

Appendix 3

Committee and Addendum Reports  
12<sup>th</sup> December 2017



Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	Former car parks, Tesco Store, 209 Conington road, SE13	
Ward	Lewisham Central	
Contributors	Michael Forrester	
Class	PART 1	12 December 2017

Reg. Nos. DC/17/101621

Application dated 15.07.2017

Applicant Ms H Phipps (Lichfields, on behalf of Meyer Homes)

Proposal Construction of three buildings, measuring 8, 14 and 34 storeys in height, to provide 365 residential dwellings (use class C3) and 554.sqm gross of commercial/ community/ office/ leisure space (Use Class A1/A2/A3/ B1/ D1/ D2) with associated access, servicing, energy centre, car and cycle parking, landscaping and public realm works at the former car parks, Tesco Store, 209 Conington Road SE13.

Applicant's Plans and Documents. 10472-EPR-ZA-ZZ-TP-A-0100 rev 02; 10472-EPR-ZA-ZZ-TP-A-0001 rev 02; 10472-EPR-ZAA-AA-TP-A-002 rev 02; 10472-EPR-ZA-BB-TP-A-003; 10472-EPR-ZA-CC-TP-A-004 rev 02; 10472-EPR-ZA-ZZ-TP-A-0101 rev 04; 10472-EPR-ZA-B1-TP-A-0102 rev 02; 10472-EPR-ZA-GF-TP-A-0103 rev 04; 10472-EPR-ZA-01-TP-A-0104 rev 04; 10472-EPR-ZA-T1-TP-A-0105 rev 04; 10472-EPR-ZA-RF-TP-A-0106 rev 04; 10472-EPR-ZA-AA-TP-A-0500 rev 02; 10472-EPR-ZA-BB-TP-A-0501 rev 03; 10472-EPR-ZA-CC-TP-AQ0502 rev 03; 10472-EPR-ZA-DD-TP-A-0503 rev 02; 10472-EPR-ZA-EE-TP-A-0504 rev 02; 10472-EPR-ZA-FF-TP-A-0505 rev 03; 10472-EPR-01-GF-TP-A-0200 rev 04; 10472-EPR-01-01-TP-A-0201 rev 04; 10472-EPR-01-T1-TP-A-0202 rev 04; 10472-EPR-01-GF-TP-A-0203 rev 06; 10472-EPR-01-01-TP-A-0204 rev 04; 10472-EPR-01-T1-TP-A-0205 rev 04; 10472-EPR-01-15-TP-A-0206 rev 04; 10472-EPR-01-30-TP-A-0207 rev 04; 10472-EPR-01-T2-TP-A-0208 rev 04; 10472-EPR-01-33-TP-A-0209 rev 04; 10472-EPR-01-RF-TP-A-0210 rev 04; 10472-EPR-01-RF-TP-A-0211 rev 04; 10472-EPR-01-XX-TP-A-0212 rev 01; 10472-EPR-01-XX-TP-A-0213 rev 01; 10472-EPR-01-NO-TP-A-0400 rev 03; 10472-EPR-01-EA-TP-A-0401 rev 03; 10472-EPR-01-WE-TP-A-0402 rev 03; 10472-EPR-01-SO-TP-A-0403 rev 03; 10472-EPR-01-XX-TP-A-0404 rev 03; 10472-EPR-01-XX-TP-A-0405 rev 03; 10472-EPR-01-XX-TP-A-0406 rev 03; 10472-

EPR-01-XX-TP-A-0407 rev 03; 10472-EPR-01-XX-TP-A-0408 rev 03; 10472-EPR-01-XX-TP-A-0409 rev 03; 10472-EPR-01-XX-TP-A-0410 rev 03; 10472-EPR-01-XX-TP-A-0411 rev 03; 10472-EPR-01-XX-TP-A-0412 rev 03; 10472-EPR-01-XX-TP-A-0413 rev 03; 10472-EPR-01-XX-TP-A-0414 rev 03; 10472-EPR-01-AA-TP-A-0500 rev 03; 10472-EPR-01-BB-TP-A-0501 rev 03; 10472-EPR-02-B1-TP-A-0299 rev 034; 10472-EPR-02-GF-TP-A-0200 rev 07; 10472-EPR-02-01-TP-A-0201 rev 06; 10472-EPR-02-02-TP-A-0202 rev 06; 10472-EPR-02-03-TP-A-0203 rev 06; 10472-EPR-02-04-TP-A-0204 rev 06; 10472-EPR-02-05-TP-A-0205 rev 06; 10472-EPR-02-06-TP-A-0206 rev 06; 10472-EPR-02-07-TP-A-0207 rev 07; 10472-EPR-02-08-TP-A-0208 rev 06; 10472-EPR-02-09-TP-A-0209 rev 06; 10472-EPR-02-10-TP-A-0210 rev 06; 10472-EPR-02-11-TP-A-0211 rev 06; 10472-EPR-02-12-TP-A-0212 rev 06; 10472-EPR-02-13-TP-A-0213 rev 06; 10472-EPR-02-RF-TP-A-0214 rev 06; 10472-EPR-02-ZZ-TP-A-0215 rev 02; 10472-EPR-02-ZZ-TP-A-0216 rev 02; 10472-EPR-02-ZZ-TP-A-0217 rev 02; 10472-EPR-02-ZZ-TP-A-0218 rev 02; 10472-EPR-02-ZZ-TP-A-0219 rev 02; 10472-EPR-02-ZZ-TP-A-0220 rev 02; 10472-EPR-03-ZZ-TP-A-0221 rev 02; 10472-EPR-03-ZZ-TP-A-0222 rev 01; 10472-EPR-03-ZZ-TP-A-0223 rev 01; 10472-EPR-03-ZZ-TP-A-0224 rev 01; 10472-EPR-03-ZZ-TP-A-0225 rev 01; 10472-EPR-ZA-ZZ-TP-A-0226 rev 01; 10472-EPR-02-EL-TP-A-0400 rev 04; 10472-EPR-02-EL-TP-A-0401 rev 04; 10472-EPR-02-EL-TP-A-0402 rev 05; 10472-EPR-03-EL-TP-A-0403 rev 03; 10472-EPR-03-EL-TP-A-0404 rev 03; 10472-EPR-03-EL-TP-A-0405 rev 04; 10472-EPR-03-EL-TP-A-0406 rev 04; 10472-EPR-02-XX-TP-A-0407 rev 04; 10472-EPR-02-XX-TP-A-0408 rev 03; 10472-EPR-02-XX-TP-A-0409 rev 03; 10472-EPR-02-XX-TP-A-0410 rev 03; 10472-EPR-02-XX-TP-A-0411 rev 02; 10472-EPR-02-XX-TP-A-0412 rev 02; 10472-EPR-03-XX-TP-A-0413 rev 05; 10472-EPR-03-XX-TP-A-0414 rev 04; 10472-EPR-03-XX-TP-A-0415 rev 02; 10472-EPR-02-XX-TP-A-0416 rev 01; 10472-EPR-02-XX-TP-A-0417 rev 01; 10472-EPR-02-XX-TP-A-0418 rev 01; 10472-EPR-02-XX-TP-A-0419 rev 01; 10472-EPR-02-XX-TP-A-0420 rev 01; 10472-EPR-03-XX-TP-A-0421 rev 01; 10472-EPR-03-XX-TP-A-0422 rev 01; 10472-EPR-02-GS-TP-A-0500 rev 04; 10472-EPR-02-GS-TP-A-0501 rev 04; 10472-EPR-03-GS-TP-A-0502 rev 04; 10472-EPR-02-EL-TP-A-0503 rev 03; 10472-EPR-02-EL-TP-A-0504 rev 04; 10472-EPR-02-EL-TP-A-0505 rev 04; BMD.200.SP.001; BMD.200.DR.P001 rev c; BMD.200.DR.P101 rev c; BMD.200.DR.P102 rev c; BMD.200.DR.P103

rev a; BMD.200.DR.P104 rev c;  
BMD.200.DR.P105; BMD.200.DR.P106 rev a;  
BMD.200.DR.P107 rev B; BMD.200.DR.P108 rev  
a; BMD.200.DR.P201 rev b; BMD.200.DR.P202  
rev a; BMD.200.DR.P300 rev a;  
BMD.200.DR.P301 rev c; BMD.200.DR.P302 rev  
b

Background Papers

Case File LE/150/E/TP  
Local Development Framework Documents,  
SPG/SPD, The London Plan (Consolidated with  
Alterations since 2011) (2016), and Mayor of  
London's SPG & Best Practice Guidance

Designation

London Plan – Opportunity Area, Regeneration  
Area, Major Town Centre. Core Strategy –  
Regeneration and Growth Area, Lewisham Town  
Centre, Lewisham Town Centre Local Plan – ‘Edge  
of Centre’, Conington Road site S6 (allocation for  
residential-led mixed use development). Flood Zone  
1 and Air Quality Management Area.

EIA Screening/Scoping

The Local Planning Authority (LPA) advised that an  
Environmental Statement (ES) would need to  
accompany a planning application in response to a  
scoping request made under Regulation 13 of the  
Town and Country Planning (EIA) Regulations 2011  
(as amended) decision dated 6 December 2016,  
application reference DC/16/99000.

<b>Section</b>	<b>Topic</b>	<b>Page</b>
<b>1.0</b>	<b>Introduction</b>	6
<b>2.0</b>	<b>Property/Site Description</b>	6
<b>3.0</b>	<b>Planning History</b>	9
<b>4.0</b>	<b>Current Planning Application</b>	10
<b>5.0</b>	<b>Environmental Impact Assessment</b>	16
<b>6.0</b>	<b>Consultation</b>	17
<b>7.0</b>	<b>Policy Context</b>	27
<b>8.0</b>	<b>Planning Considerations</b>	32
	Principle of development	33
	Comprehensive/ Masterplan approach	35
	Land Use: Non-residential Uses	36
	Employment and Local Labour	38
	Land Use: Housing	38
	Residential Density	38
	Layout, Scale and Design	39
	Appearance and Architectural Design	46
	Public Realm and Landscaping	49
	Conservation and Heritage Assets	54
	Affordable housing and tenure mix	57
	Housing mix and Quality	61
	Neighbour Amenity	69
	Transport	75
	Energy & Sustainability	81
	Flood Risk and the River Ravensbourne	86
	Contamination	89
	Ecology	90
	Waste	88
<b>9.0</b>	<b>Environmental Impact Assessment</b>	91
	Introduction	91
	Development Description	91
	Alternatives and design evolution	91
	Assessment Methodology	91
	Townscape and visual assessment	92
	Wind microclimate	92
	Daylight and Sunlight	93
	Transport	93
	Noise & Vibration	94
	Air Quality	94
	Land Contamination	95
	Water Resources & Flood Risk	96
	Ecology	97
	Socio-economics & Health	98
<b>10.0</b>	<b>Planning Obligations</b>	98
<b>11.0</b>	<b>Local Finance Considerations</b>	103
<b>12.0</b>	<b>Community Infrastructure Levy</b>	104
<b>13.0</b>	<b>Equalities Considerations</b>	104
<b>14.0</b>	<b>Summary of representations</b>	104
<b>15.0</b>	<b>Conclusion</b>	106
<b>16.0</b>	<b>Recommendations</b>	107

## Figures

Figure 1: Site Plan	7
Figure 2: Constraints Plan	8
Figure 3: General Arrangement	11
Figure 4: Illustrative Masterplan and Pedestrian Routes	35

### **Tables**

Table 1: Proposed dwelling Mix	12
Table 2: Lewisham Design Review Panel	24
Table 3: Proposed Non-residential uses	
Table 4: Proposed Affordable Housing	36
Table 5: Housing Mix	58
Table 6: Minimum required and proposed internal floor areas	62 63
Table 7: Child Yield	68

### **Appendices**

Appendix 1 Local Meeting Minutes	
Appendix 2: Viability Report	

## **1.0 Introduction**

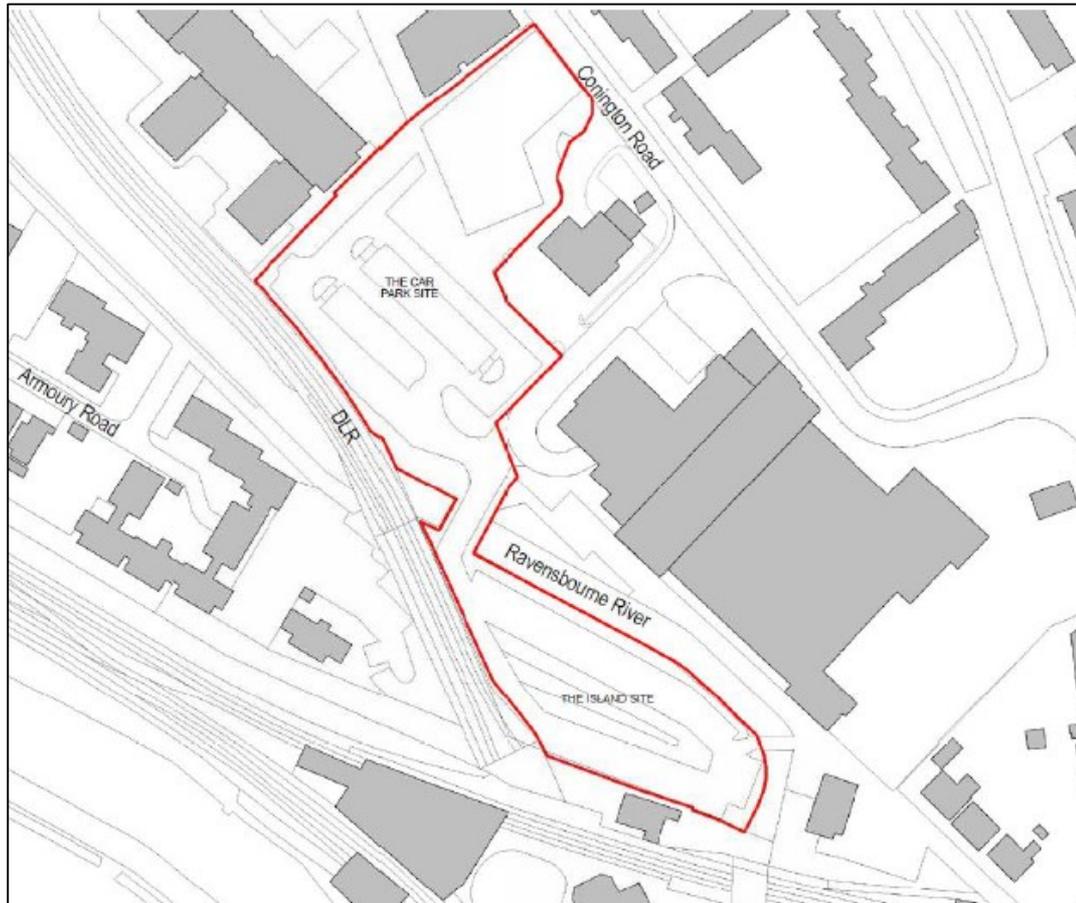
### Purpose of this Report

- 1.1 On 15<sup>th</sup> May 2017, the Council received an application for full planning permission, together with an Environmental Statement, from Lichfield's on behalf of Meyer Homes for the redevelopment of the former Tesco car parks at Conington Road, Lewisham SE13. The proposals comprise comprehensive redevelopment involving the construction of three buildings, incorporating residential and commercial space with public realm.
- 1.2 The submission of this planning application follows extensive pre-application discussions between the Council and the Applicant regarding development opportunities for the site. Revisions have been submitted to respond to issues raised by officers, Transport for London, Network Rail, the Greater London Authority and the Environment Agency.
- 1.3 The proposed new buildings would comprise 365 residential units (a reduction from the 367 originally submitted) and 554sqm commercial floorspace (Use Classes A1, A2, A3, B1, D1 & D2), an on-site energy centre, extension of the Silk Mills Path, new areas of landscaping, and proposals for naturalisation of the River Ravensbourne and a reinstated pedestrian entrance into Lewisham Station platform 4.
- 1.4 This report considers the proposals in light of relevant planning policy and guidance, representations received and other material considerations.
- 1.5 Officers recommendation is that planning permission should be granted, subject to referral to the Mayor of London, and subject to obligations which would be secured by way of an agreement made under S.106 of the Town and Country Planning Act 1990 (and other relevant powers) and conditions which are set out in the recommendations section of this Report.

## **2.0 Property/Site Description**

### The Site

- 2.1 The site measures 0.0983 ha and comprises hardstanding with 218 car parking spaces (formerly for the Tesco Lewisham Road store) and an un-made area enclosed by a hoarding. The site is irregular in shape and can be identified as being of 2 key parcels of land.

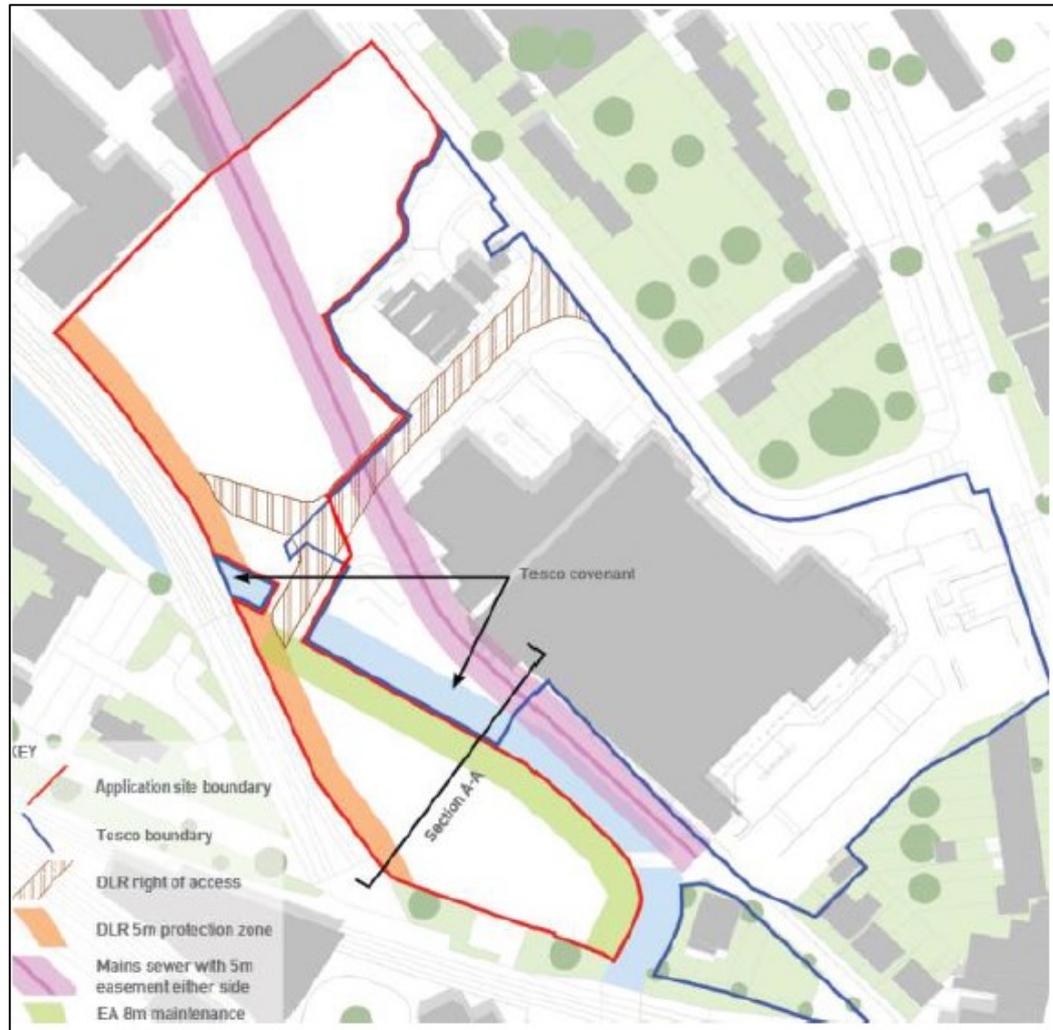


**Figure 1 Site Plan (site in outline)**

- 2.2 The island site – the southernmost portion of the site, currently comprises a car park. It is bounded by Lewisham Station (Platform 4 and former entrance) and the ground level DLR line to the south and west respectively, and by the River Ravensbourne to the east/ north east. It is accessed via a footbridge across the river from Silk Mills onto the main vehicular access to the rear of the Tesco store. The River Ravensbourne is within a concrete channel where it abuts the site. The island site has an 8m wide Environment Agency river maintenance zone within it on the eastern edge.
- 2.3 The car park site and hoarded site – this larger area of hardstanding is located to the north and is bound by the existing Adana Building and Hester House developments. The car park is accessed via the same access road to the rear of the Tesco Store. The hoarded site comprises unmade land and vegetation. This directly abuts Hester House.
- 2.4 To the west of both parts of the site, running across both land parcels, is a DLR 5m protection zone, providing DLR rights of access for track maintenance. A main sewer with a 5m easement cuts across the centre of the car park site towards the southern edge of the Tesco store.
- 2.5 The site is entirely to the north of Lewisham National Rail Station and the Docklands Light Railway (DLR) Station and is within the boundaries of Lewisham Town Centre. The site is considered to be highly accessible; having a Public Transport Accessibility Level (PTAL) rating of 6a and 6b (the highest level available) given the

proximity of the station and also 22 local bus routes which extend south towards Bromley and Beckenham and north towards Greenwich and Central London.

- 2.6 The site falls within the 'Conington Road Policy Area' as defined in the Lewisham Town Centre local Plan (LTCLP) and is identified as Site 'S6' – allocated for potential mixed-use development. The inner part of the site is within Flood Zone 1. The site is within Air Quality Management Area 6.



**Figure 2 constraints plan (view in colour)**

### The Surrounding Area

- 2.7 Immediately opposite (east) the site is the main Tesco store. This is accessed via Lewisham Road and has a surface level car park to the front of the store where the locally listed two storey Eagle House office building is located. Beneath the store is a further parking deck, this is visible from the river and Silk Mills Path due to the lower ground level to the south.
- 2.8 The site is bound by several large regeneration projects within Lewisham Town Centre. To the south is the Lewisham Gateway site which has the first phase under construction which provides four buildings of up to 25 storeys high with ground floor

commercial spaces. Phase 2 of the Gateway project remains in outline stage and is subject to a Reserved Matters application. A revision to the outline approval was refused in July 2017.

- 2.9 The most significant across Lewisham Town Centre to date are principally located along Loampit Vale where the following applications are of relevance:
- 2.10 An application for the comprehensive redevelopment of Lewisham Retail Park at Loampit Vale (reference DC/16/97629) for the demolition of all buildings on site to facilitate the provision of 4,343sqm of non-residential floorspace comprising (A1) Shops, (A2) Financial & Professional Services, (A3) Restaurants & Cafés, (B1) Business, (D1) Non-Residential Institutions and (D2) Assembly & Leisure uses and 536 residential units in buildings ranging from 4 – 24 storeys in height with private and communal open spaces, on-site energy centre, car and cycle parking, and associated landscaping and public realm works was approved at the 18<sup>th</sup> October 2017 Strategic Planning Committee.
- 2.11 Since the submission of the application an application has been received on the Carpetright site on Loampit Vale under reference DC/17/102049 for the demolition of existing buildings and construction of two buildings of 16 and 30 storeys in height comprising 870sqm non-residential floorspace comprising (A1) Shops, (A2) Financial & Professional Services, (A3) Restaurants & Cafes, (B1) Business, (D1) Non-residential Institutions and (D2) Assembly & Leisure uses and 242 residential units with private and communal open space, on-site energy centre, cycle parking and associated landscaping and public realm works. This application remains under consideration at the time of writing this report.
- 2.12 Other recently completed developments in Lewisham Town Centre include the Renaissance scheme comprising 794 residential units, the Glassmill leisure centre, retail and office space in buildings up to 24 storeys high. This development is now complete and occupied.
- 2.13 Adjacent to the Lewisham Retail Park is the recently completed Thurston Point development, comprising retail space and 406 homes in buildings up to 17-storeys.
- 2.14 To the north, on the other side of Thurston road, is the TfL bus depot that provides parking facilities for up to 16 buses, driver facilities and additional car/van parking spaces and is in use 24 hours a day. Further to the north is the railway embankment/station platforms and beyond that the residential street of Armoury Way.
- 2.15 To the north of the site are the Silkworks (Adana Building) and Silvermill (Hester House) developments which form part of the northern section of the Conington Road policy area. These were completed in 2008 and 2010 respectively.

### **3.0 Planning History**

- 3.1 The application site, comprising the island site and main car parks has no relevant planning history, with only minor proposals relating to the main Tesco store.

#### Pre-application discussions

- 3.2 Pre-application discussions started between the Applicant and Council Officers in May 2016 and continued until submission of the application in May 2017. A Planning Performance Agreement (PPA) was entered into between the Council and the Applicant in order to provide a structure and timetable of discussions between the Applicant and Officers.
- 3.3 In addition to a number of one-to-one meetings, Officers have also met the Applicant and its design team jointly with officers from the Greater London Authority (GLA) and Transport for London (TfL). Council, GLA and TfL officers have provided written advice to the Applicant at key stages in the design process.
- 3.4 Policy LTC5 of the Lewisham Town Centre Local Plan (LTCLP) requires a master planned approach to development given the complex arrangement of land parcels, the main store, adjacent existing development, the river, station and DLR access. The applicant is in ownership of the island site car park and the main car park, but does not own the access road, nor the main Tesco store or the petrol filling station. Officers therefore requested at pre-application stage that the applicant prepare a masterplan across the entire site to demonstrate how a scheme may independently come forward on the car parks in Meyer Home ownership and would not prejudice any future development across the rest of the LTC5 site allocation.
- 3.5 The Applicant and its design team have presented emerging proposals to the Lewisham Design Panel on two separate occasions and received written comments after each Panel meeting.
- 3.6 The Applicant has held two public exhibitions on emerging proposals; the first in November 2016 and the second in March 2017. Details of the exhibitions and comments made are set out in the submitted Statement of Community Involvement.
- 3.7 The Applicant and its design team has also presented emerging proposals to the Strategic Planning Committee, which made a number of comments and requests for clarification.
- 3.8 On 15 May 2017, a full planning application was submitted which is the subject of this Report. Revisions to the application were received on 30<sup>th</sup> October 2017 following comments made by the Greater London Authority in relation to play space access. These revisions involve slight alterations to Buildings B2 and B3 and involve the loss of two residential units taking the total from 367 to 365 units.
- 3.9 Amendments to the service layout of the island site were received on the 16<sup>th</sup> November 2017, this involves the collection of refuse and recycling from Building B1 from a dedicated area opposite the refuse store at Building B2. Refuse would be handled by the building management, taken by refuse buggy to the collection point on the relevant day where it would be collected. The building management would take the bins back to the store at the rear of the tower. This ensures that no refuse vehicles enter Silk Square as was originally proposed. The basement of B2 has a dedicated refuse buggy store.
- 3.10 Amendments to the affordable housing provision were received on 10<sup>th</sup> November 2017. This takes the original 12.5% (by habitable room) to 20.19 % (by habitable room – a total of 189 habitable rooms) or 20% by unit number. The affordable housing proposed includes 16 Social Rented units (44 habitable rooms); 27

Affordable Rented units (73 habitable rooms) and 30 Discount Market Sale units (72 habitable rooms).

#### 4.0 **Planning Application**

##### Summary

- 4.1 The application seeks full planning permission the construction of three buildings across the former Tesco Car parks and hoarded site for a residential led mixed use development. Figure 3 below shows the proposed general arrangement.



**Figure 3: Scheme General Arrangement (view in colour)**

- 4.2 The site would provide three new buildings (titled B1, B2 and B3).
- 4.3 Building B1 would be located on the island site directly adjacent to Lewisham Station platform 4, rising to 34-storeys, it would be the tallest of the three proposed buildings and would act as a 'landmark building', signalling Lewisham Station and the unique nature of the sites island location being bound by the River Ravensbourne. Two lower subservient buildings (blocks B2 and B3) are located on the main former car park and act as a continuation of the existing Silver Mills and Silkworks developments. Building B2 stands between 4 and 14 storeys and B3 between 3 and 8 storeys.

- 4.4 Access to the existing Tesco store remains unchanged, and the development has incorporated the Environment Agency maintenance zone across the island site and the DLR right of access.
- 4.5 The buildings are arranged around an extension of the historic Silk Mills Path which currently runs between the existing Silkworks and Silver mills developments but terminates at the main car park.
- 4.6 The application also seeks to facilitate improvements to Lewisham Station including the opening up of Platform 4 onto the island site, and the partial naturalisation of the River Ravensbourne. These are not included in the application itself as both elements are outside of their ownership, however, financial contributions and delivery strategies are set out within the application.

**Table 1: Proposed Dwelling and Tenure Mix**

Unit Size	Social Rent	Affordable Rent	Discount Market Sale	Private Market	Total
1 bed	6	10	19	137	176
2 bed	8	15	11	147	176
3 bed	2	2	0	8	10
<b>Total</b>	<b>16</b>	<b>27</b>	<b>30</b>	<b>292</b>	<b>365</b>

- 4.7 A total of 73 affordable homes (189 habitable rooms) would be provided which equates to 20.19% (by habitable room) or 20% (by unit number) of the overall provision. The affordable housing is split across each of the three proposed buildings.
- 4.8 *Building B1*: This building at 34 storeys would be the tallest building within Lewisham Town Centre. At ground floor the block has its residential entrance at the north/ east fronting onto the River Ravensbourne, flanked by a two storey commercial unit facing south-east towards the River and Silk Mills Path. To the east of the tower is a proposed 860sqm public square which would be accessed via the existing pedestrian footbridge and proposed River edge walk. Refuse, plant and cycle spaces are located to the rear of the tower, extending northwards where a raised, multi contoured landscape platform which extends alongside of the access road to the rear, shields views of the DLR behind and provide elevated views of the river and additional seating. A vehicle service zone and DLR access is located behind the tower and multi-contoured landscaping. On the first floor is a residents lounge, roof terrace and further commercial space, indicatively proposed as a gym. From second floor upwards, are 6 residential units per floor, 4 two bedroom units and 2 one bedroom units. At floors 30-33 the massing recesses to provide 4 units per floors and incorporated 3 bedroom units. Other than the very top floor levels, the units in the tower do not feature external amenity space, instead these units are 'over-sized' incorporating larger living areas. The second and third floor of B1 would

incorporate intermediate affordable Discount Market Sale dwellings, with the upper levels private residential.

- 4.9 The tower is to be clad in an off-white smooth surfaced Glass Reinforced Concrete (GRC) panel, with dark aluminium grey windows and multi-tonal bronze coloured feature panels ranging from a dark to a very light silver at the top of the tower. The panels change in tone as the height progresses and is intended to reference to the historic gold threads of the Silk Mills path. The base of the tower features dark bronze panelling, which intends to anchor the building, referencing the public realm materials for the public square.
- 4.10 *Building B2:* This building is located adjacent to the Adana Building and is roughly 'S' shaped, with an irregular form and varied building height. The drawings indicate this block being known as B2(a) and B2(b) to differentiate between the changing scale of this building. B2(a) is located closest to the access road shared with the Tesco store and rises to 14 storeys, at the ground floor of this block are three commercial units intended as affordable workspaces. These wrap around B2(a) and would provide an active frontage onto the Silk Mills Path. These are identified by the applicant to be affordable workspace, suitable for start-up business.
- 4.11 Separating B2(a) and (b) is a shared residential entrance rising to 4 storeys, above which is a communal roof terrace. Building B2(b) rises to 9 storeys at the south, stepping down to 6 storeys where it meets the Silk Mills Path. To the rear is a communal open ground floor garden. A basement beneath provide plant space and 9 accessible parking spaces and refuse buddy store, accessed via the DLR access route and maintenance zone.
- 4.12 In contrast to Building B1, the elevations here are all brick, arranged in a repetitive grid façade with recessed first floor balconies and projecting balconies to each unit above. Recessed window bays contain metal bronze coloured panels. The commercial units have a detailed concrete surround feature to demarcate these from the residential component and express the bay features within the building. Building B2 is split between private residential and Discount Market Sale.
- 4.13 *Building B3:* This building is located on the existing hoarded site adjacent to Hester House. At its highest point next to the Silk Mills Path this rises to 8 storeys, before stepping back towards a maximum of 4 storeys at Conington Road. This is an entirely brick building with the same grid façade as B2 but without the metal panels, providing a visual link with the adjacent Hester House building. Each unit is provided with a balcony and the ground floor entrances are marked out with a detailed concrete bay surrounding, similar to that of the commercial units in B2(a). The rear elevation includes angled projecting windows which direct views away from Hester House and balconies which include privacy screening. To the rear of this building is a continuation of the play space and landscaping behind B2. Building B3 provides the Social Rented and Affordable Rented units.

#### Supporting Documents

- 4.14 In addition to the plans and drawings, a number of supporting document have been submitted with the application. The Environmental Statement is discussed in detail in Section 5 and covers the following topics: Methodology, Existing land uses,

alternative and design evolution, the development, programme and construction, socio-economics, transport and access – including transport statement and travel plans, noise and vibration, air quality, water resources and flood risk, ground conditions and contamination, archaeology, ecology, wind and microclimate, daylight sunlight and overshadowing, cumulative effects). The other non-confidential supporting documents are briefly summarised below.

- 4.15 *Outline Delivery and Servicing Plan*. This sets out details of delivering and servicing the development once it is built. Topics covered include vehicle access arrangements, refuse collection, storage, likely number of vehicle trips for the different proposed uses.
- 4.16 *Design and Access Statement (DAS) (incorporating crime prevention, landscaping, accessible and adaptable dwellings, lighting, materials, open space, photographs, river impact and corridor study, site waste management and wheelchair statement) (prepared by EPR architects and BMD)* The DAS provides an overview of the proposals. It starts by describing the context before outlining the design process and consultation (including public consultation, discussions with Lewisham, GLA and TfL officers and discussions at the Lewisham Design Review Panel) and the design response. It also discusses how the principles of inclusive design and ‘secured by design’ have been addressed.
- 4.17 *Energy Strategy (prepared by Hoare Lee)*. This assesses the likely energy requirements of the proposed development and sets out an energy strategy against the energy hierarchy (‘be lean’, ‘be clean’ and ‘be green’). This also outlines an overarching sustainability strategy for the proposed development and sets out particular commitments in relation to energy, water and BREEAM standards.
- 4.18 *Sustainability Statement (prepared by Hoare Lee)*. This document accompanies the Energy Strategy and sets out a policy context, and review of heat networks in the local area. The nearest heat network is found at Renaissance on Loampit Vale and the report concludes that it would not be feasible to connect into this, but that instead an onsite energy centre is proposed. Details of carbon savings are details which amount to a 33% saving over 2013 Building Regulations, which does not meet the 35% required due to site constraints. A carbon off-set financial payment is proposed in lieu of the 2%.
- 4.19 *Health Impact Assessment (prepared by Lichfields)*. This sets out the context of the scheme, including affordable housing provision (now updated – see main body of this report), accessible homes and access to public transport services. The scheme would be car free (exception of disabled parking spaces) and with cycle parking promote physical activity. A range of mitigation measures have been identified to ensure that construction impacts such as dust, noise, vibration and odours are minimised and hours of work will be limited. Provision of open space and landscaping and planting will assist in delivering a healthy environment that will help improve air quality, improve biodiversity, reduce noise and provide opportunities for accessing nature and social interaction which can lead to positive health outcomes. This includes new areas of play and informal recreation space which can encourage activity among children helping to reduce the risk of obesity. Design measures will also reduce the surface water flood risk.

- 4.20 *Marketing Report (prepared by Kalmars)*. This sets out the quantum of proposed non-residential floorspace and the likely potential use and configuration of each unit. It states that the unit within Building B1 would enjoy good quality natural light and be suitably configured as a single space for an office, studio, healthcare or café use. The wider first floor of the building has potential use as offices or gym/ studio use. Building B2 would have the capability to add a mezzanine floor and has the potential to let be let as a single space or three individual units. The typical use is likely an office or studio space which would be attractive to the creative sector. Alternative uses would include healthcare or children's nursery.
- 4.21 *Fire Strategy (prepared by Omega Fire)*. This document has been prepared in response to comments from objectors in relation to the Grenfell Tower tragedy which has generated a vast increase in interest in fire safety. The report details that the scheme would provide at a minimum, resident sprinkler protection, firefighting facilities, including stairs/ lifts/ risers and emergency power supply, insulation materials of limited combustibility and mechanical ventilation to common corridors and stair lobbies. The fire safety measures are designed to ensure that fire growth is significantly restricted and provides a safe means of escape.
- 4.22 *Internal Daylight and Sunlight Report (prepared by EB7)*. This document provides an assessment of the internal daylight and sunlight amenity within the proposed scheme. The methodology follows BRE guidance. The daylight assessment is calculated using Vertical Sky Component (VSC), No-Sky Line Contour (NSC) and Average Daylight Factor (ADF). For sunlight the Annual Probably Sunlight Hours (APSH) is detailed. The report details that the completed development would have 98% of rooms which meeting daylight ADF criteria and that the rooms which do not meet the target are limited to self-shading from balconies or their position at the lower floor of the buildings. For sunlight 87% of units meet the BRE guidance, where again the units which fail located to the lower floors of buildings and position of balconies. The report concludes that given the urban location of the site the scheme would represent a high standard of daylight and sunlight to residential units.
- 4.23 *Planning Statement (including Housing Statement Open Space Assessment and Planning Obligations Statement) (prepared by Lichfields)*. The Planning Statement provides a summary of the development and the nature and structure of the planning application. It also sets out the policies that the Applicant considers relevant to the proposals and sets out a policy justification for the proposal, including the proposed amount and type of affordable housing and potential Heads of Terms for an s.106 Agreement. Financial viability is the subject of a separate Financial Viability Assessment.
- 4.24 *Site Suitability Study (prepared by Waterman IE)*. This document presents an assessment of the suitability of the site for residential development in relation to noise (internal and external impacts) and vibration from passing trains for example. The report concludes that given the intended material specification including glazing and insulation, residential development would be acceptable given the urban location and not create conflict for future occupants.
- 4.25 *Design Stage Site Waste Management Plan (prepared by Waterman IE)*. This document actions taken to design-out waste before construction begins and makes recommendations for waste reduction during the demolition and construction stage. The recommendations set out in this framework document are due to be

incorporated into the SWMP developed by the Principal Contractor and Waste Management Company.

- 4.26 *Statement of Community Involvement (SCI) (prepared by Weber Shandwick)*. The SCI sets out the consultation undertaken by the Applicant prior to the submission of the planning application. It includes details of stakeholder meetings and public exhibitions and other consultation arrangements, summarises feedback and provides the exhibition material that was used to engage with people.
- 4.27 *Transport Assessment (TA) and Framework Travel Plan (within the ES)*. The TA assesses the suitability of the site for development within the context of national and local transport planning policy, reviews the accessibility of the site by travel modes other than the private car, details the existing trip generation of the site and sets out details of the likely trip generation of the proposed development. It then assesses the likely transport impacts of the proposed development – both in terms of the temporary demolition/construction phase and the permanent operational phase – before drawing conclusions. The Travel Plans describe the site’s accessibility for pedestrians, cyclists and public transport users and outlines travel planning measures and initiatives to encourage future occupiers/visitors/residents to use sustainable modes of transport. They also set out monitoring and review arrangements and management and co-ordination issues.

## **5.0 Environmental Impact Assessment**

- 5.1 Whilst the current Town and Country Planning (Environmental Impact Regulations) date from 2017, transitional arrangements provide that where a scoping opinion request or an Environmental Statement have been submitted prior to the 16<sup>th</sup> May 2017, the 2011 (Environmental Impact Assessment) Regulations as amended still apply. In this case, a scoping opinion request was submitted to the Council in November 2016 and an Environmental Statement (ES) was submitted to accompany the planning application on the 5<sup>th</sup> May 2017. Given this, the application is to be determined under the 2011 (Environmental Impact Assessment) Regulations (as amended) (the Regulations).
- 5.2 By virtue of Regulation 3 of the Regulations the Council cannot grant planning permission in respect of the application unless it has first taken in to consideration the environmental information. The environmental information means the ES, any further or other information received, any representations made by any consultation bodies and any representations made by any other person about the environmental effects of the proposed development.
- 5.3 Paragraph 10 (b) of Schedule 2 to the EIA Regulations identifies ‘urban development projects’ as requiring an Environmental Impact Assessment (EIA) if the development includes more than 1 hectare of development which is not dwelling-house development or it includes more than 150 dwelling-houses or the area of the development exceeds 5 hectares and, in each case, the development is likely to have significant effects on the environment by virtue of factors such as size, nature and location.
- 5.4 The applicant having agreed that the proposals constituted EIA development and that any formal application would be subject to an ES, formally submitted a Scoping request to the Council, which was issued on the 6 December 2016 (ref:

DC/16/99000). The Scoping Opinion issued in December 2016 advised the Applicant that the ES should assess the impact of the proposals in respect of Socio-Economics; Transport and Access; Noise and Vibration; Air Quality; Water Resources and Flood Risk; Ground Conditions and Contamination; Archaeology; Ecology; Wind Microclimate; Daylight Sunlight Overshadowing and Solar Glare; Townscape, Visual and Heritage Setting Effects; and Cumulative Effects.

- 5.5 Where EIA is required, the EIA Regulations require submission of an ES to assess the likely significant environmental effects of the development at each stage of the development programme i.e. demolition, construction and operation. It must provide an outline of any alternative sites/schemes considered and the reasons for selecting the proposed development site. In terms of the effects of the scheme it must identify the baseline situation, the nature of the impact both direct and indirect, whether it is temporary (demolition and construction) or permanent (operation) and measures to mitigate the adverse impacts in each case. It must also identify the residual effects after mitigation as well as the cumulative effects of such a scheme in relation to other developments in the area. The Council cannot grant planning permission for any development which is required to be subject to EIA unless it has first taken the environmental impacts of the proposed development into account.
- 5.6 An ES was submitted with the planning application and is referred to where appropriate throughout this report and considered in detail in Section 9.

## **6.0 Consultation**

- 6.1 This section outlines the consultation carried out by the Applicant prior to submission of the planning application and by the Council following its receipt and summarises the responses received.

### Pre-application public consultation

- 6.2 The Applicant held two public exhibitions at the pre-application stage. Both were held at Glass Mill Leisure on the 24<sup>th</sup> November 2016 and the 17-18<sup>th</sup> March 2017. The Applicant also met with representatives of the Blackheath Society. This is outlined in detail in the Applicant's Statement of Community Involvement.

### Council Consultation

- 6.3 The Council's consultation was in accordance with the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 6.4 8 site notices were displayed for the planning application and Environmental Statement. Notices were displayed on lamp posts at Lewisham Road (by Maggie's café), the island site, and the car park site, within the Silverworks and Silkmills developments and along Conington Road north of Tesco. The application and supporting documents and other relevant material are lodged on the Council's website in the usual way. A press notice was also published in the local newspaper in respect of the planning application accompanied by the Environmental Statement.

6.5 Letters were sent to 1033 residents and businesses in the surrounding area. Emails providing a link to the application details were sent to the relevant ward Councillors. The following statutory consultees and stakeholders were also consulted:

Docklands Light Railway  
Environment Agency  
Historic England  
London Fire & Emergency Authority  
Mayor of London/GLA  
Metropolitan Police Designing Out Crime Officer (Lewisham)  
Network Rail  
Southern Gas Network  
Secretary of State, National Planning Casework Unit  
Thames Water  
Transport for London  
UK Power Network

6.6 The following local groups were consulted;

Lewisham Central Residents Association  
Lewisham Cyclists  
Lewisham Gateway Action Group  
Quaggy Waterways Action Group

6.7 The following Council services were consulted:

Building Control  
Ecological Regeneration  
Education  
Emergency Planning  
Environmental Health  
Highways  
Parks Manager

#### Written Responses received from Local Residents and Organisations

6.8 At the time of writing this Report, a total of 62 representations have been received (53 objecting to the proposal, 5 supporting the proposals and 4 comments).

6.9 Objections received are addressed within the planning considerations section of this report. A summary of comments received is set out below.

#### *Local Residents*

6.10 Local objections relating to material planning considerations can be summarised as follows:

- Inability of public transport system to cope.
- Increased pressure on local services.
- Loss of light and privacy from all 3 buildings
- Height of Tower B1
- Fear that proposed shop units will remain vacant.

- Emphasis should be on providing new facilities to support community.
- Negative impact on quality of life.
- Increased road traffic and pollution.
- Proposed housing may not be affordable to local people.
- Excessive density/overcrowding.
- Wind tunnel effect.
- Pressure on car parking in local area.
- Pressure on open spaces.
- Increased noise and disturbance
- Construction impacts, cumulatively with other developments
- Fear that CIL may be incentivising LBL to grant permission.
- Cumulative negative effects with nearby permitted schemes.
- Loss of trees.

6.11 Local objections and comments relating to non-material matters can be summarised as follows

- Loss of views.
- Devalued property prices.

6.12 Local support can be summarised as follows:

- Proposed density of housing will help Lewisham become a 'proper' centre.
- High-rise housing would be great addition to the area.
- Proposed buildings are designed to a high quality

*Blackheath Society*

6.13 A proposal to develop the underused site and landscape the river is welcomed. Support is also raised for the good consultation process carried out. Objection is raised for further height in Lewisham Town Centre and the proximity of Building B3 to Hester House. Concern over daylighting, shadowing and sunlight in some units of B2 and B3 is objectionable. There are severe shortcomings in rail accessibility and assurances should be given as to the removal of car parking permit rights for new occupiers. The development overall is too dense and the height of Building B1 should be reduced by 4/5 storeys. The application should include further financial transparency.

*Ladywell Society*

6.14 The Ladywell Society object to the proposals on the basis of a lack of affordable housing, dwelling mix and the height of the island site building (B1). The height of the tallest building in Lewisham Gateway is also too high, but as this has been accepted these proposals should be reduced to be no higher. There is also concern regarding the security of the river works proposals

*Lewisham Cyclists*

6.15 Although there are some concerns over the scale and proposed massing, we welcome that the development is not to include any residential car parking. In principle, new public space and provision of play facilities is welcomed. 545 cycle parking spaces are welcomed, as is the new entrance into the northern side of

Lewisham Station. Silk Mills Path would need to be secured during construction works and a new cycle and pedestrian footbridge should be provided over the Silk Mills Path towards Thurston Road.

Written Responses received from Statutory Agencies

*Environment Agency (EA)*

- 6.16 Comments from the Environment Agency have followed extensive discussions in relation to the naturalisation of the River Ravensbourne.
- 6.17 The EA have confirmed that they are able to accept the current flood risk modelling, and acknowledge that it has been demonstrated that there is sufficient setback proposed to enable a part-naturalisation of the river channel in future.
- 6.18 The EA have confirmed that they raise no objection to the application and neither request any further flood modelling at this stage.

*Greater London Authority*

- 6.19 The application is one of potential strategic importance under paragraphs 1A, 1B and 1C of the Town and Country Planning (Mayor of London) Order 2008. The application is therefore required to be notified to the Mayor of London.
- 6.20 The GLA provided its Stage 1 response letter on the proposals on 28 September 2017. The letter states that the Mayor considers that the application does not comply with the London Plan, but that possible remedies could address these deficiencies.
- *Principle of development:* The proposed residential-led mixed use redevelopment of this underutilised town centre site is supported.
  - *Housing:* 12.5% affordable housing wholly unacceptable. The high density residential led redevelopment of an underutilised carpark site within a town centre must provide significantly more affordable housing. Fundamental concerns have been raised with the applicants approach to viability. The applicant's viability report will continue to be robustly interrogated to ensure the maximum reasonable amount of affordable housing is secured. Early and late stage review mechanisms must be secured in accordance with the Mayor's Affordable Housing and Viability SPG.
  - *Urban design:* Amendments are required relating to legibility and views on the approach to the station, the reconfiguration of residential layouts, noise monitoring to secure comfortable internal acoustic levels and conditions to secure high build quality.
  - *Energy/ drainage:* Further carbon reductions required within the non-domestic element of the proposal. Whilst the drainage strategy is broadly supported, further work and conditioning is required to meet London Plan Policy 5.13.

- *Transport:* The occupation of the scheme alongside proposed enhancement of the DLR network will need to be mitigated and other conditions and measures secured, including a revised Transport Assessment, parking restrictions for occupiers CPZ, provision of EVCPs, increased cycle parking and alterations to servicing arrangements to make the proposal policy compliant.

6.21 Lewisham Planning Officers consider that the above issues have been addressed by additional information submitted by the Applicant and through the recommended conditions and s106 obligations. The applicant has submitted updated energy information and revised the layouts internally to provide additional access to the ground floor play space and updated key views towards the station approach. The servicing and transport arrangements across the site have been amended and the affordable housing provision has been increased (although remains well below the 50% strategic target of Core Strategy Policy 1). The amendments to the scheme and how these seek to address GLA concerns are addressed where relevant throughout the report.

*Historic England (Greater London Archaeological Advisory Service)*

6.22 No objection subject to a planning condition that requires a two-stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary by a full investigation.

*Metropolitan Police Designing Out Crime Officer*

6.23 A planning condition should require the development to follow the principles and physical security requirements of Secured by Design.

*London Fire and Emergency Planning Authority*

6.24 No comments made.

*Network Rail*

6.25 The Applicant is encouraged to liaise with Network Rail Asset Protection to ensure that the proposal does not adversely affect the rail network during either the construction or operational phases.

6.26 Network Rail do not object to the proposed development at the former Tesco's Car Park, Conington Road subject to the s106 contribution that has been offered by Meyer Homes for improvement to Lewisham Station.

*Thames Water*

6.27 No objection in terms of sewerage infrastructure capacity. Surface water storm flows should be attenuated by on or off-site storage before entering public sewers and groundwater discharges should be minimised. Planning conditions should require a piling method statement and water supply impact studies to be approved by the LPA to protect existing infrastructure and ensure that there is sufficient water supply capacity to meet demand.

*Transport for London*

- 6.28 In addition to the GLA Stage 1 Report, TfL made separate detailed comments on 22<sup>nd</sup> June 2017 which raised comments in relation to:
- 6.29 Lewisham Interchange Study, Trip generation and mode share, construction logistics, construction management, DLR radio communications, deliveries and servicing, internal amenity, car parking, cycle parking and travel plans.
- 6.30 No objection was raised to the car parking and provision of electric charging points, although concern was raised at the trip generation arising out of the scheme, the delivery and service plan and resultant vehicle conflict on the main public square and potential northern station entrance and lower level than London Plan compliant cycle parking.
- 6.31 The principle of the development is considered to be broadly consistent with the transport policies of the London Plan. However, TfL have identified a number of concerns relating to mode share, cycle parking, servicing, construction logistics and DLR operations that will need to be addressed via design changes, conditions and/or legal agreements before it can be supported.
- 6.32 In light of the emerging Lewisham Interchange Study work, TfL would also welcome further involvement and discussion with the applicant and LBL in order to ensure agreement on as many issues as possible prior to the planning application being determined.
- 6.33 On the 6<sup>th</sup> September 2017 further comments were received in relation to public transport capacity, where TfL have just completed a review of the current and planned capacity of the DLR network. This indicates that the Lewisham branch between Bank & Stratford is now operating over capacity meaning that users at Crossharbour and South Quay are unable to board trains, additionally there is evidence that boarding from Cutty Sark onwards is increasingly difficult. Additional demand generated from the scheme would place further strain on the DLR network and likely extend capacity constraints further south along the network during the AM peak. To address this DLR will be increasing frequencies through the purchase of additional trains which will come online circa May-2022. In order to address this TfL will be seeking a Grampian condition preventing occupation of the development prior to May-2022 should approval be granted.
- 6.34 In the event a new northern entrance is opened at Lewisham Station as part of a wider redevelopment of the site as proposed by the Lewisham Interchange Study TfL would remain concerned with the proposed delivery and servicing arrangements due to the conflicts on station users in particular. Further these arrangements may conflict with required counter-terrorism/ hostile vehicle mitigation that would need to be installed in the event a northern entrance to the station is opened. In the event that permission is granted, TfL also notes that DLR will need to be provided access to the southern service route of the site 24/7 and without prior approval of the on-site concierge.
- 6.35 TfL welcomes the commitment to provide Electric Vehicle Charging Points (EVCPs) as part of the development. As per our previous comments TfL would expect that these spaces are secured by condition and details demonstrating compliance with this be provided to LBL prior to occupation of Building 2.

- 6.36 The section of the London Plan that has been used to try and justify the cycle parking arrangements is qualified with a requirement of “where it is not possible ...”. This provision was included to capture highly built up areas such as the City of London where space is at more of a premium and alternatives are heavily restricted by the existing built form and plot structure.
- 6.37 Whilst TfL could accept that some of the site constraints associated with the island site may justify some provision of folding cycles, no such constraint exists for the remainder of the site and the overall proposal to meet cycle parking requirements with over 50% via folding cycles is unacceptable and cannot be supported by TfL at a Stage 2 referral. The purpose of the London Plan cycling standards is to help promote cycling as a stand-alone mode share independent of other modes such as Tube and rail. As London grows to over 10 million people it will be necessary for more and more people to get around in central and inner London by bike as the Tube and rail network will be overcrowded (even after upgrades and new lines are built, we are moving towards a fully maximised network, i.e. technology will not be able to improve on 36tph and even if it could, the stations themselves are acting as a cap on capacity— this is notionally called ‘peak tube’).
- 6.38 TfL noted that, while folding bikes can be highly useful in particular circumstances, there are a range of barriers to people using folding bikes, including carrying the bikes, lifting in and out of lockers, and confidence of folding them, rider comfort and stability of use. This aspect of folding cycles was not addressed in the applicant’s initial application. Further, while Meyer Home’s propose to provide a folding cycle to be made available at first occupation no detailed consideration over issues such as maintenance, replacement or the ability to ensure the perpetuity of this obligation over the design life of the building has been considered. Where some folding cycle space has been allowed due to genuine site constraints, TfL has also secured financial contributions to increase cycle parking and expand cycling infrastructure in the surrounding area in lieu of a shortfall in conventional spaces. If the scheme still incorporates a large proportion of folding cycle spaces TfL would expect further discussion with the applicant and borough to determine appropriate contributions to help mitigate any shortfall.
- 6.39 With regard to visitor cycle parking arrangements, TfL welcomes the proposed revisions to the scheme.
- 6.40 The additional reference to the cycle parking arrangements at the Lewisham Gateway site is also not considered a relevant consideration as that scheme was initially submitted in 2006, approved in 2009, and details relating to cycle parking submitted in 2014 (the latter of which TfL was not consulted on) all under substantially different London Plan requirements which have continued to evolve with greater uptake of cycling and significant investment in cycling infrastructure by TfL and London boroughs.
- 6.41 TfL welcomes the clarification on the extent of the local CPZ along Conington Road subject to confirmation from LBL of this situation. In line with our TfL’s previous comments on the matter they would expect the applicant and Lewisham to enter into an agreement to restrict occupiers from obtaining parking permits within this CPZ to help support the car-free nature of the scheme and encourage the use of more sustainable modes of transport.

- 6.42 With regard to visitor cycle parking arrangements, TfL welcomes the proposed revisions to the scheme.
- 6.43 The response notes that the 'Other' travel mode identified within the Travel Plan targets refers to an aspirational goal for 15% of residents to work from home. The purpose of a Travel Plan is to help manage the impacts of all trips to and from the site. As the Travel Plan predominately relates to the residential component of the scheme, the stated target relating to other/ working-from-home is not considered appropriate as it is largely dependent on external parties such as employers providing flexible work options/ technology and does not relate to the aims and objectives of the submitted plan. TfL would expect to see more ambitious targets for walking and cycling mode shares (and supporting measures) for a development at this site due to ongoing constraints capacity constraints from the DLR and South Eastern services.
- 6.44 Whilst it is accepted that a detailed Travel Plan can be appropriately conditioned to be finalised and submitted prior to occupation, a Framework Travel Plan should provide an outline of relevant site specific targets and measures which should be investigated/ confirmed prior to occupation.
- 6.45 Lewisham Planning Officers note that following the issue of these comments, the applicant has revised their service and delivery strategy so that no vehicles enter onto the main public square adjacent to the station thereby removing conflict with the proposed northern station entrance.

Responses from Council departments and affiliates

Ecological Regeneration

- 6.46 Bio-diverse roofs should be extended over as much of the proposed roofs as possible (including under the areas identified for Photovoltaic Panels).

Environmental Health

- 6.47 No objection, subject to suitable worded conditions, satisfactory re-location of existing air quality monitoring station and financial contribution towards monitoring construction works.

Emergency Planning Officer

- 6.48 No comments received.

Lewisham Design Review Panel (LDRP)

- 6.49 The LDRP considered emerging proposals on two separate occasions during the pre-application stage (September 2016 and January 2017). The comments of the Panel following its last review of the scheme at the pre-application stage can be summarised as follows:

**Table 2: Lewisham Design Review Comments**

<b>LDRP Summary</b>	<b>Officer Comment</b>
<p>The height of the proposed tower on the Island Site and its appropriateness as Lewisham's tallest building, was again discussed given that it is on the cusp of the town centre and on the opposite side of the railway from the main town centre tall building cluster. As before the Panel felt that the team must maximise connectivity and deliver an exceptional building and landscape outcome in order for the project to be justifiable. The Panel noted that direct links to the town centre are difficult to achieve, but not impossible and maximum effort should be expended to secure viable linkages.</p>	<p>The applicant has amended the design of the square so that there is no obstruction of the proposed platform 4 northern station entrance. The applicant has also negotiated with Network Rail and proposes a financial contribution of £469,600 for station improvements including the opening up of the northern entrance.</p>
<p>The Panel remarked the Island Site should be developed with its own special character given that the site sits outside of the core town centre pedestrian movement patterns as demonstrated by the Space Syntax study. The Car Park 4 site relates more directly to Silk Mills Path and will be influenced by those factors, with the overall landscape strategy seen as the key which ties together the different characters of place and architecture.</p>	<p>The applicant has prepared a bespoke landscape and public realm strategy. The island site although green and planted with trees has a urban style piazza outside of the tower, whilst the car park site is characterised by soft landscaped lawns and landscaped terraces reflecting the residential character of that part of the site.</p>
<p>The proposed naturalisation of the River Ravensbourne was fully supported by the Panel being regarded as central to the quality of the public realm, whilst noting that the Environment Agency and other stakeholders had yet to respond to the proposals. The Panel at earlier review had noted that the principle had been accepted elsewhere on this river by EA. The Panel stated that in its view, a softer, greener landscape character should be explored to influence the distinctiveness of the proposed Station Square. Such a response could strengthen the point of difference for the Island Site and contribute to the diversity and hierarchy of town centre spaces.</p>	<p>The applicant has proposed a soft and natural landscape to the river which would be delivered through s106 agreement and subsequent planning application due to the physical and legal constraints of the site which require the main Tesco store to be delivered at the same time. The landscape strategy is considered to successfully complement the public square proposed.</p>
<p>The Panel continued to be supportive of the slenderness of the tower and its elegant proportions, helping make this building a strong proposition for its site.</p>	<p>Noted, and the applicant has produced detailed elevations and visuals to support the scheme quality.</p>
<p>The Panel remarked that the proposed apartments begin at least one storey too low having regard for the height of the railway viaduct and the likely station structures, which impact very negatively on the single aspect apartments that face directly toward them. Raising the level at which the apartments start will also enable the problems associated with the street level and communal levels outlined above, to be solved.</p>	<p>The entire first floor of the building is now non-residential floorspace with the first units starting at level 2, which is well above the height of the train carriage platforms. This is considered to successfully address LDRP concerns.</p>

LDRP Summary	Officer Comment
<p>Overall the Panel were clear that the private amenity and balcony strategy should be reconsidered. For a building of this scale and height all elements of the scheme should be exceptional and this would include incorporation of private external amenity space of the appropriate quality. This may include the possible provision of winter gardens along with balconies.</p>	<p>The tower (B1) retains a no balcony approach for the majority of the units. Officers consider that a well-reasoned and justified argument has been put forward for no private amenity to this part of the development which is discussed in the design and housing standards section of this report.</p>
<p>The focus on maximizing publicly accessible space should be commended, including communal green space and generous footpaths. However, there is an element of sameness across the scheme with an apparent lack of hierarchy and definition to routes and spaces (this also applies to the masterplan as a whole). A diagram explaining how each space functions relative to the other and how this informs use, legibility and movement through the site would be beneficial.</p>	<p>The applicant has refined the soft and hard landscaping proposals providing each side of the site (island and car park) with their own unique character. The footprint of the tower has been reduced to a minimum to maximise public space.</p>
<p>The Panel were strongly of the view that Block B2 presents a large, slab-like form and increasing its height marginally to 16 storeys, did not help alleviate this perception. The Panel felt that the tallest building (B2) within this cluster to the south, potentially overshadows the rest of the Car Park site and remaining buildings. The Panel suggested that B2 should be re-considered, lowered and its mass further subdivided and articulated to eradicate its current slab-like qualities.</p> <p>The two lower buildings seem to work more successfully from an architectural perspective with better vertical components and more comfortable proportions.</p>	<p>The applicant in response has reduced the height of B2 to 14 stories and revised the architecture of this building to provide a simpler and more slender form which is considered to successfully respond to the concerns raised by LDRP.</p>
<p>The applicant team should note the Panel's general guidance on material, quality and detail. At planning application stage the quality of the detailing needs to be demonstrated through large scale drawings 1:20 and 1:5 of key elements of the building and landscape, and should be accompanied by actual material samples which should be secured as part of any planning approval.</p>	<p>The applicant has submitted key junctions of the building, detailing how cladding, windows, balconies, parapets and entrances sit together. These are considered to demonstrate the quality of the proposals sufficiently, subject to samples of materials by way of planning condition.</p>
<p>The Panel is supportive in principle of the design approach to the tower on the Island Site in terms of its height, proportion and slenderness, but felt that in order to be able to fully justify the scale and height of the Island Site tower, the proposal should be exceptional in all aspects.</p>	<p>Officers consider with the level of detail submitted that the tower is of exceptional architectural quality.</p>

LDRP Summary	Officer Comment
<p>The design of the square and public realm at the base of the tower, and the base of the tower itself require further evaluation to arrive at a successful transition between building and public realm. The base of the building should be open, active and transparent aiding the transition between the station square, Silk Mills Path and the river banks as well the route across the river to the east.</p>	<p>The base of the tower now incorporates additional glazing fronting the river providing a much more open and transparent façade. The landscaping of the square also has been re-designed to emphasise pedestrian movements.</p>

### Local meeting

6.50 Given the level of local interest in the proposals, those people that had commented on the proposals at the end of the three-week local consultation period were invited to a local meeting, which took place on 7<sup>th</sup> November 2017 at Lewisham Methodist Church, Albion Way, SE13. This was attended by approx. 27 people and the main issues discussed were the scale of the proposals, impact upon public transport and other services, car parking, scheme viability and affordable housing, public benefit and construction. The minutes of the meeting are at Appendix 1.

## **7.0 Policy Context**

### Introduction

7.1 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.

7.2 A local finance consideration means: -

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

7.3 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.'

7.4 The development plan for Lewisham comprises the Lewisham Core Strategy, the Lewisham Development Management Local Plan, the Lewisham Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan 2016. The NPPF does not change the legal status of the development plan.

7.5 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.

## National Planning Policy Framework

- 7.6 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)'.
- 7.7 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

## Other National Guidance

- 7.8 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.
- 7.9 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 (March 2016)

- 7.10 The London Plan was updated on 14 March 2016 to incorporate the Housing Standards and Parking Standards Minor Alterations to the London Plan (2015). The policies relevant to this application are: -

Policy 1.1	Delivering the strategic vision and objectives for London
Policy 2.13	Opportunity Areas and Intensification Areas
Policy 2.15	Town centres
Policy 2.16	Strategic outer London development centres
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 3.14	Existing housing
Policy 3.15	Co-ordination of housing development and investment
Policy 3.16	Protection and enhancement of social infrastructure
Policy 3.17	Health and social care facilities
Policy 4.1	Developing London's economy
Policy 4.2	Offices
Policy 4.7	Retail and town centre development
Policy 4.8	Supporting a successful and diverse retail sector
Policy 4.9	Small shops
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 5.14	Water quality and wastewater Infrastructure
Policy 5.15	Water use and supplies
Policy 5.16	Waste self-sufficiency
Policy 5.17	Waste capacity
Policy 5.18	Construction, excavation and demolition waste
Policy 5.20	Aggregates
Policy 5.21	Contaminated land
Policy 6.1	Strategic approach
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 7.7	Location and design of tall and large buildings
Policy 7.8	Heritage assets and archaeology
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 7.30 London's canals and other rivers and waterspaces
- Policy 8.1 Implementation
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy
- Policy 8.4 Monitoring and review for London

London Plan Supplementary Planning Documents (SPG)

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

- Affordable Housing and Viability (August 2017)
- Housing (March 2016)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- Town Centres (July 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Sustainable Design and Construction (April 2014)
- Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
- Land for Industry and Transport (September 2012)
- All Green Grid (March 2012)
- Planning for Equality and Diversity in London (October 2007)

Core Strategy

7.12 The Core Strategy was adopted on 29 June 2011. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the 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 5 Other employment locations
- Core Strategy Policy 6 Retail hierarchy and location of retail development
- 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 13 Addressing Lewisham's waste management requirements
- 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 17 The protected vistas, the London panorama and local views, landmarks and panoramas
- Core Strategy Policy 18 The location and design of tall buildings
- Core Strategy Policy 19 Provision and maintenance of community and recreational facilities

- Core Strategy Policy 20 Delivering educational achievements, healthcare provision and promoting healthy lifestyles
- Core Strategy Policy 21 Planning obligations

#### Lewisham Town Centre Local Plan

- 7.13 The Lewisham Town Centre Local Plan (LTCLP) was adopted by the Council on 24 February 2014. The following lists the relevant LTCLP policies as they relate to this application: -

LTCLP 0	Presumption in favour of sustainable development
LTCLP 2	Town Centre boundary
LTCLP 5	Conington Road Policy Area
LTCLP 9	Growing the local economy
LTCLP 10	Mixed use
LTCLP 14	Town Centre vitality and viability
LTCLP 16	Retail Area
LTCLP 17	Evening Economy uses
LTCLP 18	Public realm
LTCLP 19	Tall buildings
LTCLP 20	Public and shopper parking spaces
LTCLP 21	Sustainable transport
LTCLP 22	Social infrastructure
LTCLP 25	Heritage assets
LTCLP 25	Carbon dioxide emission reduction
LTCLP 25	Adapting to climate change
LTCLP	Implementation

#### Development Management Local Plan

- 7.14 The Lewisham Development Management Local Plan (DMLP) was adopted by the Council at its meeting on 26 November 2014. The following lists the relevant policies from the DMLP as they relate to this application: -

DM Policy 1	Presumption in favour of sustainable development
DM Policy 7	Affordable rented housing
DM Policy 9	Mixed use employment locations
DM Policy 13	Location of main town centre uses
DM Policy 14	District centres shopping frontages
DM Policy 17	Restaurants and cafés (A3 uses) and drinking establishments (A4 uses)
DM Policy 19	Shopfronts, signs and hoardings
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 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
  
- DM Policy 41 Innovative community facility provision
- DM Policy 42 Nurseries and childcare
- DM Policy 43 Art, culture and entertainment facilities

Residential Standards Supplementary Planning Document (August 2006, updated 2012)

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

Planning Obligations Supplementary Planning Document (February 2015)

- 7.16 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.

Shopfront Design Guide Supplementary Planning Document (March 2006/ Updated 2012)

- 7.17 This document seeks to promote good design in order to enhance the character and appearance of the Borough as a whole. The guide advises on the use of sensitive design and careful attention to detail and that whilst shopfront design encompasses a wide variety of styles and details there are certain basic rules that apply everywhere.

**8.0 Planning Considerations**

Introduction

- 8.1 The application proposes a comprehensive, high density, mixed-use development of the former Tesco car parks. The proposal 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.

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

- a) Principle of development
- b) Layout, Scale and design
- c) Housing - mix, tenure and standard of accommodation
- d) Neighbour amenity
- e) Transport
- f) Energy and Sustainability
- g) Flood risk
- h) Ecology
- i) Waste

### **Principle of development**

- 8.3 The National Planning Policy Framework (NPPF) states 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.
- 8.4 There is strong policy support for development in Lewisham Town Centre in general and for the redevelopment of the application site. In particular, London Plan Policy 2.13 identifies the Lewisham, Catford and New Cross Opportunity Area, which includes the site, and Annex 2 provides an indicative employment capacity for the Area of 6,000 and a minimum number of homes of 8,000 up to 2031.
- 8.5 London Plan Policy 2.15 identifies Lewisham as a Major Town Centre which should be a focus of new development, ensuring retail and residential development makes a positive contribution to the vitality and viability of the Centre. London Plan Policy 4.7 seeks to focus retail, commercial, culture and leisure floorspace in town centres, Policy 4.8 encourages additional comparison goods retailing in Major centres and Policy 4.9 calls on boroughs to consider using conditions/seek contributions to promote the retail offer, attractiveness and competitiveness of centres.
- 8.6 Lewisham's Core Strategy Spatial Policy 1 identifies the site as being within a Regeneration and Growth Area and Spatial Policy 2 seeks to focus growth in these Areas, including wanting to grow Lewisham Town Centre in to a Metropolitan Town Centre which accommodates up to 40,000sqm additional retail space, 4,300sqm leisure space and 1,550 additional homes up to 2016 and a further 1,000 additional homes by 2026. Core Strategy Policy 6 designates Lewisham as a Major Town Centre, seeks to focus retail, leisure and cultural uses in town centres and commits to designating 'primary' and secondary frontages.
- 8.7 The Lewisham Town Centre Local Plan (LTCLP) seeks to support and manage growth in the Town Centre. Policy LTC 1 identifies the application site as falling within an 'edge of centre' location.
- 8.8 Policy LTC 2 makes clear that all new development will need to contribute positively to the delivery of the vision and the objectives for the Town Centre and must conform with and implement this spatial strategy. Policy LTC5 designates the Conington Road (including the application site) for mixed use development with an

indicative capacity of 250 homes and 3,000sqm net retail expansion. Key area objectives are:

- Improving links across the policy area toward the Lewisham Gateway Site, Lewisham Interchange and the River Ravensbourne.
- Enhance the ecological quality of the river environment and ensure the river corridor is also improved to form valuable public amenity.
- Provide retail services for the boroughs residents in the form of an extension to the existing food store, suitable for an edge of centre location that supplements those contained in the Central Policy Area.
- Provide a balanced, high density neighbourhood.

8.9 Policy LTC5 also sets out specific policy requirements for the site S6, the Tesco store, car park and petrol filling station. These include:

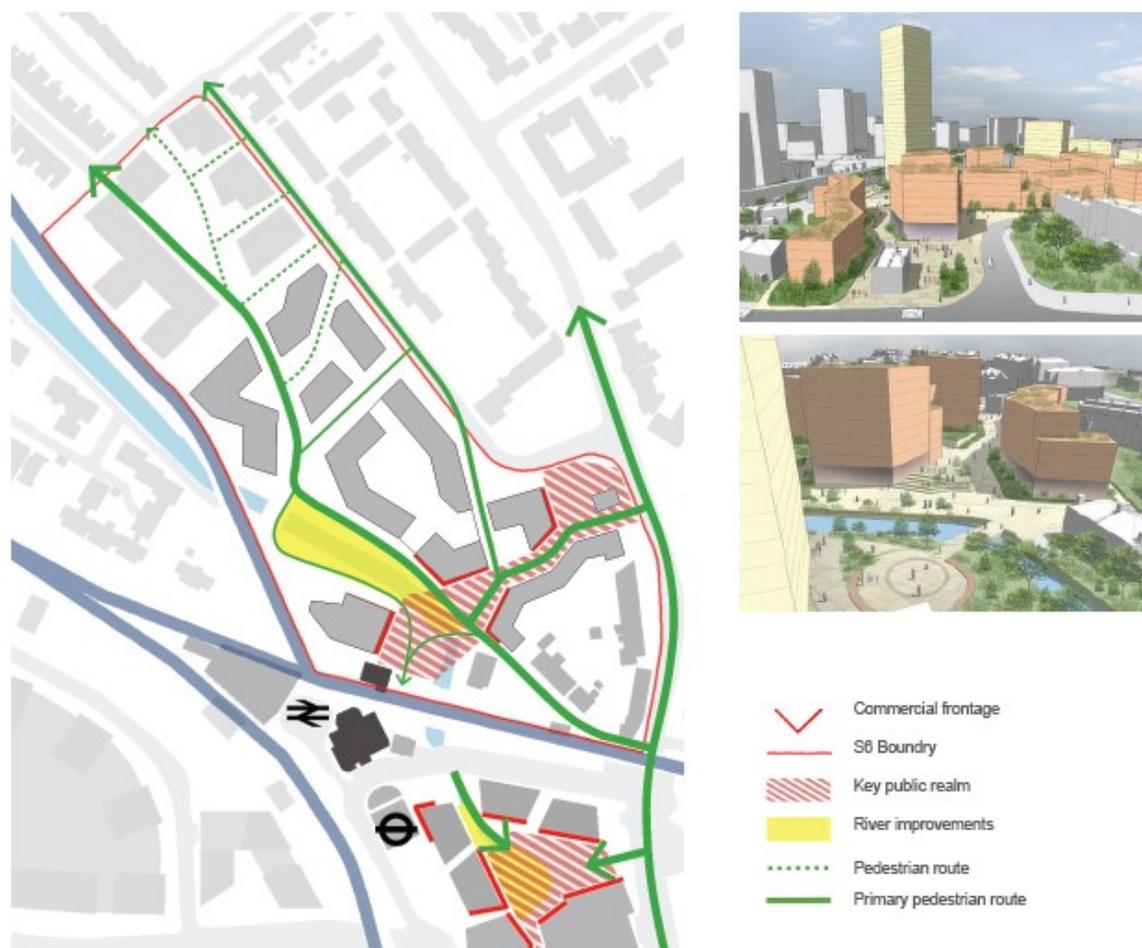
- Development involving underground parking, residential development, and retail expansion (up to 3,000 sqm net additional floorspace) will be acceptable, subject to any such proposal having no demonstrable adverse impact upon the Primary Shopping Area. Development of the site will need to respond to the following principles:
  - (a) Due to the complex nature of this site applicants should provide a masterplan across the site;
  - (b) Taller elements of the block should be avoided next to existing historic fabric and the river, however, development may take advantage of the natural slope of the site to influence building heights;
  - (c) The quality of frontages to Lewisham Road and the southern end of Silk Mills Path should be improved;
  - (d) New buildings should provide high quality urban space with generous, functional and formal landscaped areas forming the central part of an improved Silk Mills Path and river corridor;
  - (e) Underground or ground floor parking should be masked by development which provides activity to public route around the site;
  - (f) Any redevelopment involving the retention of the existing store should seek to enhance the buildings appearance and environmental performance.

8.10 The application does not include the existing Tesco store, its front Lewisham Road facing car park or the locally listed Eagle House building. There would be no loss of existing floorspace (other than car parking) and the proposals result in a net gain of uses across the town centre. An indicative masterplan has been prepared for the entire site allocation at the request of officers to demonstrate compliance with LTC5. The proposed uses are discussed in more detail below and the policy requirements on design are addressed later in this report.

8.11 Officers consider the principle of a residential led scheme (with some non-residential floorspace) to be acceptable, subject to the scheme being of exemplary quality and making positive contributions towards the delivery of the Site 6 allocation objectives.

### Comprehensive/ Master-planned approach

- 8.12 Policy LTC5 requires a comprehensive masterplan for sites to avoid piecemeal development. As stated above, the applicant has control (DLR and Environment Agency access and maintenance zones aside) over the island site and main car park site. The access road is adopted by the London Borough of Lewisham and the Tesco store with its front car park and locally listed Eagle House is within single ownership by Tesco.
- 8.13 Through the pre-application negotiation of the scheme, officers have directed the applicant to prepare a masterplan to support their proposal to demonstrate how their scheme would work with and without the land outside of their control. This shows how scheme on the northern side of the River Ravensbourne (the main Tesco store) could be brought forward. This is a residential led masterplan, including provision of a smaller food store, other commercial units and the retention of Eagle House.
- 8.14 The masterplan seeks to introduce a street frontage across the development, whereas the existing store is compromised by a series of backs which are inactive and poorly contribute towards the setting of the town centre.



**Figure 4: Illustrative Masterplan and pedestrian routes (view in colour)**

- 8.15 Officers consider the masterplan to be generally convincing at a strategic level by illustrating how a pedestrian friendly series of routes could be achieved, better

connecting Lewisham Road with Silk Mills Path, the island site and toward Lewisham Station and the town centre beyond. The existing Tesco store and car parks have fragments the legibility of public routes north of Lewisham Station and the masterplan seeks to restate a traditional street layout which is supported.

- 8.16 For clarity, the masterplan is illustrative and the applicant is seeking permission for the development on the car park sites only. If the masterplan proposal was to be brought forward, much more work would be required in terms of the uses and quantum of development, but Officers support the links across the site and are satisfied that the development of the island site and main car park would not prejudice development across the main Tesco store.

Land Use: Non-residential Uses

- 8.17 As demonstrated above under Principle of development, national, London-wide and local policies support retail and other non-residential uses in Lewisham Town Centre, although Conington Road is an edge of centre site, it still has an important role in the strategic upgrade of identifying Lewisham as a Metropolitan centre. Schemes will need to demonstrate that all land uses are viable. DM Policy 19 makes clear that where applications require a new shop front, in addition to new residential or commercial units, an appropriate level of shop front fit-out will be required.
- 8.18 The proposal comprises two areas of commercial floorspace. The first in B1 and the second in B2.

**Table 3: Proposed Non-residential Uses**

Location	Uses	Ground Floor	First Floor	Total
B1 (island site tower)	A1/A2/A3/B1/D1/D2	94.3sqm	190.1sqm	284.4sqm
B2(a) (car park site)	A1/A2/A3/B1/ D1/ D2	269.4sqm	-	269.4sqm
		363.7sqm	190.1sqm	553.8sqm

- 8.19 All of the proposed non-residential uses are appropriate for this town centre location and given the existing use is as a car park, the introduction of commercial floorspace (net gain) which is supported. Officers have worked hard with the Applicant to ensure that the proposed non-residential uses make a positive contribution to policy objectives for Lewisham Town Centre and ensure attractive, animated and safe streets by locating and designing them to make them as attractive as possible to future tenants. This includes:
- Focusing non-residential uses along the Silk Mills Path and the public square outside Building B1 for maximum passing trade and footfall.
  - Providing for a range of uses, appropriate to the location;

- Ensuring that units have regular shape and layout and height (the tower is double height and the Building B2 units have floor to ceiling heights from 8.4 to 9.2m due to sloping ground levels which could allow for a mezzanine)
- Requiring an appropriate level of fit-out is carried out by the Applicant and so reducing costs for tenants;
- Preventing units from being converted to residential without the express permission of the Council by removing certain permitted development rights.
- Commitment to providing the commercial units in building B2 on an affordable basis for start-up businesses.

8.20 *Unit and shop front fit-out.* In accordance with London Plan Policy 4.9 and DM Policy 19, it is recommended that a planning obligation requires the Applicant to fit-out the units to shell and core and internal fittings and install the glazed shop fronts and entrances prior to the occupation of any residential unit in that building. This would avoid empty hoarded units being located on the prominent Silk Mills Path route.

8.21 *Removing permitted development rights.* The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. Planning permission is usually required to change between the different uses but in some instances, the General Permitted Development Order (GPDO) allows some changes to take place without the benefit of express planning permission. For example, this allows a change in use from A1 (retail) to C3 (residential) in some cases. The proposed range of uses provides a good degree of flexibility for marketing/letting the proposed commercial units and it is recommended that a planning condition removes permitted development rights to change from these permitted uses to enable the Council to manage the use of these units in an appropriate way given the town centre designation.

8.22 *Hours of Opening.* London Plan Policy 4.6 and Core Strategy Policy 6 support the night-time economy, particularly in secondary frontages. DM Policy 17 makes clear that, amongst other things, soundproofing and opening hours will be taken in to account when considering applications for cafes/restaurants and DM Policy 26 seeks to ensure that new noise sensitive uses, such and residential, are located away from existing or planned sources of noise pollution. A balance needs to be struck between encouraging additional commercial activities within this edge of centre site, whilst safeguarding residential amenity. It is recommended that a planning condition restricts customer opening hours of all permitted uses in the commercial units to 07.00 to 23.00 hours for A and D use classes. This would not restrict potential office uses within B1 who would not be restricted to normal office working hours.

8.23 *Affordable workspace.* The applicant has proposed that the three commercial units in B2 are provided on a capped affordable rent basis, so that they are accessible to local start-up businesses. Officers are supportive of this where there is a shortage and demand for flexible workspace in Lewisham Town Centre. The capped rents would be secured within an s106 legal agreement.

#### Employment and Local Labour

8.24 Based on appropriate job to floorspace ratios, the ES and Planning Statement estimate that the employment generation from the proposal is 28 FTE jobs. The ES

estimates that construction is likely to result in gross direct employment of 650 FTE jobs per annum during the 3 year demolition (site clearance) and build programme. These are gains in employment as the site is currently an underutilised car park.

#### Land Use: Housing

- 8.25 The following paragraphs address the acceptability of housing in principle and the proposed residential density. Affordable housing and the standard of the proposed residential accommodation is addressed under the heading 'Housing mix, tenure and standard of accommodation.'
- 8.26 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.
- 8.27 London Plan Policy 3.3 (Increasing housing supply) recognises the pressing need for more homes in London and Table 3.1 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. London Plan Policy 3.7 (Large residential developments) encourages large residential developments in areas of high public transport accessibility and Policy 3.8 (Housing choice) calls for a range of different sizes and types of dwellings.
- 8.28 Core Strategy Policy 1 makes clear that development should not result in a net loss of housing and supporting text notes the overwhelming housing need within Lewisham. LTCLP Policy LTC5 designates the application site for mixed-use development, with non-residential uses on ground/first floor and additional storeys above providing residential uses across a range of dwelling types and sizes. The application proposes a gain in housing for the borough of 365 dwellings. This figure represents a contribution of 8.8% per annum over a three year period (based on a construction programme that delivers 122 new homes per year) an equivalent 26.5% of the annual current requirement. This is a significant figure which would make a large proportion towards annual housing targets.

#### Residential Density

- 8.29 London Plan Policy 3.4 (Optimising Housing Potential) states that taking into account local context and character development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. It makes clear that proposals which compromise this policy should be resisted. The site is within a Central location with a PTAL of 6a and 6b, where the density matrix sets an indicative density range of 650-1100 habitable rooms (or 140-405 units) per hectare.
- 8.30 Core Strategy Policy 15 (High quality design for Lewisham) seeks to ensure a high quality of development in Lewisham, including residential schemes and that densities should be those set out in the London Plan.
- 8.31 The proposal is for 365 dwellings, and the site measures 0.983 hectares, resulting in a density of 373 dwellings per hectare (dph) or 952 habitable rooms per hectare

(hrph). These levels are within the density matrix table 3.2 of London Plan Policy 3.4.

8.32 As discussed throughout this report, the proposed quality of residential accommodation is supported and the proposed amenity spaces, play provision and access to public space also high quality. This report considers the likely effects of the proposal on neighbours' amenity and finds this to be acceptable from page 68 and paragraphs 8.64-8.69 conclude that the proposed scale and massing is acceptable and the overall development as proposed could be considered exceptional. Paragraphs 8.221-8.263 assess the impacts on the local transport network would be acceptable, subject to appropriate mitigation though securing cycle parking, removing parking permits and contributions towards improvements at Lewisham Station including the provision of a new access into Platform 4.

8.33 The proposed density is within the London Plan parameters is below those of other approved schemes in the area including Lewisham Gateway (484 dph), Renaissance (464 dph), Lewisham Retail Park (478 dph), Thurston Point (393 dph) and 52-54 Thurston Road (544 dph). Therefore the density of the scheme is considered acceptable, subject to acceptable layout, arrangement of the blocks, and their wider impacts on the local area.

### **Layout, Scale and Design**

8.34 Urban design is a key consideration in the planning process. The NPPF makes it clear that Government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that 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.

8.35 The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Decisions should aim to ensure that developments:

- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

8.36 London Plan Policy 7.6 Architecture requires development to positively contribute to its immediate environs in a coherent manner, using the highest quality materials and design. Core Strategy Policy 15 High quality design for Lewisham repeats the

necessity to achieve high quality design but also confirms a requirement for new developments to minimise crime and the fear of crime. DMLP Policy 30, Urban design and local character states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity. The London Plan, Core Strategy and DMLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.

### Layout

- 8.37 The Lewisham Town Centre Local Plan details common principles which all sites within the town centre are required to adhere. Policy LTC5 specifically relates to the Conington Road Policy Area and states that on the Tesco site and car parks that:
- Development should provide a masterplan across the site due to its complex nature.
  - Taller elements should be avoided next to existing historic fabric and the river but development may take advantage of the natural slope of the site
  - Frontages to Lewisham Road and Silk Mills Path should be improved.
  - New building should provide high quality urban space
  - Underground or ground floor car parking should be masked by development
  - Development involving retention of the existing Tesco store should seek to enhance its appearance.
- 8.38 The existing site is not considered to positively contribute to the setting of Lewisham Town Centre. By virtue of being surface level car parks formerly serving an out of town style Tesco food store, they contribute very little to the sense of place or arrival at Lewisham. The site, being directly adjacent to the station and exceptionally visible means that its low density, inefficient and harsh, hard surfaced character, reminiscent of suburban out of town retail, rather than an integral part of the boroughs major town centre, is all the more apparent and harmful. The redevelopment of this site is therefore supported, as it would allow for the partial completion of the site allocation (leaving just the existing Tesco food store and front car park with Eagle House) and the development is considered to positively add to the major town centre and the Councils aspiration of upgrading to metropolitan status.
- 8.39 In order to illustrate a clear rationale for the layout, despite only seeking permission for part of the overall site allocation (in accordance with the Local Plan), the applicant has produced a masterplan across the entire site. This masterplan is illustrative but provides the concept framework for the arrangement of buildings across the entire site allocation, focused around the reinstatement and extension of the Silk Mills Path and connections toward the town centre. Although the masterplan is illustrative, the Silk Mills Path extension falls within the application site and would be delivered as part of this scheme. The masterplan seeks to demonstrate the layout of the application buildings and how the series of public spaces would be activated.
- 8.40 As discussed in the proposal description, the scheme is for the construction of three buildings set in landscaping which focus on the extension of public routes. The layout, arrangement and scale of buildings is not considered to prejudice future

development across the site allocation but instead allows for the future restoration of the River Ravensbourne which is key environmental improvement.

- 8.41 *The island site:* Access onto the island site would remain unchanged, being via a pedestrian footbridge to the east and a vehicular/pedestrian bridge to the west. There is no objection to the retention of these access points. The island site would be redeveloped with the provision of a single slim-footprint tower surrounded by public realm, known as Building B1. This is considered by officers to be an appropriate response to the town centre, signalling Lewisham Station and DLR and the immediate cluster of tall buildings which mark this central node of the borough.
- 8.42 Additionally, officer's support the single tower approach (i.e. not a connected block with a podium), which would be a unique building typology in the town centre as elsewhere, for the large developments along Loampit Vale, Thurston Road or Lewisham Gateway, there are connected blocks, often with amenity spaces above, which represent and enclose a defined street frontage owing to their road layouts. This proposals simple tower and square floorplan, which minimises footprint (compared to the podium layout developments) seeks to maximise the available amount of public realm and ability to restore the River Ravensbourne. The layout of the building is supported for its ability to provide maximum public realm.
- 8.43 The setting of the tower with a large 860 sqm public square (in comparison to the 576 sqm footprint of the tower) and soft boundary landscaping highlighting the river edge is supported, as it emphasises the Silk Mills Path which runs north towards the main car park site and existing Conington Road developments. The slim footprint of the tower allows for a maximum provision of public realm including minimum pavement widths of between 5m and 9.6m adjacent to the tower rising (excluding the colonnade area), and soft landscaping which represent a significant visual improvement beyond the existing underutilised car park.
- 8.44 *Main car park and hoarded site:* Vehicular access onto the main car park site would be retained via Conington Road which is unobjectionable as this is an existing key route through the site. The two buildings (known as Building B2 and B3) are arranged around the extension of the pedestrian and cycle Silk Mills Path from the Adana Building and Hester House towards the island site. Building B2 is the larger of the two buildings and has a staggered 'S' shaped form in order to screen the DLR tracks and fencing, but also angle townscape views towards the island site and orientate pedestrians and cyclists towards the Silk Mills Path by opening up a large landscape space toward the centre of the site. The north-eastern flank elevation of this block picks up the building line set by the Adana Building which is appropriate in creating a legible and defined route. Building B3 is linear in layout and being arranged south-west and north-east broadly follows the layout of Hester House. The end flank elevation, like B2 picks up on the existing building line but this time set by Hester House, this again is an appropriate response.
- 8.45 The arrangement of these two buildings has a clear spatial relationship with the existing Conington Road development but are orientated towards the public realm, extending the Silk Mills Path. This is supported in creating a cohesive development across this strategically important town centre site. The Applicant, in association with Council officers through the pre-application process, explored various options in regard to building layout and configuration along with the distribution of uses throughout the site. The current configuration, which establishes strong building

lines to all frontages and a focus on public routes is endorsed by officers and considered to be the best solution for the site.

Scale (Massing and Height)

- 8.46 London Plan Policy 7.7 states that tall and large buildings should be part of a planned approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall buildings should not have an unacceptably harmful impact on their surroundings. To this end, the Council has prepared a Lewisham Tall Buildings Study (September 2010, updated 2012) which formed part of the Core Strategy evidence base and informed the Lewisham Town Centre Local Plan, detailed below. London Plan Policy 7.7 further states that applications for tall and large buildings should include an urban design analysis meeting strict design criteria including form, proportion, composition, urban grain, architecture, uses and its contribution to local regeneration.
- 8.47 Policy 18 of the Core Strategy Core Strategy Policy 18 relates to the location and design of tall buildings and identifies Lewisham Town Centre as an appropriate location for tall buildings. The policy also states that tall buildings will be considered inappropriate where they would cause harm to the identified qualities of the local character, heritage assets, landscape and open space features of amongst other designations the World Heritage Site of Maritime Greenwich including its setting and Buffer Zone, the setting of the World Heritage Site and its Buffer Zone; conservation areas and their settings, and local views and landmarks. Tall buildings will need to be of the highest design quality.
- 8.48 Policy LTC19 (Tall buildings) in the LTCLP states that Applicants will need to comply with Core Strategy Policy 18 and then satisfy the specific requirements of Policy LTC19. The policy states that tall buildings in the town centre must be in the most sustainable town centre locations with access to transport, shops and services; increase the amount of local amenity space and improve its quality in order to accommodate tall buildings; add positively to the existing and emerging overall Lewisham town centre skyline through sensitive and high quality design providing positive landmarks from all angles of view; be part of a varied size, scale and height of development; and be sensitive to the surrounding environment.
- 8.49 The site is identified in the Lewisham Tall Buildings Study. This states that Lewisham Town Centre is not overly sensitive in terms of open space other than Cornmill Gardens, but that amenity around the pedestrianised high street and market should be enhanced, and that the impact of tall buildings on the River Ravensbourne should be taken into consideration when considering the location of tall buildings.
- 8.50 It states that development of tall buildings in the town centre needs to take into account the quality and management of the public realm for pedestrian and vehicular movement alike. The Study also notes buildings such as St Stephen's Church and the Lewisham Clock Tower provide a sense of place and history. Other landmarks in Lewisham are important as a method of way-finding such as the Citibank building, and add a sense of place to the centre. All are important to consider when deciding where to locate tall buildings. The Study does not however, provide guidance on maximum building heights (in terms of storeys or height Above Ordnance Datum).

8.51 In terms of the location of tall buildings the Study notes that tall and bulky buildings forms including Citibank Tower already exist in Lewisham and therefore new tall building developments will not be an unfamiliar urban form in the local context. In terms of the sensitivity of the town centre for tall buildings the Study identifies the northern part of the town centre as being broadly appropriate for tall buildings in principle.

*Building B1*

8.52 This building is located on the island site and measures 34 storeys (115m) high. This would represent the tallest building proposal in Lewisham Town Centre, but not within the borough (Convoys Wharf in Deptford has outline approval for taller buildings).

8.53 The tower has a regular square footprint (with the exception of the projecting amenity terrace) measuring 24m x 24m, with 6 units per floor arranged around a central core. In refining the proposed footprint and height, the applicant has undergone a series of design proposals, including different heights, forms and building position, these are detailed in the Design and Access Statement and include why previous draft options have been discounted. The options include a tower of 20 storeys but with a much larger footprint and buildings with rectangular and octagonal footprints. However, these when tested against long and short views were considered to appear overly bulky and therefore negative additions to the existing and emerging skyline. The applicant has also been careful to minimise building footprint in an effort to maximise the amount of ground floor public realm in order to facilitate a station square and the partial naturalisation of the River Ravensbourne, the regeneration of which is expressed as being of importance in the Lewisham Tall Buildings Study and the River Corridor Improvement Plan SPD.

8.54 Existing building height approvals in the town centre include Lewisham Gateway at 25 storeys, Renaissance and Lewisham Retail Park at 24 storeys and the Thurston Point development at 17 storeys. The former Citi bank tower is the other notable tall building in the town centre. At the time of writing an application for the Carpetright scheme (DC/17/102049) at 30 storeys and 16 storeys has been submitted, but yet to be determined, it has therefore been given limited consideration as part of these proposals which include committed development only. The applicant through the pre-application design proposals and within the submission of the planning application has prepared an extensive townscape analysis, submitted as part of a Townscape and Visual Impact Assessment (TVIA) which accompanies the ES. This considers the application proposal from 25 view points which were agreed with officers during the application scope. The views have been selected to represent a wide representation of North, East, south and West from urban town centres, conservation areas, listed building settings, open parkland and also neighbouring boroughs namely Royal Borough of Greenwich and London Borough of Tower Hamlets)

Shooters Hill Road (RBG)

Shooters hill Road (junction with General Wolfe road)

Goffers Road

Queens House, Royal Greenwich Park (RBG)

Island Gardens (LBTH)

Mountsfield Park

Blythe Hill Fields  
Lewisham Hill at Eliot Hill  
Ladywell Road at station exit  
Algernon Road  
Hilly Fields  
Molesworth St at Lewisham Centre  
Cornmill Gardens from Ravensbourne River  
Brookbank Road  
Sandrock Road  
St Johns Station (bridge)  
Coldbath Street at Beck Close  
Lewisham Road at Crossing before Conington Road  
Thurston Road at Jerrard St junction  
Lewisham DLR station approach  
Lewisham High Street (near Tower House)  
Granville Road at Lewisham Road junction  
Granville Park

- 8.55 The TVIA states that in accordance with Policy LTC19 of the Local Plan, detailed modelling has informed the appropriate building height in relation to scale and massing. The assessment details the impact of the development during site preparation and construction through to completion.
- 8.56 During site preparation and construction the TVIA states that site hoardings, construction movement and tower cranes as typical with a construction site would have a temporary nature on the skyline but are a necessary output from redevelopment. With the development completed the building has been designed to be slender in profile (due to the square footprint which appears equal from every angle) with the recessed upper floors contributing to the buildings elegant and slender composition. Across longer views the development would form part of the Lewisham Town Centre skyline, in an area 'appropriate' for tall buildings, it would clearly mark Lewisham Station.
- 8.57 Officers consider the TVIA assessment to be comprehensive and provide a robust analysis of the buildings skyline impact from not only within the borough but further afield including Royal Borough of Greenwich and London Borough of Tower Hamlets.
- 8.58 At 34 storeys the tower would be 9 storeys taller than any existing approval across the town centre (the tallest being Phase 1 of Lewisham Gateway at 25 storeys) and would be a landmark building, visible from both long and short views. The height of this building has been common amongst the objections received. Officers, having thoroughly considered and analysed the design rationale, urban design analysis and TVIA results, consider the case made for the height of the building to be clear and well thought through. It would make a noticeable impact upon the local skyline but is considered to be a positive addition, which marks the central transport district in the borough, identifying Lewisham Railway and DLR Station. It is not uncommon for tall buildings, or the tallest buildings in a locality to be located immediately adjacent to transport infrastructure.
- 8.59 The form of the building provides the setting for a public square activated by a two storey commercial unit with the applicants intends to be a café/ restaurant (but other

retail uses could be allowed) creating an hub of activity adjacent to the river on a strategically important local route, the Silk Mills Path.

- 8.60 Whilst in support of the height of the tower and its impact upon long and short views, Officers consider that the sites unique setting being on a 'island' site, bound by the River Ravensbourne for which an extensive delivery package is proposed to allow partial naturalisation, and position directly adjacent to Lewisham Station again with delivery package to allow the creation of a new northern station entrance, together with the exemplary architectural quality (discussed below) generate a set of exceptional and unique circumstances to warrant the height for the tallest building in the town centre.

#### *Building B2*

- 8.61 This block is located on the main car park site and aligns with the DLR tracks to the south. This rises up to 14 storeys as a maximum to the south. The massing of this block rises to become a marker building for what is the end point of an urban block (encompassing B2 and B3, but also the wider Silvermills and Silk Works developments), referencing the taller buildings which enclose the railway station and town centre but being of a definite mid-rise form which is typical to secondary routes in the town centre, such as Thurston Road. The 14 storey projection is limited to the southern block of the building which decreases to 4 storeys and rising between 6 and 9 storeys towards the rear. At 14 storeys, this block as a maximum still constitutes a 'tall building'.

- 8.62 The applicant has again been through a series of design options and urban design analysis for this building, including various layouts which included a maximum height of 17 storeys, however, this was decreased to 14 storeys as per the submitted version following Officer concerns about the massing along this section of Conington Road site which does not read as part of the town centre core, unlike the island site. Officers consider the varied scale of this building at 14 storeys as a maximum to add immediate variety to the site and successfully transition between the existing mid-rise nature of the Conington Road site allocation but mark the entrance to the surrounding town centre and is therefore supported.

#### *Building B3*

- 8.63 This building is located on the hoarded site within the car park and would present a frontage onto Conington Road to the north. This is the smallest building, rising from 3 storeys at the north adjacent to Hester House and rising to 8 storeys at the south by the Silks Mills Path. The height of this block is comparable to that of the existing Conington Road developments and is unobjectionable, marking a mid-scale of development. The reduction in scale at this end of the site marking the end of the site allocation and start of the more established residential areas north and west of Lewisham Town Centre.

#### *Conclusions*

- 8.64 As detailed in the report above, the application site sits within the Conington Road policy area and the immediate context of the site is one of change, with several large mixed-use, residential led developments emerging in recent times. The Core Strategy notes that, subject to meeting the criteria set out in Policy CS18, the site is appropriate for the location of tall buildings to mark the scope and scale of

regeneration envisaged. Policy CS18 and London Plan Policy 7.7 also note that tall buildings need to be of the highest design quality.

- 8.65 The tallest building would be located directly adjacent to Lewisham Station and although adjacent to the River Ravensbourne is considered to be an appropriate position for the tallest building in the town centre given the cluster of high rise development around the highly connected transport hub. It would clearly read as an individual piece of architecture through its square footprint and elegant form but remain legible as part of a wider group of tall buildings which define the centre of Lewisham Town Centre and improve the legibility of an area by marking the station and emphasising a point of regeneration for the area, enhancing the skyline and image of Lewisham.
- 8.66 Buildings B2 and B3 are situated toward the rest and mark a mid-rise scale of development peaking in height along the Silk Mills Path, and decreasing toward existing neighbouring residential development.
- 8.67 The Environmental Statement (ES) includes a Townscape and Visual Impact Assessment which assesses medium and long-range views of the proposed development. The location of these views was agreed by officers and are consistent with the viewpoints used to assess the impact of the existing tall buildings situated within the town centre. The assessment took account of the current and emerging townscape of Lewisham Town Centre including Thurston Point, Lewisham Renaissance and approved Lewisham Gateway proposals. Overall the assessment finds that the proposed development, once completed would have a positive benefit to views and the townscape character of Lewisham Town Centre, and highlights its significance as a Major Centre with Metropolitan aspiration. Officers agree with this assessment.
- 8.68 As outlined in Section 6, the scheme has been reviewed twice by the LDRP, comments raised in relation to the scale of Building B2 have been addressed by a reduction in height from 16 storeys proposed at pre-application stage to 14 storeys. Building 1 has been refined by removal of residential units at first floor and addition of additional glazing to the commercial unit. The landscape and public realm strategy has also been further developed to provide an individual character to the changing context of both the car park site and the island site. Officers consider that the applicant has successfully addresses LDRP comments.
- 8.69 Lewisham and Greater London Authority Officers and the LDRP support the scale, massing and height of the proposals which is considered to be convincing and well considered for the site.

#### Appearance and Architectural design

- 8.70 London Plan Policy 7.6 states at a strategic level architecture should make a positive contribution to a coherent public realm and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context. The supporting text to this policy states that achieving high quality architecture is best achieved by new buildings referencing, not necessarily replicating, the scale, mass and detail of the predominant built form surrounding them.
- 8.71 The applicants proposed overall façade strategy and architectural composition is supported by officers, with each of the proposed buildings providing appropriate

façade articulation according to their particular scale, massing and position within the public realm. The applicant team have developed a clear strategy to provide each proposed building with a sense of hierarchy and proportion. The proposed material palette is to be simple and robust, thereby accentuating both commonality between the buildings and promote identity between the tallest tower and mid-rise forms within the proposed scheme. The detailing of each building promoting individual expression but legible links to existing development in the town centre.

### *Building B1*

- 8.72 This building is arranged with a strong gridded appearance, reinforced by the absence of balconies (discussed in more detail in the standard of accommodation section) arranged across 7 vertical bays typically 3 storeys high in order to provide a sleek and unbroken appearance (by projecting balconies or recesses in the elevation). The grid cladding is to be Glass Reinforced Concrete (GRC) which is a high quality material that can be moulded to any shape allowing for maximum architectural impression whilst retaining a natural finish. The grid arrangement expresses building entrance (base) and top of the building in order to provide architectural variation and strong vertical emphasis, which are hallmarks of classic tall building design. The changes in spacing of the horizontal elements of the grid are calculated to work with the storey heights of the tower, creating additional visual interest, ranging from 2 storeys at the ground emphasising the commercial base and to reference the height of the railway rising to 4 storeys toward the top reflecting the crown of the tower. The middle of the tower is predominantly marked out by three storey expressions identifying the residential component of the building. Glazing is arranged in symmetrical expressions, double width identifying living areas and single expressions identifying bedrooms. The position of the double glazing elements is towards the edge of the floor plan to emphasise the square form of the tower with identical aspect when viewed across the skyline.
- 8.73 The base of the tower with its double height expression is considered to present a very positive addition to the public realm on the island site, through its extensive glazing and open and transparent frontage. The GRC cladding extends down from the residential grid to create a series of columns, flanked by ribbed dark bronze aluminium panels which add a visual sense of depth, elegance and articulation to the facade. A series of projecting metal copies frame the double height commercial unit, and would be finished in the same dark bronze metal. The recesses of the very top of the building are repeated at ground floor where the base of the building is recessed at the two River facing corners creating additional covered public realm in a colonnade. The applicant has designed the structure of the building to minimise the column width. The ground floor recesses allow for open views across the public realm especially towards the public square and safeguarded northern entrance into Lewisham Station. This response is again considered appropriate and is supported.
- 8.74 North-West of the tower's residential entrance is the projecting multi contoured landscape platform and the first floor amenity terrace, concealed within is cycle storage and the plant room. The elevations of this structure are clad in a ribbed natural-finish matt concrete feature panel, with variation in the ribbing widths and are designed to provide a backdrop to the landscaping with the multi contoured landscaped platform acting as an extension to the River edge walk, providing passers-by with elevated views into the River. The ribbed concrete wall is designed to reflect the trees and landscaping by its natural colour finish but retain links to the

GRC cladding in the tower by its vertical ribbed emphasis. The resident garden above would feature extensive planting and tree cover adding to the significant landscape contribution that the scheme would make to the island site. Officers consider the arrangement, mass and detailed design of this structure to be of high quality and an innovative approach to concealing building services, whilst having a sculptural quality which provides additional amenity both to residents and the public. The screening of the DLR tracks is supported in this location given their utilitarian appearance.

- 8.75 To the rear of the building is the service zone, although not publically accessible, it would be visible from the train platforms above and therefore the applicant has used high quality materials not usually associated with service zones, including full height grey metal panels which are consistently applied across the elevations and service doors providing a consistent high wearing and durable finish. The GRC columns that define the base of the tower are consistently repeated here and are considered to give this service zone a very high standard finish.
- 8.76 Officers appreciate the extensive design information that has been submitted in support for the tower. Having completed the robust design appraisal, Officers support the design of the tower and consider it to be of exemplary appearance and quality for this prominent section of Lewisham town centre.

#### *Building B2*

- 8.77 This block differs in main architectural appearance and materials from B1, but references the same consistent grid across the elevations, which are designed to mark out a series of bays based around the same principles of marking out the base, middle and top/ crown of the building. This block has a series of commercial frontages at the southern point of the building within B2(a) which are expressed through full height pre-cast concrete frame surround with recessed balconies at first floor, creating a double height plinth for the block.
- 8.78 The middle of the building is marked out as single storey height expressions with pre-cast concrete cills, brickwork detailing and projecting balconies. The crown of the building reverts back to a double height express with the same concrete reveal panel as the ground floor. Between the windows running vertically are metal bronze panels which pick up on the detailing of the main tower. Balconies are finished simply with full metal soffits for a clean appearance and metal balustrades the colour of which would match the windows and doors across the building.
- 8.79 The main residential entrance shared by both the private sale units and intermediate Discount Market Sale units is a double width space marked out by a projecting brick soldier course canopy. The elevations feature extensive but discrete brick detailing including soldier courses between floors, ribbed columns at ground floor which emphasise the base of the building. This is considered to provide the block with an elegant and articulated appearance.

#### *Building B3*

- 8.80 This block repeats the same gridded façade as B2, and employs the same distinction between the base and middle of the building. The ground floor is single storey, due to this being a solely residential building, the main communal entrance and adjacent bays are however, marked out in the same pre-cast concrete panel

feature as B2 with strong expression in the corners of the building emphasise the balconies which feature deep spandrels and brick piers, and the same ribbed brickwork detailing providing a clear visual link to B2. The other elevations on this block including distinctive projecting header brickwork to articulate the elevation.

- 8.81 The main upper level facades of the building are expressed with deep reveals and deep set windows, marked out by pre-cast concrete cills and regular projecting balconies. The balconies on this block are identical to those on B2, although those to the rear elevation incorporate louvered privacy screens to avoid un-neighbourly overlooking. The screens here are designed to appear integral to the architectural composition of the building rather than an afterthought add on.
- 8.82 Unlike B1 and B2, there is no crowning strategy for the top of this block, due to its smaller mass and height which corresponds with the adjacent Hester House, therefore, the top of the building is defined by an extension of the window bay with panels of vertical stretcher brickwork which create a subtle expression at the top of the building which elegantly finish the building. The detailing follows that seen on B2 but without the metal window panels which provides subtle variation between the two buildings but an element of commonality so that they read as clear pair but have clear links to the adjacent Hester House building.

### *Conclusions*

- 8.83 The elevation strategies for each block follow a simple grid layout, with strong vertical emphasis, defined by strong corners, with each block featuring cross sectional horizontal strata running throughout the development along each frontage. Officers support the use of the GRC cladding for B1 and brick elevations for B2 and B3 due to the contextual response it delivers in terms of colour, texture, scale and durability. Both GRC and brick are robust materials which do not deteriorate aesthetically with age and in some instances, the ageing of brickwork adds further character and charm to buildings. The choice of a high-quality GRC, brick and other cladding panels is imperative to the success of the design, however, and Officers propose that brick and mortar compositions should be secured by condition if permission is granted requiring sample panels to be constructed on site to be formally approved.

### Public realm and landscaping including River Ravensbourne

- 8.84 The proposed strategy responds to the Silk Mills Path element within the application site, reinstating this key pedestrian and cycling route and seeks to establish a sense of place through creation of public links, playable landscape and public squares.

### *Hard landscaping and street furniture*

- 8.85 Works to the public realm are proposed across both the island site and car park site, each taking a corresponding but alternative character marking their different locations. The island site would provide a new public square, the details submitted showing this laid in linear limestone planks in a silver, mid grey and graphite finish. The Silk Mills Path extending across the main car park would be concrete linear planks in blue and mid grey and silvers. The maintenance accesses (service road to B2 and B1) would be finished in a concrete sett with a natural charcoal colour. The Design and Access Statement provides contextual images, paving sizes and potential suppliers of each material. Final material samples would need to be

secured by condition, however, the details submitted and precedent images are of a very high quality and provide suitable assurance as to the landscape concepts durability and robustness as a key route and connection in the north of the Town Centre.

- 8.86 Street furniture would be provided including raised sculptural planters in Silk Square of varying heights and widths adding a sculptural dimension to the landscape.
- 8.87 The details provided are considered sufficient in demonstrating a high standard of design for significant areas of hard landscaped public realm which would represent a significant improvement over the existing tarmac surface car parks.

*Soft landscaping and tree planting*

- 8.88 As detailed above, the applicant has developed a landscape proposal based around a key series of public routes, namely the Silk Mills Path in order to establish three key areas of landscaping which would connect site with the existing Conington Road developments and further formal links cross the town centre. A total of 3023 sqm of soft landscape including lawn, shrub and planted areas would be provided amongst a total of 5628 sqm of public realm across the site. Officers consider the soft and hard landscaping combined make a significant positive contribution towards the town centre.

*Island Site/ Silk Square*

- 8.89 A large public square is proposed outside of Building B1 on the island site, which the applicant refers to as Silk Square. Reached via the existing site accesses, this is a large 860 sqm multi-functional square, including children's play space, piazza and landscaped forecourt for the two storey commercial unit which the plans identify as being in café use with external seating. Soft landscaping and tree planting lines much of the edge of the site and directs pedestrians towards the river edge walk of the island site. This is a pedestrian only space, though in the event of emergency vehicles or station maintenance vehicles requiring access, the access road which extends behind the tower is closed off by a large set of bespoke gates. These are recessed well behind the façade of the tower and although large, would be discreet in appearance given the location. Further details of the gates final design is to be secured by condition. For clarity the Public Square and site generally (aside from the island site access road) is entirely open access for pedestrians 24 days a day, the limited enclosure of the island site access road is to avoid vehicles entering the public square and to direct pedestrians and cyclists to the landscape river edge rather than DLR easement. This approach is strongly supported in providing open and accessible places and communities.
- 8.90 The public square has been designed to allow for a new northern station entrance into Lewisham Station (platform 4) the commercial units entrance fronting the square and position of the cycle spaces externally are centred around creating a new approach to and from the station into the northern part of Lewisham Town Centre. The applicant has been in detailed discussions with Network Rail regarding the design of this square in order to ensure that development here does not prejudice future station opportunities. Officers welcome the setting of the landscape to allow the future delivery of this station entrance which is a key aspiration of the site allocation and note that Network Rail do not object to the application.

- 8.91 Whilst the delivery of the station entrance itself would be outside of the applicant's control (this would need to be delivered by Network Rail) a contribution of £469,600 which has been agreed with Network Rail would allow this to take place in the future, once other immediate station works are completed. In addition an s106 agreement would need to secure 24 hour open and ungated public access across the site.
- 8.92 Aside from the public square which is the dominant landscape feature, the island site includes a pedestrian walk along the river edge which leads towards a secondary soft landscape area which the applicant refers to as 'island gardens'. In this location the pedestrian path is flanked by level soft landscaping leading towards the river and to the south by a continuous seating bench which is integral to a terraced form with grass mounds, tree planting which extends around the raised amenity deck of the tower. These would provide passers-by with elevated views across the site and the river. The stepped landscape rises from the edge of the island site, increasing in height towards the tower, and appears as an elegant landscape form which directs passers-by towards the public square. The raised terraced seating and grass mounds have the additional benefit of screening the DLR easement and access road which extends around the southern boundary of the island site.
- 8.93 Officers consider the wider layout and landscaping of the island site and the square to be of a very high standard of design and contribute to the exemplary architecture proposed.

*Silk Mills Path and main car park*

- 8.94 The river edge path which extends from the island site into the main car park is the Silk Mills Path, at this junction of the site it opens up into a wider area of soft landscaping referred to as Conington Green. This includes seating, contoured landscaping with grassed mounds and stepped terraces and tree planting. Hard surfaces allow for a forecourt outside the affordable commercial units at the base of B2 which meet areas of lawn designed for incidental play.
- 8.95 The main area of playable landscaping would be provided between B2 and B3 and the Adana Building and Hester House developments, divided by Silk Mills Path. This would be formed by contoured grass mounds with trees and area for play equipment. The Design and Access statement indicates that play equipment would be sculptural and interactive, comprising sculpture, seating and more traditional play equipment. Officers consider the provision to be high quality and would allow for safe, secure and importantly fun play space for children, and that final details of the play fittings and their maintenance are secured by condition.

*Trees*

- 8.96 London Plan policy 7.21 (Trees and woodlands) states that existing trees of value should be retained and any lost as the result of development should be replaced. A preference for trees with large canopies was referred to in the policy. Core Strategy Policy 12 (Open space and environmental assets) states that public realm greening can help mitigate against pollution and therefore the Council will protect existing trees and require replacements where a loss does occur. None of the existing trees have any statutory protection. A total of 25 trees would be removed from the site, which are located along the Silk Mills Path but within the car park, along the hoarded site and edge of the island site). Given the wider use of the car park, the existing

trees are considered to be of limited landscape value. One larger tree on the island site would be retained and safeguarded during construction.

- 8.97 The applicant as part of their public realm proposals includes 50 new trees to be planted on the Conington Green site (Building B2 and B3) with 4 trees to be planted on the roof top podium of B2. A total of 23 new trees would be planted on the island site with a further 12 to be planted on the raised podium landscaping. A total of 89 new trees would therefore be planted on site, representing a gain of 64 trees. The trees within the public realm are to be large feature trees providing vertical green elements and would include Common Oak, and Field Maple (up to 4.5m high), London Plane (up to 5m high) and Silver Birch (2m high). The podium level trees are indicated as being Silver Birch and Tibetan Cherry both up to 3.5m high). The addition of large trees in a variety of species would provide instant landscape maturity and assist in the schemes high design quality.
- 8.98 No trees outside of the application site are to be affected by the proposals.
- 8.99 Officers consider that the proposed layout fully accords with good urban design principles. The active frontages ensure that all elevations would be attractive, safe to use and practical and reinforce the developments exemplary design nature.

#### *River Ravensbourne*

- 8.100 The River Corridor Improvement Plan SPD states in Policy 1 that 'for all new development, the Council will require an integrated approach where land and river uses are considered together'. This policy supports Core Strategy Policy 11 'Rivers and Waterways Network' and in particular the aspiration to put the river back at the heart of Lewisham's developments and open spaces. An integrated approach is where the development delivers multiple benefits and enhances the use, enjoyment and setting of the river.
- 8.101 Policy 2 of the RCIP SPD states that 'for all new development the Council will require consideration of the opportunities for:
- Full river restoration
  - Partial restoration, where it can be demonstrated that full river restoration is not possible; and
  - In-channel enhancements or other appropriate measures, where it can be demonstrated that full and partial river restoration are not possible.
- 8.102 The starting point for all development is full river restoration. The Council will require opportunities for full restoration to be explored from an early stage, as part of the design process. Officers note that opportunities for full river restoration are typically at a larger scale and involve re-establishing more natural processes and modifying the river channel, including in-channel enhancements. Applicants will be required to consider ecological improvements alongside place making and public realm improvements.
- 8.103 At present, the River Ravensbourne is located within a concrete channel which bends around the site making its way downstream towards Deptford. The river due to its containment currently provides a harsh and unattractive appearance with very

little landscape of ecological contribution to the locality. There is considerable scope for landscape improvement in this location. The applicant, having been through a thorough site analysis proposes a partial naturalisation of the river channel. Officers accept that in this very constrained location that full river naturalisation is not possible. Firstly, the river channel is not in single ownership, with the applicant in control over the island site and Tesco in control over the river walls and channel structure as part of the wider land holding including the store. To the northern side of the river alongside the Tesco store is a large sewer pipe which extends from the existing Conington Road developments past Tesco towards Granville Park.

- 8.104 The partial naturalisation proposals would significantly enhance the river's edge by providing an enhanced experience for Silk Mills Path users, ecological enhancement, access to the water's edge and storm water storage capacity and the outline scheme has been accepted by the Environment Agency. This option would retain the existing concrete river bed (but with new planting and gravels at the base) with a reduction to the walls either side by 1500mm and creation of a series of tiered planted landscape beds to create a two stage river channel with pools, marginal and wetland planting with complete pedestrian access into the river with steps and viewing platforms.
- 8.105 The proposed masterplan river works are considered be well thought through and represent a significant improvement over the existing site condition. The works to the river would need to be secured in a delivery package within an s106 agreement which is discussed in more detail, along with flood mitigation and implications in paragraphs 8.290-8.300 of this report.

#### *Deliverability of Design Quality*

- 8.106 Paragraph 173 of the NPPF states that the viability and deliverability of development should be considered in decision taking. The document goes on to say that to ensure viability, the cost of requirements should, when taking into account the normal cost of development and mitigation, provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable.
- 8.107 The application has submitted detailed drawings, bay studies, visualisations and sections to demonstrate the quality of the architecture and overall scheme in order to support the redevelopment of this site, and scale of the proposals including the tallest building proposal in Lewisham Town Centre. Specifically the details seek to demonstrate that the scheme is deliverable without any major redesign.
- 8.108 It is appropriate for the Council to consider the likelihood of a proposed development being carried into effect and the planning consequences should a scheme be unviable and therefore not delivered in accordance with the approved plans.
- 8.109 Officer consider that the acceptability of this scheme in principle is inextricability linked with the design and quality that is inherent within it. The acceptability of the scale, massing, height and appearance of the proposal is inseparable from the design specification, including the proposed materials. Given how vital these elements are to be some of the fundamentals of the scheme, it would not be possible in officer's view to leave such detailing to condition, hence why detailed sections and building details have been submitted at application stage.

- 8.110 Should future amendments to the scheme result in it being of a lesser quality than is currently proposed, the entire approach to the development, its scale, height and appearance would need to be reconsidered, as opposite to just considering the alternative detailing. Given that the applicant has provided the details (although further details are required) to be necessary as part of the submission and that they have confirmed that they are committed to delivering the scheme as designed, it is felt that the proposal would be acceptable in this regard and the quality of the proposal would be safeguarded.
- 8.111 It is officer's view that any future amendments to the materials and design quality would also necessitate a re-evaluation of the schemes viability and its ability to delivery increased affordable housing provision. This would be triggered through as an example replacing the solid brick facades with a brick slip, different specification to the limestone paving, alteration to the service yard materials or amendments to landscaping to provide smaller trees.

#### Conservation and Heritage Assets

- 8.112 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.
- 8.113 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, DMLP 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) and DMLP Policy 37 (Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest) 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.
- 8.114 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 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'.

- 8.115 The application site does not lie within a conservation area or archaeological priority area (APA), although there is an APA (APA 6 - Lewisham and Catford/Rushey Green) in close proximity. The accompanying Archaeological Desk-Based Assessment details that this designation is due to medieval settlements that developed next to the Ravensbourne River. Historic England has reviewed the accompanying Archaeological Desk-Based Assessment. No objections have been raised to the proposed development subject to suitable conditions being imposed.
- 8.116 The submitted Built Heritage, Townscape and Visual Impact Assessment (Volume 3 of the ES) assesses the impact of the proposed development on the surrounding Built Heritage. While the site is not located in a conservation area and does not contain any listed buildings, there are a number of conservation areas and listed buildings situated within the vicinity. The ES assesses the likely significant impacts upon the following Conservation areas and nationally and locally listed buildings within a 750m radius.

#### Nationally Listed

- The pagoda
- 1-6 Aberdeen Terrace
- 91-91a Belmont Hill
- The Priory
- 10-18 Belmont Hill
- Lewisham Clock Tower
- Church of St. Saviour an St Johns Baptist and Evangelists, Presbytery of St. Saviour and Sts John Baptist and evangelists.
- Former Prudential building
- Church of St Stephen
- Prendergast Vale (formerly Lewisham Bridge Primary)
- Former Church of Transfiguration
- 11,14-18 Somerset Gardens
- 4-10 Somerset Gardens
- Carving on lawn in front of Holly House
- Southwark Diocesan House
- Former garden walls ground of 25 Dartmouth Row
- Lydia House
- Sherwell
- 20-22 Dartmouth Hill
- 5 Dartmouth Grove
- Church of the Ascension
- Perceval House Spencer House
- 36,36a Dartmouth Row
- 22 Dartmouth Row
- 28 Dartmouth Row

- Old Angle
- Post Office
- Montague House
- 106-108 Blackheath Hill
- Annex

A further 15 nationally listed buildings are identified within a 1.5km radius around the site.

#### Locally listed buildings

- Nos. 65-71 Lewisham High Street
- Nos. 85-87 Lewisham High
- Nos. 93-95 Lewisham High Street,
- The Joiners Arms (66 Lewisham High Street)

#### Conservation Areas

- Blackheath (LBL and RBG)
- Belmont
- Mercia Grove
- St Marys
- Ladywell
- Brockley
- St John's
- Brookmill Road
- Somerset Gardens
- Deptford Creekside
- Deptford High Street
- St. Stephen's
- Lee Manor
- Island Gardens (LBTH)

- 8.117 Officers note that the nearest listed buildings are Prendergast Vale, located on Elmira Street, the Former Church of the Transfiguration on Algernon Road and St Stephens Church on Cressingham Road to the east of the site. The proposed development would be separated from Prendergast Vale and the Church of the Transfiguration by the Renaissance development (and recently approved Lewisham Retail Park) while the proposed development would be separated from St Stephens Church by the existing railway viaduct and the Lewisham Gateway Development, the first phase of which is currently under construction. The separation and position of the scheme from listed buildings would ensure that neither the setting of these buildings nor their respective special interest would not be significantly harmed.
- 8.118 The TVIA within the ES finds that there would be a neutral effect on nationally and locally listed buildings. It should be noted that Historic England has not raised any objection to the proposed development.

- 8.119 In terms of conservation areas, the site is some distance from the Belmont and St Stephen's conservation areas and is separated by the road system and railway viaduct along with Phase 1A and 1B Lewisham Gateway development. In this context, it is considered that the proposed development would have no discernible impact on the setting of these and other conservation areas, and their character and appearance would therefore be preserved. With regard to the impact upon Ladywell and Brockley conservation areas, these are at a further distance from the site than Belmont and St Stephens and are additionally separated by the Renaissance development, Lewisham Gateway development and recently resolved to approve scheme at Lewisham Retail Park.
- 8.120 Officers have considered the Council's duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of listed buildings and concluded that the effect of the proposed development on surrounding buildings and conservation areas would be neutral and their setting would be preserved. Accordingly, mitigation is not required. In light of the above, officers consider that, the setting of both the designated and non-designated heritage assets, would be sufficiently preserved.

### **Housing - mix, tenure and standard of accommodation**

#### Affordable housing and tenure mix

- 8.121 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.
- 8.122 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.
- 8.123 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.

- 8.124 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.
- 8.125 The proposed development would provide 365 new dwellings (a net gain of 365), of which 73 would be affordable. This amounts to 20.19% by habitable room and 20% by unit and represents an increase from the 12% or 44 units originally submitted. The proposed tenure mix is 16 units as Social Rent, 27 as Affordable Rent and 30 units as Discount Market Sale. The proposed dwelling mix is set out in Table 3 below:

**Table 4: Proposed Affordable Housing (Original and Revised offer)**

<b>Affordable Housing Mix – Initial Offer</b>		
<b>Unit Type</b>	<b>Shared Ownership</b>	<b>London Living Rent</b>
1 bed		
2 bed		
3 bed		
	22	22

<b>Affordable Housing Mix - Revised Offer</b>				
<b>Unit Type</b>	<b>Social Rent</b>	<b>Affordable Rent</b>	<b>Discount Market Sale</b>	<b>Overall</b>
1 bed	6	10	19	32
2 bed	8	15	11	34
3 bed	2	2	0	4
	16	27	30	73

- 8.126 The applicant has proposed that the Social Rented units are capped at a rent of 35%-45% of market value, whilst the Affordable Rented units are capped at a rent of 45%-50% of market value which is supported in providing genuinely affordable rented housing to meet local need.
- 8.127 The Discount Market Sale units (a form of intermediate housing) are being offered at 75% of market value (a 25% discount). These would be sold with a restrictive covenant restricting subsequent sales (in perpetuity) at the same price i.e. 75% of market value, so that units cannot be brought by individuals and 'flipped' for a profit. This model is similar, although at a greater discount, to comparable developer Pocket Living, who provide homes at a 20% discount. Unlike the Pocket Living Homes the units here generally exceed (in B1 significantly so) minimum housing standards.
- 8.128 The Social Rented and Affordable Rented units would be located in Building B3. This is because Registered Providers seek to keep management costs (and

therefore service charges) to a minimum so that living costs for rents are at the lowest possible. The proposed discount market sale would be located in Building B1 and B2, these like shared ownership units pose less management service charge issues for Registered Providers and can therefore be allocated across the development.

- 8.129 Officers now consider that the proposed location of the affordable housing units is acceptable, being across all 3 buildings. There would be no differentiation in terms of the quality of design, materials or finishes between affordable and private homes and all future residents would have access to the same communal open space, irrespective of tenure. This therefore raises no objection.
- 8.130 *Scheme viability.* The level of affordable housing proposed falls short of the 50% target in Core Strategy Policy 1 – which is a starting point for negotiations and is subject to viability. In line with guidance in the Council's Planning Obligations SPD, the application as originally submitted in May 2017 was supported by a Financial Viability Assessment (FVA) (prepared by James Brown). The FVA initially submitted sought to demonstrate that the proposed 44 affordable homes 12.5% by habitable room (all intermediate comprising shared ownership and London Living Rent) represented the maximum reasonable amount of affordable housing producing an overall return of 22.5% profit on total cost, which the applicant asserts is a lower effective level of profit than is typically generated by the common 20% on Gross Development Value target used elsewhere.
- 8.131 The Council commissioned GL Hearn to review the Applicant's FVA, including predicted sales values, construction costs and other assumptions. GL Hearn's review challenged a number of assumptions (including build costs – too high, professional fees – too high and affordable housing values – too low. Even allowing for these changes in assumptions, GL Hearn concluded that the proposal would generate a much higher return of affordable housing in more affordable tenures than proposed.
- 8.132 As discussed under elsewhere in the report, revisions have been made to the application to address concerns raised by the Greater London Authority and Transport for London. These have resulted in the loss of two residential units (and therefore sellable floorspace) increase in cycle parking and storage, and physical amendments to the playspace access which the applicant asserts has an impact upon scheme viability. The revisions to the development have been reviewed as part of ongoing viability discussions with GL Hearn.
- 8.133 GL Hearn reviewed the initial affordable housing offer scenarios and favoured application tenure split between Shared Ownership and London Living Rent; and confirmed that an increased level of on-site affordable housing, including provision of more genuinely affordable rented tenures, could be accommodated within the scheme by revisions to construction costs amongst other values without reducing quality. Through discussions with the applicant and their viability consultant, an agreement on construction costs, comparable values and finance costs was generally agreed where the affordable housing could be increased to 18.1%, reflecting an uplift in overall numbers but also amendment to tenure mix. The original offer of 22 shared ownership and 22 London Living Rent (both forms of intermediate housing) was replaced by 16 Social Rent and 27 Affordable Rent with 23 provision of Discount Market Sale which is a significantly improved mix.

- 8.134 Notwithstanding the findings of the Applicant's detailed viability appraisals and GL Hearn's review which would raise affordable housing to 18.1%, Council and GLA officers have stressed an importance to deliver a greater level of affordable housing within the scheme. Officers have encouraged improvements to the offer including revisions to tenure to a mix which helps address local need. In response and despite the conclusions of the FVA and GL Hearn's conclusions, in order to reach a favourable planning outcome, in November 2017, the Applicant chose to make a strategic decision and make a non-negotiable offer to increase the affordable housing offer from the initially revised 18.1% to 20.19% (Adding an additional 8 Discount Market Sale units in Building B1) comprising 73 affordable homes compared to the first 44 and initially revised 66.
- 8.135 Officers welcome the Applicant's offer to increase the affordable housing offer and addition of social and affordable rented units and it is recommended that this level and amount of affordable housing is secured by planning obligations in an s106 Agreement.
- 8.136 The proposed development would give rise to additional demands on existing social infrastructure such as schools and health services, the impact upon which has been a common topic in the objections received. 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. Borough CIL payments are expected to be around £2.4m and Mayoral CIL requirements (to help fund Crossrail 1) amount to about £ 1.2m (combined total of £3.6m). The viability appraisal work takes account of the likely CIL payments and the site-specific mitigation measures that require financial contributions, as set out in Section 10 of this report.
- 8.137 Given the affordable housing offer level, and taking account of guidance in the Mayor of London's Affordable Housing and Viability SPG, officers recommend that s106 obligations require the proposed level of affordable housing is subject to further review. The precise terms of the review will be negotiated with the Applicant but would reflect those set out in the London Plan Affordable Housing and Viability SPG. However, these should secure an early stage review (upon substantial implementation if the planning permission has not been implemented within two years) and a late stage review (when 75% of homes are sold or occupied – should they be rented, and where developer returns meet or exceed an agreed level). This approach is common to large schemes and has been secured on other Lewisham Town Centre sites.
- 8.138 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 also necessitate a re-evaluation of viability and the ability of the scheme to deliver increased affordable housing provision.

#### Housing Mix and Quality

- 8.139 Core Strategy Policy 1 'Housing provision, mix and affordability' makes clear that in order to ensure that proposed housing development responds to local need, the provision of family housing (3+bedrooms) will be expected as part of any new development with 10 or more dwellings. In the case of affordable housing, the policy

seeks 42% of new homes as family dwellings. In terms of private housing, the objective is to enable families to remain in an area and therefore provide long term sustainability for local communities. This policy further states that an appropriate mix of dwellings within a development will be sought having regard to:

- a. the physical character of the site or building and its setting;
- b. the previous or existing use of the site or building;
- c. access to private gardens or communal garden areas for family dwellings;
- d. the likely effect on demand for car parking within the area;
- e. the surrounding housing mix and density of population;
- f. the location of schools, shops, open space and other infrastructure requirements.

8.140 The proposed development comprises 365 self-contained residential units and the table below provides a breakdown of the proposed accommodation:

**Table 5: Housing Mix**

	Private	Discount Market Sale (25% reduction in OMV)	Affordable Rent	Social Rent	Total	Percentage
<b>1-bed</b>	137	19	10	8	172	47%
<b>2-bed</b>	147	11	15	8	181	50%
<b>3-bed</b>	8	0	2	2	12	3%
<b>Total</b>	292	30	27	16	385	100%

8.141 As detailed in Table 6 above, the proposed development would provide a of range dwelling types and sizes between 1b 2p and 3b 5p so as to maximise dwelling choice, many of the dwellings are additionally oversized beyond minimum housing standards, including taller ceiling heights than required by the National Technical Standards. Whilst the proportion of 3-bed family-sized affordable homes is below the policy target, the proposed affordable housing tenure and overall housing provision includes over 50% of units overall being 4 person and over accommodation, and would support the Council strategy of providing long term, sustainable solutions to housing need within the borough. Officers consider the lower level of 3 bedroom accommodation to be justified in the urban context of what is a constrained site. A provision of more 3 bedroom units in Building B1 for example would require a significant re-design of the block and mean a larger floor plate, this would be contrary to the applicants intention to minimise building footprint and

therefore maximise public realm opportunities, especially given the wider public benefits of the scheme including significant public realm and landscaping improvements, river enhancement and facilitation of a new northern entrance at Lewisham Station.

- 8.142 In regard to accessibility and as outlined in the report above, the subject site is located within Lewisham Town Centre is served by Lewisham Mainline Station, Lewisham DLR station along with numerous bus routes and is considered to be a highly accessible location, constituting a central location in the borough.

Standard of residential accommodation

- 8.143 London Plan Policy 3.5 sets out the minimum floor space standards for new homes relative to the number of occupants. It outlines that the design of all new dwellings should include adequately sized rooms, convenient and efficient room layouts and meet the changing needs of Londoners' over their lifetimes.
- 8.144 DM Policy 32 'Housing design, layout and space standards' and Policy 3.5 'Quality and design of housing developments' of the London Plan requires housing development to be of the highest quality internally, externally and in relation to their context. These policies set out the requirements with regards to housing design, seeking to ensure the long-term sustainability of the new housing provision. Informed by the NPPF, the Mayors Housing SPG provides guidance on how to implement the housing policies in the London Plan. In particular, it provides detail on how to carry forward the Mayor's view that "providing good homes for Londoners is not just about numbers. The quality and design of homes, and the facilities provided for those living in them, are vital to ensuring good liveable neighbourhoods".
- 8.145 Nationally Described Space Standards (NDSS) were released by the Department of Communities and Local Government in March 2015 to replace the existing different space standards used by local authorities. It is not a building regulation requirement, and remains solely within the planning system as a new form of technical planning standard. The national housing standards are roughly in compliance with the space standards of the London Plan and its Housing Supplementary Planning Guidance (2016).
- 8.146 In addition to this, DM Policy 32 seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. It also states that new housing should be provided with a readily accessible, secure, private and usable external space and includes space suitable for children's play.
- 8.147 Standard 31 of the London Plan Housing SPG states that "A minimum ceiling height of 2.5 metres for at least 75% of the gross internal area is strongly encouraged".
- 8.148 The technical housing standards require the minimum internal floor areas set out in Table 6 below and details how the application scheme exceeds all minimum requirements.

**Table 6: Minimum required and proposed Internal Floor Areas**

Dwelling Size	National/LP Space Standard (GIA sqm)	MH Development(GIA sqm)	Net Surplus (GIA sqm)
Building B1			
1b2p	50	56.9	6.9
2b4p	70	81.2-99.6	11.2-29.6
3b5p	86	118.9-119.8	32.9-33.8
Building B2			
1b2p	50	50.2-59.9	0.2-9.9
2b3p	61	62.9-76.2	1.9-15.2
2b4p	70	70.1-79.9	0.1-9.9
Building B3			
1b2p	50	50-58.2	0-8.2
2b4p	70	70.3-83.1	0.3-13.1
3b5p	86	87.4-98.7	1.4-12.7

- 8.149 All proposed homes meet the minimum NDSS and would be provided with bedrooms and dedicated storage areas which meet the minimum requirements. The proposed plans have also been annotated with essential furniture which demonstrates that all units could comfortably accommodate the necessary furniture and circulation spaces. Internal floor to ceiling heights would be a minimum of 2.5 metres, which exceeds London Plan requirements.
- 8.150 Standard 4.10.1 of the Mayor's Housing SPG sets out the baseline requirements for private open space. The standard requires a minimum of 5sqm to be provided for 1-2-person dwellings and an extra 1sqm for each additional occupant. All private amenity spaces (where provided) adhere to the policy requirements in terms of their sizes.
- 8.151 The units in Building B1, with the exception of the upper units (which are recessed behind the main façade), have been designed without private amenity space. This is for three reasons, firstly to retain the clean and elegant grid structure of the elevations without breaks for balconies, allowing for the strong rhythmic façade to rise up the building. Secondly, due to the position of the tower adjacent to the railway and to protect the residential units from train noise as they pull in and out of the station along the tracks and thirdly due to the experience of being on a balcony at a high level where they will be prone to winds. Instead the units have the required balcony size incorporated into the living room of each unit, result in a much larger habitable living space than would normally be found or required by the Technical standards or Housing SPG. Officers consider the a balcony free building results in a cleaner and more elegant appearance but that a larger living space is an acceptable trade-off for a lack of external amenity especially in this location where the tower is exposed and not shielded by other buildings as say along Loampit Vale from winds on the upper levels.
- 8.152 Officers at pre-application stage had requested the applicant team to explore projecting or inset balconies or provision of winter gardens. These were each discounted due to their adverse impacts upon the architecture of the tower or usability and are detailed in the Design and Access Statement on page 119. For example winter gardens can overheat in the summer and therefore be less useable and that traditional balconies would be uncomfortable. Given that a much larger habitable living room is proposed coupled with the 2.6m internal floor to ceiling

height (excess of the 2.5m encouraged by London Plan Housing SPG and 2.3m of the NDSS) the quality of accommodation is considered to be of a very high order even without private amenity space for the majority of units in the tower. Officers note that this acceptability is in part due to the addition of the first floor resident's amenity space and external amenity deck with planting and seating. Officers note that the Housing SPG standard 26 states "In exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. This area must be added to the minimum GIA". Officers consider that the site provides a high standard of accommodation and the site constraints in this instance would allow for an exception of no private amenity space for the majority of the tower.

- 8.153 The units on the uppermost levels contain balconies, the building is recessed behind the grid frame in this location and the balconies would therefore be shielded from winds and not form part of the overall architectural composition. The top floor levels have roof terraces and large external amenity spaces which are considered acceptable.
- 8.154 All the 2 and 3 bedroom units are dual aspect within the tower and the 1 bedroom units single aspect, facing east or west. There are no north facing single aspect units in the building and the orientation and outlook is considered to be high quality, especially due to the location of the units starting at second floor (as a response to LDRP comments) well above the height of the train platforms at Lewisham Station.
- 8.155 Within Building B2 and B3, each unit has private external amenity space in the form of a balcony or terrace. There is in addition a shared roof terrace on Building B2. Each of the units meet or exceed minimum space standards and provide 2.5m floor to ceiling heights, which is again in excess of the 2.3m National Technical standards. The applicant through the 'S' shaped nature of the buildings has tried to maximise dual aspect units. All of the 2 and 3 bedroom units are dual aspect, with the exception of 1 two bedroom east facing unit. Whilst the single aspect units are limited to the 1 bedroom east or west facing units. As per Building B1, there are no single aspect north facing units.
- 8.156 To address comments from the GLA with regards to play space, the applicant has revised both ground floors of B2 and B3 to provide an additional rear entrance from the communal corridors out towards the play space and landscaping. This has resulted in the loss of two residential units and a change from a 1 bedroom to a 2 bedroom units (hence the single 2 bedroom single aspect unit). The amendments to access the play space are an improvement over the original scheme and therefore supported.
- 8.157 The Mayor's Housing SPG states that developments should avoid single aspect dwellings that are north facing, exposed to noise levels above which significant adverse effects on health and quality of life occur, or contain three or more bedrooms. The British Research Establishment (BRE) guidelines "Site Layout Planning for Daylight and Sunlight: A guide to good practice" recommends best practice standards of new development. Similarly, Standard 32 of the Housing SPG details that "*All homes should provide for direct sunlight to enter at least one habitable room for part of the day.*" The Housing SPG further states that where direct sunlight cannot be achieved in line with Standard 32, developers should

demonstrate how the daylight standards proposed within a scheme and individual units will achieve good amenity for residents.

- 8.158 Of the 365 proposed dwellings, single aspect units have been designed to a minimum either facing east, south or west, with no single aspect north facing units. The Internal Daylight and Sunlight Study which accompanies the report states that the vast majority of units would receive acceptable and compliant levels of daylight and sunlight. Where units fail, it is due to the lower floor position and addition of self-shading from projecting balconies.
- 8.159 The London Plan Housing SPG recognises the potential difficulties of fully complying with British Research Establishment (BRE) guidelines and calls for standards to be applied flexibly given the London Plan's strategic approach to optimise housing output (Policy 3.4) and the need to accommodate additional housing supply in locations with good accessibility which are suitable for higher density development. Overall, Officers are satisfied that considering the urban setting of the proposed development and the need to optimise development potential (which results in some mutual shading between buildings) the proposed development would receive an acceptable level of direct sunlight.
- 8.160 *Privacy and overlooking between proposed units.* There would be a separation between the proposed Buildings B2 and B3 of 12.5m, limited only to the flank elevations. There is a separation distance of 54m between the southern elevation of B2 and the raised terracing of B1 which rises to 74m when measured to the main north western elevation. The proposed design has sought to offset the windows of primary habitable rooms and private amenity areas of adjoining residential properties and officers consider all inter-relationships to be acceptable.
- 8.161 *Acoustic Comfort and Air Quality.* Chapter 9 and 10 of the ES assesses the likely significant environmental effects of the proposed development with regard to Noise and Vibration and Air quality. A noise survey details a relatively consistent ambient noise level through both daytime and night time associated with the adjacent DLR and national railway lines that pass the southern boundary of the site.
- 8.162 The ES finds that required internal acoustic comfort levels would be achieved meeting BS8233 standards through the introduction of three specific glazing conditions, depending on location and exposure to external noise sources. It is recommended that given the need for a high level of sound reduction, details of the proposed acoustic insulation be required by way of a standard condition.
- 8.163 An assessment of the proposed fixed plant has confirmed that all proposed plant would meet the Council's normal requirements. Officers recommend the imposition of the Council's standard fixed plant noise condition, should the application be approved.
- 8.164 Whilst the site is located within an Air Quality Management Area, the proposed development would be mechanically ventilated using air drawn from areas away from heavily trafficked main roads which are sources of pollution. The submitted Acoustic and Air Quality Report has been reviewed by the Council's Environmental Health Officer and ES consultant, who have not raised any objections to the proposed development.

- 8.165 *Wind and Microclimate.* Chapter 15 of the ES details that a Boundary Wind Tunnel Assessment (BWTA) has been carried out to predict and analyse the wind environment at the site, following development and identify required mitigation. The assessment identifies that balconies would be of a comfortable environment. In areas where mitigation is require, there are higher balustrades and strategic positioning of planers at roof top level, the detail of which has been detailed within the application submission.
- 8.166 *Accessible housing.* With effect from 1 October 2015, the standards for wheelchair accessible housing are covered by Part M of the Building Regulations and new residential development is no longer required to meet the Lifetime Homes Criteria at planning stage. However, this remains a matter to consider at this stage to ensure that a scheme is capable of meeting this standard.
- 8.167 Part M is divided into three categories; M4(1) 'visitable dwellings', M4(2) 'accessible and adaptable dwellings' and M4(3) 'wheelchair user dwellings'. Policy 3.8 of the London Plan required that 90 per cent of new build homes in London should meet M4(2) with the remaining 10 percent meeting M4(3). This means that 100 per cent of new build homes should be accessible.
- 8.168 Core Strategy Policy 1 requires major schemes to provide 10% of all units and each tenure type to be constructed as accessible. Development Management Policy 32 states that the Council will require new build housing to be designed to ensure that internal layout and external design features provides housing that is accessible to all intended users.
- 8.169 The development has been designed to comply with Part M of the Building Regulations and Section 10 of the accompanying Design and Assess Statement outlines the proposed development has been designed to meet the required regulations both in terms of access to and movement within the proposed buildings and in regard to the internal layout of the proposed units. In this regard, 10% of the proposed residential units would meet the required Part M4(3) of Building Regulations while all other units would meet the Part M4(2) of the Building Regulations. These units would be located in Building B2 and B3. No wheelchair units would be provided in Building B1 due to the spatial constraints on this site, and distance from any car parking provision. Officers consider this approach to be acceptable given it is not possible to provide car parking on the island site without significant detriment to the landscaping proposals or conflict between pedestrians.
- 8.170 All wheelchair units would have level access to the dedicated car parking spaces within the basement of Building B2.
- 8.171 All units across the development would meet Building Regulations M4(2) with 10% being built to standard M4(3). If Members were minded to grant planning permission, the wheelchair units would be secured in the S.106 to ensure that the Social and Affordable Rent wheelchair units are to be fitted out (subject to need demonstrated by Council waiting list).
- 8.172 Overall, the proposed standards of accommodation, including the private amenity space proposed for each of the units (with the exception of majority of building B1) proposed are considered to be acceptable for the reasons set out above. The

amount and standard of residential accommodation to be provided is considered to be appropriate for this town, albeit edge of, centre location.

- 8.173 *Communal Amenity Space.* Standard 4 of the Housing SPG states that, where communal open space is provided, development proposals should demonstrate that the space:
- is overlooked by surrounding development;
  - is accessible to disabled people including people who require level access and wheelchair users;
  - is designed to take advantage of direct sunlight; has suitable management arrangements in place.
- 8.174 As outlined above, a shared amenity area of would be provided on the external deck at B1 and the fourth floor of B2, which collectively measure 427 sqm. This is in addition to the 784 sqm of ground floor level soft landscape grass/lawned areas including a large dedicated playspace between the development and the Adana Building and Hester House.
- 8.175 The Housing SPG further states that private communal use should be designed to be safe, accessible, inviting and well used, without the fear of crime. In this regard, access to the grounds floor landscaping and podium landscape to Building B1 and B2 would be provided for all units of those respective blocks, irrespective of tenure with each residential core accessing on to the rooftop, via a key fob issued to residents.
- 8.176 The ES outlines an assessment of sunlight. In relation to solar access full sun path details have been provided to detail the extent of sunlight, in terms of hours, for the roof- top communal areas and details that the proposed amenity areas would provide year long, high quality, useable spaces. Officers consider this design approach to provide good quality communal amenity spaces which would augment the private amenity spaces proposed for each unit would further provide improve the overall residential amenity of the development.
- 8.177 A plan in relation to the maintenance and management arrangements for the podium is proposed to be secured by way of a condition. Officers also propose that the condition requires the landscaping of the roof level amenity to B1 and B2 and the play area to the rear between Adana Building and Hester House to be completed, prior to the occupation of any of the flats.
- 8.178 *Playspace:* The table as outlined below details the estimated child yield of the proposed development is set out in Table 8 Below.

**Table 7 – Estimated Child yield**

<b>Age Group</b>	<b>No. of Children</b>	<b>Percentage of total %</b>
<b>Under 5</b>	15	63
<b>5- 11</b>	5	21
<b>12+</b>	4	16

<b>Total</b>	24	100
--------------	----	-----

- 8.179 The Mayor’s Shaping Neighbourhoods: Play and Informal Recreation SPG requires 10 sqm of child playspace to be provided per child for new developments, equating to 240 sqm to be provided on site.
- 8.180 London Plan policy 3.6 (Children and young people’s play and recreation) requires all necessary play-space to be provided on site. Play-space including appropriate equipment should be provided on site where feasible.
- 8.181 Within the areas of landscaping would be formal play provision of 372sqm provided for 0-11 year olds within the shared landscape to the rear of Building B2 and B3 and to Silk Square in front of Building B1. The total provision is in excess of the 240 sqm required by the Housing SPG. Following revisions to the access to allow for additional entrances from B2 and B3 officers consider that the playspaces would be highly accessible to all residents and allow for maximum social interaction. This is considered to be an improvement from the originally submitted scheme.
- 8.182 Playspace for older children (12+) would be provided across 200 sqm of informal play space across the development (contoured landscaping, grass mounds for recreation) and off-site. The supporting Design and Access Statement identifies the adjoining open spaces such as Brookmill Park (417m, 5 min walk), Cornmill Gardens (530m, 7 min walk), Blackheath (557m, 8 min). Larger open spaces such as Greenwich Park are also nearby the application site, although not in the borough.

### **Neighbouring Amenity**

- 8.183 DMLP Policy 32 (Housing design, layout and space standards) requires new schemes to “provide a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours.” The Council’s Residential Standards (updated 2012) also require developments to be neighbourly and sets out relevant guidance.
- 8.184 *Construction Phase.* The ES reports on an assessment of likely significant environmental effects during the construction phase and identifies adverse effects in relation to, amongst other things, traffic, noise and air quality. These would be mitigated as far as reasonably practicable by a Construction Environment Management Plan, which would be secured by condition.

### *Daylight, Sunlight and Overshadowing*

- 8.185 An assessment of daylight and sunlight has been carried out for the development in accordance with the Building Research Establishment’s good practice guide “Site Layout planning for daylight and sunlight”. This allows the Council to consider the impact of the proposal on the extent of daylight/sunlight received in the windows of adjacent properties serving the rooms used most frequently. This is useful in assessing the extent to which the site layout allows for natural lighting but is only one factor in considering whether the scheme is well designed and should be considered in the context of the overall approach to the design of the scheme.

- 8.186 It is also important to note that the BRE guidance includes a level of flexibility within its application and for instance, developments in urban areas are treated differently to suburban areas because expectations of daylight and sunlight into properties differ in such locations. Consequently, it is often necessary to aim for different 'target values' of daylight and sunlight into rooms according to the location of the development.
- 8.187 This site is located within an urban area and a Major Town Centre, appropriate for high density development. Whilst there are some low and medium rise developments in the area north of Conington Road, there are also examples of high rise, high density developments and this location is identified for redevelopment as a 'growth area' capable of accommodating a significant number of new dwellings. It is therefore important to acknowledge that residents could not expect to enjoy the same level of amenity as would be expected within a low/medium density, suburban location, where each dwelling would typically front have and rear gardens.
- 8.188 Furthermore, some properties that currently enjoy a higher than average level of daylight/sunlight because they are located close to an open car park and hoarded site, with an unusually open aspect for a town centre environment, will experience a change in the level of daylight/sunlight received when allocated sites are developed. Notwithstanding this there is a need for all new developments to demonstrate that any loss of light or increase in overshadowing would be within acceptable levels so as not to give rise a significant loss of amenity.
- 8.189 The assessment of daylight is based on the calculation of the vertical sky component (VSC) to an affected window in both the existing and proposed condition. The VSC, simply put, is the amount of light received at the centre of a window. There is a further assessment that assesses the distribution of daylight within a room. This is called the average daylight factor (ADF).
- 8.190 Whereas VSC assessments are influenced by the size of obstruction, ADF is more influenced by the room area, the area of room surfaces, the reflectance of room surfaces and the transmittance of the glazing with the size of the obstruction being a smaller influence. The extent, to which the effect of a proposal on surrounding properties is considered significant, is dependent on the use of the room to which the window relates. The significance of any impact of proposals on non-habitable or less well-used rooms such as bedrooms is therefore reduced. In this case, the relevant tests are essentially whether less than 0.8 times the existing level of daylight and sunlight is retained within a room and whether more than half of any one garden space is over shadowed.
- 8.191 The applicant has also used a third method for assessing daylight for residential accommodation which is the no skyline contour (NSC) which is a measure of the distribution of daylight at the 'working plane' within a room. In houses a 'working plane' means the horizontal desktop plane at 0.85m high. The NSC divides those areas of the working plane in a room which received direct sky line through the windows from those areas which cannot. BRE guidelines do not state what quantifies the working plane, i.e. the percentage of a working area with light access, so the applicant has assumed a 50% guideline for testing.
- 8.192 ***Sunlight and daylight.*** The Applicant's assessment was based on Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH). The

BRE guidance is that living rooms should ideally receive at least 25% of APSH throughout the year and 5% during winter months and that the difference between APSH is not less than 0.8 times its former value.

- 8.193 The applicant has taken a baseline survey of daylight and sunlight results without the development in place using VSC, NSC, ADF and ASPH methods. Only site-facing windows of residential properties surrounding the site with a potential to see a change in light have were assessed. The sites tested as 'potentially sensitive receptors' were:

Adana Building  
Hester House  
1-22 Colgate House  
1-58 Century House  
1-15 Columbine Way  
Land at Orchard Gardens Estate  
150-216 Lewisham Road  
1-6 Hornbuckle House  
Lewisham Gateway Block A (existing and future phases)  
1-6 Silk Mills Path  
292-322 Lewisham Road  
Eagle House  
Lacey House  
Dukes Court  
Nara Building  
1-2 Sharestead Villas  
Amenity spaces between Adana Building/ Nara Building / Hester House  
Private gardens at 1-12 Columbine Way  
Ravensbourne River

Additionally, all amenity areas proposed within the development have been tested.

- 8.194 The report states that the majority of primary windows within the Adana Building and Hester House (the closest residential units to B2 and B3) are heavily obstructed by projecting balconies which self-limit both daylight and sunlight to the window face below or beside. Full baseline results are located in Tables 16.2 to 16.5 of the ES (chapter 16) with assessment of the results on pages 21-27.
- 8.195 The Adana Building has baseline VSC results that indicate 98 (32%) of the 306 windows tested achieve the target for daylight in BRE guidelines. Generally the windows which fall below this level are already overhung by balconies or are inward facing windows towards the buildings own massing. The APSH results show that 130 (90%) of the 144 windows achieve the BRE targets.
- 8.196 The Hester House block has baseline VSC results that indicate 112 (46%) of 241 windows achieving the target for daylight in BRE guidelines, again the windows which fall below are typically overhung by balconies, including those inset, or inward facing windows. The APSH results show that 106 (97%) of the 109 rooms achieve BRE guidelines.

- 8.197 No 1 Sharsted Villas has a baseline VSC which indicates 6 (75%) of the 8 windows tested meeting recommended VSC levels. None of the windows within this property that face the site are orientated 90 degrees of due south. No 2 Sharsted Villas again has 6 (75%) of windows meeting recommended VSC levels and that 1 room assessed achieves the APSH suggested levels of sunlight within BRE guidance.
- 8.198 With the development in place at the Adana Building, VSC levels were calculated which show that 152 (50%) of the 306 windows would see no noticeable change in daylight received at the window face. Of the remaining windows 22 would see minor reductions, 16 moderate reductions and 116 substantial reductions in daylight. Many of these windows that experience a noticeable change in daylight levels are situated beneath – or recessed behind balconies – which self-limit light levels at the window face. With the balconies removed (for modelling purposes) as described above, there would be a reduction in substantial losses from 116 to 85 windows. The NSC assessment of this building shows that 100 (58%) of the 171 windows would experience no noticeable change, 6 would have moderate reductions and 42 substantial reductions. With regard to sunlight levels of the 143 rooms, 107 (75%) would show full compliance and with the balconies removed only 8 rooms would not achieve BRE recommendations for sunlight. Of these 3 rooms would exceed the APSH target but not meet the winter APSH target.
- 8.199 With the development in place at Hester House, 194 (81%) of the 241 windows would see no noticeable change to daylight received at the window face. Of the remaining windows, 4 would see minor reductions, 10 moderate reductions and 33 substantial reductions. Similarly to Hester House, many of the windows that experience a noticeable change in daylight levels are situated beneath or recessed behind balconies with self-limit light levels to the window face. The results of the NSC assessment show that 83 (67%) of the 124 rooms would see no noticeable alteration to daylight. Of the remaining rooms, 7 would see minor reductions, 7 moderation reductions and 28 substantial reductions. The APSH sunlight assessment shows that 94 (86%) of rooms show full compliance, the 15 rooms that would not achieve full BRE recommended targets are bedrooms.
- 8.200 At 1 Sharsted Villas with the development in place 2 (25%) of the 8 windows tested would see no noticeable change in daylight at the window face. Of the 6 remaining 5 would experience minor reductions and 1 a moderate reduction. One window is stated as being a flank window serving a room that is served by 2 other windows that experience no noticeable loss in VSC. The remaining 5 windows all experience reductions because of the abnormally high daylight levels in the baseline condition due to no existing buildings on site.
- 8.201 At 2 Sharsted Villas with the development in place 2 (25%) of the 8 windows tested would see no noticeable change in daylight at the window face. Of the 6 remaining 5 would experience minor reductions and 1 a moderate reduction. Of these 6 windows, 1 is a flank window again serving a room that is served by 2 other windows. The 1 relevant room for sunlight assessment shows full compliance with BRE guidance.
- 8.202 As discussed above, the existing car park and hoarded site that currently occupy the application site provide a baseline condition which is not typical of an urban location nor reflective of recent development across Lewisham Town Centre, meaning that existing homes facing on to the site experience unusually high levels

of daylight and sunlight for their context. In such circumstances, the BRE guidance allows for alternative targets to be met, including the use of a hypothetical 'mirror image' building set an equal distance apart from a boundary as a basis of establishing alternative target values. The ES found that such a test shows that the likely effect of the development to daylight at these neighbours is less than would be in the 'mirrored position' and officers therefore consider the impacts of the development to be acceptable.

- 8.203 **Overshadowing and Sunlight Amenity.** The BRE guidance recommends that to appear adequately sunlit throughout the year, at least 50% of a garden or amenity space should receive at least two hours of sunlight on 21 March. The amenity areas tested (private and communal) serving Adana Building, Nara Building, Hester House, 1-12 Columbine Way and the river received direct sunlight or more on the 21<sup>st</sup> March for more than 50% of the area.
- 8.204 With the development in place all the tested amenity areas would continue to experience direct sunlight access across more than 50% of the area for 2 hours on the 21<sup>st</sup> March and see a reduction of less than 20% from the baseline level, officers consider this to be acceptable and of no adverse harm given the town centre nature of the site.
- 8.205 As part of the development there would be new areas of external amenity spaces created, the ES shows that all amenity space would experience direct sunlight across more than 50% of their area for 2 or more hours on the 21<sup>st</sup> March which is supported in demonstrating a high standard of accommodation.
- 8.206 **Transient overshadowing:** where large buildings are proposed, these may affect a number of gardens and open spaces, therefore a plot of a developments casting shadow has been submitted to demonstrate the impact across the year. The applicants assessment maps three key dates of the year; 21<sup>st</sup> March Spring Equinox; 21<sup>st</sup> June Summer Solstice and 21<sup>st</sup> December Winter Solstice and tracked across hourly intervals between 8:00AM and 7:00PM. Currently there are no transient shadows across the site due to its use as a car park and lack of buildings.
- 8.207 With the development in place, on the 21<sup>st</sup> March, as expected the development would cause additional overshadowing to surrounding areas, but that due to the separation distances between Building B2 and B3 sunlight is able to pass through limiting shadowing to the northern amenity area to between 8am and 10am only. The shadows cast across the amenity area to 1-12 Columbine Way begin at 1pm. Due to the separation between Building B2, B3 and B1 (with its slender thin profile) shadows pass quickly across the afternoon. The same transient shadow from the tower would quickly pass across the River Ravensbourne.
- 8.208 **Solar Glare:** The solar glare assessment was completed with guidance from the Commission Internationale de L'Enclairement CIE 146:2002 – CIE Equations for Disability Glare which states 'disability glare is glare that impairs vision, it is caused by scatterings of light inside the eye'. There are no buildings on the site at the moment, meaning no solar glare is cast from the site.
- 8.209 The applicant has tested 9 viewpoints of the development in place and impacts upon glare and indicates that where there is solar glare this is kept at a minimum

due to passing traffic or trains, and the limited use of reflective materials on the tower which is considered to minimise the developments impact.

- 8.210 **Wind/microclimate.** The ES reports on an assessment of wind tunnel testing of the proposed development, which considered the likely effects on wind conditions in the surrounding area – including at locations on both sides of Loampit Vale, Jerrard Street and Thurston Road. This found that surrounding streets would be suitable for pedestrians walking through the area and visiting the proposed buildings.
- 8.211 **Privacy and overlooking and Outlook.** The Council's Residential Standards (updated 2012) states that the acceptable distance between front elevations should normally be determined by the character of road widths in the area. It adds that normally, unless it can be demonstrated that privacy can be maintained through design, there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations (with a greater separation distance being required for higher buildings – noting that this is a general rule that will be applied flexibly).
- 8.212 London Plan Policy 3.5 (Quality and Design of Housing Developments) focuses on standards in new development, with the Mayor of London's Housing SPG (March 2016) noting that former commonly used minimum separation distances between habitable rooms of 18 – 21m may be useful yardsticks, but advocates a more flexible approach to managing privacy.
- 8.213 The proposed development faces existing homes at the Adana Building, Hester House, Silk Mills Path and along Conington Road, although these homes present their rear gardens onto the River and street.
- 8.214 The windows of Building B1 would front onto Sharstead Villas, but at a distance of 39-39m to the end of their rear gardens which rises to 46 and 47m at their rear elevation. This is considered a significant distance for a town centre and although officers appreciate the difference in scale between the existing two storey villas on the eastern side of the river and the 34 storey tower, the separation distance is greater than the 19-21m achieved on Thurston Road for example and the 25-32m on Loampit Vale between constructed development at Thurston Point and Renaissance and the recently approved Lewisham Retail Park.
- 8.215 The rear windows of B2 and B3 would face onto the Adana Building and Hester House respectively, but would not result in unacceptable overlooking given the separation distances which are comparable to those within the existing Conington Road developments. In the case of Building B3 this has been designed at the lower levels with projecting angled windows which direct view away from Hester House toward the shared amenity space. Lower level balconies also feature privacy screens. As this building rises up it is set back from the lower floors increasing the separation distance. As such officers consider that the relationship between the two buildings and existing development is acceptable.
- 8.216 Officers consider that the above proposed separation distances and detailed arrangements are appropriate and should adequately safeguard the privacy of occupiers of existing neighbouring homes. A number of local people have raised concerns about the loss of views from their homes toward Canary Wharf. Whilst the

loss of a view is not a material planning consideration, officers consider that the replacement of the existing surface car parking and hoarded site with proposed high-quality development with significant public realm, with the separation distances referred to above, would ensure a reasonable outlook for local residents.

- 8.217 *Noise and Disturbance.* The site is in Lewisham Town centre, with heavily trafficked roads on all sides. Proposed measures to control commercial unit opening hours, noise break-out, ventilation equipment, service delivery times and noise from plant and machinery to safeguard the amenity of future residents of the proposed development, discussed above, should ensure that noise and disturbance for existing neighbouring residents would be acceptable.
- 8.218 *Prevention of Crime and Disorder:* S.17 of the Crime and Disorder Act 1998 provides (in summary) that it shall be the duty of the Council to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that is reasonable can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment).
- 8.219 In this instance, officers consider that the layout accords with good urban design principles including active frontages and setting of buildings which provide open sight lines and legible routes across landscaping.

*Removal of certain permitted development rights*

- 8.220 Officers recommend that if this application is approved conditions are imposed to remove certain permitted development rights in respect of the site. Paragraph 017 of that part of the Planning Practice Guidance that is concerned with the use of planning conditions states that “conditions restricting the future use of permitted development rights or changes of use will rarely pass the test of necessity and should only be used in exceptional circumstances”. Officers in this case consider that exceptional circumstances exist to justify the limited removal of certain permitted development rights as set out in the proposed conditions for the reasons stated therein.

**Transport**

- 8.221 The application is supported by the following: a Transport Statement, Construction Logistics Plan, Delivery and Servicing Management Plan, Interim Retail Travel Plan and Interim Residential Travel Plan. These have been reviewed by independent consultants (Steer Davies Gleave) appointed by the Council.
- 8.222 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up and that (depending on the nature and location of the site), safe and suitable access to the site can be achieved for all people. It should be demonstrated that improvements could be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF clearly states that development should only be prevented

or refused on transport grounds where the residual cumulative impacts of development are severe.

- 8.223 The NPPF includes as one of the 12 core land-use principles, to 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 para. 29 states that the transport systems needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Guidance on the role and preparation of TAs and Travel Plans is provided in National Planning Practice Guidance.
- 8.224 Policy 6.1 in the London Plan (Strategic Approach) sets out the Mayor's strategic approach to transport which aims to encourage the closer integration of transport and development 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.
- 8.225 London Plan Policies 6.1 and 6.2 support the Bakerloo Line Extension (BLE), as discussed further below. London Plan Policy 6.13 and Tables 6.2 and 6.3 provide minimum cycle and maximum car parking requirements should be used as a basis for assessment. Parking levels are considered further below.
- 8.226 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. A network of high quality, connected and accessible walking and cycling routes across the Borough will be maintained and improved.
- 8.227 Policy LTC21 outlines the Council's aim to improve sustainable transport access within Lewisham Town Centre. Key development considerations include working with a range of partners including Transport for London (TfL), Network Rail, public transport providers, landowners, developers and other stakeholders to ensure that improvements are secured and delivered to the frequency, quality, accessibility and reliability of the town centre public transport network.
- 8.228 Paragraph 2(d) of Policy LTC4 outlines the Council's aim to improve the pedestrian environment in the Loampit Vale Policy Area (within which the application site sits) by providing generous tree lined pavements of at least 6 to 8 metres in width to create boulevards.
- 8.229 *Existing public transport accessibility.* The entirety of the application site is located within very close walking distance of Lewisham rail and DLR station and bus stops adjacent to Lewisham Gateway. In view of the extensive public transport provision, the site has a Public Transport Accessibility Level (PTAL) of 6b, the highest achievable TfL accessibility rating.

#### *Site Access*

8.230 Vehicular access into the site is solely via Conington Road, which is a Lewisham adopted highway. This is not proposed to change. Pedestrian access is achieved via the same highway, or via the Silk Mills Path from the North West via Silvermill and Silkworks or from the east from Lewisham Road. Pedestrian access into the site is not proposed to change.

*Existing car parks – loss of car parking*

8.231 The existing site is formed from two car parks and a hoarded vacant site. These served the Tesco store, which has a retained undercroft car park and a car park to the front facing Lewisham Road and Eagle House. Officers acknowledge that the car parks have traditionally been underused with significant capacity with the vast majority of shoppers using the car park immediate beneath or to the front of the store.

8.232 Officers raise no objection to the loss of the Tesco car parks given their historic under-use and blight on the streetscape. The surrounding streets are located in a controlled parking zone along Conington Road and as such despite the closure, officers consider that the development would not result in additional car parking pressure on surrounding streets.

*Bakerloo Line Extension/ Lewisham Station/ DLR*

8.233 In autumn 2014 Transport for London (TfL) consulted on the possibility of extending the Bakerloo Line from Elephant and Castle, through Southwark and Lewisham towards Bromley and Hayes. In December 2015, TfL announced that their preferred option for the first phase of an extension is via Old Kent Road, New Cross Gate and Lewisham – where it would initially terminate.

8.234 A further round of consultation was carried out between February and April 2017 in regard to the location of underground stations, ventilation shafts and associated work sites. The Mayor's draft Transport Strategy (June 2017) includes a proposal to extend the Bakerloo Line as one of several schemes to increase tube capacity across London. The Strategy identifies an extension being delivered between 2020 and 2030. However, it should be noted that the proposed extension, which would likely cost in the region of £3bn, has not been allocated funding and the route has not been formally safeguarded.

8.235 London Plan Policy 6.1 identifies a Bakerloo Line southern extension as one of the major transport schemes the Mayor expects to work with all relevant partners to progress and London Plan Policy 6.2 seeks to ensure that development proposals provide adequate safeguarding for these schemes. Core Strategy Policy 14 makes clear that the Council will work with TfL, Network Rail and other partners to ensure the delivery of necessary infrastructure. The Council supports the proposed BLE, including a second phase on to Catford Bridge, Bromley and Hayes.

8.236 Officers have held pre-application discussions with TfL/GLA/Network Rail and the Applicants to help ensure that the proposals both safeguard sufficient land for long term upgrades to Lewisham Station including an extension of the DLR easement/ safeguard zone. This at pre-application stage involved a relocation and re-design of the Building B1 which is closest to Lewisham Station. The preferred location for a BLE station is on Thurston Road behind the Carpetright site, detailed discussions have been held with

those applicants regarding safeguarding of the tunnel alignment, the development of this side of the railway line would not conflict with the BLE. Officers, in consultation with Network Rail and TfL are satisfied that the application scheme would therefore not prejudice long term transport capacity upgrades of Lewisham Station.

- 8.237 *Pedestrian access.* The proposed scheme has been designed to improve pedestrian experiences when transitioning across this site through the extension and formalisation of the Silk Mills Path. The public realm has been designed to be car free with minimal vehicle access which is strongly supported.
- 8.238 *Pedestrians and Cyclists:* London Plan Policy 6.9 sets out to bring a significant increase in cycling to at least 5% of modal share by 2026, supported by the implementation of Cycle Superhighways and the central London cycle hire scheme and provision of facilities for cyclists including secure cycle parking and on-site changing and shower facilities for cyclists. London Plan Policy 6.10 seeks to enhance the quality of the pedestrian and street environment through de-cluttering and access for all, to make walking an increasingly viable alternative to the private car.
- 8.239 The applicant is proposing to provide cycle parking in accordance with the London Plan, although as discussed below, minor changes are needed to accommodate adaptable bicycles. It is anticipated these can be dealt with by condition. The applicant proposes to enhance the Silk Mills Path by providing a clear and legible landscaped route which extends across both ends of the site.
- 8.240 *Vehicular access.* Vehicle access to the proposed scheme would be taken from the existing Conington Road entry road. The road extends from Conington Road towards the island site where a junction would be formalised, facilitating access to the rear of Building B2 where there is a basement level car park. The access road to the rear would also serve as DLR track access for maintenance. Vehicular access onto the island site would be restricted to emergency and maintenance vehicles only.
- 8.241 *Parking and servicing –* Core Strategy policy CS14 states that the car parking standards contained within the London Plan will be used as a basis for assessment. Policy 6.13 seeks to prevent excessive car parking provision that may undermine cycling, walking and public transport use. In addition to setting out maximum parking standards in Table 6.2, it requires that developments must provide for the needs of disabled users, electric vehicle charging points and “provide for the needs of businesses for delivery and servicing.”
- 8.242 The scheme has been designed to be car free with the exception of 9 blue badge parking spaces which would be located in the basement level of B2, which represent a reduction over the required 1 space per accessible dwelling (in this case 37 spaces for 365 dwellings and 37 wheelchair accessible units). However, given the constraints of the site and excellent accessibility to public transport, the reduced provision has been agreed with Transport for London. Officers have taken a flexible approach to car parking in these dense urban locations especially where the provision of additional spaces would constitute clutter in the public realm. Electric Vehicle Charging Points would be provided which is supported by TfL and would be secured by condition.

- 8.243 In summary, officers consider that the amount of residential accessible car parking and an otherwise car free scheme proposed accords with Core Strategy Policy 14 by restricting unnecessary vehicle trips.
- 8.244 *Car permit restrictions.* It is recommended that a planning obligation ensures that residential occupiers of the scheme (with the exception of disabled drivers) would not be eligible to apply for on-street parking permits. This restriction is common to major new developments within the Borough within existing/potential controlled parking zones and is considered appropriate in view of the high PTAL of the development and the need to protect the amenity of existing residents who need to park on-street. The restriction is also supported by TfL, as it would reduce traffic generated by the application scheme. It is recommended that this is secured as part of an s106 Agreement.
- 8.245 *Cycle parking.* The application scheme proposes 521 cycle parking spaces across the development. Full details are provided in table 8 below. For the residential elements, these are split between traditional cycle stores and provision of folding bicycles in Building B1 given the constrained nature of the site. For residential visitor parking there is external cycle storage in three locations across the site. Commercial cycle spaces are provided for both spaces in Building B1 and B2 with provision of additional visitor cycle parking externally. The level of cycle parking has been increased throughout application discussions with TfL and the arrangement is now considered to be acceptable.

**Table 8 – Cycle Parking**

			<b>B1</b>	<b>B2</b>	<b>B3</b>
<b>Residential</b>	Long-stay	Traditional within GF cycle store	97	56	71
		Traditional within new external bike store	0	84	0
		Foldable in units	183	0	0
	Visitor	Traditional located outside building	4	4	2
Total			<b>284</b>	<b>144</b>	<b>73</b>
<b>Commercial</b>	Staff	Traditional	2	2	0
	Visitor	Traditional in public square	16	0	0

Total	18	2	0
-------	----	---	---

- 8.246 *Car Club Membership.* A Zipcar car club operates throughout the Borough with a mixture of on-street and off-street parking spaces provided. The Applicant is willing to pay car club membership for 3 years for the first occupiers of all the residential units. In addition, based upon anticipated demand, officers consider it would be appropriate for the Applicant to pay for the costs of providing 2 on-street car club bays in the vicinity of the scheme. It is recommended that these measures are secured as part of a S106 agreement.
- 8.247 *Servicing.* London Plan Policy 6.14 states that development proposals should promote the uptake of Delivery and Service Plans. The application is supported by a Delivery and Servicing Plan, which sets out how the servicing of the development and refuse collection would be effectively managed. This is considered broadly acceptable subject to the review of the residential loading area and control of vehicles larger than large rigid or large refuse vehicles. Further development of the plan can be secured by condition.
- 8.248 The proposed scheme includes a service road (also the DLR access) across the island site which extends behind B1 where the refuse store/ plant room is located. Both Buildings B2 and B3 have refuse stores located at the rear of the building where they adjoin the highway. Tracking information provided by the Applicant demonstrates that enough space has been provided for large rigid and large refuse vehicles to enter and exit the scheme in forward gear.
- 8.249 The Applicant does not consider that the scheme would attract a significant number of vehicles larger than refuse vehicles. The vehicular bridge onto the island site would provide a holding zone for service vehicles, typical residential deliveries such as Internet Food shopping (i.e. Ocado) would wait at the holding zone with deliveries brought down to the concierge and then up into the tower. Deliveries to B2 would be via the rear service road and deliveries to B3 would be via Conington Road.
- 8.250 Officers are satisfied with the revised servicing proposals for the site, but acknowledge that this is reliant on management of the buildings and site (managed developments are not uncommon on large dense town centre schemes) and therefore such a management strategy is to be secured by s106 legal agreement including details to keep service charges to a minimum for residents. Any deviation or amendment from the service strategy would need to be approved by the Council.
- 8.251 *Trip generation.* The methodology for estimating the trip generation of the scheme is the same as those used across other schemes in the Town Centre and is therefore considered an acceptable approach given the similar context. All-modes trip rates for the retail and residential elements have been derived from the TRICS and TRAVL databases.
- 8.252 *Traffic impact.* The development is generally anticipated to reduce vehicle trips on the surrounding highway network, given the existing use as a car park.

- 8.253 *Public transport impact.* Concerns have been raised by local people about overcrowding on rail services at Lewisham station. These are currently exacerbated by the reconstruction of London Bridge station and its approaches and it is expected that passengers will notice significant improvements when these works are completed in 2018, as Network Rail advises that it will then be possible to run more frequent trains through London Bridge.
- 8.254 The development is anticipated to generally increase usage of public transport (rail, buses and DLR). Although public transport loadings as a result of this development and unbuilt committed developments would increase at peak times, officers consider that these could be accommodated by the planned significant public transport enhancements in Lewisham town centre.
- 8.255 It is also anticipated that the opening of the Abbey Wood branch of the Elizabeth Line (Crossrail) in 2019 will reduce loadings at Lewisham. This is because passengers travelling between destinations east of and including Abbey Wood and Central London will transfer from South-eastern trains to the Elizabeth Line at Abbey Wood to take advantage of faster journey times.
- 8.256 TfL are also understood to be reviewing the case for enhancing the passenger capacity of DLR trains serving Lewisham, by increasing frequencies and extending train lengths from 2 to 3 cars. At TfL's request, it is recommended that a planning condition requires 'before and after' tests of DLR radio signal strength and the provision of any necessary boosters.
- 8.257 The Council is also seeking to improve the environment at Lewisham station, reduce congestion and potentially provide new western and northern accesses to improve the station catchment. At the time of writing, the Council is working with TfL, GLA, Network Rail and South-Eastern Trains to identify a cost-effective programme of incremental enhancements which take account of longer-term aspirations to extend the Bakerloo Line through Lewisham town centre and to extend the London Overground from New Cross to Lewisham station and potentially beyond. Officers are satisfied that the development of this site, particularly the island site would not prejudice any future station development opportunities.
- 8.258 The ES also reports on the likely significant cumulative impacts of unbuilt but committed developments in the town centre upon the public transport network and finds these to be acceptable. In this case, the site would generate additional trips onto public transport namely Lewisham Station, DLR Station and local buses. The applicant however, has proposed a financial contribution of £469,600 towards improvements at Lewisham Station where Network Rail would use these funds towards improvements including capacity upgrades the re-opening up of Platform 4 onto the island site. This would significantly improve public transport access north of the Railway Station not just for residents of the development, but existing residents and visitors at this part of Lewisham and towards Blackheath.
- 8.259 *Travel planning.* London Plan Policy 6.3 makes clear that impacts on transport capacity and the network must be fully assessed and that, amongst other things, workplace and residential travel plans should be provided in support of significant applications. The application is supported by satisfactory interim retail/commercial and residential travel plans.

- 8.260 *The construction phase.* London Plan Policy 6.3 makes clear that impacts on transport capacity and the network must be fully assessed and that, amongst other things, Construction Logistics Plans should be submitted to support strategic development proposals.
- 8.261 *Peak construction traffic* – chapter 6 of the ES provides a development programme and construction timetable. This sets out a programmed commencement on site in 2018 with development completing in 2021 (3 years). It is currently intended that Building B3 would be delivered first at week 90 of construction in 2020 with Building B2 (core A) in week 111, (Core B) in week 130 and Building B1 in week 139 (2021). The predicted peak construction traffic would occur during the early stages of development in weeks 16-19 during site clearance (removal of the car parks and hoarded site) plus general excavation where over 100 daily Heavy Goods Vehicles movements would arise out of the site. The ES confirms working hours of between 08:00-18:00 Monday-Friday and 08:00-13:00 Saturday with no works on Sunday or public holidays.
- 8.262 The ES notes that the expected increase in vehicles on the highway, particularly larger vehicles and HGVs, may result in disturbance to other highway users and cause safety concerns. Mitigation is identified as being a Construction Logistics Plan (CLP) and the use of 'Banksmen' to ensure highway safety etc. and wheel washing. A framework CLP has been submitted in support of the application and it is recommended that its implementation is secured by planning condition.
- 8.263 There are a number of nearby strategic development proposals for Lewisham Town Centre (including schemes for the Lewisham Retail Park, Carpetright and Lewisham Gateway), with the potential for one or more schemes being on site at the same time. Officers therefore recommend that a planning obligation requires developers of this site to take part within a Lewisham construction forum, which will seek to manage and coordinate construction impacts and activities across Lewisham Town Centre. This has previously been secured with the Lewisham Retail Park application.

## **Energy and Sustainability**

### Energy

- 8.264 London Plan Policies 5.1 (Climate change mitigation), 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design & construction), 5.5 (Decentralised Energy Networks), 5.6 (Decentralised energy in development proposals), 5.7 (Renewable energy), 5.8 (Innovative energy technologies) and 5.9 (Overheating and cooling) requires developments to meet the highest standards of sustainable design, including the conservation of energy and water; ensuring designs make the most of natural systems and the conserving and enhancing the natural environment.
- 8.265 The London Plan approach is reflected in Core Strategy Policies 7 (Climate change and adapting to the effects) and 8 (Sustainable design and construction and energy efficiency) which states that the Council will explore opportunities to improve the energy standards and other sustainability aspects involved in new developments and that it 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 meet at least 20% of the total energy demand through on-site renewable energy.

- 8.266 Core Strategy Policy 8 also requires compliance with Code for Sustainable Homes (CfSH) Level 6 from April 2016 and that non-residential development will be required to achieve a minimum of Building Research Establishment Environmental Assessment Method 'Excellent' standard, or any future national equivalent. DMLP Policy 22 (Sustainable design and construction) gives further guidance on energy efficiency. However, the CfSH was withdrawn in March 2015, although the Ministerial Statement makes clear that LPAs may continue to apply requirements relating to energy.
- 8.267 Policy LTC24 (Carbon dioxide emissions) calls for all major developments to incorporate communal heating and sets out detailed guidance on energy centre location and energy networks.
- 8.268 The Energy and Sustainability Report submitted in support of the application addresses the proposals in relation to the energy hierarchy of 'be lean' (use less energy), 'be clean' (supply energy efficiently) and 'be green' (use renewable energy). It also sets out an assessment of proposed measures to reduce the risk of overheating and reduce reliance on air conditioning.
- 8.269 *Be Lean*. The Applicant's report identifies the incorporation of a number of passive design measures. These include the provision of a Communal Heating and Cooling system for all of the proposed commercial units, high standards of thermal envelope and air tightness, improved thermal bridging standards, the use of Mechanical Ventilation with Heat Recovery (MVHR) (which will recycle heat from dwellings as fresh air is brought in) and energy efficient lighting. These measures would deliver about 6.6% carbon dioxide emission savings compared to the 2013 Regulations.
- 8.270 *Be Clean*. London Plan Policy 5.6 requires major proposals to select energy systems in accordance with the following hierarchy - Connection to: 1. Existing heating or cooling networks; 2 Site-wide CHP Network; and 3. Communal heating and cooling.
- 8.271 Policy LTC24 of the LTCLP states that all major development will be required to incorporate communal heating and cooling which future proofs the development and allows for larger decentralised energy clusters to be developed in the medium to the long term. Developments should incorporate energy centres which should be at street frontages ensuring future connection possibilities. The policy states that there are at least three policy areas which should support a cluster of decentralised energy centre being Loampit Vale, Lewisham Gateway and Ladywell Road.
- 8.272 The Conington Road Policy Area is not expressly identified for decentralised energy clusters due to its position north of the railway line and distance from other development projects. The applicant has considered the feasibility of an Area Wide Heat Network. The London Heat Map does not identify that the proposed development is located in an area that has the potential for decentralised energy. The nearest existing heat network is at Loampit Vale where an energy centre is located within the Renaissance scheme, this powers the mixed use development and Leisure Centre along with the recently constructed Thurston Point

development. This network is separated by the Lewisham Retail Park scheme (which would secure a connection) but also the Thurston Road bus stand, railway viaduct, Lewisham Station and the River Ravensbourne. Officers therefore considered that it would be unrealistic that a connection from the Loampit Vale energy centre be established.

- 8.273 However, the applicant proposes an on-site energy centre within Building B3 containing a site wide gas-fired Combined Heat and Power Plant system. This provides low carbon heating and domestic hot water to all residential and non-residential units across the development. The position of the energy centre in B3 is partly recessed into the landscape (given the sloping ground levels) but the position at the edge of the site adjacent to the Petrol Filling Station would allow for potential future extension into any redevelopment of the main Tesco site remaining within the Site Allocation. Officers consider that this is reasonable and recommend that this approach is secured by planning obligation.
- 8.274 Through on site energy demand reduction by incorporating passive design measures to reduce the developments energy consumption through the use of energy efficient materials and mechanical and electrical engineering systems. The Sustainability Strategy advises that 31 tonnes of carbon can be saved equating to 8% reduction.
- 8.275 The proposed site-wide energy system would comprise a Combined Heat and Power (CHP) engine and boilers and provide space heating and domestic hot water for all of the proposed homes and non-residential units and would deliver about 20% carbon dioxide emission savings compared to the 2013 Regulations.
- 8.276 *Be Green.* The Applicant's report explains that a number of alternative renewable energy technologies were considered before settling on the use of Solar Photovoltaics (PV). The discounted technologies include Ground Source Heat Pumps, Solar Water Heating Panels, Biomass boilers, Bio-Diesel CHP and Wind turbines. The proposals incorporate PVs on the unshaded areas of flat roof on Buildings B2 and B3 and would deliver about 7% carbon dioxide emission savings compared to the 2013 Regulations.
- 8.277 The lean, clean and green measures together would deliver 33% carbon savings compared to the 2013 Regulations, instead of the 35% reduction required. This application was received post the new 'zero carbon' policy requirements coming in to force, this meets the requirements of London Plan Policy 5.2 and Core Strategy Policy 8. The applicant proposes a financial contribution of £461,844.00 as a carbon reduction payment calculated at £60/tonne for 30 years at 257 tonnes per year to off-set the shortfall. This contribution would be paid into the Councils carbon offset fund which would be used to reduce carbon emissions and improve sustainability across the borough. Officers and the GLA have robustly interrogated the energy and sustainability statement and consider that given the constraints of the site, including limited roof area due to the slender forms of the building that the proposals represent a best case in terms of carbon emissions reduction and are therefore sustainable.
- 8.278 *Overheating and cooling.* London Plan 5.9 sets out a hierarchy of measures including minimising internal heat generation, reducing solar gain in summer months, using thermal mass to manage heat within buildings, natural ventilation

and mechanical ventilation. The proposals incorporate measures, prioritising higher-order ones, including shading from balconies and appropriate glazing specification, openable windows and Mechanical Ventilation Recovery System with Domestic Active Cooling. Officers consider these measures to be acceptable.

### Environmental Sustainability

- 8.279 Environmental sustainability is a cross-cutting theme that is also considered under a number of other headings in this report, including Layout Scale and Design, Transport and Standard of Residential Accommodation.
- 8.280 London Plan Policy 5.3 (Sustainable Design and Construction) and Core Strategy Policies 7 and 8 advocate the need for sustainable development. Policy LTC25 (Adapting to climate change) also calls for all developments to adapt to the potential of climate change and incorporate appropriate measures (including living roofs and walls, water saving measures, SUDS, planning etc.). The Mayor's Sustainable Design and Construction SPG (April 2014) sets out targets and provides guidance as to how to achieve those targets as efficiently as possible.
- 8.281 As outlined above in relation to Energy, the Government has withdrawn the CfSH and Core Strategy 8's requirement that new homes meet Level 6 from April 2016 cannot be secured. However, the Ministerial Statement withdrawing the CfSH makes clear that LPAs may continue to apply requirements relating to water efficiency. As such, Officers recommend that a planning condition secures compliance with the standard set out in the Mayor's SPG of 105 litres per person per day – which is equivalent to the former CfSH Level 4.
- 8.282 However, Core Strategy 8's requirement that non-residential development should achieve a minimum of BREEAM 'Excellent' standard or any future national equivalent still stands. The Applicant's Energy and Sustainability Report includes a BREEAM pre-assessment for a non-specific non-residential building type, using BREEAM 2014 New Construction, Shell and Core. This indicates that the proposed development is on target to achieve a 'Very Good' Shell and Core rating. The Applicant has signalled a commitment to meeting this and it is recommended that this is secured by way of a planning condition that Shell and Core to 'Very Good' achieved. Officers note the policy requirement for 'Excellent' however, give the relatively limited commercial space on this scheme and the unknown tenant for the units that it can be difficult to achieve an 'Excellent' Rating without fitting out the units. On these occasions Officers can accept a 'Very Good' rating where the applicant contributes to a carbon off-set fund as proposed in this case. Taking into account the wider public benefits of the proposal (significant areas of landscaping, and commitments to restore the river and improve Lewisham Station) this is considered to be acceptable.
- 8.283 The Applicant's Energy and Sustainability Report also sets out a cross-check against each of the other standards in the Mayor of London's Sustainable Design and Construction SPG. This is a helpful systematic way of considering environmental sustainability issues and demonstrates a high level of compliance with standards. This would be secured by the range of recommended planning conditions and obligations.

8.284 *Drainage*. London Plan Policy 5.13 requires development to utilise SUDS, unless there are practical reasons for not doing so. The supporting text to the policy recognises the contribution 'green' roofs can make to SUDS. The hierarchy within Policy 5.11 of the London Plan confirms that development proposals should include 'green' roofs and that Boroughs may wish to develop their own green roof policies. To this end, Core Strategy Policy 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which in effect, comprise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity for bio-diversity.

8.285 The site is served by a series of privately owned foul and surface water drains as well as Thames Water combined sewers. In accordance with the London plan, the applicant has calculated their existing run off rate from the site to be 146.5 l/s and in proposed that the new drainage strategy would be limited to 73.2 l/s or 50% of greenfield run off rates as indicated by the London Plan. To achieve this, the surface water discharge rate would be attenuated by the use of SuDS measures. Set out below is a summary of what measures would and would not be included as part of the proposals, based on the SuDS hierarchy set out in London Plan Policy 5.13:

- Store rainwater – Yes - A portion of rainwater falling on the site would be captured and used for landscape irrigation (also reducing the need for potable water); the ES considers that rainwater harvesting could be accommodated on site through detailed design.
- Ground infiltration systems – No - given the constraints of the site;
- Attenuate water – yes through a 528 cubic metre tank below ground
- Ponds and open water features – no – but the development proposes naturalisation of the River Ravensbourne with additional storage capacity;
- Soft landscaping and Living Roofs – Yes – landscaping as part of the proposed garden areas and inaccessible bio-diverse roofs covering an area of 441.8 sqm proposed on parts of the roofs of Buildings B2 and B3.

8.286 Thames Water have confirmed that they have no objections to the proposals. The proposed drainage strategy complies with key relevant policies and is considered acceptable and it is recommended that its delivery is secured by planning condition. Whilst no ground infiltration systems are proposed, the Environment Agency has asked that a condition be attached to ensure that any such measures are approved by the Council and this is recommended to be attached. It is also recommended that a planning condition reserves the details of the proposed living roofs for approval by the Council to ensure that the details are acceptable.

### **Flood Risk**

8.287 The River Ravensbourne, a main river, runs through the site dividing the island site from the main Tesco store and car parks. The site is identified as being Flood Zone 1 (a low risk of flooding). The NPPF (Para. 99) states that developments in areas at risk of flooding should employ measures to mitigate flooding without displacing the risk of flooding elsewhere. The Government's Technical Guidance: Flood Risk and Coastal Change (2014) require the mitigation of the potential impacts of flooding through design and flood resilient and resistant construction. Buildings should also be designed to accommodate a safe exit for less able-bodied residents/users.

- 8.288 London Plan Policy 5.12 (Flood Risk Management) requires the mitigation of flooding, or in the case of managed flooding, the stability of buildings, the protection of essential utilities and the quick recovery from flooding. Core Strategy Policy 10: (Managing and reducing the risk of flooding) requires developments to result in a positive reduction in flooding to the Borough.
- 8.289 The Environment Agency raised concerns that the originally submitted Flood Risk Assessment (FRA) relied on out-of-date flooding information, that climate change allowances were not incorporated and that the proposed development may impede flood flow and reduce storage capacity, thereby increasing the risk of flooding to the area. The EA also requested that a range of climate change allowances be considered. The applicant has prepared a +70% allowance which is accepted but has not included a +35% allowance. The EA have stated that 100+70% allowance is intended to be a sensitivity test and would seek for the +35% to additionally be tested.
- 8.290 The applicant has stated that during the initial review and troubleshooting stage of the modelling, it was found that the full catchment model was split into five individual models that had to be run in sequence. Therefore, when increasing the 1 in 100 year flows by 35% and 70% the model was not able to be run as it was not designed to accommodate such large flows. It was found that by increasing the 1 in 100 year flows by 35% and 70% in the truncated model increased them well beyond the 1 in 1000 year flow, which was considered unrealistic as it did not account for the floodplain storage upstream. It was therefore decided to add 20% to the 1000 year derived from the full catchment model and run this through the truncated model. This effectively provides results for scenarios that exceed both the 1 in 100 + 35% and 70% scenarios, providing a full range of results across low, medium and high flows. This is accepted by officers and the Environment Agency who have raised no objection to the proposals.
- 8.291 With the proposed Foul and Surface Water Drainage Strategy in place, the Applicants' revised FRA finds that the risk of flooding from surface water and the surcharge of combined sewers would be low. The risk of flooding from the failure of the nearby Weigall Road Flood Storage Area is also considered to be low. The proposed development does not contain any below ground accommodation such as basement car parking or storage and there is no risk of flooding from high ground water levels.
- 8.292 The Applicant's ES identifies potential risks during the demolition and construction phase of increasing sediment loads (from dust and debris) and clogging of drains and spills of hydrocarbons and oils in to the drainage system which could adversely affect the Ravensbourne River and/or drainage infrastructure. However, subject to appropriate measures being implemented via a Construction Environmental Management Plan (CEMP) the likely significant effects are identified as Indiscernible. It is recommended that the implementation of an approved CEMP is secured by planning condition.

### **Improvements to the River Ravensbourne**

- 8.293 The River Ravensbourne runs through the site, this main river, is identified in the River Corridor Improvement Plan as being of importance for ecology and environmental improvements. The current concrete channel offers little in the way of ecology or visual benefit. The Council therefore has an aspiration to naturalise

as much as possible the river corridor thereby offering significant environmental improvements such as those seen at nearby Cornmill Gardens.

- 8.294 The RCIP sets out an expectation that development proposals will take full account of the river edge and fully naturalise where possible. In this case the applicant proposes a partial naturalisation of the river would be most appropriate in this instance. This is due to a number of factors, firstly, full naturalisation of rivers would use up a significant portion of land on the island site and hinder its redevelopment for other uses and that due to the structural integrity of the overall river channel and adjacent below ground infrastructure it would not be possible (without significant works) to entirely remove the concrete channel. Therefore a series of landscaped terraces would form the new river profile along with in-channel improvements.
- 8.295 Like the building forms and layouts, the applicant team has been through a series of design proposals for the river which have been discussed with the Environment Agency as to their acceptability. The final scheme has the endorsement of the EA.
- 8.296 The applicant proposes that the works to the river would be secured through s106 agreement and a delivery strategy. Planning permission would be subject to an index linked financial contribution of £1,590,800 (index linked) to fund the delivery of the masterplan works on the land within the applicants ownership and immediately adjoining side of the river channel including:
- River wall reduction and excavation of soil behind the southern wall to reduce the height of the concrete channel to 1.5m.
  - Build up the new southern river bank retaining wall and railings
  - Apply new soil and vegetation to southern river bank and remove southern temporary flow diversion wall.
  - In channel works allowing for a 30% roughness as a design parameter to demonstrate ecological enhancement.
- 8.297 The applicant has proposed this delivery strategy via the s106 and subject to a financial contribution because of the need to implement the works as a single project in order to maintain structural integrity of the river channel. The applicant proposes that 50% of the cost to the works necessary would be to the channel itself with wider landscape works secured as part of the development.
- 8.298 The delivery of the river corridor works would be dependent on Tesco (or any land successor if the site is sold) entering into contract with the applicant of this scheme to deliver the comprehensive works. Any proposed development on the main Tesco site would be expected to make contributions towards the naturalisation of the river as required by the LTCLP and RCIP.
- 8.299 This environmental contribution and its delivery strategy has been extensively discussed between the applicant and the Environment Agency who have agreed to the flood modelling revisions and masterplan river naturalisation scheme submitted. The level of detail provided at the current stage is very detailed and evidences the applicant's commitment to delivering significant improvements to the river edge.
- 8.300 The scheme is therefore endorsed at a strategic level and Officers therefore recommend that through s106 legal agreement the following is secured:

- Plans and sections showing the extent of river restoration
- Methodology for construction
- Flood analysis based on the restoration scheme
- Design code detailing design principles relating to planting/ materials and access

8.301 The proposed river works masterplan has been reviewed by the Environment Agency with regards to flood modelling and capacity and agreed.

8.302 The proposals have been designed around a 'greening' of the river channel, and have been influenced by the works which have been undertaken at nearby Cornmill Gardens which is considered to be a best practice piece of urban river restoration. The plan places a large emphasis on the improvement of ecology and biodiversity by providing large areas for planting and also water capacity.

8.303 The future delivery of the river naturalisation has informed the position of the tower and officers are confident that the application if approved would not prejudice any future delivery works. Although it would have been preferable to secure restoration at the time of this application, officers are mindful of the structural integrity of this part of the channel and various landownerships in this location.

### **Contamination**

8.304 London Plan Policy 5.21 (Contaminated land) makes clear that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination and Policy 5.14 (Water quality and wastewater infrastructure) makes clear that development should not have adverse impacts on water quality. Development Management Policy 28 (Contaminated land) seeks specific measures to control contamination in order to protect, amongst other things, occupiers of development and aquifers.

8.305 The local geology is a mix of gravels and chalk, with 'made ground' to varying thickness. The site is situated over Principal and Secondary Aquifers and within a Source Protection Zone, which protects the underlying aquifers. The ES takes account of the site's history and notes that remediation of any ground contamination probably took place prior to or during redevelopment. It identifies potential Minor to Major adverse effects during both the construction and operational phases and notes that the potential effects would be mitigated by the completion of an (intrusive) site investigation and further risk assessment work following the grant of permission and the implementation of a Construction Environmental Management Plan (CEMP).

8.306 The Council's Environmental Protection Team and the Environment Agency have requested that conditions be attached to any permission to secure an appropriate remediation strategy and ensure appropriate piling techniques and drainage systems safeguard protected water.

### **Ecology**

8.307 London Plan Policy 7.19 (Biodiversity and access to nature) makes clear that development proposals should wherever possible make a positive contribution to the protection, enhancement and creation and management of biodiversity. Core Strategy Policy 12 recognises the importance of the natural environment and the

Council's need to conserve nature and promotes living roofs. Policy DMLP 24 requires all new development to take full account of appropriate Lewisham and London Biodiversity Action plans and guidance and minimise potential adverse impacts.

- 8.308 The existing site provides a very hard environment with very little by way of trees or other planting (with just 25 individual trees and four groups of trees located within and close to the site boundary) with negligible ecological value. The Applicant has undertaken a bat survey and found no evidence of bats. However, the ES concludes that the removal of trees, shrubs and buildings could result in damage or destruction of active bird nests and recommends that a Construction Environmental Management Plan (CEMP) manage the timing and method of removing these features and also to control the removal of cotoneaster to prevent this species from spreading into nearby wild areas and damaging native flora.
- 8.309 The proposed development offers the opportunity for significant enhancements in the biodiversity value of the site, including:
- Planting of 89 trees at ground and terrace levels, covering a variety of species, including those of benefit to wildlife;
  - Extensive areas of shrub planting;
  - The provision of some relatively 'wild' and diverse areas, including suitable areas in the proposed podium level garden being planted with a range of native wildflower species attractive to invertebrates;
  - Non-accessible areas of living roof (approx. 441 sqm) on Buildings B2 and B3 set aside specifically for biodiversity;
  - Installation of bird boxes of various sizes to cover a range of local species and the provision of other ecological habitat including stag beetles.
- 8.310 It is recommended that a planning condition secures the approval and implementation of a Habitat Creation Management Plan (HCMP) to ensure that these potential significant enhancements are realised. It is also recommended that a condition secures the approval of details and delivery of the proposed living roofs.

### **Waste**

- 8.311 London Plan Policy 5.16 seeks to minimise waste and, amongst other things, exceed recycling and reuse levels in construction, excavation and demolition waste of 95% by 2020. The Mayor of London's Sustainable Design and Construction SPG (2014) makes clear that developers should maximise the use of existing resources and materials and minimise waste through the implementation of the waste hierarchy.
- 8.312 The application is supported by a Site Waste Management Plan (SWMP) to support its planning application. This sets out to (a) document the initial waste reduction recommendations made and incorporated within the proposed development and to provide information on how waste management ideas will be implemented throughout the project and (b) enable the waste management recommendations in the report to be incorporated into a site-specific plan to be developed by the principal contractor (with responsibility for developing the SWMP falling on the principal contractor, once appointed).

- 8.313 The SWMP outlines the potential waste and associated cost reductions through good waste management and design mitigation actions as well as the Applicant's commitments to minimise waste, manage waste efficiently and divert waste from landfill. It includes the target of 90% diversion from landfill for demolition waste and 95% diversion for construction waste. It is recommended that general compliance with the submitted SWMP is secured by way of a planning condition.

## **9.0 Environmental Impact Assessment**

### Introduction

- 9.1 The need for and scope of EIA of the proposals is set out in Section 5 of this Report. This Section reviews the various topics covered by the submitted ES. The key findings of the ES are referred to in earlier sections where necessary and have been used as an integral part of considering the acceptability of the proposed development. This section sets out, in one place, a summary of the findings of the ES and proposed further mitigation (over and above deigned-in mitigation that is embedded in the proposals). Overall, officers generally agree with the findings of the ES, unless otherwise stated, and have recommended the use of planning conditions or obligations to secure the identified supplementary mitigation and other measures that they consider necessary.
- 9.2 *Non-Technical Summary (NTS)*. As required by the Regulations, the ES is accompanied by NTS. This provides a brief introduction to the proposals advises on discounted alternative development approaches and summarises the likely level of significant effects and the means of mitigation.
- 9.3 *Environmental Statement (ES)*. The sections below set out how the ES has addressed the likely significant environmental effects of the proposed development, what the impacts are and proposed mitigation. It also sets out the Council's conclusions regarding impacts and proposed mitigation measures and identifies the mechanisms by which mitigation would be secured. The headings correspond to the relevant chapters of the ES.

### Development Description

- 9.4 Chapter 2 summarises the key aspects of the proposed development, which have been discussed at length in earlier sections of this report. It also identifies key demolition and construction activities and identifies a construction programme and sequencing that was assumed for EIA purposes.

### Alternatives and design evolution

- 9.5 Chapter 3 of the ES reports on an assessment of a 'do nothing' option and concludes that, in the context of recent development and emerging proposals, if the site was not developed its contribution to policy objectives set out in the Lewisham Town Centre Local Plan (LTCLP) would be limited. Alternative sites were not considered as the site is identified for development in the LTCLP. The chapter goes on to summarise design evolution and the alternative schemes that were considered before arriving at the application scheme.

### Assessment Methodology

9.6 Chapter 2 of the ES outlines the methodology adopted, including temporal and spatial scope, assessment of effects (including determining significance) and cumulative and interactive effects. For the latter, the assessment took account of 8 developments in the surrounding area. When the ES for the application scheme was being prepared (May 2017), there was a chance that a planning application for the Carpetright site may be submitted and determined at a similar time. Given this, officers asked the Applicant to assess the likely significant effects of the Carpetright schemes in combination with the submitted Lewisham Retail Park application which had yet to be determined at the time of submission (that application was latterly approved by Strategic Planning Committee on the 18<sup>th</sup> October 2017). In fact, an application for the Carpetright site was only submitted in August 2017 and the proposed scheme is significantly different in form (scale and massing) to the pre-application scheme which has been assessed in the ES. As such, officers have disregarded the findings of the cumulative assessment where it relates to topics that relate to the built form of a propose scheme for the Carpetright site (townscape and visual impact, wind microclimate, daylight and sunlight). The cumulative effect of the two application schemes in combination is included within an ES that accompanies the Carpetright application (DC/17/102049). This application remains under negotiation and will being determined after this application, likely in the beginning of 2018. Given this, the cumulative effects of these two schemes, in combination with others, is best considered at the time that the Carpetright application is determined, as if approved the Conington Road like Lewisham Retail Park would be considered as committed development.

#### Townscape and visual impact – separate document

- 9.7 The ES outlines an assessment of townscape and visual impact. Following the Council's Scoping Opinion, this assessment includes above ground heritage assets. The assessment is based on the principles set out in the third (2013) edition of 'Guidelines for Landscape and Visual Impact Assessment', produced by the Landscape Institute with the Institute of Environmental Management and Assessment. It assesses the likely effects of the proposed development using Accurate Visual Representations on the townscape from 25 close range and long-distance view-points (agreed with officers), character areas, conservation areas, listed and locally listed buildings.
- 9.8 *Construction.* The assessment finds that, with site hoardings in place to provide some mitigation, cranes and other machinery associated with construction works would contribute to a temporary Moderate Adverse effect on views, townscape character areas and built heritage assets.
- 9.9 *Operation.* The assessment concludes that the appearance of the proposed development would contribute positively to views and townscape character, with Minor to Moderate Beneficial effects, depending on the location. In relation to built heritage assets, the assessment found the effects to be neutral.
- 9.10 *Cumulative.* The assessment identifies similar temporary Moderate Adverse effects during the construction phase. The introduction of the committed schemes changes the assessment of a number of the identified views – in some cases positively and in others negatively. However, as with the stand-alone scheme, the conclusion is that, in combination with committed schemes, there would be Minor to Moderate

Beneficial effects on views and townscape character and a neutral effect on built heritage assets.

#### Wind microclimate

- 9.11 Chapter 15 of the ES outlines an assessment of issues relating to wind microclimate. This is based on a wind tunnel test, using a 1:300 scale model of the site and surrounding area (taking into account the likely future baseline conditions) within a 360m radius of the centre of the site and adopts the industry-standard Lawson pedestrian comfort criteria for different activities (including long-term sitting, standing or short-term sitting, walking or strolling and business walking) and tests the wind conditions at locations in relation to their intended use. The following configurations were tested in the wind tunnel:

Configuration 1: the site as existing with the likely future baseline conditions surrounding the site (Phase 1 and 2 – as outline approved, of Lewisham Gateway and Loampit Vale)

Configuration 2: the development with the likely future baseline conditions surrounding the site

Configuration 3: the development with landscaping and mitigation measures with likely baseline conditions surrounding the site

Configuration 4: the development (without landscaping and mitigation measures) with the likely future baseline cumulative schemes.

- 9.12 *Construction.* The assessment notes that there is the potential for construction activities to change the local wind environment, but that, in general, pedestrian expectations are such that any adverse conditions are accepted as temporary environmental effects and with standard site hoardings in place the effects are likely to be Indiscernible.

- 9.13 *Operation.* The site is sheltered by the surrounding buildings to the south and the proposed design and orientation of development helps to reduce the effects at ground level by reducing facade downwash and wind acceleration. The assessment finds that the adjoining streets would be suitable for their intended activity (leisure strolling) and that entrance areas would be suitable for standing/sitting. The likely effects for the surrounding area are assessed as Indiscernible. The proposed development itself is expected to produce localised areas of increased wind speed – but following the inclusion of mitigation to balcony/terrace areas (including the raising of parapets, the inclusion of planters and the use of screens), these areas are also assessed as being suitable for their intended use (long-term sitting). These mitigation measures have been embedded within the proposed design and the resultant residual effects are assessed as Indiscernible.

- 9.14 *Cumulative.* All of the identified cumulative schemes were incorporated in to the wind tunnel model and tested. All effects of the proposed development in combination with other developments were found to be negligible, making no difference to the tolerability of different activities on and around the site. The effect was assessed as Indiscernible.

#### Daylight and sunlight

- 9.15 Chapter 16 of the ES outlines an assessment of issues relating to daylight and sunlight, including overshadowing for both existing and proposed buildings. The assessment was based on Building Research Establishment (BRE) BR209 “Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice” (2011). The threshold of acceptability adopted for Vertical Sky Component (VSC) was a VSC of 15% or at least 0.8 times its existing value. The threshold for Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH) was that living rooms should ideally receive at least 25% of APSH throughout the year and 5% during winter months and that the difference between APSH is not less than 0.8 times its former value. For garden or amenity space, BRE guidance recommends that to appear adequately sunlit throughout the year, at least 50% of the space should receive at least two hours of sunlight on 21 March. In some cases, the ES reports on an assessment of the likely Average Daylight Factor (ADF), this considers the average luminance in a room rather than at the vertical face.
- 9.16 The ES notes that the existing car parks and hoarded site that currently occupy the site provide a baseline condition which is neither typical of a city location nor reflective of recent development in the area, meaning that homes facing on to the site experience unusually high levels of daylight and sunlight for their context. In such circumstances, the BRE guidance allows for alternative targets to be met, including the use of a hypothetical ‘mirror image’ building set an equal distance apart from a boundary as a basis of establishing alternative target values. The assessment in the ES takes account of this. The findings of the ES are discussed in detail in earlier sections of this report.
- 9.17 *Cumulative Daylight–Neighbouring Properties.* Reduction of daylight levels would be most noticeable at Adana Building and Hester House, but given the separation distances and self-limiting nature of those existing developments no mitigation is considered necessary.
- 9.18 *Cumulative Sunlight and overshadowing-Neighbouring Properties.* No properties in the assessment would have impact beyond minor significance, with the vast majority at insignificant impacts. The ES finds that no mitigation is considered necessary.

### Transport

- 9.19 Chapter 8 of the ES draws on the findings of the Transport Statement (TS) which is provided in Volume 4, Appendix 8.1 of the ES. It takes account of relevant guidance in Transport for London’s Transport Assessment Best Practice Guidance (2014). The document provides guidance on the following elements on Transport Assessments: Scoping and pre-application procedure; inputs of baseline data; data assessment; analytical techniques and mitigation and travel plans.
- 9.20 *Construction.* – The ES notes that the expected increase in vehicles on the highway, particularly larger vehicles and HGVs, may result in disturbance to other highway users and cause safety concerns. Mitigation is identified as being a Construction Logistics Plan (CLP) and the use of ‘Banksmen’ to ensure highway safety etc. and wheel washing. An outline draft CLP has been submitted in support of the application and it is recommended that its implementation is secured by planning condition. With these in place, the ES identifies residual Minor Adverse effects.

- 9.21 *Operation.* The proposed development incorporates designed-in mitigation in the form of limited car parking (wheelchair spaces only) and generous cycle parking including provision of folding bicycles rather than just the bicycle space and proposed Interim Travel Plans submitted in support of the application. The scheme also extends the Silk Mills Path creating higher quality cycling connections.
- 9.22 The ES summarises the likely net effect on the number of car trips and all trips (all modes) between the existing and proposed situations. This demonstrates that the proposed development is predicted to reduce the level of car traffic generated to the site when compared with the former car park use for the Tesco store. The ES identifies that there would be improvements on pedestrian and cycle trips from the public realm proposed and that there would be an increase on public transport in the area.
- 9.23 *Cumulative Effects.* Given that peak hour vehicle flows would decrease, the ES focuses on likely operational cumulative effects on public transport. Based on the above assessment of likely cumulative effects, the ES identifies an Indiscernible Adverse effect, subject to the scheme mitigation proposed, namely cycle parking (including folding bicycles) and improvements to Lewisham Station secured through a s106 agreement.

#### Noise & Vibration

- 9.24 Chapter 9 of the ES outlines an assessment of issues relating to noise and vibration. Baseline noise monitoring was undertaken at 2 locations over a four day period from Friday 8 July 2016 to Tuesday 12 July 2016 covering both a typical week day and weekend period. Vibration monitoring was taken from 5 locations on Tuesday 12<sup>th</sup> July 2016 covering passing DLR and mainline train services across the site.
- 9.25 *Construction.* The ES outlined three main sources of construction noise (enabling works, building construction and landscaping and external infrastructure works) and concludes that mitigation measures are required to appropriately manage construction impacts. This includes use of Section 61 application under the Control of pollution act 1974 detailing hours of work and measures to control noise. Use of noise reducing equipment, careful programming of activities, exhaust silencers for all vehicles and mechanical equipment, sound proofing of equipment and turning off engines for stationary vehicles. Details of control of dust and lighting are also provided.
- 9.26 *Operation.* With appropriate mitigation in place to control noise emissions from fixed mechanical plant and equipment to be 5 decibels (dB) below the background noise level, the effects on people living in homes in the nearby Adana Building and Hester House would be acceptable. A planning condition is recommended to secure this mitigation. Traffic noise generated by the development is predicted to have an Indiscernible effect given only 9 parking spaces are proposed.
- 9.27 *Cumulative.* The proposals are not identified to adversely add to noise and vibration levels.

#### Air Quality

- 9.28 Chapter 10 of the ES draws on the findings of the Transport Statement and assesses likely effects during the construction and operational phases (traffic, on-

site car parking and energy centre emissions) by use of the industry standard ADMS-Roads model. It also includes the findings of an Air Quality Neutral Assessment.

- 9.29 *Construction.* During construction measures would be put in place to control nuisance dust through careful on site management of site activities including storage and movement of materials, screening equipment and watering down of dust, no on site burning and use of road sweepers. The ES identifies a low risk to human health from construction, subject to mitigation identified above. Subject to additional dust monitoring, Environmental Health have not objected to the application.
- 9.30 *Operation.* The completed development is considered to have an insignificant effect on the emissions of air quality from on site plant. The development also has a car limited layout (9 spaces) with provision of cycle spaces and folding bicycles. A Travel Plan is also proposed which promoted sustainable modes of transport. With regard to the impact upon new residents moving into an area of air quality management, the ES states that impacts would arise from traffic flow (service vehicles and cars from the 9 accessible parking spaces) with the CHP plant and 4 boilers but that these would have an insignificant effect on air quality for all existing and future receptors. The ES concludes that the development would have an insignificant impact upon air quality.
- 9.31 *Cumulative Effects.* The completed development, given the limited commercial space and clean energy strategy is not considered to adversely add to air quality in the locality, given the improvements to public realm and sustainable modes of transport.

#### Land Contamination

- 9.32 Chapter 11 of the ES outlines an assessment of issues relating to ground conditions. This takes account of the site's history for industrial purposes. It is also based on a site walkover, a review of available data and the use of a Source-Pathway-Receptor conceptual model. The assessment identifies potential Minor to Major adverse effects during both the construction and operational phases on construction workers/occupiers, neighbours/maintenance workers, groundwater, surface waters, flora and fauna and the built environment.
- 9.33 *Construction and Operation.* The assessment notes that the potential effects would be mitigated by the completion of an (intrusive) site investigation and further risk assessment work following the grant of permission that would inform a remediation strategy, if needed, and through the adoption of good construction practice during the construction phase. With this mitigation in place, the ES finds that the residual effects would be Indiscernible. The implementation of a Construction Environmental Management Plan (CEMP) and require the submission and approval of a remediation strategy by way of planning condition.
- 9.34 *Cumulative Effects.* Considering the development and surrounding land uses, no cumulative effects are anticipated relating to ground conditions.

#### Water Resources & Flood Risk

- 9.35 Chapter 12 of the ES draws on the findings of a Foul and Surface Water Drainage Strategy and revised Flood Risk Assessment and (which form appendices) and sets out the findings of an assessment of how the development would influence flood risk, within the site and beyond its boundary. As such, it takes account of Environment Agency flood mapping, modelled flood levels from the 2016 fluvial modelling of the River Ravensbourne, historic flood events, flood defence data and proposed surface water and foul sewage discharge rates.
- 9.36 *Construction.* A number of potential risks are identified from increasing sediment loads (from dust and debris), clogging of drains and spills of hydrocarbons and oils in to the drainage system which could adversely affect the Ravensbourne River and/or drainage infrastructure. These would be managed by a site specific Water Management Plan. Subject to appropriate measures being implemented via a Construction Environmental Management Plan (CEMP) the likely significant effects are identified as insignificant.
- 9.37 *Operation.* With the proposed Drainage Strategy in place, the ES reports that there would be a net improvement to surface water run-off rates (betterment) Surface Water to 50% Greenfield run-off rate. This would result in a reduction in the pressure being placed on the combined sewers, thus reducing flood risk on the site and to other receptors downstream. Adherence to the proposed drainage strategy and use of water reduction measures would be secured by planning condition.
- 9.38 *Cumulative Effects.* Cumulative construction effects are not expected to be significant, providing that CEMP's are secured for other developments (which they are). Given that requirements for reductions in surface water run-off and water saving measures are likely to be secured for other developments (which they are), cumulative effects on foul water capacity are not considered significant.

#### Ecology

- 9.39 Chapter 14 of the ES draws on the findings of a desk study, site survey (extended phase 1 habitat survey) and bat survey.
- 9.40 *Construction.* The assessment identifies potential adverse effects during construction given the proximity of the St Johns Site Nature Conservation Interest, River Ravensbourne and Brookmill Park SINIC but also due to the loss of 25 existing trees (although 90 new trees and areas of soft landscaping are proposed). There is considered however to be an insignificant impact upon nesting birds given the quality of the existing landscape, especially if works are undertaken outside of nesting season (late February to August). Subject to appropriate measures being implemented via a Construction Environmental Management Plan (CEMP) the likely significant effects are identified as Indiscernible. A planning condition is recommended to secure this.
- 9.41 *Operation.* The assessment considers potential effects on habitat but that the scheme would only emit low levels of noise, vehicle and plant emissions where no additional mitigation measures, other than the landscaping proposed, would be required. A Minor Beneficial effect is identified in relation to the overall net gain in available nesting opportunities and planning conditions are recommended to secure the provision of landscaping and bird boxes which would enable this.

- 9.42 *Cumulative*. The assessment considers potential direct and non-direct effects but finds that given that the majority of committed developments comprise development of previously built-on-land/conversions, cumulative effects on birds as a result of loss of nesting opportunities are likely to be insignificant.

#### Socio-economics and Health

- 9.43 Chapter 7 of the ES outlines an assessment of issues relating to socio-economic and, following the Council's Scoping Opinion, health. It draws on the findings of other chapters of the ES and is based on the Business Register and Employment Survey; 2011 Census data; indices of Relative Multiple Deprivation; Family Expenditure Survey; NHS and NHS Lewisham Care Commissioning Trust data; Department for Education data/ GLA child Yield and Open Space Calculator; relevant background information from Lewisham Development evidence base and planning application documents to relevant future baseline schemes.
- 9.44 *Construction*. The ES concludes that the 650 FTE construction jobs per annum would result in a Minor Beneficial Effect). The ES identifies potential negative effects on health from reduced air quality and noise, but, subject to the implementation of an appropriate Construction Environmental Management Plan (CEMP) considers these to be Neutral.
- 9.45 *Operation*. The ES identifies Minor Beneficial Effects associated with the predicted resultant net increase in employment of 28-31 FTE jobs and the net addition of 365 homes (73 of them 'affordable'). In terms of childcare and education, the ES identifies an Indiscernible Effect from the predicted 24 children predicted across the development which would have insignificant in terms of early years, primary and secondary provision.
- 9.46 The ES estimates a likely net increase in population of 550-600 people. Taking account of existing GP's within 2km of the site and their list sizes relative to commonly used benchmark standards, a small effect on healthcare is identified.
- 9.47 *Cumulative*. The ES concludes that there would be an Indiscernible Effect on social infrastructure (taking account of the proposed health facility), Major Beneficial Effects associated with redevelopment of the local area and improvements to the public realm and amenities and a Moderate Beneficial Effect in relation to employment.

#### **10.0 Planning Obligations**

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. The NPPF further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable

- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

10.1 Paragraph 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.

10.2 Officers have been in negotiations with the Applicant regarding the Section 106 requirements arising from the redevelopment proposals. In this case, as well as securing the various elements required to deliver the project (such as highway infrastructure works) and commitments made in the application itself (such as affordable housing and the community facility), a range of other contributions and obligations are considered necessary to make the development acceptable in planning terms.

10.3 The obligations secured need to be considered in the context the infrastructure payments covered by the Community Infrastructure Levy CIL). The matters covered by CIL are set out in the Council's Regulation 123 List and include the following:

- State education facilities
- Public health care facilities
- Strategic transport enhancements (excluding site-specific, highways and public transport matters)
- Publicly accessible open space, allotments and biodiversity
- Strategic flood management infrastructure
- Publicly owned leisure facilities
- Local community facilities including community but excluding places of worship)
- Public Emergency Services (this is intended to apply to physical projects by the police, fire or ambulance services)

10.4 The following S106 requirements have been identified in respect of the scheme:

#### Affordable Housing

- Minimum 20.19% affordable housing (by habitable rooms) (20% by unit). A total of 189 habitable rooms.
- Dwelling mix: Social Rent 16 units (at maximum of 45% of market rent), Affordable Rent 27 units (at a maximum of 50% of market rent) and Discount Market Sale 30 units (with a 25% discount from market value with clause to retain discount in perpetuity if the unit is sold).

- Wheelchair accessible homes (M4(3): 36 units. The Social and Affordable rented units (18 units) are to be fitted out subject to demand demonstrated by the Council.
- Location – Building B1 and Building B2 Discount Market Sale, Building B3 Social Rent and Affordable Rent, plot plans for the affordable units to be secured.
- Phasing/timing of delivery – 80% of affordable units shall be practicably completed and ready for occupation before occupation of more than 50% of the Market/ Private dwellings. To reflect the phasing of the site where upon completion the following units will be delivered:
  - 43 units upon completion of Building B3 (first to be delivered)
  - 22 units upon completion of Building B2
  - 8 units upon completion of Building B1
- Review mechanism – Early stage review (Upon substantial implementation - completion of basement works - if the planning permission has not been implemented within two years) and a late stage review (when 75% of homes are sold or occupied should they be rented and where developer returns meet or exceed an agreed level in accordance with the London Plan Affordable Housing and Viability SPG).
- The Social and/or Affordable Rented housing content of the scheme shall not exceed 50% of the total number of habitable rooms.

#### River Ravensbourne

- A payment of £1,590,800.00 (index linked) towards the partial naturalisation of the River Ravensbourne and the submission of a delivery strategy to include, but not limited to, a construction logistics framework plan, structural surveys and indicative scheme for partial naturalisation.
- Any revisions to a future partial naturalisation of the River Ravensbourne delivery plan are to be agreed in writing by the Council in consultation with the Environment Agency.
- If the payment towards the River Ravensbourne is not used or allocated within 15 years then this should revert to off-site affordable housing provision.
- The works to the river Ravensbourne shall be delivered through a planning application made to the London Borough of Lewisham.

#### National Rail/ Lewisham Station

- A payment of £469,600.00 (index linked) towards improvements at Lewisham Station including, a new station northern entrance structure onto the island site public square; widening of platforms 1-2-3 and reducing step heights, reposition of platform 1 gate line and any other improvements as

agreed between Network Rail, London Borough of Lewisham and the applicant which provides transport accessibility improvements.

- Safeguarding of Platform 4 northern station entrance connection.
- Submission of public realm access plans which confirm that the entire site (with the exception of the island site access road behind the multi-contour terrace) is open and un-gated on a 24 hour basis. Details of pavement/ road for maintenance are to be submitted in writing notifying the Local Authority of such works including their duration no later than 24 hours in advance.

#### Carbon off-set

- A payment of £461,844.00 (index linked) towards carbon off-set. This would be paid into the Councils carbon offset fund to make sustainability improvements across the borough.

#### Affordable Workspace and Commercial Fit out

- All the non-residential floorspace in Building B2 to be secured as affordable workspace, with capped rents (70% of open market value) and service charges to be agreed. In order to prioritise B1 business in commercial units in B2 these shall be actively marketed to be approved by the Council. All space in Building B2 shall be marketed for B1 use purposes for 12 months and if no uptake it can then used for A1, A2, A3, D1 and D2. If within 6 months of marketing for A1, A2, A3, D1 and D2 use there is no uptake, the developer shall submit a scheme for partial fit out up to a maximum cost of £40 per square foot.
- Secure flexible tenancies.
- A clause preventing a change of use under permitted development rights to residential C3.
- Not to occupy any residential unit until the non-residential spaces (in Building B1 and B2) are completed to shell and core (including shopfronts) and the provision of shower and changing facilities.

#### Commercial unit Marketing

- In order to prioritise A1 and A3 uses in the commercial unit to Building B1 where this unit shall be actively marketed for such uses for 12 months before it is allowed to be used for other permitted uses (A2, B1, D1).
- Details of proposed marketing (including the Affordable Workspace) to be approved in advance by Local Planning Authority.
- Report on outcomes of marketing to be submitted to and approved in writing by the LPA before these Commercial units are used for A1, A2, B1, D1 uses.
- A1 and A3 uses to be actively marketed.

### Restrictions on change of use and removal of permitted development rights

- Remove the ability to apply for a change of use to residential of any non-residential floorspace.

### Car Club

- Car club membership for 3 years for all first occupied residential units (arranged/paid, prior to first occupation of any residential unit).
- Identification of spaces (estimate 2) on surrounding streets and payment for changes to traffic regulation orders.

### Car Parking Permits

- Submission, approval and implementation of a parking management plan to restrict on-street parking (except Blue Badge holders).

### Town Centre Parking

- Commitment to provide extension of the Conington Road controlled parking zone £30,000.

### Travel Plans

- Detailed Travel Plan for residential and non-residential uses to be submitted and approved by the Council.

### Folding Bicycles

- One folding bicycle to be provided per unit in Building B1 (183 units) with associated secure parking and storage at one space per unit in Building B1; additional traditional cycle parking to be provided at ground floor and basement level within Buildings B1, B2 and B3.

### Public Realm

- The completion of the Silk Mills Path to be completed prior to first occupation of any residential unit.
- Submission of a public access and management plan.
- Right to the public to pass and repass across the site.
- Provision of access for TfL/ DLR to have rights of access across the site.

### Local Labour and Business

- A Local Labour and Business Strategy to be submitted to and agreed with the Council's Economic Development Officer prior to the commencement (including demolition) of development.

### Flood Risk Management Plan

- Approval and implementation of a site-specific plan to maintain the safety of residents in perpetuity (including details of the advance warning systems, advice on safe refuge, review and update procedures and dissemination to all residential occupiers).

### Lewisham Construction Forum

- Take part within a Lewisham construction forum, which will seek to manage and coordinate construction impacts and activities across Lewisham Town Centre.

### Site Servicing and On-Site Management

- Submission of a service and delivery strategy which details the continuous and ongoing management of the site in relation to refuse collection and day to day servicing using the refuse buggy. Any amendments to the service and delivery strategy are to be approved by the Council. The details should also detail a thorough commitment to keep service charges to residents to a minimum.

### Miscellaneous

- Monitoring, legal and other professional fees for completion and monitoring of the legal agreement.

10.5 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 (as amended).

### **11.0 Local Finance Considerations**

11.1 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 would or could be, provided to a relevant authority by a Minister of the Crown; or
- (b) sums that a relevant authority has received, or would or could receive, in payment of Community Infrastructure Levy (CIL).

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

11.3 CIL is therefore a material consideration. CIL is payable on this application and the Applicant has completed the relevant form.

## **12.0 Community Infrastructure Levy**

12.1 The above development is liable for both the Mayor's CIL and the Council's CIL. The completed CIL form was submitted with the application documents. An informative would be added to the decision notice advising the Applicant to notify the Council when works commence.

## **13.0 Equalities Considerations**

13.1 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.

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

13.3 The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.

13.4 Officers are satisfied that equalities issues have been appropriately considered through the assessment of the application.

### *Human Rights Act*

13.5 Officers consider that this application to redevelop the former Tesco store car parks does not raise any Human Rights Act issues that need to be specifically considered.

## **14.0 Summary of representations**

14.1 The proposals have generated considerable interest amongst local residents, interest groups and other consultees. The representations received cover a range of topics but can be grouped into eight broad categories:

- Excessive height and resultant negative impacts;
- Ability of public transport to cope with additional demand;
- Increased pressure on local services;
- Traffic and car parking;
- Inappropriate housing

### Excessive height and resultant negative impacts

- 14.2 Amongst the most common concerns raised by those objecting to the proposals is excessive building height and the negative effects that these could have on the local area and occupiers of existing homes (apartments in the Adana Building and Hester House developments). Whilst some concerns have been expressed about townscape and design, by far the majority of concerns relate to fears that the proposed buildings would lead to negative and unacceptable impacts on residential amenity and quality of life.
- 14.3 A number of people have voiced concerns about the loss of views from their homes towards the London skyline and Canary Wharf. Whilst the loss of a view as such is not a material planning consideration, 'outlook' and privacy are and officers have carefully considered the relationship between existing homes and the proposed development – both in terms of 'outlook' and privacy/overlooking. As discussed in the Neighbour Amenity section of the report, separation distances between habitable rooms are considered to be acceptable given the context of the area and officers consider that the proposed relationships would ensure reasonable levels of outlook and privacy from existing homes and amenity spaces.
- 14.4 With regard to the acceptability of scale and building height, Officers have undergone an extensive design analysis and appraisal of the scheme which has been supported by Lewisham Design Review Panel. The site is unique in the town centre being bound by the River Ravensbourne and Lewisham Station which together with the ability to partially naturalise the River and open up the northern station entrance, create a unique set of circumstances to warrant the town centres tallest building, this is acceptable also due to the exemplary design quality put forward by the schemes architects. The height and massing of the other two blocks is no less important and these have undergone the same design analysis, they are considered to represent a suitable midrise scale for this part of the town centre, marking the transition away from the train station towards established residential led developments at Conington Road and beyond.

#### Ability of public transport to cope with additional demand

- 14.5 Some comments objecting to excessive height and scale use this a proxy for concerns about increased activity. The most common concern in relation to increase in activity relates to the ability of public transport, and Lewisham rail and DLR services in particular, to cope with increased demand.
- 14.6 This and other planned developments in Lewisham Town Centre would clearly increase demand for train, DLR and bus services at peak times. However, as outlined in the Transport section of the report, officers consider that these could be accommodated by planned public transport enhancements – most notably the current works at London Bridge/Bermondsey Dive Under and the Elizabeth Line along with planned additional carriages for the DLR.

#### Increased pressure on local services/ infrastructure

- 14.7 There have been a number of concerns about the adverse impact that the proposed number of dwellings and their residents would have on local services – including schools and health facilities. As outlined in Section 9 above, following mitigation in the form of CIL payments, the ES identifies an Indiscernible Effect from the

predicted 24 children on education provision and an Indiscernible effect on healthcare.

#### Housing type

- 14.8 A number of local people have raised concerns that the proposed housing would be of a type and a price/rent that would not be affordable to local people. As outlined in the Housing section of the report, Officers have extensively negotiated with the applicant to ensure that a suitable range of dwelling types and sizes is proposed, with 20.19% (by habitable room) being affordable housing – Social Rent, Affordable Rent and Discount Market Sale. The rent levels are to be secured by s106 legal agreement and would represent genuinely affordable and high quality housing.

#### Traffic and car parking

- 14.9 A number of local people have raised concern about increased traffic and increased pressures for car parking in the area. It is recommended that a number of planning conditions and obligations manage traffic and car parking by, amongst other things, the adoption of a Parking Management Plan, signage and the prohibition of future residents (other than blue badge holders) from having a parking permit. Officers consider that these measures should ensure that parking stress levels in surrounding streets do not worsen.

### **15.0 Conclusion**

- 15.1 This Report provides Officers comprehensive consideration of the planning application and its supporting documentation, including the further/additional information submitted and representations received.

#### Key Considerations

- 15.2 This Report has considered the proposals in the light of adopted development plan policies and other material considerations including the information in the ES and other information or representations relevant to the environmental effects of the proposals. The application site is located within Lewisham Town Centre where Spatial Policy 2 of the Core Strategy encourages more intensive mixed-use redevelopment. Policy LTC 5 in the Lewisham Town Centre Local Plan allocates the application site (S6) for mixed-use development. DMLP Policy 1 (Presumption in favour of sustainable development) repeats the ambitions of the NPPF and confirms that the Council will take a positive approach to sustainable development and will work proactively with Applicants to find solutions which mean that proposals secure development that improves the economic, social and environmental conditions in the Borough. Lewisham Spatial Strategy Policy 1 states that all new development will need to contribute positively to the delivery of the vision for Lewisham which includes the provision of new homes, good design in new buildings a net increase in open spaces and for developments to mitigate that impact where appropriate.
- 15.3 The proposed residential-led mixed-use development would achieve a number of the urban design and spatial planning objectives set out in the Core Strategy and Lewisham Town Centre Local Plan. The proposed development would:

- Provide non-residential uses within two buildings, including affordable workspace, that would be consistent with the site's 'edge of centre' location, provide opportunities for a net increase in employment and provide active frontages;
- Provide a range of type and sizes of new homes, including affordable housing; the development overall providing net gains in employment floorspace and residential units.
- Comprise appropriate scaled buildings that take account of the existing and likely future context. The provision of the tallest building in the town centre, marking the train station, river and physical redevelopment of the centre toward becoming a metropolitan centre of importance.
- Extension of the historic Silk Mills Path and facilitation of the partial naturalisation of the River Ravensbourne
- A financial payment and facilitating the landscaping of the public square to allow for the re-opening of Platform 4.

15.4 It is considered that the scale of the development is acceptable, that the proposed buildings and enlarged public realm have been designed to respond to the context, constraints and potential of the site and that the development would provide a high standard of accommodation. The proposed development would also deliver key elements of the Council's strategy for the wider Town Centre area.

15.5 The proposals have attracted a number of objections on a wide range of issues. Those material concerns expressed by local residents and local groups have been considered and addressed in earlier sections of this Report and in provisions set out in the recommended conditions and Section 106 agreement.

15.6 Given the acceptability of the proposed use as well as the totality of the policy compliance, the proposals are considered to be in accordance with the development plan as a whole.

15.7 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, the scheme is consistent with national policy.

15.8 For the reasons addressed in this report, there are no other material considerations which Officers consider outweigh the grant of planning permission. In light of the above, on balance, the application is therefore recommended for approval.

## **16.0 RECOMMENDATION A**

16.1 Agree the proposals and refer the application and 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 (Categories 1A, 3E and 3F of the Schedule of the Order).

## **17.0 RECOMMENDATION B**

17.1 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:

17.2 The following S106 requirements have been identified in respect of the scheme:

Various s106 items as set out in para 10.4 of this report, summarised below:

- Affordable Housing and financial review mechanisms
- Financial payment, masterplan study and delivery strategy towards partial naturalisation of the River Ravensbourne.
- Financial payment towards improvements at Lewisham Station including the re-opening up of Platform 4 to create a northern station entrance.
- Submission of public access plans
- Financial payment towards a carbon-offset payment
- Provision of affordable workspace in Building B2
- Commercial Fit out across all non-residential units
- Commercial Unit Marketing Strategies
- Restriction of changes of use of non-residential space
- Removal of car-parking permit eligibility, except for blue badge holders
- Financial payment towards extension of the existing Conington Road controlled parking zone.
- Travel plans
- Completion of Silk Mills path
- Local Labour and Business Strategies
- Commitment to taking part within a Lewisham Construction Forum
- Site servicing and on-site management

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

1. *Time Limit:*

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

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

2. *Develop in Accordance with Plans:*

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

10472-EPR-ZA-ZZ-TP-A-0100 rev 02; 10472-EPR-ZA-ZZ-TP-A-0001 rev 02;  
10472-EPR-ZAA-AA-TP-A-002 rev 02; 10472-EPR-ZA-BB-TP-A-003 rev 02;  
10472-EPR-ZA-CC-TP-A-004 rev 02; 10472-EPR-ZA-ZZ-TP-A-0101 rev 04;  
10472-EPR-ZA-B1-TP-A-0102 rev 02; 10472-EPR-ZA-GF-TP-A-0103 rev 04;  
10472-EPR-ZA-01-TP-A-0104 rev 04; 10472-EPR-ZA-T1-TP-A-0105 rev 04;  
10472-EPR-ZA-RF-TP-A-0106 rev 04; 10472-EPR-ZA-AA-TP-A-0500 rev 02;  
10472-EPR-ZA-BB-TP-A-0501 rev 03; 10472-EPR-ZA-CC-TP-AQ0502 rev 03;  
10472-EPR-ZA-DD-TP-A-0503 rev 02; 10472-EPR-ZA-EE-TP-A-0504 rev 02;  
10472-EPR-ZA-FF-TP-A-0505 rev 03; 10472-EPR-01-GF-TP-A-0200 rev 04;  
10472-EPR-01-01-TP-A-0201 rev 04; 10472-EPR-01-T1-TP-A-0202 rev 04;  
10472-EPR-01-GF-TP-A-0203 rev 06; 10472-EPR-01-01-TP-A-0204 rev 04;  
10472-EPR-01-T1-TP-A-0205 rev 04; 10472-EPR-01-15-TP-A-0206 rev 04;  
10472-EPR-01-30-TP-A-0207 rev 04; 10472-EPR-01-T2-TP-A-0208 rev 04;  
10472-EPR-01-33-TP-A-0209 rev 04; 10472-EPR-01-RF-TP-A-0210 rev 04;  
10472-EPR-01-RF-TP-A-0211 rev 04; 10472-EPR-01-XX-TP-A-0212 rev 01;  
10472-EPR-01-XX-TP-A-0213 rev 01; 10472-EPR-01-NO-TP-A-0400 rev 03;  
10472-EPR-01-EA-TP-A-0401 rev 03; 10472-EPR-01-WE-TP-A-0402 rev 03;  
10472-EPR-01-SO-TP-A-0403 rev 03; 10472-EPR-01-XX-TP-A-0404 rev 03;  
10472-EPR-01-XX-TP-A-0405 rev 03; 10472-EPR-01-XX-TP-A-0406 rev 03;  
10472-EPR-01-XX-TP-A-0407 rev 03; 10472-EPR-01-XX-TP-A-0408 rev 03;  
10472-EPR-01-XX-TP-A-0409 rev 03; 10472-EPR-01-XX-TP-A-0410 rev 03;  
10472-EPR-01-XX-TP-A-0411 rev 03; 10472-EPR-01-XX-TP-A-0412 rev 03;  
10472-EPR-01-XX-TP-A-0413 rev 03; 10472-EPR-01-XX-TP-A-0414 rev 03;  
10472-EPR-01-AA-TP-A-0500 rev 03; 10472-EPR-01-BB-TP-A-0501 rev 03;  
10472-EPR-02-B1-TP-A-0299 rev 04; 10472-EPR-02-GF-TP-A-0200 rev 07;  
10472-EPR-02-01-TP-A-0201 rev 06; 10472-EPR-02-02-TP-A-0202 rev 06;  
10472-EPR-02-03-TP-A-0203 rev 06; 10472-EPR-02-04-TP-A-0204 rev 06;  
10472-EPR-02-05-TP-A-0205 rev 06; 10472-EPR-02-06-TP-A-0206 rev 06;  
10472-EPR-02-07-TP-A-0207 rev 06; 10472-EPR-02-08-TP-A-0208 rev 06;  
10472-EPR-02-09-TP-A-0209 rev 06; 10472-EPR-02-10-TP-A-0210 rev 06;  
10472-EPR-02-11-TP-A-0211 rev 06; 10472-EPR-02-12-TP-A-0212 rev 06;  
10472-EPR-02-13-TP-A-0213 rev 06; 10472-EPR-02-RF-TP-A-0214 rev 06;  
10472-EPR-02-ZZ-TP-A-0215 rev 02; 10472-EPR-02-ZZ-TP-A-0216 rev 02;  
10472-EPR-02-ZZ-TP-A-0217 rev 02; 10472-EPR-02-ZZ-TP-A-0218 rev 02;  
10472-EPR-02-ZZ-TP-A-0219 rev 02; 10472-EPR-02-ZZ-TP-A-0220 rev 02;  
10472-EPR-03-ZZ-TP-A-0221 rev 02; 10472-EPR-03-ZZ-TP-A-0222 rev 01;  
10472-EPR-03-ZZ-TP-A-0223 rev 01; 10472-EPR-03-ZZ-TP-A-0224 rev 01;  
10472-EPR-03-ZZ-TP-A-0225 rev 01; 10472-EPR-ZA-ZZ-TP-A-0226 rev 01;  
10472-EPR-02-EL-TP-A-0400 rev 04; 10472-EPR-02-EL-TP-A-0401 rev 04;  
10472-EPR-02-EL-TP-A-0402 rev 05; 10472-EPR-03-EL-TP-A-0403 rev 03;  
10472-EPR-03-EL-TP-A-0404 rev 03; 10472-EPR-03-EL-TP-A-0405 rev 04;  
10472-EPR-03-EL-TP-A-0406 rev 04; 10472-EPR-02-XX-TP-A-0407 rev 04;  
10472-EPR-02-XX-TP-A-0408 rev 03; 10472-EPR-02-XX-TP-A-0409 rev 03;

10472-EPR-02-XX-TP-A-0410 rev 03; 10472-EPR-02-XX-TP-A-0411 rev 02;  
10472-EPR-02-XX-TP-A-0412 rev 02; 10472-EPR-03-XX-TP-A-0413 rev 05;  
10472-EPR-03-XX-TP-A-0414 rev 04; 10472-EPR-03-XX-TP-A-0415 rev 02;  
10472-EPR-02-XX-TP-A-0416 rev 01; 10472-EPR-02-XX-TP-A-0417 rev 01;  
10472-EPR-02-XX-TP-A-0418 rev 01; 10472-EPR-02-XX-TP-A-0419 rev 01;  
10472-EPR-02-XX-TP-A-0420 rev 01; 10472-EPR-03-XX-TP-A-0421 rev 01;  
10472-EPR-03-XX-TP-A-0422 rev 01; 10472-EPR-02-GS-TP-A-0500 rev 04;  
10472-EPR-02-GS-TP-A-0501 rev 04; 10472-EPR-03-GS-TP-A-0502 rev 04;  
10472-EPR-02-EL-TP-A-0503 rev 03; 10472-EPR-02-EL-TP-A-0504 rev 04;  
10472-EPR-02-EL-TP-A-0505 rev 04; BMD.200.DR.P001 rev c;  
BMD.200.DR.P101 rev c; BMD.200.DR.P102 rev c; BMD.200.DR.P103 rev a;  
BMD.200.DR.P104 rev c; BMD.200.DR.P106 rev a; BMD.200.DR.P107 rev B;  
BMD.200.DR.P108 rev a; BMD.200.DR.P201 rev b; BMD.200.DR.P202 rev a;  
BMD.200.DR.P300 rev a; BMD.200.DR.P301 rev c; BMD.200.DR.P302 rev b

Design and Access Statement (EPR Architects May 2017); Design Stage Site Waste Management Plan (Waterman Infrastructure & Environment Limited April 2017); Energy strategy Revision 02 (Hoare Lee 11.05.2017); Environmental Statement including Non-Technical Summary, Volume 1 Main Text; Volume 2 Figures, Volume 3 Built Heritage Townscape and Visual Impact Assessment, Volume 4 Appendices (Waterman Infrastructure and Environment Limited May 2017); Health Impact Assessment (Lichfields May 2017); Internal Daylight and Sunlight Report (EV7 12 May 2017); Site Suitability Study (Waterman Infrastructure and Environment Limited); Sustainability Statement Revision 01 (Hoare Lee 11.05.2017)

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

3. *Construction Environment Management Plan:*

No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
  - (i) Rationalise travel and traffic routes to and from the site.
  - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction relates activity.
  - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).

- (f) Measures to protect the River Ravensbourne from pollution and other environmental impacts arising during construction.
- (g) Unexploded Ordnance Survey
- (h) Details of the training of site operatives to follow the Construction Management Plan requirements.
- (i) Position of hoarding lines

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

4. *Land Contamination:*

- (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-
  - (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
  - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination. encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.
  - (iii) The required remediation scheme implemented in full.
- (b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

This shall include verification of all measures, or treatments as required in (Section (a) i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any

soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

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

5. *Piling*

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**Reason:** In order to protect Thames Water assets and to prevent pollution of controlled waters and to comply with Core Strategy (2011) Policy 11 River and waterways network.

6. *Noise Levels:*

- (a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.
- (b) Development shall not commence above ground level until details of a scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.
- (c) The development shall not be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

7. *Site Waste Management Plan:*

Demolition and construction activities shall be carried out in accordance with the Conington Road, Lewisham Design Stage Site Waste Management Plan (Waterman Infrastructure & Environment Limited, April 2017).

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

8. *Drainage Strategy:*

Prior to commencement of development, a drainage strategy detailing any on and /off site drainage works, has been submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

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

9. *DLR Radio Communications:*

(a) A 'pre' and 'post development Radio Communications Survey Report shall be submitted to and approved in writing by the local planning authority, in consultation with Transport for London, within 3 months of completion of development. The Report shall set out an assessment of the level of any impact the development has on the strength of DLR radio signals and identify any necessary mitigation measures (including signal boosters).

(b) Any identified necessary mitigation measures shall be implemented within 6 months of the Report being approved.

**Reason:** To ensure that the proposed development does not compromise the safe and effective operation of the DLR network.

10. *Energy & Water Efficiency – New Homes:*

The residential units hereby approved shall achieve the following energy efficiency and water efficiency standards:

(i) Energy efficiency - a 33% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2010 Building Regulations (as amended).

(ii) Water efficiency - The sanitary fittings within each residential dwelling shall include low water use WCs, shower taps, baths and (where installed by the developer) white goods to comply with an average household water consumption of less than 105 litres/person/day.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

11. *BREEAM:*

- (a) The buildings hereby approved shall achieve a minimum BREEAM Rating of 'Very Good' at Shell and Core.
- (b) For each building hereby approved, no development shall commence above ground level until a Design Stage Certificate for each building (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 6 months of occupation of any of the buildings, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

12. *Heat Networks:*

- (a) No development above ground shall commence until details of the proposed heat networks and Combined Heat and Power (CHP) system set out in the applicants Energy Strategy and Sustainability Statement have been submitted to and approved in writing by the local planning authority.
- (b) The details shall include the commissioning of the networks and CHP system and details of the catalytic converter if required.
- (c) The networks and systems shall be provided in accordance with the approved details and maintained thereafter.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.5 Decentralised energy networks and 5.7 Renewable energy in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

13. *External Materials:*

No development of the relevant part of the development (Building B1, B2 and B3) above ground shall take place until a detailed schedule and samples have been submitted to and approved in writing by the local planning authority. The details should generally accord with pages 141 and 178 of the Design and Access Statement. The development shall be carried out in complete accordance with the approved details.

#### Building B1

2m x 2m sample panel(s) to be constructed on site to detail the following:

- proposed aluminium feature panels in a range of tones from dark bronze through to pale bronze and silver;
- white off/white GRC panels including textured panel, including details of fixing
- vertical slats in PPC/ anodised aluminium
- metal canopies to commercial unit
- pre-cast concrete vertical ribbed panel
- all metal work to the rear service elevation
- all windows and doors
- access gates
- the underside of the roof of the recessed ground floor

#### Building B2 and B3

2m x 2m sample panel(s) to be constructed on site to detail the following:

- all brickwork and mortar, with detail of soldier courses and projecting headers
- all metalwork
- all windows and doors
- pre-cast concrete/ GRC

#### Other

- Mock-up of all balconies including soffits, balustrades/ screening and decking.
- Materials and doors for the external cycle store adjacent to Building B2.
- All boundary treatments (balustrades).

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

#### 14. *Commercial Fit Out:*

- (a) Prior to first occupation of the each building, the commercial units, plans (1:50) and details showing the physical fit out of commercial/non-residential units hereby approved have been submitted to and approved in writing by the local planning authority.
- (b) The development shall be constructed in full accordance with the approved details.

**Reason:** To ensure that the fit-out of the units is sufficient to ensure that they are an attractive and commercially viable option and to demonstrate the developers commitment to delivering the commercial units as part of this development in accordance with add policies LTC10 Mixed Use of the Lewisham Town Centre Local Plan (2014).

15. *Cycle Parking:*

- (a) A minimum of 521 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
- (b) Prior to occupation of the relevant part of the development (Building B1, B2 and B3) full details of the cycle parking facilities must be submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the relevant part of the development and maintained thereafter.

**Reason:** In order to ensure adequate provision for cycle parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

16. *Hard Landscaping:*

No development above ground level shall take place until a detailed schedule and samples of all external surface finishes and street furniture, by way of on-site sample panels, have been submitted to and approved in writing by the local planning authority. The details shall generally accord with pages 78 and 79 of the Design and access Statement. The development shall be carried out in complete accordance with the approved materials.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

17. *Protection of Trees during construction*

No development shall commence on site until a Tree Protection Plan (TPP) has been submitted to and approved by the Council for the relevant part of the development (Building B1, B2 and B3) and should reflect the information set out in drawing BMD.200.PR.103 rev A. The TPP should follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP should clearly indicate on a dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections

of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

**Reason:** To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

18. *Shop Front Design:*

No development above second floor level shall commence on site until plans and sectional details at a scale of 1:10 or 1:20 showing the proposed frontages to the commercial units in Building B1 and Building B2 have been submitted to and approved in writing by the local planning authority. The development shall be constructed in full accordance with the approved details and the shopfront fronts fitted before first occupation of any residential unit within the respective block.

**Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 19 Shop fronts, signs and hoardings.

19. *Soft Landscaping:*

(a) The development shall be carried out in accordance with the landscaping scheme submitted and hereby approved in pages 82 and 83 of the Design and Access Statement. Prior to first occupation of the development, a scheme for the management and maintenance of the landscaping for a minimum period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

20. *Bird, Bat Boxes and other Ecology Features:*

Details of the number and location of the bird/bat boxes and other ecology features and habitat to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall generally accord with the detail shown on drawings BMD.200.DR.P001 rev C and BMW.200.DR.P102 rev C. The approved details shall be installed before occupation of the building and maintained in perpetuity.

**Reason:** To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

21. *Open Space Management & Maintenance Plan:*

(a) An Open Space Management & Maintenance Plan shall be submitted within 6 months of commencement of development above ground floor slab level. These shall include management & maintenance and responsibilities for all communal play spaces/amenity spaces and all publicly accessible open spaces, including the first floor amenity terrace to Building B1 and the fourth floor roof terrace to Building B2.

(b) Once provided, these spaces shall be managed and maintained in accordance with the approved Plan.

**Reason:** To ensure that the podium garden and public realm landscaping areas are adequately managed in accordance with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 25 Landscaping and trees in the Development Management Local Plan (November 2014).

22. *Electric Vehicle Charging Points*

(a) Details of the electric vehicle charging points to be provided in the basement of Building B2 together with a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to occupation of that building.

(b) The electric vehicle charging points as approved shall be installed prior to first occupation of Building B2 and shall thereafter be retained and maintained in accordance with the details approved under (a).

**Reason:** To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (July 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

23. *Ventilation Equipment for A3 uses*

(a) The specification of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencers and anti-vibration mountings where necessary) in respect of any A3 use of a Commercial Unit shall be submitted to and approved in writing by the local planning authority prior to first occupation of any Commercial Unit for A3 purposes.

(b) No non-residential unit shall be first occupied for A3 purposes until the ventilation systems as approved under part (a) of this condition has been installed in that Commercial Unit in accordance with the plans and specification approved under the said part (a) and such ventilation systems shall thereafter be permanently retained and maintained in accordance with the approved specification.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with Policy 17 Restaurants and cafes (A3 uses) and drinking establishments (A4 uses) of the Development Management Local Plan (November 2014).

24. *CHP Abatement:*

(a) Prior to installation of the relevant part of the development full details of the abatement technology utilised to minimise emissions to air from the CHP system have been submitted to and approved in writing by the local planning authority.

(b) The CHP and associated abatement shall be installed in accordance with the approved details prior to occupation of the development and shall thereafter be permanently maintained in accordance with the approved specification.

**Reason:** To improve air quality in the interest of safeguarding the health of the local population and to protect the amenities of adjoining premises in accordance with Policy 7.14 Improving air quality of the London Plan (2015), Policy 7 Climate change and adapting to the effects and Policy 9 Improving local air quality of the Core Strategy (June 2011) and to comply with Development Management Local Plan (November 2014) DM Policy 23 Air quality.

25. *Soundproofing:*

(a) The development shall be designed to achieve sound insulation against airborne noise to meet  $D'nT,w + Ctr$  dB of not less than 55 for walls and/or ceilings where residential parties non domestic use shall be submitted to and approved in writing by the local planning authority.

(b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.

- (c) The soundproofing shall be retained permanently in accordance with the approved details.

**Reason:** In the interests of residential amenity and to comply with DM Policy 26 Noise and vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

## 26. *External Lighting*

- (a) Prior to occupation of the relevant part of the development (Building B1, B2 and B3) a scheme for any external lighting that is to be installed at the site shall be submitted to and approved in writing by the local planning authority. The details shall accord with page 84 of the Design and Access Statement and the Conington Road Lighting Design Masterplan (Hoare Lee) and include evidence to demonstrate that the proposals minimise pollution from glare and spillage, following the Institute of Lighting Engineer's guidance and shall not exceed 2 lux at any window of a habitable room.
- (b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.
- (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

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

## 27. *Delivery and Service Plan*

- (a) The relevant part of the development (Building B1, B2 or B3) shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.
- (b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity along with details of site management for movement of refuse and storage of refuse buggies.
- (c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the relevant part of the development and shall be adhered to in perpetuity.

**Reason:** In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

28. *Wheelchair Dwellings:*

(a)The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified in the schedule below:

Unit Number	Approved Document M (2015) Access Requirement	Dwelling Type
All market tenure wheelchair units: B2.02.01; B2.02.09; B2.02.10; B2.03.01; B2.03.09; B2.03.10; B2.04.01; B2.04.08; B2.05.01; B2.05.08; B2.06.06; B2.07.06; B2.08.06; B2.09.01; B2.10.01; B2.11.01;	M4(3)(2)(a)	Wheelchair user (adaptable)
All Affordable and Social Rented wheelchair units: B3.001.01; B3.00.04; B3.01.01; B3.01.04; B3.02.01; B3.02.06; B3.03.01; B3.03.06; B3.03.01; B3.03.06; B3.04.01; B3.04.04; B3.04.05; B3.05.01; B3.04.05; B3.05.05; B3.06.03; B.06.04; B3.07.03; B3.07.04	M4(3)(2)(b)	Wheelchair user (on completion)
All Discount Market Sale units: B2.00.01; B2.01.09	M4(3)(2)(a)	Wheelchair user (adaptable)
All other units	M4(2)	Accessible and adaptable

(b)No development shall commence above ground level until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a) for that building.

(c)The development shall be carried out in accordance with the details approved under part (b).

**Reason:** To ensure that there is an adequate supply of wheelchair accessible housing in the Borough in accordance with Policy 1 Housing provision, mix and affordability and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

29. *Car Club:*

Prior to occupation of Building B2 a plan showing the location of two car club spaces shall be submitted to and approved in writing by the local planning authority. The spaces shall be provided in accordance with the details approved and shall be made available for use prior to occupation of Building B2. Thereafter the spaces shall be retained and used only for parking cars associated with the Car Club.

**Reason:** To limit car ownership/use and encourage sustainable modes of transport in accordance with Policies Objective 9: Transport and accessibility and Core Strategy Policy 14: Sustainable movement and transport (June 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

30. *No Plumbing or Pipes:*

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, including rainwater pipes, shall be fixed on the external faces/front elevation of the building hereby approved, without the prior written consent from the Local Planning Authority(s).

**Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

31. *Retention of Amenity Spaces:*

The whole of the amenity space (including roof terraces and balconies) as shown on drawing no. BMD200.DR.P104 rev C hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

**Reason:** In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards of the Development Management Local Plan (November 2014)

32. *Hours of Operation:*

Any commercial use falling within Use Class A1, A2, A3, D1 and D2 shall only be open for customer business between the hours of 07:00 and 23:00 on any day of the week.

**Reason:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, DM Policy 32 Housing design, layout and space standards and DM Policy 17 Restaurants and cafes (A3 uses) of the Development Management Local Plan (November 2014).

33. *Restriction of Commercial Uses:*

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the non-residential spaces in Building B1 (including entirety of the first floor) and B2 shall be used for uses falling within A1, A2, A3, B1, D1 (health, education including nurseries, museum and art galleries) and D2 and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

**Reason:** In order to protect the mixture of uses across the edge of centre site within Lewisham Town Centre and to accord with Policy LTC10 of the Lewisham Town Centre Local Plan (2014).

34. *Privacy Screens*

The privacy screens to the balconies of Building B3 as detailed on Page 177 of the Design and Access Statement shall be implemented before any dwelling in that block is first occupied. The approved screens shall be maintained therefore after and permanently retained.

**Reason:** In order to protect the amenities of the future occupants of the relevant residential dwellings and avoid overlooking of existing residential blocks.

35. *Satellite Dishes/ Antenna*

Notwithstanding the Provisions of Article 4 (1) and part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, no satellite antenna shall be erected or installed on the building hereby approved. The proposed development shall have a central dish or aerial system (for each relevant block) for receiving all broadcasts for the residential units created: details of such a scheme shall be submitted to and approved by the local planning authority prior to first occupation of any block, and the approved scheme shall be implemented and permanently retained thereafter.

**Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

36. *No amplified noise*

No music, amplified sound system or other form of loud noise (such as singing or chanting) shall be used or generated which is audible outside any of the commercial units within Building B1 and B2 hereby approved.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with Paragraph 120 of the National Planning Policy Framework, DM Policy 26 Noise and Vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014)

37. *Living Roofs*

- (a) The development shall be constructed with a biodiversity living roof laid out in accordance with plan nos. BMD.200.DR.P107 rev B hereby approved and maintained thereafter.
- (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

**Reason:** To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2016) , Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

## **Informatives**

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion. Following comments and concerns received as part of the consultation process revised details were submitted along with and uplift in affordable housing through viability negotiation.
- B. **Pre-commencement conditions:** The following conditions attached to this decision notice are considered necessary in order to protect the amenities of future occupiers and users of the proposed development and encompasses

ecological benefits, and to ensure that the proposed development results in a sustainable and well-designed scheme:

Condition 3 – Construction Environment Management Plan

Condition 4 – Land Contamination

Condition 5 – Piling

Condition 8 – Drainage

- C. The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- D. As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An **'assumption of liability form'** must be completed and before development commences you must submit a **'CIL Commencement Notice form'** to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>
- E. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- F. The land contamination condition requirements apply to both whole site and phased developments. Where development is phased, no unit within a phase shall be occupied until a), b) and c) of the condition have been satisfied for that phase.

Applicants are advised to read 'Contaminated Land Guide for Developers'(London Borough's Publication 2003), on the Lewisham web page, before complying with the above condition. All of the above must be conducted in accordance with DEFRA and the Environment Agency's (EA) - Model Procedures for the Management of Land Contamination.

Applicants should also be aware of their responsibilities under Part IIA of the Environmental Protection Act 1990 to ensure that human health, controlled waters and ecological systems are protected from significant harm arising from contaminated land. Guidance therefore relating to their activities on site, should be obtained primarily by reference to DEFRA and EA publications.

- G. The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.

- H. You are advised to contact the Councils Drainage Design Team on 020 8314 2036 prior to the commencement of work.
- I. The assessment of the light spill and lux level at the window of the nearest residential premises shall follow the guidance provided in The Institution of Lighting Engineers, Guidance Notes for the Reduction of Obtrusive Light.
- J. It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.
- K. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit [thameswater.co.uk/buildover](http://thameswater.co.uk/buildover)
- L. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development. There are Thames Water mains crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information. There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	Former car parks, Tesco Store, 209 Conington road, SE13 <b>Addendum Report</b>	
Ward	Lewisham Central	
Contributors	Michael Forrester	
Class	PART 1	12 December 2017

Reg. Nos. DC/17/101621

Application dated 15.05.2017

Applicant Ms H Phipps (Lichfields, on behalf of Meyer Homes)

Proposal Construction of three buildings, measuring 8, 14 and 34 storeys in height, to provide 365 residential dwellings (use class C3) and 554.sqm gross of commercial/ community/ office/ leisure space (Use Class A1/A2/A3/ B1/ D1/ D2) with associated access, servicing, energy centre, car and cycle parking, landscaping and public realm works at the former car parks, Tesco Store, 209 Conington Road SE13.

Applicant's Plans and Documents. 10472-EPR-ZA-ZZ-TP-A-0100 rev 02; 10472-EPR-ZA-ZZ-TP-A-0001 rev 02; 10472-EPR-ZAA-AA-TP-A-002 rev 02; 10472-EPR-ZA-BB-TP-A-003; 10472-EPR-ZA-CC-TP-A-004 rev 02; 10472-EPR-ZA-ZZ-TP-A-0101 rev 04; 10472-EPR-ZA-B1-TP-A-0102 rev 02; 10472-EPR-ZA-GF-TP-A-0103 rev 04; 10472-EPR-ZA-01-TP-A-0104 rev 04; 10472-EPR-ZA-T1-TP-A-0105 rev 04; 10472-EPR-ZA-RF-TP-A-0106 rev 04; 10472-EPR-ZA-AA-TP-A-0500 rev 02; 10472-EPR-ZA-BB-TP-A-0501 rev 03; 10472-EPR-ZA-CC-TP-AQ0502 rev 03; 10472-EPR-ZA-DD-TP-A-0503 rev 02; 10472-EPR-ZA-EE-TP-A-0504 rev 02; 10472-EPR-ZA-FF-TP-A-0505 rev 03; 10472-EPR-01-GF-TP-A-0200 rev 04; 10472-EPR-01-01-TP-A-0201 rev 04; 10472-EPR-01-T1-TP-A-0202 rev 04; 10472-EPR-01-GF-TP-A-0203 rev 06; 10472-EPR-01-01-TP-A-0204 rev 04; 10472-EPR-01-T1-TP-A-0205 rev 04; 10472-EPR-01-15-TP-A-0206 rev 04; 10472-EPR-01-30-TP-A-0207 rev 04; 10472-EPR-01-T2-TP-A-0208 rev 04; 10472-EPR-01-33-TP-A-0209 rev 04; 10472-EPR-01-RF-TP-A-0210 rev 04; 10472-EPR-01-RF-TP-A-0211 rev 04; 10472-EPR-01-XX-TP-A-0212 rev 01; 10472-EPR-01-XX-TP-A-0213 rev 01; 10472-EPR-01-NO-TP-A-0400 rev

03; 10472-EPR-01-EA-TP-A-0401 rev 03; 10472-EPR-01-WE-TP-A-0402 rev 03; 10472-EPR-01-SO-TP-A-0403 rev 03; 10472-EPR-01-XX-TP-A-0404 rev 03; 10472-EPR-01-XX-TP-A-0405 rev 03; 10472-EPR-01-XX-TP-A-0406 rev 03; 10472-EPR-01-XX-TP-A-0407 rev 03; 10472-EPR-01-XX-TP-A-0408 rev 03; 10472-EPR-01-XX-TP-A-0409 rev 03; 10472-EPR-01-XX-TP-A-0410 rev 03; 10472-EPR-01-XX-TP-A-0411 rev 03; 10472-EPR-01-XX-TP-A-0412 rev 03; 10472-EPR-01-XX-TP-A-0413 rev 03; 10472-EPR-01-XX-TP-A-0414 rev 03; 10472-EPR-01-AA-TP-A-0500 rev 03; 10472-EPR-01-BB-TP-A-0501 rev 03; 10472-EPR-02-B1-TP-A-0299 rev 034; 10472-EPR-02-GF-TP-A-0200 rev 07; 10472-EPR-02-01-TP-A-0201 rev 06; 10472-EPR-02-02-TP-A-0202 rev 06; 10472-EPR-02-03-TP-A-0203 rev 06; 10472-EPR-02-04-TP-A-0204 rev 06; 10472-EPR-02-05-TP-A-0205 rev 06; 10472-EPR-02-06-TP-A-0206 rev 06; 10472-EPR-02-07-TP-A-0207 rev 07; 10472-EPR-02-08-TP-A-0208 rev 06; 10472-EPR-02-09-TP-A-0209 rev 06; 10472-EPR-02-10-TP-A-0210 rev 06; 10472-EPR-02-11-TP-A-0211 rev 06; 10472-EPR-02-12-TP-A-0212 rev 06; 10472-EPR-02-13-TP-A-0213 rev 06; 10472-EPR-02-RF-TP-A-0214 rev 06; 10472-EPR-02-ZZ-TP-A-0215 rev 02; 10472-EPR-02-ZZ-TP-A-0216 rev 02; 10472-EPR-02-ZZ-TP-A-0217 rev 02; 10472-EPR-02-ZZ-TP-A-0218 rev 02; 10472-EPR-02-ZZ-TP-A-0219 rev 02; 10472-EPR-02-ZZ-TP-A-0220 rev 02; 10472-EPR-03-ZZ-TP-A-0221 rev 02; 10472-EPR-03-ZZ-TP-A-0222 rev 01; 10472-EPR-03-ZZ-TP-A-0223 rev 01; 10472-EPR-03-ZZ-TP-A-0224 rev 01; 10472-EPR-03-ZZ-TP-A-0225 rev 01; 10472-EPR-ZA-ZZ-TP-A-0226 rev 01; 10472-EPR-02-EL-TP-A-0400 rev 04; 10472-EPR-02-EL-TP-A-0401 rev 04; 10472-EPR-02-EL-TP-A-0402 rev 05; 10472-EPR-03-EL-TP-A-0403 rev 03; 10472-EPR-03-EL-TP-A-0404 rev 03; 10472-EPR-03-EL-TP-A-0405 rev 04; 10472-EPR-03-EL-TP-A-0406 rev 04; 10472-EPR-02-XX-TP-A-0407 rev 04; 10472-EPR-02-XX-TP-A-0408 rev 03; 10472-EPR-02-XX-TP-A-0409 rev 03; 10472-EPR-02-XX-TP-A-0410 rev 03; 10472-EPR-02-XX-TP-A-0411 rev 02; 10472-EPR-02-XX-TP-A-0412 rev 02; 10472-EPR-03-XX-TP-A-0413 rev 05; 10472-EPR-03-XX-TP-A-0414 rev 04; 10472-EPR-03-XX-TP-A-0415 rev 02; 10472-EPR-02-XX-TP-A-0416 rev 01; 10472-EPR-02-XX-TP-A-0417 rev 01; 10472-EPR-02-XX-TP-A-0418 rev 01; 10472-EPR-02-XX-TP-A-0419 rev 01; 10472-EPR-02-XX-TP-A-0420 rev 01; 10472-EPR-03-XX-TP-A-0421 rev 01; 10472-EPR-03-XX-TP-A-0422 rev 01; 10472-EPR-02-GS-TP-A-0500 rev 04; 10472-EPR-02-GS-TP-A-

0501 rev 04; 10472-EPR-03-GS-TP-A-0502 rev 04; 10472-EPR-02-EL-TP-A-0503 rev 03; 10472-EPR-02-EL-TP-A-0504 rev 04; 10472-EPR-02-EL-TP-A-0505 rev 04; BMD.200.SP.001; BMD.200.DR.P001 rev c; BMD.200.DR.P101 rev c; BMD.200.DR.P102 rev c; BMD.200.DR.P103 rev a; BMD.200.DR.P104 rev c; BMD.200.DR.P105; BMD.200.DR.P106 rev a; BMD.200.DR.P107 rev B; BMD.200.DR.P108 rev a; BMD.200.DR.P201 rev b; BMD.200.DR.P202 rev a; BMD.200.DR.P300 rev a; BMD.200.DR.P301 rev c; BMD.200.DR.P302 rev b

Background Papers

Case File LE/150/E/TP  
Local Development Framework Documents, SPG/SPD, The London Plan (Consolidated with Alterations since 2011) (2016), and Mayor of London's SPG & Best Practice Guidance

Designation

London Plan – Opportunity Area, Regeneration Area, Major Town Centre. Core Strategy – Regeneration and Growth Area, Lewisham Town Centre, Lewisham Town Centre Local Plan – 'Edge of Centre', Conington Road site S6 (allocation for residential-led mixed use development). Flood Zone 1 and Air Quality Management Area.

EIA Screening/Scoping

The Local Planning Authority (LPA) advised that an Environmental Statement (ES) would need to accompany a planning application in response to a scoping request made under Regulation 13 of the Town and Country Planning (EIA) Regulations 2011 (as amended) decision dated 6 December 2016, application reference DC/16/99000.

## **1.0 Addendum Report Introduction**

1.1 Since the publication of the committee report, further representations have been received from the Environment Agency and Transport for London. This report sets out the comments raised and the additional conditions requested.

## **2.0 Additional Representations**

### Environment Agency

2.1 Following the formal confirmation that the Environment Agency do not object to the proposals, further representations have been received which request planning conditions in relation to land contamination and remediation verification, surface water and River Ravensbourne buffer zone plans. These are set out in conditions 1-4 of the recommendation set out in part 5 of this report.

### Transport for London

2.2 On the 8<sup>th</sup> December 2017, following publication of the committee report, further representations were received from Transport for London. These are set out below:

#### Cycling

2.3 The applicant has provided additional cycle parking spaces to ensure Building B2 meets the minimum London Plan requirements. No changes have been proposed in regard to cycle parking associated with Building B1. The proposed cycle parking arrangements for Building B1 are still considered unacceptable by TfL and do not conform to London Plan policy. The revised proposals presented by the applicant would still see 37% of cycle parking spaces across the entire development provided via folding cycles. As folding cycles are now limited to Building B1, a total of 65% of the required cycle parking spaces within this building are proposed to be provided via folding cycles. Further, the proposed condition 15 provides insufficient protection to ensure that folding cycles will be provided and maintained in perpetuity for the life of the building. Acceptance of the proposed arrangements would set a precedent which would only serve to undermine the Mayor's aspirations to increase cycling mode share within London as set out within the draft Mayor's Transport Strategy.

2.4 The cycle parking arrangements for building B1 would also represent a significant deviation from the draft London Plan which is now a material consideration in planning decisions. Of relevance to this application, paragraph 10.5.9 of the draft London Plan states that the provision of folding bicycles is not an acceptable alternative to conventional cycle parking. Evidence underpinning the draft Mayor's Transport Strategy and draft London Plan has also identified trips within Lewisham as having high potential for a switch to cycling. Meeting the standards of the London Plan is therefore critical in creating an environment that will support modal shift. TfL would strongly

encourage the application to be deferred until the cycle parking arrangements are made compliant with London Plan policy.

#### Deliveries & Servicing

- 2.5 The applicant has proposed a number of amendments to delivery and servicing arrangements which would significantly reduce the need for vehicles to enter Silk Square to carry out turning manoeuvres which could compromise the operation of a future northern station entrance which is welcomed by TfL. Access to Silk Square would be restricted (by access gates and/or bollards) to emergency service/maintenance vehicles and removal vans only and, as such, vehicle access will be infrequent. With the exception of emergency vehicles, TfL would request that the service and delivery strategy restricts access to Silk Square between the hours of 7am-10am and 4pm-7pm in the event that a northern entrance to Lewisham station is opened to reduce conflicts when pedestrian volumes would be at their highest.

#### DLR Capacity

- 2.6 As previously stated, TfL has significant concerns over the impact additional demand generated from this development (along with all other schemes currently subject to planning applications along the DLR Lewisham Branch) would place on the DLR network. In lieu of TfL's previously requested Grampian condition which Lewisham does not consider to be appropriate, TfL requests a S106 contribution of £120,000 towards the proposed capacity enhancements of the DLR in accordance with London Plan Policy 6.2 and draft London Plan Policy T4. This will support the purchase of additional trains and is consistent with requests made by TfL for other schemes in Lewisham town centre currently within planning including the Carpetright Site and Axion House.

#### Construction

- 2.7 As part of TfL's formal response on the application, a number of construction related conditions were requested in the event the scheme was approved to ensure that construction works do not compromise the safe operation of the adjacent DLR network. TfL notes that the applicant's agents have commenced some discussions with DLR over construction however these have been voluntary and does not provide the certainty in protecting DLR assets that planning conditions attached to an approval would provide. These conditions are considered necessary to ensure compliance with London Plan policy 6.2.

### **3.0 Planning Considerations**

- 3.1 The Environment Agency have requested a number of conditions which officers consider necessary to comply with policies in relation to land contamination, drainage and safeguarding water assets. They would therefore be added to a recommended list of conditions in the recommendation to grant planning permission.

- 3.2 TfL acknowledged that the island site has constraints which could permit folding bicycles in their representations dated 6 September 2017, but considered that such constraints did not apply to the remainder of the site. Officers throughout application negotiations, have requested revisions to the cycle parking provision across the development which has seen an increase in overall numbers including removal of folding bicycles to Building B2 in lieu of traditional cycle stands but the retention of folding bicycles in Building B1.
- 3.3 The provision of traditional cycle storage for Building B2 is supported. As in the main report, Officers (and TfL) acknowledge, that the island site is very constrained and regardless of the scale of development, given the other necessary measures (provide access for a public square opposite Lewisham Station, and restoration of the river) this severely limits the amount of developable land. Therefore the folding bicycle approach is considered to be, on balance, a justified solution. The developer would provide the bicycles within their own storage which officers also support.
- 3.4 It is not considered that acceptance of this type of cycle provision would create precedent across the borough or elsewhere in London given the truly unique circumstances of the site. With regard to comments made by TfL in relation to condition 15 'Cycle Parking' it is proposed to re-word this, set out below.

Previous wording	New proposed wording ( <b>changes in bold</b> )
<p>(a) A minimum of 521 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.</p> <p>(b) Prior to occupation of the relevant part of the development (Building B1, B2 and B3) full details of the cycle parking facilities must be submitted to and approved in writing by the local planning authority.</p> <p>(c) All cycle parking spaces shall be provided and made available for use prior to occupation of the relevant part of the development and maintained thereafter.</p>	<p>(a) A minimum of 521 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.</p> <p>(b) Prior to occupation of the relevant part of the development (Building B1, B2 and B3) full details of the cycle parking facilities must be submitted to and approved in writing by the local planning authority.</p> <p>(c) <b>Prior to occupation of Building B1, a management plan for the management and maintenance (including passing onto new residents), of the folding bicycles shall be submitted to and approved in writing by the local planning authority.</b></p>

	<p>(d) All cycle parking spaces in <b>Buildings B2 and B3 and all folding bicycles with associated storage in Building B1</b> shall be provided and made available for use prior to occupation of the relevant part of the development and maintained thereafter.</p>
--	---

- 3.5 Officers consider that the revised cycle parking condition would address TfL concerns with regard to the management and maintenance of the folding bicycles within Building B1, including how bicycles are retained within the unit and passed onto subsequent residents. The condition would require details to be submitted prior to first occupation.
- 3.6 With regard to DLR and transport capacity, TfL had initially requested a Grampian condition which would restrict occupation until May 2022 when additional capacity is added to Lewisham branch of the DLR line. TfL have since further stated that an objection is held with regard to transport capacity unless a Grampian condition is added or a financial payment in lieu of £120,000 towards capacity upgrades is secured by legal agreement.
- 3.7 Officers have concern as to the restrictive nature of a Grampian condition which would restrict occupation, but not necessarily secure the DLR capacity upgrades. It would firstly conflict with the proposed development programme which for a scheme of 365 new dwellings (20% of by unit number are affordable housing) makes a positive contribution to Lewisham's annual housing target. Should there be a delay in ordering new stock for the DLR this would then conflict with the condition. Therefore to address the capacity issues at the DLR station identified by TfL the applicant has formally agreed to a £120,000 contribution which would go towards funding additional stock, whilst allowing the development to proceed and meeting annual housing targets. This contribution is in addition to the £469,600 for improvements to Network Rail which equate to a total proposed investment in £589,600.
- 3.8 The applicant has confirmed that the additional contribution does not affect other proposed contributions, nor the affordable housing offer which remains at 20% by unit number.
- 3.9 A number of conditions which relate to construction and safeguarding of DLR activities are also suggested by TfL. These relate to construction and crane position methodology, piling methodology (for Buildings B1 and B2), radio signal waves and lighting. These have been reviewed by officers and reviewed by the applicant who agreed to the addition of such conditions.

Other issues

- 3.10 Following the re-design of Building B2 to provide additional cycle parking and landscaping access there has been revision to the number of proposed trees. In total there would be a net gain of 66 trees with 51 on the main car park site and 4 additional on the roof terrace with 23 on the island site and 13 on the first floor roof terrace. This is an increase from the main report which states there would be a net gain of 64 trees.
- 3.11 The applicant has also clarified that the Silver Birch would be 4-4.5m high rather than the 2m high previously indicated.
- 3.12 Officers consider the net gain in trees to be a positive contribution to the setting of the site in landscape, ecology and visual amenity terms.

#### **4.0 Planning Obligations**

- 4.1 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. The NPPF further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:
- (a) Necessary to make the development acceptable
  - (b) Directly related to the development; and
  - (c) Fairly and reasonably related in scale and kind to the development
- 4.2 Paragraph 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.
- 4.3 Officers have been in negotiations with the Applicant regarding the Section 106 requirements arising from the redevelopment proposals. These are set out in Part 10 of the main report. The addition of a further financial contribution to add capacity to the DLR network is considered necessary in mitigating the transport impacts of the proposals and therefore necessary to make the development acceptable in planning terms.

#### **5.0 Conclusion**

- 5.1 This addendum report sets out the additional planning considerations in light of the representations received by the Environment Agency and Transport for London. A number of additional conditions requested are suggested to be

added to the recommendation to grant planning permission in addition to a financial contribution to add to DLR capacity.

- 5.2 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, the scheme is consistent with national policy.
- 5.3 For the reasons addressed in this addendum report, there are no other material considerations which Officers consider outweigh the grant of planning permission. In light of the above, on balance, the application is therefore recommended for approval.

## **6.0 Recommendation**

- 6.1 In addition to the Recommendation A and B set out in the main committee report. To approve the proposals with the following additional head of terms and planning conditions:

### **Additional Heads of Terms**

- 6.2 Financial contribution of £120,000 toward DLR Capacity upgrades. To be paid upon commencement of development.

### **Additional Planning Conditions**

#### 15. Cycle Parking

- (a) A minimum of 521 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.
- (b) Prior to occupation of the relevant part of the development (Building B1, B2 and B3) full details of the cycle parking facilities must be submitted to and approved in writing by the local planning authority.
- (c) Prior to occupation of Building B1, a management plan for the management and maintenance (including passing onto new residents), of the folding bicycles shall be submitted to and approved in writing by the local planning authority.
- (d) All cycle parking spaces in Buildings B2 and B3 and all folding bicycles with associated storage in Building B1 shall be provided and made available for use prior to occupation of the relevant part of the development and maintained thereafter.

**Reason:** In order to ensure adequate provision for cycle parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

#### 38. Remediation strategy

No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- 1) a preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors;
  - potentially unacceptable risks arising from contamination at the site;
- 2) a site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.;
- 3) the results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
- 4) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

**Reason:** For the protection of controlled waters, in line with the National Planning Policy Framework (NPPF).

### 39. Verification report for land contamination

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

**Reason:** To ensure development is commenced in accordance with the National Planning Policy Framework (NPPF) with respect to managing risks from historic contamination, particularly to prevent risks to groundwater within the underlying principal aquifer within Source Protection Zone 1 (SPZ1) of a public water supply.

#### 40. Surface water

No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**Reason:** To protect groundwater from contamination from inappropriate discharges to ground; the site is located within Source Protection Zone 1 (SPZ1) for a public water supply.

#### 41. River Ravensbourne Buffer Zone

No development shall take place until a scheme for the provision and management of a buffer zone of sufficient size to enable 'river corridor improvement works' (to be secured through a planning obligation) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The scheme shall include:

- plans showing the extent and layout of the buffer zone;
- details demonstrating that the buffer zone is sufficient to enable 'river corridor improvement works';
- details of any proposed planting scheme (for example, native species);
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

**Reason:** To ensure sufficient space is available alongside the River Ravensbourne to enable the delivery of 'river corridor improvement works'.

#### 42. Construction Methodology

No works of excavation or construction are to be carried out until full details of such works have been submitted to and approved in writing by LBL in consultation with TfL/ Network Rail. These details should comprise of:

- a. Geotechnical report for the site
- b. Superstructure design and construction methodology (including verified calculations and any lift pits)
- c. Plans for any proposed scaffolding in proximity of the railway

- d. An impact assessment setting out predicted ground and structure movements
- e. Emergency preparedness plan
- f. Ground and structure movement monitoring regime
- g. Risk assessments and method statements for all structural works, excavation and installation of services in the land

Thereafter, the works shall only be carried out in accordance with the approved details in a manner that does not endanger the safe operation of the railway

**Reason:** To ensure that the proposed works do not pose a risk to rail infrastructure and ensure compliance with London Plan policy 6.2.

#### 43. Piling Methodology

Prior to the commencement of works of the relevant part of the development (Building B1, B2 or B3) full details of the design and construction methodology for the foundations shall be submitted to and approved in writing by LBL in consultation with TfL. Thereafter, the works shall only be carried out in accordance with the approved details in a manner that does not endanger the safe operation of the railway

**Reason:** To ensure that the proposed works do not compromise the safe and effective operation of the DLR and ensure compliance with London Plan policy 6.2.

#### 44. Crane Management Plan

Prior to construction works commencing a Crane / Lifting Management Plan should be submitted for approval by LBL in consultation with TfL/ Network Rail. This should include crane base design (including certification), Risk Assessment and Method Statement for siting, erection, lifting arrangements, operational procedure (including any radio communications), jacking up, derigging in addition to plans for elevation, loads, radius, slew restrictions and collapse radius.

**Reason:** To ensure that the lifting operations are carried out safely in compliance with BSI standards, and to prevent anything falling on to the adjacent railway, compromising the safety of the DLR network and ensure compliance with London Plan policy 6.2.

#### 45. Radio Impact Survey

Prior to the commencement of the development, a radio impact survey shall be undertaken and submitted to and approved in writing by LBL in consultation with TfL, to assess the impact of the development on the DLR radio signal. Should the

development be found to have impact on the radio signal, no development shall take place until a scheme of mitigation has been agreed in writing with TfL and implemented. The applicant shall also undertake further radio surveys at regular intervals of the development, which shall be submitted to and approved in writing by LBL in consultation with TfL. Should the development be found to have impact on the radio signal, no development shall take place until a scheme of mitigation has been agreed in writing with TfL and implemented

**Reason:** To ensure the construction of development does not interfere with the safe operation of the railway and ensure compliance with London Plan policy 6.2.

#### 46. Radio frequencies and construction

Site operatives must use technically or geographically assigned frequencies by Ofcom that do not conflict with the frequencies operated by DLR for the running of the railway.

**Reason:** In construction and operations on site, the developers typically employ radio communications. This is necessary to ensure that communications do not interfere with radio signals for the operation of the railway and ensure compliance with London Plan policy 6.2.

#### 47. Vibro-compaction machinery

No vibro-compaction machinery is to be used in the development unless details of the use of such machinery and a method statement have been submitted to and approved in writing by LBL in consultation with TfL. The works shall only be carried out in accordance with the approved method statement.

**Reason:** To protect the safe and efficient operation of the railway and ensure compliance with London Plan policy 6.2.

#### 48. External lighting onto DLR tracks

All external lights and those installed during the construction period shall not shine directly onto DLR's railway tracks.

**Reason:** To ensure that the proposed works do not compromise the safe operation of the railway or cause an endangerment to the adjacent trains and railway line and ensure compliance with London Plan policy 6.2.