

Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	Land North of Reginald Road and South of Frankham Street, Deptford SE8	
Ward	New Cross	
Contributors	Suzanne White	
Class	PART 1	29 September 2016

Reg. Nos. DC/16/095039

Application dated 23.12.15 [as revised up to 16.09.16]

Applicant CMA Planning on behalf of Family Mosaic and Sherrygreen Homes

Proposal Demolition of the former caretaker's house on Frankham Street and 2-30A Reginald Road, partial demolition, conversion and extension of the former Tidemill School buildings and the construction of three new buildings ranging from 2 to 6 storeys at Land North of Reginald Road & South of Frankham Street SE8, to provide 209 residential units (80 x one bedroom, 95 x two bedroom, 26 x three bedroom, 8 x four bedroom) together with amenity space, landscaping, car and cycle parking.

Applicant's Plan Nos. Structural Report, Health Impact Assessment, Planning Statement, Transport Assessment, Arboricultural Development, Tree Survey, Flood Risk Assessment, Sustainability Statement, Green shoots - Ecology, Noise impact Assessment, Desk Study & Ground Investigation, Travel Plan, Air Quality Assessment, Archaeological Desk Based Assessment, Bat Emergence Survey, Energy Strategy Overview, Flood Emergency Evacuation Plan, Statement of Community Involvement, Detailed Unexploded Ordnance (UXO) Threat Assessment, CIL form, Design & Access Statement,

029_PL_001 Rev A, 029_PL_002 Rev A, 029_PL_003 Rev A, 029_PL_005 Rev A, 029_PL_111 Rev C, 029_PL_112 Rev B, 029_PL_118 Rev A, 029_PL_119 Rev A, 029_PL_120, 029_PL_200 Rev A, Rev A, 029_PL_211 Rev A, 029_PL_213 Rev A, 029_PL_214 Rev A, 029_PL_215 Rev A, 029_PL_216 Rev A, 029_PL_217 Rev A, 029_PL_300 Rev A, 029_PL_306 Rev A, 029_PL_402 Rev A, 029_PL_403 Rev A, 029_PL_404 Rev A, 029_PL_405 Rev A,

140439 01, 140439 02 Rev B, 140439 03 Rev B, 140439 04 Rev B, , 140439 05 Rev B, 140439 06, 140439 07, 140439 08, 140439 09, 140439 10, 140439 11, 140439 12, 140439 13, 140439 14, 140447 Sheet 1, 140447 Sheet 2, 140447 Sheet 3, 140447 Sheet 4 (received 4th January 2016);

9993-M-0-XX-0001_REV P1 (received 18th April 2016);
029_PL_304 Rev B, 029_PL_305 Rev B, 029_PL_400 Rev B, 029_PL_401 Rev B (received 2nd June 2016);

Overshadowing study (received 20th June 2016);
Supplementary Information- Wheelchair Homes (received 21st June 2016);
Overheating Report (received 24th June 2016);
Market Day Parking Letter Statement (received 30th June 2016);

029_PL_105 Rev B, 029_PL_110 Rev D, 029_PL_113 Rev D, 029_PL_121 Rev B, 029_PL_310 Rev A, 029_PL_301 Rev C, 029_PL_302 Rev D, 029_PL_303 Rev B, P2006487(91)LP001 Rev B (received 12th July 2016)

029_PL_115 Rev B, 029_PL_116 Rev B, 029_PL_117 Rev B, 029_PL_212 Rev D (received 2nd August 2016);
029_PL_101 Rev D, 029_PL_102 Rev E, 029_PL_103 Rev E, 029_PL_104 Rev C, 029_PL_106 Rev C, 029_PL_309 Rev B (received 4th August 2016);

029_PL_308 Rev A (received 5th August 2016);
Daylight, Sunlight and Overshadowing Assessment August 2016 (received 15th August 2016);

Air Quality Neutral Statement (received 16th August 2016);

P2006487(90)LP001Rev C,
P2006487(94)LP001 Rev C (received 9th September 2016); and
029_PL_100 Rev H, 029_PL_114 Rev C, 029_PL_004 Rev C (received 16th September 2016).

Background Papers

- (1) Case File DE/182/B/TP
- (2) Local Development Framework Documents

- (3) The London Plan (Consolidated with Alterations since 2011) (2015), and Mayors' SPG/SPDs, Best Practice Guidance

Designation

Site Allocations Local Plan – SA3 Giffin Street Redevelopment Area.
Deptford Creekside Conservation Area (part)
Existing Use: Use Classes D1 (Education) and C3 (Residential)

Screening

The Local Planning Authority (LPA) advised that an Environmental Statement would not be required to accompany a planning application in response to a Screening Opinion request submitted under Regulations 5 & 13 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, as amended. Decision dated 8th September 2016, application reference DC/16/095345.

1.0 Executive Summary

- 1.1 This report relates to proposals for the redevelopment of the Former Tidemill School site, located south of Frankham Street and north of Reginald Road, together with the site of an existing terrace row of 16 maisonettes, 2-30A Reginald Road, in Deptford.
- 1.2 The proposed development of the old Tidemill School is part of the wider regeneration of Deptford that has been happening over the last decade, starting with the Giffin Street Masterplan 2005. The Masterplan area included land to the north of the application site, comprising the former Giffin Street Car Park. The vision set out in the subsequent feasibility study dated 2007 was to create a new civic focus for Deptford, combining a public library and council services centre (the Deptford Lounge), a new Tidemill Primary School, reconfiguration of Giffin Square as a major public space fronted by the new school and library, parking for shopping, improvements to streets, connections and public spaces generally and housing on the former school site to help fund the new school, library and the public realm improvements.
- 1.3 Permission was granted in 2008 for the first phase, comprising redevelopment of the car park to the north of Giffin Street and the new school buildings, Deptford Lounge, 38 residential units (all shared ownership) and related uses were constructed soon after.
- 1.4 The masterplan proposals are reflected in site allocation SA3 of the Site Allocations Local Plan 2013, which designates the wider site for mixed use commercial/creative floorspace, relocation of Tidemill School, relocation of library, housing and community use (work/office space and community café). The site allocation excludes 2-30A Reginald Road, which were added more recently (due to their poor condition) to the phase of the masterplan which is the subject of this application. It should also be noted that the blocks to the north of the site, between Giffin Street and Frankham Street, were part of the original masterplan but do not

form part of this application. This is because it was subsequently determined that repairs programmed through the Lewisham Homes decent homes scheme would sufficiently address problems with those blocks, a decision that was supported by residents in the subsequent statutory consultation.

- 1.5 This planning application, together with a scheme for residential development at Amersham Vale, is being brought forward by the same joint venture arrangement between the applicants, Family Mosaic and Sherrygreen Homes. The proposals are linked via a Development Agreement with the Council which requires an increased affordable housing provision of up to 37% via grant funding to improve upon the level of affordable housing proposed as part of this planning application. The uplift would be secured via the Section 106 Agreement and the expectation is that both schemes would be delivered together.
- 1.6 Given the timescales for the overall masterplan, when Tidemill school relocated as part of the first phase, a community garden was established as a temporary 'meanwhile' use while the current proposals were developed. Its temporary status was a principle upon which the lease was granted. A considerable level of objection has been received in respect of the loss of the former school garden as part of the current scheme. Officers and the applicant have met with the group who runs the garden (Friends of the Old Tidemill Wildlife Garden) to understand the activities undertaken and discuss how these can be accommodated in the landscaping within the proposed scheme. The applicant has committed to working with the group to enable use of the new green space and provision of storage space in the new development to ensure that space for a community garden project can be accommodated as a permanent feature. Although the garden group have not engaged with the applicant on these options, it is intended through the planning process to secure these measures.
- 1.7 Concerns have also been made about the impact of the scheme on the adjacent buildings. Following submission of the application, amendments were made to the scheme and additional information was submitted to respond to those concerns. The key changes included reductions in the footprint of the extension to the main school building adjacent to Frankham House and to Block B adjacent to the Princess Louise Building, which were raised through the consultation process and negotiated by officers.
- 1.8 The scheme would deliver the final phase of a wider programme of works that have included community uses and much needed housing, and the maximum level of affordable housing on this site, including social rent housing, based on current scheme viability with a commitment to use reasonable endeavours to uplift this through the application of grant, . The Council have met with the community on several occasions since this masterplan was first proposed in 2005 and promoted temporary uses to ensure that the site was not left vacant. The current scheme is considered to represent a high quality development that would benefit the area, not harm the amenity of neighbouring residents and would provide long term space for the community garden project should the group wish to be part of the scheme going forward.
- 1.9 This report considers the current proposals in the light of the submitted information, relevant planning policy and guidance, representations received and other material considerations, and makes recommendations on the determination of the application. The application is described in more detail in Section 2 below.

2.0 Property/Site Description

- 2.1 The application site extends to approximately 1.26 hectares and is bounded to the south by Reginald Road, to the east by Frankham House and Deptford Church Street, to the north by Frankham Street, and to the west by New Butt Lane, the Princess Louise Building and The Shaftesbury Christian Centre.
- 2.2 The former school buildings, gardens, playground and car park make up the majority of the site and were occupied by the school until 2012, when it moved to new premises on Giffin Street. The residential dwellings at 2-30A Reginald Road are occupied at present (13 are tenanted, 3 are leasehold), and occupiers will be re-housed in the proposed development. In the north west corner of the site is a small public car park of 16 spaces, accessed from Frankham Street.
- 2.3 The site contains large areas of asphalt and is mostly secured by fencing. There are three areas of green space: the former school wildlife garden, a pocket of grassed amenity space located to the south of Frankham House and a further area of amenity space to the rear of 2-30A Reginald Road. The former school buildings have been temporarily occupied by property guardians while proposals for the site were developed. Public access through the site is limited.
- 2.4 Located on the south east portion of the site is a garden which was established as a meanwhile use of the site pending proposals for redevelopment of the wider site being brought forward. The garden has recently been known as The Old Tidemill Wildlife Garden and it is maintained by the Friends of Old Tidemill Wildlife Garden group (FOTWG). The garden received funding from the GLA as part of its Pocket Park programme, aimed at improving small areas of public space for all to enjoy. It is open Fridays 9.30-1pm and Saturdays 12-4pm. One Saturday a month, the garden has extended hours of 10-4pm. Activities include weekly gardening and cooking workshops, creative workshops and general recreation.
- 2.5 The immediate context to the site is predominantly residential, with neighbouring buildings to the north, east, south and south west all in residential use. The site is also situated within Deptford District Centre, in close proximity to Deptford High Street, which lies one block to the west. The scale of buildings bordering the site varies between 2-6 storeys.
- 2.6 The application site is located within the Deptford Neighbourhood Forum area. The neighbourhood forum and area were designated in February 2016 by the Mayor of Lewisham.
- 2.7 The site has a PTAL rating of 5-6a, on a scale of 1-6 where 6 is 'excellent', reflecting the proximity of Deptford, Deptford Bridge and New Cross stations, all of which are within walking distance. The site is within a short walking distance of bus stops on Deptford Church Street, New Cross Road and Creek Road.
- 2.8 The south east corner of the site sits within the Deptford Creekside Conservation Area. Deptford High Street Conservation Area is directly to the west, while St Paul's Conservation Area lies further north, separated by the railway viaduct. There are no listed buildings directly adjacent to the site. The railway viaduct approximately 180m to the north is Grade II Listed, while St Paul's Church, further to the north, is Grade I Listed. The buildings of 17-21 Deptford Broadway, approximately 200m to the south, are Grade II Listed. To the west, approximately 200m away, is a Grade II Listed carriage ramp and railway viaduct. The former

main school building and annexe are not listed, though they are considered to be non-designated heritage assets. Additionally, the site is located within an Archaeological Priority Area.

- 2.9 There are several mature trees on the application site. No Tree Preservation Orders (TPO) apply to the site.
- 2.10 The site is situated within Flood Zone 2.

3.0 Planning History

Application site

- 3.1 DC/08/69137- Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 in respect of the redevelopment of the area covered by Giffin Street Car Park and Giffin Square to provide new premises for Tidemill School, the Deptford Lounge and commercial space-including a library, cafe, multi use halls, community training rooms, workspace, and a ball court (totalling approximately 6000sqm of floorspace) and approximately 20 car parking spaces, together with 38 new dwellings (including affordable) and improvements to Giffin Street Square. Environmental Statement not required, decision issued 24.06.2008.
- 3.2 DC/12/81527 - Screening opinion in respect of a proposal for the demolition of existing buildings fronting Giffin Street and 2 – 30 Reginald Road, conversion and extension of the existing Tidemill School for the redevelopment of the site, to provide approximately 358 new and replacement residential dwellings, including a basement for approximately 98 car parking and 150 cycle parking spaces and associated public realm works. Environmental Statement not required, decision issued 22.10.12.
- 3.3 DC/16/095345 – Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015, in respect of the demolition of existing buildings at Land north of Reginald Road and south of Frankham Street, London SE8, with the exception of the former school buildings which will be converted and extended, and the erection of three new buildings, to provide 210 residential dwellings plus cycle parking, refuse/recycling facilities and access together with landscaping including public realm, communal and private amenity space. Environmental Statement not required, screening opinion issued 8th September 2016.

Adjoining sites

- 3.4 DC/08/69668- Alterations and the change of use of the Giffin Business Centre to education use and the redevelopment of the public car park to provide a part 2/3/4/6 storey building incorporating a primary school (2,500sqm) and games area; public library; Council service centre; café; community work/office space, a new access road, car parking spaces; 412m² of commercial/creative floorspace (B1/D1); 8 one bedroom and 30 two bedroom flats; associated landscaping and works to upgrade Giffin Square all on land between Giffin Street & Resolution Way, including former Minzell Works, Council offices, public toilets & car park. Granted 01.12.08 and fully implemented.

4.0 Current Planning Application

Introduction

- 4.1 The applicant has submitted a full planning application in respect of the proposals, comprising the demolition of all existing structures, with the exception of the main school building and annexe, and redevelopment, conversion and extension to provide 209 residential units.

Environmental Impact Assessment

- 4.2 The Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 2011 as amended (the EIA Regulations) identify certain development projects – Schedule 1 and Schedule 2 development – which must or may require EIA. Projects of a type listed in Schedule 2 will require EIA before permission is granted if any part of the development is in a ‘sensitive’ area (as defined by the Regulations) or certain prescribed threshold/criteria (such as the site area or scale of development) are exceeded/met, and in either case the proposed development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. The application scheme constitutes an urban development project comprising more than 150 dwellings and therefore it falls within paragraph 10 (b) of Schedule 2 to the EIA Regulations.
- 4.3 In February 2016 the applicant submitted a Screening Opinion Request under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended, in respect of the application proposals. Taking account of the location and context of the site and the scale and likely significance of any environmental effects resulting from the proposed development it was determined that the proposals did not constitute EIA development. The Council issued a screening opinion to that effect on 8th September 2016.

Supporting documents

- 4.4 The application is supported by plans, elevations, sections and bay studies. To sit alongside the drawings a number of descriptive, analytical and technical documents have also been provided, listed below:
- Planning Statement
 - Design and Access Statement
 - Archaeology Assessment
 - Affordable Housing Statement
 - Daylight, Sunlight and Overshadowing Report
 - Transport Assessment
 - Residential Travel Plan
 - Draft Construction Method Statement and Logistics Plan
 - Sustainability Statement
 - Energy Assessment
 - Noise Impact Assessment
 - Air Quality Assessment
 - Phase 1 Habitat Report
 - Reptile and Newt Surveys
 - Bat Emergence Survey
 - Statement of Community Involvement;

- UXO Assessment;
- Flood Risk Assessment
- Flood Emergency Evacuation Plan
- Health Impact Assessment
- Ground Investigation Report
- Tree Survey
- Arboricultural Impact Assessment
- Structural Report
- Viability Assessment
- Overheating Assessment
- Air Quality Neutral Assessment
- Market Day Parking Letter Statement
- Wheelchair homes information

Refinements and Amendments

- 4.5 Following consultation and negotiations, refinements and amendments to the application were submitted between May and August 2016. The key changes included reductions in the footprint of the extension to the main school building adjacent to Frankham House and to Block B adjacent to the Princess Louise Building. More minor design changes included re-organisation of building entrances. In addition an updated daylight and sunlight assessment and further supporting information in respect of ecology, overheating, air quality, energy, parking and wheelchair homes were also submitted. Further amended drawings were submitted in September, however these related to very minor changes to correct inconsistencies in the drawings.
- 4.6 Given the degree of public interest in the scheme, a re-consultation was undertaken on 10th August 2016 for a period of 21 days.

General Layout and Uses

- 4.7 The proposals would provide 209 new homes (626 habitable rooms) across the site.

Former school buildings

- 4.8 The former main school building and annexe fronting Frankham Street would be retained and extended. The 1970s single storey lean-to at the rear of the building would be removed.
- 4.9 Extensions to the main school building, dating from the 1920s, would comprise a two storey extension at roof level, set back 2.35-3.75m from the parapet as well as a 4 storey side extension on the east elevation. The extension at roof level would create a row of duplex flats with entrances from a terrace on the Frankham Street side of the building. The duplexes would have a contemporary appearance, with an external treatment of metal cladding and large windows. The side extension would replace the site of the existing caretaker's house, which is proposed to be demolished under the proposals.
- 4.10 The conversion and extension of the main school building would provide 25no. flats and 11no. maisonettes.

4.11 The smaller 'annexe' building dates from 1886, with several extensions made through the 1890s. A roof extension is proposed, over the existing flat roof, increasing the height of the existing roof to create two floors with generous floor to ceiling heights. New dormer windows are proposed within the new roof form.

4.12 The conversion and extension of the annexe building would provide 14no. maisonettes and 1 house.

Reginald House

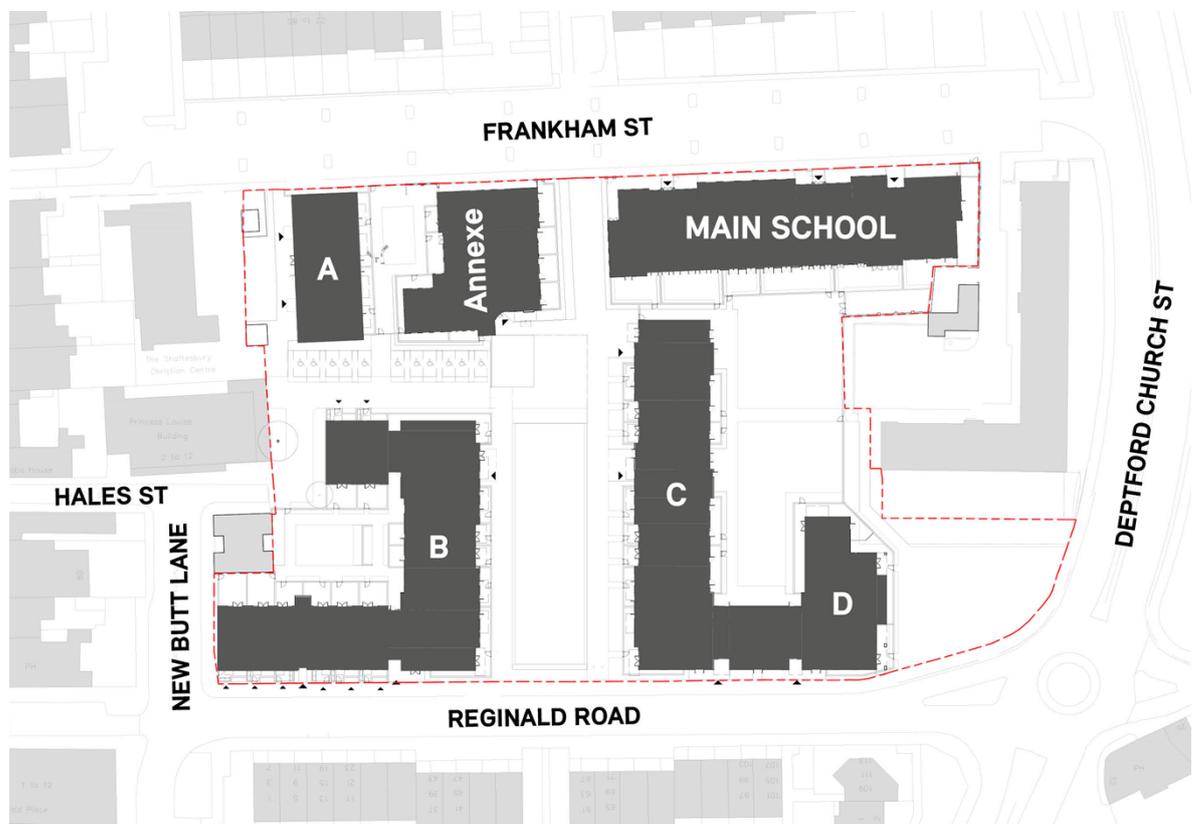
4.13 The terrace of maisonettes at 2-30A Reginald Road would be demolished. The existing terrace is comprised of 13 social rented and 3 leasehold dwellings.

New blocks

4.14 Three new blocks are proposed across the sites of Reginald House, the old school grounds and car park. The building heights within the development would range from two to six storeys in height. The tallest elements, five storeys with a set back sixth, would be focused in the centre of the site, framing a new linear park and public route between Frankham Street and Reginald Road. The blocks reduce to four storeys along the western boundary and five storeys adjacent to Frankham House.

4.15 The main building material is brick, with large windows and balconies, deep window reveals and textured brick feature panels.

Below: Proposed Site Plan



Residential Accommodation

- 4.16 The application proposes a total of 209 residential units, 34 of which would be affordable. The development includes a mix of unit sizes, including 34 family sized (3+ bedroom) units.
- 4.17 The breakdown of the proposed housing by unit size is summarised in the table below:

Table 1: Housing Mix

	Market Sale	Affordable	Total	
	Units	Units	Units	Hab rooms
1 bed	67	11	78	156
2 bed	86	11	97	291
3 bed	21	5	26	131
4 bed	1	7	8	48
Total	175	34	209	626
%	83.7	16.3		

- 4.18 A proportion of affordable housing, comprising both social rent and intermediate tenures is proposed. This is summarised in the table below:

Table 2: Affordable Housing

	Social Rent	Intermediate
1-bed/2 person	7	4
2-bed/3 person		4
2-bed/4 person	7	
3-bed/4 person	1	
3-bed/5 person	4	
4-bed/5 person	3	
4-bed/6 person	4	
Total	26	8

4.19 The affordable housing amounts to approximately 16.3% of the total number of dwellings, 19.5% by habitable rooms. This includes 13 units as re-provision for Reginald House. A financial viability assessment has been submitted by the applicant which has been reviewed by Urban Delivery, specialist consultants appointed by the Council to advise on scheme viability and the affordable housing offer. They conclude that the scheme can only support 16.3% affordable dwellings. However, the applicant has committed to providing an uplift subject to grant funding being achieved, which would be secured within the Section 106. This is examined further in Section 8.

Public Realm, Playspace and Landscaping

4.20 The application proposes to create new routes through the site and improve permeability in the area. A series of interconnecting spaces of varied character are proposed as part of the landscape masterplan. These character zones are as follows:

- Cross Street Square: main entrance to site from Frankham Street and a hard landscaped, flexible public square at the junction of the north south route and east-west route from Hales Street
- Cross Street Park: located at centre of the scheme, a large grassed lawn, occupied by two rows of oak trees, with seating at either end
- Reginald Road Pocket Garden: hard and soft landscaped space to provide setting to new build and Frankham Street. Mature trees retained. Potential to extend eastwards if Church Street narrowed.
- Communal Gardens: amenity and play space for residents, located at Block C
- Car Parking Courtyard: parking for wheelchair users, planted with trees and shrubs

Below: Proposed Landscape Plan (as submitted)



- 4.21 Existing footpaths along the eastern and western boundaries are retained as part of the proposal, and a new central north-south route for pedestrians and cycles is formed, aligned with the central open space. The main north-south route is part of the wider Deptford Town Centre Masterplan that seeks to take opportunities to open up a route through the railway viaduct at Resolution Way to St Paul's in the future.
- 4.22 Biodiverse living roofs are proposed on all of the new buildings, with a minimum coverage across the scheme of 3,100m².

Parking and Movement

- 4.23 The proposed development is car-free other than 11 spaces for wheelchair users, located within an external parking area to the south of the annexe building and accessed from Hales Street. A minimum of 328 (316 internal + 12 external) cycle parking spaces are proposed. Cycle spaces for residents are generally located internally within the blocks and accessed from the entrance corridors, or within covered stores in the rear communal garden spaces.
- 4.24 All the new buildings and landscaped areas are designed to be fully accessible to wheelchair users and people with limited mobility. In line with Building Regulations Part M, and Lifetime Homes guidance, routes would be step free and surfaces free of trip hazards.

Servicing and Refuse

- 4.25 Each building would have a centralised refuse collection point where refuse would be stored during the week. It would be possible for refuse vehicles to collect from most blocks from Frankham Street and Reginald Road and they will be able to travel on the shared surface north-south route, to collect refuse from stores at the fronts of the main blocks B and C.

Implementation and Phasing

- 4.26 The Design & Access Statement identifies that the scheme would be built in three phases. It assumes development would commence in the south-eastern corner of the site, then progressing to the former school buildings and new block on Frankham Street, before finishing with the south-west corner. This allows for the current occupiers of 2-30A Reginald Road to move into their new homes in the first phase. Other affordable housing would be delivered within the first and third phases.
- 4.27 An overall build out period of four years is assumed.

5.0 Consultation

- 5.1 This section outlines the consultation carried out by the applicant prior to submission, and by the Council following the submission, of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

Pre-Application Consultation

- 5.2 Between February 2015 and submission of the application in December 2015 the applicant, through their consultation/communication consultant Quatro Public Relations, carried out a series of consultations with the local community using a range of engagement methods. This included meetings with residents of Reginald Road, two public exhibitions (July and October), meetings with the Friends of Old Tidemill Wildlife Garden, residents of Frankham House and councillors.
- 5.3 The findings of these events is recorded in a Statement of Community Involvement submitted with the planning application.
- 5.4 Pre-application discussions were undertaken between the Local Planning Authority (LPA) and the applicants. A Planning Performance Agreement was signed between the LPA and the applicant in July 2015.
- 5.5 The pre-application process included two reviews by the Lewisham Design Review Panel (DRP), which are detailed below.
- (i) Design Review Panel, 28th January 2015
- 5.6 The scheme presented comprised of similar proposals for the school buildings, but with two new U shaped blocks of up to 5 storeys proposed to be erected to the south of the school buildings, extending across the site to Reginald Road.
- 5.7 The Panel felt the general approach governing the emerging proposals was encouraging, however the site masterplan and therefore the massing needed fundamental re-evaluation and therefore the Panel could not be supportive of the current arrangement. In particular they pointed to the public spaces that result from the building disposition and site layout, including the pocket park, which seemed poorly conceived and not fully integrated into the site wide strategy. The Panel encouraged the design team to revisit the masterplan taking greater control over the public spaces, their design and purpose and the way in which they can be used positively to help add unity and integration to the site masterplan. The Panel were fully supportive of the decision to retain the existing buildings and were encouraged by the intention behind the manner of the contemporary insertions proposed. The Panel were supportive of the general architectural strategy to the new build elements but were not persuaded that the massing was yet fully resolved.
- (ii) Design Review Panel, 29th April 2015
- 5.8 The scheme presented closely represented the current application.
- 5.9 The Panel commended the positive work which had been done since last review and noted that the scheme combines provision of a substantial quantum of urban housing with public spaces, a public connecting route through the site whilst embedding existing historical heritage into the scheme, all of which are positive aims.
- 5.10 They nonetheless identified some fundamental remaining issues which needed to be resolved before the scheme can be fully endorsed, notably the ground floor bedroom/public realm conflict, and detailing and materials.

5.11 The Panel were fully supportive of the decision to retain the existing buildings and were encouraged by the intention behind the manner of the contemporary insertions proposed. The Panel felt that the applicant team should retain the caretaker's cottage, refine the end treatment to the existing school building and achieve consistency in design interventions across the three existing historical buildings.

Application Consultation

5.12 The application has have been advertised in the local paper as 'major' development, with site notices also being displayed and letters sent to approximately 400 local residents and businesses. The application and associated documents have also been posted on the Council's website in the usual way.

5.13 The following statutory agencies and organisations were notified:

- Greater London Authority
- Transport for London
- Natural England
- Environment Agency
- Historic England
- Greater London Archaeological Advice Service
- London Wildlife Trust
- London Fire & Emergency Authority
- Thames Water
- Metropolitan Police - Design Out Crime Officer (Lewisham)
- Lewisham Cyclists
- Old Tidemill Wildlife Garden Group
- Deptford Folk
- Deptford Society
- Crossfields Resident's Association
- Deptford Street Traders Association
- Detpford High Street Association

5.14 Following validation of the application in January 2016, minor amendments were submitted and a full re-notification of the application took place in August.

Written Responses received from Local Residents and Organisations

5.15 Responses to consultation resulted in 156 letters of objection (of which 103 were standard letters) and 2 support for the application from local residents and amenity groups and individuals located outside the borough. Of these 22 were received following the re-consultation.

5.16 The following relevant planning issues were raised:

- Loss of the Old Tidemill Wildlife Garden
- Proposed green space won't be a community space
- Overlooking, overbearing, loss of privacy and daylight/sunlight to Frankham House, Princess Louise House, Fletcher Path and Reginald Road

- Flood risk
- Air quality
- Height and massing of proposed blocks, particularly on Reginald Road
- Overall impact of this scale of development as well as cumulatively with others in the area
- Loss of heritage and impact on conservation area
- Insufficient parking
- Social infrastructure
- Low affordable provision
- Inadequate consultation
- Loss of education space
- Will new open space be open to public/ residents of Frankham House?
- Foreign trees will not appeal to local birdlife
- Multi-coloured cladding should be avoided
- Parking: loss of electric charging points, loss of parking (impacting on trade), pressure for spaces caused by new occupiers, impact on Frankham House parking

5.17 As part of the re-consultation, the following additional points were raised:

- No options given to the Local Neighbourhood Forum or local amenity societies for re-location of the garden.
- Breach of UN Convention on the Rights of the Child due to loss of garden as school resource
- School garden subject to nomination as an Asset of Community Value
- Impact of construction works on neighbouring amenity (noise, dust, parking)
- Impact on public transport capacity
- Light pollution created

5.18 The letter of support was received from an occupier of Reginald House, who expressed their desire to move into the new blocks.

5.19 In addition, two petitions against the application were received. The first was submitted by the FOTWG and seeks an alternative design for the site which preserves the wildlife garden. It is supported by 1004no. signatures. The second, submitted on behalf of residents of 2-30A Reginald Road, was supported by 97

signatures, and raised concerns in respect of the low provision of affordable housing, the extent to which alternative sites/proposals (e.g. refurbishment of Reginald House) were explored, whether the development appraisal was independently assessed and the impacts on the diverse community.

5.20 Set out below are summaries of the comments made by local amenity groups.

Friends of Old Tidemill Wildlife Garden/Assembly SE8

5.21 Friends of Old Tidemill Wildlife Garden/AssemblySE8 objected to the application, raising the following issues:

- Loss of garden, which is a much needed space for education, health and wellbeing for the community, particularly as it is a 'natural' environment. Garden should be designated a Site of Local Interest under the Mayor's Biodiversity Strategy.
- London Plan seeks no net loss of designated open space and Sites of Importance for Nature Conservation. Loss of publicly accessible space contrary to LDF. Lewisham LLOSS report states that undesignated spaces should be considered under open space policies. To meet Borough's requirements for public open space, opportunities should be taken to deliver public access to private open spaces
- Alternative designs possible which would retain garden and deliver same number of units. These could be considered within the scope of the current application.
- Removal of a mature green habitat contrary to planning policies in respect of biodiversity, urban greening and overheating and climate change. Incorrect number of trees shown for removal. Net loss of trees on site.
- Proposed increase in housing and construction activities on site will have a significant negative impact on air quality. Added cumulative impact from development in the area.
- Reduction in total area of green space, alongside increased density of development, will increase flood risk

5.22 Following re-consultation, the following additional points were made:

- Landscape plans do not show change to Block B;
- New blocks would be overly dominant towards the main school building;
- Two storey extension to main school building is not in keeping;
- Scheme creates a gated community;
- Impact on amenity (privacy & noise) of Reginald Road properties from balconies on Blocks B & C.
- Existing 36 space car park is publicly owned, not private

Deptford Society

5.23 Object for the following reasons:

- Impact on Frankham House: object to the height, size and massing of the proposed extension, and its proximity to Frankham House, which will have an unacceptable impact on residential amenity and right to light for residents of Frankham House. In addition, the proposed location of block D will encroach unacceptably on the southern side of Frankham House, having an impact on the residential amenity of existing residents and creating issues with overlooking and loss of privacy.
- Demolition of caretaker's house: loss of a character building on a site adjoining the Deptford High St Conservation Area and the Creekside Conservation Area. Its loss would dilute the character of the local area. The Deptford Society would prefer the retention and reuse of the building as part of the development.
- Impact on residents in Reginald Road: the size and massing of the buildings proposed for Reginald Road (Blocks B, C and D) will have a negative impact on amenity of the existing residential accommodation on Reginald Road, particularly at basement level.
- Creation of gated communities: the proposals incorporate three communal gardens with 'controlled access' gates. It is unclear from the application which residents will have access to these gardens. Deptford Society is wholly opposed to the creation of gated communities or restricted access to outdoor spaces, and objects to those proposed for this development, including any proposal for public access during limited hours. The creation of gated outdoor space is divisive and undermines community spirit both within new developments and in their relationship with neighbouring communities.
- Lack of detail of refurbishment of existing buildings: the existing application has a lack of detail regarding the proposed refurbishment of and alterations to the existing historic building fabric. A commitment to a high standard of specification for replacement windows and doors, brick cleaning, stone restoration, flashings, railings and the treatment and design of newly formed openings should all be embodied in the consent.
- Reduction in green space and loss of trees: opposed to the net loss of green space and mature trees. Encourage the applicants to offer enhancements of existing urban spaces surrounding the site including to the environment of the Frankham Street parking boulevard.
- Reduction in public parking: concerned about the proposed reduction in parking spaces which could have an impact on high street retailers and Deptford market. This, combined with the creation of a 'car free' development of 210 residential units, is expected to increase pressure on street parking in the area and potentially make Deptford High Street less attractive to shoppers.

5.24 Following re-consultation, the Deptford Society maintained their objections.

Crossfields Residents' Association

5.25 Crossfields Estate Residents Association (CRA) objects to elements of the application that relate detrimentally to residents of Frankham House for the following reasons:

- disappointed that the Creekside Conservation Area is disregarded by “appropriation” which has deliberately resulted in a loss of rights for Frankham House residents and demonstrates a lack of respect for Frankham House as a heritage asset.
- oppose the proposed positioning of the school extension. Its extreme proximity to Frankham House will considerably reduce existing residents’ outlook and Right to Light. Daylight/Sunlight studies do not accurately predict the effects on existing residents
- recommend the retention of the School Keeper’s House and its integration into a pocket green space, with the planned accommodation integrated elsewhere on the site
- oppose the proposed positioning of Block D. Its closeness to Frankham House will considerably reduce residents’ outlook and Right to Light, due to overshadowing of the south facing elevations of Frankham House. Block D should be moved west and central route narrowed to accommodate
- object to the green amenity that was part of the Creekside Conservation Area being appropriated and are strongly opposed to its use as a site compound. The CRA recommends this area be retained as a green amenity and the site compound be accommodated elsewhere on the site away from Frankham House. Landscaping plans for the green amenity totally inadequate because they do not take into account the very high levels of pollution on Deptford Church Street.
- opposes the use of high walls and private gates as a means of segregation of Frankham House residents and those of the planned development. In the interests of social cohesion and integration the CRA strongly recommends access gates and high fences be removed so that the development is open to all.

5.26 Following re-consultation, the CRA advised that the amended plans did not address their original objections and added further concerns, as follows:

- Impact on daylight to Frankham House not in accordance with BRE standards and the submitted report does not correctly assess the impacts
- The path from Reginald Road to Frankham House will be lost
- If existing green spaces are to be lost during construction, alternative provision should be made
- Object to extent of tree removal

Deptford High Street Association

- 5.27 The residents/retailers would welcome the regeneration of the site bringing more homes and people to the area.

Drop-in Session

- 5.28 A drop-in session was held on the 20th April 2016 in the Deptford Lounge. Approximately 100no. people attended. Of these 19no. left comments objecting to the proposals and 3no. stated their support. The following key concerns were raised:

- Loss of Tidemill Garden, an established ecosystem and community education facility. Replacement provision not equivalent.
- Deptford over-congested with traffic
- Air pollution already a problem
- Loss of caretaker's house
- Buildings overly large
- Loss of outlook, daylight and privacy to Frankham House
- Impact of construction works
- Should be no gated areas
- Too many people living in the area already
- Lack of affordable housing
- No equivalent natural space for education

- 5.29 Those in support made the following points:

- Very good for the betterment of Deptford
- Want the new build to go ahead

Written Responses received from Statutory Agencies

Greater London Authority (GLA)

- 5.30 The application is referable to the GLA under Article 5 Category 1A of the Town and Country Planning (Mayor of London) Order 2008. The Stage 1 Report of 18th March 2016 concluded that whilst the application was supported in principle, the GLA considered that the application did not comply with the London Plan, but highlighted possible remedies to address the deficiencies and suggested further information and discussion was required on the matters below to ensure the proposals comply with the London Plan:

- Housing: housing density is acceptable however the Council should confirm that the mix meets local need and that the affordable provision is subject to independent viability review and reflects local needs. The overall quality of residential accommodation is acceptable, though there are some concerns regarding ground floor entrances and floor to ceiling heights.
- Children's playspace – amount of provision is in excess of standards, though applicant should confirm which areas are for children's play and the Council should secure the details of this play space by condition.
- Urban Design: scheme design is well laid out. Scale and massing is supported and generally in keeping with the surrounding context of the site. The new architecture proposed would be of a high standard and the school buildings would be extended sympathetically in a contemporary style. The central green spine and pocket garden would provide adequate mitigation for the loss of green space resulting from the redevelopment and would provide a welcome contribution to public open space in Deptford. Attention to detail in landscaping scheme should be carried forward into the final scheme to ensure that the public realm is of the highest quality. Some concerns with regard to maximising ground floor entrances, particularly on the green spine and pocket garden. Also concerns with the spaces to the side of units B1.0.1 and B3.0.1 which do not have natural surveillance or activity from within the scheme. The proposed duplex roof extension to the main school building would have a low clearance of 2.25m on the upper floor. Notwithstanding the design constraints, this should be increased to 2.4m. The Council is strongly encouraged to secure the retention of the architects during detailed design phase, in addition to securing design details and materials by condition.
- Heritage: the proposal would not harm the setting of either adjacent conservation area and would actually enhance the character and appearance of the area through the creation of the new pocket garden within the Deptford Creekside CA, along with the removal of unsightly open storage areas, construction of new high quality buildings and the refurbishment of the historic school buildings.
- Flooding: open water SUDS should be considered and, if not feasible because Thames Water will not adopt them, further information provided as to why this is the case. The Council should secure green roofs with maximum stormwater retention capacity and other measures, such as Design Exceedance, by condition.
- Inclusive design: 2 additional wheelchair adaptable units should be provided in order to bring provision up to 10%. This should be secured by condition. The applicant should confirm that a total of 21 wheelchair parking spaces can be provided both on and off site.
- Climate change: the carbon dioxide savings shown exceed the target set by Policy 5.2 of the London Plan however, further information is required to show: how London Plan Policy 5.9 has been addressed to avoid overheating and minimise cooling demand; to show how all apartments and non-domestic buildings will be connected to the site heat network; and details of the energy centre.

- Transport: car-free nature of the scheme, with the exception of blue badge spaces, is supported. Provision of active and passive electric vehicle charging points and a car parking management plan will also need to be provided and secured by condition. All occupiers should be exempt from applying for any on street parking permits. Cycle parking is to London Plan standards. Further analysis of trip generation and mode share is required to determine the potential impacts on the highway and public transport networks.

5.31 Further information and amendments were received in respect of the above issues and GLA officers have since confirmed that their concerns have been addressed, subject to appropriate conditions and s106 obligations.

Transport for London

5.32 The application site is positioned within a reasonable walking distance from several rail stations. The site currently has a Public Transport Accessibility Level (PTAL) of 5 (on a scale of 1 to 6 where 6b is the most accessible) indicating the site has very good accessibility. This is forecast to improve to a PTAL rating of 6a by 2021 which indicates an excellent level of accessibility. The site has good accessibility by cycle, being close to several existing strategic routes. Creekside is an important connection in the National Cycle Network and will form part of Quietway 1 from Waterloo to Greenwich which will open in 2016. The site will also benefit from the future Cycle Superhighway 4 route along Evelyn Street and Creek Road.

5.33 In respect of the Transport Assessment, TfL requested that the applicant undertake a new assessment using larger residential sites and/or sites with a lower PTAL rating within inner London boroughs.

5.34 The proposed scheme will improve north-south permeability across the site. TfL welcomes the creation of this new link in order to enhance connections to the wider area as well as improve access to the public transport and cycling network, in accordance with London Plan policy 6.1 '*Strategic Approach*'.

5.35 The proposal provides for up to 11 on-site blue badge parking spaces. London Plan (2015) policy 6.13 '*Parking*' requires a minimum of 21 blue badge spaces for this development. However, it has been noted that up to an additional 8 on-street spaces could be converted to blue badge spaces and there are a number of further spaces available in the local area. TfL would support the conversion of these on-street spaces to blue badge parking. TfL would not support the allocation of these spaces to other occupiers in the development.

5.36 The applicant will also need to provide electric vehicle charging points (EVCPs) in line with London Plan (2015) policy 6.13 '*Parking*'. 20% of the parking spaces will need to be active with a further 20% passive provision. This is requested to be secured by condition.

5.37 TfL requests that the developer should discuss the potential for locating another car club space in the immediate vicinity of the development and also provide a minimum of three years free membership to all residential units as a means to reduce the reliance on private vehicles, which should be included in the s106 legal agreement.

- 5.38 The number of cycle parking spaces conforms to London Plan (2015) policy 6.13 'Parking'. In addition, 6 visitor cycle parking spaces are also proposed to support the development. TfL suggests that a further 6 visitor spaces are provided given the improvements to cycle infrastructure planned in the area.
- 5.39 The width of any doorway/ gate which must be passed through to access cycle parking should be increased to at least 1.2m in order to accord with the LCDS. Furthermore, the location of the cycle store serving the main school building, at its furthest, is located over 150m from the residential units which it is intended to serve, whereas the maximum distance specified within the LCDS is 50m.
- 5.40 TfL would expect a Construction Logistics Plan (CLP) to be produced and secured by condition. It should take into account committed developments in the wider area.
- 5.41 The applicant has responded with additional information in respect of the issues raised by TfL and these are discussed in Section 7 below. Following review of this information, TfL confirmed that the issues they raised had been addressed and that the proposed development would not adversely impact on local public transport networks, including buses and the DLR.

Environment Agency

- 5.42 No objection, subject to conditions relating to ground contamination and piling.

Historic England

- 5.43 Responded to say that specialist staff had considered the information submitted and advised that they did not wish to comment. Recommended that the application be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice. Advised that they did not need to be consulted again on the application.

Historic England- Greater London Archaeological Advisory Service (GLAAS)

- 5.44 Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for archaeological site evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that a condition could provide an acceptable safeguard.

Thames Water

- 5.45 No objection subject to a condition in respect of piling.

Strategic Housing

- 5.46 The Deptford Southern Housing sites scheme includes two development sites, firstly Amersham Grove on the site of the old Deptford Green school and the second on the old Tidemill school and 2 – 30A Reginald Road. Family Mosaic, Sherrygreen Homes and Mullaley were selected by Mayor and Cabinet in February 2014 as the Council's development partner to deliver both schemes; the

Council as landowner entered into the development agreement with the developer partners in September 2015. The developers were selected for their commitment to delivery of 35% affordable housing, their approach to re-housing options for the tenants and leaseholders in 2 – 30A Reginald Road, provision of amenity space and high quality design alongside a financial payment for the land. As part of the agreement, the developers have built the new Charlottenburg Park on the Amersham Grove site at their own cost and risk ahead of the Planning decision.

- 5.47 The proposed development of the old Tidemill School is part of the wider regeneration of Deptford that has been happening over the last decade. The school vacated the site to move to its new premises in 2012, as part of a wider Deptford South master plan that has also delivered the Deptford Lounge, improvements to the Wavelengths leisure centre and the Frankham Street parking boulevard.
- 5.48 The old Tidemill School has been vacant since 2012, comprising the school buildings and grounds, old caretaker's house, and neighbouring Reginald House, a block of 16 homes comprised of 13 tenants and 3 leaseholders.
- 5.49 It should be noted that previous iterations of the Tidemill scheme also included the demolition of blocks along Giffin Street. Mayor and Cabinet agreed the change to leave the Giffin Street blocks in situ in May 2013. It was felt that repairs programmed through the Lewisham Homes decent homes scheme would sufficiently address problems with the blocks and the decision was supported by residents in the subsequent statutory consultation.
- 5.50 The Amersham Grove site was created when the Council built the new Deptford Green school on nearby Fordham Park in 2012. The Council then agreed to re-provide the park on part of the site at Amersham Grove with the rest of the land being used for housing and planning permission was granted for the park in October 2012.
- 5.51 As both sites have significant backgrounds, consultation and engagement with the community for each has taken place over a number of years. The Deptford master plan that included the site at the old Tidemill school and Reginald Road was the subject of consultation between 2008 - 2012 and then again with the developers from 2015 who sought to engage with the local community on both sites. This has taken the form of letters and meetings specifically with the residents of 2 – 30A Reginald Road as well as public exhibitions for Amersham Grove and the old Tidemill site.
- 5.52 The proposed development will provide a mix of affordable housing, in social rented and intermediate tenures. Residents of 2 – 30A Reginald Road will have priority for the new rented homes; the developers have already started to engage residents in design work shops for the new homes and these residents will have choice over certain fixtures and fittings in their new home. The new rented homes are being built before 2 – 30A Reginald Road is programmed for demolition to ensure that residents are able to move directly into new homes. Residents had the choice to move into either new development.
- 5.53 As the new affordable housing provider, Family Mosaic is offering a protected rent deal so that existing residents of 2 – 30A Reginald Road move in on similar rents as they currently pay; Family Mosaic only use the target rent structure and do not

charge the higher 'affordable' rents. The resident leaseholders will be able to buy into the new development remaining in home ownership through a shared equity agreement.

5.54 Through the Deptford Southern Housing sites scheme, the developer has committed a number of other key benefits to the local community.

- In addition to the new Charlottenburg park which was opened by the Mayor on the 3rd September 2016, the developers will provide a range of public, communal and private amenity spaces on the old Tidemill and Reginald Road development.
- The Council has had an agreement for temporary use of the old school grounds by the local community which is coming to an end. However the developers have been engaging with the group to ensure they can continue their role in the community within the new development. The group has been offered use of either of the key public spaces as well as internal storage space within the development.
- The developer is committed to minimising disruption to the local community through out the building works and for example will be part of the Considerate Constructors scheme and will also provide a full time Resident Liaison Officer.

Highways and Transportation

5.55 The site is well located in terms of access to public transport with a PTAL of 5/6a and the application is considered unobjectionable, subject to the submission of the following details:-

- A Construction Management Plan
- A Delivery & Servicing Plan
- A Residential Travel Plan
- Cycle parking details
- A Parking Management Plan

5.56 The parking surveys within the Transport Assessment show there is sufficient capacity on-street to accommodate any overspill parking generated by the proposal. But given the loss of the Frankham Street public car park the following obligations are required:-

- The provision of Car Club membership as an alternative to car ownership
- Contribution towards the expansion of the Deptford CPZ
- A restriction on permit acquisition within the CPZ

5.57 As stated in the Transport Assessment (Table 5.2) it is estimated that the residential development will generate daily 673 non-vehicle trips of which 386 will be public transport trips. The public transport trips will involve walking (or in a few cases, cycling) in order to reach the nearest station or bus stop. Based on the

known local facilities it is expected that the majority of pedestrian movement will be to the northwest towards Deptford High Street (including Deptford station) and to the southeast via Deptford Church Street to Deptford Broadway and Deptford Bridge station and bus stops. Given the increased pedestrian and cycle movements to the southeast via Deptford Church Street, improvement works are necessary to the Deptford Church Street/Creekside/ Reginald Road junction to improve the pedestrian and cycling facilities across the junction for those non-vehicle trips generated by the application scheme. The estimated cost of the works is £50,000 and the works include:- Removing guard railing (and making good), installing tactile paving, creating a deflection (on DCS arm towards the A2), remodelling islands (to TfL style), resighting kerblines, moving a column to improve sightlines and extending the crash barrier. These works are considered necessary to make the southeastern route safe, attractive and permeable to pedestrians and cyclists, and to encourage a sustainable alternative to car use at the development.

5.58 The applicant will also be required to enter into a S278 agreement with the Highway Authority to secure highways reinstatement/improvement works on the public highway adjacent to the site. These include:-

- Reinstatement/ improvement works to Frankham Street, Reginald Road, New Butt Lane and Hales Street to improve the pedestrian environment adjacent to the site.

Ecological Regeneration Manager

5.59 Initial concerns raised with regard to inadequate mitigation to offset the loss of biodiversity on the site, insufficient details submitted to show that a bat mitigation licence would be forthcoming from Natural England and unsatisfactory living roof details. After the applicant submitted further information, the Council's Ecological Regeneration Manager confirmed the scheme was acceptable. His comments are summarised below:

- The change in habitat value and character of the site: appreciate that the development of the site in order to fulfil the brief is extremely challenging and that in effect the character of the space will need to change in order to fulfil the desired function. Sadly this will mean the loss of the wildlife garden and aquatic habitats. Ensuring that new planting schemes are comprehensively reviewed with further stakeholder engagement with the aim of using more native species and mixes that foster and support biodiversity and ecosystems is a good proposal. A water feature would be great to deliver a biodiversity benefit but this should be subject to stakeholder consultation and may not be possible.
- The effect on existing bat activity: the European Protected Species Licence application when supported by the updated survey results (as stated) is likely to be acceptable to Natural England and it is expected that a licence will be issued.
- Green roof proposals: the response is good and the details are acceptable.

Environmental Health

- 5.60 The Air Quality Assessment which formed part of the initial submission proposed a contribution to off-set NOx emissions. The Council's Environmental Health Officer advised that off-site mitigation is preferable and requested that the applicant liaise with them to establish whether such a funded scheme was appropriate and to provide justification for this approach.
- 5.61 The applicant subsequently submitted an Air Quality Neutral Assessment, outlining significant reductions in NOx emissions as a result of specifying a higher grade boiler. On this basis, the Council's Environmental Health Officer has confirmed that the scheme would be air quality neutral and no further mitigation is required.
- 5.62 Given the above actions, satisfactory consultation has been undertaken in line with the Council's SCI and legislative requirements.

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, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan (Consolidated with Alterations since 2011) 2015. The NPPF does not change the legal status of the development 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.
- 6.5 It is important to note that when considering whether development proposals accord with the development plan, it is necessary to consider the question with regard to the development plan as a whole.

Other National Guidance

- 6.6 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.
- 6.7 In March 2015, the Technical housing standards – nationally described space standard was adopted and sets out the minimum space requirements for residential accommodation.

London Plan (Consolidated with Alterations since 2011) 2016

- 6.8 The London Plan was updated on 14 March 2016 to incorporate the Housing Standards and Parking Standards Minor Alterations to the London Plan (2016).
- 6.9 The London Plan policies relevant to this application are:

Policy 1.1 Delivering the strategic vision and objectives for London
Policy 2.9 Inner London
Policy 2.13 Opportunity areas and intensification areas
Policy 2.14 Areas for regeneration
Policy 2.15 Town centres
Policy 2.18 Green infrastructure: the network of open and green spaces
Policy 3.1 Ensuring equal life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.6 Children and young people’s play and informal recreation facilities
Policy 3.7 Large residential developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing
Policy 3.11 Affordable housing targets

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds
Policy 4.7 Retail and town centre development
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 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.21 Contaminated land
Policy 6.2 Providing public transport capacity and safeguarding land for transport
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.7 Better streets and surface transport
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.12 Road network capacity
Policy 6.13 Parking
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.9 Heritage-led regeneration
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.18 Protecting local open space and addressing local deficiency
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

6.10 The London Plan SPG's relevant to this application are:

Accessible London: Achieving an Inclusive Environment (2014)
Housing (2012)
Housing Supplementary Planning Guidance (May 2016)
Sustainable Design and Construction (2014)
Planning for Equality and Diversity in London (2007)
Green Infrastructure and Open Environments (2012)

Shaping Neighbourhoods: Play and Informal Recreation (2012)

London Plan Best Practice Guidance

6.11 The London Plan Best Practice Guidance's relevant to this application are:

Development Plan Policies for Biodiversity (2005)

Control of dust and emissions from construction and demolition (2006)

Health Issues in Planning (2007)

Core Strategy

6.12 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 9 Improving local air quality

Core Strategy Policy 10 Managing and reducing the risk of flooding

Core Strategy Policy 12 Open space and environmental assets

Core Strategy Policy 14 Sustainable movement and transport

Core Strategy Policy 15 High quality design for Lewisham

Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

Core Strategy Policy 19 Provision and maintenance of community and recreational facilities

Core Strategy Policy 21 Planning obligations

Development Management Local Plan

6.13 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:

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

DM Policy 1 Presumption in favour of sustainable development

DM Policy 7 Affordable rented housing

DM Policy 22 Sustainable design and construction

DM Policy 23 Air quality

DM Policy 24 Biodiversity, living roofs and artificial playing pitches

DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 27	Lighting
DM Policy 28	Contaminated land
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards
DM Policy 35	Public realm
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens
DM Policy 37	Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest
DM Policy 38	Demolition or substantial harm to designated and non-designated heritage assets

Site Allocations Local Plan

- 6.15 The Site Allocations local plan was adopted by the Council at its meeting on 26 June 2013. The Site Allocations, together with the Core Strategy, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan.
- 6.16 The following lists the relevant Site Allocations in the local plan as they relate to this application.

SA3 Giffin Street Redevelopment Area, Deptford, SE8 4RJ

Planning Obligations Supplementary Planning Document (February 2015)

- 6.17 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

Introduction

- 7.1 The current application proposes a comprehensive, high density, residential development of a significant site within the District Centre.
- 7.2 Such a significant change within Deptford District Centre raises a large number of planning considerations. The application has also generated a significant amount of interest and objection. The planning considerations are set out and examined in the following section of this report.

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

- a) Principle of Development
- b) Housing
- c) Design
- d) Built Heritage
- e) Neighbouring Amenity
- f) Transport and Access
- g) Trees and Ecology
- h) Sustainability and Energy
- i) Other Considerations

7.4 Each of the topics is assessed below in relation to policies set out in the development plan and other material considerations and, where relevant, the information set out in the application documents. The following discussion refers to the proposed development as amended by the drawings and documents received (up to 16th September 2016).

7.5 Financial viability and deliverability are considered in Section 8 of this report.

Principle of Development

7.6 The National Planning Policy Framework (NPPF) states in Paragraph 14 that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

7.7 London Plan Policy 1.1 Delivering the Strategic Vision and Objectives for London states that growth in London will be supported so long as it does not have an unacceptable impact upon the environment. Policy 2.9 Inner London states that boroughs should ensure that developments utilise the potential of inner London by improving its *“distinct environment, neighbourhoods and public realm, supporting and sustaining existing and new communities, addressing its unique concentrations of deprivation, ensuring the availability of appropriate workspaces for the area’s changing economy and improving quality of life and health for those living, working, studying or visiting there”*.

7.8 The application site lies within the Deptford Creek/Greenwich Riverside Opportunity Area identified in Policy 2.13 of the London Plan where development proposals should seek to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses.

7.9 The Core Strategy (Spatial Policy 2) sets out a vision for the Borough up to 2026 and seeks to focus new development within the Regeneration and Growth areas of Deptford New Cross, Lewisham and Catford. The Deptford and New Cross area (Evelyn and New Cross wards and part of Telegraph Hill Ward, north of New Cross Road) is expected to accommodate up to 2,300 additional new homes by 2016 and a further 8,325 new homes by 2026. Development opportunities should be used to improve connectivity throughout the area for pedestrians and cyclists and provide new accessible public spaces.

7.10 Strategic Objective 2 of the Core Strategy outlines that the Council aims to exceed the housing target set by the London Plan (which has increased since the Core

Strategy was adopted). The supporting text to the policy underlines that housing development will feature prominently within the area known as Deptford Creekside and Deptford Town Centre.

- 7.11 The site is located within the Deptford Town Centre area and also falls within the Giffin Street Redevelopment Area as identified in the Site Allocations Local Plan (SALP) 2013 (Site Ref. SA3). The SALP allocates the wider site for “*Mixed use commercial/creative floorspace, relocation of Tidemill School, relocation of library, housing and community use (work/office space and community café)*”. The SALP further states that:

“The allocation is in line with the regeneration strategy and objectives for this area and will: enhance Deptford as a functioning commercial and leisure destination for local people; contribute to meeting the borough’s housing provision targets and to the implementation of the Building Schools for the Future (BSF) programme; retain and reuse the existing Tidemill Primary School Building; support the functioning of the local economy including new and improved premises for the creative industries; and provide opportunity to reinforce the existing street pattern and grain of development compatible with Deptford.”

- 7.12 The relocation of Tidemill School and provision of a new library, council service centre, café, community work/office space, commercial/creative space and an element of housing (38 units) have been completed as part of the Deptford Lounge scheme (DC/08/69668) to the north of Giffin Street. The present application is the final phase of this wider project.
- 7.13 The indicative housing capacity for the wider site, identified in the SALP, is 438 units, though this includes the site of the blocks to the north of the application site, between Giffin Street and Frankham Street, which are not proposed for redevelopment at this time.
- 7.14 As such, redevelopment of the site for residential use, incorporating improved connections for pedestrians and cyclists and new public realm where appropriate, is in accordance with the strategic policy context.

Loss of existing uses

- 7.15 The site allocation excludes 2-30A Reginald Road, which is otherwise undesignated. DM Policy 2: Prevention of loss of existing housing resists the loss of housing except in certain limited circumstances. These circumstances include proposed redevelopment which would result in housing gain which regenerates and replaces older housing estates in line with an agreed plan or strategy. The proposals would meet this criterion and are therefore in accordance with DM Policy 2.
- 7.16 Core Strategy Policy 19: Provision and maintenance of community and recreation facilities, seeks to ensure that there is no net loss of community facilities resulting from development proposals. As identified above, Tidemill School has moved into new premises adjacent to the Deptford Lounge as part of the wider redevelopment to the north of Giffin Street which also provided other community facilities. It is also noted that the capital receipt from the sale of the former school site is intended to reimburse the Council’s costs in relocating the school.

- 7.17 The proposed redevelopment of the former school garden has been raised by consultees as the main reason for objection to the application. The garden was part of the old school playground. When the school relocated, the garden was established as a meanwhile use while the current proposals were developed.
- 7.18 Meanwhile uses are encouraged and promoted on vacant sites awaiting redevelopment, in recognition of the benefits they can bring to local areas, such as the provision of space for community activities and affordable workspace. They can also help to prevent the dereliction of sites, thereby providing a visual amenity benefit also. As a principle however, meanwhile uses should not present a barrier to development, which could then lead to a reluctance on the part of landowners and developers to allow such uses on their sites.
- 7.19 The school garden is not designated as open space, and when it was part of the school it was not open to the public. In its present form there is limited public access.
- 7.20 The table below summarises the change in open space at the site, between private and public space and hard and soft landscaped. The functionality and landscape treatment of these spaces is discussed in the design section below.

Table 3: Open space provision

	Built footprint (m ²)	Public open space (m ²)		Private open space (m ²)	
		Hard	Soft	Hard	Soft
Existing	1900	2235	1345	3958	3190
Proposed	4760	2155	2120	2498	1095
Change	+2860	+695		-3555	

- 7.21 London Plan Policy 7.18 resists the loss of protected open spaces unless equivalent or better quality provision is made within the local catchment area. The supporting text to the policy advises that the value of green infrastructure not designated as local open space, such as the garden, is a material consideration that needs to be taken into account in the planning process. Green infrastructure is defined by the London Plan as:

“The multifunctional, interdependent network of open and green spaces and green features (e.g. green roofs). It includes the Blue Ribbon

Network but excludes the hard-surfaced public realm. This network lies within the urban environment and the urban fringe, connecting to the surrounding countryside. It provides multiple benefits for people and wildlife including: flood management; urban cooling; improving physical and mental health; green transport links (walking and cycling routes); ecological connectivity; and food growing. Green and open spaces of all sizes can be part of green infrastructure provided they contribute to the functioning of the network as a whole.”

- 7.22 Policy 7.18 goes on to advise that development proposals should incorporate appropriate elements of green infrastructure that are integrated into the wider network and encourage the linkage of green infrastructure including the Blue Ribbon Network, to the wider public realm to improve accessibility for all and develop new links, utilising green chains, street trees, and other components of urban greening (Policy 5.10).
- 7.23 Core Strategy Policy 12 ‘Open space and environmental assets’ protects designated open and green space from inappropriate built development to ensure there is no adverse effect on their use, management, amenity or enjoyment in accordance with the principles of the London Plan.
- 7.24 The policy is underpinned by the Lewisham Leisure and Open Space Study 2010 (LLOSS). The garden site is excluded from this study due to its private nature. More recently, the Lewisham Open Space Strategy was produced in 2012, based on the LLOSS. In respect of provision of natural green space similar to the garden, the strategy identifies that access to natural green spaces in Lewisham, where people can experience nature, is generally good with most people having access to a site of designated ecological importance within 1km walking distance. A number of sites in the borough have been designated as being either of Metropolitan Importance (4 sites), of Borough Importance Grade I (7 sites) or II (28 sites) or of Local Importance (25 sites) for Nature Conservation. The closest such site is the Sue Godfrey Nature Reserve, located 300-400m from the garden, managed by the Creekside Education Trust Ltd.
- 7.25 The garden was always intended to be a temporary meanwhile use in advance of redevelopment. It is not protected open space and there is no ‘in-principle’ objection to its loss. However, the benefits of the use are clearly recognised and opportunities should be taken to mitigate its loss and to provide high quality, multifunctional, accessible green space within the proposed scheme.

Summary

- 7.26 Based on a review of the strategic policy context, it is considered that the application site is suitable for residential development, subject to the proposed scheme achieving a high quality of design, a successful relationship to the surrounding context and no significant adverse environmental impacts. The specific form and content of the proposals are considered below in relation to these considerations.

Housing

- 7.27 At national level, the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraphs 50 to 55 of the NPPF recognise the need to deliver a wide choice of

high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. It specifies that local planning authorities should plan for a mix of housing based on current and future demographic trends, identify the size, type, tenure and range of housing that is required in particular locations. This should reflect local demand and where a need for affordable housing is identified, local planning authorities should set policies for meeting this 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.

- 7.28 At regional level, the London Plan seeks mixed and balanced communities (Policy 3.9). Communities should be mixed and balanced by tenure and household income, supported by effective and attractive design, adequate infrastructure and an enhanced environment. Policy 3.11 of the London Plan confirms that Boroughs should maximise affordable housing provision. Though the Plan does not set percentage targets for the provision of affordable housing at Borough Level, it sets a strategic target of 17,000 more affordable homes per year across London as a whole and confirms that Boroughs should set their own targets according to the Strategy of the London Plan. The London Plan requires the provision of affordable housing subject to viability, the need for larger, family sized dwellings and the character of the site. The London Plan policy also refers to a strong and diverse intermediate sector, where 60% of provision should be for social and affordable rent and 40% should be for intermediate rent or sale and priority should be accorded to the provision of affordable family housing.
- 7.29 The supporting text to Core Strategy Policy 1 Housing provision, mix and affordability notes that the Lewisham Housing Market Assessment [2007-8] showed an overwhelming housing need within Lewisham and that 6,777 net dwellings should be provided over the current 5-year period to meet current the identified need. Following on from this, the South East London Housing Market Assessment (2014) noted that between 2011 and 2014 the annual housing target had been increased by 25% to meet growing demands.
- 7.30 Table 3.1 of the London Plan (2016) sets a target of 13,847 additional homes to be built in Lewisham in the 10 years from 2015-2025 with an annual monitoring target of 1,385 per year. This is an increase on the 2011 London Plan which sought 11,050 units to be provided by 2016 with an annual target of 1,105. Policy 3.4 of the London Plan seeks to optimise the housing potential of development sites in order to meet the demand for housing.
- 7.31 The application proposes 209 new dwellings on the site which, and as a contribution to the Council's housing target, is supported in principle.

Density

- 7.32 Policy 3.4 of the London Plan 2015 seeks to ensure that development proposals achieve the maximum intensity of use compatible with local context. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility level (PTAL).

- 7.33 The site is located within Deptford District Centre and has a PTAL of 5-6a, indicating excellent accessibility to public transport connections. Based on the criteria supporting Table 3.2, the site would fall within the 'Urban' setting density ranges set out in the London Plan.
- 7.34 Urban settings are "*areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes*". The density range for an 'Urban Setting' with a high PTAL of 4-6 is 70-260 dwellings per hectare (200-700 hr/ha). At 166 dwellings per hectare (497 habitable rooms/ha) the proposed density falls within the guidelines set by the London Plan and is considered acceptable given the site's designation within an opportunity area and District Centre, its high public transport accessibility levels and the appropriateness of the proposed layout, scale and design (considered further below).
- 7.35 Notwithstanding the scheme's density falling within the policy guidelines, it is also necessary that the proposed residential environment is of a very high quality in terms of the layout of the site and of individual residential units, the internal space standards achieved in the residential accommodation and provision of private and communal amenity space. These matters are considered further below.

Tenure Mix

- 7.36 The NPPF recognises the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. The NPPF specifies that local planning authorities should plan for a mix of housing based on current and future demographic trends, identify the size, type, tenure and range of housing that is required in particular locations. This should reflect local demand, and where a need for affordable housing is identified, local planning authorities should set policies for meeting this 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.
- 7.37 Given that the application site is within close proximity to local services and to the necessary social infrastructure, it is considered suitable for affordable housing in accordance with Core Strategy Policy 1 and London Plan Policies 3.11 and 3.12. The Core Strategy commits the Council to negotiating for an element of affordable housing to be provided in any major residential development with the starting point for negotiations being a contribution of 50% affordable housing on qualifying sites across the Borough, subject to financial viability.
- 7.38 With regard to tenure mix, Core Strategy Policy 1 states that the affordable housing component is to be provided as 70% social rented and 30% intermediate housing although it also states that where a site falls within an area which has existing high concentrations of social rented housing, the Council will seek for any affordable housing contribution to be provided in a way which assists in securing a more balanced social mix. The London Plan has a 60%-40% split to allow a higher percentage of intermediate housing or other arrangements as considered appropriate.

- 7.39 In terms of dwelling sizes Core Strategy Policy 1 also states that the provision of family housing (3+ bedrooms) will be expected as part of any new development with 10 or more dwellings and, in the case of affordable housing, the Council will seek a mix of 42% as family dwellings (3+ bedrooms), having regard to criteria specified in the Policy relating to the physical character of the site, access to private gardens or communal areas, impact on car parking, the surrounding housing mix and the location of schools and other services.
- 7.40 As noted above, the proposed development would provide 209 residential units, of which 34 are proposed to be affordable homes. On a unit basis this amounts to 16.3% of the scheme, including re-provision of the Reginald House units. When calculated by habitable rooms the provision is 19.5%. The proposed tenure mix is 76.5% social rent and 23.5% intermediate which, considering the re-provision of existing social rent units at 2-30A Reginald Road, is considered acceptable and consistent with the Core Strategy target. The rented units would be let at social rent levels. The intermediate units would be available initially to households meeting the Lewisham income levels as defined in the Planning Obligations SPD 2015 and subsequently, if not purchased, to those meeting the GLA income bands.
- 7.41 Based on this mix the development would comprise 12.5% social rent and around 3.8% intermediate by unit. In terms of dwelling size and the provision of family-sized (3+ bed) accommodation the development would provide a total of 34 dwellings (out of 209). This represents about 16.3% of all dwellings on the site. Family sized dwellings as a proportion of the affordable provision would be 35.3% (12 out of 34). In this case, given the location of the site within a District Centre and high public transport accessibility levels, it is considered that the family housing provision is adequate.
- 7.42 Of the total affordable provision, twelve (35%) are proposed as 3+bed family sized units. In this case, given the re-provision of the Reginald House units, the variety of unit sizes provided including larger 4bed units and the surrounding housing mix, it is considered that the affordable family housing provision is adequate.
- 7.43 The distribution of the affordable units is illustrated on page 34 of the Design and Access Statement. Each of the new blocks would include a mix of private and social rented units, while the shared ownership units would all be located in Block A. The converted school buildings, comprised largely of 1 and 2bed units, would be private market units. It is considered that a good distribution of tenure is achieved, with a high proportion of affordable family units, which are concentrated in the new blocks.
- 7.44 The level of affordable housing proposed falls short of the 50% target in Core Strategy Policy 1. As already noted, the 50% figure is a starting point for negotiations and is subject to viability. In line with guidance set out in the Council's Planning Obligations SPD the applicant has prepared a financial viability assessment. Specialist viability consultants, Urban Delivery, were appointed by the Council to advise on viability issues and have undertaken a review of the scheme and assessed the level of affordable housing that can be provided. A copy of Urban Delivery's report is attached to this report at Appendix B and further consideration of financial viability is set out at Section 8 of this report.

- 7.45 In summary, the advice is that the application provides the maximum amount of affordable housing that can be achieved based on viability analysis and without any grant funding. The applicant has however committed to delivering a higher level of affordable subject to grant (which they are obliged to do by their development agreement) and it is proposed that this would be secured via the Section 106. The GLA has noted in its Stage 1 response that the level of affordable should be reviewed by an independent consultant appointed by the Council. The financial viability review undertaken by Urban Delivery on behalf of the Council will be provided to the GLA when the application is referred back following determination by the Council.
- 7.46 On large, multi-phase developments, such as the Strategic Sites identified in the Core Strategy, that will be built out over a number of years there is the potential for values to increase during construction to a level that could support additional affordable housing. In these cases the Council has sought the inclusion of a financial review mechanism as part of the s.106 agreement to secure additional affordable housing should viability permit.
- 7.47 Given the phased nature of the development in this case and the length of the construction programme (four years), it is considered that a review mechanism is appropriate in this case. This is proposed to be secured as an obligation in the s106 agreement.
- 7.48 In this case a balance has been struck between the affordable housing size and tenure mix, and scheme viability. For the reasons set out above it is considered that the proposals are acceptable.

Residential Amenity

- 7.49 In March 2015 the Government published Technical Housing Standards- nationally described space standard, to rationalise the varying space standards used by local authorities.
- 7.50 London Plan Policy 3.5 and Table 3.3 set out minimum space standards which all proposed dwellings are expected to meet or exceed. Development Management Policy DM32 and Core Strategy Policy 15 also seek to protect and improve the character and amenities of residential areas in the Borough.
- 7.51 The layout of the site and breaking down of the building masses achieves an appropriate built form that allows light to penetrate into the site. Given the orientation of the flats and proposed position of windows it is considered that habitable rooms within the proposed development would generally receive adequate levels of natural light.
- 7.52 In terms of outlook, the layout of the buildings and flats means that windows serving habitable rooms would generally not be enclosed by adjacent parts of the proposed development. Privacy within the proposed residential units would also be achieved through the relationship between the buildings and the orientation of the flats, with ground floor units having their own private amenity space or being separated from public routes by boundary planting.
- 7.53 All units in the proposed scheme would meet or exceed the space standards set by Policy 3.5 of the London Plan, the National Technical Standards and Policy DM32 of the Development Management Local Plan. However, there are 60no.

single aspect units proposed, of which 5no. are north facing, all located within the main school building.

7.54 DM Policy 32 states that there will be a presumption against single aspect units in new housing development, including conversions. Any single aspect dwellings provided will require a detailed justification and demonstration that adequate lighting and ventilation can be achieved. North facing single aspect flats will not be supported.

7.55 A detailed assessment of the five north facing single aspect units is therefore required. The table below sets out key measures for residential standards.

Table 4: North-facing units residential standards

Unit	No. beds	Area m ² (standard)	Floor-to-ceiling heights
SM 0.5	2bed 4 pers	73.5 (70)	3.6
SM 0.6	1bed 2 pers	77.3 (58)	2.3/4.8
SM 1.4	1bed 2 pers	56 (50)	3.5
SM 1.5	1bed 2 pers	50 (50)	3.5
SM 1.8	1bed 2 pers	65.6 (50)	3.5

7.56 Of the above, Unit SM 0.6 is over two levels, one of which is a basement level, however the front room containing the living room is a double height space with a floor to ceiling height of 4.8 metres. This unit also has a small east-facing side window which also serves to mitigate the main north-facing aspect.

7.57 All habitable rooms are located along the north elevation and each is served by either a large window or two smaller windows, providing good daylight and ventilation. The submitted Daylight and Sunlight Assessment includes an Internal Daylight Adequacy test for all proposed ground floor units which confirms that all of the above units would pass the BRE standard.

7.58 It is noted that none of these units would have private amenity space, common to other units within the main school building. However, four of the subject units would exceed the minimum internal space standards (recognised as an adequate means of compensating for a lack of external amenity space), and all would have access to the new public realm and semi-private courtyards created by the scheme.

7.59 In this case, given that the subject building constitutes an undesignated heritage asset, its sensitive conversion is an additional relevant factor to be considered. The proposed layout of the units preserves the central corridors on ground and first floors which served the classrooms and halls on either side.

7.60 Overall, it is considered that the deficiencies in these units are compensated for by the exceedance of space standards in most cases, the generous floor to ceiling

heights of the converted units, their proximity to high quality public and communal amenity spaces and the sensitive conversion of the existing building.

- 7.61 All new build residential units, and most of those on the ground floor of the converted school buildings, would be provided with their own private outdoor amenity spaces in the form of ground floor terraces or balconies. Balconies would have a level threshold and a minimum depth of 1500mm and provide a minimum of 5m² of private amenity space. This is considered acceptable.
- 7.62 The overshadowing assessment shows that of the 37 amenity areas assessed within the scheme, 27 will fully comply with the BRE guidance. Of the 10 that do not comply, 2 are minor fails. The other 8 relate to north facing private rear gardens of the new terraced houses on Reginald Road and west facing gardens within the Annexe building. For the Reginald Road properties, the impact would be similar to the existing condition. These units would have access to shared communal space of a high quality throughout the scheme. Given the provision of high quality communal space within the scheme, together with the scheme's delivery on other design objectives, including presenting a strong building line to Reginald Road, it is considered that overall the proposal is acceptable in this respect.
- 7.63 In response to concerns raised by the GLA with regard to overheating, the applicant submitted a Sample Overheating Report which identified glazing specifications required to reduce the potential for overheating of individual units to acceptable levels. The implementation of these measures is proposed to be controlled by condition.
- 7.64 Overall it is considered that the type, location and size of private and communal amenity space provided for the residential units is acceptable for a development of this nature and density. Combined with the layout and planning of the dwellings it is considered that the proposed development will provide a high quality of accommodation.

Accessibility

- 7.65 Development Management Policy DM32 states that the Council will require new build housing to be designed to ensure that internal layout and external design features provide housing that is accessible to all intended users.
- 7.66 Core Strategy Policy 1 states that all new housing should be built to Lifetime Homes standards. The new National Technical Standards replace Lifetime Homes with 'optional' Building Regulations on access. Policy 3.8 of the London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' (broadly equivalent to Lifetime Homes) and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 7.67 As such, the application is required to provide 21 wheelchair units. Of these, two (10%) would be wheelchair adapted units (1 x 2bed and 1 x 3bed to meet current local demand) in Social Rent tenure, with the remainder (adaptable) in intermediate or private market tenures. The locations of the wheelchair units are identified in the Design and Access Statement and scaled plans for each unit type

have been submitted. For each tenure, a mix of sizes of unit are provided to cater for a range of household sizes.

- 7.68 The applicant has confirmed that all residential units have been designed to Lifetime Homes standards. A condition is recommended to secure the provision of 90% of units to Building Regulations Part M4(2), equivalent to Lifetime Homes, and the remaining 10% as wheelchair units to Building Regulations Part M4(3). In addition, it is proposed to secure through the s.106 agreement, the nomination of the affordable wheelchair units and marketing of the private adaptable units.

Summary

- 7.69 Overall it is considered that the proposed development is acceptable in terms of the mix and standard of residential accommodation proposed.

Design

- 7.70 The NPPF sets out 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 7.71 Section 7 of the NPPF (Requiring good design), makes it clear that the Government attaches great importance to the design quality of the built environment. The policy framework recognises that good design is a key aspect of sustainable development, it is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. The NPPF states that local and neighbourhood plans should develop robust and comprehensive policies in relation to design and that planning policies and decisions should aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. They should also be visually attractive as a result of good architecture and appropriate landscaping.
- 7.72 Access to high quality open space and public realm is an important urban design consideration that plays a fundamental role in enhancing the health and well being of communities.
- 7.73 The London Plan also places great importance on design and local character. Policy 7.4 Local Character, states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 Architecture, reinforces the emphasis on good design and provides that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.
- 7.74 In accordance with national and regional policy, the Core Strategy and Development Management Local Plan also set out policies to ensure design is a fundamental consideration in all planning decisions. Core Strategy Policy 15 (High quality design for Lewisham) states that for all development, the Council will ensure the highest quality design and the protection or enhancement of the

historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character. Development Management Local Plan Policy 30 (Urban design and local character) adds more detail and states that as well as requiring all development proposals to attain a high standard of design, planning applications should demonstrate how the development achieves a site specific design response.

- 7.75 The proposal has gone through an extensive pre-application process which included several design workshops and review by Design Review Panel to embed quality in the scheme and to ensure that it is delivered. Through this process the Applicant's Design Team have addressed many of the original concerns for the scheme and thus the application is viewed favourably in both urban design and architectural terms. The application has been developed in liaison with the Council's Urban Design and Conservation Officers and officers are now satisfied with the proposal subject to detailed elements being secured by the conditions recommended in this report.

Layout, Streets and Routes

- 7.76 The masterplan layout responds to a number of key principles: creating and defining a new central north-south route through the site; retaining and respecting the setting of the former school buildings; responding positively to Frankham Street and Reginald Road and integrating with the existing street pattern and neighbouring buildings.
- 7.77 The new blocks are arranged so as to define a central north-south route through the site, linking Reginald Road to Frankham Street, and creating a generous new area of landscaped public open space in the centre of the scheme, which also opens up views of the attractive entrance on the south east corner of the Annexe building. The Council's aspiration is to see this route extended north in the future, through the railway viaduct to connect with Crossfields Street and St Paul's gardens.
- 7.78 This central route is comprised of two parts, Cross Street Square and Cross Street Park, named after a street which formerly ran to the east of the site. The square is designed to be flexible in nature, hard landscaped and able to accommodate a range of differing uses, while the park would comprise mainly of lawn with large boundary trees. Both would receive a good proportion of sunlight throughout the day, providing an attractive amenity space for residents and visitors.
- 7.79 In line with the aspirations of the Council's Deptford New Cross Masterplan (2007) and North Lewisham Links Strategy (updated 2012), the scheme would improve the pedestrian environment along existing east-west routes between Deptford High Street and Creekside. Improvements to the roundabout at the junction of Reginald Road and Deptford Church Street are proposed to be secured by s106 agreement, discussed in detail in the Transport section below.
- 7.80 Existing north-south routes along the east and west boundaries of the site, adjacent to the Princess Louise Building and Frankham House are maintained as pedestrian/cycle routes. Vehicular access is restricted to a small car park

accessed from Hales Street and along the central route for refuse/emergency vehicles only.

- 7.81 The new routes through the site need to remain as a public benefit and thus site accessibility should be enshrined in the planning permission and secured by way of a Public Access Management Plan via the s106 agreement.
- 7.82 The footprint of the blocks is laid out in a way that minimises overlooking within the scheme and maximises outlook. Through the course of the application, and in response to comments from the GLA, individual unit entrances have been added along the length of the central route and to two units in Block D, which will bring further animation to these spaces. Landscaping would be used to provide defensible space to the dwellings, without creating a hard barrier to the surrounding public spaces. Most ground floor units have been designed with small front terraces which add a further layer of protection.
- 7.83 In summary, the masterplan layout successfully integrates the proposals with the existing street pattern as well as creating and defining new routes and public realm.

Height and Massing

- 7.84 The application proposes new blocks ranging from 2-6 storeys and roof extensions to the retained school buildings, taking them to between 2-4 storeys in height.
- 7.85 The height of the new buildings relates favourably to those in the surrounding area, which vary between two to four storeys on the south and south west boundaries of the site, up to four storeys on the western boundary and five to six storeys to the north and east. The tallest of the blocks proposed, 5 storeys with a recessed 6th storey, would be located in the centre of the site, lining the new north-south route. Where these blocks face Reginald Road they would be taller than the 4 storey (including lower ground) blocks opposite, though this is considered acceptable given the separation distance of 17-20m, their role in defining the new route and the quality of the architecture, described in greater detail below.
- 7.86 To the west, the blocks step down to four storeys. A new four storey block replaces the existing four storey block on Reginald Road. Although the new block is slightly taller and deeper, reflecting current housing standards, the change compared to the existing scale is minor. Blocks A and B, on the western boundary are also four storeys in height, relating well to the Princess Louise Building (5 storeys) and the Shaftesbury Christian Centre building (2.5 storeys), from which a greater separation distance is provided.
- 7.87 To the east, Block C steps down from six to two storeys, maximising sunlight to the courtyard behind, before stepping up to five storeys adjacent to the Pocket Park and Frankham House (5 storeys).
- 7.88 The former school buildings would each have roof extensions, taking the main school building to four storeys, albeit with the relatively large floor-to-ceiling heights of the ground and first floors maintained. In the context of the existing buildings, Giffin Street blocks (5 & 6 storeys) and Frankham House, the scale of the proposed extensions is considered appropriate.

- 7.89 The submitted Design and Access Statement includes a series of 3D images and photos of the physical model showing the proposal in aerial views as well as from Church Street, Frankham Street and Giffin Street and from within the scheme itself. The views show that the proposals would not appear out of context against the scale of buildings in the immediate area.
- 7.90 Overall, officers consider that the scale, massing and layout of the proposed blocks and extensions are successful in responding to the existing built context.

Architecture, Materials and Elevational Detail

- 7.91 As referred to above, Core Strategy Policy 15 (High quality design for Lewisham) and Policy 7.6 (Architecture) in the London Plan set out the importance of high quality design.
- 7.92 The existing buildings on site and in the surrounding area have been used as a reference for choices of materials for the new buildings. The new blocks use high quality materials and detailing. Brickwork with modern windows and balconies combine a traditional materials palette with modern building standards and technologies. The refurbished school buildings and the new buildings would share a material palette to create a family of buildings on this site.
- 7.93 The boundaries to front gardens at ground level would comprise of a matching low brick wall at 600mm high with metal railings above, and planting in front.
- 7.94 A materials palette is indicated in the Design and Access Statement and consists of buff bricks together with a bronze coloured metal rain screen cladding system, timber and aluminium windows and doors (also in bronze) and balconies of a combination of bronze railings and perforated metal panels. The exact specifications of the materials have not been provided and therefore a condition requiring these details to be submitted for approval is recommended.
- 7.95 The detailed bay studies would be added into the approved plans to ensure the quality of the architecture illustrated is delivered by the construction phase. Furthermore, given the acute need to ensure the delivery of the highest standard of design, it is considered necessary in this case to require that the same calibre of architect is retained to construction stage or is retained to oversee the delivery of the detailed design. This is proposed to be secured in the s106 agreement.
- 7.96 The design and materials palette would complement the traditional form and appearance of the retained buildings and make a positive contribution to the streetscene and Conservation Area (considered in detail below).

Public Realm, Landscaping and Amenity Space

- 7.97 Landscaping is an integral part of the development and is fundamental to ensuring high quality public realm, appropriate to the character of the site and surrounding area.
- 7.98 The landscape masterplan proposes to create a series of legible, enjoyable and interconnecting spaces which are comfortable and attractive for people to use and to be in.

- 7.99 The largest of these is Cross Street Square and Park. The square is proposed to be surfaced with warm colour tones. A large Norway Maple adjacent to the annexe building is to be retained, and stone seating arranged beneath the canopy. The square is bordered on its southern side by a raised timber deck that is a transition element between the hard surface of the Square and the grass lawn of the Park, and could be used as an informal stage or seating area.
- 7.100 The park comprises a large grass lawn, flanked by two rows of new Oak trees. Each end of the lawn slopes up to meet the raised timber deck and stone seat wall, creating spaces for sitting out. A series of planted borders line the central space acting as a buffer between the residential terraces and providing further greenery to this area. The new blocks, together with the former school buildings and existing neighbouring buildings, form three courtyard garden spaces, providing additional communal amenity space for residents.
- 7.101 Concerns have been raised that the three courtyards created by the scheme would be gated. Paragraph 2.16 of the Residential Standards SPD states that the Council will resist development with gated access which segregates it from surrounding environment and closes off areas which would normally be provided as a public street. The SPD explains that gated access development does not refer to the normal practice of providing gates and boundaries to the grounds of blocks of flats and single dwelling house gardens. It is not considered that the proposed scheme would constitute a gated development on this basis.
- 7.102 The largest of the courtyards is enclosed by Blocks C & D, the main school building and Frankham House and has the character of a 'residential square'. Officers consider that it is important that residents of Frankham House have access to this space in order to make the scheme acceptable. In discussion with the applicant, it has been agreed that access would be secured by planning obligation.
- 7.103 The other courtyards are smaller and are not fronted by neighbouring buildings and therefore it is not considered necessary or appropriate to make the same provision in respect of these spaces, particularly as the scheme as a whole provides significant publicly accessible open space.

Pocket Garden

- 7.104 The south east corner of the site sits within the Deptford Creekside Conservation Area. This area comprises amenity space at present and is proposed to remain landscaped in the proposals. Consultation undertaken by the applicant prior to submission of the application suggested varying views as to the preferred use of this space. As a result, the applicant has provided three options for its treatment:

Option A: create an aesthetically pleasing setting to the residential buildings which has some passive recreational value. Replace existing grass with a buff, free draining self binding gravel surface laid level with the adjacent footway that is accessible to all. Strips of low level planting and simple lines of paving would allow people to move through the space from many directions. Timber bench seating arranged to avoid overlooking into adjacent properties. Three rows of Sweetgum trees with 3m clear stems would create a canopy cover over the space and help soften the surrounding streets.

Option B: A lighter touch, retaining more of the existing grass lawn character, keeping this a lower activity area and responding to Frankham House residents' views.

Option C: A place for greater active community involvement, for instance as a growing area. Lines of planting would be interspersed with 200mm raised linear allotment planters for food growing. A small communal space could be located within the heart of the site and higher planting towards the boundary to create a greater sense of enclosure (edge planting 1200mm high maximum). It is envisaged this space is still managed by the applicant, but with some community group involvement into its use, planting types and overall long term direction. It is understood that the applicant has discussed use of this area with the Friends of Old Tidemill Wildlife Garden, but no definite proposal has been agreed. The consultation response from the FOTWVG does not mention future use of this space.

Option D: During the consultation process a fourth option, a wildlife garden, was discussed with the applicants and has their agreement.

- 7.105 With the exception of Option D, each of the proposals are illustrated in the Design and Access Statement and all are feasible. Each have their merits, though officers would be more supportive of Options A, C and D as these contribute more in terms of active amenity, whether as an area to pass through, grow food or support local wildlife. Option B would be limited to a largely visual amenity benefit.
- 7.106 It is also important that the final treatment is safe, accessible, of a high quality, well-maintained and visually attractive. All options allow for a buffer line of planting along the boundary with Frankham House to maintain privacy. Any edge planting would require careful consideration in order to preserve the character of an open, publicly accessible space.
- 7.107 It is proposed that the detailed treatment of this space would be secured by condition together with an obligation within the s106 agreement for the applicant to consult further with the local community on the final treatment of this space. The applicant would be required to submit final plans for the use of this space to the Council for approval, together with documentation detailing the community engagement undertaken, views expressed and how these helped to shape the final proposal.

Communal Gardens

- 7.108 The main communal garden space at Block C is a combination of active and passive spaces providing a variety of uses. The garden is split into two areas. A large lawn to the north is located to catch the maximum sunlight and is bordered by a flush timber deck and bench seating. Large Ash trees next to Frankham House would be retained, providing maturity to this lawn, to which further planting would be added as a buffer between the communal area and private terraces.
- 7.109 The southern area caters for informal natural play within a soft landscape environment with equipment catering for the 0-15 and 5-11 age range. A timber deck and bench seating also wraps part way around this space and has planted edges for separation between the communal and private. Along the eastern boundary of this communal courtyard, a low level wall and metal railings (1.8m height) are proposed, together with boundary planting, and a controlled access

gate for resident only access from Frankham Street (via Frankham House car park or through the new Reginald Road Pocket Garden. Access to this space for Frankham House residents will be secured in the s106 agreement.

- 7.110 The garden between Block A and the School Annexe building has a communal area overlooked by private terraces, which is proposed to be treated with a simple grass lawn, cherry trees and bench seating. Similarly, the garden at Block B is proposed to comprise a grass lawn, with small scale Juneberry trees, evergreen hedging and bench seating.
- 7.111 The approach to boundary treatment throughout the site has been carefully considered to respond to the varying circumstances of the site. All edges strike a balance between creating a positive relationship between ground floor units and the public realm, whilst also offering privacy and security and ensuring the public areas do not feel surrounded by fences and barriers.

Children's Play Facilities

- 7.112 Within each of the amenity areas, play spaces are proposed, overlooked by the adjacent flats.
- 7.113 London Plan Policy 3.6 requires development proposals that include housing to make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. The GLA benchmark provision is 10m² per child to be provided on site. Using the GLA's calculator to estimate potential child yield (58) derived from the unit mix results in a requirement for 584m² of play space, which the proposal exceeds. The detailed treatment of this space would be secured by condition.

Design and Crime

- 7.114 Core Strategy Policy 15 states that for all development the Council will ensure design acts to reduce crime and the fear of crime. The layout and design of the site means that the central route and public open spaces within the site will be overlooked, thus providing natural surveillance. The position of the new blocks also introduces surveillance to surrounding areas which are currently not overlooked.
- 7.115 All residential areas are designed to be well lit and visible from other areas of the site. Cycle stores have been designed to be secure.
- 7.116 The new routes through the site would be publically accessible at all times. A Public Access Management Plan would be secured by the s106 agreement.
- 7.117 It is considered that the proposed layout and design raises no significant concerns in terms of crime and the fear of crime. In response to the application the Metropolitan Police Crime Prevention Unit has raised no objections.

Summary

- 7.118 Overall, the proposed public realm is designed to be accessible, safe and flexible, able to accommodate a range of activities or uses by local residents and visitors. Further, it is considered that the type, location and size of private and communal amenity space provided for the residential units is acceptable for a development of

this nature and density. Combined with the layout and planning of the dwellings it is considered that the proposed development will provide a high quality of accommodation.

Built Heritage

- 7.119 The NPPF states that preserving and enhancing the historic environment is one of the core principles of sustainable development. London Plan Policy 7.8 (Heritage assets and archaeology) states that developments that could affect the setting of heritage assets should be developed with a scale and design sympathetic to the heritage assets. Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment and Development Management Policy 36 (New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens) both require designated and non-designated heritage assets and Conservation areas and their settings to be protected, preserved and/or enhanced through new development and changes of use.
- 7.120 The NPPF gives guidance on the approach when considering the impact of proposals on heritage assets. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Paragraph 134 advises that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 135 of the NPPF requires that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.
- 7.121 Section 66 Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on local planning authorities when considering whether to grant planning permission for development which affects a listed building or its setting. In such cases, the local planning authority must 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. Similarly, Section 72 of the act requires that local planning authorities pay special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. 'Preserving' in the context of the statutory duty means doing no harm.
- 7.122 In this case, the positive relationship of the scale of the proposed buildings to the surrounding built context, the significant separation distances, the varied nature of the intervening built context, the high quality of the architecture and light colour of the predominant materials, combine to result in a non-dominant relationship with any nearby listed buildings.
- 7.123 Officers consider that the proposal would not therefore result in harm to nearby listed buildings. It is not therefore necessary to consider whether the public

benefits of the scheme would outweigh that harm, though it is noted that these are significant and would include the enhancement of the public realm and contribution to local regeneration.

- 7.124 For new development within conservation areas, the NPPF advises that, local planning authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- 7.125 The proposal involves the redevelopment of a site which sits between two conservation areas and landscaping of an existing area of green space (the Pocket Park) within the Deptford Creekside Conservation Area itself.
- 7.126 A key attribute of the proposals is the retention of the former school buildings which, although not located within a conservation area, nonetheless contribute to the character of the area and the understanding of its history. The former caretaker's house is however proposed for demolition. It was identified at an early stage in pre-application discussions that although the building has some local interest, this is limited since schoolkeeper's houses were erected at all School Board for London schools and many, such as this one, were effectively a standard design. The loss of this building is therefore not considered significant.
- 7.127 The new landscaping to the Pocket Park would have a direct impact on the Deptford Creekside Conservation Area. A number of options have been identified, all of which retain the area as amenity space. It is considered that the implementation of any of these options would result in an enhancement to this area and they are therefore supported.
- 7.128 Across the rest of the site, the application scheme would introduce buildings of greater scale to the setting of the Conservation Areas. These would replace the existing caretaker's house, Reginald House, existing areas of hard standing and the former school garden. The design of the new buildings and extensions, together with the proposed public realm and landscaping, would be of a high quality and it is therefore considered that the proposed development would result in a minor beneficial impact on the Conservation Areas.
- 7.129 DM Policy 37 states in respect of locally listed buildings that the Council will resist their demolition and seek to protect their character, significance and contribution made by their setting. The former main school building and annexe are not locally listed, though they are considered to be non-designated heritage assets, to which the policy also applies.
- 7.130 The approach to the main school and annexe buildings has been to retain as much as possible of the original buildings, and to restore features where possible, with any new interventions to be in keeping with the building, but to look like modern interventions.
- 7.131 This approach has been discussed in detail with the Council's Conservation Officers. The light-touch approach to retaining the architectural integrity and character of the buildings is welcome, as is the inclusion of a modern bridge between the main building and side extension. The two storey addition to the main school building, creating a row of duplex flats set back from the Frankham Street elevation, will be treated in a modern metal cladding, with generous sized

windows. Given the existing tall parapet to the building (xm in height), the extension will read as a single storey from street level and therefore would have a subservient relationship to the host building. Detailed elements, such as the precise treatment of roof coverings, windows, doors and treatment to the brick, can be controlled by conditions.

- 7.132 Historic England were consulted in respect of the proposals for the existing buildings, but advised that the Council's in-house expertise should be utilised.
- 7.133 The site is located within an Archaeological Priority Area. Policy DM 37 promotes the conservation, protection and enhancement of the archaeological heritage of the borough. Accordingly, and based on advice received from the Greater London Archaeological Advisory Service (Historic England), conditions have been prescribed requiring appropriate evaluation and mitigation.
- 7.134 In light of the above, Officers consider that the character and setting of both designated and non-designated heritage assets would be preserved, in accordance with London Plan Policies 7.7 and 7.8 and Core Strategy Policies CS16 and DM36.

Neighbouring Amenity

- 7.135 Policy 7.6 of the London Plan states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- 7.136 Development Management Policy 32 requires the siting and layout of all new-build housing to respond positively to the site specific constraints and opportunities, as well as being attractive, neighbourly, provide a satisfactory level of outlook and natural lighting for both future and existing residents and meet the functional needs of future residents.
- 7.137 An assessment of the impact of the proposals on the amenities of neighbouring occupiers is set out below.

Outlook

- 7.138 Generally, the layout and spacing of the proposed blocks relates well to the existing street pattern in the area. There were however two parts of the scheme as submitted which gave rise to concern, both from local residents and officers, and resulted in changes to the scheme being made. These are discussed in turn below.
- 7.139 The Council does not have guidance on separation distances between main front elevations and flank elevations, however reference to the guidance contained in the Residential Standards SPD (2012) is informative. The guidance states that the minimum distance between habitable rooms on the main rear elevation and the rear boundary, or flank wall of adjoining development, should normally be 9 metres or more and that these guidelines will be interpreted flexibly depending on the context of the development.
- 7.140 The relationship between Block B1 and the Princess Louise Building raised concerns that the position and scale of the proposed Block B1 would have a significant impact on the occupiers of Flats 6 and 7, located on the first floor of the

Princess Louise Building. Both flats have their main outlook to the east, over the development site, which is at present vacant. In the original proposal, Block B1 would have been located approximately 6 metres from the windows of Flat 6 and extend across the whole width of the east elevation of that flat at a height of 4 storeys. The Block would also have extended across part of the east elevation of Flat 7 at a distance of 5.7-6metres.

- 7.141 In response to concerns raised regarding this relationship, the applicant submitted a revised proposal for Block B1, which resulted in the removal of the closest maisonette unit, increasing the separation distance to 10.3metres (with no facing windows) and also enabling the retention of the existing tree (T41) and improving visibility for users of the car park.
- 7.142 It is considered that this amendment has addressed the concern and that a good level of outlook would be maintained for the first floor units in the Princess Louise Building.
- 7.143 The relationship between the side extension to the main school building and Frankham House was also raised as a concern. As originally proposed, the side extension was set 8.7m west of the north west corner of Frankham House at its narrowest point. This compared to the separation distance of 11.2m to the existing caretaker's house. Given the additional height and massing of the extension (4 storeys with a flat roof compared to the 2.5 storey pitched roof caretaker's house) this gave rise to a concern over the impact on the outlook from the northernmost windows on the western elevation of Frankham House.
- 7.144 In response, the applicant submitted a revised proposal, reducing the width of the extension so that its position in relation to Frankham House is now broadly similar to that of the existing caretaker's house (11.2m separation and with no facing windows). In order to make the amendment, 2 x 2 bed 4 person units on each floor have changed to 2 x 2 bed 3 person units, which occurs over three floors.
- 7.145 This change also results in the relocation of balconies at 1st and 2nd floor levels from the rear of the extension to the front, which had been a concern of residents. In their new position, the balconies would be open on the corner, allowing views through and reducing the length of the flank wall of the extension facing Frankham House. It is considered that this change achieves a reasonable separation distance, having regard to the existing situation and height of the proposal, and has reduced any potential adverse impact to Frankham House to an acceptable level.

Privacy

- 7.146 The Council's Residential Development Standards SPD (updated 2012) states that developers will be expected to demonstrate how the form and layout of their proposals will provide residents with a quality living environment, and how privacy will be provided both for the neighbours and the occupiers of the proposed development.
- 7.147 It states that a minimum separation distance of 21 metres should be maintained between directly facing habitable room windows on main rear elevations, unless mitigated through design. This separation will be maintained as a general rule but will be applied flexibly dependent on the context of the development. A greater separation distance will be required where higher buildings are involved.

- 7.148 The acceptable distance between front elevations should normally be determined by the character of road widths in the area. The use of mews, courtyard, and other similar forms of development may entail relatively small front to front distances.
- 7.149 The separation distances between directly facing windows in proposed blocks and adjacent properties are as follows:
- 29 metres to Frankham House (rear to rear relationship)
 - 17 metres to 103 Reginald Road (front to front relationship- up to 6 storeys)
 - 24.8 metres to 1 Hales Street (rear to rear relationship- up to 6 storeys)
 - 26 metres to Giffin Street blocks (front to rear relationship)
- 7.150 These distances are considered acceptable and would not give rise to an unacceptable impact on amenity as a result of overlooking and loss of privacy.
- 7.151 There are instances where the proposed blocks are situated closer to surrounding properties, however in these situations the viewing angle is oblique and would not therefore be considered to give rise to an overlooking issue. Additionally, retained and proposed planting will provide screening to further reduce any such impact.

Daylight, Sunlight and Overshadowing

- 7.152 A Daylight, Sunlight and Overshadowing assessment dated December 2015 was submitted in support of the application. In response to concerns raised by neighbouring occupiers, in respect of overshadowing in particular, and queries from officers in relation to missing information, a revised version of the report was received dated June 2016. A further revision was submitted in August to take account of the revisions to the scheme. The assessment follows the BRE Guidelines "Site Layout Planning for Daylight and Sunlight – A Good Practice Guide".
- 7.153 The report assesses the daylight, sunlight and overshadowing impacts that the proposed development may have on the existing properties surrounding the site as well as within the proposed development itself. The surrounding properties included 1-113 Reginald Road, 8 New Butt Lane, 1 Hales Street, Frankham House, 8-150 Giffin Street and the Princess Louise Building.
- 7.154 The updated assessment identifies that most surrounding properties would pass the BRE test. The windows shown to experience moderate or substantial losses under this method of assessment are located in Frankham House, 1-107 Reginald Road and the Princess Louise Building. These are considered in detail below.

Frankham House and 1-107 Reginald Road

- 7.155 Both Frankham House and 1-107 Reginald Road have either balconies or recesses hindering the amount of sky visible on the window surface. The BRE recommends that in a situation where a balcony or recess is obstructing visible sky, that an assessment should be undertaken of the existing and proposed condition with the obstructions removed.

- 7.156 The submitted report undertakes this assessment. As a result of the reduced footprint of the extension to the main building, impacts on Frankham House are reduced to negligible levels for visible sky (VSC). The 'No Sky Line' (NSL) method is also assessed and shows that no windows would experience a moderate or substantial loss of daylight. As these rooms are not main habitable rooms and the impact is minor, it is not considered that the proposal would result in a significant impact on the occupiers.
- 7.157 In respect of 1-107 Reginald Road, with the VSC assessment run without the obstructions, 7 windows continue to show a moderate to substantial adverse impact (reductions up to 43.75%). Similarly, when the NSL method is used, it shows 9 windows with moderate to substantial loss. The windows experiencing this loss are situated directly to the south of the pocket garden. As a result they currently experience above average levels of visible sky and therefore the degree of change is greater.
- 7.158 All of these windows are stated in the report as serving bedrooms, which the BRE states have a lower requirement for sky visibility as they are generally occupied at night time.
- 7.159 The report then considers the impact on daylight received within the rooms served by these windows using the Average Daylight Factor (ADF) method. This method of analysis shows that, with the obstructions included, 15 rooms within these properties experience a reduction in ADF factor of more than 30%. With the obstructions removed, all rooms are fully compliant against the BRE target values.
- 7.160 The assessment notes that, due to the relatively low rise or vacant condition of the application site, the VSC method gives somewhat overstated results in this case. The ADF method, which takes into account the VSC results as well as the size and number of windows, the size of the room behind and the use that the room serves, provides a more reliable method of assessment in this case.
- 7.161 Overall therefore, it is considered that the occupiers of Frankham House and 1-107 Reginald Road will not experience a significant reduction in daylight.

Princess Louise Building

- 7.162 The assessment shows that, of the 14 windows tested in the Princess Louise Building using the VSC method, 10 will pass the BRE standard, while 2 would be categorised as a minor adverse loss and 2 would be moderate (31.82% and 37.45% reductions, where a 30-40% is considered a moderate impact). The assessment notes that the large tree (no. 41, Norway Maple) situated on the south east corner of the Princess Louise Building significantly impacts the view of the sky from some windows, specifically those of Flat 6. The original assessment submitted, with the tree removed and Block B closer, showed no more than negligible impacts on the Princess Louise Building in terms of VSC.
- 7.163 The BRE acknowledges the affect trees have on a property's ability to receive light and makes further allowances for deciduous trees that vary depending on the type and time of year. The tree had been proposed for removal in the scheme as originally submitted. However, following representations received from the occupiers of the Princess Louise Building, the tree is proposed to be retained in conjunction with increasing the separation distance between the Princess Louise Building and Block B.

- 7.164 The assessments under the NSL and ADF methods show full compliance for all windows. Overall, it is considered that occupiers of the Princess Louise Building will not experience a significant impact on light levels.

Sunlight

- 7.165 The sunlight assessment, using the Annual Probable Sunlight Hours (APSH) shows full adherence to the BRE guidelines and would therefore have a negligible impact on sunlight to neighbouring habitable rooms.

Overshadowing

- 7.166 Concern was raised in the consultation responses over the potential impact of the development in terms of casting shadow on the south and west elevations of Frankham House.
- 7.167 In response, the applicant has provided 3D views for March and June 21st which show the hourly transient shadow images across the south elevation of Frankham House. These images show that the proposed scheme will begin to cast shadow on the south elevation of Frankham House from 1pm in March and by 5pm will cover approximately half of the elevation. No shadow will be cast on the south elevation by the proposed scheme on June 21st. The March diagrams indicate the worst case scenario, during the winter months when there is a lower expectation of sunlight. It is not considered that the impact is unusual in an urban environment or would cause an unacceptable impact on amenity.
- 7.168 In respect of the west elevation, the shadow diagrams indicate that the impact would be minor, with the proposed extension to the main school block beginning to cast a shadow on the west elevation of Frankham House from 3pm. Therefore, the proposals are considered acceptable in this regard.

Summary

- 7.169 On balance, the proposed scheme would not give rise to an unacceptable impact on the amenity of neighbouring properties in terms of outlook, privacy, loss of daylight, sunlight or overshadowing.

Transport and Access

- 7.170 A Transport Assessment (TA) was submitted with the planning application, the scope of which was discussed with the Council and TfL prior to its preparation.
- 7.171 One of the 12 core land-use principles is that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. Regarding the promotion of sustainable transport the NPPF states that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.
- 7.172 Policy 6.1 of the London Plan (2016) sets out the Mayor's strategic approach to transport which aims to encourage the closer integration of transport and development. This is to be achieved by encouraging patterns and nodes of

development that reduce the need to travel, especially by car; seeking to improve the capacity and accessibility of public transport, walking and cycling; supporting measures that encourage shifts to more sustainable modes and appropriate demand management; and promoting walking by ensuring an improved urban realm.

- 7.173 Core Strategy policy Core Strategy Policy 14 (Sustainable Movement and Transport) states that there will be a managed and restrained approach to car parking provision to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities. Car free status for new development can only be assured where on-street parking is managed so as to prevent parking demand being displaced from the development onto the street. Controlled parking zones may be implemented where appropriate. A network of high quality, connected and accessible walking and cycling routes across the borough will be maintained and improved including new connections throughout the Deptford New Cross area.
- 7.174 Development Management Local Plan Policy 29 sets criteria for the acceptability of new car limited development, specifying that it will only be considered: in areas with a PTAL of 4 or higher or where this can be achieved through investment in transport infrastructure; where there's no detrimental impact on the provision of on-street parking in the vicinity; no negative impact on the safety and suitability of access and servicing; protection of required publicly accessible or business use car parking; inclusion of car clubs, car pooling schemes, cycle clubs and cycle parking and storage; an equitable split of parking provision between private and affordable residential Development; and on-site accessible priority parking for disabled drivers. Additionally, all new development will need to ensure that an appropriate number of bays have an electric charging point installed and an appropriate level of passive provision, in line with London Plan Table 6.2 Parking Standards.

Site Access and Parking

- 7.175 The application proposes the removal of vehicular access into the site other than for refuse and emergency vehicles and to access a car park of 11 spaces for occupiers of wheelchair units on site. These spaces are accessed from Hales Street via New Butt Lane. The proposed development will occupy the space formerly occupied by the shared used car park east of the Shaftesbury Christian Centre, resulting in the loss of 16 pay and display or permit holders' car park spaces.
- 7.176 The principle of a car free development is supported subject to specification of appropriate mitigation measures.

Highway Impacts

- 7.177 In terms of trip generation and impact on the local highway network, in response to a request from TfL, the applicant provided more robust estimates of trip generation arising from the proposals (based on the scheme as submitted):

Table 5: Trip generation

	Total Trip Generation
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	(210 dwellings)		
	IN	OUT	Two-Way
AM (08.00-09.00)	13	8	21
PM (17.00-18.00)	3	3	5
Daily (06.00-22.00)	72	67	140

- 7.178 These estimates are based on data from existing developments which have comparable characteristics to that proposed. Specifically, the data referenced relates to residential developments completed since January 2010; located in inner London; with a PTAL of 5 or 6 only; and car free.
- 7.179 As the development would be car limited, the vehicle traffic generated would be low, with the table above showing a maximum hourly trip rate of 21, which would occur during the morning peak, with a maximum over the day of 72, most of which would occur outside the peak periods, when the local road network would have capacity to accommodate it.
- 7.180 On this basis the TA concludes that the proposed development would result in a net improvement in terms of highway capacity and road safety from the existing situation.
- 7.181 Although the 16 spaces in the shared use car park will be lost, the parking survey showed that the car park was empty on the night of the survey and the nearest other resident permit spaces, on Giffin Street, were only 53% occupied. This suggests that the demand for overnight parking in the area is not great and the removal of the shared use car park will not inconvenience residents.
- 7.182 The survey data shows that the maximum observed number of cars parked in the shared use car park was 11, whereas there were a minimum of 13 spaces vacant on Frankham Street. Therefore this area has the capacity to absorb the demand for the spaces lost by the removal of the shared car park.
- 7.183 Specific concern was raised in consultation responses with regard to the loss of these spaces for market users. In response, the applicant carried out an additional survey (on Saturday 11th June 2016) of all suitable market day parking within 300m of Deptford High Street Market. The results showed that there are a total of 574 parking spaces within 300m, of which 144 are in the Frankham Street Pay and Display car park and 46 are in Vanguard Street Pay & Display car park. At peak times (12noon to 4pm) there were a minimum of 76 spaces available. As such, it is concluded that there would be sufficient parking facilities available to serve the market following redevelopment of the application site. The Council's Highways Officer has confirmed that this information has resolved their concern in this regard.
- 7.184 Introducing the proposed north south route through the site will require changes to Frankham Street and Reginald Road parking, removing some parking from each street where the new junctions will be. However, there is no overall loss of parking as in both cases existing access to parking will be removed – and so spaces for parking will be gained. The overall impact of the changes in access onto Reginald Road and Frankham Street is therefore neutral.

- 7.185 The TA also notes that there are 27no. Car Club vehicles within 1 mile of the site, the closest of which is on Reginald Road, though is currently a 'Zip Van'. These could take up some of the demand for access to a car and reduce car ownership.
- 7.186 Whilst Car Clubs may reduce demand for parking spaces, and there is currently on-street parking capacity, there are other significant car limited developments that will be coming forward in the near future, notably Faircharm and Kent Wharf on Creekside. Of these, Faircharm is located within 200m from the site (considered to be the distance that residents would reasonably leave their vehicle from their home). The application site is located within the Deptford Central Controlled Parking Zone (CPZ), though it is noted that this covers a limited area. Although demand for parking is anticipated to be low, given the site's high public transport accessibility (PTAL 5-6a), there could be pressure on existing parking capacity in conjunction with other nearby 'car free' schemes and may trigger the need for an enlarged CPZ.
- 7.187 The Council's Highways Officer has confirmed that the proposed 'car free' approach is acceptable, subject to; 3 year car club membership for first occupiers; a contribution of £30,000 towards review of the need for, and implementation of, an enlarged CPZ in the area to manage overspill parking; a requirement that future residents will not be able to acquire permits within the CPZ; and the implementation of a Travel Plan. Transport for London also recommended that future residents of the scheme be excluded from acquiring permits. It is also considered appropriate for the S106 to include a requirement on the applicant to advise future occupiers of the potential future implementation of a CPZ in the area, for which they would be prevented from acquiring permits.
- 7.188 TfL suggested that the developer explore the possibility of adding a further car club space locally and should provide 3 years' free membership to all residential units at first occupation, to reduce reliance on private vehicles. The applicant has agreed and these obligations can be secured in the s106 agreement.
- 7.189 The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In this case, it is considered that the impacts of the development, in combination with other committed schemes, can be adequately mitigated.

Public Transport

- 7.190 In terms of the impact on public transport services the TA notes that there are approximately 60 bus services per hour in each direction during the morning peak from bus stops serving the site and 28 train services per hour in each direction during the same period from Deptford and Deptford Bridge stations. The expected 59 morning peak hour and 51 evening peak hour public transport trips will therefore not cause any capacity problems on local services as they will be spread over a wide range of possible buses or trains.
- 7.191 Based on the number of trips generated by the proposal, TfL has confirmed that it would not cause an adverse impact on public transport services.

Pedestrians and Cyclists

- 7.192 The application proposes cycle parking in accordance with London plan standards.

- 7.193 As proposed in the application, pedestrian movement through the site will be prioritised and vehicle movements limited or restricted. The new routes through the site will be promoted as shared surface/Homezone. Their use by the general public as pedestrians and cyclists, would be secured through a planning obligation.
- 7.194 The submitted Transport Assessment and addendum letter estimate that the scheme will generate:
- 360 daily walk trips; and
 - 53 daily cycle trips
- 7.195 In all, it is estimated that the proposed development will generate daily 821 non-vehicle trips of which 408 will be public transport trips. The public transport trips will involve walking (or in a few cases, cycling) in order to reach the nearest station or bus stop. Based on the known local facilities it is expected that the majority of pedestrian movement will be to the northwest towards Deptford High Street (including Deptford station) and to the southeast via Deptford Church Street to Deptford Broadway and Deptford Bridge station and bus stops.
- 7.196 The Council's Highways Officer has advised that, given the increased pedestrian and cycle movements to the southeast via Deptford Church Street, improvements are necessary to the Deptford Church Street/Creekside/ Reginald Road junction to improve the pedestrian and cycling facilities across the junction for those non-vehicle trips generated by the application scheme.
- 7.197 The estimated cost of the works is £50,000 and the works include:- Removing guard railing (and making good), installing tactile paving, creating a deflection (on DCS arm towards the A2), remodelling islands (to TfL style), resighting kerblines, moving a column to improve sightlines and extending the crash barrier. These works are considered necessary to make the southeastern route safe, attractive and permeable to pedestrians and cyclists, and to encourage a sustainable alternative to car use by occupiers of the development.
- 7.198 TfL raised concern that the cycle store for the main school building would be located up to 150m from the entrance to some units. The applicant noted in their response that as the building is a conversion there are inherent difficulties in meeting TfL's 50m maximum requirement. However, they have revised the allocation of spaces to include some space within Block C, such that most cycle storage is within 50m. This is considered a reasonable response.
- 7.199 Additionally, TfL requested that an additional 6 cycle spaces for visitors be provided, which the applicant has shown in the revised plans.
- 7.200 Subject to confirmation of details of cycling parking facilities and access it is considered that provision for pedestrians and cyclists is acceptable.

Servicing

- 7.201 All servicing would be from Frankham Street and Reginald Road, via Church Street. The new central street through the Estate will be accessible by service vehicles and the emergency services. This road will be controlled at entry points by lockable bollards. Swept paths have been modelled for a fire tender and refuse

lorry serving the development and form part of the TA. These plans demonstrate that all proposed bins and bin stores are accessible to within 10m of the refuse truck and all areas of the Estate are adequately accessible by the emergency services.

- 7.202 Subject to mitigation through the inclusion of a restriction on applying for a parking permit in the event of a CPZ being introduced, contribution towards CPZ review, implementation and restriction on parking permits, public realm improvements and a financial contribution for pedestrian and cycle infrastructure improvements, the overall development impacts are considered to be acceptable.

Trees and Ecology

- 7.203 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity.

- 7.204 The NPPF at paragraph 109 states that:

“The planning system should contribute to and enhance the natural and local environment by:

- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”

- 7.205 Paragraph 111 adds that “Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value”, while Paragraph 113 states that “Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.”

- 7.206 Paragraph 118 provides guidance to Local Authorities when determining planning applications which may impact on biodiversity. The principles of relevance to the present application are:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- opportunities to incorporate biodiversity in and around developments should be encouraged.

- 7.207 London Plan Policy 7.19 advises that “Development proposals should: a) wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity; b) prioritise assisting in achieving targets in biodiversity action plans (BAPs), set out in Table 7.3, and/ or improving access to

nature in areas deficient in accessible wildlife sites; and c) not adversely affect the integrity of European sites and be resisted where they have significant adverse impact on European or nationally designated sites or on the population or conservation status of a protected species or a priority species or habitat identified in a UK, London or appropriate regional BAP or borough BAP.

- 7.208 London Plan Policy 7.21 advises that “Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of ‘right place, right tree’. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.”
- 7.209 Core Strategy Policy 12 states that in “recognising the strategic importance of the natural environment and to help mitigate against climate change the Council will conserve nature” which will be achieved by “preserving or enhancing the local biodiversity and geological conservation interests in accordance with national and regional policy” as well as “promoting living roofs and walls in accordance with London Plan policy and Core Strategy Policy 8”.
- 7.210 At the more detailed level, DMLP Policy 24 requires all new development to “take full account of biodiversity in development design, ensuring the delivery of benefits and minimising of potential impacts on biodiversity and geodiversity, while DMLP Policy 25 states that major development proposals should “retain existing trees for the most part and in the event of tree removal, replacement planting will normally be required. New and replacement tree planting must use an appropriate species that reflects the existing biodiversity in the borough.”

Trees

- 7.211 The submitted Tree Survey shows 9 groups of trees, 43 individual trees and 2 hedges existing on the site. The application scheme proposes the removal of 35no individual trees, of which none are Category A (trees of high quality and value with a life expectancy of more than 40 years), 13 are Category B (trees of moderate quality and value, with a life expectancy of more than 20 years) and 22 are Category C (low quality). Of the groups of trees for removal (6 groups in full and 1 in part), 2 are Category B and 5 are Category C. The hedges are both Category C.
- 7.212 None of the trees are subject to a Tree Preservation Order (TPO). Those lying within the Conservation Area would all be retained. Significant trees retained include the Norway Maple near the entrance to the Annexe building, which will be a feature of the proposed square, and a further Norway Maple adjacent to the Princess Louise Building.
- 7.213 The existing trees individually are of moderate arboricultural value but have value as habitat and also in providing a visual amenity value, softening the surrounding built context. Their loss can only be considered acceptable where the benefits of a proposal and mitigation provided are sufficient to outweigh that loss.
- 7.214 To mitigate the loss of the trees, the applicant proposes to replant 68no. trees as part of their landscape scheme. These include 14no. Red Oak, 17no. Sweet Gum, 12no. Juneberry, 13no. Papermark Maple and 12no. Cherry, all semi-standards of 2.5-3m in height when planted. Along with the retained trees, these trees will restore an immediate level of greenery to the site, increasing as they mature over a period of approximately 15 years.

- 7.215 The Council's Tree Officer has raised no objection to the removal of the trees proposed and has advised that the replacement planting is of a high standard, appropriate to the site context and functions of the spaces created.
- 7.216 In this case, officers consider that the loss of the existing trees is outweighed by the benefits of the proposals, and taking into account the high quality specimens proposed to be replanted, which will over time provide mitigation for the removed trees by replacing the green canopy to the site and providing habitat value. It is proposed to secure the planting specification and submission of a landscape management plan for approval by condition.
- 7.217 On this basis, the proposed tree removal is considered acceptable in the context of the NPPF, London Plan Policy London Plan Policy 7.21, Core Strategy Policy 12 and Development Management Local Plan Policy 25.

Ecology

- 7.218 The application is supported by a Phase 1 Habitat Report, Reptile and Newt Surveys and a Bat Emergence Survey. The Phase 1 Habitat Report (dated November 2015 and based on site surveys in July 2014 and August 2015) identifies that the site has negligible to moderate potential to support notable or protected species or groups, including breeding birds, badgers, reptiles, great crested newts and bats. It recommends further bat surveys, enhancements including the incorporation of a pond, log pile, shrubberies, living roofs, bat and bird boxes and wild areas containing long grass and/or scrub as habitat for a range of protected and non-protected vertebrates and invertebrates within the development in order meet the requirements of current planning policy.
- 7.219 Reptile and great crested newt surveys were carried out between August and September 2014 at the site and found no evidence of great crested newts or reptiles on site. A re-survey in August 2015 found that there had been no significant changes in habitats since then.
- 7.220 The initial Phase 1 Habitat Survey of the site recommended an emergence and activity survey for bats. The submitted Bat Emergence Survey (October 2014, Revised November 2015) found bats (common pipistrelles (*Pipistrellus pipistrellus*)) to be roosting within the Caretaker's house and former School Annexe buildings on site and foraging over the wildlife garden. In response to the Council Ecological Regeneration Manager's initial comments, a draft Bat Mitigation Licence application was submitted which quantifies the potential impact on bats as a result of the proposals and sets out the mitigation proposed, including measures to be undertaken during demolition as well as the provision of bat boxes within the completed scheme. The Council's Ecological Regeneration Manager has advised that the details are likely to be sufficient for a licence to be issued by Natural England.
- 7.221 It is considered that, with the above measures in place, the impact of the development on roosting bats can be adequately mitigated. The application site contains a number of mature trees, the semi-managed wildlife garden and the grassed amenity area to the south of Frankham House. It is not located within an area of designated landscape or wildlife conservation value. For such undesignated spaces, planning policy aims to minimise the impact of new development on biodiversity and seek net gains where possible.

- 7.222 The submitted plans indicate biodiverse living roofs on all of the new blocks proposed, amounting to an area of 3,100m². The specification proposed is in line with the standards required by the Council and includes a native wildflower seed mix.
- 7.223 New tree and shrub planting will be provided throughout the site, and it is noted that native species are to be encouraged. It is noted also that one option for the Pocket Garden is a more wildlife-focused landscape scheme, to be determined through stakeholder engagement. The Council's Ecological Regeneration Manager has advised that he is content with the findings of the surveys and mitigation set out in the Ecology Reports, provided that native species and mixes are specified to foster and support biodiversity and ecosystems. This can be secured by condition.
- 7.224 In terms of provision of other semi-natural green space locally, the Mayor's Biodiversity Strategy (2002), which informs the biodiversity policies of the London Plan, defines 'Areas of Deficiency' as built-up areas more than one kilometre actual walking distance from an accessible Metropolitan or borough site. The more recent Green Infrastructure and Open Environments SPG (2012) maintains this definition.
- 7.225 The application site is situated within 2km of two statutory designated nature conservation sites. The closest of these is the Sue Godfrey Nature Park, located between 300-400m from the site. The Park is a wild space which is maintained by the Creekside Education Trust, open to the public and used for conservation and educational activities. This reserve contains a mixture of rough grassland, scrub and ruderal plants. More than 200 species of plant have been recorded in the park and it contains a wide variety of invertebrates, including grasshoppers, bush-crickets and six species of butterflies. The Park is designated a Site of Importance for Nature Conservation Grade II and is therefore of considerable value as a natural resource.
- 7.226 Brookmill Road Local Nature Reserve (LNR), located 1.12km from the application site, is on a disused railway embankment and was established with the help of the London Wildlife Trust. The site contains woodland, grassland and ponds.
- 7.227 Additionally, Crossfields Open Space and St Paul's Churchyard Gardens, to the north of the site, are designated as Sites of Importance for Nature Conservation (of local importance).
- 7.228 As such, the site is not located within an area of deficiency for semi-natural open space.
- 7.229 The Lewisham Leisure and Open Space Study 2010 (LLOSS) identifies that, based on predicted population increase, an additional 6.14 ha of Natural Reserve land would be required across the borough by 2025 in order to maintain the current standard per 1000 population, though notes that this is likely to be difficult to achieve given land development pressures. In the case of the subject site, it has been designated through the plan process for redevelopment to provide new housing and this is considered to outweigh the need for additional semi-natural green space in this location, particularly given the proximity of similar sites.
- 7.230 Further, the site is not identified in the Green Infrastructure and Open Environments SPG as an area for extension of the Green Grid network, though nonetheless greening of the urban environment in this location is encouraged and supported. The supporting text at Paragraph 5.77 Strategic green infrastructure

opportunities does however identify the following aims relevant to the application site:

- Improve connections and the quality of open space in the Deptford, Deptford Creekside, New Cross/New Cross Gate area, creating new green links and routes along the alignment of the former Surrey Canal and improving the connections with the River Thames and Parks in adjacent areas.

7.231 The proposed scheme would provide extensive and high quality green infrastructure in the form of semi-mature replacement trees, 3,100m² biodiverse living roofs, new biodiverse planting, bird and bat boxes. These measures, together with an Ecological Management Plan are recommended to be secured by condition.

7.232 In summary, the site is not designated for its biodiversity value and is not located in an area of deficiency. In this case, officers consider that the loss of the existing semi-managed greenspace and trees is outweighed by the benefits of the proposals and taking into account the mitigation proposed. It is therefore considered that the proposal is in accordance with the relevant policies of the Development Plan.

Sustainability and Energy

7.233 Policy 5.2 of the London Plan requires developments to make the fullest contribution to the mitigation of and adaptation to climate change and meeting CO₂ emission targets through a combination of using less energy ('Be lean') the efficient supply of energy ('Be clean') and using renewable energy sources ('Be green'). Policy 5.3 seeks to ensure that ensure developments meet the highest standards of sustainable design and construction. This approach is reflected in Core Strategy Policy 8 (CS8) (Sustainable design and construction and energy efficiency). The Council will expect all new development to reduce CO₂ emissions through a combination of measures including maximising the opportunity of supplying energy efficiently (by prioritising decentralised energy generation for any existing or new developments) and meeting at least 20% of the total energy demand through on-site renewable energy.

7.234 Core Strategy Policy 8 also states that all new residential development (including mixed use) will be required to achieve a minimum of Level 4 standards in the Code for Sustainable Homes from 1 April 2011 and Level 6 from 1 April 2016, or any future national equivalent. Changes in national policy mean that the implementation of Code for Sustainable Homes standards is now regulated by Building Control.

Energy Demand, CO₂ Emissions and Renewables

7.235 Policy 5.2 of the London Plan (2016) requires developments to make the fullest contribution to the mitigation of and adaptation to climate change and meeting CO₂ emission targets through a combination of using less energy ('Be lean') the efficient supply of energy ('Be clean') and using renewable energy sources ('Be green'). Policy 5.3 seeks to ensure that developments meet the highest standards of sustainable design and construction.

- 7.236 This approach is reflected in Core Strategy Policy 8 (CS8) (Sustainable design and construction and energy efficiency). The Council will expect all new development to reduce CO₂ emissions through a combination of measures including maximising the opportunity of supplying energy efficiently (by prioritising decentralised energy generation for any existing or new developments) and achieving maximum CO₂ savings through on-site renewable energy.
- 7.237 In the case of strategic sites, the Core Strategy states (Strategic Site Allocation 1) that sites will need to make provision for decentralised energy networks and/or the use of SELCHP where appropriate. Further, Core Strategy Policy 8 states that all new residential development (including mixed use) will be required to achieve a minimum of Level 4 standards in the Code for Sustainable Homes from 1 April 2011 and Level 6 from 1 April 2016, or any future national equivalent.
- 7.238 Changes in national policy during 2015 mean that the implementation of Code for Sustainable Homes standards is now regulated by Building Control, though residential development is still expected to meet the equivalent of code level 4 in respect of energy performance and water efficiency.
- 7.239 The application is supported by a Sustainability Statement and an Energy Strategy which set out how sustainable design and construction measures have been integrated into the design response to the site, particularly in relation to energy, daylight, ventilation and water, rather than as 'add-on' mitigation measures and how they contribute to meeting the above policy objectives.
- 7.240 These measures include designing all new build residential units to Code for Sustainable Homes Level 4 standard and all non-residential space to BREEAM 'Excellent'.
- 7.241 Energy efficiency measures, providing a 5.01% improvement over Part L 2010, include:
- High levels of insulation;
 - Good air tightness;
 - Mechanical ventilation with heat recovery;
 - Improved heating efficiency;
 - Low energy lighting.
- 7.242 The scheme is designed to enable connection to the SELCHP area wide heat network if and when this becomes available. A condition is recommended to ensure that piping to the site boundary is provided in order to facilitate future connection. An energy centre is incorporated within Block C, which will supply the site if connection is not possible at the time of completion of the scheme. These measures will deliver a reduction of 23.18% CO₂ emissions over Part L 2010.
- 7.243 In addition, photovoltaics are proposed across the roofs of the new blocks, resulting in further reductions of 10.53% in CO₂ emissions over Part L 2010.
- 7.244 In total, the renewable energy, CHP unit and building efficiency measures would result in a total CO₂ emissions saving of 38.72% against the baseline emission of Building Regulations Part L 2013 levels, meeting the 35% reduction required by the London Plan.

- 7.245 In respect of the refurbished buildings, the Energy Strategy Report shows that significant savings can be achieved compared to the current position. By improving the building fabric and connecting to the community heating with PV array the CO2 emissions will be reduced. A BREEAM Domestic Refurbishment rating of “Excellent” will be achieved.
- 7.246 The Sustainability Statement details water saving measures to be specified, including efficient water installations, designed to keep water consumption to less than 105 litres per person per day, equivalent to CfSH 4 requirements. All the planting will be designed to rely on precipitation, with no requirement for automatic watering, reducing potable water use. Dwellings will be provided with waterbutts, allowing rainwater recycling to support and encourage domestic productive gardening and further reduce potable water demand. The proposed planting will aid rainwater attenuation, working with the porous paving to reduce surface water run-off.
- 7.247 All construction materials are stated to be rated A/A+ in the Green Guide to Specification wherever possible (where A+ represents the best environmental performance / least environmental impact within a scale of A-E) and a commitment to using only timber sourced in accordance with the government’s timber procurement policy is stated.
- 7.248 Officers have considered the range of measures proposed by the applicant to reduce CO2 emissions from the proposed development and the estimates of the savings that will be achieved including the use of on-site renewables. The energy performance and BREEAM Domestic Refurbishment ‘Excellent’ achieved is noted and welcomed.
- 7.249 Officers consider that the proposals are acceptable and, subject to relevant controls to secure their implementation as an integral part of the development, are to be supported. Conditions are therefore proposed in respect of BREEAM, energy performance, sound insulation, fixed plant, details of the CHP scheme and infrastructure required to enable a future connection to the SELCHP network.

Other site specific considerations

Flood Risk and drainage

- 7.250 Under London Plan Policy 5.12, development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and the associated Technical Guidance on flood risk over the lifetime of the development and have regard to measures proposed in Thames Estuary 2100 (TE2100 – see paragraph 5.55) and Catchment Flood Management Plans.
- 7.251 London Plan Policy 5.13 states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the following drainage hierarchy:
- store rainwater for later use;

- use infiltration techniques, such as porous surfaces in non-clay areas;
- attenuate rainwater in ponds or open water features for gradual release;
- attenuate rainwater by storing in tanks or sealed water features for gradual release;
- discharge rainwater direct to a watercourse;
- discharge rainwater to a surface water sewer/drain; and,
- discharge rainwater to the combined sewer.

7.252 The site is located within the Environment Agency (EA) Flood Zone 2 (medium probability area with a 1 in 100 to 1 in 1000 annual probability of flooding from the rivers and sea (0.1 - 1%) in any year. The Environment Agency Flood Map identifies that the site is partially protected by flood defences, which protect the site and surrounding area from a river flood up to the 0.1% AEP (1 in 1000 year event). As such, there is a low risk of tidal flooding at the site.

7.253 The risk of fluvial flooding is medium and in response mitigation measures are proposed within the FRA. These include raising finished floor levels to 100mm above ground and the adoption of a Flood Evacuation Plan.

7.254 The Environment Agency have raised no objection to the application. It is proposed to add a condition to ensure the development is implemented in accordance with the Flood Risk Assessment and Flood Evacuation Plan.

7.255 The FRA does however identify a high risk from surface water flooding. Surface and foul water are proposed to drain to the existing combined network. Thames Water have raised no objection. The GLA have however queried whether open water SUDS could be used instead. For this reason, further details of a surface water scheme for the site have been specified by condition.

7.256 On this basis the assessment of drainage and flood risk is considered acceptable.

Employment and Training

7.257 As the Council's Planning Obligations SPD notes, as London's economy grows the number of jobs and careers available to Lewisham's citizens will increase. Many of these jobs will require specific skills. High unemployment levels, low incomes and deprivation persist in the Borough because of certain barriers to employment, most notably in the lack of skills required in the jobs market. Lewisham's citizens should feel equipped to compete for the best jobs and fulfil their aspirations.

7.258 The Lewisham Local Labour and Business Scheme is a local initiative that helps local businesses and residents to access the opportunities generated by regeneration and development activity in Lewisham. This particular policy objective provides the basis of the Government's commitment to reducing the environmental impact of new developments. The use of local labour can also limit the environmental impact of new development due to people commuting shorter distances to travel to work.

- 7.259 The Council's Planning Obligations SPD recognises the use of financial contributions from developers to address training, support and recruitment as well as non-financial obligations to secure commitments to the use of local labour and businesses, 'upskilling' of the local workforce and engagement with local businesses to ensure they are positioned to access opportunities.
- 7.260 The application scheme is significant in scale in terms of the number of dwellings created. In relation to financial contributions, the approach set out in the Council's Planning Obligations SPD is to split the contributions required equally between residential and commercial development. The contribution sought reflects the current training and operation costs of running the programme to the end date of 2025. A threshold for residential developments of 10 dwellings or more, including mixed use schemes and live-work units, is set. The contribution is set at £530 per residential unit or job created.
- 7.261 The application proposes 209 residential units which results in a contribution of £110,770.
- 7.262 Further to these objectives, it is also proposed to require the applicant to prepare and submit a Local Labour Strategy as a Section 106 obligation in order to promote the use of local labour as part of the construction process.

Air Quality

- 7.263 London Plan Policy 7.14 Improving Air Quality notes at a strategic level that "*the Mayor recognises the importance of tackling air pollution and improving air quality to London's development and the health and well-being of its people.*"
- 7.264 *Core Strategy Policy 7* Climate change and adapting to the effects states that the council will adopt a partnership approach to implement the principles of 'avoidance, mitigation and adaptation' to reduce Lewisham's CO2 emissions. This will be achieved by, among other measures, "*applying the London Plan policies relevant to climate change including those related to: air quality, energy efficiency, sustainable design and construction, retrofitting, decentralised energy works, renewable energy, innovative energy technologies, overheating and cooling, urban greening, and living roofs and walls.*"
- 7.265 Development Management Local Plan Policy 23: Air quality states that "the Council will require all major developments that have the potential to impact on air quality to submit an Air Quality Impact Assessment (AQIA) considering the potential impacts of pollution from individual and cumulative development on the site and on neighbouring areas and detailing any appropriate mitigation measures that would reduce exposure to acceptable levels.
- 7.266 The Council has designated six Air Quality Management Areas (AQMAs), which consist of five areas in the north and east of the borough, together with a series of ribbon roads in the south. The application site is situated within AQMA 1.
- 7.267 In support of the application, Air Quality Impact Assessment (November 2015) was submitted to assess the effects of air pollutant emissions from traffic using adjacent roads and emissions associated with the proposed development. In addition, the report considers the likely impact of construction on the air quality of the local environment.

- 7.268 Based on existing monitoring data and predictions using the Design Manual for Roads and Bridges methodology, concentration of all pollutants are below the Air Quality Objectives and would not require mitigation. Due to limited traffic generation associated with the proposed scheme, the impact of new vehicle emissions is categorised as negligible. Similarly, the impact of the CHP and boiler are considered negligible. A medium risk is identified in respect of construction related emissions, however this is capable of mitigation using standard practices.
- 7.269 In response to concerns raised by the Council's Environmental Health Officer with regard to a proposed contribution to offset NOx emissions, the applicant subsequently submitted an Air Quality Neutral Assessment (AQNA), June 2016, outlining significant reductions in NOx emissions as a result of specifying a higher grade boiler.
- 7.270 On this basis, the Council's Environmental Health Officer has confirmed that the scheme would be air quality neutral and no further mitigation is required.

Construction

- 7.271 A Draft Construction Management Plan (CMP), prepared by Mulalley, was submitted with the application. Concern has been raised regarding disruption to local residents arising from the construction works, particularly the siting of the construction compound on the amenity space in front of Frankham House.
- 7.272 The Draft CMP shows the site accommodation compound located to the south of Frankham House. In response to concerns raised with regard to the impact on amenity for residents of Frankham House, the applicant has identified that the construction compound can be located on the site of the existing car park during Phases 1 & 2 and would only be moved to the pocket garden area for Phase 3. This can be secured by condition.
- 7.273 The Draft CMP also sets out procedures relating to demolition, working hours, traffic management, control of dust pollution etc, which are broadly in line with the Council's normal Code of Construction Practice.
- 7.274 It is proposed that a full Construction Management Plan, which addresses the above issues, together with those raised by internal consultees in respect of ecology and air emissions, will be required by condition. This will enable the Council to secure mitigation to address the concerns raised, although it is inevitable that some disruption would occur during the demolition and construction phase.

Consideration of objections

- 7.275 Section 4 of this report outlines the consultation that has taken place and summarised the consultation responses. A number of objections raised by the consultation process were not easily addressed within the considerations above. These are considered below.

Cumulative impact arising from construction of other major schemes in the area

- 7.276 There are a number of other developments in the wider area where planning permission has been granted for development (including Convoys Wharf with up to 3,500 dwellings plus commercial space) that will come forward over a similar

time period to the subject site. These developments constitute EIA development in their own right and include mitigation to address construction and development impacts. The proposed condition requiring a full Construction Environmental Management Plan requires the applicant to take account of other schemes in the area in planning construction vehicle routes and make details of emission levels from site machinery available to the Council, in addition to standard requirements in relation to dust mitigation, construction working hours etc. It is considered that the subject scheme in combination with these developments (as mitigated) will not give rise to significant impacts .

Consideration of alternative designs

- 7.277 An alternative design for the site, which retains the school garden, was proposed by the FOTWG. The design has not been subject to a planning application or pre-application discussions with officers and therefore it's deliverability has not been assessed. It is not considered to hold any weight in the assessment of this application.

Application for nomination of school garden as a community asset

- 7.278 The garden was nominated for designation on the 6th June 2016 by Deptford Neighbourhood Action. A decision was made on the 1st August 2016 by the Council not to list the garden for the following reason:

“On the basis of the evidence and information supplied as part of the application and further research about the site, I am satisfied that: i) the actual and main use of the 'Old Tidemill Wildlife Garden', furthers the social wellbeing or social interests of the local community, however ii) it is not realistic to think that there can continue to be a main use of the building or land which will further the social wellbeing or social interests of the local community.”

- 7.279 The reason that a longterm use was not deemed realistic was because the site is allocated for development.

8.0 Financial Viability

Scheme Viability

- 8.1 A Financial Viability Assessment prepared by BNP Paribas was submitted at the same time as the planning application which, as indicated above, proposes 16.3% affordable housing by unit number.
- 8.2 In order to assess the overall viability of the proposed development and to inform details of the scheme that is to be delivered on the site the Council commissioned Urban Delivery to undertake a development appraisal of the current application proposals.
- 8.3 The Urban Delivery report provides their opinion on the key appraisal inputs such as land purchase costs, construction costs and residential sales values. Commentary is also provided on typical finance rates, marketing costs and other development costs as well as typical rates of return for the developer. A copy of

Urban Delivery's report is attached to this report at Appendix B. The principal elements are summarised below.

- 8.4 In terms of development value, a review of sales achieved on other sites in the local area as well as evidence for ceiling unit pricing has identified an average value for market housing of £592 per sq. ft. based on the general sales value tone in the area and given the mix and form of development proposed. Whilst it is clear that higher values are being achieved in the Deptford area, given that the average floor area for the two and three bed units is larger than average at around 75sqm and 91sqm, together with the inclusion of larger maisonettes, Urban Delivery advise that a blended rate of £592 per sq. ft. appropriately reflects the site characteristics.
- 8.5 Affordable housing values have been informed by a review of the local property market and by imposing capped weekly rents at £250 per unit for the two, three and four bed units in line with rental caps imposed by the government. The value per sq m (sq ft) adopted in the relevant appraisals for the affordable rented units is a blended rate for the one, two, three and four bedroom units at £1,507 per sq m (£140 per sq ft).
- 8.6 With regard to shared ownership units, Urban Delivery adopted market values and made an assumption on the initial sale of equity to the purchaser, typically 25%, having regard also to the rental income and the Council's income thresholds.
- 8.7 In respect of costs, a budget Cost Estimate prepared for the scheme has been reviewed by quantity surveyors Trident Building Consultancy. The build costs equate to £2,156 per sq m (£200 per sq ft) and include the cost of using high quality materials as indicated in the Design and Access Statement. Overall, Trident has indicated that the cost summary is in line with what it would expect for the overall development. Mayoral and Borough CIL have been calculated at £1.85m.
- 8.8 The appraisal also includes reasonable allowances for Professional fees, Marketing and Legal costs, Contingencies and Finance Costs. The appraisal assumes there are no Planning Obligation costs other than CIL.
- 8.9 Having completed their own assessment of viability for the proposed scheme, Urban Delivery advise that, based on the development costs and the Benchmark Land Value, the applicant has offered the maximum number of affordable homes that can be provided at the current time. Furthermore, it would be necessary for private sales values to increase substantially for the scheme to be considered financially viable.
- 8.10 Core Strategy Policy 1 sets a strategic target of 50% affordable housing from all sources and that this is the starting point for negotiations. The policy also notes that the level of affordable housing on sites will be subject to a financial viability assessment and the Council's SPD on planning obligations provides further guidance. In this case however, the residual value of the development (even with affordable housing at 16.3%) is below the benchmark (Alternative Use) value of the development. Accordingly, the level of return does not support additional affordable housing in the scheme.
- 8.11 Although not a planning consideration, the applicant is committed via a Development Agreement to delivering 78 affordable units (53 social rent and 25

intermediate) as part of this scheme, which amounts to 37% as a proportion of the 209 units proposed. The delivery of this uplift in affordable units is dependent upon grant funding being secured by the applicant. If planning permission is granted for the scheme, the applicant will then seek to secure the funding, however it cannot be relied upon at this stage. In this circumstance, it is considered appropriate to specify an obligation requiring the applicant to use reasonable endeavours to secure grant funding. Any additional affordable units would be subject to the same obligations secured for the 34 base units.

- 8.12 The application proposals are to be built in three phases over four years. In these circumstances, Officers consider it appropriate that a review of the viability should be provided for so that if values increase over the period to completion, an additional contribution can be secured to be applied towards affordable housing provision off-site. Given the shortfall in affordable housing provision relative to the levels set out in planning policy, it is appropriate that this is kept under review. To this end, and as is recognised in the Council's Planning Obligations SPD, it is proposed that if permission is granted, the mechanism as referred to above is included in the proposed S.106 agreement to secure additional affordable housing should values increase to a level where this would be financially viable. The precise terms of the review will be negotiated with the Applicant, triggered at an appropriate level of occupation.
- 8.13 The applicant has agreed to the principle of applying a review mechanism, and it is proposed that this is secured through the S.106 agreement.
- 8.14 Officers consider that the acceptability of this scheme in principle is inherently linked to the design and quality of the architecture and materials. Therefore any future proposal to amend these elements of the scheme could necessitate a re-evaluation of viability and the ability of the scheme to deliver increased affordable housing provision.

Infrastructure

- 8.15 The proposed development will give rise to additional demands on existing social infrastructure such as schools and health services. Funding of the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the Borough is now secured through Community Infrastructure Levy (CIL) payments. As required by the CIL Regulations 2010 the Council has identified a list of types of the infrastructure that will be funded in whole or in part through CIL. These include state education facilities, public health care facilities, strategic transport enhancements, publicly accessible open space, allotments and biodiversity, strategic flood management infrastructure, publicly owned leisure facilities and local community facilities. Borough CIL payments arising from the proposed development amount to around £1.23m.
- 8.15.1 In addition, and where they meet the tests set out in the legislation, s.106 contributions may also be sought including site-specific highways and public transport related works needed to make the development acceptable in planning terms. Financial contributions necessary to mitigate the impact of the proposed development and make it acceptable in planning terms will be secured through the s.106 agreement.

Management and Maintenance

8.15.2 The pedestrian/cycle routes through the site and open space/communal residential amenity and play space will be managed and maintained privately. Full public access will, however, need to be provided to the routes into and through the site and this is proposed to be secured as part of the s.106 agreement.

9.0 Local finance considerations and community infrastructure levy

Introduction

9.1 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).

9.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.

Community Infrastructure Levy

9.3 The proposed development will be liable for the Mayor of London's CIL and Borough CIL and these are therefore a material consideration. The Mayor of London's CIL is calculated at £35/m² (GIA) (irrespective of land use). The application site falls within Zone 1 of the Borough charging schedule with a levy of £100/m² for Use Class C3. Based on the proposed mix and quantum of development a CIL payment (Mayoral & Borough) of approximately £1.85m would be due.

Planning Obligations

9.4 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.

9.5 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

9.6 Regulation 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis. A planning obligation cannot be a

reason for granting planning permission, unless it satisfies the tests set out in Regulation 122.

9.7 The matters proposed for inclusion in the s.106 agreement comprise:

1. Housing

- Provision of a minimum of 34 affordable housing units comprising 26 social rent and 8 intermediate dwellings
- Affordable mix as follows:

	Social Rent	Intermediate
1-bed/2 person	7	4
2-bed/3 person		4
2-bed/4 person	7	
3-bed/4 person	1	
3-bed/5 person	4	
4-bed/5 person	3	
4-bed/6 person	4	
Total	26	8

- Reasonable endeavours by the applicant to increase the affordable housing provision to 78 units on site, subject to the availability of grant funding.
- Intermediate ownership income thresholds set at £36,795 for 1beds and £42,663 for 2beds for the initial 6 months of marketing. If not secured within this period, the units can then be offered at London Plan income thresholds.
- 2 of the Affordable Rent units to be wheelchair units (designed to Part M4(3)(2)(b)) for which the Council will have nomination rights. Plan(s) showing location of wheelchair units to form part of obligation
- Marketing strategy for wheelchair adaptable units in Private Market tenure
- All affordable housing to be built with no discernible difference in quality of external appearance to private dwellings
- Affordable housing to be provided as per submitted plans and construction phasing strategy
- A financial review mechanism to enable additional funds to be applied to affordable housing

2. Public Realm

- Provision of public routes through the site with the right to pass and repass
- Details of function and landscape treatment of the Pocket Garden, together with details of community engagement undertaken, to be submitted for approval
- Maintenance and management of the public realm in accordance with a management plan agreed with the Council
- Communal and private residential amenity areas to be maintained and managed in accordance with a plan submitted to and approved by the Council

3. Transport:

- Financial contribution of £30,000 towards the cost of consultation and implementation of a Controlled Parking Zone in the vicinity of the site
- Financial contribution of £50,000 towards the cost of improvements to pedestrian and cycle infrastructure in the vicinity of the site
- Car club membership for 3 years for all first occupied residential units (arranged/paid, prior to first occupation of any unit) and exploration of feasibility to provide a car club space on the adjacent highway
- Restriction on parking permit applications (including mechanism to secure implementation and notification of restriction to prospective occupiers)
- Submission, approval and implementation of a parking management plan to maintain parking for resident wheelchair users

4. Employment and Training:

- Local Labour and Business strategy to be submitted, implemented and monitored
- Financial contribution towards employment and training of £110,770 (209 units x £530)

5. Children's Playspace/Communal Amenity Areas:

- Communal and private residential amenity areas to be maintained and managed in accordance with a plan submitted to and approved by the Council
- Access for Frankham House residents to Communal Garden at Block C/D

6. Design Quality

- Retention of same/equal calibre architect to produce all construction drawings or to oversee the detailed design in order to ensure the delivery of scheme quality

7. Costs:

- Meeting the Council's legal, professional and monitoring costs associated with the drafting, finalising and monitoring of the Agreement

9.8 As set out elsewhere in this report, the obligations outlined above are directly related to the development. They are considered to be fairly and reasonably related in scale and kind to the development and to be necessary and appropriate in order to secure policy objectives, to prescribe the nature of the development, to compensate for or offset likely adverse impacts of the development, to mitigate the proposed development's impact and make the development acceptable in planning terms. Officers are therefore satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations 2010.

10.0 Equalities Considerations

Introduction

10.1 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.

10.2 The protected characteristics under the Act are: Age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. 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.

Considerations

10.3 Equality issues have been duly considered as part of the assessment of this application. It is not considered that the application would have any direct or indirect impact on the protected characteristics.

11.0 Conclusions and Recommendations

11.1 This report has considered the proposals in the light of adopted development plan policies and other material considerations including information or representations relevant to the environmental effects of the proposals.

11.2 Officers consider that the analysis of the site and its context is based on an appropriate understanding of the constraints and opportunities of this part of the borough and the specific characteristics of the site. The masterplan proposed provides a coherent basis within which the site would come forward and would improve the site environment.

11.3 The application achieves a number of urban design and spatial planning objectives as well as providing a significant contribution towards meeting the

Council's housing targets, including a proportion of affordable housing, which has been optimised in the context of overall scheme viability.

- 11.4 It is considered that the scale of the development is acceptable, that the buildings have been designed to respond to the context, constraints and potential of the site and that the development will provide a high standard of accommodation. The proposed public realm is designed to be accessible, safe and flexible, able to accommodate a range of activities or uses by local residents and visitors.
- 11.5 The NPPF is underpinned by a presumption in favour of sustainable development. Officers consider that with the recommended mitigation, planning conditions and obligations in place will deliver a scheme which accords with local and national policies.
- 11.6 The proposals are considered to accord with the development plan. Officers have also had regard to other material considerations, including guidance set out in adopted supplementary planning documents and in other policy and guidance documents and the responses from consultees, which lead to the conclusions that have been reached in this case. Such material considerations are not considered to outweigh a determination in accordance with the development plan and the application is accordingly recommended for approval.

RECOMMENDATION (A)

To agree the proposals and refer the application, this report and any other required documents to the Mayor for London (Greater London Authority) under Article 5 of the Town and Country Planning (Mayor of London) Order 2008 (Category 1A of the Schedule of the Order).

RECOMMENDATION (B)

Subject to no direction being received from the Mayor of London, to authorise officers to negotiate and complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters, including such other amendments as considered appropriate to ensure the acceptable implementation of the development:

1. Housing

- Provision of a minimum of 34 affordable housing units comprising 26 social rent and 8 intermediate dwellings
- Affordable mix as follows:

	Social Rent	Intermediate
1-bed/2 person	7	4
2-bed/3 person		4
2-bed/4 person	7	
3-bed/4 person	1	

3-bed/5 person	4	
4-bed/5 person	3	
4-bed/6 person	4	
Total	26	8

- Reasonable endeavours by the applicant to increase the affordable housing provision to 78 units on site, subject to the availability of grant funding.
- Intermediate ownership income thresholds set at £36,795 for 1beds and £42,663 for 2beds for the initial 6 months of marketing. If not secured within this period, the units can then be offered at London Plan income thresholds.
- 2 of the Affordable Rent units (1no 1B2P, 1no. 3B5P) to be wheelchair units (designed to Part M4(3)(2)(b)) for which the Council will have nomination rights. Plan(s) showing location of wheelchair units to form part of obligation
- Marketing strategy for wheelchair adaptable units in Private Market tenure
- All affordable housing to be built with no discernible difference in quality of external appearance to private dwellings
- Affordable housing to be provided as per submitted plans and construction phasing strategy
- A financial review mechanism to enable additional funds to be applied to affordable housing

2. Public Realm

- Provision of public routes through the site with the right to pass and repass
- Details of function and landscape treatment of the Pocket Garden, together with details of community engagement undertaken, to be submitted for approval
- Maintenance and management of the public realm in accordance with a management plan agreed with the Council
- Communal and private residential amenity areas to be maintained and managed in accordance with a plan submitted to and approved by the Council

3. Transport:

- Financial contribution of £30,000 towards the cost of consultation and implementation of a Controlled Parking Zone in the vicinity of the site
- Financial contribution of £50,000 towards the cost of improvements to pedestrian and cycle infrastructure in the vicinity of the site

- Car club membership for 3 years for all first occupied residential units (arranged/paid, prior to first occupation of any unit) and exploration of feasibility to provide a car club space on the adjacent highway
- Restriction on parking permit applications (including mechanism to secure implementation and notification of restriction to prospective occupiers)
- Submission, approval and implementation of a parking management plan to maintain parking for resident wheelchair users

4. Employment and Training:

- Local Labour and Business strategy to be submitted, implemented and monitored
- Financial contribution towards employment and training of £110,770 (209 units x £530)

5. Children's Playspace/Communal Amenity Areas:

- Communal and private residential amenity areas to be maintained and managed in accordance with a plan submitted to and approved by the Council
- Access for Frankham House residents to Communal Garden at Block C/D

6. Design Quality

- Retention of same/equal calibre architect to produce all construction drawings or to oversee the detailed design in order to ensure the delivery of scheme quality

7. Costs:

- Meeting the Council's legal, professional and monitoring costs associated with the drafting, finalising and monitoring of the Agreement

RECOMMENDATION (C)

Subject to completion of a satisfactory legal agreement, authorise the Head of Planning to GRANT PERMISSION subject to conditions including those set out in Appendix A below and such amendments as considered appropriate to ensure the acceptable implementation of the development.