
- Policy 3.19 - Archaeology
- Policy 3.22 - Important local views
- Policy 3.28 - Biodiversity
- Policy 3.31 - Flood defences
- Policy 4.2 - Quality of residential accommodation
- Policy 4.3 - Mix of dwellings
- Policy 4.4 - Affordable housing
- Policy 4.5 - Wheelchair affordable housing
- Policy 5.1 - Locating developments
- Policy 5.2 - Transport impacts
- Policy 5.3 - Walking and cycling
- Policy 5.6 - Car parking
- Policy 5.7 - Parking standards for disabled people and the mobility impaired
- Policy 5.8 - Other parking

Relevant Local-level Supplementary Planning Documents

81. The relevant supplementary planning documents and guidance documents from the local development plan are as follows:
- 2015 Technical Update to the Residential Design Standards 2011 (SPD, 2015) [Hereafter referred to as the Council's Residential Design Standards SPD]
 - Design and Access Statements (SPD, 2007)
 - Development Viability (SPD, 2016)
 - Section 106 Planning Obligations and Community Infrastructure Levy (SPD, 2015 with 2017 Addendum)
 - Sustainability Assessment (SPD, 2009)
 - Sustainable Design and Construction (SPD, 2009)
 - Sustainable Transport (SPD, 2010)

Relevant Conservation Area Appraisals

82. The following two Conservation Area Appraisals are relevant to the site:

- Camberwell Green
- Camberwell Grove

Emerging planning policy

New Southwark Plan

83. For the last 6 years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the Southwark Plan 2007 and the Core Strategy 2011.
84. The Examination in Public (EiP) for the NSP took place in Spring 2021. During this process the amendments within the Proposed Changes to the Submitted New Southwark Plan were considered along with consultation responses received at each stage of public consultation. It is anticipated that the plan will be adopted later in 2021 following the EiP.
85. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging development plans according to the stage of preparation, the extent to which there are unresolved objections to the policy and the degree of consistency with the NPPF. As the NSP is not yet adopted policy, it cannot be attributed full weight as a whole, but individual policies can be given weight.
86. Draft policies which have received no objections can be given more weight, particularly where there is little change from current adopted policies, than those to which objections were received and which have yet to be resolved.
87. Along with the overarching Strategic Policies and Implementation Policies, the relevant policies of the NSP are as follows:

<ul style="list-style-type: none"> • AV.05 • Policy P1 • Policy P2 • Policy P7 • Policy P12 • Policy P13 • Policy P15 • Policy P14 • Policy P15 • Policy P17 • Policy P19 • Policy P20 • Policy P22 	<ul style="list-style-type: none"> - Camberwell Area Vision - Social rented and intermediate housing - New family homes - Wheelchair accessible and adaptable housing - Design of places - Design quality - Designing out crime - Residential design - Designing out crime - Efficient use of land - Conservation areas - Conservation of the historic environment and natural heritage - Archaeology
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- Policy P27 - Access to employment and training
- Policy P31 - Small shops
- Policy P32 - Business relocation
- Policy P34 - Town and local centres
- Policy P36 - Protected shopping frontages
- Policy P38 - Shop fronts
- Policy P40 - Hotels and other visitor accommodation
- Policy P42 - Outdoor advertisements and signage
- Policy P43 - Broadband and digital infrastructure
- Policy P46 - Community uses
- Policy P47 - Hot food takeaways
- Policy P48 - Public transport
- Policy P49 - Highway impacts
- Policy P50 - Walking
- Policy P52 - Cycling
- Policy P53 - Car parking
- Policy P54 - Parking standards for disabled people and the physically impaired
- Policy P55 - Protection of amenity
- Policy P58 - Green infrastructure
- Policy P59 - Biodiversity
- Policy P60 - Trees
- Policy P61 - Reducing waste
- Policy P63 - Contaminated land and hazardous substances
- Policy P64 - Improving air quality
- Policy P65 - Reducing noise pollution and enhancing soundscapes
- Policy P66 - Reducing water use
- Policy P67 - Reducing flood risk
- Policy P68 - Sustainability standards
- Policy P69 - Energy

Site allocation

88. The NSP includes a number of ‘Site Allocations’. Site Allocations are detailed development management policies specific to particular potential redevelopment sites in the borough. They specify, among other things, the land uses and development capacity of those sites. The application site is subject to draft Site Allocation NSP23. This is discussed in more detail in the ‘Principle of Development’ section of this report.

Summary on emerging policy

89. The NSP responds positively to the NPPF by incorporating area visions, development management policies and 82 site allocations which plan for the long term delivery of housing. The NSP responds to rapid change which is

occurring in Southwark and London as a whole, and responds positively to the recently-adopted London Plan 2021.

90. In line with paragraph 48 of the NPPF, as the NSP is at an advanced stage, it can be afforded some material weight and this is detailed in the report where relevant to particular policy issues.

ASSESSMENT

Consultation summary

91. Consultation with members of the public was first conducted in January 2020. The table below summarises the representations received during this period:

<u>Consultation responses: Summary table</u>		
No. of representations: 182		No. of unique representations: 181
Of the unique representations:		
In objection: 155	Neutral: 6	In support: 20

92. As mentioned in an earlier part of this report, a number of amendments were made to the application over the course of the determination period. To ensure the public was made aware of the changes, a four-week period of reconsultation was conducted in late April/May 2021. The table below summarises the representations received during this period:

<u>Reconsultation responses: Summary table</u>		
No. of representations: 28		No. of unique representations: 27
Of the unique representations:		
In objection: 25	Neutral: 0	In support: 2

93. The table below summarises the reasons raised in objection by the original round of consultation along with the total number of times each reason was raised. Shown in brackets in bold is the number of times the reason was raised by the reconsultation responses:

<u>Planning Objections: Summary Table</u>	
Reason	No. of times raised
<u>Design</u>	
Excessive height/scale	87 (+12)
Poor architectural/design quality	28 (+5)
Harmful to or not in-keeping with townscape character	20 (+9)
Not sensitive to Conservation Area	19 (+10)
Inappropriate finishing materials	17 (+5)
Inappropriate distribution of massing/buildings across the site	7 (+1)
Proposal fails to re-integrate Well, All's Well and/or the Butterfly Panel	7 (+1)
<u>Social Infrastructure</u>	
Will increase pressure on public services (GPs, schools etc.)	45 (+3)
Will force out The Tiger pub	1
<u>Social/Community Effects</u>	
Will contribute to (or will not actively reduce existing levels of) crime and antisocial behaviour	12
Local community will be harmed, displaced and/or unbalanced	9 (+1)
<u>Density/Quantity</u>	
Proposal is an overdevelopment	8 (+2)
Proposal contains too many dwellings	2
<u>Residential Use</u>	
Not enough social housing will be provided	39 (+3)
Housing (including intermediate products) will be too expensive for local people	11 (+1)
No keyworker housing will be provided	6
There is nothing to stop the developer reducing the number/proportion of affordable housing post planning approval	6
Tenure integration will be poor	6
No rented housing options will be provided	1
There is no need for more housing locally	1 (+2)

<u>Quality of Housing</u>	
Some properties will have no private outdoor amenity space	7 (+1)
Some properties will be of a substandard quality of accommodation (under-sized, single-aspect etc.)	6 (+3)
Not enough larger family-sized dwellings will be provided	4 (+1)
The balance of amenity space provision will be unfairly weighted in favour of market/intermediate dwellings	2
<u>Cinema</u>	
No demand / not viable	32
Will be too small	15 (+3)
Will be converted to a gym	7
Ticket prices will be unaffordable	2
Will take business from other local cinema operators such as Peckham Plex	0 (+1)
<u>Hotel</u>	
No demand / not viable	42 (+7)
Will generate traffic	12
Will result in an overconcentration of hotels, forcing nearby hotels to close	9 (+1)
Guests will not spend money/time locally, so local people and businesses will not benefit	3 (+1)
Will contain too many bedrooms	2
Located on an inappropriate part of the site	1
<u>Supermarket</u>	
There is no security that Morrisons will stay on the site	2
<u>Retail Use / Shopping Street</u>	
No demand in the local area for additional retail uses	12
Evening closure of the shopping street will not achieve full/true public access and/or will militate against the evening economy	8
Affordable rents for the Butterfly Walk retailers have not been secured, so they may have their rents increased, potentially driving these existing business out	5 (+2)
Proposal will not enhance the retail offer of the Butterfly Walk shopping centre	2
The retail offers lacks authenticity and diversity (e.g. no market	

place) to have any genuine public appeal	2
Lack of a roof over the shopping street is unwelcome	2
The works may require Butterfly Walk retailers to shut	1
<u>Other Land Use Matters</u>	
Will not provide enough community uses	6
Will not provide enough commercial/office use	3
Proposed uses will not help generate increased local expenditure	1
<u>Local Economy and Employment</u>	
Existing long-established and/or independent businesses in the wider Camberwell area will be priced out through gentrification, or otherwise harmed	8 (+2)
Development will only bring low-paid jobs, not meaningful ones	1
<u>Amenity Impacts</u>	
Will produce harmful daylight/sunlight impact	55 (+10)
Will cause overshadowing (properties and/or open spaces)	22 (+5)
Will create overlooking and associated privacy infringement	18 (+6)
Will worsen air quality	16
Will create air pollution	11 (+4)
Will create noise pollution	10 (+6)
Will exacerbate litter/graffiti	3
Will produce light pollution	3 (+1)
Will cause increased sense of enclosure	1
<u>Transport</u>	
Increased pressure on local public transport services	37 (+4)
Increased traffic/congestion on local road network	27 (+3)
Proposed routing of vehicles in, through and around the site has not been well thought-through	7
Inadequate/inappropriate provision for taxi drop-offs	6 (+1)
Taxi drop-offs will increase pedestrian numbers and vehicular congestion on Denmark Hill	5 (+1)
Servicing yards and loading bays are insufficient in size and/or servicing strategy is not sound	5
Locating a bus stand on Orpheus Street is inappropriate	4 (+1)
Inadequate provision for coach drop-offs	2 (+1)
Not enough cycle parking	2
Camberwell Station reopening cannot, and should not, be relied on to absorb additional journeys to and from site	3
Proposal fails to invest adequately in improved cycle infrastructure	3

Motorcycle deliveries (affecting highways and footway flows) will increase	1
<u>Car Parking</u>	
Not enough car parking is proposed	15 (+1)
Too much car parking is proposed	6
Will increased the existing strain on local car parking	6 (+1)
EVCPs will be needed for proposed car parking spaces	2
<u>Public Space, Greening and Landscaping</u>	
Insufficient or poor quality provision of green/open space	19 (+1)
Loss of trees is unacceptable, even if they are to be replaced with new specimens as part of the redevelopment	15 (+11)
New planting/trees are not sufficient in quantity or quality	9
No way to ensure on-going maintenance of green walls	4
Harmful to the landscape	0 (+2)
UGF score is poor	0 (+1)
Inaccuracies/ambiguities as to the number of retained trees	0 (+1)
<u>Ecology</u>	
Will have harmful impacts on wildlife/ecology	6 (+1)
Better quality green roof should be provided	1 (+1)
<u>Environmental Impacts</u>	
Construction activities/traffic will cause congestion and/or disturbance	8
Construction activities/traffic will go on for too long	1
Proposal will produce harmful wind effects	1
<u>Energy and Sustainability</u>	
Climate emergency has not been addressed	7
Use of environmental technologies is under-ambitious	6
Environmental technologies have been tacked-on and/or the proposal is not intrinsically sustainably-designed	2 (+1)
Offsetting to reach carbon neutrality is unacceptable	2
Carbon offset should be levied at £95/tonne in line with Mayor's guidance, not £60/tonne	1

<u>Infrastructural Impact</u>	
Proposal will place strain on utilities (water, electricity etc.)	5
Proposal will place strain on waste/recycling collection services	2
<u>Policy Conflict</u>	
Does not respect the Low Line vision	5
Contrary to development framework (NPPF, Mayoral, local, emerging site allocation)	3 (+1)
Contrary to Camberwell Vision Statement	2
Contrary to Camberwell Area Plan	2
Contrary to Movement Plan	1
<u>Developer Approach And Community Engagement</u>	
Proposal not responsive to community need	5
Contradictory/incorrect information given at pre-application consultation and in the submission documents	4
SCI does not reflect the community's thoughts	3
Visualisations are taken from flattering angles	3
Insufficient consultation by developer	3 (+1)
Proposal not community-driven	1 (+1)
Proposal not produced with community	1

94. The issues raised by these objections are dealt with in the subsequent parts of this report.

95. The main reasons for support raised by the public comments are:

- the proposal would deliver new homes, including affordable housing, for local people;
- an overhaul of the shopping centre is long overdue and improved retail provision is welcome;
- the height, scale and massing is appropriate given the site's town centre location;
- the design will make a positive contribution to the streetscene;
- landscaping and greenery will improve the appearance of the area;
- the cinema will add to the town centre and there has been a longstanding local demand for such a facility;
- the hotel is a welcome addition;
- the scheme retains Morrisons;
- the development will improve the local economy and support existing businesses;
- more job opportunities for local people;

- reduction in number of on-site parking spaces; and
- regeneration/investment of this kind in Camberwell may help move proposals forward for the reopening of Camberwell Station.

Environmental impact assessment

96. The Council was not requested to issue a screening opinion as to whether the proposed development, due to its proposed size and scale, would necessitate an Environmental Impact Assessment (EIA).
97. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out the circumstances in which development must be underpinned by an EIA. Schedule 1 of the Regulations sets out a range of development, predominantly involving industrial operations, for which an EIA is mandatory. Schedule 2 lists a range of development types for which an EIA might be required due to the potential for significant environmental impacts to arise. Schedule 3 sets out that the significance of any impact should include consideration of the characteristics of the development, the environmental sensitivity of the location and the nature of the development.
98. The range of developments covered by Schedule 2 includes 'Urban development projects' where:
 - the area of the development exceeds 1 hectare and the proposal is not dwellinghouse development; or
 - the site area exceeds 5 hectares.
99. The application site is 1.25 hectares and as such the proposal does not exceed the Schedule 2 threshold.
100. Consideration, however, should still be given to the scale, location or nature of development, cumulative impacts and whether these or anything else are likely to give rise to environmental impacts of more than local significance.. Planning application 19/AP/7057 proposes the retention and modification of an existing shopping centre and supermarket, together with the construction of new buildings above these structures and on adjacent land used currently for car parking to provide a mixed-use development rising to a maximum height of 29.95 metres and containing 145 dwellings. Its scale is appropriate to its urban setting and it is unlikely to give rise to any significant environmental impacts. Those impacts which are identified through the various submitted reports and studies can be mitigated through appropriate conditions or obligations.
101. For the above reasons, an EIA is not required in respect of the proposed development.

Principle of the proposed development in terms of land use

102. The proposed development would provide 9,872 square metres GIA of employment-generating floorspace in a range of retail, hotel and leisure formats with the capacity to create approximately 25 new end-use jobs. It would also provide 145 mixed tenure homes as well as new public routes through the site, improvements to existing adjacent public highways, landscaping and urban greening enhancements.

Current land uses and proposed losses

103. The existing buildings comprise a mixture of retail (former Class A1-A5), and residential (Class C3) uses. With regard to the site's open spaces, the surface car parking is lawfully Sui Generis and the servicing yards, being ancillary to the retail units, are lawfully former Class A1-A5.
104. The supermarket and shopping centre would undergo small reductions in floorspace, but in both cases this generally involves demolition of underutilised and poor quality ancillary space, with the resulting spaces being of a higher standard and in a more efficient configuration. The matter is discussed in more detail in the 'Retail floorspace' part of this report.
105. The loss of approximately 40% of the existing servicing yard area raises no land use issues, as the proposed retail units would be served from a consolidated and more efficiently managed single servicing yard, more detail on which is given in the 'Transport' section of this report. The consolidation would enable the intensification of the site, in accordance with the overarching London and local-level growth objectives for District Town Centres. As such, no 'in principle' issues are raised by the reduction of this particular land use.
106. There are no policies within the London Plan or local policy framework that seek to protect car parking. Policies T6 and T6.3 of the London Plan 2021, Saved Policy 5.6 of the Southwark Plan 2007 and emerging policy P53 of the NSP all expect redevelopment sites which have a PTAL of 5 or higher and which contain car parking currently to deliver a net reduction on the current number of parking spaces, and ideally achieve fully car-free status. Moreover, the Butterfly Walk site allocation in the NSP does not expressly seek the retention of the surface car parking. Therefore, the proposed reduction from 131 to 32 parking spaces as part of a mixed-use redevelopment that would optimise the site's capacity does not present any 'in principle' land use issues.
107. The three existing open market flats within the application site are all under the applicant's freehold and rented out on assured shorthold tenancies to individuals with no employment connection to the retail units within Butterfly Walk. Existing residential dwellings are protected under policies in the

Southwark Plan, Core Strategy, London Plan and the emerging NSP but because the development would deliver a net uplift in residential floorspace there is no conflict with these policies.

Response to draft site allocation

108. The application site forms the majority of draft site allocation NSP23 under the emerging NSP. Specifically with respect to land uses, the allocation requires redevelopment of the site to:

- re-provide the current retail (former Classes A1-A4) floorspace;
- retain the supermarket (former Class A1); and
- deliver new homes, in line with the indicative residential capacity of 230 homes.

109. The allocation is predicated on the assumption that the Butterfly Walk site would be developed together with the former Camberwell Police Station, which is located adjacent to the application site and accessed off Wren Road. However, because the Butterfly Walk developer has been unable to acquire the 1,995 square metre police station site, it does not form part of planning application 19/AP/7057. For this reason, the application site constitutes approximately 86% of the total site allocation area (13,840 square metres).

110. The existing buildings within the application site have a combined floorspace of approximately 7,156 square metres, almost all of which is in retail use. The proposed redevelopment would deliver an uplift in town centre floorspace and introduce new residential and community uses to the site. The proposed uses would comprise:

- 5,147 square metres GIA of flexible retail floorspace in the form of 15 retail units, associated communal storage space and the retained Morrisons supermarket;
- 3,911 square metres GIA of hotel floorspace;
- 814 square metres GIA of leisure floorspace in the form of a 2-screen cinema;
- 145 new homes (14,640 square metres GIA including all internal ancillary facilities); and
- a community room of 22 square metres GIA.

111. In total, the floorspace uplift in town centre uses would be 3,083 square metres GIA, equating to a 45% increase on the existing quantum.

112. It is recognised that the proposal would result in a net loss of retail floorspace, and this matter is dealt with in detail in a subsequent part of this report. However, when accounting for the new cinema and hotel, there would be a net uplift in town centre uses. The provision of new homes is welcomed, and

although 145 is 85 fewer than the indicative capacity given in the site allocation, it is expected that any future redevelopment of the Police Station Site would be residential-led and thus would likely make up some and potentially all of the difference. The inclusion of a hotel is not specifically reflected in the site allocation, but is considered to be an appropriate use which can add to the vitality and viability of the town centre.

113. In summary, the proposed mix of uses responds appropriately to the spirit and regeneration objectives of the site allocation. The following section of this report assesses the mix of uses for conformity with the relevant policies of the adopted framework and emerging NSP.

Proposed mix of uses

Policy background

114. Camberwell District Town Centre, in which the site is located, forms part of the Mayor's Strategic Area for Regeneration. Policy SD10 of the London Plan 2021 requires development proposes to contribute to regeneration by renewing town centres and tackling the environmental, economic and social barriers that affect local people's lives. The London Plan classifies Camberwell District Town Centre as having low commercial growth potential and medium residential growth potential.
115. Policies SD6 and SD7 of the London Plan 2021 seek to promote and enhance London's town centres, viewing them as the primary location for commercial activity beyond the CAZ where a diverse range of uses should be provided, including multichannel retail, night-time economy, hotel, civic and residential uses. The policies place emphasis on optimising residential growth potential in tandem with complementing local character and protecting both residential amenity and the environment.
116. Detailed guidance to support these policies is set out in the Mayor's Town Centres SPG 2014. It is supportive of town centre intensification through a diverse mix of uses including housing, acknowledging that this improves footfall, vitality and viability. The SPG also recognises the positive contribution restaurants, cafes and leisure uses can make to the town centre during both the day- and night-time, and aims to improve the availability and accessibility of visitor accommodation. An underpinning theme to the SPG is that intensification should go hand-in-hand with wider social and environmental objectives, in particular improving the quality and safety of public realm and engendering sustainable transport patterns.
117. At the borough level, Strategic Policy 2 of the Core Strategy sets out how regeneration should be delivered in Southwark's growth areas, of which Camberwell is one.

The vision for the Camberwell Action Area is to protect the town centre by:

- improving current shops rather than growing the retail offer;
 - bolstering its reputation as a creative hub centred around the Camberwell College of Arts;
 - generating new employment opportunities while protecting and supporting small businesses;
 - providing as many homes as possible; and
 - improving sustainable modes of transport.
118. Saved Policy 1.7 of the adopted Southwark Plan 2007 provides further support for developments in District Town Centres that deliver a range of uses, including retail and services, leisure, entertainment, community, civic, cultural and tourism, residential and employment.
119. In terms of emerging policy, the NSP area vision for Camberwell, AV.05, sets out that development in this part of the borough should, amongst other things:
- complement and improve the town centre with more large and small shops, entertainment, leisure and well-designed public spaces for visitors to linger;
 - provide as many homes as possible while respecting the area's character and enhancing the local historic environment;
 - prioritise and improve sustainable transport; and
 - improve the road network, safety and congestion.
120. Policy 34 of the NSP requires development in the Camberwell District Town Centre to retain retail floorspace or replace it with an alternative use that offers a service to the public, provides an active frontage, and would not harm the vitality and viability of the centre.

Assessment

121. This planning application proposes to remodel and enhance the existing Butterfly Walk shopping centre, albeit it with a relatively small net loss of floorspace (discussed in more detail in a later part of the report). This would protect various existing town centre services important to the resident and working populations. In addition to the retail floorspace would be two new town centre uses in the form of a hotel and cinema, both of which would generate additional day and evening activity, adding to the vibrancy and vitality of the area. This combination of enhanced and additional town centre uses would be complemented by new residential floorspace, intensifying and diversifying the current mix of uses on site and contributing towards meeting local housing need.
122. The combination and quantum of uses is consistent with the policies for the

District Town Centre, responds to the potential for low commercial but medium residential growth in Camberwell, and would bring this currently under-utilised site into a more productive, diverse and optimised re-use. The mix of uses is, therefore, entirely appropriate for this inner London location.

123. The acceptability of each of the individual uses is considered below.

Retail floorspace

Policy background

124. The site lies in a popular area for retail and restaurant/cafe operators, being located in the heart of Camberwell with a frontage onto the busy high street of Denmark Hill.. The retail uses within the site play an integral role within the town centre, being part of the primary shopping frontage and subject to an Article 4 designation.
125. Together, policies E9 and SD7 of the London Plan 2021 provide support for, and do not permit loss of, essential convenience retail and specialist shopping in District Town Centres. Policy E9 requires affordable shop units to be provided where justified by evidence of local need. Policy SD7 requires development proposals in District Town Centres to deliver commercial floorspace appropriate to the size and role of the town centre; in the case of larger-scale developments, it requires retail units to be provided in a range of sizes.
126. At borough level, the Southwark Plan 2007 and Core Strategy 2011 provide further support for realising the potential of District Town Centres as places for leisure and culture alongside and complementary to retail. In general, the relevant policies require retail space to be retained unless replacement non-retail use would provide a direct service to the general public and would not harm the vitality and viability of the centre. However, in protected shopping frontages such as the Butterfly Walk Shopping Centre, multiple specific criteria must be met before a shop can be changed to an alternative town centre use.
127. In terms of emerging policy, P31 of the NSP requires development proposals to retain small shops and make efforts to provide affordable and suitable space for existing occupiers in the completed development. Where a development proposes 2,500 square metres GIA or more of retail space, policy P31 requires 10% of this to be formatted as small units of less than 80 square metres.
128. Policy P34 of the NSP sets out retail requirements in the context of the evolving role of District Town Centres. It requires retail floorspace to be retained or replaced with an alternative use that offers a service to the public

and would not harm the vitality and viability of the centre. The policy also requires new development to provide an active use at ground floor level in locations with high footfalls. Where 1000 square metres or more of town centre floorspace is proposed, free-of-charge toilets, drinking water fountains and seating should be provided.

129. Policy P36 requires the proportion of shops (former Class A1 use) within Camberwell's protected (primary) shopping frontage to be sustained at no less than 60%, setting a higher bar than the adopted policy position of 50% as prescribed by Saved Policy 1.9 of the Southwark Plan 2007.

Assessment

130. The rationalisation and refurbishment of the existing shopping centre will entail the removal of underutilised ancillary/storage space at first floor level and the provision of new high quality shopfronts and signage at ground floor level along Denmark Hill and around the central shopping street. The reconfigured and refitted retail units would be provided in a range of sizes, the smallest being 61 and the largest being 454 square metres GIA. The retail refurbishment and the hotel and residential development would be undertaken to keep most of the retail units on site operational (albeit in many cases with some temporary disruption) throughout the build phase.
131. The proposed net loss of 1,209 square metres GIA of retail floorspace is attributable mainly to the removal of poor quality and underutilised first floor storage/ancillary space. As the table below shows, the scheme would re-provide nearly all of the retail floor space at ground level (91% of existing NIA), with the loss of retail occurring mostly at first floor:

Retail floorspace proposed vs existing: Summary table		
	GIA (sq.m)	NIA (sq.m)
Existing		
Retail GF (including ancillary storage)	2,860	2,573
Retail FF (including ancillary storage)	1,056	914
Total	<u>3,915</u>	<u>3,487</u>
Proposed		
Retail GF (including ancillary storage)	2,414	2,342
Retail FF (including ancillary storage)	292	288
Total	<u>2,706</u>	<u>2,630</u>

132. Effectively, therefore, only a very minor loss of usable sales floor space would result from the refurbishment. This loss must be weighed against the benefits

of the proposed retail units' more practical and upgraded format, which will increase their tenant appeal and longevity. It is also important to note that the loss of retail floorspace is partly due to cutting back some retail floorspace along Orpheus Street and to the immediate north of the supermarket. These modifications would make for a more attractive and vibrant street environment and create a generous public space at the centre of Block C. Taking all these considerations into account , the loss of floorspace is outweighed by the beneficial effect the refurbishment would have on the long-term vitality and viability of the shopping centre and wider District Town Centre.

133. NSP Policy P31 requires 10% of large retail developments to be provided as small shops. The scheme would provide three retail units with a GIA of less than 80 square metres, and one with a GIA of exactly 80. The three smaller units would have a combined GIA of 191 square metres, constituting 7% of the total proposed retail floorspace. This is short of the required 10%. However, if the unit of exactly 80 square metres is included, the four shops' combined GIA would increase to 10% of all retail floorspace. Given that the proposal is a refurbishment of existing floorspace rather than a new development, and acknowledging that full weight cannot be given to this policy due to its emerging status, the provision of smaller retail units within the development is considered acceptable.
134. Public representations have raised concerns that there is no demand for, and an existing surfeit of, retail space in Camberwell.
135. The Retail Background Paper to the NSP identifies a vacancy rate in Camberwell of 7.8%, which is much like the other centres in Southwark and lower than the national town centre average of 12.1%. There is one vacant retail unit within Butterfly Walk at present, but as the shopping centre is nearly forty years old with lower-grade sales space, this may be hindering re-letting. The majority of retail stock in Camberwell forms part of Victorian buildings or 1970s/80s infills; in most cases these premises are fitted-out to a much lower specification than the standard proposed at Butterfly Walk. All units within the proposed development would be compliant with current building regulations and provide a high quality contemporary shopfront. This modern fit-out, along with the traction generated by the anchor tenants remaining on-site, is anticipated to attract interest from larger national chains and smaller entrepreneurial retailers alike, including restaurants.
136. On account of the above, it is considered that the proposal would enhance the range of retail space available in Camberwell, and should be supported in accordance with the aims of Policy SD7 of the New London Plan and Strategic Policy 2 of the Core Strategy.
137. Public representations have raised concerns that the redevelopment will require temporary closure of some or all of the shopping centre units.

138. The application is accompanied by a Construction Phase Plan and a Structural Planning Report, which together explain how the modification of the retail units and the ‘build-over’ development would be carried out so as to minimise any temporary disruption to trading. The new superstructure would essentially bridge much of the existing ground floor structural frame, with the load of the proposed upper storeys transferred laterally to the north and south edges of Zone C, from where the load would be taken to ground via steel braced cores. Wherever possible, new and strengthened structural columns, services and transfer zones would be accommodated outside of the demise of any retail units. This would allow most tenants to remain operational through the construction phase.

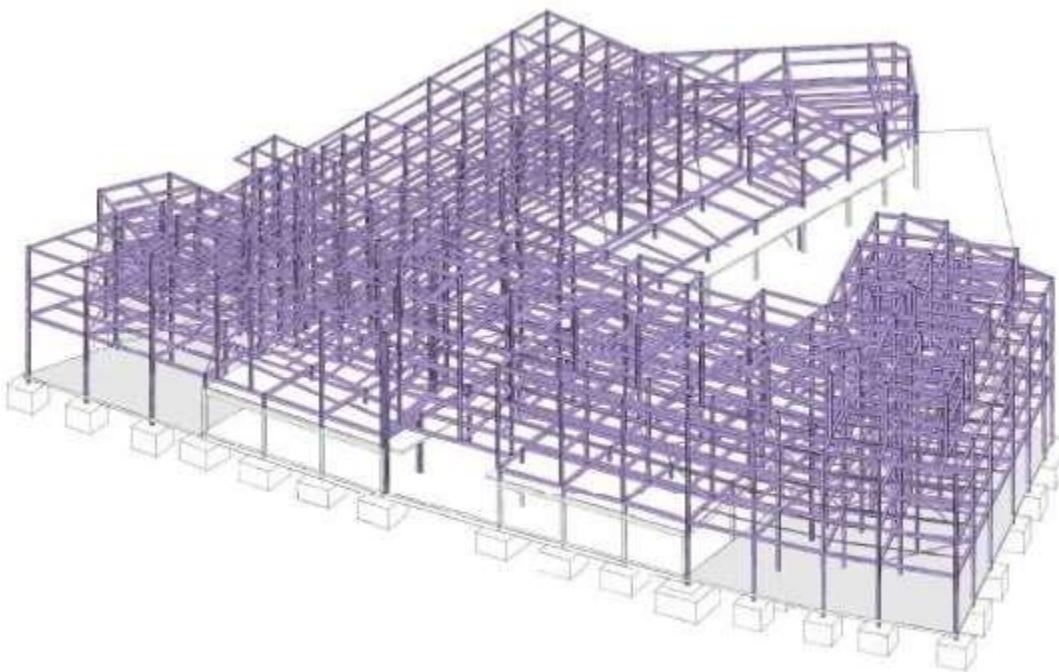


Figure 20: Image of the proposed Block C superstructure (coloured purple), with the existing building frame and foundations shown in black and white. The diagram shows the majority of the new frame oversailing the central section of the existing mall and coming to ground either side of it.

139. The Construction Phase Plan and the Structural Planning Report set out a framework approach only – the definitive structural strategy will be finalised only once existing building structural capabilities are fully established following post-planning intrusive investigations. Notwithstanding, the outline approach appears workable, and is welcomed for the efforts it makes to keep as much of the shopping centre open during construction as possible. Recognising that some disturbance to ground floor uses will inevitably result from a ‘build over’ and significant reconfiguration, the approach is considered adequate and in accordance with NSP Policy 32.

140. Public representations have raised concerns that existing Butterfly Walk retailers may be subject to rent increases as a result of the proposed redevelopment, potentially driving these existing business out of the town centre.
141. Where a proposed development may displace existing small or independent shops, Policy P32 of the NSP requires the application to be accompanied by a Business Relocation Strategy. There are no policy requirements relating to the protection of larger businesses.
142. There are six small or independent shops currently in occupation at Butterfly Walk, as below:

Unit	Tenant	GIA (sq.m)	Use Class
Unit 5	Urban Desire	166	E (formerly A1)
Unit 6	Speedy Courses Ltd	169	E (formerly A1)
Unit 15	Mustaan Beauty Ltd	90	E (formerly A1)
Unit 17	Butterfly Walk Pharmacy	181	E (formerly A1)
Unit 18	Bargain Express	115	E (formerly A1)
23b Denmark Hill	The Nunhead Gardener	134	E (formerly A1)

**Note: Three units within the shopping centre are occupied by charities, but these have been excluded from the above list as the charities are in all cases large regional or national organisations.*

143. All existing shopping centre tenants, including the six small retailers listed above, have expressed an interest in remaining in the scheme and have in recent years signed up to new leases with the knowledge of the redevelopment taking place, and the potential for some short-term disruption this would bring. The applicant's intention is to re-provide a unit for all the existing tenants where possible, and to do so as soon as practical following completion of the works. Any relocation will be driven by the requirements of the tenants and the space available.
144. Given that the scheme is at planning stage and the intricacies of construction have yet to be firmed up, it is not possible for the developer to provide detailed information such as the new retail unit to which the existing retailers will be relocated or their new lease terms. However, the developer has agreedas a minimum to freeze at current levels the rental rates for all existing small and independent retailers that take up a new lease in the refurbished

shopping centre. The freeze will apply for a period of at least five years from first occupation of the new/refurbished unit. This rent freeze will safeguard space for local and independent traders and guard against a monoculture of branded outlets, in accordance with Policy E9 of the London Plan 2021.

145. It is recommended that a 'Final Business Retention and Relocation Strategy' be secured by Section 106 obligation. This will require the developer to set out prior to the commencement of any demolition works to the shopping centre how each of the six existing small and independent tenants would be either:
 - re-accommodated in the proposed development with rent rates frozen at today's level (to include evidence of current day and in-progress proposed contracts) with all the other terms of lease (service charge, break clauses etc.) to be favourable/competitive; or
 - relocated to alternative premises nearby, accompanied by evidence that their new lease terms and rental rates would compare favourably with their current terms, and a justification for why re-accommodation on-site was not possible.
146. In summary, the proposed refurbishment of the shopping centre would provide modern and fit-for-purpose retail units forming an active ground floor frontage along Denmark Hill and framing a high quality new public realm at the heart of the site. Together with the new hotel and cinema, these enhanced retail premises would consolidate and reinforce the important town centre role played by the site. The proposed clutch of complementary uses would drive footfall into the town centre, add to the vitality and vibrancy of Camberwell, and help to make it more of destination during weekday evenings and at the weekend. Although the proposal would result in a relatively small loss of retail floorspace, the reduction is largely due to a rationalisation of the current shopping centre's inefficient layout, and must be weighed against the net uplift in town centre floorspace brought by the new cinema and hotel uses (the latter containing a 233 square metre restaurant open to the public). In conclusion, the proposed retail floorspace, and the mix of independent and branded outlets it will accommodate, responds positively to the development plan policies and meets the aspirations for the area. At a time when high street retail is facing a multitude of challenges, it is considered that therefurbished and modernised space, and the diversification of uses, will help Camberwell to retain a vibrant and healthy town centre. It is, therefore, acceptable in principle.
147. Matters such as hours of use and amenity impacts for surrounding residents, as well as detailed design considerations such as signage and shopfronts, are dealt with in subsequent parts of this report.

Free-of-charge public facilities

- 148. Policy S6 of the London Plan 2021 and NSP Policy 34 require large-scale developments to incorporate free publicly-accessible toilets. NSP Policy 34 also requires public drinking water fountains and seating to be provided.
- 149. The proposed shopping street incorporates various areas of seating alongwith a pair of drinking water fountains. However, due to spatial constraints andthe competing policy objective of optimising retail re-provision, it has not been possible to provide public toilets.
- 150. The proposed retail floorspace is a reconfiguration of the existing shopping centre units and there would be no net uplift on the existing retail quantum. Given that the cinema and hotel restaurant/bar would both contain toilets free for use by their customers, and the Morrisons supermarket would retain its existing customer welfare facilities, on balance the non-provision of public toilets for users of the retail units is considered acceptable. It should also be noted that the scheme went through pre-application and mid-application development at a time when both Policy S6 of the London Plan 2021 and Policy 34 of the NSP were at an earlier stage of development, and in any casethe latter does not carry full weight due to its emerging status.

Supermarket

- 151. The application proposes to retain the supermarket, albeit it with a 4.5% reduction in floorspace. The reduction arises principally from the demolition of the small upper storey, which contains ancillary floorspace surplus to Morrisons' needs. Its demolition would have no material impact on the quantum of sales floorspace. Therefore, the large format convenience store would effectively be retained in full.
- 152. The safeguarding of the supermarket responds positively to the Article 4 Direction, the expectations of local and London-level policy to retain retail space, and the requirements of the NSP site allocation. While there would be some disruption to the supermarket trading during the remodelling and refurbishment works, this would be minimised so that most of store can generally remain operational. As such, no issues are raised in principle. Proposed design changes to the supermarket building and the reduction in customer car parking are discussed in the relevant later parts of this report.

Article 4 Directions

- 153. Of the seventeen units within the shopping centre, sixteen are lawfully in flexible shop, services and/or dining uses (former Class A1-A3 use, new Class E use). The one other unit, occupied by McDonalds, is a mixed dining/takeaway use (former Class A3/A5, new Class E/Sui Generis). Allseventeen units are subject to two Article 4 Directions restricting changes of

use that would otherwise be allowed to take place without obtaining the LPA's express permission.

154. The first Direction prevents any restaurant (former Class A3) unit within the shopping centre changing to a financial/professional services use (former Class A2). It was introduced by the Council principally to restrict food and drink establishments being changed to betting shops, pay day loan shops and pawnbrokers (which are in the A2 use class).
155. The second Direction prevents any existing unit lawfully in former Class A1 (shop) use changing to a former Classes A2, A3 and/or B1 (financial/professional services, restaurants and/or office) use. The Direction enables the LPA to maintain control over the proportion of retail use within the protected shopping frontages, ensuring it does not drop below the critical mass of 60%.
156. Should 19/AP/7057 be granted permission, for consistency and to avoid any conflict with the Article 4 Direction (which would remain in force), two conditions should be imposed placing:
 - a minimum 60% limit on the proportion of floorspace within the new shopping centre that can be used as shops (former Class A1) at any one time.
 - A maximum 20% limit on the proportion of floorspace within the new shopping centre that can be used for services (former Class A2) at any one time.
157. This would protect Butterfly Walk's principal shopping function and respect the Article 4 Direction, while still providing for up to 40% of the frontage to be occupied by restaurants/cafés, uses which would help foster a diverse town centre offer.
158. Morrisons supermarket is also subject to an Article 4 Direction preventing its change of use under permitted development rights to a financial/professional services use (former Class A2). Again, for consistency and to avoid any future ambiguity, a condition will be attached rescinding permitted development rights.

Hot food takeaway use

159. Once the NSP is adopted, the site will be within a Hot Food Takeaway Exclusion Zone. As explained in an earlier part of this report, it is recommended that a planning condition be attached to the decision notice limiting occupation of the retail units to shops, services and dining uses only. However, an exception will need to be made for proposed Unit C-00.22, which is currently occupied by McDonalds in a lawful mixed restaurant/takeaway

use. This is only reasonable, as McDonalds is a pre-existing occupier that wants to stay on in the refurbished development.

Hotel floorspace

Policy background

160. Policy E10 of the London Plan 2021 supports new hotel uses in town centres within inner London, provided they are well-connected by public transport, particularly to central London. Working Paper 88 'Projections of demand and supply for visitor accommodation in London to 2050' (April 2017), upon which Policy E10 is based, forecasts that London will require 58,000 new serviced bedrooms by 2041, to be directed towards the Central Activities Zone and town centres. This figure is informed by an estimate that 1,795 of the rooms will be required in Southwark.
161. Saved Policy 1.12 of the Southwark Plan supports the provision of new hotels in areas with high public transport accessibility, subject to the use causing neither a loss of existing residential accommodation nor an over-dominance of visitor accommodation in the locality. Strategic Policy 10 of the Core Strategy provides support for hotels in town centres and places with good accessibility to public transport, provided no harm would be caused to local character.
162. Emerging Policy P40 of the NSP sets out various criteria new visitor accommodation must achieve. These include being of a design and function that responds positively to local character, and protecting the amenity of the local community and visitors to the hotel. The policy requires at least 10% of the hotel floorspace to be given over to publicly accessible daytime uses that offer employment opportunities.

Assessment

163. The planning application proposes a 101-bedroom hotel arranged over five floors with an ancillary restaurant/bar at first floor level. Although there is no committed operator as yet, the application documents indicate the hotel has been designed to meet the needs of a mainstream budget chain such as Premier Inn.



Figure 21 (above): Visualisation of the development from Denmark Hill, as seen from its northern extremity and looking south.

164. Occupying a position in the heart of the Camberwell District Town Centre and within walking distance of numerous bus stops and Denmark Hill train station, the site has a public transport accessibility level of 6b (the best possible accessibility level). Therefore, the location meets the London and borough-level requirements for high public transport accessibility.
165. Notwithstanding that a hotel on this site may be appropriately located, the requirement for the proposal to not result in an over-dominance of visitor accommodation must be considered. An over-concentration of hotels can detract from the vitality of the place, reduce the opportunity for a range of other services to be provided, and increase the transient population in an area. This can manifest itself in harm to the character and successful functioning of an area and can undermine the stability of a community.
166. Some objections to 19/AP/7057 contend that the proposed hotel would result in an over-concentration of visitor accommodation locally.
167. The table below provides a summary of the existing and pipeline hotel rooms within a 2 kilometre radius of the application site. This covers a wide area spanning as far as Brixton, Oval, the northern end of Walworth Road and New Kent Road. Hotel rooms currently under construction have been treated as 'existing' rather than 'pipeline' because there can be a high degree of certainty about these rooms' imminent delivery. The full dataset upon which the table has been compiled can be found in Appendix 5 to this report:

<u>Existing and pipeline hotel rooms in the local area</u>		
<u>Distance from site</u>	<u>Existing</u>	<u>Pipeline</u>
Within a 500 metre radius	96 (19.3%)	134 (11.8%)
Within a 501 – 1,000 metre radius	0	0
Within a 1,001 – 1,500 metre radius	123 (24.6%)	112 (9.9%)
Within a 1,501 – 2,000 metre radius	280 (56.1%)	887 (78.3%)
Total	<u>499</u> (100%)	<u>1,133</u> (100%)

Of these totals, the accommodation format/type breaks down as:

Hostel	88 (17.6%)	0
Budget	145 (29.1%)	244 (21.5%)
Mid-range	266 (53.3%)	747 (65.9%)
Aparthotel	0	142 (12.6%)

168. As the table shows, of the existing local hotel rooms, a relatively small proportion (19.3%) are within a kilometre of the site and the majority (56.1%) are located at least 1.5 kilometres away. This pattern is reflected in the hotel room pipeline: a relatively small proportion (11.8%) would be delivered within a kilometre radius of the application site, with the vast majority (over three-quarters) to be at least 1.5 kilometres away. As the table shows, mid-range formats are the predominant type of existing and pipeline hotel room.
169. This suggests the geographic distribution of hotel rooms is, and will continue to be, weighted away from Camberwell and towards other town centres, particularly those closer to the CAZ and/or Thames. It also suggests, in both the current and future mix of visitor accommodation, a predominance of mid-range hotel rooms.
170. Although there are three hotels within a 500 metre site radius, one of these lies outside the District Town Centre, north of the site at a distance of approximately 450 metres. It is not, therefore considered to be in the locality of the application site. The other two hotels are both in the Town Centre and located within a few hundred metres of the site. They are:
- the Church Street Hotel at 29-33 Camberwell Church Street, which is a 3 star, 28 room mid-range ‘boutique’ hotel with a restaurant and bar open to the public.
 - the OYO New Dome Hotel at 51-53 Camberwell Church Street, which is a 2 star, 38 room budget hotel with no public facilities.
171. Given that the surrounding land uses remain very mixed and include retail, residential, educational, cultural, medical and commercial, the proposed 101

rooms together with the 66 rooms across the two existing hotels would not create a dominance of visitor accommodation in this location to the point where it would prevent other uses from functioning successfully. The same would remain true even if the 134 consented rooms on the nearby Valmar Road site come forward, as this would bring the total number of rooms to 301, which is not disproportionate for a District Town Centre.

172. Furthermore, because the hotel would be constructed above the retained and remodelled shopping centre, it would not displace any existing town centre use. The existing mix of uses within Camberwell would, therefore, remain unaffected.
173. Emerging policy P40 of the NSP requires 10% of new hotel floorspace to be dedicated to one or more publicly accessible daytime uses. The proposed hotel would have a total GIA of 3,911 square metres, with a publicly-accessible restaurant/bar of 233 square metres. Although this represents 6% of the total hotel floor area, thereby falling short of the 10% requirement, the hotel would form part of a larger mixed-use development providing a range of retail, dining and entertainment/leisure facilities all of which would be open to the public. As such, it is considered that the proposal as a whole meets the aims of this emerging policy.
174. For the reasons given above, and taking account of the weight of support Policy E10 of the London Plan 2021 gives to hotels in town centres, the proposed hotel use is considered acceptable in principle. The hotel and its associated restaurant/bar would diversify the uses within the Camberwell town centre, support the local economy and offer affordable accommodation for visitors to the local area, including to nearby hospitals. It would therefore conform not just with Policy E10 of the London Plan 2021 but also with the Plan's broader economic development objectives as set out in Policies SD6, SD8, SD9, E1 and E9.

Wheelchair rooms

175. Policy E10 of the New London Plan requires serviced accommodation to provide either:
 - 10% of new bedrooms to 'wheelchair accessible' standards (whereby the en-suite facility must be either a shower room with corner WC for independent use or a bathroom with a ceiling-mounted tracked hoist system); or
 - 15% of new bedrooms to 'accessible standards' standards (whereby the en-suite facility must meet the requirements for people with ambulant mobility impairments, and be capable spatially and structurally of future adaptation to 'wheelchair accessible' standards)

176. The planning application proposes that 10 (9.9%) of the rooms would be 'wheelchair accessible'. These are to be distributed across the first, second, third and fourth floors of the hotel. This provision would broadly meet the requirements of London Plan Policy E10 and is therefore acceptable. A condition is to be imposed requiring the 10 accessible rooms to be fitted out from first occupation and retained as such for as long as the building is in hotel use.

Demand and viability

177. From the premise that there is no demand for hotel accommodation in Camberwell, a number of public objections contend that the proposed hotel would not be a viable use. While hotel demand is not technically a planning consideration, it is recognised that an unviable use could lead to a failure to lease the premises or significant room under-occupancy; both scenarios would militate against wider social and economic policy objectives.
178. Although Southwark as a whole has a large number of existing and consented hotel rooms, these are mainly concentrated in the north-western part of the borough. The southern parts of the borough contain comparatively lowerlevels of visitor accommodation owing to their predominantly residential character. The applicant has submitted a Hotel Needs Assessment, which anticipates that demand for the proposed hotel would come principally from two sources: employees and visitors of the two nearby hospitals, and displaced tourist/commercial demand from central London. With the redevelopment of nearby Elephant and Castle and Camberwell's increasingly well recognised status for arts and creativity, it is also anticipated that demandfor overnight accommodation in the area will continue to grow.
179. Evidence within the applicant's Hotel Needs Assessment indicates budget hotels in close proximity to Camberwell achieved robust occupancy levels (over 85%) between 2017 and 2019, with hotels being sold out on multiple nights of the year. This indicates sustained levels of accommodation demand in and around Camberwell. The pipeline supply of 134 new rooms within 500 metres of the site and 112 rooms within 1,500 metres also suggests there is commercial confidence in demand for quality hotel accommodation locally remaining high.
180. Public representations have called into question the viability of the hotel specifically as a result of Covid-19, with some raising concerns that a drop-off in visitor demand may lead the applicant to apply for a change of use at a later time. While the applicant's Hotel Needs Assessment acknowledges there is some uncertainty about the pandemic's effects on the sector in the medium to long term, it cites the latest industry projections which foresee tourism in London returning to pre-pandemic levels by 2024. The applicant could not use

the hotel as a hostel or House in Multiple Occupation (HMO) without first obtaining planning permission.

181. The Hotel Needs Assessment supplied by the applicant suggests there is a market for additional hotel accommodation in central Camberwell, and this will endure despite the current contraction of the tourism sector caused by Covid-19. As such, there is no compelling evidence to conclude that the proposed hotel would be unviable. The applicant has also supplied a signed letter from Whitbread, the parent company of Premier Inn, indicating an interest in the taking up the lease on the proposed hotel.

Impact on existing hotels

182. Some public representations have raised concerns that the proposed hotel would compete with existing local hotels and may threaten their commercial longevity.
183. Competition between commercial uses is not a material planning consideration; the references in policy to 'over-dominance' relate to matters of local character and amenity, not market competition. Nevertheless, the Council's strategic policies require regeneration to work for all, with SP2 of the NSP expecting the places created to "be for existing residents and businesses as well as newcomers". Given this context, it is necessary to give some consideration to the impact of the proposed development on the existing nearby hotels.
184. While the type of operator to which the proposed hotel will be leased cannot be guaranteed, the developer envisages the occupier to be a budget chain such as Premier Inn. The two existing nearby hotels each offer accommodation and facilities quite different to that of a mainstream budget hotel, and as such each of the three facilities is likely to appeal to a discrete customer base.
185. The consented 134-room hotel on the Valmar Road site was presented within the planning application documents as a mid-market hotel, being located alongside and complimentary to art studios, co-working spaces and a rooftop gallery. Although the LPA has no control over which types of operator can take up the lease, should the Valmar Road hotel be built-out, its inherently bespoke character is likely to position it at a higher price point than the budget hotel proposed on the application site and marketed to a different customer base.
186. For these reasons, the future commercial success of the existing nearby hotels is unlikely to be significantly affected by the proposed hotel. In any case, the success and failure of individual businesses within any location is subject to a range of different factors outside of the planning system.

Community use unit

Policy background

187. Saved Policy 2.2 of the Southwark Plan 2007 permits new community facilities where they would be available for use by all members of the community and it would not be detrimental to the amenity of present and future surrounding occupiers. Saved Policy 1.7 supports the provision of a range of town centre uses, including leisure, community, civic and cultural facilities where the scale and nature would be appropriate to the character and function of the locale, and subject to full consideration of transport impacts and the provision of amenities for users of the facility, such as public toilets. These aims are reinforced by Policy S1 of the London Plan 2021, which promotes the delivery of high quality, inclusive and accessible new social infrastructure.
188. Policy P34 of the NSP seeks to “ensure the provision of main town centre uses including markets, community, civic, leisure and cultural uses are located in town centres and local centres”. Policy P46 welcomes the delivery of new community facilities provided they are available for all members of the community.

Assessment

189. The proposal includes a 22 square metre community use unit at ground floor level in Block A. Marking the corner of the ‘bookend’ block. It would have glazed frontages onto Wren Road and Daneville Road. The room would remain under the management of the developer and provide opportunities for small meetings and exhibitions by local groups. The applicant has committed to submitting post-approval a Management Plan for the Unit, detailing among other things the minimum number of hours for which the space would be reserved for use by eligible groups.



Figure 22 (above): South (Daneville Road) elevation of Block A. The community use unit visible in the bottom left-hand corner.

190. The community use unit's proposed location within an otherwise residential building is not inappropriate given that, firstly, the intended users are the existing community and new residents, and secondly, the room's modest size means the potential for associated trip generation and residential amenity would be minimal. The 22 square metre floor area does not justify the provision of toilets, but the space would be fitted with lighting and utilities, the usage costs of which would be covered by the developer.
191. In summary, the proposed community space accords with the aims of relevant saved and emerging local plan policies, while also adhering to the NSP site allocation, which permits cultural uses on this site. The community use unit has been designed conscious of the needs of small local societies, groups and resident organisations for ad hoc meetings and occasional exhibitions, and in this regard responds positively to Policy S1 of the London Plan 2021, which recognises that voluntary and community groups often experience difficulty finding premises suitable for their needs. It is, therefore, acceptable in principle, although in light of its size and limited facilities its inclusion would not be given significant weight in determining the application..

Cinema (former Class D2)

Policy background

192. Together, Policies SD8 and HC5 of the London Plan 2021 seek to consolidate a viable range of functions within district centres, to include leisure and recreation uses, and promote new locally-distinct clusters of cultural venues especially where they can provide an anchor for local regeneration and town centre renewal.
193. Being town centre uses, new cinemas must meet the adopted policy requirements set out in Saved Policy 1.7 of the Southwark Plan 2011 and the emerging position set out in Policy P34 of NSP. These both require leisure uses such as cinemas to, amongst other criteria:
 - be of a scale and nature appropriate to the role of the centre and the catchment it serves;
 - cause no harm to residential and environmental amenity;
 - not result in an overconcentration of uses; and
 - incorporate active frontages and appropriate customer facilities, such as public toilets.

Assessment

194. The proposed cinema would be an appropriate use for this site at the heart of the District Town Centre, complementing the local area's various existing

retail and dining uses. It is well established that cinemas drive footfall to and generate spend in other town centre uses, particularly outside of core retail opening hours. Therefore, the proposed facility would be a welcome contributor to Camberwell's evening economy.



Figure 23 (above): West (Orpheus Street) elevation of the cinema.

195. The proposed cinema would have an active first floor frontage onto Orpheus Street that comes to ground on the shopping street. To the front of the entrance vestibule would be a generous external space where customers can safely gather. Internally, a refreshment and ticket sales hall would be provided, along with toilets and staff facilities. The proposed cinema would therefore meet the requirements of London Plan Policies SD8 and HC5, Saved Policy 1.7 of the Southwark Plan 2011 and emerging Policy P34 of NSP. Likely to appeal to the existing community as well as the new residents and workers, the cinema is welcomed as a positive benefit of the proposal.

Demand and viability

196. Members of the public have raised concerns that there is no demand for a new cinema locally. The predominant arguments made by the objections are:
 - the local population/catchment is already sufficiently well served by cinemas;
 - the number of proposed screens, and/or the capacity of each, would be too small to appeal to most if not all types of operator.
197. In response to the concerns about capacity and as part of their ongoing negotiations with potential operators, the applicant amended the design of the cinema mid-way through the application process. Each of the two screens now contains 80 seats, 33% larger than the 60-seat capacity originally proposed.

198. Cinema viability is not a material planning consideration. Notwithstanding, and to address local people's concerns, the developer has confirmed that discussions are ongoing with various chain and independent operators. One of these is Peckham Plex, a budget family-oriented cinema whose main venue is on Rye Lane, a distance of approximately 1.75 kilometres from the application site. Peckham Plex has expressed interest in operating the proposed cinema as an extension to their main venue, with ticket bookings done primarily via a mobile app and the screens managed by a reduced staff. Peckham Plex envisages the Camberwell facility acting as a satellite annexe, providing two additional screens to the current six at Peckham Rye. While the developer and Peckham Plex have not entered into an agreement, their ongoing negotiations suggest the two-screen cinema is a viable proposition for budget as much as high-end operators.

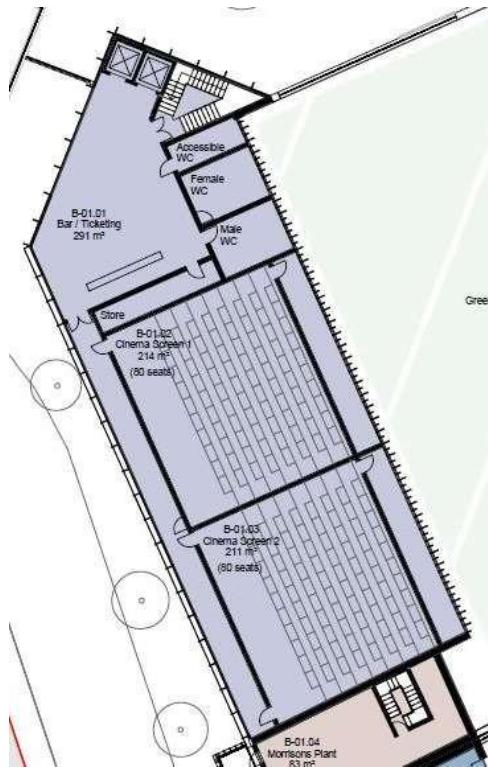


Figure 24 (above): Floorplan of Level 01 of the proposed cinema, showing the two 80-seat screens.

Alternative use

199. A number of public comments have raised concerns that the proposed cinema could be changed under permitted development rights to an alternative function within the former Class D2 (leisure and recreation) use, such as a gym. Most of these comments were submitted before the September 2020 Use Class Order came into force. The new Order re-categorised cinemas into the Sui Generis use class, removing the permitted development rights that previously applied; this means planning permission would be required to change the proposed facility to anything other than a cinema.
200. The legislation allows a grace period from October 1st 2020 to July 31st 2021, during which time development permitted under the current GPDO is classified with reference to the former use class definitions, and can benefit from the permitted changes these afford. In the case of cinemas, during the grace period, the permitted changes of use include:
- a permanent change to various leisure and recreation functions (bingo hall, gym, music/performance venue etc.);
 - a permanent change, subject to prior approval, to a state-funded school or nursery; and

- a temporary change to a flexible retail, office, health or specific cultural use.
201. However, planning application 19/AP/7057 will almost certainly be determined after July 31st 2021 due to Section 106 negotiations. Therefore, if 19/AP/7057 is ultimately granted permission, and despite the development description referring to the cinema as a Class D2 use, the cinema will fall within the Sui Generis use class, expunging it of any permitted development rights. As such, should 19/AP/7057 be granted permission, there is no need to attach a condition restricting potential permitted changes of use.
202. In the event that an application is made at a future time to change the use of the cinema, this will be judged on its own merits with regard to policies and all other material planning considerations relevant at the time of decision.

Housing

Policy background

203. The London Plan 2021 Policy H1 sets a minimum target of 23,500 additional homes to be provided in Southwark over the period 2021-2031. The policy also places a focus on delivering housing on brownfields sites with PTAL levels of 3 or higher. It identifies car parks and low-density retail parks and supermarkets as being particularly appropriate sources of capacity.
204. Strategic Policy 5 of the Core Strategy reinforces the need to bring forward the optimum number of high-quality new homes while also safeguarding sufficient land for other types of development. The policy sets a target of 24,450 net new homes between 2011 and 2026. The New Southwark Plan sets a target of 23,550 net new homes by 2028/2029. A key objective of the overall development plan is to provide as much new housing as possible and create pleasant places to live.

Assessment

205. Despite some members of the public objecting to the proposal on the grounds that no more housing is needed locally, the proposed 145 homes would make a significant contribution towards meeting the evidenced-based housing targets set out in local and Mayoral planning framework. The proposed housing would create a mixed community in this highly-accessible inner London location, and is therefore supported.
206. Objectors have suggested the space occupied by the proposed hotel would be better used for new dwellings, with some highlighting that the proposed 145 dwellings fail to optimise the site capacity. As explained above, there is no objection in principle to a hotel use given the site's location in a District

Town Centre where levels of visitor accommodation are presently relatively low. Furthermore, the quantum of residential use proposed by this planning application is broadly in accordance with the site allocation when factoring-in the opportunity for further housing to be delivered on the adjacent Metropolitan Police Station site which also forms part of the site allocation area. As such, the indicative capacity of 238 new homes given in the NSP site allocation could potentially be realised if the Police Station site is brought forward for development. Taking these considerations into account in the round, 145 proposed homes is an appropriate quantum.

207. Having regard to all of the above, the provision of Class C3 floorspace on this site is acceptable in principle. This is subject to the dwellings meeting relevant policies in respect of size and tenure mix while also providing an acceptable standard of amenity, as discussed in the later sections of this report.

Summary of principle of development

208. This planning application would deliver a high quality mixed-use development on an under-utilised site in the heart of Camberwell, a well-connected District Town Centre with identified potential for intensification and growth. 145 new dwellings with a policy-compliant proportion of affordable housing would be delivered. Alongside this, the existing shopping centre would be reconfigured and extensively upgraded, and complemented by a new cinema and hotel; collectively, these town centre uses would generate over 3,413 square metres GIA net additional employment floorspace with the new cinema and hotel uses together creating approximately 25 new jobs. The type and mix of uses meets adopted local and regional policy requirements as well as the aspirations of the NSP site allocation, and as such the principle of redevelopment is strongly supported.

Affordable housing and development viability

209. The development would provide 145 new homes in maisonette and apartments formats. 51 of the homes would be affordable, equating to 36.6% of the total when measured in habitable rooms, in a tenure mix of 35 social rent and 16 intermediate. In respect of the latter, the mix of products would comprise 10 shared ownership and 6 London Living Rent.

Affordable housing policy context

210. The NPPF 2019 states that local planning authorities should set policies for affordable housing need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

211. The regional policies relating to affordable housing are set out in the London Plan 2021, with the three key policies being H4, H5 and H6. These should be applied having regard to the Mayor's 'Housing' and 'Affordable Housing and Viability' SPGs.
212. Policy H4 requires development to deliver the maximum reasonable amount of affordable housing, with the Mayor setting a strategic target of 50%.
213. Policy H6 also prescribes the tenure split of affordable housing. It requires:
- at least 30% to be low-cost rent (social rent or London Affordable Rent);
 - at least 30% to be intermediate (with London Living Rent and shared ownership being the default tenures); and
 - the remaining 40% to be determined by the borough as low-cost rented homes or intermediate tenure(s) based on identified local need.
214. The relevant adopted local policies are Saved Policy 4.4 of the Southwark Plan 2007 and Strategic Policy 6 of the Core Strategy 2011. Further guidance on how to implement the policies is contained within the Council's adopted Affordable Housing SPD 2008 and draft Affordable Housing SPD 2011.
215. Strategic Policy 6 requires as much "affordable housing on developments of 10 or more units as is financially viable". It also sets the lower threshold, requiring at least 35% of the residential units within new developments of ten or more dwellings to be affordable subject to viability.
216. Strategic Policy 6 also sets a minimum target of 8,558 net affordable homes to be delivered between 2011 and 2026.
217. Emerging local policy P1 of the NSP, to which weight can be given, requires developments of 10 or more homes to deliver the maximum viable number of dwellings in an affordable tenure, setting a minimum threshold of 35%. A minimum of 25% of the total housing should be social rent, and a minimum 10% as intermediate, calculated on a habitable room basis. These requirements derive from the Council's Strategic Housing Market Assessment, which identifies a pressing need for social rented and intermediate homes in Southwark.

Assessment

218. In line with the council's Affordable Housing and Viability SPDs, a Financial Viability Appraisal was submitted by the applicant to enable the council to determine whether the submitted application was providing the maximum level of affordable housing the development could support. The appraisal was

reviewed by BNP Paribas on behalf of the council. Their review also included their own independent appraisal of the proposed scheme; this relies on the assumptions made by the applicant where agreed, but otherwise relies on BNP Paribas' own evidence-based assumptions. BNP Paribas issued the council with an updated viability review following a series of final amendments made to the proposal in May 2021. Both the applicants appraisal, and the BNP Paribas review, have been published on the council's website in accordance with the Viability SPD

219. BNP Paribas' final viability review calculated the existing use value of the site to be £20,241,538, based on the following valuations of the existing assets:
 - Retail units within Butterfly Walk Shopping Centre: £9,565,944
 - Morrisons supermarket: £8,914,114
 - Three flats: £1,155,680
 - Car parking: £605,800
220. Applying a land owner's premium of 20%, the assumed Benchmark Land Value came out at £24,290,000.
221. BNP Paribas arrived at a residual land value of £17,760,000 which, when compared to the assumed Benchmark Land Value, results in a deficit of £6,530,000. The viability review concludes that the proposed development with over 35% affordable housing results in a deficit when compared to the Benchmark Land Value. Reducing the quantum of affordable housing would reduce the deficit.
222. BNP Paribas also undertook a sensitivity appraisal assuming a lower profit of 15% on the gross development value of the proposed open market dwellings. This sensitivity appraisal results in a residual value of £18,000,000. This still produces a deficit when compared to the £24,290,000 Benchmark Land Value.
223. Importantly, residual appraisals are very sensitive to small changes in inputs and assumptions. For example, an 11% increase in sales values of the open market dwellings and a decrease in construction costs would result in the proposed development producing a surplus over and above the Benchmark Land Value. Accordingly, BNP Paribas advised that, should planning permission be granted, the scheme should be subject to appropriate review mechanisms.
224. In spite of the deficit, the applicant has agreed to provide a policy compliant amount of affordable housing. As the strategic target for affordable housing in the New London Plan is 50% and the minimum threshold is set at 35%, it is recommended that the Section 106 Agreement secures an early stage review and a late stage review. These reviews would enable a proportion of any

increase in the viability of the development, for instance as a result of increased sales values or build cost savings, to be captured and used to provide additional affordable housing, either on site or through an in lieu payment.

Conclusion

225. For this privately-owned site not benefitting from public subsidy, the affordable housing offer of 36.8% meets local and London-level policy requirements. The delivery of social rent, shared ownership and London Living Rent units in what is a high value area of the borough and a sustainable location is welcomed and a major benefit of the proposed development. Through the early stage and late stage review mechanisms, uplifts in value accrued between the date of permission and 75% occupancy of the built-out development can be utilised to deliver additional affordable housing.

Tenure mix

226. Saved Policy 4.4 of the Southwark Plan 2007 requires that, of the residential units that are to be affordable, the tenure split should be 70% social rented to 30% intermediate housing. Emerging policy P1 of the NSP requires that at least 25% of all habitable rooms should be provided as social rent, and at least 10% as intermediate tenures. As a proportion of all the affordable habitable rooms in the development, this equates to 71% social rented equivalent tenures and 29% intermediate tenures.
227. In total, 503 habitable rooms would be provided across the 145 proposed dwellings. For the scheme to deliver 35% affordable housing, 176 habitable rooms of affordable housing should be provided. Saved Southwark Plan policy 4.4 recognises the fact that one intermediate and four social rent dwellings would be provided to wheelchair accessible M4(3) standard, and allows for five habitable rooms to be deducted from the total affordable habitable room requirement, meaning that 172 habitable rooms must be accepted as policy compliant. NSP policy P1 does not carry forward this concession..
228. The distribution of these habitable rooms across the two affordable tenures would be as follows:

Habitable rooms distribution across affordable homes			
Unit size	Social rent	Intermediate	Total
Studio	0	0	0
1-bed	12 (9.3% of all SR)	13 (23.6% of all SO)	25 (23.5%)
2-bed	62 (48.0% of all SR)	27 (49.1% of all SO)	89 (49.0%)

3-bed	49 (38.0% of all SR)	15 (27.3% of all SO)	64 (25.5%)
4-bed	6 (4.7% of all SR)	0	6 (2.0%)
All units	<u>129</u> (70.1% of all a/h) (25.6% of all hr)	<u>55</u> (29.9% of all a/h) (10.9% of all hr)	<u>184</u> (100%)

229. With the total number of habitable rooms being 12 more than the minimum policy requirement under Saved Policy 4.4, and 8 more than the minimum requirement of NSP policy P1, the proposal is policy compliant in terms of the total quantum of affordable housing. The split of 25.6% and 10.9% social rent and intermediate tenures is considered compliant with the emerging local policy positions.
230. Overall, the proposal would provide a total of 51 affordable homes in a mix of unit sizes, including a larger number of social rented family sized properties, which is a positive aspect of the scheme. It is recommended that the Section 106 Agreement includes a schedule securing the delivery of these affordable units and a clause preventing more than 50% of the private dwellings from being occupied until the affordable units have been completed and handed over ready for occupation. This is a feasible and fair clause to impose, given that, according to the phasing plan, construction of Blocks B and C (which together contain all the affordable housing) would commence before that of Block A.
231. The affordable housing would be provided in Blocks B and C. Block B would also contain intermediate housing and Block C would also contain open market housing. All three blocks would be of the same high quality design, ensuring 'tenure blindness'. Furthermore, residents of Blocks B and C would benefit from unrestricted access to the playspace and communal garden at the rear of Block A, allowing residents from all three buildings to mix. For these reasons, it is considered that the scheme would achieve good tenure integration.

Dwelling mix

232. Strategic Policy 7 of the Core Strategy 2011 prioritises the development of family homes. New developments of 10 or more units in the Urban Density Zone must provide at least 60% of units with two or more bedrooms, and at least 20% of units with between three and five bedrooms.
233. Emerging Policy P2 of the NSP applies the same minimum requirement of 60% in respect of two-bedroom units but expects 25% of homes in the Urban Zone to contain three or more bedrooms.
234. The proposed dwelling mix comprises 3 studios, 35 one-beds, 74 two-beds, 32 three-beds and 1 four-bedroom home. These would be split across the three tenures as follows:

Dwelling distribution across all tenures				
Unit size	Open market	Intermediate	Social rent	Total
Studio	3 (3.2% of all OM)	0	0	3 (2.1%)
1-bed	23 (24.5% of all OM)	6 (37.5% of all SO)	6 (17.1% of all SR)	35 (24.1%)
2-bed	49 (52.1% of all OM)	7 (43.75% of all SO)	18 (51.4% of all SR)	74 (51.0%)
3-bed	19 (20.2% of all OM)	3 (18.75% of all SO)	10 (28.6% of all SR)	32 (22.1%)
4-bed	0	0	1 (2.9% of all SR)	1 (0.7%)
All units	<u>94</u>	<u>16</u>	<u>35</u>	<u>145</u>

235. As the table shows, 73.8% of the units would have two or more bedrooms, and 22.8% of the units would contain three or more bedrooms. This meets the requirements of Strategic Policy 7. The two bedroom units are in a range of sizes to allow 3 person and 4 person occupation.
236. The proposed homes with three or more bedrooms falls 2.2% short of the minimum requirement of 25% set out in the NSP. While this instance of non-compliance with the emerging local plan is acknowledged, the planning application was submitted over 18 months ago, at which time the NSP was at a much earlier stage of development and carried less weight.
237. It should also be recognised that, of the larger family (three- and four- bedroom) dwellings within the development, 43% would be in affordable tenures. This effort to more closely tailor the range of unit sizes to specific local affordable housing demand responds positively to Part A.1 of London Plan Policy H10, and as such is welcomed.
238. On balance, the dwelling mix is considered acceptable.

Wheelchair dwellings

239. Policy D7 of the London Plan 2021 requires 90% of new housing to meet Building Regulations requirement M4 (2) 'accessible and adaptable' and 10% to meet Building Regulations requirement M4 (3) 'wheelchair user'.

240. Saved Policy 4.3 of the Southwark Plan requires 90% of housing to conform to Building Regulations requirement M4 (2) but, more onerously than the London Plan, the remaining 10% must go beyond M4 (3) compliance to achieve the Wheelchair Homes Design Guidelines published by the South East London Housing Partnership (SELHPWHDG). These guidelines require particular space standards and a higher specification than Building Regulations requirement M4 (3).
241. Emerging Policy P7 of the NSP requires the same mix and specification of accessible housing as the adopted local plan, but sets out some additional criteria. It also prohibits two-bedroom three-person affordable wheelchair units.
242. This planning application proposes 15 'wheelchair accessible' units compliant with M4(3) and SELHPWHDG, amounting to 10% of the total number of dwellings. These would be provided across all tenures, in a range of dwelling sizes, and on various floors of the three blocks. All other dwellings would be designed to achieve the M4(2) standard. The number of wheelchair dwellings, and their distribution across the tenures, meets the policy requirements.

Density

243. The site occupies an area of 1.25 hectares. The scheme would deliver a total non-residential floorspace of 9,884 square metres GIA, which is the equivalent of 359 habitable rooms. The proposed residential element would deliver 435 actual habitable rooms. Using the calculation method prescribed by the Council's Residential Design Standards SPD, the development density would be 635 habitable rooms per hectare. The site is located in the urban density zone, where densities of between 200 and 700 habitable rooms per hectare are typically recommended.
244. The proposal is therefore in accordance with Strategic Policy 5 of the Core Strategy and meets the aims of Saved Policy 3.11 in achieving an efficient use of land. The NSP does not carry forward the density threshold figures, but relies, like the London Plan, on the approach of optimising site capacity through good design.

Quality of residential accommodation

245. Adopting a design-led approach, Policy D6 of the London Plan 2021 sets out the quantitative and qualitative requirements of new residential accommodation. Quantitative metrics include the minimum size of dwellings, rooms and outdoor spaces. Qualitatively, the policy seeks to maximise dual aspect and naturally-lit layouts, make tenures imperceptible from each other, and ensure robust maintenance and management strategies are in place.

246. Saved Policy 4.2 of the Southwark Plan 2007 advises that planning permission will be granted provided the proposal achieves good quality living conditions. The local-level standards for internal accommodation are set out in the Council's Residential Design Standards SPD.

Aspect and outlook

247. Of the 145 dwellings proposed:

- 41 (28.3%) would be single aspect;
- 46 (31.7%) would be corner aspect;
- 47 (32.4%) would be dual aspect; and
- 11 (7.6%) would be triple aspect.

248. 11 of the single-aspect dwellings would face within 90 degrees of due north. The majority of these would be one-bedroom units. None of these 11 dwellings would look towards other buildings at very close range. Rather, their outlook would be either across undeveloped land, such as the Block A rear communal outdoor space, or low-rise development, such as the single-storey Morrisons supermarket. Furthermore, none would have a viewframe flanked on both sides by multi-storey development, as can occur in buildings that have a U-shaped planform; as a result, none of the dwellings would be subject to an undesirable tunnelled outlook. Furthermore, the key habitable rooms for each of these flats would have generously proportioned windows to provide occupiers with a broad viewframe. Thus, despite the single direction of outward view from these dwellings, the arrangement and orientation of the buildings means the occupiers would benefit from an acceptable quality of outlook.

249. In summary, the proposal would achieve a clear predominance of dual aspect, with all proposed dwellings benefitting from an acceptable quality of outlook. When balanced against the need to achieve an efficient use of land as required by Saved Policy 3.11 of the Southwark Plan, it is considered that the new dwellings' quality of aspect and outlook would be in accordance with the aims of policy D6 of the London Plan 2021, Strategic Policy 5 of the Core Strategy 2011 and the Council's Residential Design Standards SPD.

Internal daylight within the proposed dwellings

250. A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted by the applicant, which considers light to the proposed dwellings using the Average Daylight Factor (ADF). ADF determines the natural internal light or daylit appearance of a room. The BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. This also adopts an ADF of 2% for shared open plan living//kitchen/dining rooms (lkd).

251. The proposed development contains 434 residential rooms requiring ADF testing. The applicant has provided an daylight assessment with the planning application, the results of which are summarised below:

<u>ADF results for all proposed dwellings</u>			
<u>Block</u>	<u>Number of rooms tested</u>	<u>Rooms satisfying BRE</u>	<u>Rooms not satisfying BRE</u>
Block A	190	153 (81% of all Block A)	37 (19% of all Block A) Which breaks down as x11 beds and x26 lkd
Block B	121	97 (80% of all Block B)	24 (20% of all Block B) Which breaks down as x10 beds and x14 lkd
Block C	123	103 (84% of all Block C)	20 (16% of all Block C) Which breaks down as x13 beds and x7 lkd
Total	434	353 (81% of all rooms)	81 (19% of all rooms) Which breaks down as x34 beds and x47 lkd

252. Of the 81 rooms that do not satisfy the BRE guidance, 61 are affected by oversailing balconies on the floor above, which reduce direct light to the rooms; given the amenity value these balconies provide, a balanced judgement must be made in this respect. Furthermore, the majority of the 81 affected rooms are in dwellings that are corner or dual aspect containing otherrooms that benefit from a compliant level of daylighting. The lowest ADFs would occur at first floor level within dwellings that are tucked into the inner corner of the blocks at the intersection of their two wings, where daylight penetration will inevitably prove difficult. Finally, it is important to note that the ADF levels of the non-compliant rooms are, with only a very small number of exceptions, not untypical for an inner London location.
253. In summary, while the lower ADFs are a negative aspect of the development, the vast majority (81.3%) of the rooms within the development would meet the internal daylight levels advised by the BRE guidance. Overall, the quality of accommodation is not such that it would be reasonable to refuse permission.

Dwelling sizes, room sizes and provision of built-in storage

254. The GIA of all but two of the proposed homes would satisfy the minimum floor areas set out in the Council's Residential Design Standards SPD. The two non-compliant dwellings, Units C-04.01 and C-04.02, would both be logical and efficient in their layout, with practically-shaped rooms and minimised circulation space such that there would be no detrimental impact on the future occupiers' quality of life. As such, overall, the GIA compliance is considered acceptable.
255. With respect to room size compliance, eleven double bedrooms and two living/kitchen/dining rooms would fall short of the Council's Residential Design Standards SPD. The bedroom shortfalls are typically 0.5 square metres, with the single greatest shortfall being 1.5 square metres. In respect of the two under-sized living/kitchen/dining rooms, the shortfalls are minor at 1.0 and 1.5 square metres respectively. While these deficits are an unfortunate aspect of the proposal, it is recognised that they are few in number and not in any instance would the shortfall have the effect of creating a cramped or impractically-shaped room.
256. All 145 dwellings would have built-in storage space of a size that meets the minimum requirements of the Council's Residential Design Standards SPD.
257. In summary, the dwelling, room and built-in storage sizes are considered acceptable.

Floor-to-ceiling height

258. All dwellings would have a floor-to-ceiling height of 2.8 metres. This exceeds the minimum requirements stipulated by London Plan Policy D6 and the Council's Residential Design Standards SPD, which are 2.5 metres and 2.3 metres respectively. This would contribute to the sense of space within all the dwellings.

Internal noise and vibration levels

259. It is recommended that conditions be imposed requiring pre-occupation testing of the separating floors and walls to demonstrate that the relevant acoustic performance standards, as prescribed by the Building Regulations, have been met. This will ensure that the occupiers of the dwellings do not experience excess noise, transmitted either vertically or horizontally, from adjacent sound sources. Similarly, a condition will be imposed requiring all habitable rooms to be protected against excessive vibration dose values.

On-site storage facilities for refuse and deliveries

260. Each of the three blocks would have dedicated communal refuse facilities, in appropriate locations convenient for the residential occupiers. Although none of the blocks would have externally accessible storage for deliveries and other bulky items, the buildings are not served by concierges, meaning larger deliveries would be accepted by residents in person and taken directly to the home. Given that good levels of built-in storage have been provided within the dwellings, this is considered acceptable and in line with policy requirements.

Conclusion on quality of residential accommodation

261. The proposal would deliver 145 new homes benefitting from a good quality of outlook, with a large majority enjoying either dual or triple aspect. 19% of the proposed rooms would not achieve the internal light levels recommended by the BRE guidelines, which although not untypical for inner London, would compromise the quality of living accommodation to a degree. While it must be acknowledged that there are some instances of room and dwelling size non-compliance, these are on the whole relatively minor, and all flats would nevertheless achieve a logical layout with practically-sized rooms. The high ceilings would contribute to the sense of space and prevent the smaller units from feeling oppressive.
262. On balance, the quality of the proposed accommodation is considered acceptable.

External amenity space and young people's play space

Private external amenity space

263. All new residential development must provide an adequate amount of useable outdoor amenity space. The Council's Residential Design Standards SPD sets out the required amenity space standards which can take the form of private gardens, balconies, terraces and/or roof gardens. It requires:
- for dwellings containing three or more bedrooms, the provision of 10 square metres of private amenity space;
 - for dwellings containing two or fewer bedrooms, the provision of 10 square metres of private amenity space wherever possible, permitting any shortfall to be added to the communal space, and;
 - 50 square metres of communal amenity space per development.
264. For 56 of the proposed dwellings, it has not been possible to provide 10 square metres of private amenity space. To compensate for these private amenity space shortfalls, and as the Council's Residential Design Standards SPD allows, there would be an overprovision of communal amenity space within each of the blocks, as explained in the table below:

Private amenity space shortfall and offset				
	<u>Total private amenity shortfall (sq. m)</u>	<u>Communal requirement (shortfall + 50 sq. m)</u>	<u>Communal provision (sq. m)</u>	<u>Surplus (sq. (sq. m))</u>
Block A	35	85	1162	+1,077
Block B	50	100	350	+250
Block C	46	96	240	+144

265. All but three of the dwellings would benefit from direct access to private outdoor amenity space. Those without personal outdoor space are all one-bedroom units located in Block C at the intersection of the two wings and facing Denmark Hill where it was not considered external balconies would be appropriate. To compensate for this, the flats would contain generously proportioned rooms and their floor area would exceed the minimum requirement by 40%. They would also be located close to Block C's core, affording easy access to the podium level outdoor communal space. While the failure to provide private outdoor amenity space for three of the dwellings is a negative aspect of the proposal, it is considered permissible taking into account the site constraints and mitigating factors.

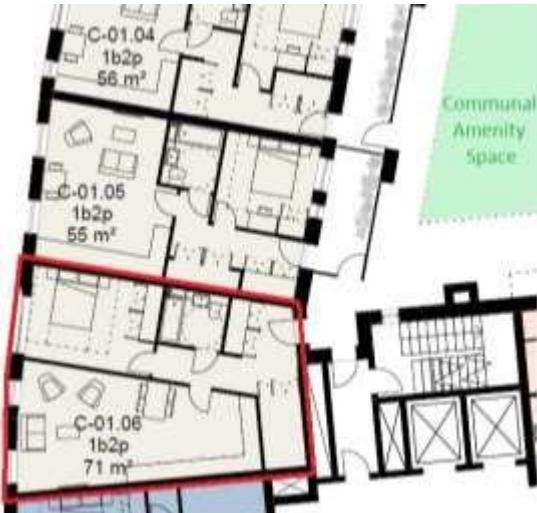


Figure 25 (above): Plan showing the relationship between the communal amenity space (highlighted green) and the dwelling without a private balcony (outlined in red). The other two dwellings without balconies are in the same location on the two floors directly above.

266. Two of the proposed family-sized dwellings, both located in Block B, would be provided with private amenity space smaller than the minimum 10 square metres required by the Council's Residential Design Standards SPD. While this contravention of the SPD is recognised, both dwellings are located very close to Block B's rooftop communal amenity space, and as such the occupiers would be able to make use of this additional outdoor space easily.
267. As originally submitted, the application proposed a deck-with-balcony arrangement at Block C, whereby the individual outdoor amenity space for the deck-accessed homes was effectively an extension of the communal

walkway. The original round of public consultation drew a number of objections arguing that this arrangement would fail to provide the dwellings with truly private outdoor space. To address these concerns, the proposal was amended mid-way through the determination process to place the communal walkway along the outer edge of the building, allowing private amenity space to be provided directly in front of each dwelling. This is considered to be a positive change to the scheme, turning 21 amenity spaces from semi-public to more private.

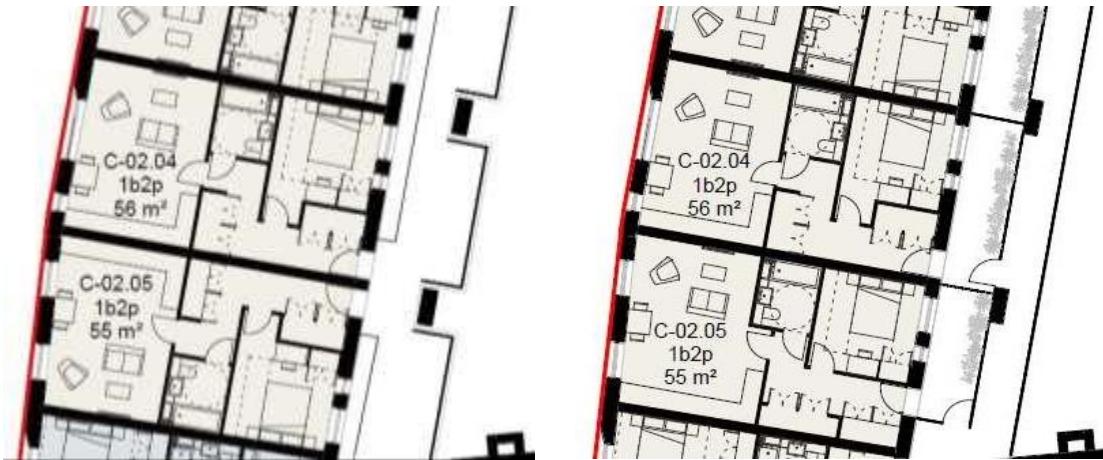


Figure 26 (above): Before and after comparison of the deck-access arrangement at Block C.

268. In summary, while the majority of homes would be provided with at least 10 square metres of private amenity space, 53 would have undersized balconies or terraces and 3 would have no private outdoor space at all. Although there are sound reasons for these shortfalls, they will nevertheless negatively impact to some extent on the amenity of the future occupiers. The impact is mitigated by over-sizing the internal accommodation and/or providing good access to very generous communal amenity space (discussed in the subsequent part of this report), and balancing the various factors in the round, the private outdoor amenity space provision is considered to be acceptable.

Communal outdoor amenity space

269. As mentioned in the preceding part of this report, the proposed development would deliver a very generous 1,758 square metres of communal outdoor amenity space. This is 1,477 square metres more than the minimum requirement and should be seen as a significant benefit of the proposal.
270. At Block A, the communal outdoor amenity space would comprise a ground level communal garden, which residents of all three blocks would have access to, as well as a fifth floor terrace personal to the flats within Block A's 'bookend' building. Block B residents would benefit from two further spaces exclusively for their own use, one at podium and one at rooftop level, while

Block C residents would have exclusive use of a podium-level communal space. To be partly soft- and partly hard-surfaced, these various outdoor spaces would incorporate planting, trees and lighting.

271. The format and quantum of communal amenity space meets the expectations of policies D6 of the London Plan, and as such is considered acceptable.
272. Planning conditions are recommended requiring details of the landscaping, treatment and enclosures of the communal amenity spaces, and for the facilities to be delivered prior to occupation of any of the dwellings. Along with unrestricted and equitable access to the communal amenity space(s) within their own block, the Section 106 Agreement will secure the right of all residential occupiers to make use of Block A's communal garden.

Young people's play space

273. Policy S4 of the London Plan 2021 requires new developments to make provision for play areas based on the expected child population of the development. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG, the total children's play space requirement for the proposed development is 640 square metres. The table below shows how this breaks down across the three age groups, and how the application proposes to meet the requirements:

Play space provision				
Block	Young person yield from development	Area of play space required (sq.m)	Format of proposed provision	
Block A	Aged under 5	52	= 88	On-site, rear of Block A, 370 sq.m [surplus: 282 sq.m]
	Aged 5 to 11	36		
	Aged 12 to 18	17		Off-site (in-lieu payment)
Block B	Aged under 5	189	= 339	On-site, podium of Block B, 65 sq.m [shortfall: 274 sq.m]
	Aged 5 to 11	150		
	Aged 12 to 18	114		Off-site (in-lieu payment)
Block C	Aged under 5	32	= 65	On-site, podium of Block C, 57 sq.m [shortfall: 8 sq.m]
	Aged 5 to 11	33		
	Aged 12 to 18	11		Off-site (in-lieu payment)
Summary				

All 3 Blocks	Aged up to 11	492	= 634	Satisfied on-site
	Aged 12 to18	142		Satisfied off-site (in-lieu sum)

274. The London Plan 2021 recommends that under-5s play space be at least 100 square metres in size, in part because the space needs to be of an adequate size to ensure carers can sit and talk while supervising children. Although the podium play spaces proposed at Blocks B and C would be smaller than 100 square metres, they would be located directly alongside and open to the communal outdoor space, with seating provided in the latter for those supervising children. At each block, the side-by-side communal amenity and play space areas would exceed 100 square metres. The doorstep play areas, therefore, considered to be adequate in size and located sufficiently close to the proposed dwellings.
275. Due to Blocks B and C being ‘build-over’ developments on constrained plots, the inability to provide the full quota of play space within the demise of each block is understandable. The application proposes for the remainder of Block B and C’s respective quotas to be met by the neighbourhood playable space at the rear of Block A. This is considered acceptable, taking into account the short and safe pedestrian passage from each block to the playable space.
276. London Plan Policy S4 also promotes the incorporation of incidental play space to make public realm more playable. The application responds to this policy requirement positively by proposing 46 square metres of incidental play on the pedestrianised section of Daneville Road, alongside seating and planting to encourage different generations to dwell and interact.
277. Planning conditions are recommended requiring details of the three resident-only play spaces and the incidental play on Daneville Road, including equipment and treatment, and for the facilities to be delivered prior to occupation of any of the dwellings. A financial contribution in lieu of providing on-site play space for 12 to 18 year olds is considered acceptable, and will be secured in the Section 106 Agreement; this contribution will be channelled into the delivery of dedicated local facilities for teenagers by the Council. It is noted that the development is within a short walking distance of several parks: whilst the nearest, at Camberwell Green, has little for the over 12’s, the larger spaces at Burgess Park and Ruskin Park (within Lambeth) have a wide range of facilities.

Privacy, outlook, noise and odour impacts on nearby residential occupiers

Policy background

278. Strategic Policy 13 of the Core Strategy 2011 seeks to ensure that all development sets high standards for reducing air, land, noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work. Section Policy 3.2 of the Southwark Plan 2007 states that permission will not be granted for developments where a loss of amenity, including disturbance from noise, would be caused. The Council's Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.
279. Within the vicinity of the site, there are five clusters of residential uses susceptible to privacy, outlook, noise and odour impacts from the proposed development. They are:
- 1) Nos. 8-56 Denmark Hill, 20 Camberwell Green and the Wren Road Hostel
 - 2) The Colonnades on Wren Road (south);
 - 3) Nos. 1-8 Jephson Street and 8- 14 (evens) Grove Lane;
 - 4) Selborne Village northern edge (specifically nos. 70 Daneville Road, 5-15 Kerfield Place, 1-6 and 74-80 Allendale Close); and
 - 5) 9-11 (odds) Daneville Road.
280. The relationship of these properties to the application site is shown below:



Figure 27: Site location plan with the surrounding sensitive residential

buildings clustered into five groups, each depicted in a different colour. The application site is shown in red.

281. By reason of their distance and/or the physical and visual separation provided by intervening buildings, no other surrounding dwellings would be at risk of privacy, outlook, noise or odour harm. As such, only those highlighted in the above map will be given further consideration.

Privacy

Impact on nos. 8-56 Denmark Hill, 20 Camberwell Church Street and the Wren Road Hostel

282. The proposal would respect the existing shopping centre's northwest building line, and as such no part of the development would stand any closer than 20 metres to the front façades of the terraced building opposite at 8-56 Denmark Hill. This separation distance exceeds the 12 metre minimum advised by the Residential Design Standards for buildings which face each other across a highway, and thus is considered acceptable.
283. The proposed northern servicing yard would be of a similar shape to the existing servicing yard but of a more compressed size. This is because Block C's proposed northeast elevation would, in comparison with the existing shopping centre, stand forward of the building line by approximately 4.0 metres and its southeast elevation (facing towards the Wren Road Hostel) would be approximately 8.0 metres further forward.
284. As well as being a number of storeys higher than the existing shoppingcentre, Block C would also contain many more clear-glazed windows. 45 of these would serve hotel bedrooms with the others serving circulation or back- of-house spaces. 43 of the bedroom windows would be within the long northeast elevation, facing obliquely towards 20 Camberwell Church Street. While the exposure of 20 Camberwell Church Street to a large number of newwindows may have the effect of increasing perceived overlooking, the window-to-window distance to the nearest proposed hotel room would be over30 metres, which is sufficient to guard against any actual privacy infringement.
285. The Wren Road Hostel provides medium-term accommodation options to homeless people, and as such should be treated as a permanent residential facility, not visitor/tourist accommodation. The 36 habitable room windows in the hostel's rear elevation face south-westwards; in the proposed scenario, these windows would look across the north servicing yard and towards the hotel in Block C. The closest window-to-window distance between the existinghostel and any of the proposed hotel bedrooms opposite would be approximately 13.25 metres – this would be from the southernmost window at the hostel, looking outwards at an oblique angle towards the rooms at the far

southwestern end of the hotel building. While this is less than the 21 metres recommended by the Residential Design Standards SPD, the slanted relationship between these windows would prevent direct and invasive views from being obtained. Additionally, because the gap between the two buildings would widen further to the west, a clear distance of 21 metres would be achieved from the majority of the habitable room windows at the hostel.



Image 28: View of the rear elevation of the Wren Road hostel, showing the most sensitive habitable room window outlined in turquoise.

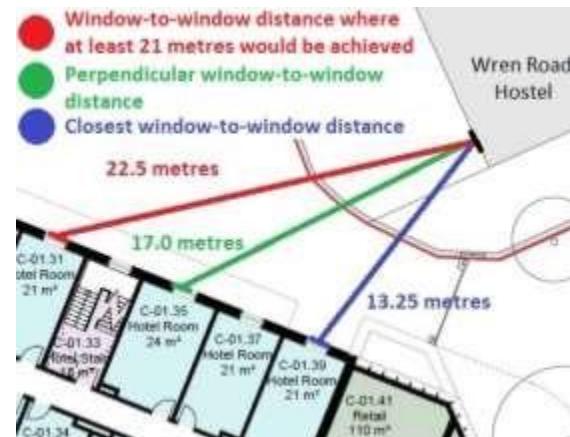


Image 29: Proposed first floor plan, showing the various distances to the hotel from the most sensitive habitable room window at the Wren Road Hostel.

286. It is important to note that, despite providing an accommodation function, a hotel is a commercial use. Therefore, while the separation distance of 21 metres between 'facing' rear windows set out in the Residential Design Standards SPD is a useful guide, it can be applied with some degree of flexibility in this instance.
287. In conclusion, given that window-to-window distances of less than 21 metres would in the majority of cases be oblique rather than direct, and that hotel rooms are occupied on a less intensive basis than conventional residential uses, it is considered that the proposal would not harm the privacy of the Wren Road Hostel occupiers.

Impact on the Colonnades

288. The Colonnades is a four-storey residential building fronting onto the southern leg of Wren Road. The only habitable room windows at the Colonnades which are at any risk of increased overlooking from the development are those on the west elevation, which look out towards the southwestern end of the shopping centre and the Morrisons supermarket.
289. The redevelopment of the shopping centre would result in the portion opposite the Colonnades becoming larger in footprint and increasing by one storey. Internally, this podium 'end piece' to the refurbished shopping centre would

contain a two-storey retail unit. To avoid customers and/or employees being able to look out from the retail unit at relatively close range towards the flats opposite, the elevation flanking Wren Road, which would stand directly opposite the Colonnades at a distance of 14 metres, would contain no windows at either ground or first floor level. The Colonnades occupiers would not, therefore, be at any risk of overlooking.

290. There is already an established pattern of mutual overlooking between the supermarket and the flats on the lower storeys of the Colonnades. The proposed retention and minor modifications to the supermarket would not materially exacerbate the existing extent of mutual overlooking.
291. Although the south elevation of the Colonnades contains a large window, this serves a communal stairwell. Some smaller windows are positioned within the reveal of this large window, which outwardly appear to serve habitable rooms. Their orientation towards each other, and not within a perpendicular distance of 21 metres from any of the proposed windows, would put them at no risk of increased overlooking. As such, there are no habitable rooms within the Colonnades at risk of privacy infringement.

Impact on 1-8 Jephson Street and 8-14 (evens) Grove Lane

292. 1-8 Jephson Street is a terrace of four-storey buildings arranged internally as flats. The flats on the upper floors are accessed from the rear via decks. The top floor of accommodation has no site-facing windows. The internal layout of the flats is not known.
293. Directly opposite the Jephson Street buildings would be Block A's easternmost mansion block building. Within this two-storey building, the rear facing accommodation would comprise a living room at ground floor and two bedrooms at first floor. There would be a small balcony at first floor level and a large communal terrace area on the roof.

294. The distance between the proposed residential rear-facing windows and the opposing windows at the Jephson Street flats would be approximately 17 metres, which falls short of the 21 metres recommended by the Residential Design Standards SPD. However, a high boundary wall (to be retained) separates the two sites, which would prevent any mutual overlooking at ground floor level. Furthermore, there is a row of trees on the Jephson Street side and the application proposes an additional row of trees on the inner side of boundary, which would have a mitigating effect on mutual overlooking at first floor level. With regard to the proposed balcony and terrace, because external spaces are not used as intensively as internal accommodation, the respective distances of approximately 15.5 metre and 17.0 metres to the Jephson Street flats are considered acceptable.

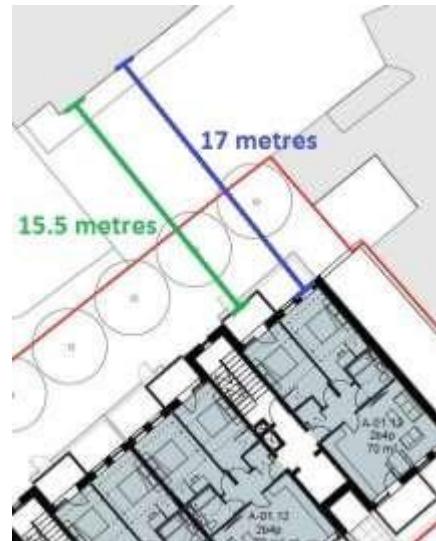


Figure 30: Proposed first floor plan, showing the window-to-balcony distance (green) and window-to-window distance (blue) between Block A and the 1-8 Jephson Street flats.

- 295. When accounting for the existing wall and the enhanced natural screening, and taking into consideration the site's inner London and District Town Centre location where a tighter urban grain is to be expected, the relationship between these existing and proposed buildings would not give rise to unneighbourly overlooking .
- 296. No windows are proposed in the elevation flanking the rear of 8-14 (evens) Grove Lane, but there would be a second floor roof terrace from which views could be gained eastwards towards the west-facing windows at these existing properties. Given that the separation distance between these windows and the roof terrace would be 13.5 metres, and that no planting or trees would stand in-between to partially screen views, there is some risk of overlooking arising. A condition is therefore recommended to ensure the eastern edge of the proposed roof terrace is screened with a fully obscured treatment to a suitable height.

Impact on Selborne Village northern edge

- 297. Located to the south of the site on the opposite side of Daneville Road, the properties on Selborne Village's northern edge are all either two- or three-storeyed. Some of the dwellings front onto Daneville Road, some back onto it, and some are oriented at 90 degrees to it.
- 298. All of the properties with rear windows oriented towards the site would benefit

from separation distances of no less than the minimum requirement of 21 metres, with the shortest distance in any single instance being 21.5 metres. The development would also preserve the minimum 12 metre separation distance for all the Selborne Village properties with front windows facing towards the site, with the single closest relationship being 18.5 metres. The two properties that would stand closest to the development—6 Kerfield Place at 18 metres, and 14 Kerfield Place at 17.5 metres—are both oriented side-onto Daneville Road, and their gable elevations contain no windows, meaning neither of these properties would be at risk of overlooking.

299. In summary, none of the properties on the Selborne Village northern edge would experience any undue privacy infringement.

Impact on 9 and 11 Daneville Road

300. 9 and 11 Daneville Road both contain north-facing habitable room windows, and 11 Daneville Road has a roof terrace at second floor level. The windows face towards the narrow flank (south) elevation of 8-12 Orpheus Street, while the terrace benefits from much more direct views eastward towards the application site. Although 11 Danville Road contains windows in its side (gable) elevation these are obscure-glazed and/or serve non-habitable rooms.

301. The application proposes to introduce a new residential building, Block B, on the site of the existing supermarket servicing yard. Block B's Orpheus Road frontage would contain a number of dwellings with habitable rooms and balconies facing west towards 11 Daneville Road. The closest window-to-window distance between a proposed and existing habitable room window would be 19.75 metres; however, this would be extremely oblique such that it would not be possible to gain invasive views into 11 Daneville Road. All other window-to- window distances would be at least 21 metres, which is sufficient to preserve the privacy of the 9 and 11 Daneville Road occupiers.

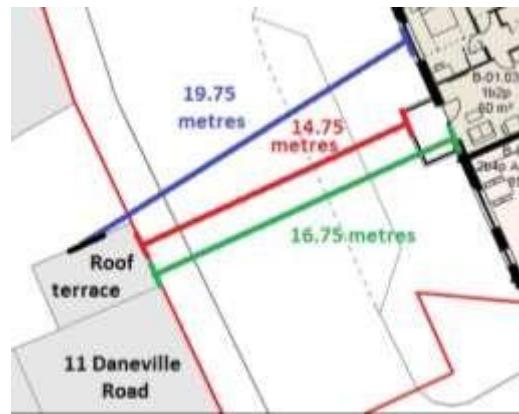


Figure 31: Proposed plan showing the shortest window-to-window distance (blue), as well as the distances to the roof terrace from the nearest proposed window (green) and the nearest proposed balcony (red).

302. The distance between 11 Daneville Road's roof terrace and Block B would be 14.75 metres to the nearest proposed balcony and 16.75 metres to the nearest proposed window. While these are relatively short distances, the roof terrace is already exposed to views from the street and existing surrounding dwellings, and in any case external amenity spaces are not considered to be

of the same level of privacy sensitivity as internal spaces. As such, the distances are considered to be acceptable, especially when taking into account their 'across street' relationship.

Summary on privacy impacts

303. In conclusion, the development would not give rise to an unacceptable level of overlooking of existing or proposed residential uses in the surrounding area. A condition is recommended to ensure the easternmost proposed roof terrace within Block A is appropriate screened to protect the nearby Grove Lane windows.

Outlook and sense of enclosure

Impact on nos. 8-56 Denmark Hill, 20 Camberwell Church Street and the Wren Road Hostel

304. Along Denmark Hill, the proposed development would stand 4 storeys tall to the back of the pavement, with set-back elements rising by a further two storeys in places. Although taller than the existing shopping centre's Denmark Hill frontage, this scale of development would not be of such height or prominence within views from any of the properties at 8-56 Denmark Hill – which are at least 18 metres to the west– to cause undue increased sense of enclosure.
305. The development would front onto the northern servicing yard at a maximum height of five storeys, before stepping down at its far southwestern end to four and finally two storeys. This proposed building form would in the main be taller than the existing shopping centre. It would also be comparatively closer to the site-facing habitable room windows at 20 Camberwell Church Street and the Wren Road Hostel. Notwithstanding, the heights have been appropriately modelled so that the step-downs occur at the site's more sensitive edges. When also taking account of the generous separation distance provided by the servicing yard, it is considered that a good quality of outlook and sense of openness would be retained for these existing nearby residential properties.

Impact on the Colonnades

306. The two-storey podium 'end piece' to the remodelled shopping centre would introduce one additional storey of height directly opposite the west-facing habitable room windows at the northern end of the Colonnades. Fartherbeyond the podium 'end piece' would stand the main body of the hotel building, which at four storeys stepping up to five would create an additional medium-rise feature within outward views from the Colonnades. Notwithstanding, sizeable distances would separate the Colonnades from

these two masses (14 metres to the podium and 23 metres to the main body of the hotel). In addition, the skewed positioning of the main body of the hotel relative to the Colonnades' front facade would have a moderating effect on its presence within outward views. For these reasons, it is considered that all west-facing rooms at the Colonnades would retain a good sense of openness.

307. The elevational changes and minor increase in height proposed to the supermarket would have no outlook impact for the occupiers of any of the west-facing rooms at the Colonnades. While there would be new development above the supermarket in the form of the cinema, this would be set back from the Colonnades by over 36 metres, ensuring the existing residents continue to benefit from a good quality outlook.

Impact on 1-8 Jephson Street and 8-14 (evens) Grove Lane

308. As mentioned in an earlier part of this report, Block A would stand approximately 17 metres to the south of the site-facing windows at the Jephson Street flats. In this eastern corner of the application site, Block A would be only two storeys in height (with pergola at roof level); this modest scale would safeguard for the Jephson Street properties a good sense of openness and generous views of the sky. For the same reason, the west-facing windows at the rear of 8-14 (evens) Grove Lane would not experience any undue sense of enclosure or curtailed outlook as a result of the proposed development.

Impact on Selborne Village northern edge

309. As explained in an earlier part of this report, the Selborne Village properties with rear windows oriented towards the site would benefit from separation distances of no less than 21 metres, and those with front windows facing towards the site would be at least 18.5 metres away. Of the Selborne Village dwellings, there is a cluster that would look generally towards Block A (those at Kerfield Place) and a cluster that would look generally towards Block B (those at Allendale Close).
310. The tallest parts of Blocks A and Block B have been centred around the junction of Wren Road and Daneville Road. Block A would reach eight storeys at its highest point, stepping down to two storeys at its lowest. Block B would reach seven storeys at its highest, with the main body being six storeys, modelled as a four-storey base with a pair of set-back upper storeys.



Image 32: Proposed Daneville Road elevation. Generally, the Allendale Close properties would face towards Block B (left hand side of image), and the Kerfield Place dwellings would face towards Block A (right hand side).

311. It is recognised that the Block A ‘bookend’ and Block B are of a distinctly more urban scale than the 2- and 3-storey Selborne Village dwellings.
312. With regard to the impact on the Kerfield Place dwellings, the dwelling closest to where Block A would reach its apex, which is no. 14, is oriented east-to-west and has no windows in its gable (site-facing) elevation. As such, its outlook would not be significantly affected. The other Kerfield Place dwellings with site-facing windows are set slightly further to the south, thereby benefitting from a more generous separation distance. They also face more directly towards the mansion-block buildings, which—at two, three and four storeys in height—are of a markedly lower scale than the ‘bookend’. For these reasons, the proposed development would preserve a broad viewframe and reasonable sense of openness for the Kerfield Place properties.
313. With regard to the impact on the Allendale Close properties, whose rear windows would face in the general direction of Block B, it is recognised that the current outlook would be significantly altered by the proposal. The properties currently look towards an undeveloped yard and car park with a two-storey building beyond; by comparison, the proposed outlook would be towards a building of six and seven storeys. Efforts have, however, been made to visually break up the facade through the use of varied finishing materials, with further relief provided by the stepped-back and faceted fifth and sixth storeys. Taking account of all of the above, it is considered that the Allendale Close properties would retain an acceptable sense of openness and quality of outlook.

Impact on 9 and 11 Daneville Road

314. From the rear habitable room windows at 9 and 11 Daneville Road, oblique views can presently be obtained towards the supermarket building. At a very sharp angle, the servicing yard can also be glimpsed.
315. It follows that Block B (to be built on the existing servicing yard) and the new cinema volume (to be built over the supermarket) would be visible from the

rear windows at 9 and 11 Daneville Road. Nevertheless, both new buildings would be a peripheral feature within these windows' viewframe and, by reason of their controlled scale, neither building would be prominent. Within views due north from the 9 and 11 Daneville Road windows, Block B and the cinema would sit comfortably behind 8-12 Orpheus Street. Reasonable views of the sky to the north over 8-12 Orpheus Street, as well as longer-range views northeast and northwest, would all remain possible from these windows. As such, there are no concerns with regard to the proposal's impact on the quality of outlook from 9 and 11 Daneville Road.

Summary on outlook and sense of openness impacts

316. In summary, the massing and arrangement of the proposed buildings responds appropriately to the site's context, despite its greater scale. Taller elements have been carefully positioned, and devices such as upper floor set-backs and varied materiality have been employed to give complexity and visual relief to building forms. As such, while the outlook from neighbouring properties would undoubtedly change, none of the surrounding residential uses which look towards the site would experience a harmfully diminished quality of outlook or sense of openness.

Noise

317. The application was accompanied by a Noise Impact Assessment which details measures for protecting the residential and hotel uses from existing noise sources. It also makes recommendations for mitigating noise and disturbance to the surroundings produced by the development itself; such disturbance can come from activities in connection with commercial premises, plant (power, heating and cooling machinery) and other equipment. The Council's Environmental Protection Team has reviewed the Noise Impact Assessment

Plant noise

318. All three blocks would incorporate roof-level plant, and there would be two substations in Block A and two in Block C. The Environmental Protection Team is satisfied with the Noise Impact Assessment and its conclusions. To ensure the installed plant and its acoustic enclosure is of an adequate specification, the Team has recommended the imposition of an attenuation condition.

Public noise nuisance

319. The hours of use of the shopping street, and all retail units within it except for McDonalds (which is currently permitted to operate 24 hours a day) would be 7am to 11pm Monday to Sunday. It is recommended that the cinema be

permitted to stay open until 1am all days of the week. The later opening hours for the cinema are considered acceptable given that from 11pm each evening patrons would not be able to approach or depart the premises from Wren Road via the shopping street; instead access would be from the busy high street of Denmark Hill via Orpheus Street. This would minimise the risk of noise disturbance for those living on Wren Road, such as the residents of the Colonnades.

320. To manage anti-social behaviour and any potential associated noise nuisance that could occur in the evening outside of retail trading hours, gates at the shopping street's three entry points would be shut each evening. The gated arrangement, together with active monitoring by estate management personnel, has been proposed by the applicant in direct response to concerns raised by local residents during the pre-application consultation stages.

Noise environment within dwellings

321. Having given regard to the mixed use character of the area, the Environmental Protection Team is satisfied that no unacceptable noise or disturbance would arise from the range of uses proposed, their consequential intensification of the site, and their associated plant requirements. This is subject to conditions relating to noise attenuation and the operational hours of the various proposed town centre uses, as well as the appropriate night-time management of the shopping street.

Odour

322. To protect the surrounding dwellings from odour disturbance, a condition is recommended requiring the Local Planning Authority's approval of a scheme of extraction and ventilation for any restaurant uses within the development or any other users where hot food preparation is to take place.

Daylight, sunlight and overshadowing impacts on nearby residential occupiers

Daylight

323. The BRE Guidance sets out the rationale for testing the daylight impacts of new development through various tests. The first and most readily adopted test prescribed by the BRE Guidelines is the Vertical Sky Component assessment (VSC). This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27%, which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that the daylight can be

reduced by approximately 20% of the original value before the loss is noticeable.

324. The second method is the No Sky Line (NSL) or Daylight Distribution (DD) method, which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of more than 20% in the area of sky visibility, daylight may be affected.
325. Another method of calculation is the Average Daylight Factor (ADF) which is a more detailed assessment and considers the amount of sky visibility on the vertical face of a window, but also the window size, room size and room use. The recommendations for ADF in dwellings are 2 per cent for kitchens, 1.5 per cent for living rooms and 1 per cent for bedrooms. The BRE recommends that while ADF is an appropriate measure for new buildings and masterplanned areas, VSC/NSL should be principally used to assess impact on existing buildings.

Properties assessed for daylight impacts

326. This planning application was accompanied by a daylight and sunlight assessment undertaken in accordance with the BRE guidelines. The document assesses the extent to which the proposed development would affect the dwellings in the following buildings:
 - 1) Nos. 8-56 Denmark Hill, 20 Camberwell Green and the Wren Road Hostel
 - 2) The Colonnades on Wren Road (south);
 - 3) Nos. 1-8 Jephson Street and 8- 14 (evens) Grove Lane;
 - 4) Selborne Village northern edge (specifically nos. 70 Daneville Road, 5-15 Kerfield Place, 1-6 and 74-80 Allendale Close); and
 - 5) 9-11 (odds) Daneville Road.
327. For ease of reference, re-provided below is the map of residential buildings showing their relationship to the application site:



Figure 33: Site location plan with the surrounding sensitive residential buildings clustered into five groups, each depicted in a different colour. The application site is shown in red.

Summary of VSC impacts for sensitive surrounding residential properties

328. The table below summarises the VSC impacts to surrounding properties as a result of the proposed development being built-out in the present day context (i.e. an ‘existing vs proposed’ scenario):

Property	Number of windows that would experience a VSC reduction (as a percentage of the baseline VSC value)			
	No loss or a loss of up to 19.9%	20%-29.9% (minor adverse impact)	30%-39.9% (moderate adverse impact)	40% + (substantial adverse impact)
14-16, 16, 18-20, 22, 24-24a and 34-46 (evens) Denmark Hill				
Total no. habitable windows tested: 62				
<ul style="list-style-type: none"> • Of the 62 windows, 47 would retain a VSC of 27% or more. 				

- For the 15 that would not, the distribution of percentage reductions is:

Proposed vs existing	1	12	2	0
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20 Camberwell Green and the Wren Road Hostel

Total no. habitable room windows tested: 40

- Of the 40 windows, 12 would retain a VSC of 27% or more.
- For the 28 that would not, the distribution of percentage reductions is:

Proposed vs existing	4	10	10	4
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The Colonnades

Total no. habitable room windows tested: 90

- Of the 90 windows, 83 would retain a VSC of 27% or more.
- For the 7 that would not, the distribution of percentage reductions is:

Proposed vs existing	0	1	1	5
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1-8 Jephson Street

Total no. habitable room windows tested: 24

- Of the 24 windows, none would retain a VSC of 27% or more.
- The distribution of percentage reductions of these 24 windows is:

Proposed vs existing	17	5	2	0
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8-14 (evens) Grove Lane

Total no. habitable room windows tested: 25

- Of the 25 windows, 12 would retain a VSC of 27% or more.
- For the 13 that would not, the distribution of percentage reductions is:

Proposed vs existing	13	0	0	0
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Selborne Village north edge properties

Total no. habitable room windows tested: 129

- Of the 129 windows, 32 would retain a VSC of 27% or more.

- For the 97 that would not, the distribution of percentage reductions is:

Proposed vs existing	29	18	41	9
9-11 (odds) Daneville Road				
Total no. habitable room windows tested: 7				
Proposed vs existing	2	0	0	0

Summary of NSL impacts for sensitive surrounding residential properties

329. The table below summarises the NSL (also known as ‘daylight distribution’) impacts to surrounding properties as a result of the proposed development being built-out in the present day context (i.e. an ‘existing vs proposed’ scenario):

Property	No. windows that would experience a reduction in NSL (as a percentage of the baseline NSL value)			
	No loss or a loss of up to 19.9%	20%-29.9% (minor adverse impact)	30%-39.9% (moderate adverse impact)	40% + (substantial adverse impact)

14-16, 16, 18-20, 22, 24-24a and 34-46 (evens) Denmark Hill

Total no. habitable rooms tested: 41
Proposed vs existing 33 3 4 1

20 Camberwell Green and the Wren Road Hostel

Total no. habitable rooms tested: 40
Proposed vs existing 20 6 4 10

The Colonades

Total no. habitable rooms tested: 84

Proposed vs existing	77	1	6	0
1-8 Jephson Street				
Total no. rooms tested: 24				
Proposed vs existing	24	0	0	0
8-14 (evens) Grove Lane				
Total no. habitable rooms tested: 20				
Proposed vs existing	17	2	0	1
Selborne Village north edge properties				
Total no. habitable rooms tested: 75				
Proposed vs existing	58	3	5	9
9 and 11 Daneville Road				
Total no. habitable rooms tested: 5				
Proposed vs existing	5	0	0	0

Impact on 8-14 (evens) Grove Lane and 9-11 Daneville Road

330. The daylight testing shows the proposed development would retain reasonable levels of VSC and NSL for the Grove Lane and Daneville Road properties.

Impact on 14-46 (evens) Denmark Hill

331. While the vast majority of habitable room windows at 14-46 (evens) Denmark Hill would retain BRE compliant levels of VSC, one moderate adverse and thirteen minor adverse reductions would occur. The one window to experience a moderate adverse impact, which is at first floor level in no. 40, serves a room that receives daylight through two other windows. The 13 minor adverse losses are a consequence of the marked difference in scale between the existing low-rise shopping centre and the height of the proposed replacement building, Block C. In spite of the percentage change exceeding the recommendations of the BRE, in absolute terms the resulting VSC levels for

these thirteen windows would not be untypical for this inner London location, with the lowest absolute VSC for any one window being 21.44%. As such, the retained VSC levels are acceptable.

332. With respect to NSL impact on the Denmark Hill properties, two rooms (both at first floor level) would experience a substantial adverse effect and three (all at second floor level) would be moderately adversely impacted. All of these rooms currently benefit from an uncharacteristically good area of sky visibility because the land directly opposite (the application site) contains a building that stands two storeys high at its maximum, making it relatively low rise not just in the context of its immediate surroundings, but also in view of its District Town Centre location. Thus, any reasonable development of the land would have a material effect on the portion of sky visible from these rooms. For these reasons, and while fully recognising the extent of the NSL reductions, it is not considered that the amenity of the Denmark Hill occupiers would be harmed

Impact on 20 Camberwell Green and the Wren Road Hostel

333. The rear-facing rooms at 20 Camberwell Green would all retain BRE compliant VSC and NSL levels.
334. Of the 36 site-facing habitable room windows at the Wren Road Hostel, there would be four substantial, ten moderate and ten minor adverse reductions to VSC. The diagram below depicts the VSC losses, showing:
 - windows retaining compliant levels are either unedged (where at least 27% absolute VSC would be retained) or edged in green (where no loss or a loss of up to 19.9% would be experienced but the resulting absolute VSC would be less than 27%);
 - windows experiencing a minor impact edged in yellow;
 - windows experiencing a moderate adverse impact edged in orange; and
 - windows experiencing a substantial adverse impact edged in red.

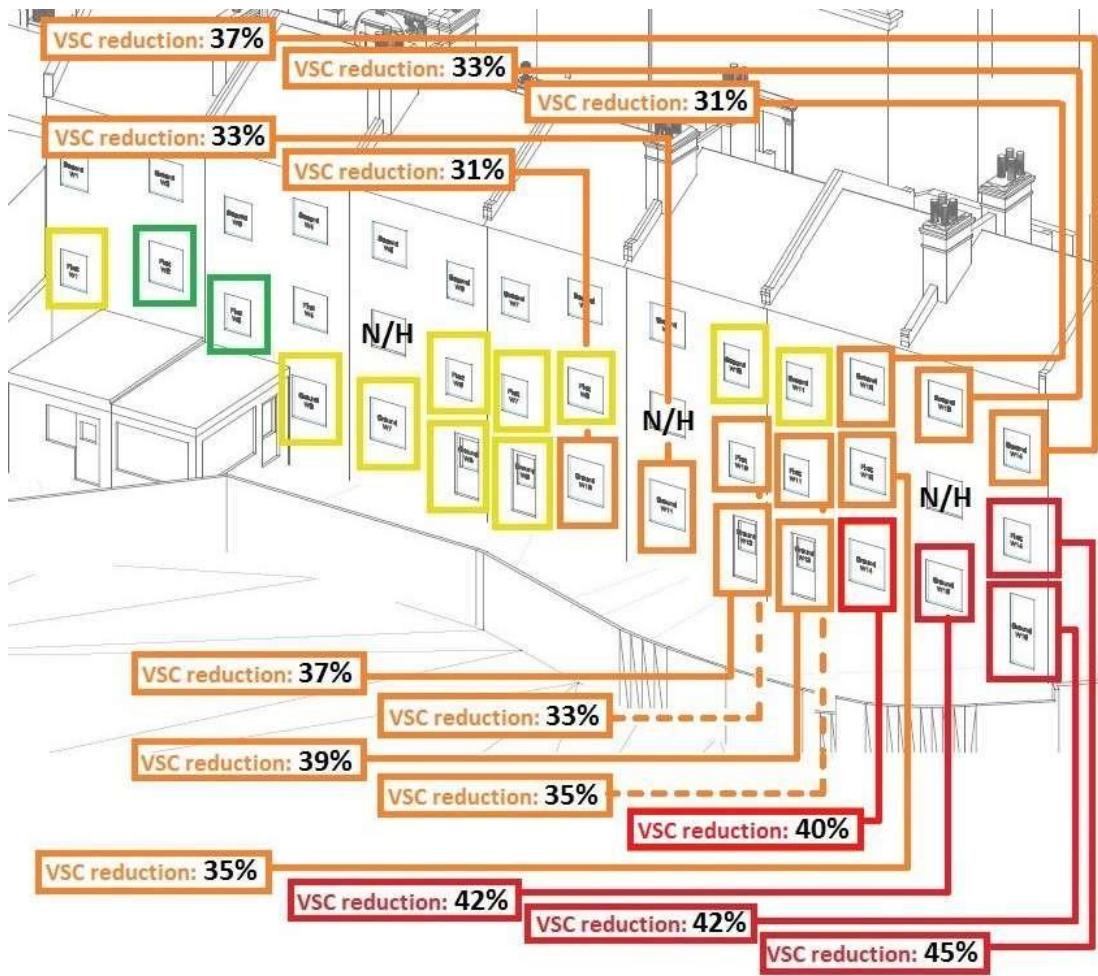


Figure 34: Window map of the southwest elevation of Wren Road Hostel highlighting windows that would experience reductions in VSC. The specific VSC losses are given for all windows impacted to a substantial or moderate adverse extent. N/H denotes windows that serve non-habitable rooms.

- 335. The extent of the VSC percentage changes resulting from the proposed development is recognised. Notwithstanding, for the four windows impacted to a substantial adverse degree, the absolute retained VSCs would be 16.73%, 18.52% and 19.42% and 19.89%, which –while lower than the absolute VSC of 27% recommended by the BRE –are not untypical for urban environments. These resulting absolute VSCs indicate that occupiers would enjoy reasonable levels of natural light. It should also be noted that, although an internal inspection of the Wren Road Hostel has not been conducted, outwardly the rear rooms appear to be kitchens, bedrooms and bathrooms, not main living spaces.
- 336. Of the 36 site-facing habitable room windows at the Wren Road Hostel, there would be ten substantial, four moderate and six minor adverse reductions to NSL. The diagram below depicts the NSL losses, showing:

- windows experiencing no loss or a loss of up to 19.9% edged in green;
- windows experiencing a minor impact edged in yellow;
- windows experiencing a moderate adverse impact edged in orange;
- and
- windows experiencing a substantial adverse impact edged in red.

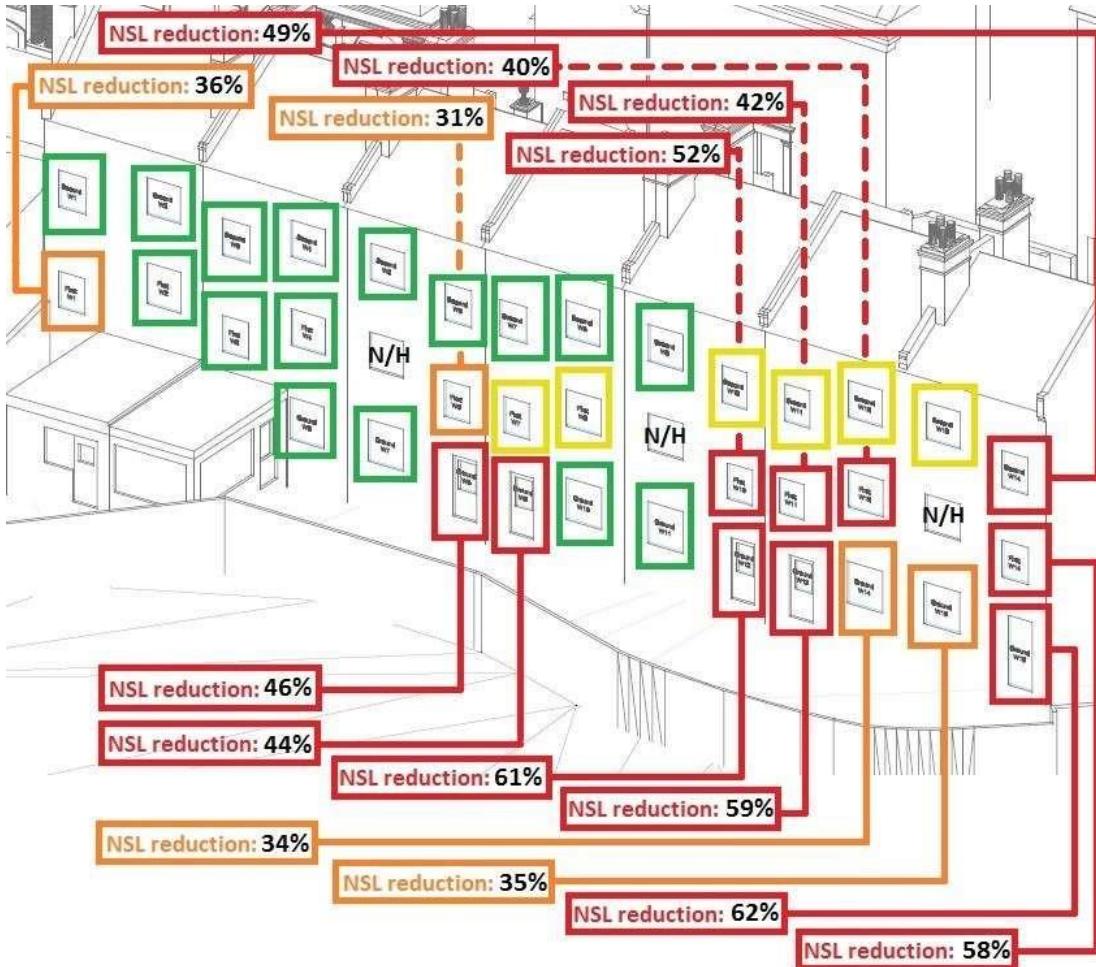


Figure 35: Window map of the southwest elevation of Wren Road Hostel highlighting windows serving rooms that would experience reductions in NSL. The specific NSL losses are given for all rooms impacted to a substantial or moderate adverse extent. N/H denotes windows that serve non-habitable rooms.

337. The applicant's daylight and sunlight report shows that the existing daylit area of the hostel's rear rooms is unusually high. This is a consequence of the land to the south of these windows (i.e. the application site) comprising an open yard with a low-rise building beyond. Any reasonable development of the application site would, therefore, inevitably worsen the NSL. The window to experience the most significant loss as a result of the proposed development would be the ground floor window at the southeastern end of the hostel,

where the NSL would be reduced to 38% of its former value. While a change of this magnitude would be noticeable to the users of the room, it would still be possible for users to see direct sky from a 2.27 square metre portion of the room, meaning the space as a whole would not become uncomfortably cold or dark.

338. On balance, and although it is recognised that the users of the affected rooms at the Wren Road Hostel would experience a noticeable impact, it is not considered that the impact would be significantly harmful to their overall amenity.

Impact on the Colonnades

339. The one minor adverse loss of VSC and NSL would affect a set of west-facing double doors within the first floor flat at the northern end of the Colonnades building. While the VSC reduction is acknowledged, the resulting absolute value would be 25.75%, which is good for an urban location. The NSL loss is an inevitable consequence of the doors currently looking out towards a development that is uncharacteristically low rise given the site's town centre location. Any reasonable redevelopment of the site would, therefore, have an effect on the area of sky visible from this room. As such, the occupiers' amenity would not be harmed.
340. The substantial and moderate adverse losses of VSC as well as the moderate and minor losses of NSL would all occur at the six windows within the reveal of the recessed stairwell window on the south elevation of the Colonnades. The orientation of these windows towards a wall opposite at close range makes them highly dependent on a limited source of light obliquely to the south. Furthermore, the roofed nature of the alcove within which these windows are located limits the ability to obtain views of the sky, as reflected by these rooms having relatively low existing NSL levels.
341. The six windows sit within an elevation that flanks the boundary line shared with the application site. In this regard the windows are overly-reliant on the application site for receipt of light, and a large relative daylight reduction to these windows may be unavoidable even with the obstruction opposite being further away or relatively modest in scale.
342. Taking all of the above factors into account in the round, the VSC and NSL losses in excess of BRE guidance are considered acceptable.

Impact on 1-8 Jephson Street

343. While the proposed development would not cause any rooms at Jephson Street to undergo a loss of NSL in excess of the BRE guidelines, five windows would experience a minor loss of VSC and two would experience a moderate

loss. The lowest resulting absolute VSC would be 8.49%.

344. As recognised by the BRE Guidance, existing windows with balconies above them typically receive less daylight because the balcony cuts out light from an area of sky that would otherwise be available. The guidance states that "even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight". This is demonstrated particularly well by the Jephson Street flats because all the windows at ground floor level (which are not directly beneath a balcony) achieve much higher existing VSCs than those at first and second floor level (all of which are oversailed by a balcony). Unusually, the lowest existing absolute VSC at ground floor level (16.08%) is better than the highest existing absolute VSC at second floor level (14.58%).
345. Owing to the first and second floor windows having low existing VSC levels, the resulting percentage reduction is not an accurate representation of how the change would be perceived by users of the rooms. Taking the example of the lowest resulting absolute VSC, which is 7.81%, the window in question presently has a very low absolute VSC of 9.58%. This change would be unlikely to make the room in question feel significantly colder or darker.
346. In summary, because the inherent design of the building limits the level of VSC these windows presently receive, the minor and moderate adverse VSC percentage losses do not accurately reflect how the change in daylight would be experienced by the room occupiers. The fact that there would be no NSL losses in excess of the BRE guidance further testifies to the neighbourly scale of the proposed development. It is considered that there would be no materially harmful impact to the daylight levels and feel of the affected rooms.

Selborne Village north edge properties

347. The properties where losses in excess of the BRE guidance would occur are in two clusters, one at Kerfield Place and one at Allendale Close. The applicant's daylight and sunlight testing shows there would be a total of nine substantial, 41 moderate and 18 minor adverse reductions to VSC. The two diagrams below depict the VSC losses, showing:
 - windows retaining compliant levels either unedged (where at least 27% absolute VSC would be retained) or edged in green (where no loss or a loss of up to 19.9% would be experienced but the resulting absolute VSC would be less than 27%);
 - windows experiencing a minor impact edged in yellow;
 - windows experiencing a moderate adverse impact edged in orange; and
 - windows experiencing a substantial adverse impact edged in red.

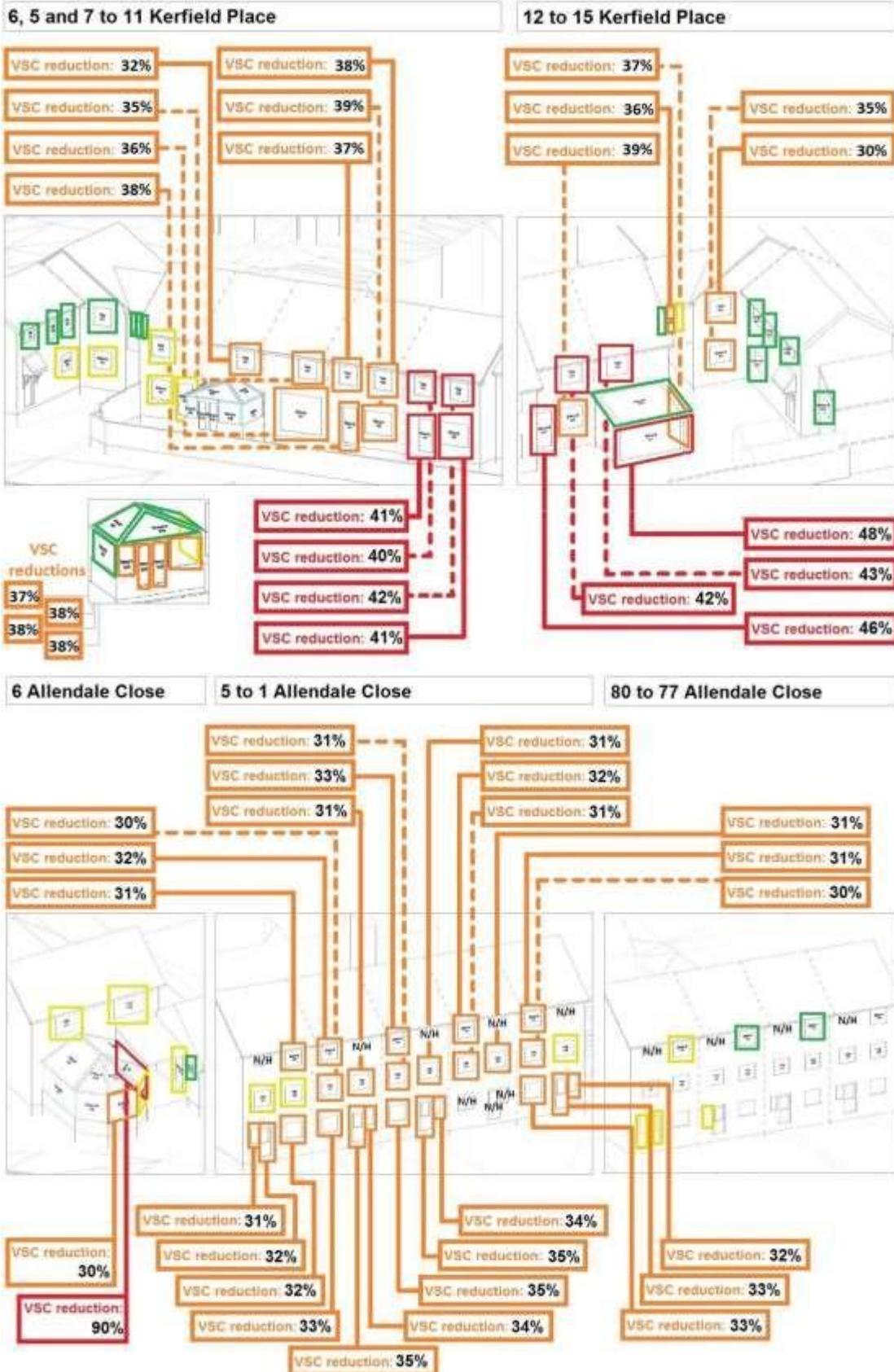


Figure 36 (above): Window map of the VSC impacts for the Kerfield Place and Allendale Close properties. Where rooms would be impacted to a substantial or moderate adverse extent, the specific percentage loss is stated. 70 Daneville Road and 74-76 Allendale Close have not been included in the window map because all windows at these properties would retain compliant levels of VSC.

348. As the window maps show, there would a deleterious effect on the VSCs currently enjoyed by some of the Selborne Village properties, in particular at 11, 12 and 13 Kerfield Place. The window to experience the greatest percentage loss would be the large glazed rear elevation of the conservatory at 13 Kerfield Place. This stands rearwards of the original building line and would face directly towards the part of the application site where the eight-storey element of Block A is proposed. In spite of the obstruction the new development would create, the affected glazed pane would retain an absolute VSC of 18.56% and the (inner) living room served by the conservatory would retain an absolute VSC of 17.07%. While occupiers would experience a noticeable change to daylight levels, these resulting values are not uncommon for an urban environment. Although there are other windows within Selborne Village that would experience lower absolute VSCs as a result of the proposed development, for these generally the existing daylight value is relatively low, and as such the change would not be harmful to occupiers.
349. It should also be noted that all losses on the uppermost floor of each property are exacerbated by deep overhanging eaves which restrict light received from higher altitudes. The severity of the impacts on these upper floor windows should therefore be considered as somewhat consequential of the buildings' inherent design.
350. To summarise on VSC impacts, and while recognising that there would be a large number of moderate and substantial losses, the retained levels for the windows at the 25 assessed properties within Selborne Village are considered acceptable.
351. The window maps below depict the NSL losses that would be experienced by the Selborne Village properties. The maps show:
 - windows serving rooms experiencing no loss or a loss of up to 19.9% edged in green;
 - windows experiencing a minor impact edged in yellow;
 - windows experiencing a moderate adverse impact edged in orange; and
 - windows experiencing a substantial adverse impact edged in red.

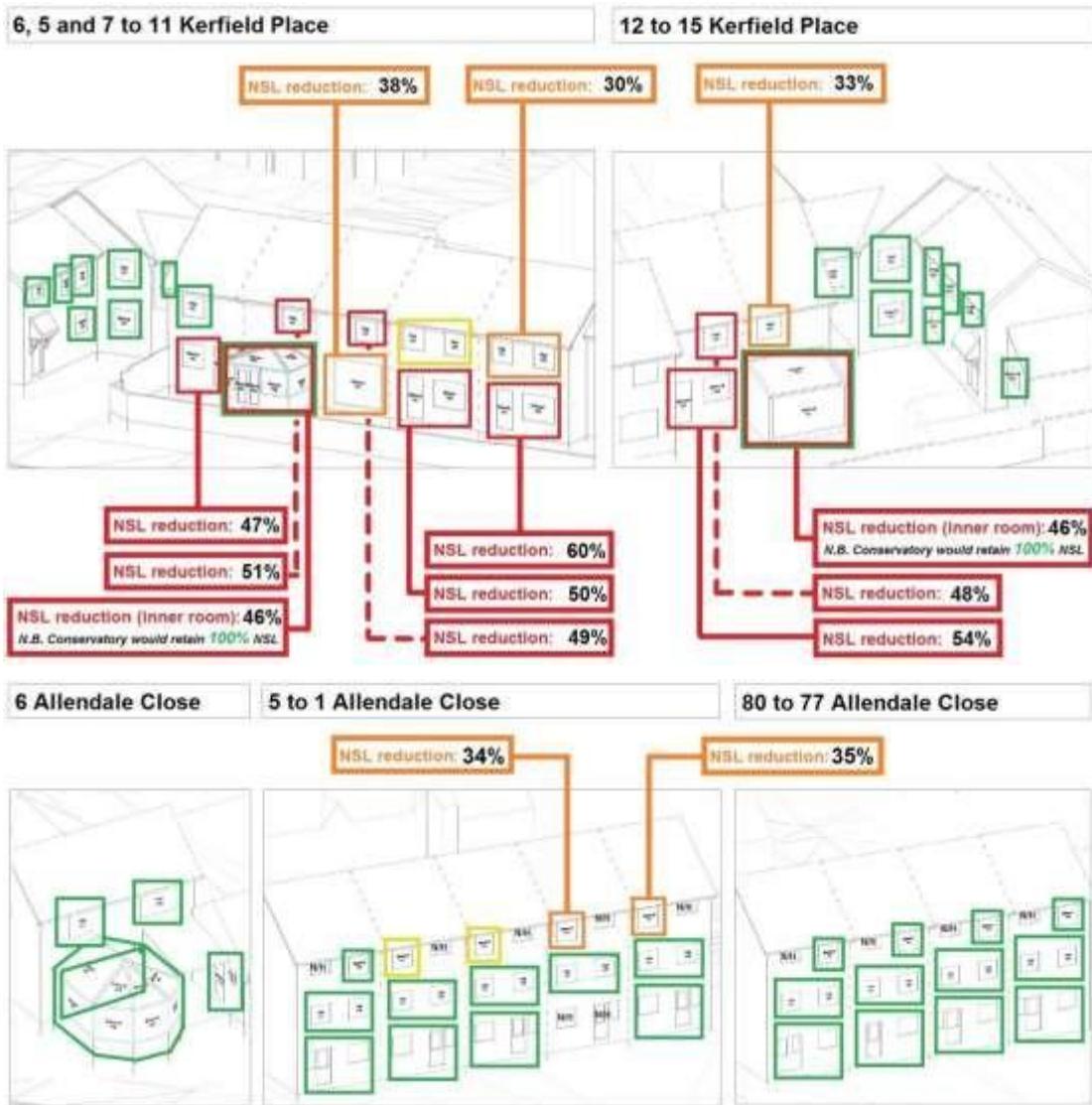


Figure 37 (above): Window map of the NSL impacts for the Kerfield Place and Allendale Close properties. Where rooms would be impacted to a substantial or moderate adverse extent, the specific percentage loss is stated. 70 Daneville Road (four rooms) and 74-76 Allendale Close (nine rooms) have not been included in the window map because all rooms at these properties would retain compliant levels of NSL.

352. As the window maps show, the most severe NSL reductions would affect 7 to 13 Kerfield Place. In these cases, the extent of NSL reduction would range from 46% to 60% of the original value. Changes of this magnitude would cause a noticeable difference to how the users experience the affected rooms. However, it must also be recognised that these rooms benefit from an uncharacteristically good area of sky visibility because they face towards the part of the application site currently used as surface car parking, and which contains no buildings. Thus, any reasonable development of this land would inevitably affect the NSL of rear-facing rooms at Kerfield Place, particularly

those on the lower floors. In this context, and while fully acknowledging that the substantial, moderate and minor adverse losses of NSL would have a noticeable effect on the users of these rooms, the impacts are not considered to be sufficiently harmful to warrant withholding permission.

Sunlight

353. The applicant's daylight and sunlight report has assessed the impact of the proposed development on the sunlight received at all windows facing within 90 degrees of due south. The BRE guide states that nearby windows must be assessed using the three-stage process set out below to determine if, as a result of the development, the sunlight levels would reduce to an extent that the room may feel colder and less pleasant.

354. The first stage is to determine if the window would experience:

- a reduction in sunlight to less than 25% Annual Probable Sunlight Hours (APSH), (i.e. less than 371.5 hours) or;
- a reduction in sunlight to less than 5% Winter Probable Sunlight Hours (WPSH) (i.e. less than 22.3 hours) or;
- both of the above.

355. If one of the above criteria is triggered, the next stage is to determine if:

- the window's resulting APSH is less than 0.8 times its former value, or;
- the window's resulting WPSH is less than 0.8 times its former value, or
- both of the above.

356. Where one of the criteria in Stage 2 is met, the final stage is to determine if:

- the sunlight received by the window over the whole year would reduce by more than 4% of APSH.

357. Only if all three thresholds have been exceeded can it be considered that the sunlight level would be reduced to an extent that the room may feel colder and less pleasant.

Properties assessed for sunlight impacts

358. Assessed as part of the report due to their risk of sunlight loss are the south-facing windows at the following addresses:

- 14-16, 16, 18-20, 22 and 24 Denmark Hill;
- 20 Camberwell Green and the Wren Road Hostel;
- The Colonades;
- 1-8 Jephson Street;

- 8-14 (evens) Grove Lane;
- 5, 6 and 15 Kerfield Place, and 6 Allendale Close.

Summary of APSH and WPSH impacts for sensitive surrounding residential properties

359. The table below summarises the sunlight impacts to the surrounding properties with south-facing windows as a result of the proposed development being built-out in the present day context (i.e. an 'existing vs proposed' scenario):

No. of rooms that would experience sunlight losses in excess of BRE guidance										
APSH losses in excess of BRE			WPSH losses in excess of BRE							
20% - 29.9% loss (minor adverse impact)	30% - 39.9% loss (moderate adverse impact)	40% loss or over (substant'l adverse impact)	20% - 29.9% loss (minor adverse impact)	30% - 39.9% loss (moderate adverse impact)	40% loss or over (substant'l adverse impact)					
14-16, 16, 18-20, 22 and 24 Denmark Hill										
Total no. habitable room windows tested: 30										
0	0	0	0	0	14					
Total no. of impacted windows: 0	Total no. of impacted windows: 14									
20 Camberwell Green and the Wren Road Hostel										
Total no. habitable room windows tested: 40										
1	2	9	0	0	25					
Total no. of impacted windows: 12	Total no. of impacted windows: 25									
The Colonnades										
Total no. habitable room windows tested: 30										
0	0	0	0	0	0					
Total no. of impacted windows: 0	Total no. of impacted windows: 0									

1-8 Jephson Street								
Total no. habitable room windows tested: 24								
0	2	1	0	0	0			
Total no. of impacted windows: 3			Total no. of impacted windows: 0					
8-14 (evens) Grove Lane								
Total no. habitable room windows tested: 20								
0	1	1	0	0	2			
Total no. of impacted windows: 2			Total no. of impacted windows: 2					
5, 6 and 15 Kerfield Place, and 6 Allendale Close								
Total no. habitable room windows tested: 21								
1	2	4	1	0	5			
Total no. of impacted windows: 7			Total no. of impacted windows: 6					

14-16, 16, 18-20, 22 and 24 Denmark Hill

360. The fourteen windows that would experience adverse WPSH losses are located on the properties' eastern elevation facing almost due east across the application site. This orientation means that, at present, the windows mainly receive only low level winter sun in the morning. The current WPSH these windows enjoy is in large part attributable to the low-rise nature of the existing shopping centre. The introduction of additional height on the application site would inevitably reduce the availability of low winter sun to these windows.
361. While the substantial adverse WPSH losses are fully recognised, it is important to note that all the windows would retain acceptable APSH levels. On balance, and noting that the BRE guidelines should be applied flexibly in urban contexts, it is not considered that the annual sunlight losses would cause undue harm to the users of the rooms.

20 Camberwell Green and the Wren Road Hostel

362. The windows to experience adverse APSH losses are generally located towards the southeastern end of the hostel's rear elevation. With the openness these windows currently enjoy, their existing APSH levels are high such that any reasonable redevelopment opposite would inevitably cause losses in excess of the BRE guidance. Generally, the retained levels are not

untypical for an urban environment.

363. Similarly to the APSH impacts, the WPSH adverse losses would generally affect windows located towards the southeastern end of the hostel's rear elevation. With all losses being of a substantial adverse nature, and given that the existing WPSH levels are not especially low for an urban environment, there would be a noticeable change in sunlight levels for occupiers during the winter period. However, the impact would not be substantially harmful, and must be balanced against the imperative of optimising the redevelopment potential of this currently low-rise site. On balance, the impacts are acceptable.
364. It should also be noted that, while there is uncertainty about the internal layout of the hostel, outwardly none of the rear-facing rooms appear to serve principal living spaces. The BRE guidance advises that sunlight impacts on non-principal rooms "are less important, although care should be taken not to block too much sun" than main living rooms and conservatories.

1-8 Jephson Street

365. The two moderate adverse and one substantial adverse APSH losses at 1-8 Jephson Street would be experienced by three windows at first floor level. The windows along this façade are significantly constrained by deep protruding balconies which run the full length of the building. These overhangs suppress the current APSH for the first floor windows. Where existing APSH levels are low, development on nearby land will often generate a significant percentage change that does not necessarily represent how the users of the room would perceive the loss of annual sunlight. In this instance, and given that WPSH would not be reduced beyond the BRE guidance, the impacts are considered acceptable on balance.

8-14 (evens) Grove Lane

366. At this row of properties, the proposed development would cause four adverse sunlight losses: two affecting APSH (one moderate and one substantial) and two affecting WPSH (both substantial).
367. The two adverse APSH losses and one of the adverse WPSH losses would be experienced by ground floor windows at 12 Grove Lane that are positioned approximately 1.3 metres from the site boundary and which look into a tight lightwell largely restricted by the rear boundary wall. Windows positioned very close to a common boundary place an unfair burden on the openness of neighbouring land for receipt of natural light. In these circumstances, it is not reasonable to expect the adjoining land to remain under-developed simply to safeguard sunlight to the same or a similar level as existing for the neighbouring property. Taking this relationship into account, and while

acknowledging that users of the affected rooms would be impacted by the ASPH and WPSH reductions, the extent of the impact would not be harmful.

368. The one other WPSH exceedance would be experienced by a ground floor window at 8 Grove Lane. This window benefits from light through two other windows. As such, it is considered that the room would continue to receive adequate sunlight overall.

6, 8 and 15 Kerfield Place, and 6 Allendale Close

369. Of the 26 dwellings within Selborne Village's northern edge, only these four properties contain at least one sensitive window facing within 90 degrees of due south. While there would be no sunlight losses in excess of the BRE guidance at 15 Kerfield Place, breaches would occur at the other three properties.
370. 6 Kerfield Place would incur two APSH and two WPSH reductions in excess of the BRE guidance. The affected windows face southwest towards the gable of 7 Kerfield Place at close range. This limits the windows' existing levels of APSH and WPSH, while also creating an over-reliance on the land to the west (i.e. in the general direction of proposed Block B) for receipt of sunlight. The low existing annual and winter sunlight levels means that, despite the further reduction the proposed development would bring, a harmful change is unlikely to be perceived by the users of the rooms. For example, the two windows to experience adverse WPSH losses each have an extremely low starting value (of 1 and 4); room users would, therefore, be very unlikely to notice the resulting change in sunlight receipt.
371. 8 Kerfield Place would also experience sunlight reductions in excess of the BRE guidance. The two affected windows serve a rear conservatory that is very well lit overall in daylight terms. Only two of the nine glazed panes require testing for sunlight. One of these receives no sunlight due to poor sky visibility and the other is particularly sensitive to reductions due to its predominantly westerly aspect over the development site and its reliance on low levels of sunlight from this direction. Low existing APSH and WPSH levels are sensitive to minor reductions, and as such the BRE criteria should be applied flexibly so as not to unfairly burden the application site. Overall, it is not considered that the proposal would impact harmfully on the amenity of those using the conservatory (and living room from which the conservatory is accessed) at 8 Kerfield Place.
372. The one window at 6 Allendale Close to experience an adverse loss of APSH would, as with the losses at 8 Kerfield Place, form part of a conservatory. The location of the glazed pane –whereby one edge would adjoin the main body of the property and the other edge would abut a taller lean-to structure immediately to the west– gives it a relatively low baseline APSH and also

makes it heavily dependent on light from the west. As such, any development further beyond to the west (such as the proposed Block B) has the potential to create a large percentage reduction that does not accurately reflect how the change in sunlight levels would be experienced by those within the interior space. Overall, it is considered that the conservatory (and the inner room from which the conservatory is accessed) would remain adequately naturally lit.

Overshadowing

373. The BRE guide suggests that, “at least half of the amenity areas … should receive at least two hours of sunlight on 21st March” and “if as a result of new development, the area which can receive two hours of direct sunlight on 21st March is reduced to less than 0.8 times its former size, this further loss of sunlight is significant”.
374. Although the BRE guidance advises that the best date for preparing shadow plots is the equinox (21st March), it recognises that “plots for summertime (e.g. 21st June) may be helpful as they will show the reduced shadowing then, although it should be borne in mind that 21st June represents the best case of minimum shadow, and that shadows for the rest of the year will be longer”.
375. The applicant’s daylight and sunlight report has assessed the impact of the proposed development in terms of overshadowing on both March 21st and June 21st for the following five neighbouring amenity spaces:
 - the rear yard at the Wren Road Hostel;
 - the rear communal garden at 1-9 Jephson Street;
 - the two rear private gardens serving the flatted dwellings at 8 Grove Lane; and
 - the rear private garden serving 10 Grove Lane.
376. All the tested amenity areas would meet BRE overshadowing criteria on June 21st, and all but one would meet the criteria on March 21st. The one failure would be at the southern of the two rear private gardens at 8 Grove Lane, where a reduction of direct sunlight over 12% of the garden would occur. However, only 28% of the amenity area receives sunlight for a minimum of two hours on the 21st March in its existing condition. This is largely a consequence of the neighbouring context to the south and the tall boundary fences which surround a relatively small rear garden. Given the baseline condition, and recognising that the development proposed close to this property is of a very neighbourly scale, the impact –albeit sizeable– would not significantly harm the amenity of the users of the garden.

Summary on daylight, sunlight and overshadowing impacts

377. In total, the development would result in 36 minor, 56 moderate and 18

substantial adverse reductions in VSC for surrounding properties. With respect to NSL, there would be a total of 15 minor, 19 moderate and 21 substantial reductions for surrounding properties. These exceedances of the BRE Guidance, and the negative impact they would have on neighbour amenity, should be accorded some weight in determining the application.

378. However, when interpreting the daylight losses, regard must be had to the existing partly low-rise and partly undeveloped character of the site, as well as its location within a comparatively more densely-developed environment. Some of the most impacted properties stand very close to the site boundary, and thus are overly reliant on it for their receipt of light, or have design features that significantly limit the existing internal light levels, as a result of which any meaningful development on neighbouring land would generate sizeable percentage losses. On balance, and noting that the BRE guidelines should be applied with a degree of flexibility in urban environments, it is not considered that the daylight losses, and the degree of harm to amenity, would warrant withholding planning permission.
379. Out of 129 neighbouring rooms tested for sunlight adequacy, 117 (91%) would meet BRE criteria on an annual basis and 107 (83%) would meet BRE criteria during the winter months. Annual and winter sunlight loss exceedances would occur at the Grove Lane, Selborne Village and Denmark Hill properties, with the Jephson Street flats experiencing winter sunlight loss exceedances only.
380. This greater number of WSPH losses reflects the lower sun path in the winter months being more susceptible to obstruction even by lower rise buildings.. In most cases, the affected rooms receive relatively low sunlight at present due to their orientation either nearly due west or nearly due east. Any development of the application site would, therefore, produce a large percentage loss. When the absolute existing and proposed winter hours are examined in detail, the changes would in most cases not be noticeable to the users of the room, and where noticeable changes would occur the impact on the occupiers' amenity would not be significantly harmful.
381. On balance, while recognising the extent of the daylight and sunlight impacts, the existing development is of a more modest height than the surrounding buildings, creating uncharacteristically good light levels for these dwellings that would inevitably be reduced by any reasonable and efficient redevelopment of the land. Having regard to the site's inner London location, the retained levels of light would not cause undue harm to residential amenity.
382. With regard to overshadowing, while there would be one instance of non-compliance on the equinox, the baseline level of overshadow within this particular garden is high, attributable in part to the height of obstructions immediately to the south. Although the users of this garden may experience a

greater sense of overshadowing as a consequence of the development, their overall amenity would not be harmed.

Design

383. Paragraph 56 of the NPPF stresses the importance of good design, considering it to be a key aspect of sustainable development.
384. Chapter 3 of the London Plan 2021 deals with design related matters. Policy D3 promotes a design-led approach to making the best use of land. Policies D4 and D8 build on this, setting out the design principles for ensuring new development makes a positive contribution in terms of architecture, public realm, streetscape and cityscape. Policy HC1 advises that development affecting heritage assets and their settings should conserve their significance by being sympathetic in their form, scale, materials and architectural detail.
385. The relevant borough-level design and conservation policies are Strategic Policy 12 of the Core Strategy 2011 and Saved Policies 3.12, 3.13, 3.18 and 3.20 of the Southwark Plan 2007. These policies require the highest possible standards of design for buildings and public spaces. The principles of good urban design must be taken into account in all developments including height, scale and massing, consideration of local context including historic environment, its character, and strategic and local townscape views.

Context

386. The existing Butterfly Walk Shopping Centre is dated and the architecture, and the open car park, contribute little to the character of the area.
387. Despite this, the site is in a sensitive position on the Denmark Hill boundary of the Camberwell Green Conservation Area. In particular it is visible from the open space of Camberwell Green itself with the fine townscape buildings (some listed) around the large junction of Camberwell Road, Denmark Hill, Camberwell Church Street and Camberwell New Road in the foreground. The site is also close to Camberwell Grove Conservation Area to the south and east.
388. The NSP site allocation requires a mixed use redevelopment of the site with improved public realm, east-west links across the site and improvements to the Denmark Hill frontage including activation at ground floor level. It also states that there is potential to include a taller element, subject to a consideration of existing character, heritage and townscape.

Layout

389. Consisting of three blocks, the proposed layout is considered to be well

thought-out, with the buildings providing strong and engaging street frontages. Appropriate new or improved links would be created through the site, alongside the introduction of soft landscaping and shared surfaces.

390. Block C, which would form the main Denmark Hill frontage of the scheme, consists of a hotel and flats above ground floor retail units. These would be arranged around a central shopping street that widens at its southeastern end to form a small square. Two short routes would stem off the central square: one leading past the cinema vestibule to Orpheus Street, with the other connecting into Wren Road, which itself forms a link between Camberwell Church Street to the north and Daneville Road to the south.
391. The proposed arrangement of Block C allows for a suitably urban frontage building on Denmark Hill, while also creating a legible route into the heart of the site, where there would be a well designed civic square which, at approximately 15 metres in width and 45 metres in length, would be of generous proportions. The square, to be surfaced in high quality concrete flag paving, would be framed by the key town centres uses and could accommodate public events and activities. Together, the new shopping street and square would deliver improved pedestrian permeability and good connectivity southwest-to-northeast between Wren Road and Denmark Hill. The location of the supermarket at the centre of the site inhibits the creation of a more direct link between Denmark Hill and Daneville Road, as desired by the NSP site allocation; however, the proposed kinked route via Wren Road would still provide an easily navigable through-route, being low-trafficked and finished in 'shared space' surface treatments.
392. Along the Orpheus Street perimeter, the pack-of-pavement condition would be maintained, but with a set-back building line to create a more generous footway width, which is welcomed in urban design terms.
393. The cinema and supermarket, together with 41 new dwellings from first floor upwards, would form Block B. This would be an island block of a broadly rectangular shape, presenting frontages onto Orpheus Street, Daneville Road, Wren Road and the proposed central square.
394. Along the southern leg of Orpheus Street, where the entrance to the supermarket servicing yard and the supermarket's rear façade would flank the back of the pavement. The secondary and more inactive streetscape would be mitigated to an extent by green walls and the addition of new street trees. Further visual interest would be brought to Orpheus Street by the expansive first floor glazed façade of the cinema, which would open up views into the cinema foyer. Along its Daneville Road frontage, Block B would present a series of ground floor frontages which mask the supermarket service yard and car park behind but would be either glazed or treated in high-quality and tactile materials.. The supermarket's re-clad and re-glazed façade along the

majority of Block B's Wren Road frontage would, in addition to improving the general streetscape, incorporate awnings that can be pulled out to demarcate an area for market stalls, bringing potential further activation and vitality to this spinal route.

395. Overall, the layout of Block B is successful, employing devices such as urban greening and high-level active frontages to ensure the re-accommodated supermarket, its servicing yard and the undercroft car park would not militate against a high quality streetscape.
396. Block A would comprise a 'bookend' element fronting Wren Road with a short return elevation onto Daneville Road, from where a row of mansion blocks would extend eastwards to the boundary line shared with nos. 8-12 Grove Lane.
397. Along Wren Road, the ground floor storey of Block A would be formed of the community use unit, ancillary facilities for the residential uses above, and a small undercroft car park. With the exception of the community use unit, these uses would create an inactive frontage along Wren Road. However, the street trees and high quality surface treatments would nevertheless make for a pleasant urban realm. Good natural surveillance and a more residential character would be provided by the residential balconies and large windows from first floor upwards.
398. Along Daneville Road the mansion blocks which form the eastern leg of Block A would be set back from the street behind lightwells in a deliberate reference to the typical character of Camberwell townhouses, with the communal entrance doors accessible by bridges. This layout would provide defensible space between the dwellings and the street. It would also offer good informal surveillance of the adjoining public realm and give breathing space to the mature retained street trees. Block A's L-shaped planform would enclose a large area of communal space and playspace to the rear; this would provide a sizeable buffer space between the site and the Metropolitan Police Station land to the north, ensuring its development potential is not compromised.



Figure 38: View of Block A, as seen from the junction of Grove Lane and Daneville Road.

399. Overall, Block A would be logically configured, strengthen the streetscene, and complete a longstanding gap in the urban fabric.

Height, scale and massing

400. By being adjacent to and rising into the background of buildings within the Camberwell Green Conservation Area, Block C and in particular its Denmark Hill frontage would affect the character of these assets and the wider area, and would redefine the character of this part of Camberwell as a town centre location.
401. The Camberwell Green Conservation Area comprises an eclectic mix of different styles of Victorian terraced buildings. They are between three and four storeys high, although the height of each building varies on account of differing floor-to-ceiling heights. Some stand out as grand and quite tall while others are more modest. They are united by a common plot width for each building of approximately 6 metres. Collectively they form a fine group and are highly prominent across the wide space of the junction and, immediately to its northeast, the Camberwell Green public garden itself.
402. Although taller than its context, Block C would respond to the general scale of existing buildings by stepping up on Denmark Hill from three storeys (closest to existing buildings to the north) to four as it meets the back of pavement. Clad in dark brick, these 'base' storeys would be divided into bays of 6 metre widths to match the rhythm of existing buildings. The pattern of windows on the upper floors would also reflect this 6 metre module. This fenestration and modulation would be successful in visually subdividing Block C's mass and form.
403. Due to the length of its frontage and its greater architectural uniformity compared to existing buildings, Block C would appear quite grand in the Denmark Hill streetscape. This grandeur would be accentuated by the 'base' storeys standing higher than most other buildings along Denmark Hill. The jump in scale would not, however, be discordant and the overall architectural effect would not be inappropriate for the town centre location
404. Above the three- and four-storeyed base would be a pair of set-back storeys, appropriately expressed in a light brick to contrast with the darker base. Standing to a maximum height of six storeys (seven if including rooftop plant), Block C would be appreciably higher than its surroundings. However, the proposed fourth and fifth floors would appear recessive due to their light brick treatment and set-back nature. In views from the Camberwell Green junction, this diminishing effect would be aided by the curve of Denmark Hill away from the junction at this point.



Figure 39: View of Block C, as seen from the Camberwell Green junction.

405. The majority of Block B's footprint would be occupied by the proposed cinema and the retained and remodelled supermarket. These parts of Block B would be of a more modest height in comparison with the nearby main body of Block C and the residential element of Block B. Their scale would also strike an appropriate relationship with the nearby distinctive modern warehouse style apartment block of the Colonnades.
406. The residential element of Block B would be taller than its environs at six storeys high, rising to seven at its far eastern end. However, this is the part of the site farthest away from the Camberwell Green Conservation Area and the least sensitive to height in townscape terms. The height would not be inappropriate for a modern town centre apartment block, and the tiered upper storeys would provide a visually interesting articulated form. The increase in height to seven storeys at the far eastern end of Block B would help establish the Wren Road entrance into the site, and is appropriate as a townscape marker.



Figure 40: View of proposed Block B, looking eastwards along Daneville Road from its junction with Denmark Hill.

407. At the corner of Wren Road and Daneville Road, the Block A 'bookend' would stand eight storeys in height, with the top storeys set back a little from the frontage. This is again appropriate as a marker to the entrance of the Butterfly

Walk complex.

408. The Block A ‘bookend’ would be large in mass and scale compared to the suburban-style development that lines the southern side of Daneville Road and even in comparison with the more traditional three storey Victorian townhouses at 3-11 Daneville Road. The scheme would thus create a threshold condition along its southern boundary where the town centre gives way to lower-rise housing beyond. The juxtaposition of scales would be softened by the width of the street and existing street trees, both to be supplemented by a high-quality scheme of public realm improvements.
409. The paired mansion block buildings fronting Daneville Road would be of a human scale, stepping down incrementally from four storeys to two, and terminated by a single-storey cycle storage unit abutting the rear boundary wall of the Grove Lane dwellings. With their tiered massing, the mansion blocks would perform a sensitive transitional role between the cluster of taller elements towards the centre of the site and the lower townscape to the east.
410. Building heights have been the focus of many of the objections to the application, with respondents commenting that the heights are overbearing and inappropriate. The NSP site allocation states that the site ‘could include taller buildings subject to consideration of impacts on existing character, heritage and townscape’. The buildings proposed here are not ‘tall’ in terms of the definition of being over 30 metres in height, but they are clearly taller than the established townscape. The allocation goes on to state that the south and east areas of the site should be lower. In this application, the two tallest elements are towards the southern boundary of the site, which does not conform to this guidance. However, the position of these buildings has been carefully tested in the views, and they do not appear overly dominant or harm important aspects of the local character. Overall, the height, scale and massing of the various proposed buildings can be accommodated without undue harm to the established townscape. The heights also reflect the emerging medium-rise pattern of development nearby to the north on Camberwell Road and Camberwell New Road; this includes the Gallery at 290 Camberwell Road, the tallest part of which is seven storeys, and Camberwell on the Green, which rises to six storeys at its maximum. Heritage implications, including the impact on the nearby Conservation Areas and listed buildings, are considered in detail in a subsequent part of this ‘Design’ section.

Architectural treatment

411. The hotel fenestration and the residential windows at Block C would be in a regular and ordered array, mainly comprising two storey vertical pairings on the first and second floors. The vertically accentuated proportions of these openings reflect in a subtle but effective way the solid-to-void façade ratio and proportions of nearby Georgian terraces. Repetitiveness is avoided by

occasional larger window modules on the residential elevations. Detailed bay studies submitted with the application show considerable depth and modelling to the façade of the building. For example, some openings would have a splayed arrangement, edged down one side by an angled inset metal panel. This would add interest and quality, particularly when the elevation is viewed obliquely, such as from the nearside footway or the junction of Denmark Hill and Camberwell Church Street.



Figures 41 (above): Elevation of Block C's proposed Daneville Road facade alongside a bay study and section.

412. The entrance portal to the shopping street would be marked by a cut-back of the dark brick base, revealing a light brick recessed panel. This would make for an effective and obvious gateway into the heart of the development, while also visually subdividing the Denmark Hill frontage into three more distinct elements.

413. Along both of Block C's principal facades, private residential amenity spaces would take the form of high-level terraces, with the Orpheus Street frontage also featuring projecting balconies at first, second and third floor levels. Enclosure would be provided by partial or full-height bronze spindle handrails. With its gloss effect, the bronze would offer a subtle contrast to the textural quality of the brickwork facades; its hue would also be attuned to the bricks' buff and creamy-brown tones. The projecting balconies would be finished with a metal soffit and fascia panel, the latter to be painted in a harmonising bronze. Altogether, the materials palette and play of planes would give depth, complexity and variety to Block C's elevations.



Figure 42: View of proposed Block C from the intersection of Denmark Hill and Orpheus Street.

414. Like Block C, Block B would be expressed as a dark brick four-storey base, with the ground floor storey differentiated by a deep chocolate tone. The set-back storeys from fourth floor upward would be faced in a lighter buff brick, in part to reduce the blocks' visual impact. This classic 'base', 'middle' and 'top' tripartite effect would give a visual order to each building, and the choice of finish material would enable the development to sit comfortably within its context, where weathered stock brick predominates.
415. Befitting of its function and position on the site, the residential element of Block B would have a less formal façade than that of Block C, with projecting balconies and windows of more domestic proportions. This would not only reflect the less strictly ordered character of the immediately surrounding built form, but also help the building engage with the street.
416. With regard to the supermarket and cinema frontages, the combination of curtain walling, bronze-coloured metal fins and green walls would provide a contemporary and engaging architecture. The cinema and supermarket would be of a smart but functional style and, by reason of their location at the heart of the site away from the main thoroughfares, neither would impinge greatly on the character of the surrounding area.

417. The style of the Block A 'bookend' would, as with Block B, be of a more complicated and less formal composition compared to the Denmark Hill frontage, complete with large windows and a mixture of inset and projecting balconies. Window and door frames, balustrades and metal decorative privacy screens would all be bronze in colour to ensure visual consistency. Again, a trio of brick bands becoming lighter in tone towards the top of the building is proposed, with the parapet of the 'base' element accentuated by a double soldier course terminated in a metal coping. This would achieve a robust, controlled and contextually-responsive architecture, while also ensuring a common visual language throughout the development.

418. The row of mansion-block buildings is the only part of the proposed development where residential use would be located at ground floor. The façade would be subtly different to the adjacent Block B, having a rusticated brick base rather than the chocolate brick employed elsewhere. The recesses of the lift shafts and the use of protruding brick ribs would bring vertical articulation to otherwise horizontal composition. Overall, the effect would be successful.

419. In order to ensure that the depth of architectural expression and the quality and contrast of the materials achieved, a condition is to be imposed requiring the applicant to supply section-detail drawings and materials samples prior to above grade works.

Shopfronts and signage

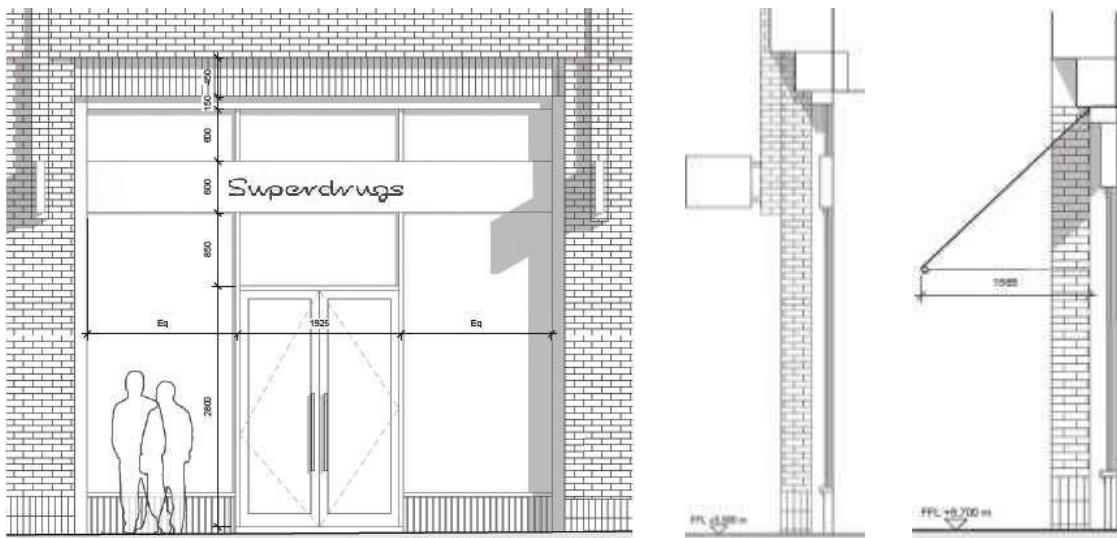
420. Policy 3.23 of the Southwark Plan 2007 requires signage to be of a design appropriate to the context of the site, and an integral and unobtrusive part of the local area's character and appearance.

421. Policy P38 of the emerging NSP requires shop fronts and signage to ensure the proportion, scale, style, detailing, colour and materials make a positive contribution to the host building and wider context. The shop fronts and signage should be adequately and appropriately lit for their context.



Figure 43: Slot elevation of the mansion-style buildings.

422. To ensure the long-term coherence of Butterfly Walk as a retail and leisure destination, the planning application outlines a clear set of shopfront and signage principles. Three subtly different shopfront typologies are proposed, one along the northern stretch of Daneville, one for the southern stretch, and a final design for the units within the shopping street itself. Common to all formats would be a full-width principal signage banner housed within the curtain wall frontage. Some shops would have projecting signs mounted to the brick piers, and those around the perimeter of the central square would be fitted with retractable fabric awnings to provide cover to spill-out dining.



Figures 44 (left), 45 (middle), and 46 (right): Elevation and section views through the shopfronts, showing the various signage and awning designs.

423. The design principles of the shopfronts and signage are supported. The final detailed design can be secured through the imposition of a 'shopfront and signage strategy' condition.
424. The application documents suggest the hotel would be promoted through a flank-mounted illuminated sign facing towards the Camberwell Green junction. While the proposed location is acceptable in principle, high-level internally illuminated signage in a Conservation Area would be contrary to policy. The applicant has been made aware of this, and it is understood that any future advertisement consent application submitted would not propose internal illumination.

Heritage implications

425. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to consider the impacts of proposals upon a conservation area and its setting and to pay "special regard to the desirability of preserving or enhancing the character or appearance of that area". Section 66 of the Act also requires the Authority to consider the impacts

of a development on a listed building or its setting and to have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. The NPPF provides guidance on how these tests are applied, referring in paragraphs 193-196 to the need to:

- give great weight to the conservation of the heritage asset (and the more important the asset, the greater the weight);
 - evaluate the extent of harm or loss of its significance; and
 - where necessary, weigh this against the public benefits of the scheme.
426. Paragraph 197 goes on to advise taking into account the effect of a scheme on the significance of a non-designated heritage asset.

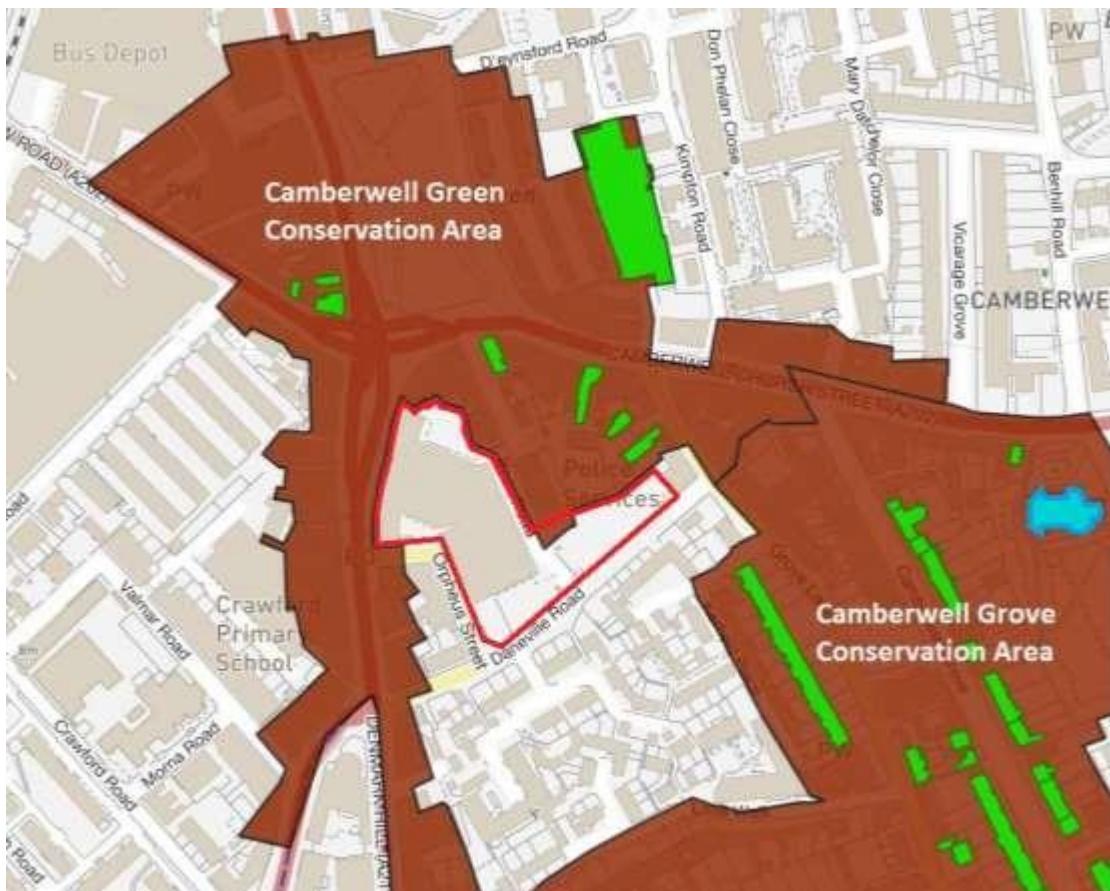


Image 47: Map showing the heritage context of the site. In brown are conservation areas, in green are Grade I listed buildings and in blue is a Grade II building.*

427. The planning application includes a Townscape and Visual Impact Assessment that provides a number of townscape images of the development, viewed from locations in and around Camberwell. Due to the height of medium rise buildings positioned to the north of the site, the main

lower bulk of the proposal would generally be masked from vantage points to the north. There would be generally greater visibility of all parts (upper and lower) of the proposal from the south, east and west owing to the lower scale of existing buildings in these locations.

428. As discussed in an earlier part of this 'Design' section, Block C's Denmark Hill frontage would appropriately step up in scale from north to south, but would nevertheless be appreciably higher than its surroundings. The uppermost two storeys would appear recessive due to their light brick treatment and set-back nature. The effect on the important view south along Denmark Hill from the Camberwell Green junction would not be harmful.
429. From the open space of Camberwell Green, the upper storeys of Block C would be visible above the existing roofline, but the proposal would be clearly perceived as forming part of a distinct background layer of development beyond the open space of the Green and the buildings within the Camberwell Green Conservation Area. Overall, Block C would not have an overbearing effect on the character of the existing buildings within the Conservation Area.



Figures 48 (top) and 49 (bottom): Existing and proposed townscape view from the centre path at Camberwell Green public garden. In Figure YY, the

proposal is visible to a limited extent behind the buildings on Wren Road and Camberwell Green, with the more visible part along Denmark Hill, albeit partly screened by trees.

430. The greater scale of the proposed development has the potential to harm the setting of the conservation area and its listed buildings. To the extent that this is the case, it is restricted to the recessive and relatively distant upper storeys projecting into the skyline above the Conservation Area buildings. It can be balanced against the public benefits of the improved retail environment, and the range of new uses that will reinvigorate and support the vitality of the town centre. This notwithstanding, the high quality architecture of Block C is an improvement upon the existing utilitarian and plain 1980s complex.
431. The Townscape and Visual Impact Assessment submitted by the applicant contains some views towards the scheme from the adjacent Grove Lane Conservation Area. The high point of the proposal, formed of the 'bookend' element of Block A and the seven-storey part of Block B directly opposite, rises into the views from the intersection of Grove Lane and Daneville Road as well as the nearby junction of Grove Lane and Kerfield Road. However, it does not dominate these views. Instead, it forms a relatively distant marker of the Camberwell Town Centre. This is acceptable, preserving the character and appearance of the Grove Lane Conservation Area.



Figures 50 (left) and 51 (right): Existing and proposed townscape view from the junction of Kerfield Place and Grove Lane. In Figure YY, the proposal would appear in the middle distance, beyond the Selborne Village housing with an apparent height lower than the listed buildings in the foreground on Grove Lane.

432. The lower parts of both Block A and Block B stand to a height that, while generally greater than the surrounding buildings, would not intrude unduly into either views towards the Conservation Areas, or the visual experience of the Conservation Areas when stood within them. It follows, therefore, that these lower elements would not harm the Conservation Areas or their settings.

433. The application building is within the vicinity of several listed buildings:
- The former London County Bank at 17 Camberwell Green;
 - 15 Camberwell Green (and attached railings);
 - 323 Camberwell New Road;
 - 2 Camberwell Church Street;
 - K2 Telephone Kiosk at the southern end of Wren Road;
 - Camberwell Police Station (and attached lamp bracket); and
 - 1-9 (odds) and 2-8 (evens) Jephson Street.
434. While important in themselves, the former London County Bank, 15 Camberwell Green and 323 Camberwell New Road are in townscape terms part of the conservation area rather than isolated buildings with their own setting. The effect of the proposal on their settings is therefore the same as described with regard to the conservation area above i.e. recessive and low-key upper storeys of Block A would rise into the skyline some distance away. The same applies to 2 Camberwell Church Street, albeit from a different viewpoint towards a different part of the proposal. The effect on the settings of these listed buildings is, as described for the conservation area, minor.
435. Existing buildings largely screen the proposal in townscape views of the Camberwell Police Station (and attached lamp bracket), Jephson Street and the part of Wren Street in which the phone box stands. Their settings are therefore unaffected by the proposals.
436. Overall, the proposed development is relatively benign in terms of its effects on heritage assets within this part of the borough. It would cause less than substantial harm to the setting of parts of the Camberwell Green and Camberwell Grove Conservation Areas. Where the harm is less than substantial, this should be weighed against the planning benefits of the scheme. Those benefits would include the enhanced shopping environment and urban design qualities of the new buildings, as well as the delivery of new homes.

Design Review Panel

437. The proposed development was considered by the Council's Design Review Panel at the pre-application stage in July 2019. At that time, the proposed buildings were taller, with Block B reaching 14 storeys and Block A rising to 9. It was also proposed for the shopping street to be a covered arcade and for the eastern edge of the central square to interface more deliberately with the Colonnades.
438. While the Panel did not expressly comment on the heights of the proposed buildings, they endorsed the general distribution and arrangement of the

proposed massing. They expressed some reservations about the feasibility of retaining the existing buildings and extending them, especially in the context of the complex arrangement of land-uses proposed. They also questioned why the glass roof of the mall was being retained, and implored the architects to ensure the substantial and utilitarian retained roofs of the shopping centre and supermarket be repurposed as integral landscape and residential amenity spaces.

439. The Panel stressed the importance of developing a robust landscape palette, and providing high quality lighting and seating in the public realm. It was suggested that high quality mature trees be provided at key locations and junctions within the site to encourage permeability and lead the public across the area.
440. The scheme architects responded positively to the Panel's feedback. They made adjustments to both the shopping street and central square, improving the elevations by maximising active frontages and considering in detail shop fronts and signage. The potential of the roofs have been optimised, providing various areas of playspace, communal space and biodiverse roof. Further greening has been proposed by way of new tree planting on the Orpheus Street and Wren Road footways, as well as within the central square. The adjustments have been made to officers' satisfaction.

Inclusive access

441. Policy D5 of the London Plan requires development proposals to achieve the highest standards of accessible and inclusive design, requiring applications to be supported by an inclusive design statement within the Design and Access Statement. The Mayor provides detailed guidance on creating inclusive neighbourhoods in the Accessible London SPG 2004.
442. The applicant's inclusive design statement sets out the various inclusive access measures. These include:
 - all surfaces at a gentle gradient of 1:21 or shallower, with crossfalls to be 1:40 or shallower, and surfaced in slip-resistant treatments;
 - all uses to have step-free access;
 - 10% of the proposed hotel rooms to be 'wheelchair accessible';
 - 10% of the proposed dwellings to be 'wheelchair accessible' homes designed to M4(3) and SELHPWHDG standards;
 - all residential parking bays to be designed to accessible standards for use by resident Blue Badge holders;
 - cycle storage provision to allow for larger cycles such as cargo cycles, purpose built cycles for disabled people and tricycles; and
 - seating areas to include space for pushchairs/prams and wheelchair and scooter users.

443. The proposal is ambitious in its inclusive design principles creating a convenient and welcoming set of buildings and public spaces that can be entered, used and exited safely, easily and with dignity for all.

Designing-out crime

444. Saved Policy 3.14 of the Southwark Plan 2007 and Policy D11 of the London Plan 2021 require development proposals to reduce opportunities for crime and create and maintain safe internal and external environments.
445. Mentioned throughout the Design and Access Statement are the various ways in which opportunities for crime have been designed-out. Examples include:
- creating well lit routes with good sight lines;
 - incorporating the supermarket servicing and delivery yard into Block B with secure and gated access;
 - discretely demising each of the uses to avoid any breaches of access from one to another; and
 - equipping the residential elements with programmable fob-controlled means of access to all entrances, storage facilities and communal outdoor spaces.
446. These measures will be supplemented by a balance of natural (e.g. overlooked space), technological (e.g. video surveillance systems) and human surveillance (e.g. 24-hour security and an on-site manager's office). Cognisant of current anti-social behaviour issues, the new civic space is a very deliberate effort to create a convivial place that can foster positive community activities in the heart of the site.
447. The Metropolitan Police's Secure by Design Officer has assessed the proposal and is confident that certification can be attained. To ensure certification is ultimately achieved, the imposition of a two-part 'Secured by Design' condition is recommended.

Conclusion

448. This is a carefully conceived scheme which would provide an engaging set of buildings arranged around an interesting series of new and enhanced public spaces. It would be a significant improvement on the dated architecture of the existing shopping centre.
449. The proposal has a scale which is larger than its context, including the sensitive surrounds of Camberwell Green and Camberwell Grove Conservation Areas. However, architectural devices such as set backs,

changes in materials and the high quality of the architecture itself is such that this will in general represent a townscape enhancement. Harm to the special character and appearance of adjacent conservation areas will be small. To the extent that the development stands out as higher than the existing townscape, it forms an appropriate marker for a rejuvenated town centre.

450. Overall, the architecture is well considered and sustainable with its repurposing of as much of the existing shopping centre and supermarket as possible. Controlled, contemporary, well-composed and appealing elevational designs are proposed. The scheme is of a sufficiently high standard of architecture and urban design, and would be an improvement in the local townscape, including through improved landscaping.
451. Inclusive design and crime minimisation considerations have all been resolved to an acceptable level of detail. Conditions are recommended to ensure the detailed design strategy evolves positively and is carried through to the as-built development.

Public realm, landscaping, trees and urban greening

Public realm and landscaping

452. At ground level within Block C, the shopping street and central square would be intensively hard surfaced in high quality concrete flag pavers, with interest brought by wayfinding features and butterfly-inspired floor lighting. A linear planting strip and a quartet of trees would soften the space, with further animation brought by public art. Block C's residential podium would comprise playspace, communal amenity space and biodiverse roof. Four small multi-stem trees along the edge of this private residential outdoor facility would have the double benefit of introducing high-level greening to the southern side of the square.
453. On Orpheus Street, new tree planting would be introduced alongside existing trees, complemented by feature green walling and creative lighting.
454. A boulevard character is envisioned for Wren Road, with as many of the existing trees retained where possible to provide height and screening. Directional contemporary flag paving would create a high-quality, safe and pedestrian-friendly shared space that leads people towards the central square. The addition of a green buffer to the front of the Colonades is welcomed for the defensible space benefits it would bring to the existing residents.
455. On Daneville Road, the stopped-up section would be reconfigured to better frame the existing row of trees. This would be achieved through planting strips, seating, incidental play and two cycle route spines. The result would be

a pleasant landscape for different generations to move through, dwell and interact in.

456. Having reviewed the design and access statement and landscaping proposals, the council's Urban Forester considers the materials and specifications to be of a high quality, with appropriately-selected indicative trees and other soft planting. Many of the spaces will be suitably framed by active frontages and certain areas will be given over to 'spill out' dining or capable of accommodating market stalls. This will make for a rich, vibrant and attractive publicly-accessible realm.
457. All public footways abutting the site along its perimeter would be upgraded as part of the Section 278 Highways Agreement. The Section 106 Agreement will secure unfettered access to all parts of the widened footways and new publicly-accessible spaces, although in the case of the shopping street and central square this will be between retail trading hours only.

Trees

458. The proposal would entail the loss of 19 on-site trees. 8 of these would be of a moderate quality (Category B), 10 would be low quality (Category C) and 1 is dead (Category U). The losses would comprise all 15 trees on Daneville Road, the 3 footway trees on the eastern side of Orpheus Street and one tree on Wren Road.
459. Although these losses are unfortunate, particularly in respect of the Category B specimens, it would not be possible to deliver a scheme of the optimum quality, density and benefits while also retaining all existing trees. The developer has maximised tree planting opportunities within the proposed development and can provide a total of 40 new additions, to be planted at ground, podium and rooftop levels. The differential between the existing and proposed CAVAT (Capital Asset Valuation for Amenity Trees) valuations is £143,571, payment of which will be secured through the Section 106 Agreement. This £143,571 payment mitigates the loss of the existing trees and will be used to fund new off-site planting. Flexibility will be built into this contribution to allow for adjustments to the sum should the developer ultimately be able to retain a greater number of existing trees than the 17 presently envisaged.

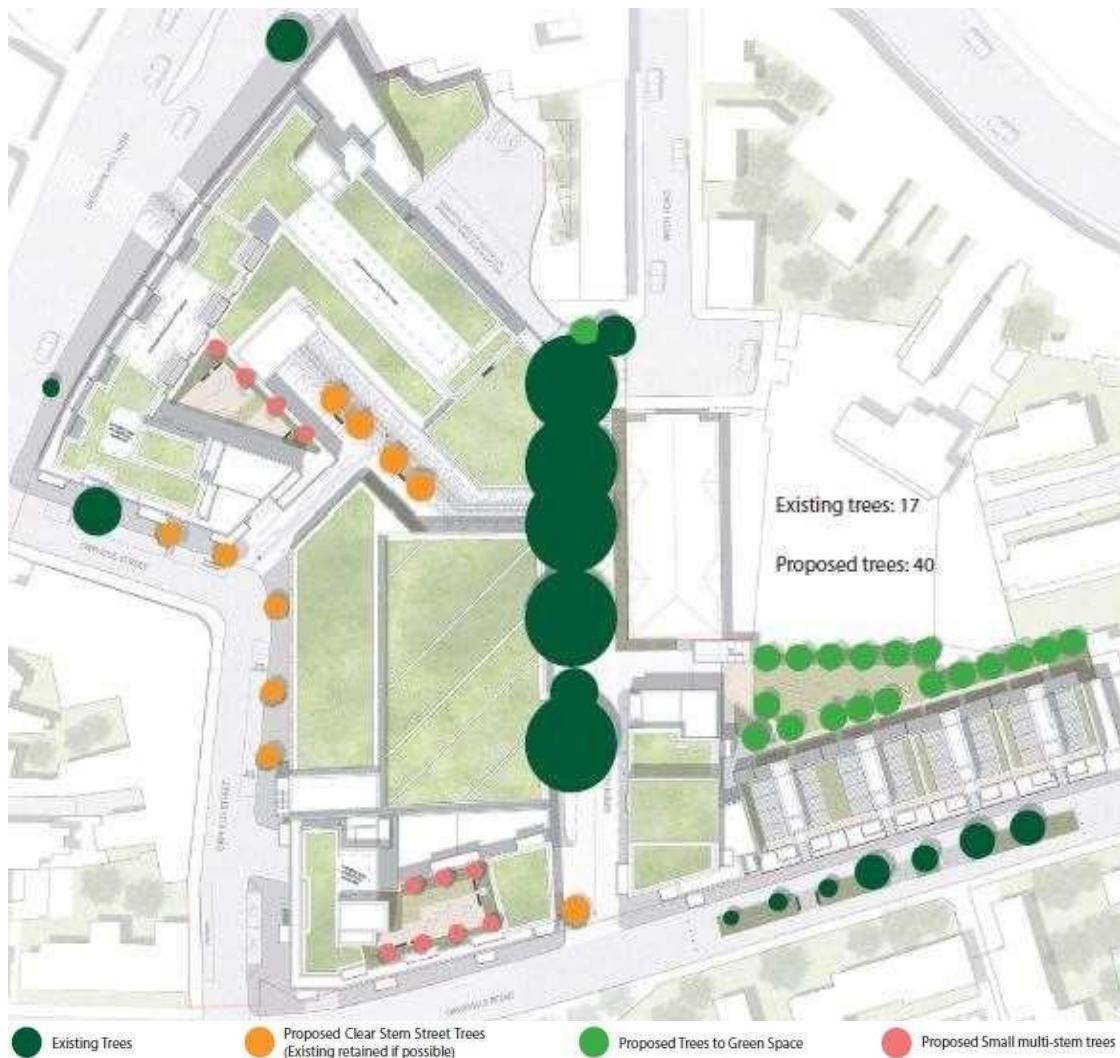


Figure 52: Proposed tree strategy, showing the majority of the retained trees in two clusters, one along Wren Road and one along the pedestrianised section of Daneville Road.

460. As set out in emerging Policy P60 of the NSP, where it is not possible to plant trees on site, new trees will be accepted outside the development. Any new off-site planting is to be undertaken by the Council's Arboricultural Services division, who will:
 - identify areas in the borough where additional greening is needed;
 - specify, supply and install new trees; and
 - provide ongoing maintenance/pruning of the new trees.
461. As set out in emerging Policy P60, where off-site planting is proposed "a financial contribution must be provided [to cover] ongoing maintenance costs where trees are planted in the public realm". To meet this requirement, a contribution has been requested from the developer to fund the Council's maintenance costs over a ten-year period.

462. With regard to the on-site trees, arboricultural supervision and monitoring will be required throughout the construction works, to be recorded in a Site Supervision Schedule. A condition will require the Schedule to be submitted for the Local Planning Authority's approval within 28 days of completion of the development.
463. In summary, the tree strategy for the site is considered to be in compliance with Policy 3.28 of the Southwark Plan 2007, Strategic Policy 11 of the Core Strategy, Policy G7 of the London Plan 2021 and emerging Policy P60 of the NSP.

Green infrastructure, ecology and biodiversity

Urban greening

464. Policy G5 of the London Plan 2021 states that urban greening should be a fundamental element of site and building design. It requires major developments that are predominantly residential to achieve an Urban Greening Factor (UGF) score of 0.4 and those that are predominantly commercial to achieve a score of 0.3
465. With extensive natural cover surface, the proposed development would achieve an urban greening factor of 0.37. This would be achieved through a combination of:
 - over 3,200 square metres of extensive green roof;
 - standard trees planted in tree pits or natural soil with scope for moderate growth, providing a total coverage of more than 1,000 square metres;
 - 949 square metres of ornamental planting; and
 - amenity grassland and permeable paving.
466. The proposed floorspace would comprise a 57:43 ratio of residential and commercial uses. This means the proposal is broadly a balance between a residential and non-residential scheme. As such, the UGF score of 0.37 is considered to be broadly compliant. It must also be recognised that the proposal is part redevelopment and part refurbishment, with the majority of Block B and Block C retaining retail floorspace at ground floor. This reduces the opportunity to introduce greater provision of ground level green spaces, and presents challenges to introducing more significant green infrastructure, and its associated load burden, above the retained buildings. A two-part condition will be imposed to ensure the development is built-out to achieve the 0.37 urban greening factor.
467. A condition is recommended requiring the Local Planning Authority's

approval of a strategy for the continued maintenance and irrigation of the green walls.

Ecology and biodiversity

468. The application was supported by a preliminary ecological assessment, which the Council's Ecologist has reviewed and deemed satisfactory. Conditions are recommended to secure an Ecological Management Plan is approved by the Local Planning Authority prior to above grade works commencing. Additional conditions are recommended to secure the provision 24 swift nesting bricks within the building fabric to support local biodiversity.

Transport and highways

469. The application site currently contains two car parks which can be used by customers of the supermarket and shopping centre as well as those visiting the wider town centre. All of the spaces in the two car parks, including parent- and baby and wheelchair accessible spaces, are charged at hourly rates.
470. The application proposes to reduce the on-site town centre car parking by over 80%, re-providing a total of 29 spaces. Of the 29 spaces, seven would be for the exclusive use of Blue Badge holders. Like the existing provision, the 29 proposed spaces would be available to anyone visiting the town centre, not just visitors to the commercial uses within the Butterfly Walk development. The 145 proposed dwellings would be car-free, although three on-site spaces would be provided for resident Blue Badge holders.

Car parking

471. Policy T6 (Car Parking) of the London Plan 2021 requires developments in locations with existing and future high public transport accessibility to be car-free, save for adequate parking for disabled people. Specific requirements for different uses are set out in Policy T6.1 through to Policy T6.4, while Policy T6.5 deals with non-residential disabled persons parking. Southwark Saved Policy 5.6 (Car Parking) requires all developments to minimise the number of spaces provided.
472. Emerging policy P53 (Car Parking) of the NSP echoes the London Plan 2021, promoting car-free development in zones with good public transport accessibility. For residential development, it requires car club contributions in order to encourage 'car-lite' lifestyles. In exceptional cases where on-site town centre parking is permitted, the policy requires maximum stay restrictions as well as the provision of electric vehicle charging infrastructure.
473. The application proposes a total of 32 car parking spaces. This would comprise:

- 27 off-street town centre spaces, of which:
 - 22 (3 within Block A's car park and 19 within Block B's car park) would be non Blue Badge spaces;
 - 5 (2 within Block A's car park, 2 within Block B's car park and 1 within the northern servicing yard) would be for Blue Badge holders;
 - 2 on-street town centre spaces for Blue Badge holders;
 - 3 off-street residential spaces for Blue Badge holders;
474. Some representations from members of the public express the view that too much parking is proposed, while others consider that not enough has been proposed. Objections from local people have also raised concerns that, as a consequence of the development, there will be additional strain on local on-street parking facilities.

Residential car parking

475. The residential element of the proposal would be car-free with the exception of three dedicated wheelchair parking spaces in Block A's car park. These would be conveniently located for residents of both Block A and Block B. A further two proposed spaces at the southern end of Orpheus Street would ensure nearby availability of wheelchair parking for Block C residents. However by reason of their on-street nature, these two spaces could also be used by non-resident Blue Badge holders. While the publicly-accessible nature of the Orpheus Street spaces is noted, there would only be one M4(3) dwelling in Block C and as such this block is unlikely to accommodate large numbers of Blue Badge holders.



Figure 53: Plan showing the proposed parking provision, with (a) denoting the three dedicated residential spaces and (b) denoting the on-street publicly-accessible Blue Badge spaces.

476. Given the site's location and high PTAL rating, as well as the spatial constraints presented by the retention of the supermarket and shopping centre, it is not considered necessary or reasonable to require the applicant to build-in capacity for 10 wheelchair parking spaces (7% of the 145 dwellings) additional to 32 proposed spaces. The applicant's Transport Assessment suggests the 22 town centre spaces could be converted to wheelchair

residential spaces if demand arises. The feasibility of this in practice is questionable because these spaces would in all probability be leased to a commercial car park operator on a long-term basis. The finer details of safeguarded parking, along with a strategy for the effective and optimised management of the three spaces exclusively for resident Blue Badge holders, can be secured through a Car Parking Design and Management Plan condition is recommended. A pre-requisite of the Plan will be that none of the three dedicated residential spaces are tied long-term to specific properties.

477. With the five residential Blue Badge spaces equating to just over 3% of the total number of proposed dwellings, and given that the developer has also agreed to provide car club membership for all future residents to cater for infrequent car-based trips, the wheelchair parking proposals are considered appropriate.
478. The on-site car parking provision is sufficient to meet the probable number of Blue Badge residential occupiers. A Controlled Parking Zone operational in Camberwell provides adequate daytime parking control, and all future residents who are not Blue Badge holders would be ineligible to apply for parking permits so would not be able to park on-street in the vicinity during the day. As such, and while existing local residents' concerns are recognised, it is not considered that the proposed development would harmfully exacerbate pre-existing on-street parking strain.

Town centre visitor car parking

479. The existing site contains a total of 131 town centre 'pay and display' parking spaces. The current operator is ABC Parking Solutions. Stay times are not limited, with options to stay all day (8am to 8pm) and overnight (8pm to 8am).
480. While the proposed reduction in town centre car parking is welcomed, the provision of 22 non wheelchair spaces would be contrary to the London Plan 2021 and the adopted and emerging local policy position. It is recognised, however, that the total loss of parking could significantly reduce the viability of Morrisons in particular, as a larger format convenience retailer popular with those carrying out 'trolley shops' or purchasing bulkier goods. Morrisons, along with many of the existing tenants in the shopping centre, has committed to stay on in the proposed development because there is a retained level of parking on site which will sustain its business. Total loss of parking could also divert demand from the District Town Centre to other centres and/or result in local residents opting to make longer car journeys to retail parks or supermarkets which provide car parking. On balance, therefore, the retained number of car parking spaces –representing an 80% reduction on the current number– is considered acceptable.
481. It is likely that the 27 town centre spaces would be leased to a commercial

operator. In terms of security, access and traffic management, the Block B car park would be controlled using a secure access system with a gate and/or barrier, supplemented by CCTV. Containing comparatively fewer spaces, the Block A car park would not be access-controlled. This car park, being open to Wren Road and the Morrisons supermarket directly opposite, would be a safe environment benefiting from good levels of natural surveillance. Due to the relatively small total number of town centre spaces, and because neither Daneville Road nor Wren Road is heavily trafficked, no significant queuing of vehicles is likely. In summary, the town centre parking proposals are underpinned by sound operational and security principles, and would not give rise to any harmful traffic or highways impacts.

482. In accordance with emerging policy P53 (Car Parking) of the NSP, a condition will be imposed limiting visitor stays to 4 hours with no return within 4 hours.

Changes to existing on-street parking

483. The reconfigured Morrisons servicing yard, whereby a new exit point would be formed onto Daneville Road, would require the removal of one of the existing on-street parking bays. In addition, the proposed straightening of the southern end of Wren Road would necessitate the relocation of two on-street 'pay and display' parking bays from Daneville Road to the eastern side of the realigned Wren Road. The net loss of one on-street bay does not present any planning issues.

Cycle parking

484. Cycle parking provision should be in accordance with London Plan Standards as well as Strategic Policy 2 (Sustainable Transport) of the Core Strategy and Saved Policy 5.3 (Walking and Cycling) of the Southwark Plan. The emerging strategy for cycling and cycle parking standards in the borough is set out in Policy P52 (Cycling) of the New Southwark Plan.
485. The application proposes 310 long stay cycle parking spaces, housed in four residential cycle stores and two commercial cycle stores. 248 spaces (80% of the total) would be in a Josta two-tier rack format, with the remaining 62 (20% of the total) provided by Sheffield stands.
486. In addition to the long-stay facilities, the application proposes 41 Sheffield stands. These would provide 82 short stay spaces. The stands would be arranged in six small clusters: two on Orpheus Street, two on Wren Road and two on Daneville Road.
487. In summary, the outline details submitted with the application indicate the short stay facilities would be in a fit-for-purpose format and well-distributed, while all long stay cycle parking would be secure, covered, practically

arranged and well-located in relation to the residential cores. The total provision of 392 spaces complies with the standards of the Southwark Plan 2007 and the London Plan 2021.

488. Two ‘detailed design’ conditions are recommended, one for the long-stay facilities and one for the short-stay. In the case of the hotel and Morrisons, the condition would also secure details of the end-of-journey shower/changing/locker facilities for staff. Both conditions would require the facilities to be delivered and available before the first use/occupation of the host building.

Trip generation

489. Policy T4 of the London Plan 2021 requires development proposals to ensure the impacts on the capacity of the transport network are fully assessed and that any adverse impacts are mitigated. The policy requires all major development proposals to be supported by a Transport Assessment, a requirement also stipulated by Saved Policies 2.2 (Provision of New Community Facilities) and 5.2 (Transport Impacts) of the Southwark Plan 2007.

Additional private car trips

490. A number of objections from local people have raised concerns about the potential increased number of vehicle movements to and from the site that may arise, and the attendant strain this will place on the local highway network, in particular on Denmark Hill.
491. The applicant’s Transport Assessment predicts the proposed development would generate 24 and 34 two-way net additional vehicle movements in the morning and evening peak hours respectively, which are much higher than the 21 two-way vehicle movements estimated by the Council’s Transport Policy Team for either of the peak hours. The Transport Policy Team is comfortable that these levels of vehicular traffic would not have any noticeable adverse impact on the local highway network, especially in light of the mitigatory measures the applicant has proposed in their Travel Plan.

Additional public transport trips

492. The car-free nature of the residential element of the scheme (with the exception of wheelchair parking) and the significant reduction of on-site town centre car parking spaces would actively promote use of sustainable transport options among visitors to the town centre facilities as well as the future residential occupiers. This is reflected in the applicant’s Transport Assessment, which predicts the following two-way additional public transport trips associated with each new use:

- Residential: 56 during the AM peak and 47 during the PM peak;
 - Hotel: 20 during the AM peak and 17 during the PM peak;
 - Cinema: 29 during the PM peak
493. Several representations from the general public have objected to the scheme on the grounds that the new residents and additional town centre visitors would place increased burden on the existing public transport infrastructure.. Given the number of additional trips, in the context of the number of buses and trains serving the area during peak times, it is unlikely that the additional users would have any noticeable impact on public transport congestion.
494. As discussed in more detail below, the developer has agreed to fund cycle club membership for each new household. This promotion of cycling, along with the various other measures set out in the Travel Plan, is likely to lessen future residents' reliance on private car and public-transport options.

Taxi drop-offs

495. Some public representations have argued that the proposal would make inadequate provision for taxi drop-offs, and that the drop-offs to the hotel would increase pedestrian numbers and vehicular congestion on Denmark Hill.
496. The application proposes a taxi layby along the western side of Wren Road adjacent to the supermarket, which would allow up to two taxis or private hire vehicles to stop and pick up. The arrangement is logical, would not create any road safety issues, and raises no conflict with transport-related policies at London or borough level. Notwithstanding, the taxi demand would be low given the site's accessible location.
497. The application does not propose a taxi layby within the vicinity of the hotel entrance. However, the taxi demand would be low given the site's accessible location. The DSP includes a trip baseline; significant exceedances of the baseline would be a breach of condition and could also result in non-return of the Delivery and Servicing Management Bond. With these deterrents in place, it is not considered that the hotel would increase pedestrian and vehicular congestion on Denmark Hill. A final version of the workplace-specific Travel Plan, to include measures aimed at discouraging coach-based group bookings, will be a condition of consent.

Improving access to cycle hire options

498. Given that the town centre is a key destination and the development would introduce approximately 300 new residents to the site, the applicant has agreed to:

- contribute £220,000 towards the provision of new TfL (Santander) docking station within the vicinity of the site;
 - fund an initial 2-year free cycle hire membership for each household; and
 - conduct an initial scoping exercise to identify potential sites for the docking station to form the basis of ongoing discussions with TfL.
499. To be secured in the Section 106 Agreement, this would meet the requirements of Policy T5 of the London Plan 2021 and emerging policy P52 of the NSP.

Improvements to local footway and highway environment

500. In accordance with Healthy Streets, the Transport Policy Team has sought various contributions from the applicant towards a range of highway safety measures together with improvements to pedestrian/cycle routes in the vicinity of this development. The specific set of works is detailed in the 'Planning Obligations: Summary Table' in a later part of this report.

Legible London signage

501. The applicant has agreed, at the request of TfL, to make a contribution of £35,000 towards providing new and refreshed Legible London signage. This will be secured in the Section 106 Agreement.

Servicing and deliveries

Servicing of the town centre uses

502. With respect to the commercial component of the development, three retail units would be serviced on-street. These are C-00.01, C-00.26 and C-00.27. All the other retail units (apart from Morrisons) and the hotel would be serviced from the northern servicing yard. Those units that do not back onto the northern servicing yard would have their deliveries trolleyed to them via the access route that runs between units C-00.11 and C-00.14. The cinema would be serviced from a shared delivery bay close to the bend of Orpheus Street. Morrisons would be serviced from its own dedicated yard off Orpheus Street.



Figure 54 (above left): Block B delivery strategy. Figure 55 (above right): Block C delivery strategy.

503. The anticipated servicing activity from the commercial uses within the site would be 50 deliveries (100 two-way movements). While a small number of these deliveries would be on-street (to retail units C-00.01, C-00.26 and C-00.27), the vast majority would be to the northern servicing yard. Contained within the applicant's DSP is a range of satisfactory measures to control servicing activities. These include the appointment of an operations manager to oversee commercial servicing operations, all suppliers being required to pre-book delivery slots, and programming of deliveries so as to avoid clashes with refuse collections. Access to the northern servicing yard would be managed by time-controlled bollards located roughly opposite the entrance to Morrisons.

504. The following servicing hours are proposed for the town centre uses:

- Cinema and retail: Between 07:00-08:00 and 09:00-14:00, seven days of the week
- Hotel: Monday to Sunday: Between 07:00-08:00 and 09:00-17:00, seven days of the week

505. This would prevent servicing take place at night (22:00-07:00) and during the

highway network's peak hours (08:00-09:00 and 17:00-18:00).

Servicing of Morrisons

506. Morrisons would be serviced from its own dedicated servicing yard. This would be a covered and enclosed environment, designed to minimise disturbance to residential occupiers, with separate 'in' and 'out' access points to ensure all vehicle movements can be made in forward gear.
507. As Morrisons is an existing use, it would not be appropriate to impose a servicing hours condition. In accordance with the London Lorry Control Scheme (LLCS), HGVs would not be permitted to service the yard during unsociable hours.

Servicing of the residential uses

508. With respect to the residential element of the proposal, approximately 22 daily deliveries (44 two-way movements) in total would be generated. The servicing strategy for each block is as follows:

- Block A – vehicles would use either the Wren Road turninghead or the hatched zone within the car parking area;
- Block B – vehicles would use the northern side of Daneville Road, adjacent to the egress to the supermarket service yard, where double yellow lines are in place;
- Block C – vehicles would use the north-eastern side of Orpheus Street, where double yellow lines are in place.



Figure 56 (above): Block A delivery strategy.

Vehicle routing

509. The majority of inbound vehicles would approach the site from the Camberwell Green junction, progressing southwards on Denmark Hill before turning left into Orpheus Street (the current highway layout prohibits rightturns for northbound traffic on Denmark Hill). From here, servicing vehicles would continue to:
 - the loading bays located on Orpheus Street, Daneville Road and Wren Road (south); or
 - the Morrisons servicing yard off Orpheus Street; or

- the northern servicing yard off Wren Road (south).
510. To egress, vehicles would progress westbound along the one-way section of Daneville Road for access northbound or southbound on Denmark Hill or westbound for Coldharbour Lane.
511. This is a sound routing strategy that would enable all access and egress movements to be made in forward gear.

Summary

512. The proposed servicing arrangements, with appropriate routing of inbound and outbound vehicles, are supported by the Council's Transport Policy and Highways Development Management Teams.
513. The submission and approval of a formal standalone Delivery and Servicing Management Plan (DSP) is to be required by condition. As a precautionary measure, a Delivery and Servicing Management Bond will be secured so that adherence to the DSP and highways impacts can be monitored over the course of the first two years of operation.

Refuse storage arrangements and waste minimisation

Refuse strategy for the town centre uses

514. Refuse collection for the proposed commercial elements would take place on a daily basis from the northern servicing yard and the estate management company would be responsible for transferring bins (outside of normal trading hours) to the appropriate collection point.
515. The hotel would be equipped with a dedicated bin and a separate linen store. A communal bin store would be provided for all the retail units. Refuse from the cinema would be held temporarily in a store beside the entrance vestibule, to be transferred to a temporary store in the northern servicing yard on collection days

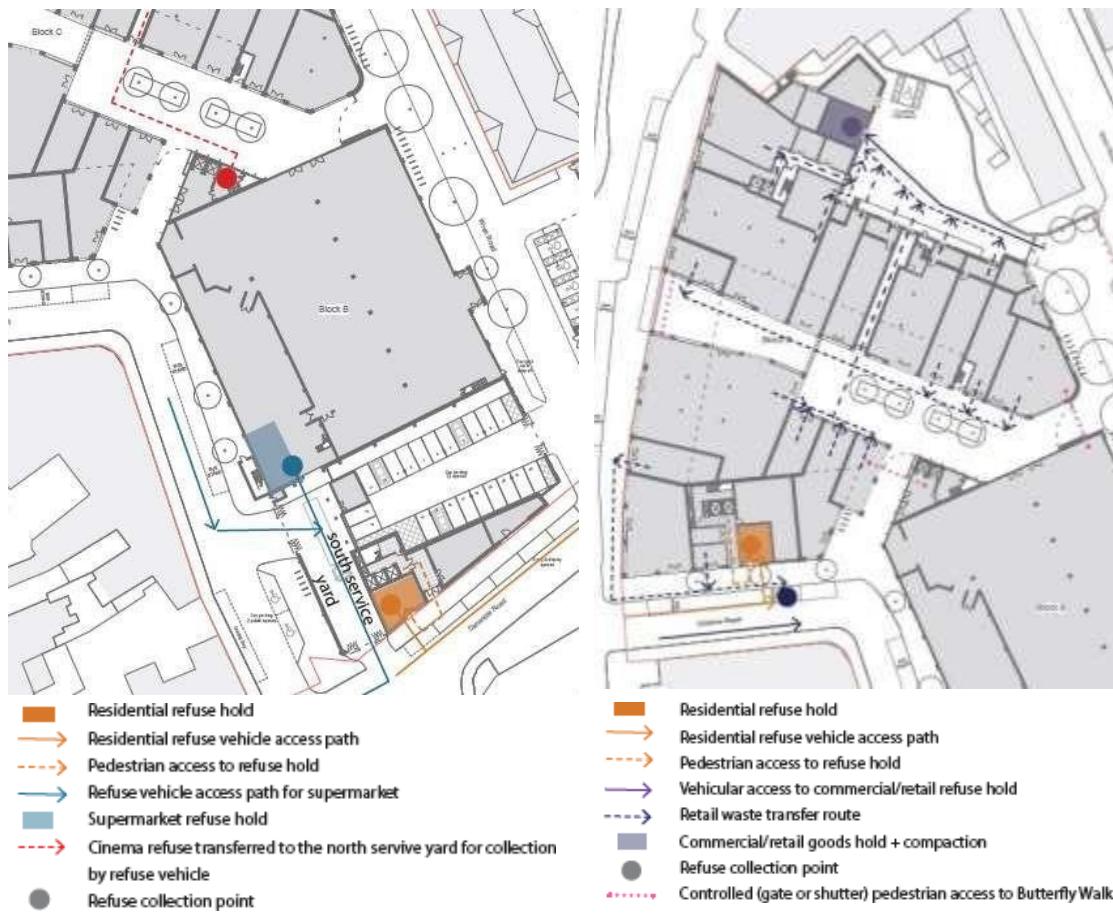


Figure 57 (above left): Block B refuse strategy. Figure 58 (above right): Block C refuse strategy.

Refuse strategy for Morrisons

516. Morrisons' waste management regime is currently handled within the warehouse section of the store. The proposed development would not change any of their current operational methodology. Collections would take place off-street within the proposed dedicated servicing yard.

Refuse strategy for the residential uses

517. Each of the three residential blocks would be equipped with a dedicated waste and recycling store at ground floor level. These would be directly accessible from the street. Calculations have been provided by the applicant showing that the floor area of each store, and the number of bins each would be equipped with, would more than adequately accommodate the likely volumes of refuse generated on a weekly basis. In all cases the drag distance from the store room to the kerbside collection point would be no more than 10 metres; this means Council refuse collection staff would be able to collect from the stores without any need for estate management programme to

transfer bags/bins on collection days.

Summary

518. The proposed storage and collection arrangements for the various different uses have been assessed and deemed acceptable by the Council's Waste Management Team and Transport Policy Team. A final DSP will be secured by condition.

Environmental matters

Construction management

519. The applicant has submitted an Outline Construction Management Plan. This document has been reviewed by the relevant transport and environment consultees, who have deemed it to be satisfactory as a framework document.
520. In order to ensure that increases in traffic, noise and dust associated with the demolition and construction phases of the development are minimised, a Full Demolition Environmental Management Plan and a Full Construction Environmental Management Plan are to be required by condition.

Fire safety

521. Policy D12 of the London Plan 2021 expects all development proposals to achieve the highest standards of fire safety and to this end requires applications to be supported by an independent Fire Strategy, produced by a third party suitably qualified assessor.
522. A Fire Strategy was submitted with the application, supported by an outline architectural specification and drawings. Among other things, the Fire Strategy details the building construction, means of escape, features that reduce the risk to life, access and facilities for firefighting, and compliance with Building Regulations Approved Document B. The Strategy was produced by fire risk engineering consultancy Hoare Lea; as evidenced on page 2 of the document and in a supplementary note, a certified fire risk engineer (a Member of the Institute of Fire Engineers, Member number: 00021835) has checked and approved the contents.
523. As part of the GLA Stage I process, the Fire Strategy was assessed and deemed to be adequate. Therefore, the relevant fire risk minimisation policies of the London Plan are deemed to have been satisfied. A condition is recommended to ensure the construction and in-use operation of the building are carried out in accordance with the Fire Strategy.

Flood risk, resilience and safety

524. The application site is located within Flood Zone 1 (indicating low probability of flooding) and the Camberwell Critical Drainage Area. The Environment Agency has reviewed the applicant's Flood Risk Assessment and considers it to be acceptable, subject to conditions relating to contamination, piling, verification of remediation, and into-ground infiltration associated with the sustainable drainage system.
525. In terms of flood resilience and safety, no concerns have been raised by the Council's Flood Risk Management Team to the water exclusion strategies and flood resilience measures as set out in the applicant's Flood Risk Assessment. These measures will be secured by condition.

Sustainable urban drainage

526. The surface water drainage strategy for the development proposes green roofs, tree pit attenuation and below ground attenuation tanks. It also includes the maintenance strategy for each of the proposed drainage solutions.
527. Approximately 690 square metres of below ground attenuation storage volume is proposed across the three blocks. A separate drainage network for each block is proposed due to the site layout, the existing public sewer layout and for maintenance purposes. To minimise the risk of blockages in the sewerage infrastructure, the surface water would discharge from all three proposed blocks at a restricted rate of 2.0 litres per second.
528. The Council's Flood Risk Management Team has reviewed the urban drainage proposals and found them to be acceptable in principle. At the request of the Team, the applicant will be required to prepare a Full Drainage Strategy for discharge prior to commencement of development, and for verification to be carried out prior to occupation of each block.

Land contamination

529. The application was accompanied by a preliminary Land Contamination Risk Assessment, which the Council's Environmental Protection Team has assessed and deemed acceptable. A condition is to be imposed requiring a Phase 2 investigation to be conducted and the results submitted to the council for approval, with further remediation measures to apply if contamination is found to be present.

Air quality

530. The site is located in the Air Quality Management Area. An Air Quality Assessment (AQA) was submitted with the application, which considers the

air quality impacts arising from the construction and operational use of the development, taking into account all relevant local and national guidance and regulations. The AQA concludes that subject to the offered mitigation the effects on air quality during construction and operation are considered to be negligible.

531. The Council's Environmental Protection Team has reviewed the AQA and raised no objection to the proposal subject to recommended conditions.

Light pollution

532. The applicant has supplied some brief lighting details within the Design and Access Statement. The document, which is in outline form at this stage, discusses how lighting of the public realm would be predominantly low level, with examples including bollards and paving insets, supplemented by occasional more conventional tall lamp columns. Some uplighting is proposed to the Orpheus Street frontage of Morrisons. Little information has been provided about the lighting within podium- and roof-level outdoor amenity spaces; such lighting, unless well designed, has the potential to cause disturbance to surrounding occupiers.
533. The Environmental Protection Team has raised no objection to the proposals outlined in the Lighting Strategy. The final proposals, including any pre-determined dim-down and turn-off times, will be agreed through the Final Lighting Strategy, to be approved by the Local Planning Authority prior to first occupation of the host block. This will be secured by condition.

Agent of change

534. Where new noise- and other nuisance-generating development is proposed close to residential and other sensitive uses, Policy D13 of the London Plan 2021 requires the proposal, as the incoming 'agent of change', to be designed to mitigate and manage any impacts from existing sources on the future users/occupiers. Developments should be designed to ensure that established noise and other nuisance-generating uses remain viable and can grow without unreasonable restrictions placed on them. Members of the public have raised concerns that the hotel and residential uses would transform this part of the town centre into a more noise-sensitive location, potentially harmful to the viability of existing local late-night and live music venues such as the Tiger pub at 18 Camberwell Green.
535. The proposal places the hotel and retail uses on the northern part of the site nearest to the Tiger Pub, with the more noise-sensitive residential uses to be located further away to the south. The proposed development would not directly adjoin the Tiger pub, and the majority of floorspace within the part of the development closest to the pub would comprise back-of-house facilities

for the hotel and retail units. Given the non-sensitive nature of these proposed uses, there is no reason to conclude that the proposal would prevent the pub from being able to play amplified or live music, or in any other way compromise its long-term operational flexibility. There are no other late night or live music venues nearby, nor are there any other especially noisy uses (such as light industry) within the vicinity of the site whose long-term viability could be compromised by the proposal. As such, no concerns remain with respect to 'agent of change' considerations.

Archaeology

536. A Desk-based Assessment (DBA) was submitted in support of the application. It finds that there remains the potential for medieval, post-medieval, early modern and nineteenth century archaeological features to be present across the whole area, with the earlier and more significant evidence focused on the street frontage along Denmark Hill.
537. Due to the phasing of the development and the ability to secure the archaeological interests of the site by conditions, the Council's Archaeologist has recommended four conditions:
 - Archaeological Evaluation;
 - Archaeological Mitigation;
 - Archaeological Reporting; and
 - Archaeology Public Engagement Programme.
538. These will be attached to the draft decision notice. A separate Archaeological Monitoring Fee will be secured in the Section 106 Agreement.

Energy and sustainability

539. Policy SI2 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. Policy SI3 require consideration of decentralised energy networks, Policy SI4 deals with managing heat risk and Policy SI5 is concerned with protecting and conserving water resources and associated infrastructure.
540. Policy 13 of the Core Strategy and Saved Policy 3.4 of the Southwark Plan 2007 sets out the borough approach to ensuring that new developments tackle climate change. The approach is generally consistent with London Plan Policies but also requires new commercial developments to meet BREEAM 'Excellent'.

Energy and carbon emission reduction

541. As per the carbon emission reduction policies of the London Plan 2021 and local development framework, both the residential and non-residential elements of the proposal would be expected to achieve zero carbon (with offset permitted once an on-site 35% carbon reduction against part L of the Building Regulations 2013 has been achieved).
542. Southwark Council's carbon offset cost is £95 for every tonne of carbon dioxide emitted per year over a period of 30 years. This is the equivalent of £2,850 per tonne of annual residual carbon dioxide emissions.
543. An Energy Assessment Strategy based on the Mayor's hierarchy has been submitted by the applicant. This details how the targets for carbon dioxide emissions reduction are to be met. A combination of 'Lean' and 'Green' (but no 'Clean') measures have been employed in an attempt to achieve the reduction in line with the GLA guidance on preparing energy statements, the Southwark Core Strategy 2011 and the Southwark Sustainable Design and Construction SPD.

Be Lean

544. In terms of meeting the "Be Lean" tier of the hierarchy, a range of passive and active measures are proposed. The passive measures include:
 - high thermal envelope performance to reduce uncontrolled heat transfer through the building fabric;
 - optimisation of size and g-value of the glazing to provide a balance between minimising heat gain and maximising natural daylight (to reduce lighting energy);
 - openable windows to prevent overheating in summer and allow for natural ventilation of the residential units;
 - ensuring ceiling voids are as small as possible (particularly at the perimeter) to maintain the maximum floor to ceiling heights possible;
 - deep window reveals and projecting balconies to provide solar shading;
 - minimising heat loss from heating and hot water systems; and
 - highly insulated green roofs

545. The active measures include:

- communal heating system to the building;
- high efficiency ventilation systems including Mechanical Ventilation with Heat Recovery (MVHR) to residential apartments;
- low energy and high efficacy lighting systems, fittings and controls;
- controls systems to monitor and operate the plant and equipment as efficiently as possible; and
- use of Smart meters.

546. The reduction in carbon emissions achieved through these ‘demand reduction’ measures will reach 11% for the residential element and 18% for the non-domestic element, exceeding the respective targets of 10% and 15% set out in Policy SI 2.

Be Clean

547. As no connection to a district heating network or on-site CHP system is proposed, no carbon savings are reported from the ‘Be Clean’ stage of the energy hierarchy. Connection to a district heating network cannot be proposed because one does not exist in the vicinity at present; nevertheless, futureproofing will be required by planning obligation.

Be Green

548. With respect to the “Be Green” tier of the hierarchy, the applicant has proposed the following technologies:

- centralised communal heat pump network comprising air source heat pumps and water-to-water heat pumps for the residential units;
- Rooftop mounted 12.85 kWp photovoltaic array for electricity generation, with roof coverage optimised.

549. With carbon emissions being reduced by 48% through these ‘Be Green’ measures, the applicant has demonstrated that opportunities for renewable energy by producing, storing and using renewable energy on-site have been maximised.

Be Seen

550. Introduced as part of the London Plan 2021, ‘Be Seen’ is the newest addition to the GLA’s energy hierarchy. It requires developments to predict, monitor, verify and improve their energy performance during actual operation.

551. A detailed calculation of unregulated carbon emissions should be conducted as part of the compliance with the ‘Be Seen’ policy and associated guidance. The applicant’s Energy Assessment Strategy calculates that unregulated per annum energy emissions for the residential element of the development would be 85.8 tonnes of carbon, while for the non-domestic element it would be 46 tonnes of carbon.

552. In respect of ‘Be Seen’ measures, the applicant has committed to:

- conducting a predicted operational energy use analysis during the design stage (and then measuring actual operational energy use once the development is in use, benchmarked against the in-design

- analysis);
- using fully metered electricity and water supplies; and
 - using sub-meters to measure electricity, heating and cooling energy use, which would feedback energy consumption to each user group/functional space/tenancy within the development.

Total energy savings

553. The non-residential element of the proposal would reduce on-site regulated carbon dioxide emissions by 64% over a notional building minimally compliant with the Building Regulations 2013. The total per annum shortfall in savings relative to carbon zero would be 108.93 tonnes per year which, at a rate of £95/tonne for 30 years, generates an offset contribution of £310,450. This payment will be secured through the Section 106 Agreement.
554. For the residential element of the development, there would be an overall on-site reduction of 57% in regulated carbon dioxide emissions over a notional building minimally compliant with the Building Regulations 2013. The total per annum shortfall in savings relative to carbon zero would be 84.93 tonnes per year which, at a rate of £95/tonne for 30 years, generates an offset contribution of £242,086. Again, this payment will be secured through the Section 106 Agreement.
555. The energy savings, as detailed above, which take into account SAP10 and decarbonising of the electricity grid, demonstrate the strong energy-saving and sustainable credentials of the proposed development. To ensure these savings are realised, the Section 106 Agreement will include two obligations, one requiring the development to be constructed in accordance with the Energy Assessment Strategy, and the other verifying the delivery of the carbon savings through a post-installation review process.

Whole life cycle and carbon capture

556. London Plan Policy SI2 requires a calculation of whole life cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment. This captures a development's unregulated emissions, its embodied emissions and the carbon impact of mid-life maintenance and end-of-life dismantling.
557. With their flexible gridded layout, the pre-existing shopping centre and supermarket structures can be extended, adapted and built over with minimal structural intervention. To maximise this opportunity, the extension upwards would be formed of lightweight structure with timber infill elements such as floors. Timber has sequestering properties, therefore offsetting and delaying some of the embodied carbon emissions associated with the construction works. 100% of construction timber will be FSC or PEFC certified, and most of

the construction material will be from an Environmental Management Scheme.

558. By inheriting and adapting parts of the foundations, structural elements and the façades of the existing shopping centre and supermarket, the proposed development would reduce total waste, which in turn would lessen the embodied carbon footprint. Retaining parts of the existing buildings in this way has the added benefit of reducing the total number of vehicles movements connected with the demolition and construction stages.
559. Notwithstanding the above-mentioned respects by which unregulated emissions would be driven down, the applicant has not provided a calculation of whole life cycle carbon emissions in accordance with the nationally recognised standard. It is accepted that, having been validated over 18 months ago, the planning application significantly pre-dated the adoption of London Plan Policy SI2. As such, it is acceptable in this particular case to require the submission of the whole life cycle calculation and associated report by planning condition.

Circular Economy

560. Policy GG5 of the London Plan 2021 promotes the benefits of transitioning to a circular economy as part of the aim for London to be a zero-carbon city by 2050. Policy D3 requires the principles of the circular economy to be taken into account in the design of development proposals in line with the circular economy hierarchy. Policy SI7 requires referable applications to develop circular economy statements.
561. The applicant has not provided a circular economy statement with the application. However, having been validated over 18 months ago, the application significantly pre-dated the adoption of the London Plan 2021. As such, it is acceptable in this instance for the circular economy statement to be secured by condition.
562. In respect of start and end of building life, the circular economy statement will be expected to include:
 - a Pre-Demolition Waste Audit Report;
 - a Bill of Materials, describing the materials to be used in the construction of the development and their derivation, including a commitment for recycled content to comprise at least 20% of the total;
 - a Letter of Commitment, pledging to submit a Post-Completion Report within 3 months of completion of the development;
 - a Building End-of-Life Strategy;
 - a Final Destination Facilities List, providing the name/addresses of the facility and whether each material would be recycled or go to landfill;

and

- a Recycling and Waste Reporting table.

563. In respect of mid-life building adaption, the circular economy statement will be expected to include a Functional Adaptability Strategy. An Operational Waste and Recycling Management Strategy should also be provided to deal with in-use waste and recycling management considerations.

Overheating

564. London Plan Policy SI4 and Policy P68 of the NSP set out the cooling hierarchy that should be followed when developing a cooling strategy for new buildings. The six-step hierarchy is as follows:

- Minimise internal heat generation through energy efficient design; then
- Reduce the amount of heat entering the building through the orientation, shading, albedo, fenestration, insulation and green roofs and walls; then
- Manage the heat within the building through exposed internal thermal mass and high ceilings; then
- Use passive ventilation; then
- Use mechanical ventilation; then
- Use active cooling systems (ensuring they are the lowest carbon options).

565. The steps set out in the hierarchy have been applied to the residential, hotel and retail elements of the proposal (as the other elements are exempted) in sequence and systematically as part of the design process. This is set out below in sequential order.

Minimise internal heat generation through energy efficient design

566. Internal heat generation is to be minimised by a combination of measures, including minimising cold bridging, not providing separate primary domestic hot water pipework distribution, not providing boilers or DHW storage in apartments, and relying on a low temperature heat network.

Reduce heat entering the building

567. The heat entering the proposed development is to be reduced by a combination of measures, including improved fabric 'U' values, improved air tightness, glazing area and 'G' value optimisation, and green roofs.

Manage the heat within the building

568. In the residential element, corridors are to be naturally ventilated to prevent

overheating in summer where achievable, and within the proposed dwellings themselves floor to floor heights have been maximised. The applicant's dynamic modelling assessment demonstrates that overheating cannot be prevented in the proposed non-residential (commercial) areas through the use of natural ventilation.

Use passive ventilation

569. Openable windows will enable natural ventilation and free cooling.

Use mechanical ventilation

570. Individual Mechanical Ventilation with Heat Recovery (MVHR) units would be employed to provide fresh air and extract moisture/pollutants for the residential component, with dual purpose mechanical extract system used in the residential communal corridors. Overheating would be preventable in the residential apartments through the use of the mixed mode mechanical ventilation when suitable conditions cannot be achieved through natural means alone.
571. For the non-domestic component of the proposed development, mechanical ventilation with high efficiency heat recovery would provide fresh air and extract moisture/pollutants.

Use active cooling systems (low carbon)

572. While the cooling hierarchy set out above would significantly reduce the need for cooling, the steps taken would not be sufficient to avoid overheating risk throughout the year in the non-domestic element of the proposed development. As such, active cooling would be required to the retail, hotel and cinema uses. It is expected that for commercial uses VRV or multi-split cooling systems will be used to provide cooling. These systems use highly efficient low carbon air source heat pumps.

Summary

573. Following the cooling hierarchy, the applicant has demonstrated that the cooling demand has been reduced by 27% in comparison to a notional building. The applicant's Energy Assessment Strategy does not include either the assessment for commercial units in accordance with CIBSE TM 59 guidance, or the equipment performance (ventilation units and VRF system) assumed for the overheating analysis and energy model. To confirm that the cooling hierarchy was followed, and active cooling cannot be avoided, an Overheating Assessment Update containing these additional items will be required by condition.

BREEAM

574. Strategic Policy 13 of the Core Strategy requires the commercial elements (hotel, retail, cinema and community use unit) of the development to achieve a BREEAM “excellent” rating. A BREEAM Pre-assessment report has been undertaken (this is contained within the appendices of the applicant’s original Energy Assessment Statement, dated December 2019). It demonstrates that “excellent” can be achieved for all four commercial use types, thus meeting the policy requirement. A condition to secure this is therefore recommended.

Water efficiency

575. For the residential component of the development, the applicant’s Building Services and Sustainability Strategy confirms that the dwellings would have a maximum indoor water consumption of 105 litres per person per day, in line with the optional standard in Part G of the Building Regulations. This complies with Policy SI5 of the London Plan 2021.

Digital connectivity infrastructure

576. The NPPF recognises the need to support high-quality communications infrastructure for sustainable economic growth and to enhance the provision of local community facilities and services.
577. To ensure London’s long-term global competitiveness, Policy SI6 (Digital Connectivity Infrastructure) of the London Plan 2021 requires development proposals to:
- be equipped with sufficient ducting space for full fibre connectivity infrastructure;
 - achieve internet speeds of 1GB/s for all end users, through full fibre connectivity or an equivalent.
 - meet expected demand for mobile connectivity; and
 - avoid reducing mobile capacity in the local area.
578. Although the planning application does not contain any details about digital connectivity infrastructure, it was submitted approximately 15 months before the adoption of the London Plan 2021. Therefore, it is acceptable in this instance to impose a condition requiring appropriate details to be supplied prior to commencement. The submitted details should include technical plans, estimated demand generated by each of the proposed uses, and evidence of an agreement with a supplier to deliver the requisite speeds.

Socio-economic impacts

579. In accordance with adopted planning policies there would be a requirement for

this development to deliver during the construction phase 46 sustained jobs to unemployed Southwark residents, 46 short courses, and 11 construction industry apprentices. Upon completion, 50 sustained jobs for unemployed Southwark Residents would also be required. These obligations will be secured through the Section 106 Agreement.

580. The proposed cinema and hotel have the potential to create up to 25 direct jobs (FTE), and the enhancements to the shops may see improved take-up of units which may also bring employment gains. The residents and workers would also generate considerable spend in shops and services in the local area, which is a major and enduring benefit of the development.

Planning obligations

581. Saved Policy 2.5 of the Southwark Plan 2007 advises that planning obligations should be secured to overcome the negative impacts of a generally acceptable proposal. The policy is reinforced by the Section 106 Planning Obligations and CIL SPD 2015, which sets out in detail the type of development that qualifies for planning obligations.
582. In accordance with the Section 106 Planning Obligations and CIL SPD, the following contributions have been agreed with the applicant in order to mitigate the impacts of the development:

<u>Planning Obligations: Summary Table</u>	
<u>Obligation</u>	<u>Mitigation / Terms</u>
Residential: Affordable Housing	
AFFORDABLE HOUSING PROVISION	<p>Provision of 51 affordable units on the site, comprising the following mix:</p> <ul style="list-style-type: none"> - 35 units (6 x one-bedroom flats, 18 x two-bedroom flats, 10 x three-bedroom flats, 1 x four-bedroom flat) to be social rent tenure - 16 units (6 x one-bedroom flats, 7 x two-bedroom flats, 3 x three-bedroom flats) to be split between shared ownership and London Living Rent tenures on a 10:6 ratio. <p>The Agreement shall specify:</p> <ul style="list-style-type: none"> - which of these units is to be provided within each of the tenures (with a supporting drawing); - income thresholds for the affordable tenures; and

	<ul style="list-style-type: none"> - eligibility criteria for the affordable tenures. <p>Occupancy of market units shall be restricted to ensure early delivery of affordable housing units.</p> <p>Suitable marketing of the intermediate units throughout the duration of the Intermediate Housing Pre-Completion Marketing Period and the Intermediate Housing Marketing Period to households within Southwark's local income thresholds.</p> <p>Disposal of any of the intermediate units permitted to higher London Plan income households only if at the end of the Marketing Period there has not been uptake. Evidence of no uptake to be supplied to the Council before disposal to higher income households is permitted.</p>										
	Applicant's Position: AGREED										
VIABILITY	<p>Early Stage Review Mechanism to be included, triggered if substantial implementation has not occurred within 24 months of grant of planning permission.</p> <p>Late Stage Review Mechanism to be included, triggered at 75% occupation/sales of the private residential units.</p>										
Applicant's Position: AGREED											
AFFORDABLE HOUSING MONITORING FEE	<p>Contribution of £6749.85, based on 51 dwellings at £132.35 per dwelling, towards the Council's costs for monitoring affordable housing delivery.</p>										
	Applicant's Position: AGREED										
Residential: Occupier Facilities											
WHEELCHAIR HOUSING	Provision of 15 wheelchair housing units in accordance with the table below.										
	<table border="1"> <thead> <tr> <th>Block</th><th>Level</th><th>Unit reference no [and tenure]</th></tr> </thead> <tbody> <tr> <td rowspan="3">A</td><td>01</td><td>01.02 [O.M]; 01.04 [O.M]; 01.05 [O.M]</td></tr> <tr> <td>02</td><td>02.02 [O.M]; 02.04 [O.M]</td></tr> <tr> <td>03</td><td>03.02 [O.M]; 03.04 [O.M]</td></tr> </tbody> </table>	Block	Level	Unit reference no [and tenure]	A	01	01.02 [O.M]; 01.04 [O.M]; 01.05 [O.M]	02	02.02 [O.M]; 02.04 [O.M]	03	03.02 [O.M]; 03.04 [O.M]
Block	Level	Unit reference no [and tenure]									
A	01	01.02 [O.M]; 01.04 [O.M]; 01.05 [O.M]									
	02	02.02 [O.M]; 02.04 [O.M]									
	03	03.02 [O.M]; 03.04 [O.M]									

	04	04.02 [O.M]
	05	05.02 [O.M]
	06	06.02 [O.M]
B	01	01.04 [S.R.]
	02	02.04 [S.R.]
	03	03.04 [S.R.]
	04	04.04 [S.R.]
C	01	01.10 [Intermediate]
<p>Suitable marketing to be conducted of the Wheelchair Accessible Units for the duration of the Marketing Period for Wheelchair Accessible Dwellings</p> <p>No disposal of any of the Wheelchair Accessible Unit to those not in need of wheelchair housing unless evidence of marketing exercise has been submitted to and approved by the LPA at the end of the marketing period.</p>		
<p>Applicant's Position: AGREED</p>		
CHILDREN'S PLAY SPACE	<p>Submit a Children's Play Space Management Strategy which shall include:</p> <ul style="list-style-type: none"> - a strategy for providing, maintaining and cleaning the Children's Play Space; - the access arrangements and hours of opening which shall be at least 7am to 10pm all days of the week for all areas of play space (all spaces to be available for use 365 days a year); - a strategy to ensure all residents of the development have the ability to access the Children's Play Space in Block A (ground level) irrespective of the tenure of their dwelling, in a fair and equitable way (for the avoidance of doubt, play space in Block B is to be exclusive to Block B residents, and likewise for Block C); - a methodology to ensure the Children's Play Space is provided free of charge to all residents of the development except for the payment of a service charge; and - a detailed design specification of the Children's Play Space. 	
<p>Applicant's Position: AGREED</p>		

CHILDREN'S PLAY SPACE IN-LIEU PAYMENT	<ul style="list-style-type: none"> - Contribution of £21,442, based on 142 square metres of 12-and-overs play space not provided on site, at a rate of £151 per square metre of shortfall
	Applicant's Position: AGREED
OUTDOOR COMMUNAL AMENITY SPACE	<p>Submit an Outdoor Communal Amenity Space Management Strategy which shall include:</p> <ul style="list-style-type: none"> - a strategy for providing, maintaining and cleaning the outdoor communal amenity space; - the access arrangements and hours of opening which shall be at least 7am to 10pm all days of the week for all areas of play space (all spaces to be available for use 365 days a year); - a strategy to ensure all residents of the development have the ability to access the outdoor communal amenity space in Block A (ground level) irrespective of the tenure of their dwelling, in a fair and equitable way (for the avoidance of doubt, communal amenity space in Block B is to be exclusive to Block B residents, and likewise for Block C); and - a methodology to ensure the outdoor communal amenity space is provided free of charge to all residents of the development except for the payment of a service charge.
	Applicant's Position: AGREED
Archaeology	
ARCHAEOLOGY: MONITORING CONTRIBUTION	A sum of £11,171 by the developer on signing of the Section 106 Agreement towards monitoring and providing technical archaeological support during the works on and in the vicinity of the site.
Applicant's Position: AGREED	
Community Use Unit	
ELIGIBLE USERS AND RENTAL RATES	Throughout its lifetime, the Community Use Unit shall be rented out on an hourly/slot basis at peppercornrate to Community Use Unit Users.

	<p>Eligible Community Use Unit Users shall be community groups, not for profit and cultural projects using the facility for non-profit making purposes.</p> <p>The owner shall be responsible for absorbing all costs associated with the operation of the facility, including utilities and cleaning costs, and maintaining the facility in good running order internally and externally.</p>
	Applicant's Position: AGREED
FIT-OUT	<p>No later than 12 months following implementation of the development (or such later date as may be agreed in writing by the Council), the developer is to submit the Community Use Unit Specification to the Council for approval.</p> <p>The developer is to construct the Community Use Unit in accordance with the approved Specification and to the reasonable satisfaction of the Council.</p>
	Applicant's Position: AGREED
DELIVERY	<p>The Community Use Unit is to be completed in accordance with the approved Specification, and made available for occupation no later than 75% occupation of the residential element of Block A.</p>
	Applicant's Position: AGREED
MANAGEMENT, MARKETING AND OPERATION	<p>No later than three months prior to occupation of the Community Use Unit, the developer shall submit a Community Use Unit Management Plan to the Council for its approval. This Plan shall include:</p> <ul style="list-style-type: none"> - details of the persons appointed to manage and operate the Community Use Unit; - details of the proposed uses and events that may take place at the Community Use Unit; - the minimum hours of operation and access for eligible Community Use Unit Users; - details of the booking system (who will be responsible for managing it, how community and/or non profit-making status of customers will be verified, how popular or high value slots will be managed so as to prevent regular block)

	<p>booking etc.);</p> <ul style="list-style-type: none"> - the platforms (local press, social media, within the Community Use Unit window, on the relevant community premises Council webpages etc.) through which the Community Use Unit would be marketed, together with details of the frequency/duration of marketing; and - such other matters as the Council and the developer may reasonably agree should be included in the Community Use Unit Management Plan. <p>The developer shall implement and comply with the Community Use Unit Management Plan (or such revised plan as may be agreed between the parties in writing from time to time) for the duration that the Community Use Unit is retained.</p> <p>The shall developer shall maintain ongoing records of:</p> <ul style="list-style-type: none"> - all bookings which have taken place, the names of the Community Use Unit Users, the date and time of the booking and the type of event held; and - any bookings by Community Use Unit Users cancelled by the owner, or any refusals to take bookings by the owner, including a record of the circumstances in which such cancellations and refusals occurred and the names of the Community Use Unit Users involved; <p>and shall make these records available to Council upon request.</p>
Applicant's Position: AGREED	

Local Economy: Employment and Training	
CONSTRUCTION PHASE JOBS/ CONTRIBUTIONS	<p>Development to:</p> <ul style="list-style-type: none"> - Deliver 46 sustained jobs to unemployed Southwark residents, - Deliver 46 short courses, and; - Take on 11 construction industry apprentices during the construction phase. <p>Or make the pro-rata Employment and Training Contribution which, at maximum, would be £216,750.</p>

	<p>This breaks down as:</p> <ul style="list-style-type: none"> - £193,500 against sustained jobs; - £6,750 against short courses, and; - £16,500 against construction industry apprenticeships.
	<p>Applicant's Position: AGREED</p>
CONSTRUCTION PHASE EMPLOYMENT, SKILLS AND BUSINESS SUPPORT PLAN	<p>The Plan would be expected to detail:</p> <ul style="list-style-type: none"> - Methodology of training, skills, support etc. - Targets for construction skills and employment outputs - Methodology for delivering apprenticeships - Local supply chain activity methodology
	<p>Applicant's Position: AGREED</p>
POST-COMPLETION (IN-USE) PHASE JOBS AND TRAINING	<p>The development is to deliver 10 sustained jobs to unemployed Southwark residents, of which 8 will be tied to the hotel use and 2 will be tied to the cinema use.</p> <p>Any shortfall is to be met through the End Use Shortfall Contribution which, at maximum, would be £34,400. This is calculated on the basis of £4,300 per job.</p>
	<p>Applicant's Position: AGREED</p>
POST-COMPLETION (IN-USE) PHASE JOBS/ CONTRIBUTIONS	<p>The Plan would be expected to detail:</p> <ul style="list-style-type: none"> - Methodology for filling the Sustained Employment Opportunities (SEO)s and apprenticeships roles - Milestones and profiles for filling the SEOs and apprenticeships - Identified skills and training gaps to gain sustained employment in the completed development - Methods to encourage applications from suitable unemployed Borough residents by liaising with the local Jobcentre Plus and employment service providers
	<p>Applicant's Position: AGREED</p>

Local Economy: Affordable Retail	
UNITS TO BE DEDICATED	<p>Six of the proposed retail units within the Butterfly Walk redevelopment shall be dedicated affordable retail units for the duration of the rent freeze period.</p> <p>All ancillary and servicing areas shall be available to the affordable retail tenants on the same terms/basis as the market retail tenants.</p>
	Applicant's Position: AGREED
ELIGIBILITY, RENT LEVELS AND DURATION OF FREEZE	<p>Eligible tenants shall be the six SMEs that currently operate from Butterfly Walk.</p> <p>The affordable retail units are to be offered to eligible tenants at a rent level matching their current rent level (excluding any rates and reasonable service and building management charges) (Indexed Linked from date of Agreement) per square foot net lettable area per annum.</p> <p>The affordable retail units are to be provided at the frozen rent levels for a 5 year term, to commence upon first operation of the affordable retail unit in question.</p>
	Applicant's Position: AGREED
RENT LEVELS AND DURATION OF DISCOUNT	<p>No later than 50% of occupation of all proposed retail units, the developer shall submit a 'Final Business Retention and Relocation Strategy' to the Council for its approval, which shall:</p> <ul style="list-style-type: none"> - identify proposed retail units that are to be dedicated as affordable; - identify which affordable retail unit each of the six existing SME retailers will take up; - provide evidence of contracts (to a reasonable level of progress) demonstrating that the proposed rent rate for each occupier reflects their current rate; and - detail the other terms of lease, including the service charge break clauses, with all costs to be reasonable so as not to offset the affordability provided by the frozen rent rates. <p>In the event that one or more of the six existing SME</p>

	<p>retailers do not ultimately take up occupancy of an affordable retail unit, the 'Final Business Retention and Relocation Strategy' shall explain why re-accommodation on-site was not possible and shall in all other regards fulfil the requirements of Policy P32 (Business Relocation) of the NSP.</p> <p>Occupation of the market retail units shall not progress past 75% until the Final Business Retention and Relocation Strategy has been approved by the Council.</p>
	<p>Applicant's Position: AGREED</p>
DELIVERY AND SIGN-OFF	<p>Prior to the occupation of any of the affordable retail units within the development, the developer shall:</p> <ul style="list-style-type: none"> - at its own expense, have constructed and completed in shell form the affordable retail units, to include shop fronts and with service heads (for the avoidance of doubt, the developer shall not be obliged to fit out); - have submitted to the Council evidence of the completed affordable retail units; and - have received written confirmation from the council that the submitted evidence is satisfactory.
	<p>Applicant's Position: AGREED</p>
TENANT APPROVAL PROCESS	<p>In the event that a new tenant is identified for an affordable retail unit, the developer shall provide to the Council the details of the new tenant and the rental terms they have agreed.</p>
	<p>Applicant's Position: AGREED</p>
Transport Impacts Mitigation	
LOCAL PUBLIC REALM UPGRADES CONTRIBUTION	<p>The developer is to pay a contributory sum of £80,000 towards necessary local public realm improvements to the Borough Road Network and the TLRN. The sum breaks down as follows:</p> <ol style="list-style-type: none"> i. £20,000 towards the provision of a raised entry treatment at the intersection of Daneville Road with Orpheus Street; ii. £15,000 towards the provision of a raised table

	<p>at the intersection of Daneville Road with Wren Road;</p> <ul style="list-style-type: none"> iii. £20,000 towards the provision of a raised table along the curving section of Orpheus Street (subject to a detailed road safety audit and confirmation from TfL that such works would not affect their bus stands/operations); iv. £15,000 towards forthcoming cycle route and parking improvements at the Daneville Road/Cold Harbour Lane/Denmark Hill junction; v. £10,000 towards the provision of cycle stopping lines at two nearby junctions around Grove Lane/Jephson Street and Grove Lane/Camberwell Church Street. <p>Works are to be carried out by the relevant highway authority within the next 5 years.</p>
	<p>Applicant's Position: AGREED TO ALL, EXCEPT ITEM i (£20,000). THIS MEANS THE MINIMUM AGREED CONTRIBUTION WILL BE EITHER:</p> <ul style="list-style-type: none"> - £60,000 (IF ITEM iii IS DEEMED NECESSARY FOLLOWING THE RSA AND TFL DISCUSSIONS); OR - £40,000 (IF ITEM iii IS NOT DEEMED NECESSARY FOLLOWING THE RSA AND TFL DISCUSSIONS)
TfL DOCKING STATION CONTRIBUTION	<p>£220,000 to contribute towards expansion of the TfL cycle docking station scheme in Camberwell (most probably in the form of a standalone docking station within the vicinity of Denmark Hill).</p>
	<p>Applicant's Position: AGREED</p>
LEGIBLE LONDON SIGNAGE	<p>£35,000 to contribute towards provision of Legible London signage within the vicinity of the site.</p>
	<p>Applicant's Position: AGREED</p>
BUS SERVICES CONTRIBUTION	<p>Funding of £60,000 towards bus services, sufficient to deliver three bus countdown facilities at the two northbound bus stops closest to this site on Denmark Hill and 1 bus shelter on Denmark Hill.</p>

	Applicant's Position: AGREED
BUS STAND SAFEGUARDING	Prior to implementation, the developer is to submit a Bus Stand Safeguarding Strategy, explaining how the bus stands and driver facilities on Orpheus Street and Denmark Hill will remain capable of efficient and safe operations during and after construction of the development.
	Applicant's Position: AGREED
BUS DRIVER WELFARE FACILITIES	Prior to implementation, the developer is to submit to the Local Planning Authority a Bus Driver Welfare Facility specification for the replacement bus driver toilet. The approved Bus Driver Welfare Facility shall be connected with utilities (water, wastewater and electricity) and shall be provided on an uninterrupted basis during and after construction of the development.
	Applicant's Position: AGREED
DELIVERY AND SERVICING MANAGEMENT BOND	For a period of two years from 75% occupancy the daily vehicular servicing activity of the site is to be monitored and returns made on a quarterly basis. If the site meets or betters its own baseline target the Delivery and Servicing Management 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 Bond will be £18,264 , calculated on the basis of the GFA of commercial floorspace and 145 residential units. The Bond is to be paid to the Council prior to occupation of any part of the development. The Council will retain £1,600 of the £18,264 Bond for assessing the quarterly monitoring. This means the maximum refundable sum will be £16,664.
	Applicant's Position: AGREED

CYCLE CLUB SCHEME	<p>The developer is to provide membership for the initial occupiers of each residential unit of the TfL "Santander" cycle hire docking station scheme (or any similar/replacement scheme) for a period of 2 years from the date of first operation of the TfL cycle docking station.</p> <p>Applicant's Position: AGREED</p>
CAR CLUB SCHEME	<p>The developer is to set up and provide membership of a Car Club scheme (to be one of the Council's approved car club partners) for a period of 3 years from the date of first occupation, to be available to each new residential unit.</p> <p>Applicant's Position: AGREED</p>
BLUE BADGE RESTRICTION	<p>The one parking bay in the northern servicing yard (accessed from Wren Road) shall be reserved for exclusive use by disabled hotel guests or employees.</p> <p>Applicant's Position: AGREED</p>
EXCLUSION FROM PARKING PERMIT ELIGIBILITY	<p>No developer, owner or occupier of any part of the development (with the exception of disabled persons) shall seek, or will be allowed, to obtain a parking permit within the Controlled Parking Zone in which the application site is situated.</p> <p>Applicant's Position: AGREED</p>
Highway Impacts Mitigation	
SCOPE OF WORKS	<p>Prior to implementation, with the exception of any site clearance/demolition and archaeological investigative works, the developer is to submit the s278 specification and estimated costs to the Local Highways Authority for approval. This shall comprise the following works, and all shall be constructed in accordance with SSDM standards:</p> <ul style="list-style-type: none"> - Repave the footway (incl. edging) fronting the development on Orpheus Street, Daneville Road and Denmark Hill; - Reinstate redundant vehicle crossovers on

	<p>Orpheus Street as footway;</p> <ul style="list-style-type: none"> - Construct the vehicle crossover on Orpheus Street and bellmouth access on Daneville Road to current SSDM standards; - Provide access arrangements for refuse collection on Orpheus Street and Daneville Road; - Provide flush tree pit edgings and surfacing around all existing trees; - Install replacement street trees on Orpheus Street; - Promote a TRO to amend parking arrangements on Daneville Road. (works to include road marking and signage); - Change all utility covers on footway areas to recessed type covers; - Upgrade street lighting on Denmark Hill, Orpheus Street and Daneville Road to current LBS standards; and - Repair any damages to footways, kerbs, inspection covers and street furniture within the vicinity of the development due to construction activities including construction work and the movement of construction vehicles.
	Applicant's Position: AGREED
DETAILED DESIGN	<p>Prior to implementation (with the exception of any site clearance/demolition and archaeological investigative works), the developer is to submit the 'Highway Works Specification and Estimated Costs' for approval.</p> <p>Prior to Implementation, an Approval in Principle (AIP), relating specifically to the basement element of the proposed development, shall be submitted for approval by the Council's Highways Authority (specifically the Structures Team).</p>
	Applicant's Position: AGREED
S278 AGREEMENT	<p>Prior to commencement of the agreed highway works, the developer is to enter into a Highway Agreement under Section 278.</p>
	Applicant's Position: AGREED

DELIVERY	<p>All works agreed under the Highway Agreement shall be completed within the agreed timeframe.</p> <p>Applicant's Position: AGREED</p>
Publicly-accessible Realm	
DETAILED DESIGN	<p>Prior to implementation, the developer is to submit a Public Realm Specification for all areas of publicly-accessible realm to the Local Planning Authority and receive its approval. The Public Realm Specification shall demonstrate that the publicly-accessible realm has been designed to an adoptable standard (in accordance with the SSDM) and shall comprise:</p> <ul style="list-style-type: none"> - detailed drawings (plans, sections, levels etc.); - details of street furniture (cycle stands, seating, bollards etc.); - details of planting; - details of external lighting and CCTV; - details of the shopping street entry gates and shutters (including evidence of engagement with local groups in the design process); - finishes schedules and samples of proposed materials; - demonstration that principles of Secured by Design have been incorporated; and - details of the phasing and timing for delivery.
	<p>Applicant's Position: AGREED</p>
DELIVERY AND SHORT-TERM MANAGEMENT	<p>Upon receipt of a Provisional Completion Certificate from the Local Planning Authority, the developer shall open the publicly-accessible realm.</p> <p>Any defects within the first 12 months of opening are to be rectified by the developer.</p> <p>At the end of the initial 12 month period, the developer is to seek and receive from the Local Planning Authority a Final Completion Certificate.</p>
	<p>Applicant's Position: AGREED</p>
LONG-TERM	<p>The developer covenants to manage, maintain and allow public access except for a limited period in</p>

MANAGEMENT	certain circumstances (fire, flood, carrying out of essential maintenance etc.).
	Applicant's Position: AGREED
DRINKING WATER FOUNTAINS	<p>Prior to the first use of the shopping street, the developer covenants to provide the two accessible drinking water fountain vessels in the specified locations, equipped with a constant supply of potable water and in a fully operational state.</p> <p>Throughout the agreed opening hours of the shopping street, and for the lifetime of the development, the developer covenants to:</p> <ul style="list-style-type: none"> - make the drinking water fountains available free-of-charge to the general public continuously; and - keep the drinking water fountains in a clean, safe, and well-maintained state.
	Applicant's Position: AGREED
HOURS OF ACCESS TO SHOPPING STREET	The shopping street shall be open between 07:00hrs and 23:00hrs every day of the week including Bank Holidays, but may be closed for up to one day per year (with prior notification to members of the public) so as to prevent public rights of way being obtained.
	Applicant's Position: AGREED
RIGHTS OF CLOSURE	The developer may close the publicly-accessible realm (with prior notification to members of the public) for up to one day per year so as to prevent public rights of way being obtained.
	Applicant's Position: AGREED
Trees and Landscaping	
TREE LOSS PAYMENT	A sum of £143,571 (subject to CAVAT indexation) paid by the developer to account for the removal of 19 trees (refs. T1, T2, T12-T19, T20-T27, T30), to include an adjustment mechanism should it ultimately transpire that some of the trees identified for removal can be retained.

	Applicant's Position: AGREED
ONGOING MAINTENANCE OF OFF-SITE TREE PLANTING	A sum of no more than 10% of the final/adjusted Tree Loss Payment (subject to indexation) paid by the developer to account for the Council's costs of long term maintenance of the new trees planted off-site , calculated as 10% of the CAVAT contribution.
	Applicant's Position: AGREED
Cinema	
OPERATOR	First refusal to Peckham Plex.
	Applicant's Position: AGREED
Energy and Sustainability	
FUTUREPROOFED CONNECTION TO DISTRICT CHP	Prior to occupation, a CHP Energy Strategy must be approved setting out how the development will be designed and built so that all parts of it will be capable of connecting to any future District CHP.
	Applicant's Position: AGREED
CARBON OFFSET	<p>£242,086 in-lieu payment for a total shortfall of 84.93 tonnes/CO₂ (calculated at a rate of £95/tonne for 30 years).</p> <p>£310,450 in-lieu payment for a total shortfall of 108.93 tonnes/CO₂ (calculated at a rate of £95/tonne for 30 years).</p> <p>Total in lieu payment: £552,536.</p> <p>Development as built is to achieve the respective carbon reduction for the non-domestic and domestic elements, as set out in the submitted Energy Statement.</p>
	Applicant's Position: AGREED
REVIEW OF INSTALLED ENERGY	Post-installation review to verify the carbon savings delivered with an upwards only adjustment to the carbon offset fund contribution if required.

MEASURES	Applicant's Position: AGREED
Administration	Payment to cover the costs of monitoring these necessary planning obligations (with the exception of those that have monitoring contributions already factored-in), calculated as 2% of total sum. Applicant's Position: AGREED

583. These obligations are necessary to make the development acceptable in planning terms, mitigating for its adverse impacts. In the event that a satisfactory legal agreement has not been entered into by 28th January 2022 it is recommended that the Director of Planning and Growth 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 Section 106 Agreement, fails to ensure adequate provision of mitigation against the adverse impacts of the development through projects or contributions in accordance with: Policy DF1 (Delivery of the Plan and Planning Obligations) of the London Plan 2021; Strategic Policy 14 (Delivery and implementation) of the Core Strategy 2011; Saved Policy 2.5 (Planning Obligations) of the Southwark Plan 2007, and; Southwark Council's Planning Obligations and Community Infrastructure Levy SPD 2015."

Mayoral and Borough Community Infrastructure Levies

584. 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 Borough 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, while the Borough CIL will provide for infrastructure that supports growth in Southwark.
585. The gross amount of CIL is approximately £3,669,002.15. This comprises £3,580,565.06 of Mayoral CIL and £88,437.09 of Borough CIL.
586. It should be noted that this is an estimate, based on information provided to date by the applicant, and the floor areas including ancillary areas will be checked when CIL Additional information and Assumption of liability forms are submitted after planning approval has been obtained. It also does not take any account of the potential for CIL relief for the delivery of affordable

housing.

CIL Phasing Plan

587. The planning conditions listed on the draft decision notice have been disaggregated into ‘blocks’. This will enable individual ‘discharge of condition’ applications to be applied for post-permission, helping avoid unnecessary delays should the developer wish to commence stages of certain buildings earlier than others. Notwithstanding the block-based formatting of the conditions, planning application 19/AP/7057 is a single phase development.
588. Notwithstanding that the development comprises one phase, the applicant wishes for CIL payments to be phased on a block-by-block basis. This will spread the total CIL liability across the development, with payment triggered upon commencement of each phase. The applicant has proposed this CIL phasing:

CIL Phasing Plan		
CIL Phase Number	Phase Name	Works/Elements included in each phase
CIL PHASE 1	Block C	Residential, Hotel and Pedestrianised Shopping Street uses contained within Block C
CIL PHASE 2	Block B	Residential, Supermarket and Cinema uses contained within Block B
CIL PHASE 3	Block A	Residential and Community uses contained within Block A

589. These are distinct geographical parcels of land, with contiguous but not overlapping boundaries. The Council’s CIL Team has reviewed this phasing, and considers it to be a clear and workable disaggregation. Accordingly, the applicant’s phasing plan will be listed on the decision notice as an approved plan.

Development description

590. The proposed development was originally:

Part redevelopment, part refurbishment of the Butterfly Walk

Shopping Centre including:

- *the addition of a part 3, part 5 and part 6 storey building fronting Denmark Hill;*
- *the addition of a 2 storey building over part of the roof of the existing supermarket;*
- *the erection of a new part 2, part 3, part 4 and part 8 storey building fronting Daneville Road;*
- *the erection of a new 6 storey building on the corner of Orpheus Street and Daneville Road;*
- *the creation of a central landscaped shopping area to the rear of the Shopping Centre;*
- *the partial removal of the existing surface car parking area and provision of car parking spaces including spaces for town centre visitors and disabled parking spaces; and*
- *other associated structures, plant and works;*

*to accommodate a mix of retail units (Classes A1 to A3); 145 new dwellings comprising 3 studios, 35 one-beds, 74 two-beds, 32 three-beds and 1 four-bed (Class C3); a new 101-bed hotel (Class C1); a new two-screen cinema (Class D2); a new community room (Class D1); and car parking uses (*Sui Generis*).*

591. Post re-consultation, the LPA and applicant agreed to simplify the development description. Separately, Condition 1 (Scope of Works) of the draft decision notice describes the key elements of the proposal in more detail, including with use class references.
592. This arrangement of an accurate but simplified development description supported by a more specific Scope of Works condition responds to the Court of Appeal's reversal of the High Court's decision in *Finney v Welsh Ministers* [2019] EWCA Civ 1868. It will enable the applicant to seek amendments to the extant consented proposal by varying Condition 1 (under Section 73 of the Town and Country Planning Act) without any risk of the sought variation conflicting with the development description. Had the development description remained in its original very detailed format, any changes the applicant later wished to make falling outside the wording of the operative part of the grant would have necessitated the submission of a fresh full planning application.

Community involvement and engagement

593. This application was accompanied by a Statement of Community Involvement. The document confirms that the following public consultation was undertaken by the applicant during the pre-application and planning application stages:

<u>Developer Consultation: Summary Table</u>

<u>Date</u>	<u>Form of consultation</u>
Round 1 (Pre-application engagement)	
3 rd September 2018	Briefing with the SE5 Forum for Camberwell prior to broader public exhibition.
Early/mid September 2018	Distribution of over 2,500 information leaflets to local residents and businesses, informing them of the scheme and inviting them to attend the upcoming public exhibition, “Session 1”..
26 th September 2018	Public exhibition, “Session 1”, held at GX Gallery.
2 nd October 2018	Presentation to the Camberwell Society at their monthly meeting. Note: Members of the Camberwell Society have been kept updated throughout the consultation, including ongoing emails and dialogue with the project team.
16 th October 2018	Meeting held residents of the Colonnades.
18 th October 2018	Meeting held with the Camberwell Business Network and the SE5 Forum to discuss the scheme
18 th January 2019	Meeting held with the Grove Lane Residents' Association (GLRA). Note: GLRA have been contacted/updated on a regular basis throughout the design process.
Round 2 (Revised pre-application proposal)	
6 th March 2019	Preview meeting held with key stakeholders, including representatives of residents groups, to discuss the revised scheme (prepared following feedback received during Round 1) prior to broader public exhibition.
Late February/early March 2019	Distribution of information leaflets to local residents and businesses, informing them of the revised scheme and inviting them to attend upcoming public exhibitions, “Sessions 2 and 3”.
7 th and 9 th March 2019	Two public exhibitions, Sessions 2 and 3, held at GX Gallery at different times throughout the day to

	present the revised scheme.
Round 3 (Further revised pre-application proposal)	
June 2019	Preview meeting for the Colonnades residents held for the further revised scheme in advance of the upcoming public exhibitions, “Sessions 4 and 5”.
Early/mid June 2019	Distribution of information leaflets to local residents and businesses, informing them of the further revised scheme and inviting them to attend Sessions 4 and 5.
27 th and 29 th June 2019	Two public exhibitions, Sessions 4 and 5, held within one of the retail units at Butterfly Walk Shopping Centre to discuss the further revised scheme.
18 th October 2019	Meeting held with the Camberwell Business Network and the SE5 Forum to discuss the further revised scheme.
Round 4 (Planning application proposal)	
12 December 2019	Meeting with representatives of the Camberwell Society to advise that the planning application had been submitted and to provide an update on the scheme, including changes made following the previous Round 3 consultation.
January 2020	Detailed information sent to Grove Lane Residents in advance of Sessions 6, 7 and 8.
Early/mid January 2020	Information leaflets distributed to local residents and businesses, informing them of the submitted scheme and inviting them to attend Sessions 6, 7 and 8. Over 80 residents and business owners over three days.
25, 26 and 28 January 2020	Public exhibitions (Sessions 6, 7 and 8) held within the Butterfly Walk Shopping Centre. Sessions were held at different times throughout the day to discuss the submitted scheme. This included 3 days with specialist sessions for the Colonnades, Grove Lane Residents and Camberwell Society.
4 February 2020	Meeting held with the Camberwell Community Council at the Camberwell Library to present the submitted scheme and advise of the changes

	undertaken following the previous Phase 3 consultation. Organised by Cllr Dixon Fyle and attended by all local ward councillors and over 20 local residents
During 2020	Regular updates to Ward Councillors, Camberwell Society and SE5 Forum during year and following the Autumn 2019 amendments to the scheme.
January 2021	Letters sent to Camberwell Society SE5 Forum and Grove Lane Residents to explain the changes to the scheme following the previous Round 3 consultation.
Jan/Feb 2021	Three online meetings with SE5 forum/Camberwell Society Identity Group to review how the scheme could incorporate Camberwell branding and how current and future scheme could fit into wider identity aspirations.

594. The applicant's Statement of Community Involvement captures qualitatively and quantitatively all the feedback from each of the three pre-application rounds of consultation, and documents the materials presented/distributed at each of these stages. Section 6.0 of the Statement of Community Involvement details how the scheme evolved through the course of the pre-application stages.
595. As part of its statutory requirements, the Council sent letters to surrounding residents, issued a press notice publicising the planning application and displayed notices in the vicinity of the site. Reconsultation conducted in late April 2021 comprised site notices, as well as letters to those who commented as part of the original consultation. Adequate efforts have, therefore, been made to ensure the community has been given the opportunity to participate in the planning process.
596. Details of consultation and reconsultation undertaken by the Local Planning Authority in respect of this application are set out in the appendices. The responses received are summarised later in this report

Consultation responses from members of the public

597. The 'Consultation Summary' section of this report includes a 'Planning Objections: Summary Table' which sets out the different material planning objections raised by the consultation and reconsultation exercises. In total, 103 different objection reasons were raised. The majority of these objections have been addressed in the main body of the report, and as such the relevant section of the report should be referred to for a full and detailed response on

the individual matter.

598. The objection reasons not expressly addressed in the main body of the report are listed below under the parent topic. In each case, an officer response has been provided.

599. Social infrastructure:

- Will increase pressure on public services (GPs, schools etc.)
 - **Officer response:** *Broader public infrastructure improvements to mitigate the impacts of new development are delivered through CIL. The proposed development would generate a significant CIL contribution.*

600. Social/community effects:

- Local community will be harmed, displaced and/or unbalanced
 - **Officer response:** The proposal would provide a mixed residential community comprising affordable and open market units, on a site that currently contains only three open market dwellings. This would ensure a mixed and balanced community. Although there is a possibility that the three existing tenants would be displaced, they are on short-term ASTs at market rental rates, so would be able to find alternative equivalent accommodation in the locality easily.
- Density/quantity:
 - Proposal contains too many dwellings
 - **Officer response:** The 145 proposed dwellings is considered an appropriate quantum for the site, given that: the density range of 200-700 habitable rooms per hectare would not be exceeded; the existing retail uses would effectively be re-provided; there would be an uplift in town centre floorspace; and neither the height nor scale of the proposal would lend it undue prominence or obtrusiveness within the local townscape..

601. Quality of housing:

- The balance of amenity space provision will be unfairly weighted in favour of market/intermediate dwellings
 - **Officer response:** While the communal amenity space to the rear of Block A (which comprises exclusively open market homes) is by far the most substantial in terms of surface area, the space would be available for use by residents of Blocks B and C on exactly the same terms as the Block A residents. Blocks B and C would also have their own areas of communal amenity space within the demise

of the block. As such, there would be equality across the three tenures in terms of quantum, quality, and extent of access to communal amenity space.

602. Residential use:

- No keyworker housing will be provided
 - **Officer response:** There are no planning policies that expressly deal with keyworker housing. The three affordable housing products offered (social rent, shared ownership and London Living Rent) would provide good value stable long-term housing options, each suited to different household incomes bands, and with in some cases the opportunity for partial ownership. As such, localkeyworkers would be eligible to access this housing, subject to meeting the relevant criteria.
- There is nothing to stop the developer reducing the number/proportion of affordable housing post planning approval
 - **Officer response:** *The affordable housing will be secured in the s106 agreement*
- No rented housing options will be provided
 - **Officer response:** The scheme includes a policy-compliant level of social rented housing

603. Cinema:

- Ticket prices will be unaffordable
 - **Officer response:** There would be no policy justification for placing limitations on the cinema ticket prices. Ultimately, the operator of the cinema will need to price tickets competitively if the facility is to be successful.

604. Hotel:

- Guests will not spend money/time locally, so local people and businesses will not benefit
 - **Officer response:** Visitors are likely to book into the proposed hotel for purposes connected to the locality – such as visiting the hospitals or Camberwell College of Arts, or because they want to spend time in places such as Peckham. It is likely, therefore, that there will be some spend generated in local businesses.

605. Supermarket:

- There is no security that Morrisons will stay on the site
 - **Officer response:** Morrisons has expressed a commitment to

remain in the development and the terms of a 20-year lease are currently being negotiated. It is likely that Morrisons would be affected temporarily by the redevelopment, but this will be limited to the installation of structural steels and other minor works around the exterior. Morrisons and the developer are shortly due to negotiate rental concessions to account for the disruption caused, and as such there is no reason to assume at the current time that Morrisons is likely to vacate the site. The retention of the large-format superstore and town centre parking would mean that, even in the very unlikely event of Morrisons departing the site, the facility would be extremely well-positioned for an alternative supermarket to take up the lease.

606. Shopping Street:

- Lack of a roof over the shopping street is unwelcome
 - **Officer response:** The northwestern end of the proposed shopping street would be canopied. The proposed central square would not; however, its open-air nature would lend the proposal a more traditional character. In comparison with a roofed or enclosed shopping mall, it would be successful in helping to knit the development into the nearby streets and public spaces.

607. Other land use matters:

- Will not provide enough community uses
 - **Officer response:** The 22 square metre community facility, while small, would be managed to ensure optimal and equal use by various local groups. The provision is considered sufficient.
- Will not provide enough commercial/office use
 - **Officer response:** The mix of proposed uses is considered acceptable and –with its strong offer of retail, entertainment and visitor accommodation– would consolidate the site's very important role at the heart of the town centre. There is no expectation, either within policy or the site allocation, for this site to deliver office uses.

608. Local economy

- Existing long-established and/or independent businesses in the wider Camberwell area will be priced out through gentrification, or otherwise harmed
 - **Officer response:** While the scheme is welcomed for the revitalising effect it would have on the town centre, it proposes to effectively retain the existing retail floorspace and introduce a new budget hotel and modestly-sized cinema use to the site. It would

not, therefore, be of such a scale as to significantly distort/inflate the commercial property market in Camberwell. Accordingly, there is no reason to assume that the proposal would have the knock-on effect of pricing out local existing businesses.

- Development will only bring low-paid jobs, not meaningful ones
 - **Officer response:** A proportion of the in-construction and end-use jobs are targeted at currently unemployed Southwark residents. It is likely, therefore, that the specific posts may be predominantly in the lower-paid bracket. However, as this will help borough residents move out of unemployment, it is welcomed as a benefit of the scheme. The Section 106 Agreement will specify the minimum duration of the jobs to ensure they are meaningful.

609. Amenity impacts:

- Will exacerbate litter/graffiti
 - **Officer response:** The shopping street and central square will be monitored by a mix of CCTV and in-person security to minimise this kind of anti-social behaviour. Bins will be provided in the public realm to encourage responsible disposal of litter.

610. Transport:

- Camberwell Station reopening cannot, and should not, be relied on to absorb additional journeys to and from site
 - **Officer response:** Although the applicant's transport documentation makes reference to the potential reopening of the Station, the technical assessments and data contained within do not take this into account. As such, the modelling reflects the transports impacts of the scheme were it to be delivered in the current-day context.
- Motorcycle deliveries (affecting highways and footway flows) will increase
 - **Officer response:** Ad hoc motorcycle deliveries are inherently difficult to manage/control. Spatially, motorcycles are less obstructive than other more conventional delivery vehicles. Furthermore, their dwell times are generally short as they are delivering smaller items. It is expected that areas used by vans lorries when dropping-off (and which are discussed in the earlier 'Servicing' section of this report) would also be used for motorcycle deliveries.

611. Environmental Impacts:

- Construction activities/traffic will cause congestion and/or disturbance
 - **Officer response:** The Final CEMP will be expected to address such risks and propose appropriate mitigation, including accounting for local servicing and delivery peaks.
- Construction activities/traffic will go on for too long
 - **Officer response:** The development is intended to be delivered in a series of phases, the start and finish dates for each of which will overlap. The first three phases (Block C hotel; Block C residential; Block B residential) are all expected to last 22 months, Phase 4 (Block B cinema and Morrisons alterations) would last 6 months and Phase 5 (Block A) would last 24 months.
- Proposal will produce harmful wind effects
 - **Officer response:** The proposal is not of such a height as to raise any wind environment concerns.

612. Infrastructural Impact:

- Proposal will place strain on utilities (water, electricity etc.)
 - **Officer response:** Relevant utilities organisations were consulted on the application and none have raised any objections, subject in some instances to conditions.

613. Policy conflict:

- Does not respect the Low Line vision
 - **Officer response:** The site does not located alongside the railway arches, and is in fact quite some distance away. As such, the Low Line vision is not a relevant consideration. Notwithstanding, the scheme would provide improved walking and cycling links across Camberwell, including towards the railway arches.
- Contrary to Camberwell Area Plan
 - **Officer response:** The proposed development is considered to be broadly in accordance with the Area Plan in land use terms, providing a mix of daytime and evening dining options, together with new housing. In terms of layout it would also deliver the desired north-to-south and east-to-west connections. There are respects in which the proposal does not conform to the Area Plan vision, one example being that no office space is proposed; however, the Area Plan vision is not an adopted planning document and is intended to guide development. It carries very limited weight in decision-making. As such the proposal is considered to have shown sufficient regard to the Camberwell Area Plan.
- Contrary to Movement Plan

- **Officer response:** There is no obvious respect in which the proposal contradicts the Movement Plan. The scheme would improve permeability, provide enlarged footways and shared spaces, and promote sustainable travel patterns.

614. Developer Approach and Community Engagement:

- Visualisations provided by the developer are taken from flattering angles
 - **Officer response:** It is considered that the visualisations are taken from the most important or relevant viewpoints. The images within the TVIA were agreed upon in liaison with the Council's Design and Conservation Team to ensure the most sensitive and important views were modelled.

Conservation Area Advisory Group

- 615.
- The Camberwell Society been involved in early conversations about the development and are happy with its evolution. The scheme is welcomed by the Society.
 - **Officer response:** Noted.
 - CAAG agreed it will be positive to have a new pedestrianised town centre for Camberwell, but expressed the view that closing the shopping street route at night could detract from the character of the development.
 - **Officer response:** Unlike the other areas of public realm within the proposed development, the shopping street would be framed only by commercial spaces with little natural surveillance during night time hours. In the interests of minimising anti-social behaviour risks and protecting residential amenity, it is considered appropriate for the shopping street to be closed between 11pm and 7am each day. Details of the gates and shutters are to be secured by condition. It is considered that the closure between these night time hours would not detract from the character of the development.
 - Proposal is considered to be blander than the more ornate buildings that face Camberwell Green.
 - **Officer response:** The proposal (including its Denmark Hill frontage, which is the part of the scheme that has the strongest relationship to the Green) would be of a relatively understated appearance. Notwithstanding, the facade would be of a classic well-ordered composition and finely detailed, with deep reveals and an expressed soldier course parapet, all complemented by the rich materials pallet. Overall, the effect would be successful.

- CAAG asked for more architectural joy in the scheme, potentially by introducing more colour or terracotta detailing. They understood that the application is near completion and suggested that more interest through a richer material palette could be secured via a condition.
- **Officer response:** Detailed design and materials will be secured by condition; however, these will be expected to conform in terms of colour, appearance, patina, texture, general quality and finish to the details provided as part of the planning application. As expanded on in the 'Design' section of this report, it is considered that the tone of the various bricks, window and doors frames, balustrades, shopfronts, shutters and hard landscaping would achieve a high quality of design sensitive to the site's setting historic context.

Consultation responses from internal and divisional consultees

616. The key matters raised by responses from internal and divisional consultees are summarised below. It should be noted that, in each case, the final /most recent consultation response is provided. An officer's response has been provided to each.

617. Arboricultural Services Team:

- No objection, subject to securing a sum to cover the Council's costs of planting the off-site trees and pruning them thereafter on an ongoing basis.
- **Officer response:** This will be secured as an obligation within the Section 106 Agreement.

618. Archaeologist:

- No objection, subject to conditions relating to Archaeological Evaluation, Archaeological Mitigation, Archaeological Reporting and Archaeology Public Engagement Programme (note: the Archaeologist's detailed comments have been provided in the section of this report entitled 'Archaeology').
- **Officer response:** All suggested conditions will be secured.

619. Ecology Team:

- No objection, subject to recommended conditions relating to ecological management, swift nesting features and green walls.
- **Officer response:** All suggested conditions have been included on the Draft Decision Notice.

620. Environmental Protection Team;

- No objection, subject to recommended conditions relating to inter-dwelling and inter-use noise levels, ventilation, contamination and construction environmental management
 - **Officer response:** All suggested conditions have been included on the Draft Decision Notice.

621. Flood Risk Management Team:

- No objection, subject to conditions relating to the final surface water drainage strategy.
 - **Officer response:** The two suggested conditions have been included on the Draft Decision Notice.

622. Highways Constructional Environmental Management Team:

- No objection to the outline CEMP. A Final CEMP should be supplied post-approval.
 - **Officer response:** A Final CEMP will be secured by condition.

623. Highways Development Management and Highways Licensing Teams:

- Doors should not open outwards onto footway areas, either public or private as these will obstruction pedestrian movements and pose a hazard. Doors adjacent to footways should be designed to open inwards or slide horizontally.
 - **Officer response:** Some plant room doors / emergency only doors do open outwards, however these are either not in a pedestrian area or are required for either fire or operational purposes. In all cases their outward opening swing would not impact the safe movement of pedestrians, cyclists or road users.
- The footway width on the eastern side of Wren Road (outside Block A) should be increased to at least 2.4 metres.
 - **Officer response:** The stretch of footway would be 1.45 metres wide. However, a raised table is to be provided at the junction of Wren Road and Daneville Road, creating a more pedestrian friendly shared space. This will effectively enlarge the area useable bypedestrians. As such, despite falling short of the standard requirement, the footway width on the eastern side of Wren Road is considered acceptable.
- If consent is granted the developer must enter into a Section 278/38 Agreement to complete various works to the footways and highways in the vicinity of the site (these are listed in the 'Planning Obligations: Summary Table' in an earlier part of this report).

- **Officer response:** The developer has agreed to all the requested works. Completion of these works as part of the separate subsequent Section 278/38 works has been included as an obligation within the Section 106 Agreement.
- All streets and spaces must be surfaced in conformity with the SSDM (adoptable) standards, surfacing design must ensure no surface water flows onto public highway, and a joint condition survey should be conducted by the applicant in collaboration with the Highway Development Team.
 - **Officer response:** All these general comments are noted, and will be captured on the decision notice as informatives.

624. Local Economy Team:

- The developer must deliver 46 sustained jobs, 46 short courses, and take on 11 construction industry apprentices during the construction phase. A contribution must be paid in lieu of this provision, commensurate to the shortfall and up to a maximum of £216,750 if not delivered. The developer must also submit for approval a Construction Phase Employment, Skills and Business Support Plan.
 - **Officer response:** This is to be secured in the Section 106 Agreement.
- The developer must deliver 56 sustained jobs for unemployed borough residents. A contribution must be paid in lieu of this provision, commensurate to the shortfall and up to a maximum of £240,800(based on £4,300 per job). The developer must also submit for approval a Post-Completion Phase Employment, Skills and Business Support Plan.
 - **Officer response:** The suggested 56 FTE jobs have been calculated treating the retail floorspace as new, rather than existing and remodelled. As the scheme does not include an uplift in retail floorspace, it is not possible to secure additional FTE retail jobs. As such, 10 sustained end-use jobs are to be secured in the Section 106 Agreement, comprising 8 tied to the hotel and 2 tied to the cinema.

625. Transport Policy Team:

- The street trees to be located on Orpheus Street would reduce the effective footway width unacceptably, so this should be reviewed.
 - **Officer response:** Of the six existing footway trees on Orpheus Street, it is likely that only one would be retained; the other five would be removed and replaced with new clear stem trees in broadly similar locations. The exact positioning of these trees will be

agreed as part of the Section 278 works, and there is ample room for the stems to leave a clear minimum 2.4 metre passing width on the footway.

- Proposed retail units C-00-26 and C-00-27 (at the junction of Denmark Hill and Orpheus Street) should be set back at least 1 metre from current building line along Denmark Hill, so as to secure a widened footway of at least 4 metres
 - **Officer response:** Such a realignment would be disruptive to the building form of Block C, would have a negative effect on its overall appearance and street frontage, and in any case would not be feasible because of the retained structure. The footway along Orpheus Street would be widened, which is considered adequate mitigation for the increased footfall brought by the proposed development.
- The sign and lighting column on Denmark Hill to the front of the development should be consolidated to declutter the footway;
 - **Officer response:** The sign appears to have been removed. In any case, decluttering/consolidation of footway items can be secured as part of the Section 278 works.
- Contributions requested towards the following 'Healthy Streets' improvements:
 - a) reconstruction of the footway flanking this site on Daneville Road, Denmark Hill and Orpheus Street;
 - b) provision of two raised entry treatments and two raised tables on adjacent highways;
 - c) forthcoming cycle route and parking improvements at the junction of Daneville Road with Cold Harbour Lane and Denmark Hill;
 - d) provision of cycle stopping lines at two nearby junctions; and
 - e) resurfacing the pathway that connects the site to Denmark Hill Station through Allendale Close.
 - **Officer response:** The applicant has agreed to items a), c) and d). With respect to item b), the applicant has agreed to one raised treatment and one raised table, with the other raised table to be delivered if deemed safe following discussions with TfL. The applicant has not agreed to the other raised treatment as it is considered unnecessary. Item e) cannot be sought because the full length of the pathway is not within the immediate vicinity of the site, and as such the works would not be within scope of CIL regulation 122.
- Funding is requested towards the provision of a cycle hire docking station and 3 bus countdown facilities:

- **Officer response:** The applicant has agreed to a £225,000 docking station contribution and a £60,000 bus countdown facility contribution.
- The general public should be granted access to the shopping street on 24/7 basis, 364 days of the year.
 - **Officer response:** Unlike the other areas of public realm within the proposed development, the shopping street would be framed only by commercial spaces with little natural surveillance during night time hours. In the interests of minimising anti-social behaviour risks and protecting residential amenity, it is considered appropriate for the shopping street to be closed between 11pm and 7am each day. Although this would restrict pedestrian permeability between Denmark Hill and Wren Road, it would do so during the much less busy night-time period only.
- A Delivery and Servicing Management Bond must be secured.
 - **Officer response:** A Delivery and Servicing Management Bond will be secured through the Section 106 Agreement.
- The Outline Travel Plan is acceptable, but the final version must require additional commitments to key initiatives, including the appointment of a cross-site Travel Plan Coordinator.
 - **Officer response:** A Final Travel Plan will be secured by condition.
- The Outline CEMP is acceptable, but the final version requires numerous additional measures, as well as a commitment to more neighbourly servicing times.
 - **Officer response:** A Final CEMP will be secured by condition.
- The Draft DSP is acceptable, but needs to include consolidation of deliveries (sourcing same suppliers, use of consolidation centres etc.)
 - **Officer response:** A Final DSP will be secured by condition.
- A Car Parking Design and Management Plan should be a condition of consent, showing the layout of the 32 active spaces and 10 safeguard (convertible) spaces, along with a management regime.
 - **Officer response:** A Car Parking Design and Management Plan will be secured by condition.
- There is no indication that 20% of the proposed car parking spaces would be equipped with active electric vehicle charging points (EVCPs) from the onset, nor that the remaining 80% would have passive charging points.
 - **Officer response:** The proposed ground floor plan shows that 20% of the car parking space would have active EVCPs. A full detailed

scheme for EVCPs will be required by condition.

- An ‘End-of-journey Facilities Scheme’ for the provision of shower, changing and locker facilities for cyclists in the commercial parts of the development should be submitted.
 - **Officer response:** The applicant contends that providing shower or toilet facilities for the commercial units would not be possible for the majority of the retail units due to their relatively small floor area and limited staff numbers. The provision of a communal facility for the retail units is neither practicable nor viable without a significant further reduction to overall sales areas. Internal shower facilities can be provided for the two largest commercial units, Morrison’s and the hotel. These would have sufficient employees and space to be able to provide internal facilities. The applicant’s arguments are accepted. Details of the end-of-journey facilities will be secured by condition specifically for the hotel and Morrisons.
- A ‘Cycle Parking Strategy’ for at least 448 parking spaces, including 20% contained in Sheffield cycle racks, all of which must be enclosed in secure shelters, should be submitted.
 - **Officer response:** These details will be secured by condition.

626. Urban Forester:

- Good quality landscape materials and specifications including trees and other soft planting have been proposed. Conditions should be attached relating to detailed hard and soft landscaping, tree protection measures, arboricultural site supervision, green roofs, and proof of urban greening performance. A CAVAT sum to account for the differential between existing and proposed stem girth should also be secured.
 - **Officer response:** All suggested conditions have been included on the Draft Decision Notice. A CAVAT sum will be secured in the Section 106 Agreement.

627. Waste Management Team:

- No objection, subject to a recommended conditions requiring delivery of the refuse store rooms before occupation of any of the dwellings within the host residential building.
 - **Officer response:** Suggested conditions have been included on the Draft Decision Notice.

Consultation responses from external consultees

628. Environment Agency:

- No objection subject to recommended conditions.
 - **Officer response:** All suggested conditions have been included on the Draft Decision Notice.

629. Historic England:

- No comments. Historic England advised that the views of the Council's Design and Conservation Team be relied on.
 - **Officer response:** Noted. The Design and Conservation Team have considered the application and their views are captured in the 'Design' section of this report.

630. GLA [Stage I response]:

The Stage I response expressed strong support in strategic planning terms for the proposal given its optimisation of land use to provide housing, retail and other uses. It advised that the proposed development was not in compliance with the London Plan for the principal reasons outlined below, but considered there to be good scope for remedying these deficiencies. Each issue raised by the Stage I response is addressed below:

- Some affordable retail space should be provided.
 - **Officer response:** In light of the scheme's significant profit deficit, the applicant is unable to offer conventional affordable retail space (i.e. a discount of the Local Market Rent for a set number of years across 10% of the total retail floorspace for eligible SME retailers). The applicant contends that it would be unreasonable to expect conventional affordable retail to be delivered when taking into account that no retail uplift would occur and the intention is to retain as many of the existing occupiers as possible. However, frozen rental rates have been secured for all six of the small and independent retailers who presently operate from Butterfly Walk, should they ultimately decide to return. The freeze will be for the first five years of their lease from occupation of their new and refurbished unit. Specific details will be submitted for approval to the Local Planning Authority as part of the 'Final Business Retention and Relocation Strategy' no later than 50% of all proposed retail units, with occupation not to progress past 75% until the Strategy has been approved.
- The number of projected jobs for the cinema and hotel uses should be clarified, and permission should be subject to a recruitment and training strategy that demonstrates how the development would provide training and employment opportunities during the lifetime of the development.

- **Officer response:** Applying the H&CA Density Matrix, the hotel would generate approximately 20-21 FTE jobs and the cinema would generate 4-5 FTE jobs. Together, therefore, these uses would create approximately 25 FTE jobs. Of the 10 sustained jobs for unemployed borough residents that are to be secured through the Section 106 Agreement, 8 of these will be required in connection with the hotel and 2 will be tied to the hotel. Recruitment and training processes will be outlined with the Skills and Employment Plan (with compliance demonstrated in the subsequent quarterly reports), which will be a Section 106 obligation. The Council's Local Economy Team will provide oversight of this post- permission process.

- In urban design terms, further activation of Orpheus Street should be explored, possibly by relocating the plant and refuse and fully wrapping the retail space around the south west corner of Block C.
 - **Officer response:** It is recognised that the ground floor level of Orpheus Street would contain some segments of non-active frontage. However, these would be relatively short in length and interspersed by the glazed frontages of retail units C-00.27, C-00.24 and c-00.25; the green walling and high quality elevational materials at ground floor level would provide further visual interest. Street trees and shared surfaces would give the streetscape a convivial feel, with informal natural surveillance brought by the first floor extensive glazed cinema frontage. Overall, and in the absence of an obvious alternative location for Block C's substation and refuse store, the configuration and framing of Orpheus Street is considered acceptable.

- The Council should ensure that the play spaces exhibit the highest standards of inclusiveness, accessibility and safety, and the final design of the spaces secured.
 - **Officer response:** High quality play spaces will be secured by conditions and Section 106 obligations.

- Key design details and materials should be secured by condition to ensure an exemplary quality of architecture is delivered.
 - **Officer response:** High quality design and materials will be secured by conditions.

- Features such as street trees, green roofs, green walls, rain gardens and hedgerows should all be considered for inclusion. The applicant should calculate the development's Urban Greening Factor, and aim to achieve the specified target for residential schemes.
 - **Officer response:** The applicant has optimised the site's urban greening potential. 0.37 is considered an acceptable UGF score for

a scheme that comprises a floorspace ratio of 43% commercial to 57% residential.

- Further revisions and information are required before the proposals can be considered compliant with energy policies.
 - **Officer response:** Since receipt of the Stage I response, further information has been sought from the applicant, namely carbon emissions disaggregating domestic and non-domestic elements, SAP 10 information, TM59 analysis, overheating, futureproofing, communal heat source and photovoltaic specifications. The final suite of information is considered acceptable, and will be subject to further review by the GLA as part of the Stage II referral.
- The affordable housing offer and quality of accommodation are acceptable. Shared ownership and London Living Rent units should be offered in accordance with the household income cap and eligibility criteria set out in the London Plan, to ensure affordability for households with a range of incomes below the upper limit.
 - **Officer response:** The Section 106 will ensure the appropriate caps and eligibility criteria are specified.

631. London Fire Brigade:

- The applicant should provide an undertaking that the proposal will incorporate access for fire appliances as required by Building Regulations and adequate water supplies for fire fighting purposes..
- Hard copy formats of various detailed plans (to include information such as fire resisting structural elements, all exit routes, areas covered by escape lighting, and fire alarm call points).
 - **Officer response:** The applicant provided the requested undertaking, but in lieu of paper copies directed the London Fire Brigade to electronic copies of the documentation on the Council's Public Access for Planning Register. No further comment was received from the London Fire Brigade, in spite of follow-up requests from the case officer. No objections are assumed. In any case, permission will be subject to adherence to the Fire Strategy and will be assessed again by the GLA as part of the Stage II process.

632. London Underground:

- No comments, other than that TfL may provide separate comments about potential London underground impacts arising from the proposed development.

633. Metropolitan Police:

- No objection subject to a two-part condition recommended condition.
 - **Officer response:** The suggested condition has been included on the Draft Decision Notice.

634. Natural England:

- No comment.

635. Thames Water:

- Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for foul water drainage, or surface water drainage, but have been unable to do so in the time available Planning conditions should be attached to require the developer to address these matters.
 - **Officer response:** All suggested conditions have been included on the Draft Decision Notice.

636. Transport for London:

- Residents should be restricted from applying for on-street residential car parking permits, secured in the s106 agreement.
 - **Officer response:** This will be secured in the Section 106 Agreement.
- EVCPs should be provided in accordance with ITPLP policy and the applicant is encouraged to outfit all accessible spaces with active provision.
 - **Officer response:** A suitably worded condition is recommended.
- Whilst the proposed reduction in town centre car parking is welcomed, provision other than for Blue Badge holders is contrary to policy. Eliminating general car parking altogether would reduce potential adverse impacts on the local road network in terms of road safety, air quality and increased congestion. The applicant should therefore provide robust justification as to why parking, other than for Blue Badge holders, is required.
 - **Officer response:** A significant reduction of parking spaces would result from the proposed development, which should be welcomed. The justification for retaining 27 town centre spaces is given in the 'Car Parking' section of this report.
- Public realm improvements should be secured in accordance with Healthy Streets, Vision Zero and Streetspace Plan.

- **Officer response:** In accordance with these Mayoral initiatives, a range of public realm improvements have been agreed with the applicant in discussion with the Council's Transport Policy. The agreed items are listed in the 'Planning Obligations: Summary Table' in an earlier part of this report.
- Contributions of £35,000 and £220,000 should be secured towards Legible London signage and cycle hire docking station expansion respectively.
 - **Officer response:** The applicant has agreed to these contributions, and they will be secured in the Section 106 Agreement.
- The specification of the replacement bus driver toilet and the nearby bus stands must be agreed with TfL and secured within the Section 106 agreement, alongside measures to ensure these facilities remain capable of efficient and safe operations during and after construction of the development.
 - **Officer response:** The applicant has agreed to an obligation to deliver an operational bus driver toilet throughout the lifetime of the development, and it will be secured in the Section 106 Agreement. The bus stands would remain unaffected. Servicing vehicles will use the part of the footway where the existing on-site northern service yard is located on Orpheus Street. Tracking is provided at Appendix K of the applicant's Transport Assessment that illustrates that vehicles can stop without impeding vehicle movements on Orpheus Street. This can be controlled and managed via active on-site management and secured within the Delivery and Servicing Management Plan.
- It is unclear how, in practice, the servicing of retail units C-00.26 and C-00.27 from Orpheus Street would work.
 - **Officer response:** In response to this issue raised at Stage I, the applicant is now proposing a slightly amended strategy where larger vehicles delivering to the two retail units would utilise the northern service yard (from where goods would be trolleyed to the units) rather than Orpheus Street. This is primarily to alleviate concerns about the potential impact of larger, stationary vehicles in front of the bus stands, even though the potential for any conflict is highly unlikely. Deliveries from smaller vehicles would still take place via Orpheus Street and there would be adequate space for vehicles (including buses) to pass. Deliveries from smaller vehicles would also be a shorter duration (less than 5 minutes) so any disruption would be minimal. Final details will be secured in the DSP.
- Travel Plans, a Car and Cycle Parking Management Plan, Construction Environmental Management Plan (CEMP) Construction Logistics Plan

(CLP) and a Delivery and Servicing Plan (DSP) must be submitted for approval by the Council, the latter two in consultation with TfL (due to possible impacts on bus operations), prior to commencement.

- **Officer response:** Conditions requiring these submissions have been included on the Draft Decision Notice. The CEMP and CLP have both been split into two conditions – one for demolition and one for construction.

Community impact and equalities assessment

637. 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:

1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
2. 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
3. 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.

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

639. The Council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights

640. The Council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. The positive impacts have been identified throughout this report.

They include:

- Affordable housing: A minimum of 51 affordable units, comprising a mix of social rented and intermediate tenures.
- Accessible accommodation: 10% of all housing would be wheelchair accessible, as would 10% of the hotel rooms. Wheelchair parking would also be provided for the town centre and residential uses.
- Employment and training opportunities: Local unemployed people would benefit from jobs and training opportunities, and small and local retailers presently operating from the shopping centre would benefit from rent freezes..
- Improved and more accessible public realm: The proposed shopping street, central square, other amenity spaces, footways and highways would all be designed to assist people with mobility impairments. Physical measures such as level or shallow gradient surfaces, dropped kerbs, resting places and outdoor lighting would benefit disabled and older people in particular.
- Public safety: Safer public spaces (through the various proposed active and passive security and surveillance measures) would benefit all groups, but in particular older people, disabled people and women.

641. 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.

Human rights implications

642. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

643. This application has the legitimate aim of part-demolishing, reconfiguring and refurbishing an existing shopping centre and supermarket, and extending and redeveloping it, to provide a mixed-use development comprising residential, retail and dining uses, a cinema, a hotel and a community room together with various community spaces and publicly-accessible realm. 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.

Positive and proactive engagement: summary table

Was the pre-application service used for this application?	YES
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If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES

CONCLUSION

644. This application would enable the beneficial re-use of one of Camberwell's most prominent, accessible and under-developed sites that presently comprises outdated retail buildings together with large surface car parking, contributing little to the character of the area. The proposal would significantly improve a prominent stretch of Denmark Hill, and deliver enhanced public spaces and pedestrian permeability.
645. The proposal would deliver a high quality mixed use development, retaining much of the existing retail and supermarket floorspace but in a reconfigured and upgraded format, complemented by a range of new town centre and community uses including a cinema. It would also provide 145 dwellings with a policy compliant level of affordable housing. This mix of uses would diversify Butterfly Walk's commercial offer, contribute to the local night-time economy, reinforce the site's important District Town Centre role, and contribute to a mixed and balanced community. Not only is this in accordance with the policies of the Southwark Plan 2007 and Core Strategy 2011 but it also fulfils the aspirations for the site, as set out in the New Southwark Plan Site Allocation. The principle of redevelopment is therefore strongly supported.
646. The issue raised most commonly in the public objections is the height and scale of the proposed buildings. Associated concerns about the impact on the Conservation Area and local townscape have also been raised, along with the standard of architectural design. It is recognised that the buildings –in particular the Block A 'bookend' and the residential element of Block B– would be of a more urban scale than their immediate surroundings. Notwithstanding, through the proposal's logical and neighbourly layout, well-considered articulation, and the use of high quality architectural treatments, the overall height and massing would sit comfortably within the townscape. The proposal would read as a distant and recessive feature in relation to the Camberwell Green and Camberwell Grove Conservation Areas such that it would cause less than substantial harm to these heritage assets and their settings.
647. In response to public representations and extensive discussions with Council officers, the proposed residential accommodation has undergone significant

positive changes through the course of the planning application process. The changes include greater provision of larger family homes, enlargements to the footprint of some dwellings, re-designing some of the proposed private balcony areas to achieve a more private character, and attaining higher levels of space standards compliance. Notwithstanding, some instances of non-compliance remain. These include some rooms and overall flat sizes falling short of the minimum requirement, a small number of rooms having substandard internal light levels, and three homes having no private amenity space. In determining the application, weight should be given to these negative aspects of the proposal, balanced against the site constraints and mitigation as detailed in the relevant earlier part of this report. The high proportion of dual aspect units and quality of communal amenity space are positive factors to be considered in assessing the overall quality of the new residential accommodation.

648. It is recognised that there would be a substantial impact upon the daylight and sunlight enjoyed by some of the residential occupiers of surrounding buildings. In the main, however, the retained levels would not be untypical for an urban London location. On balance, while recognising the impacts, it is concluded that the merits of the scheme, and the context within which it would sit, would not justify the refusal of planning permission.
649. The scheme would entail the loss of 19 trees, which a number of public representations have objected to. These trees' location and the breadth of their canopies and root zones are such that, were they to be retained as part of the proposals, this would significantly restrict the ability to bring forward a viable and optimal redevelopment, and one which delivers the various objectives of the NSP site allocation. New tree planting has been proposed at various levels of the development by way of mitigation. Two financial contributions would also be secured from the developer, one to fund off-site new tree planting in the borough, and the second to fund the Council's longer-term costs of maintaining those new off-site trees. In combination, the tree planting, various landscaping improvements and urban greening would deliver welcome ecological and aesthetic benefits.
650. Concerns have been raised by the public about local transport infrastructure burden, increased congestion on the local road network, and the soundness of the servicing strategy. The applicant's framework documents adequately demonstrate that transport and environmental impacts would be mitigated and that a sound set of measures would be implemented to actively promote the use of sustainable modes of transport among future residents, employees and visitors of the development. Detailed strategies in these respects will be secured post-approval. As a precautionary measure, a bond will be secured so that highways impacts can be monitored over the course of the first two years of operation. Further highways and transport mitigation is to be secured through the Section 106 Agreement.

651. In line with the requirements of the NPPF, the Council has applied the presumption in favour of sustainable development. The proposal would accord with sustainable principles and would make efficient use of a prominent vacant brownfield site to deliver a high quality development that is in accordance with the Council's aspirations for the area. Importantly, it has the potential to re-invigorate the Camberwell town centre, supporting its future as an attractive and diverse retail and leisure environment. It is therefore recommended that Members grant permission, subject to conditions as set out in the attached draft decision notice, referral to the GLA, and the timely completion of a Section 106 Agreement.

BACKGROUND DOCUMENTS:

Background Papers	Held At	Contact
Site history file: 797-M Application file: 19/AP/7057 Southwark Local Development Framework and Development Plan Documents	Planning Division, Chief Executive's Department, 160 Tooley Street, London, SE1 2QH	<ul style="list-style-type: none"> • Planning enquiries telephone: 020 7525 5403 • Planning enquiries email: planning.enquiries@southwark.gov.uk • Case officer telephone: 020 7525 5535 • Council website: www.southwark.gov.uk

APPENDICES:

No.	Title
Appendix 1	Consultation undertaken and replies received
Appendix 2	Draft decision notice
Appendix 3	Floorspace schedule
Appendix 4	Planning history
Appendix 5	Existing and pipeline visitor accommodation

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Patrick Cronin, Senior Planning Officer	
Version	Final	
Dated	16 June 2021	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Governance	No	No
Strategic Director, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	16 June 2021	