

Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	Block K, MARINE WHARF WEST, PLOUGH WAY SE16 7UE	
Ward	Evelyn	
Contributors	Michael Forrester	
Class	PART 1	07 JANUARY 2015

Reg. No. DC/14/89436

Application dated 03.10.2014

Applicant Barton Wilmore LLP on behalf of Berkley Homes (East Thames) Limited

Proposal Erection of 34 residential units (17 one bed, 12 two bed and 5 three bed) and 361 sqm of office floorspace (Use Class B1), together with associated access, car parking, cycle parking and landscaping at Block K (Phase 7), Marine Wharf West, Plough Way SE16

Applicant's Plan Nos. 11442\_K(00)\_003 PL2, 11442\_K(00)\_000 PL3, 11442\_K(00)\_001 PL3, 11442\_K(00)\_002 PL2, 11442\_K(01)\_001 PL10, 11442\_K(01)\_002 PL11, 11442\_K(01)\_003 PL3, 11442\_K(01)\_006 PL3, 11442\_K(01)\_007 PL5, 11442\_K(02)\_001 PL8, 11442\_K(02)\_010 PL4, 11442\_K(02)\_011 PL2, 11442\_K(02)\_002 PL5, 11442\_K(02)\_003 PL7, 11442\_K(02)\_004 PL8, 11442\_K(03)\_001 PL5, 11442\_K(03)\_002 PL2

Block K, Block K West Elevation, Block K East Elevation, Block K South Elevation, Plough Way Elevation,

1142\_K(02)\_101 PL1, 1142\_K(02)\_102 PL1, 1142\_K(02)\_103 PL1, 1142\_K(02)\_104 PL1, 1142\_K(02)\_105 PL1, K(09)\_001 -3 BED SELHP PL2, K(09)\_002 -2 BED SELHP PL2, K(09)\_003 -1 BED SELHP PL2,

1142\_K(09)\_101 PL2, 1142\_K(09)\_102 PL2, 1142\_K(09)\_103 PL2, 1142\_K(09)\_104 PL2, 1142\_K(09)\_105 PL2, 1142\_K(09)\_106 PL2, 1142\_K(09)\_107 PL2, 1142\_K(09)\_108 PL2, 1142\_K(09)\_109 PL2, 1142\_K(09)\_110 PL2, PLANNING STATEMENT, MARKETING REPORT, FLOOD RISK ASSESSMENT, ENERGY STATEMENT, COMMERCIAL STRATEGY REPORT, TRANSPORT STATEMENT, DAYLIGHT, SUNLIGHT AND OVERSHADOWING REPORT, SUSTAINABILITY STATEMENT, DESIGN AND ACCESS STATEMENT, BLOCK K MARINE WHARF

APPROVED DRAWINGS, BLOCK K MARINE  
WHARF PROPOSED DRAWINGS  
CIL

Background Papers

- (1) Case File DE/153/C/TP
- (2) Local Development Framework Documents
- (3) The London Plan
- (4) NPPF

Designation

Core Strategy – Growth and Regeneration Area,  
Area of Archaeological Priority, Strategic Site  
Allocation 5

Screening

Screening Opinion 24 October 2014

**1.0 Property/Site Description**

- 1.1 The application site is a parcel of land bounded by Plough Way (B206) to the north and flanked by Marine Wharf East site to the east and the Marine Wharf West development to the west and south. The application site area is 0.21 hectares and forms part of the 2.83 hectare Marine Wharf West site currently being redeveloped by Berkeley Homes. The application site comprises the footprint of the building plus an area of surface level parking and a podium deck (above ground floor parking) providing amenity space for residents of another building on the Marine Wharf West site as well as for residents of the building proposed in the current application. On the north side of Plough Way are 3-4 storey residential buildings (located within LB Southwark). Further to the south and east of the site is the Pepys Estate.
- 1.2 The site lies within an Area of Archaeological Priority and the Thames Policy Area, within an area of Public Open Space Deficiency and Area of Nature Conservation Deficiency as defined in the Core Strategy. The London View Management Framework Strategic Viewing Corridor and Strategic Wider Viewing Corridor – Greenwich Park to St Paul's Cathedral – crosses the site, imposing a limit on building height.
- 1.3 The majority of the site and surrounding area has a current Public Transport Accessibility Level (PTAL) rating of 2, where 1 is poor and 6 is excellent. The site is served by the 199 bus (and N1 night bus) along Plough Way. The nearest bus stop to the application site is located on Plough Way within 50m of the site. Other bus routes (the 47, 188 and N47) can be accessed on Evelyn Street. The nearest London Overground station is Surrey Quays with Underground services further away at Canada Water (Jubilee Line), and the nearest railway stations are at South Bermondsey and Deptford (providing connections to south and central London and Kent). River bus services are available from Greenland Pier 400 metres to the northeast of the application site (providing connections to the London Eye Millennium Pier to the west, and Woolwich Arsenal to the east). The nearest cycle route, forming part of the Lewisham Cycle Network, runs along the bank of the River Thames via Deptford Wharf and Deptford Strand to the east of the site.

- 1.4 The nearest district centre within the Borough is Deptford, however the Surrey Quays Shopping Centre (to the northwest) is closer.



1.5 Relationship to other sites

*Marine Wharf West*

- 1.6 As noted above the site forms part of the Marine Wharf West development. This has planning permission for redevelopment comprising a number of residential, commercial and mixed-use buildings and new public open space along the route of the former Grand Surrey Canal. Development commenced in 2011 with Phases 1 and 2 now complete, Phase 3 nearing completion, and construction of Phases 4 and 5 underway. Construction of the linear park has also commenced with the northern section now complete and open to the public.

*Marine Wharf East*

- 1.7 To the east is a site referred to as Marine Wharf East which is currently occupied by a 2 storey office building with associated car park. This site has planning permission for redevelopment (DC/13/85917) for the demolition of existing buildings and development of two blocks up to 8 storeys in height to provide 183 residential dwellings with 1,053 sqm of flexible commercial floorspace. Development has not yet commenced.

## **2.0 Planning History**

- 2.1 DC/10/73737 - Planning permission granted, subject to conditions and s.106 agreement 20 September 2011, for redevelopment of the site comprising buildings between 1 and 8 storeys in height to accommodate 4,126 sqm of commercial floorspace (Use Classes A1/A2/A3/B1/B1c), 532 residential units (including 78 units provided as an "Extra Care" facility), car parking, pedestrian and vehicular access, landscaping, new public open space along the route of the former Grand Surrey Canal, and other associated works.
- 2.2 DC/13/84296 - Application under S.73 of the Town and Country Planning Act 1990 for a Minor-Material Amendment to DC/10/73437 for alterations to Blocks F, G and H (Phases 4, 5 and 6) of the development to allow for minor re-positioning of buildings, minor increases in height, alterations to building layouts to accommodate wheelchair access and changes to housing mix. Granted subject to conditions and Deed of Variation to original s.106 agreement 22 October 2013.

## **3.0 Current Planning Application**

### The Proposals

- 3.1 Detailed planning permission is sought for the erection of a part 6, part 7 storey building facing Plough Way comprising ground floor commercial space and 34 residential units above.
- 3.2 At ground floor there would be two commercial units for B1 use, measuring 149 sqm and B 179 sqm. At first floor are 2 x 1 bed, 2 x 2 bed and 1 x 3 bed including three units designed to be wheelchair accessible in accordance with SELHP space standards. The second-fifth floor has 3 x 1 bed, 2 x 2 bed and 1 x 3 bed. The sixth floor comprises 3 x 1 bed and 2 x 2 bed units.
- 3.3 In the approved Marine Wharf West scheme this building formed the last phase of the development (referred to as Building E1) and comprised a 4 storey building providing 1,664 sqm of B1 floorspace.
- 3.4 The current proposed building has essentially the same footprint as the permitted scheme. However, it is proposed to increase the height of the block by between 3.2m and 5.4m to provide an additional 1-2 storeys, which together with the reconfiguration of the building to provide residential floor to ceiling heights (rather than taller office space requirements) has allowed for a maximum of 7 storeys to be accommodated. The maximum height of the building would increase from 22.280 AOD to 27.520 AOD.
- 3.5 Each residential unit is provided with a private balcony or terrace and to the rear of the building is a communal landscaped garden at podium level above parking. This communal amenity space was permitted under the original Marine Wharf West development and will be shared with the adjacent building in this development. At ground floor level two car parking spaces are provided for the commercial units. It is proposed that the landscaped podium above would provide a continuous visual connection with the landscaped podium approved for the adjacent Marine Wharf East development although they would be accessed separately and would not be physically connected.

- 3.6 The elevations of the proposed building are to be clad in brick, with the central residential entrance and core marked out by a brick surround rising through the centre of the building up to the 7<sup>th</sup> floor. The top floor of the building will be clad in corten steel, matching those of other completed blocks on the Marine Wharf West site.

#### Supporting Documents

- 3.7 In addition to a set of approved and proposed plans a Commercial Strategy report, Marketing Report and Planning Statement have been submitted. A Design and Access statement with townscape documents and visually verified images has been submitted setting out the design rationale and assessing the height, scale and massing of the building.
- 3.8 A Daylight, Sunlight and Overshadowing report has been prepared that considers the impact of the proposed development on residential occupiers on adjoining sites as well as other buildings within the Marine Wharf West site. A Transport Statement, Sustainability Statement and Energy Statement have also been submitted in support of the proposals. In addition a statement confirming the continued relevance of the Flood Risk Assessment submitted with the 2010 planning application for the wider Marine Wharf West site has been received.

#### **4.0 Environmental Impact Assessment Screening**

- 4.1 The original application for the comprehensive redevelopment of Marine Wharf West (DC/10/73737) was the subject of an environmental impact assessment, the conclusions of which and proposed mitigation were reported in an Environmental Statement submitted with that application. By way of scheme design and details, conditions and planning obligations the identified impacts were mitigated to an acceptable degree.
- 4.2 The Council has considered the likely significant environmental effects of the current proposed development and issued an EIA Screening Opinion on 24 October 2014. In summary it is considered that the proposed development would not give rise to new or significantly different environmental effects from those that have already been assessed. Subject to appropriate mitigation being secured then further assessment is not required in respect of transport; air quality; noise and vibration; ecology; ground conditions, contamination, water quality and resources; townscape and visual effects; socio-economics; waste management; and micro-climate. In addition, it is considered that the conclusions of the original ES in respect of the cumulative effects of the development remain valid for the current proposal and no further assessment needs to be carried out or additional mitigation secured. Accordingly, mitigation identified in the original ES that is relevant to the current application will be secured by way of conditions and/or s106 obligations should planning permission be granted.
- 4.3 Notwithstanding the conclusions of the Screening Opinion the applicant has undertaken further assessment of the proposed development in respect of daylight and sunlight and also provided additional evidence in respect of townscape impacts and traffic impacts. These are considered further below under Planning Considerations.

## **5.0 Consultation**

5.1 Following receipt of the application Site Notices were displayed and letters sent to 334 residential and commercial properties in the surrounding area and to the relevant ward Councillors. Occupiers in Phase 1 of the development and neighbours adjoining the site on Plough Way/Carteret Way and Transom Close were notified by letter on the 23<sup>rd</sup> October 2014. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

5.2 By virtue of the building height and the proposals being considered a 'connected' application (to the original Marine Wharf West development) the scheme is referable to the GLA. The original application was the subject of an environmental impact assessment and in addition to the GLA the following bodies have been consulted:

Environment Agency

Natural England

Thames Water

Southwark Council

5.3 In view of the ES submitted with original planning application for Marine Wharf West to which this current application refers the development was advertised as EIA development in the press on the 29<sup>th</sup> October 2014.

### Written Responses received from Local Residents and Organisations

5.4 A total of 334 neighbouring properties have been notified, no representations have been received.

5.5 The response of the GLA is awaited.

5.6 The Councils Strategic Housing Department support the scheme stating that The Council plans to provide 500 new affordable homes across the borough in the next four years under the New Homes Better Places programme. A financial contribution towards this programme would allow the Council to fund this programme and provide high quality homes in the areas of most need.

5.7 Transport for London have commented on the scheme stating that this application forms part of the previously consented Marine Wharf West scheme and the resultant changes are minor in terms of trip generation. Consideration should be given to cycle parking meeting the latest standards in the Further Alterations to the London Plan and it is unclear if electric vehicle charging points are proposed.

5.8 The Environment Agency have raised no objection to the proposals subject to conditions relating to site remediation and foundation design.

5.9 No response has been received from Natural England, Thames Water or Southwark Council.

## **6.0 Policy Context**

### Introduction

6.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

6.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), the Development Management Local Plan (adopted November 2014) and policies in the London Plan.

### National Planning Policy Framework

6.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

6.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

## National Planning Practice Guidance

- 6.5 In March 2014 the Government published its National Planning Practice Guidance. This complements the National Planning Policy Framework and provides advice on how to deliver its policies. The guidance includes advice on the determination of applications, on flexible options for planning permissions and viability in determining applications.

## London Plan (July 2011)

- 6.6 The London Plan policies relevant to this application are:
- Policy 2.3 Growth areas and coordination corridors
  - Policy 3.3 Increasing housing supply
  - Policy 3.4 Optimising housing potential
  - Policy 3.5 Quality and design of housing developments
  - Policy 3.8 Housing choice
  - Policy 3.11 Affordable housing targets
  - Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
  - Policy 3.13 Affordable housing thresholds
  - Policy 4.2 Offices
  - Policy 4.3 Mixed use development and offices
  - Policy 4.12 Improving opportunities for all
  - Policy 5.1 Climate change mitigation
  - Policy 5.2 Minimising carbon dioxide emissions
  - Policy 5.3 Sustainable design and construction
  - Policy 5.7 Renewable energy
  - Policy 5.11 Green roofs and development site environs
  - Policy 5.12 Flood risk management
  - Policy 6.9 Cycling
  - Policy 7.3 Designing out crime
  - Policy 7.4 Local character
  - Policy 7.6 Architecture
  - Policy 8.2 Planning obligations
  - Policy 8.3 Community infrastructure levy

## London Plan Supplementary Planning Guidance (SPG)

- 6.7 The London Plan SPG's relevant to this application are:
- Accessible London: Achieving an Inclusive Environment (April 2004)
  - Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
  - Housing (November 2012)
  - Draft Sustainable Design and Construction SPG (July 2013)
  - Use of planning obligations in the funding of Crossrail and the Mayoral Community Infrastructure Levy (April 2013)
  - Sustainable Design and Construction (April 2014)
  - Shaping Neighbourhoods: Character and Context (June 2014)

## Core Strategy

- 6.8 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre



Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan.

The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1 Lewisham Spatial Strategy

Spatial Policy 2 Regeneration and Growth Areas

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 7 Climate change and adapting to the effects

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 14 Sustainable movement and transport

Core Strategy Policy 15 High quality design for Lewisham

Core Strategy Policy 21 Planning obligations

Strategic Site Allocation 1 Requirements for strategic site allocations

Strategic Site Allocation 5 Plough Way

#### Development Management Local Plan

6.9 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

6.10 The following policies are considered to be relevant to this application:

DM Policy 1 Presumption in favour of sustainable development

DM Policy 22 Sustainable design and construction

DM Policy 24 Biodiversity, living roofs and artificial playing pitches

DM Policy 25 Landscaping and trees

DM Policy 29 Car parking

DM Policy 30 Urban design and local character

DM Policy 32 Housing design, layout and space standards

#### Residential Standards Supplementary Planning Document (August 2006)

6.11 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

#### Planning Obligations Supplementary Planning Document (January 2011)

6.12 This document sets out guidance and standards relating to the provision of affordable housing within the Borough and provides detailed guidance on the likely type and quantum of financial obligations necessary to mitigate the impacts of different types of development.

## **7.0 Planning Considerations**

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

- a) Principle of Proposed Development
- b) Design and Landscaping
- c) Housing
- d) Highways and Traffic Issues
- e) Impact on Adjoining Properties
- f) Sustainability and Energy
- g) Other Considerations
- h) Planning Obligations

### **Principle of Proposed Development**

- 7.2 The application site forms part of the Plough Way Strategic Site in the Core Strategy (Strategic Site Allocation 5) that includes Marine Wharf West, Marine Wharf East, Cannon Wharf and sites in Yeoman Street. The Core Strategy seeks the comprehensive mixed use redevelopment of the Strategic Site including (subject to an acceptable site layout, scale and massing) up to 1,500 new homes with a proportion of on-site affordable housing and at least 20% of the built floorspace being developed for a mix of business space (B1(c), B2, B8 as appropriate to the site and its wider context). Although a single Strategic Site in the Core Strategy, the Plough Way site has come forward as a series of separate developments, but within the context of an overall masterplan established by the developers of Marine Wharf West. In the case of Marine Wharf West the planning permission granted in 2011 permitted 532 residential units and 4,126 sqm of commercial floorspace comprising a mix of retail (A1/A2/A3) and office/light industrial (B1/B1c). The early phases of the development have been completed and occupied and the remaining phases (other than the last two buildings) are under construction.
- 7.3 The current application seeks permission for an alternative form of development to that permitted in 2011 on part of the Marine Wharf West site. Specifically the application proposes a building comprising 328 sqm (net internal) of ground floor B1 floorspace and 34 residential units in the upper floors in place of the approved mixed commercial building that would have provided 2,174 sqm of space (335 sqm of A1/A2/A3 floorspace, 1,614 sqm of B1 floorspace, and 225 sqm of other non-residential floorspace). If permitted, the current application would increase the number of residential units on the wider Marine Wharf West site from 532 to 566 and reduce the B1 floorspace across the site from 2,583 sqm to 1,297 sqm.
- 7.4 In support of the proposed replacement of B1 with residential the applicant has submitted a report from local agents who have been marketing the commercial floorspace on the site since September 2011. Whilst they have been successful in letting some of the non-residential space including retail space and some B1 space, commercial transactions and interest to date has been for small self-contained ground floor space. A Marketing Report submitted with the application demonstrates a lack of interest in the B1 office space, with only 12 viewings since 2011 and none being progressed to a sale/letting. In the absence of a pre-let or purchaser of the building the applicant is reluctant to construct the building speculatively with the prospect of it remaining empty. The proposal therefore is to provide office space on the ground floor with residential above.

The s.106 agreement for the wider Marine Wharf West development includes provisions regarding fit out of employment space on the site and it is proposed that this would be applied to the B1 space in new building. This includes service connections for gas, electricity, water and foul drainage and provision for telecommunication services and broadband services; DDA compliant entrances; windows and doors and screed floors. The final fit out of this space including any decoration would be for the tenant to fund.

- 7.5 The building would form part of a commercial frontage across the Marine Wharf East and Marine Wharf West developments and linking to the new Business Centre at Cannon Wharf. Given the evidence that has been submitted regarding the marketing of the building and lack of demand from occupiers, it is considered that the proposal to provide commercial space on the ground floor with residential above is an acceptable approach and will facilitate the completion of the Marine Wharf West development.

#### Design and Landscaping

- 7.6 The approved Block K was a 4 storey office building with internal floor to ceiling heights of 3m. The proposed building will be predominately residential with a lower floor to ceiling height of 2.5m. The applicant is also proposing an increase in height of the building of 5.24m, the combined effect of which is to allow for 7 floors of accommodation. The increase in height means the building will be of a similar height to those to the west and given the scale of surrounding buildings is considered appropriate. The increase in height does not impinge on the Strategic View from Greenwich to St. Pauls.
- 7.7 The proposed building is to be constructed of brick with a corten steel top floor. The design approach and use of materials is consistent with that used elsewhere on the Marine Wharf West site and is considered to provide a robust appearance and built form that hints at the site's industrial past. The footprint of the building has been altered so that the flank wall now sits flush on the eastern boundary, continuing the line of the podium. This is so that when the adjacent Marine Wharf East site is developed these sites will sit flush and allow for a continuous piece of townscape without incongruous gaps between buildings.
- 7.8 The podium garden approved under the original 2011 planning permission to the south of the building is retained and provides communal amenity space for residents of the flats in the two buildings (Block F and K) that adjoin this space. The design of the podium garden is consistent with that of the adjoining site within the Marine Wharf East development by Galliard Homes. The applicant has submitted details which show that the levels of the podium proposed is consistent with that of Marine Wharf East. In addition, the scheme allows for a ground level link between the Marine Wharf West and Marine Wharf East sites. Details of this link and its delivery will be secured by planning obligation and will improve local connectivity, enabling residents in this part of the borough to link into the new network of streets and landscaped spaces that are being created in the area. This includes the route of the former Surrey Canal that runs between Marine Wharf West and Cannon Wharf and down to Oxestalls Road.
- 7.9 The scheme has been presented to the Council's Design Review Panel who are supportive of the scheme subject to securing high quality design as expressed throughout the rest of the scheme. Materials and architectural detailing are to be secured by condition.

## Housing

### *a) Size and Tenure of Residential Accommodation*

7.10 The application proposes a total of 34 flats comprising:

<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>Total</b>
17 (1)	12 (1)	5 (1)	34

\* Wheelchair accessible units of total shown in ( )

7.11 This provides for a mix of dwelling sizes and is considered acceptable. The original planning permission for Marine Wharf West included 103 affordable dwellings, amounting to 20% of the total housing on the site. This included 78 within an 'Extra Care' block for the elderly, plus 25 intermediate units elsewhere on the site. The current application proposes that the 34 dwellings in Block K are all private, with affordable housing being provided off-site. The London Plan and Lewisham Planning Obligations SPD state that whilst affordable housing provision is normally required on-site, in exceptional circumstances it may be provided off site or through cash-in-lieu contributions to secure the efficient delivery of new affordable housing on identified sites elsewhere in the borough. Where off-site financial contributions are agreed, it is clarified that the contribution made will be used to create extra affordable housing provision through new-build, conversion and bring empty and underused accommodation back into use.

7.12 Whilst the Council's affordable housing policy is to secure provision on site, a financial contribution for off-site provision could be used towards the Council's planned delivery of new housing units in the borough through the New Homes Better Places programme. The applicant has submitted a confidential financial appraisal of the development that indicates that, in their opinion, the scheme could generate a financial contribution towards off-site affordable housing equivalent to 3-4 affordable units (i.e. 9-12% of the proposed market housing). This appraisal has been reviewed for the Council by independent consultants who have advised that the sales values used in the appraisal are lower than market evidence would suggest, and that the level of financial contribution towards affordable housing could be increased. Through negotiations with the applicant this contribution has been increased to a level that could fund 7-9 affordable dwellings off-site depending on the chosen dwelling size mix. This equates to 20-26% of the market housing.

7.13 The level of contribution that can be secured and proposed use of this funding is supported by the Council's Strategic Housing department and in this instance it is considered that the provision of an off-site payment can be supported. In the circumstances the proposals in respect of affordable housing are considered acceptable.

### *b) Standard of Residential Accommodation*

7.14 London Plan Policy 3.5 'Quality and design of housing developments' requires housing developments to be of the highest quality internally, externally and in relation to their context. The London Plan also sets out minimum floor space standards for new homes, taking into account commonly required furniture and spaces needed for differing activities and circulation. The accompanying GLA Housing SPG contains further guidance on internal layout of dwellings. These standards require 1 bed / 2 person flats to be a minimum of 50 sqm, 2 bed / 4 person flats to be 70 sqm and 3 bed / 6 person flats to be 95 sqm.

All 34 units proposed in the current application would meet the minimum floorspace standards and in the case of the 2 and 3 bed flats would exceed them. In accordance with Core Strategy Policy 1 all units will meet Lifetime Homes standards and in addition three flats, located on the 1st floor, will be provided as easily adaptable wheelchair units in accordance and meet or exceed the South East London Housing Partnership (SELHP) standards.

- 7.15 The majority of the flats are dual aspect and although there are some single aspect units within the scheme, these have a southerly aspect over the landscaped podium. Each unit is of an acceptable size and layout, meeting or exceeding London Plan standards, and all units are provided with private amenity space either via a balcony or terrace. All units would also have access to the landscaped podium at first floor level.
- 7.16 The original planning permission for Marine Wharf West provided 532 dwellings and the current application for 34 flats would be additional. This will increase housing density marginally from 188 to 200 dwellings per hectare, however given the quality of accommodation that is being provided as well as the easy access to open space and public transport this is considered to be acceptable.

#### Highways and Traffic Issues

- 7.17 Pedestrian access to the building is from Plough Way with vehicle access to the proposed parking area from within the site. The approved Marine Wharf West development included parking to serve the commercial floorspace and the current application proposes an additional three car parking spaces, two of which would be allocated for commercial users and one for residential use. The main Marine Wharf West site has a Car Club and this will be available to occupiers of the proposed building. The minimal increase in parking to serve the 34 residential units and commercial space is considered acceptable and is unlikely to have any noticeable effect on local highway conditions. TfL have raised no objection to the development on the basis that the trip generation from the building is unlikely to significantly change over and above that already generated by the permitted Marine Wharf West development.
- 7.18 41 secure cycle parking spaces are proposed, 39 for residential use and 2 for commercial use. This is in accordance with the adopted London Plan, although below that proposed in the Further Alterations to the London Plan however that standard is still the subject of consultation and has yet to be adopted. In the circumstances it is considered that the cycle parking proposed is acceptable.
- 7.19 Refuse collection points are provided within the covered ground level parking area.

#### Impact on Adjoining Properties

- 7.20 The impact of the approved Marine Wharf West development was reported in an Environmental Statement submitted with that application. A Screening Opinion by the Council in respect of the current application noted that daylight and sunlight impacts were assessed outside the ES framework submitted with that application and identified the need for further assessment in respect of the current application. An assessment of the impact of the proposed development on daylight and sunlight to adjoining properties has been submitted with the current application, comparing the impacts associated with the approved 4 storey

building to that of the proposed 7 storey building. This work has been reviewed for the Council by specialist consultants who advise that based on both the 2010 and current assessments the proposed developments appears to have a significant impact on daylight and sunlight to the neighbouring Plough Way properties.

- 7.21 Some impact is considered inevitable for a proposal of a scale appropriate to the site and surrounds, and the 2011 planning permission for the Marine Wharf West site acknowledged and accepted a degree of impact in terms of loss of daylight and sunlight to adjacent properties. The proposed building, being taller, increases the impact on and loss of light to these properties and the cumulative effect would appear to be at least minor, and could potentially be considered moderate in some localised areas depending on the usage of the worst affected rooms. For example, living rooms are expected to receive more daylight than bedrooms however, this level of detail of internal layouts and arrangement of rooms is not available to comment further. In conclusion therefore, in the worst case situation the overall impact of the proposed building, on daylight within Plough Way, compared to the approved is likely to be minor, though the cumulative effect relative to existing site conditions could potentially be localised moderate. The impact on sunlight within Plough Way is likely to be no worse than minor.
- 7.22 Residential units in the proposed building face either onto Plough Way or onto the landscaped podium level and are expected to receive satisfactory daylight. It is also considered that the layout of the units in relation to adjacent Block J (on Marine Wharf West) and Marine Wharf East is acceptable.
- 7.23 It is therefore considered that the proposed scheme would be of an acceptable impact upon existing and future neighbouring occupiers. Officers are also mindful that the planning policies encourage building at greater densities to meet housing need in London and given the likely minor impacts a reason for refusal based upon amenity is considered to be unjustified.

### Sustainability and Energy

#### *a) Renewable Energy*

- 7.24 London Plan Policy 5.3 'Sustainable Design and Construction' states that the highest standards of sustainable design and construction should be achieved in London, to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- 1 Be Lean: use less energy
  - 2 Be clean: supply energy efficiently
  - 3 Be green: use renewable energy
- 7.25 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. All new development should address climate change and reduce carbon emissions.

Core Strategy Policy 8 requires all new residential development to meet a minimum of Code for Sustainable Home (CfSH) Level 4 and commercial buildings to achieve a BREEAM rating of 'Excellent'.

- 7.26 The applicant has submitted a CfSH pre-assessment that states the residential element of the scheme is capable of achieving Code Level 4. This is policy compliant and represents an improvement over the rest of the Marine Wharf West scheme approved in 2011, which is rated as Code Level 3. Code level 4 will be secured by condition.
- 7.27 The applicants have stated that an 'Excellent' rating for the commercial space would be difficult to achieve due in part to the fact that these units will be built to shell and core, and many of the criteria for BREEAM apply to installations that will not be part of the construction that the developer is responsible for. The applicant has calculated that the site can achieve 'Very Good' and the site also demonstrates high levels of sustainability, ecology and the reuse of land.
- 7.28 The applicants submitted energy strategy is based around the London Plan Energy Hierarchy and proposes efficiencies through building fabric improvements and connection into the existing Combined Heat Power system within the Marine Wharf West development. The measures proposed would achieve a 42% improvement in CO2 emissions against Part L Building Regulations 2013.
- 7.29 For the reasons stated, on balance it is considered that a rating of BREEAM 'Very Good' would be acceptable in this instance and taking into account that the residential element meets Code Level 4, which is an improvement over the other blocks in the Marine Wharf scheme.

*b) Living Roofs and Ecology*

- 7.30 DM Policy 24 Biodiversity, living roofs and artificial playing pitches requires all new development to take full account of biodiversity. Under the original planning permission for the Marine Wharf West development Block K did not have a living roof although other buildings incorporated living roofs. An Ecological Enhancement scheme for the wider Marine Wharf West development has been approved and through negotiation with Officers, the applicant has offered that a brown roof could be installed, with the details to be secured by condition. The scheme provides a landscaped podium and the wider scheme in addition to each landscaped podium level also provides the linear park by way of ecological enhancement.

Scheme Viability and Financial Appraisal

- 7.31 The applicant has submitted a confidential financial appraisal that provides information on development costs including land value, construction and other costs such as finance and marketing, and on residential sales values and rents and yields for the commercial space. The Council appointed external consultants to analyse the data and to advise whether the development could support additional affordable housing than that proposed by the applicant. From their analysis they conclude that whilst residential build costs appear high other development costs are reasonable and that on balance the overall development costs are acceptable. Commercial rents and yields are comparable to those for similar space in the local area and the assumed land value is reasonable. The allowance for other costs such as s.106 planning obligations, finance and marketing are also considered to be reasonable.

- 7.32 Based on the evidence of recent sales in the vicinity (including sales on the rest of Marine Wharf West) and having considered the ceiling prices likely to be achievable for the proposed flats the advice to the Council is that a higher average sales value for the private units than that used by the applicant should be applied. Following negotiations with the applicant team this has been accepted. On this basis the development generates a financial contribution that would double the number of affordable housing dwellings that could be funded, whilst maintaining the same level of s.106 contributions.

### Planning Obligations

- 7.33 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:
- (a) Necessary to make the development acceptable
  - (b) Directly related to the development; and
  - (c) Fairly and reasonably related in scale and kind to the development
- 7.34 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.
- 7.35 The applicant has provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development. The scheme has also been assessed using the 'calculator' as set out in the Council's adopted Planning Obligations SPD. Taking account of the contributions that would have been made had the building remained as in the original planning permission for Marine Wharf West (i.e. ground floor retail and upper floor office) the level of financial contribution would amount to approximately £175,000. In addition to the payment for the provision of affordable housing (off-site) the following financial contributions have been identified:
- 1. Education Contribution: Payment of £67,576
  - 2. Health Contribution: Payment of £44,200
  - 3. Leisure Contribution: £25,842
  - 4. Open Space Contribution: £16,403
  - 5. Employment Training Contribution: £5,380
  - 6. Community Facilities Contribution: £10,678
  - 7. Town Centre Contribution: £4,930
- 7.36 Officers consider that the obligations outlined above are appropriate and necessary in order to mitigate the impacts of the development and make the development acceptable in planning terms.



Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010). These contributions and a financial contribution to the provision of affordable housing will be secured through a s.106 agreement.

## **8.0 Local Finance Considerations**

- 8.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
  - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 8.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 8.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form. Mayoral CIL on this scheme amounts to £118,373.

## **9.0 Equalities Considerations**

- 9.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.3 The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality. In this matter there is no impact on equality.

## **10.0 Conclusion**

- 10.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 10.2 The proposals provide 34 residential units with ground floor commercial space and would result in the loss of employment space approved under the 2011 planning permission for the comprehensive redevelopment of the Marine Wharf West site. However, whilst Berkeley Homes have been successful in letting some of the non-residential space elsewhere on the site, they have been unable to sell or pre-let space in the approved B1 building.

To support the current application they have submitted reports from the appointed agent that show how the site has been marketed for three years but that there has been very little interest in the property. As a consequence the current application proposes a predominately residential building with ground floor B1 space. Whilst the site as a whole will not deliver a scheme in strict compliance with the site-specific policy for the Plough Way Strategic Site as set out in Strategic Site Allocation 5 in the Core Strategy, the provision of a mixed-use building is consistent with borough-wide policies. It is considered that a reasoned case has been made for the proposals and that the application is consistent with policy and guidance set on in the NPPF in respect of sustainable development, the re-use of brownfield sites, provision of new homes and use of former employment land.

- 10.3 Whilst the scheme proposes no on-site affordable housing, through negotiation with the applicant officers have secured a financial contribution towards the delivery of Council housing across the borough. This could provide 7-9 new affordable homes and although this would deliver less than 50% affordable it is considered to be the maximum that the scheme can support in terms of viability. The proposal is supported by the Council's Strategic Housing department.
- 10.4 The proposed development will result in a marginal reduction in daylight to residential properties to the south from that arising from the approved Marine Wharf West development compared to that of the approved building however this is not considered to be of a magnitude that represents a reason for refusal of planning permission.

## **11.0 RECOMMENDATIONS**

### **11.1 RECOMMENDATION (A)**

Subject to no direction being received from the Mayor of London:

Authorise officers to negotiate and complete a legal agreement under Section 106 of the Town and Country Planning 1990 Act (and other appropriate powers) to incorporate such obligations in the legal agreements for the Marine Wharf West site (DC/10/73737 and DC/13/84296) as are relevant to the current application and to cover the following matters (including such amendments as considered appropriate to ensure the acceptable implementation of the development):

#### **Financial Contribution towards:**

- a) Affordable Housing Contribution: Payment of £1.4 million.
- b) Education Contribution: Payment of £67,576
- c) Health Contribution: Payment of £44,200
- d) Leisure Contribution: £25,842
- e) Open Space Contribution: £16,403
- f) Employment Training Contribution: £5,380
- g) Community Facilities Contribution: £10,678
- h) Town Centre Contribution: £4,930

Non-financial contribution:

- a) Creation of ground floor level link between the Marine Wharf West and Marine Wharf East sites.

Meeting the Councils legal, professional and monitoring costs associated with the drafting, finalising and monitoring of the Agreement.

**11.2 RECOMMENDATION (B)**

Upon the completion of a satisfactory Section 106, authorise the Head of Planning to Grant Planning Permission subject to the following conditions:-

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

**Reason:** As required by Section 91 of the Town and Country Planning Act 1990.

2. Accordance with Plans

The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

11442\_K(00)\_003 PL2, 11442\_K(00)\_000 PL3, 11442\_K(00)\_001 PL3, 11442\_K(00)\_002 PL2, 11442\_K(01)\_001 PL10, 11442\_K(01)\_002 PL11, 11442\_K(01)\_003 PL3, 11442\_K(01)\_006 PL3, 11442\_K(01)\_007 PL5, 11442\_K(02)\_001 PL8, 11442\_K(02)\_010 PL4, 11442\_K(02)\_011 PL2, 11442\_K(02)\_002 PL5, 11442\_K(02)\_003 PL7, 11442\_K(02)\_004 PL8, 11442\_K(03)\_001 PL5, 11442\_K(03)\_002 PL2

Block K, Block K West Elevation, Block K East Elevation, Block K South Elevation, Plough Way Elevation,

1142\_K(02)\_101 PL1, 1142\_K(02)\_102 PL1, 1142\_K(02)\_103 PL1, 1142\_K(02)\_104 PL1, 1142\_K(02)\_105 PL1, 1142\_K(09)\_101 PL2, 1142\_K(09)\_102 PL2, 1142\_K(09)\_103 PL2, 1142\_K(09)\_104 PL2, 1142\_K(09)\_105 PL2, 1142\_K(09)\_106 PL2, 1142\_K(09)\_107 PL2, 1142\_K(09)\_108 PL2, 1142\_K(09)\_109 PL2, 1142\_K(09)\_110 PL2,

K(09)\_001 -3 BED SELHP PL2, K(09)\_002 -2 BED SELHP PL2, K(09)\_003 - 1 BED SELHP PL2,

PLANNING STATEMENT, MARKETING REPORT, FLOOD RISK ASSESSMENT, ENERGY STATEMENT, COMMERCIAL STRATEGY REPORT, TRANSPORT STATEMENT, DAYLIGHT, SUNLIGHT AND OVERSHADOWING REPORT, SUSTAINABILITY STATEMENT DESIGN AND ACCESS STATEMENT, BLOCK K MARINE WHARF APPROVED DRAWINGS, BLOCK K MARINE WHARF PROPOSED DRAWINGS

**Reason:** To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

3. **Detailed Drawings**

No part of the development hereby approved shall be commenced until details of the following matters have been submitted to and approved in writing by the local planning authority:

- detailed elevational drawings and sections to a scale of 1:50 and 1:100
- details of ground levels around each building

The development shall be carried out in accordance with the approved details.

**Reason:** In order that the local planning authority is satisfied with the details of the proposed development in accordance with Core Strategy Policy 15 High Quality Design for Lewisham (LDF June 2011) and Policies 7.4 Local character, 7.5 Public realm and 7.6 Architecture in the adopted London Plan (July 2011)

4. **External Materials (Buildings)**

No development above foundation level shall commence until details (including samples) of all facing materials to be used on the building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the development is of a satisfactorily high design standard to ensure that it makes a positive contribution to the appearance of the locality and to comply with Core Strategy Policy 15 High Quality Design for Lewisham (LDF June 2011) and Policies 7.4 Local character, 7.5 Public realm and 7.6 Architecture in the adopted London Plan (July 2011)

5. **External Lighting**

- (i) Not later than six months following the commencement of development, details of all external lighting to be installed, including details of directional hoods and measures to prevent light spillage, shall be submitted to and approved in writing by the local planning authority.
- (ii) All such external lighting shall be installed in accordance with the approved details before any dwelling is occupied and thereafter any external lighting (including any directional hoods) shall be retained in accordance with the approved details.
- (iii) Details submitted for approval pursuant to paragraph (i) of this condition, shall be accompanied by a supporting statement which demonstrates that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

**Reason:** In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

6. Ground Floor Elevation

- (i) Details of the elevation to the non-residential accommodation hereby approved, shall be submitted to and approved in writing by the local planning authority before being installed.
- (ii) The said details shall be installed as approved.

**Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

7. Lifetime Homes and Wheelchair Accessible/Adaptable Units

The development shall not commence until 1:20 drawings for each type of dwelling layout, demonstrating compliance with Lifetime Homes Standards, has been submitted to and approved in writing by the local planning authority.

The development shall be constructed in accordance with the approved drawings and on completion of the development, not less than 3 of the units shall be wheelchair accessible or easily adaptable for wheelchair users, (designed to London Plan SPG: Accessible London: achieving an inclusive environment 2004 standards) , in accordance with drawings submitted to and approved in writing by the local planning authority.

**Reason:** In order to comply with the requirements of Section 76 of the Town and Country Planning Act 1990 which relates to the provision of satisfactory access to buildings for people with disabilities and to comply with Policy HSG 5 Layout and Design of New Residential Development in the adopted Unitary Development Plan (July 2004) and Core Strategy Policy 1 Housing provision, mix and affordability (LDF June 2011).

8. Code for Sustainable Homes

A Code for Sustainable Homes Level 4 Post-Construction Certificate and Verified Code for Sustainable Homes Report for each of the dwellings hereby approved, shall be submitted to and approved in writing by the local planning authority within 3 months of occupation of the first dwelling.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2011) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (June 2011).

9. BREEAM

The non-residential floorspace hereby approved shall not be occupied until a BREEAM 2008 'Very good' Design and Procurement Certificate and Report has been submitted to and approved in writing by the local planning authority. A post construction certificate to demonstrate compliance with the design and procurement assessment shall be submitted to the local planning authority within 3 months of first occupation of the non-residential floorspace.

**Reason:** To ensure the use of sustainably-sourced and recycled materials and aggregates and the sustainable use of water, and to meet the requirements of Policies 5.1 Climate change mitigation, 5.2 Minimising carbon dioxide emissions and 5.3 Sustainable design and construction in the adopted London Plan (July 2011), Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency.

10. Future Connection to a District Combined Cooling, Heat and Power or Combined Heat and Power Scheme

No development shall commence on site until written information, drawings and sections showing a scheme for the provision of conduits and/or piping for future connection to a District Combined Cooling, Heat and Power (CCHP) or Combined Heat and Power Scheme CHP Scheme and Network have been submitted to and approved in writing by the local planning authority. No residential units shall be occupied until the scheme has been carried out in accordance with the approved details.

**Reason:** To enable the future connection of the development to a District CCHP or CHP Scheme and Network and to comply with Policies Policy 5.5 Decentralised energy networks and 5.6 Decentralised energy in development proposals in the adopted London Plan (July 2011).

11. Car Club Car Parking

- (i) Details of the proposed number, location, size and layout of the spaces to be provided and reserved for Car Club use shall be submitted to and approved in writing by the local planning authority before the commencement of the development hereby approved.
- (ii) The said spaces shall be provided and made available for use before any part of the development hereby approved is occupied. Thereafter the spaces shall be retained and used only for parking cars associated with the Car Club.

**Reason:** To limit car ownership/use and encourage sustainable modes of transport in accordance with Policies Objective 9: Transport and accessibility and Core Strategy Policy 14 Sustainable movement and transport (LDF June 2011).

## 12. Electric Vehicle Charging Points

- (i) Prior to commencement of development, details of the number and location of electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority.
- (ii) The electric vehicle charging points as approved shall be installed prior to first occupation of the development and maintained in accordance with the details approved under (i).

**Reason:** To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the adopted London Plan July 2011).

## 13. Detailed Waste Management Plans

- (i) A detailed Waste Management Plan (to include details for the disposal, processing, recycling and storage of residential and non-residential operational waste and for the provision of composting facilities) shall be submitted to and approved in writing by the local planning authority no later than three months following the commencement of the development hereby approved.
- (ii) The development shall be carried out and operated in accordance with the approved Waste Management Plan.

**Reason:** To ensure that waste is minimised as far as practicable and managed in an environmentally sustainable way and to comply with Policies 5.16 Waste self-sufficiency and 5.18 Construction, excavation and demolition waste in the adopted London Plan (July 2011).

## 14. Noise Insulation

Details including relevant drawings and specifications of:-

- The construction of the ceilings and walls separating the residential and non-residential uses hereby permitted and
- The proposed works of soundproofing against airborne and impact sound and vibration shall be submitted to and approved in writing by the local planning authority prior to commencement of the development hereby approved.

The uses hereby permitted shall not commence until the soundproofing works have been implemented in accordance with the approved details. The soundproofing shall be retained permanently in accordance with the approved details.

**Reason:** To ensure a satisfactory environment for the residential occupiers of the development and so as to comply with DM Policy 26 Noise and Vibration of the Development Management Local Plan (November 2014).

15. Noise and Vibration from Fixed Plant and Machinery

- (i) The rating level of the noise emitted from fixed plant and machinery on the development, including the CHP plant, shall be 5dB below the existing background level at any time, as measured at the façade of any noise sensitive receptor. The measurements and assessments shall be made according to BS 4142:1997.
- (ii) The design, operation and maintenance details of a scheme for compliance with paragraph (i) of this condition shall be submitted to and approved in writing by the local planning authority within three months of commencement of the development hereby approved.
- (iii) The building shall not be occupied until the approved scheme has been implemented in its entirety
- (iv) Thereafter, the approved scheme shall be retained and maintained in accordance with the approved details.

**Reason:** To ensure a satisfactory environment for the occupiers of the development and so as to comply with DM Policy 26 Noise and Vibration of the Development Management Local Plan (November 2014).

16. Landscaping Details

No development shall commence on site until drawings showing hard and soft landscaping of any part of the site not occupied by buildings, including any retained features and the treatment thereof, (including planting, tree species and location, paving, walls and fences, temporary and permanent site boundary treatments), details of the permeability of hard surfaces and details of the management and maintenance of the landscaping, have been submitted to and approved in writing by the local planning authority.

All works which form part of the landscaping scheme shall be completed in the first planting season following the completion of the development, unless the local planning authority has given written consent to any variation. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the local planning authority has given written approval to any variation.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with DM Policy 25 Landscaping and trees of the Development Management Local Plan (November 2014).

17. Construction Management Plan

- (i) No works (including demolition and construction) shall commence until a Construction Management Plan, including details of hours of works, wheel washing, dust minimisation, noise mitigation relating to on-site crushing and deliveries, details of compliance with the relevant Code of Construction Practice and incorporating a Construction Traffic



Management Plan, Construction Logistics Plan and Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority.

- (ii) No works (including demolition and construction) shall be carried out other than in accordance with the approved Construction Management Plan.

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2011).

#### 18. Flood Risk

The development shall be carried out in accordance with the Flood Risk Assessment prepared by WSP dated January 2010 (as amended by the Flood Risk Assessment Addendum dated August 2010).

**Reason:** To ensure the development minimises risk associated with flooding in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the adopted London Plan (July 2011) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (LDF 2011).

#### 19. Contaminated Land

- (a) No development shall take place until each of the following has occurred:

- (i) a site investigation has been carried out to survey and assess the extent of potential contamination and its effect (whether on or off site);
- (ii) a report comprising the results of that site investigation and recommendations for treatment of any contamination (whether by remedial works or not) has been submitted to and approved in writing by the Council; and

all measures or treatments identified in that report as being necessary or desirable for the remediation of the site have been implemented in full.

- (b) If during any works at the site (whether pursuant to paragraph (a) of this condition ["paragraph a"] or implementation of this planning permission generally) contamination is encountered which has not previously been identified ["the new contamination"], then paragraph (a) shall apply to the new contamination and no further development shall take place until the requirements of paragraph (a) have been complied with in relation to the new contamination.

- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council. The closure report shall include details both of the remediation (including waste materials removed from the site, an audit trail demonstrating that all imported or reused soil material conforms to current soil quality requirements as approved by the Council) and any post-remediation sampling that has been carried out.

**Reason:** To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

## 20. Piling Operations

- (i) Piling or any other foundation designs using penetrative methods shall not be permitted, other than with the prior written consent of the local planning authority. Any such application for consent shall be accompanied by details of the relevant penetrative methods.
- (ii) The said piling shall be carried out only in accordance with the written consent of the local planning authority.

**Reason:** To prevent pollution of controlled waters and to comply with Core Strategy (2011) Policy 11 River and waterways network and Development Management Local Plan (November 2014) DM Policy 28 Contaminated land.

## 21. Use of Car Parking

- (i) All car parking spaces within the development shall be reserved for and used by vehicles of the occupiers or users of the development only.
- (ii) No more than 3 car parking spaces shall be available for use by occupiers of the approved B1 floorspace.

**Reason:** To ensure the permanent retention of the spaces for parking purposes, to ensure the B1 space is not over-provided with car parking spaces, to ensure that the development does not increase on-street parking in the vicinity and to comply with Core Strategy Policy 14 Sustainable movement and transport (July 2011).

## 22. Cycle Parking

- (i) A minimum of 41 cycle parking spaces shall be provided within the development for Block K (39 for the residential units and 2 for the commercial units),
- (ii) The development hereby approved shall not be occupied until the cycle parking spaces have been provided and made available for use. Thereafter, such spaces shall be retained and used only as cycle parking for use as provided for in this condition.

**Reason:** In order to ensure adequate provision for cycle parking and to comply with Policy 6.9 Cycling in the adopted London Plan (July 2011) and Core Strategy Policy 14 Sustainable movement and transport (July 2011).

### 23. Motorcycle Parking

- (i) A minimum of 3 motorcycle parking spaces shall be provided within the development.
- (ii) The development hereby approved shall not be occupied until the motorcycle parking spaces have been provided and made available for use. Thereafter such spaces shall be retained and used only as motorcycle parking for use as provided for in this condition.

**Reason:** In order to ensure adequate provision for motorcycle parking and to comply with DM Policy 29 Car Parking of the Development Management Local Plan (November 2014).

### 24. Brown Roofs

Within 5 months of commencement, full details and plans of the brown roof (similar to that approved on Block J) shall be submitted to and approved in writing by the local planning authority

- (a). The brown roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (b). The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the local planning authority.
- (c). Evidence that the roof has been installed in accordance with the details approved pursuant to sub-point a) above shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

**Reason:** To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2011) , Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

## **INFORMATIVES**

- (1) Positive and Proactive Statement: The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, pre-application discussions took place to agree the content of the application and negotiations have taken place during the application process resulting in an increased financial contribution for affordable housing. For the reasons given, and expanded in the case officer report, a positive view of the proposals was taken in determining this application that forms part of a Strategic development site for the borough.
- (2) With regard to Condition 17, the Construction Management Plan should confirm that no deliveries to the site in connection with demolition or construction works should take place outside the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and that no such deliveries should take place at all on Sundays or Public Holidays.
- (3) With regard to Condition 17, the relevant Code of Construction Practice can be viewed online at: <http://www.lewisham.gov.uk/Environment/Pollution/PollutionNoiseDocument.htm>