

Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	PLOT 15, CONVOYS WHARF, LONDON, SE8 3JH	
Ward	Evelyn	
Contributors	David Robinson	
Class	PART 1	22 06 2020

Reg. Nos.

DC/19/111912

Application dated

24 April 2019

Applicant

DP9 Limited, on behalf of Convoys Wharf Limited

Proposal

Approval of Reserved Matters (layout, scale, appearance, access and landscaping) for Plot P15 (Phase 1) comprising the construction of a development plot ranging from four to nine storeys in height, proposing 124 affordable homes, 800 sq. m (GEA) of office use (Class B1), 300 sq. m (GEA) of retail uses (Class A), parking, landscaping and other details pursuant to conditions 20(i) and 21(i) together with discharge/approvals under condition 3(ii) (Microclimate: Wind), condition 7 (Building Design Statement), condition 8(i) (Reconciliation Document), condition 10 (Housing 'Residential Space Standards'), condition 13 (Heritage Statement), condition 14(i) (Biodiversity), condition 15 (Energy Strategy), condition 19 (Drainage and Flood Risk), condition 30(i) (Residential Open Space), condition 42 (i) (Public Open Space and Landscaping), condition 45(i) (Contaminated Land) of Outline Planning Permission ref. DC/13/83358 for the comprehensive redevelopment of Convoys Wharf, Prince Street, London, SE8 3JH.

Applicant's Plan Nos.

2056-A-L-501 Rev 1; 2056-A-L-500 Rev 1; 2056-A-L-502 Rev 1; 2056-A-L-401 Rev 1; 2056-A-L-400 Rev 1; 2056-A-L-302 Rev 00; 2056-A-L-301 Rev 00; 2056-A-L-300 Rev 00; 2056-A-L-202; 2056-A-L-201; 2056-A-L-200; 2056-A-L-109; 2056-A-L-107; 2056-A-L-002; 2056-A-L-001; 2056-A-L-108 Rev 1; 2056-A-L-100 Rev 2; 2056-A-L-101 Rev 2; 2056-A-L-102 Rev 2; 2056-A-L-103 Rev 2; 2056-A-L-104 Rev 2; 2056-A-L-105 Rev 2; 2056-A-L-106 Rev 2; 2056-A-C-801 Rev A; 2056-A-L-800 Rev A; 2056-A-L-100 Rev G

584.02 \_SK\_00\_403 Rev P02; 584.02 \_SK\_00\_402 Rev P03; 584.02 \_SK\_00\_401 Rev P03; 584.02 \_SK\_00\_301 Rev P04; 584.02 \_SK\_00\_201 Rev P03; 584.02 \_SK\_00\_103 Rev P04; 584.02 \_SK\_00\_102 Rev P04; 584.02 \_SK\_00\_101 Rev P06; 584.02 \_SK\_00\_100 Rev P04

Design & Access Statement (March 2019) (Glenn Howells); Arboricultural Impact Assessment (March 2019) (Treework Environmental); Biodiverse Habitat Creation (March 2019) (AECOM); Building Design Statement (March 2019) (Glenn Howells); Built

Heritage Statement (March 2019) (CGMS); Daylight & Sunlight Report (March 2019) (EB7); Drainage Strategy + drawings (March 2019) (Cundall); Ecology Statement (March 2019) (AECOM); EIA Statement of Conformity (March 2019) (AECOM); Energy & Sustainability Strategy (March 2019) (Cundall); Planning Statement (March 2019) (DP9); Reconciliation Statement (March 2019) (DP9); Remediation Strategy (March 2019) (AECOM); Statement of Community Consultation (March 2019) (Quatro); Transport Statement (March 2019) (AECOM); Wind Assessment (March 2019) (AECOM) Landscape Addendum Report P03 (June 2019) (Andy Sturgeon); Summary of the Design Response to Heritage Assets (September 2019) (Glenn Howells) Heritage Statement (October 2019) (CGMS); Drainage Strategy Rev E (November 2019) (Cundall); Phase 1 Desk Study Plot 15 (October 2019) (AECOM); Transport Statement Rev 03 (December 2019) (AECOM); Overheating Risk Analysis (October 2019) (Cundall); Healthy Streets Assessment (November 2019) (Steer); Heritage Design Proposal (December 2019) (Really Local); Drainage management plan Rev A (November 2019) (Cundall) Phase 2 Intrusive Site Investigation Plot 15 (October 2019) (AECOM); Accommodation Schedule (July 2019) (Glenn Howells); Supplementary Design Response to Heritage Assets (February 2020); Drainage Sketch Layout Rev A (January 2020) (Cundall/EPG); Building External Materials (Glenn Howells); Updated schematics (Rev P6) and calculations (January 2020) (Cundall)

#### Background Papers

Case File LE/451/179/TP  
NPPF (February 2019)  
London Plan (March 2016)  
Core Strategy (June 2011)  
Development Management Local Plan (November 2014)

#### Designation

PTAL 1a / 2 / 3  
Area of Archaeological Priority  
Deptford Neighbourhood Forum  
Flood Risk Zones 2 and 3  
Landmark Viewing Corridor  
Protected Vista  
Regeneration and Growth Area  
Site of Importance for Nature Conservation  
Strategic Site Allocation 2  
Thames Policy Area

## **1.0 SUMMARY**

- 1.1 This report relates to an application for the approval of Reserved Matters and other details relating to Plot 15 within the Convoys Wharf Development. The report has been brought

before members for a decision as permission is recommended for approval, and there are three or more (6 no.) valid planning objections and as the application pertains to a site of strategic importance.

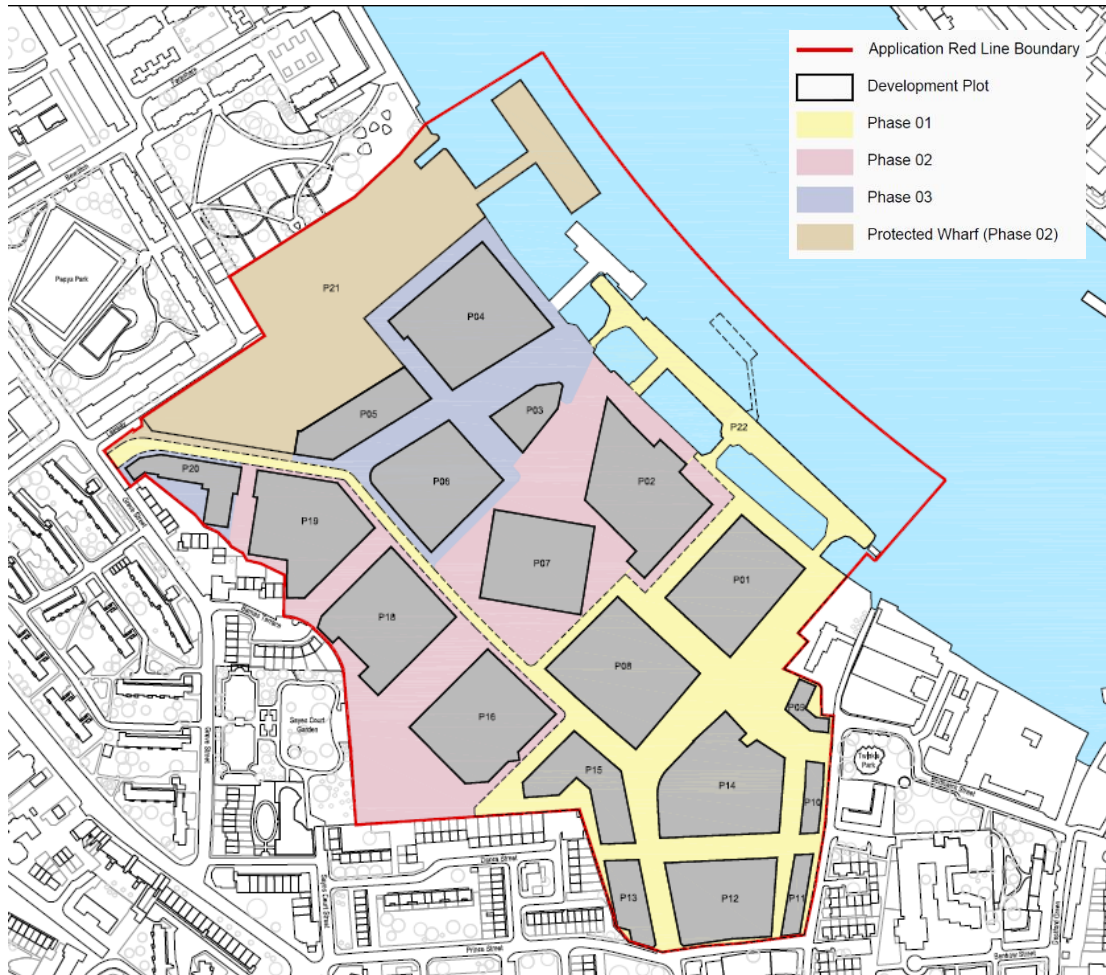
## 2.0 INTRODUCTION

### Background to Outline Permission at Convoys Wharf

- 2.1 The relevant planning history is set out in Section 4 of this Report. By way of further background, the outline planning permission to which the Reserved Matters/other details application relates was granted by the Mayor of London in March 2015. The outline application was submitted to the Council in April 2013. As the application was an application of potential strategic importance as defined in the Town and Country Planning (Mayor of London) Order 2008 it was, in the usual way, notified to the Mayor of London in accordance with the 2008 Order.
- 2.2 In October 2013 and before the Council had formally considered the application, the applicant asked the Mayor to exercise his statutory powers to 'call in' in the application for his own determination. The Council made representations to the Mayor opposing such a move, but the Mayor of London nevertheless decided that he would determine the application.
- 2.3 The Council also made representations objecting to the application on the basis of inappropriate scale and massing and relationship with historic buildings, failure to link with Sayes Court and to accommodate The Lenox, limited scope for evolution of the scheme, various transport issues and uncertainty over community benefits and recommended that it be refused. Following a representations hearing, the Mayor resolved that permission be granted subject to satisfactory completion of a Section 106 Agreement. The Section 106 Agreement (to which the Council is a party) was concluded on 10 March 2015, and outline planning permission (**OPP**) was granted by the Mayor on the same date
- 2.4 The Mayor of London has directed that the Council should determine subsequent Reserved Matter applications and discharge the conditions under the OPP.

### Scope of Approved Outline Planning Permission

- 2.5 The OPP permits the demolition of all non-listed structures at the site, and comprehensive redevelopment (to include retention and refurbishment of the Grade II Listed Olympia Building) to provide up to 419,100m<sup>2</sup> of mixed use development comprising up to:
- 321,000m<sup>2</sup> residential (Class C3) (up to 3,500 units);
  - 15,500m<sup>2</sup> business space (Class B1/live/work units);
  - 2,200m<sup>2</sup> for up to three energy centres;
  - 32,200m<sup>2</sup> working wharf and vessel moorings (Class B2 and sui generis);
  - 27,070m<sup>2</sup> hotel (Class C1);
  - 5,810m<sup>2</sup> retail, financial and professional services (Classes A1 and A2);
  - 4,520m<sup>2</sup> restaurant/cafes and drinking establishments (Classes A3 and A4);
  - 13,000m<sup>2</sup> community/non-residential institutions (Class D1 and D2),
  - 1,840 car parking spaces, together with vehicular access and a river bus facility.
- 2.6 The development is divided into 22 separate plots and is to be developed in 3 phases. Each plot is defined by a set of parameters (described in further detail in the assessment below) that fix its location within the site and its shape, the maximum and minimum height, width and length of each building within the plot and the extent of podiums. The parameters also fix road widths. The 22 development plots, 3 phases and safeguarded wharf are indicated in image 1 below:



*Image 1: Convoys Wharf Outline Plot and Phasing Plan*

- 2.7 The development has an anticipated 10-15 year build out programme.
- 2.8 The existing Section 106 Agreement includes the following. Please note that this is not an exhaustive list.

#### *Community Infrastructure and Projects*

- Primary school - delivery of a 2-Form entry primary school, with an option for increased capacity to 3-Form entry;
- Secondary and post sixteen education - £440,000 (up to £881,000 subject to viability);
- Local open space - £560,000;
- Local heritage and public art - £300,000;
- Community Trust - £250,000;
- Community projects (Lennox and John Evelyn Centre – subject to business plans) - £250,000;
- Feasibility study for the Lennox Project - £20,000;
- Healthcare Facility (subject to a lease with a Healthcare provider - £643,724 in lieu;

#### *Housing*

- Delivery of at least 15% affordable housing and a review mechanism
  - At not less than 30% Affordable Rent Dwellings;
  - At not less than 70% Intermediate Dwellings
  - Wheelchair Housing

### *Employment*

- Wharf infrastructure and activation;
- Local employment and training initiatives (including the affordable business space at subsidised rents);
- Employment and Training Contribution - £500,000;

### *Transport*

- Contributions towards highways works to Deptford High Street, Prince Street, Grove Street, Evelyn Street, Oxestalls Road, Deptford Church Street/ Deptford Broadway Junction and other highways in the vicinity - £1,417,500
- Further s278 Highway works to New King Street (widening and public realm improvements) and to northern section of Deptford High Street between Deptford Station and the Evelyn Street/New King Street;
- Pedestrian and cyclists improvements to Deptford Church Street/A2 junction;
- Delivery of river pier for timetabled passenger services and associated land facilities and financial contribution to Riverbus service - £3,000,000;
- New and diverted bus service (plus capacity enhancements to existing services on Evelyn Street) - £5,750,000;
- New and enhanced off-site bus stops - £99,500;
- Travel Plan for each use (including Travel Plan measures, car club spaces);
- Provision of Controlled Parking Zone - £250,000;
- Air Quality Monitoring - £100,000;
- Delivery of on-site spine road, Thames Path extension and a network of public pedestrian and cycle links within the site;
- Safeguarding of sites for two cycle hire docking stations;
- Monitoring costs - £400,000

### *Other matters*

- Provision of Design and Access Panel to assist the submission of Reserved Matters Applications;
- Provision of Cultural Steering Group;
- Olympia Building Strategy
- Energy strategy (including prioritisation of SELCHP connection);
- CCTV scheme.
- Telecommunications monitoring and mitigation
- Wharf activation provisions

## **3.0 SITE DESCRIPTION**

- 3.1 The wider Convoys Wharf site is approximately 16.6 hectares (41.2 acres), representing about 50% of Lewisham's River Thames frontage. The majority of the eastern side of the application site forms the administrative boundary with the London Borough of Greenwich. The remainder is formed by the boundary with the Shipwright's Palace (listed Grade II\*) which is within the Borough. The surrounding area is predominantly residential with the Pepys Estate and Pepys Park to the west and the Sayes Court Estate to the south. The Pepys Estate, including Aragon Tower, ranges from 3 storeys to 8 storeys with three tall buildings; two at 24 storeys and Aragon Tower at 30 storeys. The Sayes Court Estate is predominantly 3 to 5 storeys with some 11 storey blocks. The site is bounded by Leeway to the north west, properties on Grove Street/Prince Street, Barnes Terrace and Dacca Street to the south and Watergate Street to the east with properties ranging from 2 to 5 storeys.

- 3.2 Existing access to the site is via an entrance at the junction of Prince Street and New King Street. Evelyn Street (A200) and the northern end of Deptford High Street are approximately 100m to the south. Cycle Super Highway 4 is proposed along Evelyn Street in the future. In terms of public transport services in the area, a number of bus services (47, 188, 199, N1, N47) run along Evelyn Street and one service (199) is routed along Grove Street (although not adjacent to the site). The nearest mainline stations are at Deptford and Greenwich (services to/from Cannon Street and Charing Cross via London Bridge), DLR services are at Greenwich Cutty Sark and Deptford Bridge, Underground services at Canada Water and Surrey Quays and Overground at Surrey Quays.
- 3.3 Approximately 9 hectares of the site is a protected wharf. The wharf is not currently operational. It is subject to a Safeguarding Direction issued by the Secretary of State in June 2000 which requires the Mayor to be consulted prior to the grant of planning permission relating to the area protected. In January, the Mayor approved the final recommendations of the review for submission to the Secretary of State for Housing Communities and Local Government. This recommends that the safeguarding be retained for Convoys Wharf with the boundary of the protected wharf amended to reflect the boundary of the OPP.
- 3.4 Approximately 9 hectares of the site is a protected wharf and as indicated above, the wharf is subject to a Safeguarding Direction issued by the Secretary of State in June 2000 under powers in the Town and Country Planning Act 1990 and the Town and Country Planning (General Development Procedure) Order 1995. The wharf within the site red line boundary is not currently operational.
- 3.5 The site has a substantial and significant history having been the site of the Royal Dockyard since the 16th century and also the location of Sayes Court Garden and house, once occupied by John Evelyn. This history is visible with the Grade II listed building within the protected wharf area, Olympia Warehouse, constructed as cover to Slipways nos. 2 & 3 in the former Deptford Royal Dockyard. Gate posts at the junction of Grove Street and Leeway and the river wall are also listed Grade II. Other historic features on the site are archaeological remains which include the site of a Tudor Store House (a Scheduled Ancient Monument), a basin to the front of the Olympia Warehouse, the double dry dock and Sayes Court House. English Heritage (now Heritage England) has identified Convoys Wharf as an Area of Archaeological Priority where significant buried remains of the former Royal Dockyard are likely to exist. Recent archaeological investigations have shown a number of that a number of archaeological features survive below ground.
- 3.6 A group of mature trees on the northeast corner of the site adjacent to the Shipwright's Palace (which lies outside the application site boundary) are subject to a Tree Preservation Order, as are trees located along the south-western boundary of the site.
- 3.7 The north-west corner of the Convoys Wharf site sits within the protected viewing corridor of St Paul's Cathedral from Greenwich Park and the wider setting consultation area in the foreground and middle ground.
- 3.8 Up until recently, there were 33 buildings on the site which were of late 20th century construction, save for the Olympia Warehouse which dates from 1846. In early 2011, a number of the modern warehouse buildings were demolished. There are now 5 buildings retained on site, including the listed Olympia Warehouse.
- 3.9 The site has a public transport accessibility level (PTAL) spanning across 1a, 2, and 3.
- 3.10 The site is within the Deptford Creek/Greenwich Riverside Opportunity Area as identified in the London Plan. Convoys Wharf is designated as a Strategic Site within the Core Strategy and is located within the Deptford Regeneration and Growth Area.

- 3.11 Directly to the west of Convoys Wharf is the Oxestalls Road Strategic Site (also known as The Wharves, Deptford) which has planning permission for 1132 new dwellings in buildings ranging from 4-24 storeys. Phase 1 is under construction. Further west is the Plough Way Strategic site which is formed of four plots; Marine Wharf West, Marine Wharf East, Cannon Wharf and sites in Yeoman Street. All have planning permission with the total number of 1244 approved units. The Plough Way sites are now complete.

#### **4.0 RELEVANT PLANNING HISTORY**

##### Background

- 4.1 The site has relatively a limited formal planning history but as set out above, has a long and significant history as a naval dockyard dating from the 17th century. This has left an important legacy in the form of archaeological remains on and adjacent to the site. The site was used by Convoys, a subsidiary company of News International Plc, for the importation and transshipment of newspaper products up until September 1999 when Convoys operations were relocated to Medway. Parts of the site were then used for storage purposes but it has been vacant since 2010 and various modern buildings demolished.
- 4.2 In 2002, News International submitted an outline application for the comprehensive residential-led mixed use redevelopment of the site for a total of up to 447,045m<sup>2</sup> of floorspace comprising providing c. 3,500 dwellings with employment leisure and retail uses. The Council resolved to grant planning permission subject to completion of a S106 agreement, but due to a number of concerns and referral to the Mayor, but due to a number of concerns raised by the GLA, principally focused on the protected wharf, affordable housing and transport matters, the referral was withdrawn at the request of the GLA.
- 4.3 The site was subsequently acquired by the current owners, Hutchison Whampoa (**HW**) and the planning application was amended but was ultimately withdrawn when HW engaged new masterplanners, Farrells, and submitted a new outline planning application which led to the grant of the OPP by the Mayor in March 2015.

##### Other Relevant Planning Applications

- 4.4 An amended phasing plan (condition 22) was approved on 27th June 2018 as per Image 1 above (planning application reference number DC/18/107740).
- 4.5 DC/19/113231 - An application submitted under Section 96a of the Town and Country Planning Act 1990 for a Non-material amendment in connection with the Planning Permission DC/13/83358 approved (GLA reference D&P/0051c/GC/18) 10th March 2015 for the comprehensive redevelopment of Convoys Wharf to provide a mixed-use development of up to 419,100m<sup>2</sup> comprising:
- up to 321,000m<sup>2</sup> residential floorspace (up to 3,500 units) (Use Class C3)
  - up to 15,500m<sup>2</sup> employment floorspace (Class B1/Live/Work units) including up to 2,200m<sup>2</sup> for 3 no. potential energy centres
  - wharf with associated vessel moorings and up to 32,200m<sup>2</sup> of employment floorspace (Sui Generis & Class B2)
  - up to 5,810m<sup>2</sup> of retail and financial and professional services floorspace (Classes A1 & A2)
  - up to 4,520m<sup>2</sup> of restaurant/cafe and drinking establishment floorspace (Classes A3 & A4)
  - up to 13,000m<sup>2</sup> of community/non residential institution floorspace (Class D1) and assembly and leisure (Class D2)
  - up to 27,070m<sup>2</sup> of hotel floorspace (Class C1)
  - river bus jetty and associated structures

- 1,840 car parking spaces together with vehicular access from New King Street and Grove Street
- retention and refurbishment of the Olympia Building and demolition of all remaining non-listed structures on site

In order to allow an amendment to minimum development parameters in relation to P08 and the minimum and maximum development parameters in relation to P15.

- 4.6 Reserved Matters Applications for Plot 08 (DC/18/107698) and Plot 22 (DC/18/107620) and discharge of/approval under conditions in relation to those Plots have also been received by the Council. These applications are the subject of separate reports which are also on the same agenda as the application in relation to Plot 15.
- 4.7 A number of further applications have been submitted and approved in relation to advance site works and other pre-commencement conditions as follows:
- 4.8 DC/15/094797 - Partial details for the advanced site works phase relating to the haul road submitted in partial compliance with Condition (45) (i) (a) and (b) Contamination Studies of the planning permission DC/13/83358 dated 10th March 2015 – Approved 19 February 2016
- 4.9 DC/15/094799 - Details related to the advanced site works phase submitted in partial compliance with Condition 47 Surface Water Control Measures of planning permission DC/13/83358 dated 10th March 2015 – Approved 5 February 2016
- 4.10 DC/15/094800 - Details for the advanced works phase submitted in partial compliance with Conditions (34, 35, 36, 37, 38 and 39) Archaeological Work of the planning permission DC/13/83358 dated 10th March 2015 – Approved 24 February 2016
- 4.11 DC/16/095903 - Details submitted in compliance with Condition (44)(i) Site-Wide Construction Code of Practice of planning permission DC/13/83358 dated 10th March 2015 – Approved 21 April 2016
- 4.12 DC/16/096970 - Details submitted in compliance with Condition (44)(ii) Phase-Specific Construction Code of Practice of planning permission DC/13/83358 dated 10<sup>th</sup> March 2015 – Approved 01 June 2016
- 4.13 DC/17/100954 - Details submitted in compliance with Condition 6 (River Wall Surveys) of the planning permission DC/13/83358 dated 10th March 2015 – Approved 21<sup>st</sup> June 2018
- 4.14 DC/17/104961 - Details submitted in compliance with Condition 41 (Ecological Management Strategy) of the planning permission DC/13/83358 dated 10th March 2015 – Approved 23<sup>rd</sup> March 2018

## **5.0 THE PROPOSALS AND SCOPE OF ASSESSMENT**

- 5.1 This current application seeks approval of Reserved Matters for Plot 15, together with the approval of other details under Conditions 20 and 21 of the OPP and approval/discharge under/of the conditions listed in the Table at paragraph 5.7 below.
- 5.2 The comprehensive redevelopment of the site has already been assessed and the OPP granted based on a number of development principles and parameters. These include the overall quantum of development and mix of uses, the scale, height and massing of buildings, as well as the general layout of the site including the location of buildings, routes and open spaces.
- 5.3 Condition 20 of the OPP is set out below. The 'Reserved Matters' required to be approved are the details referred to as layout (20(i)(a)), scale (20(i)(b)), appearance (20(i)(c)), access



(20(i)(e) and landscaping (20(i)(f). The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines the reserved matters as:

- (i) layout: the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;
- (ii) scale - the height, width and length of each building proposed within the development in relation to its surroundings;
- (iii) appearance - the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;
- (iv) landscaping - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes
  - (a) screening by fences, walls or other means;
  - (b) the planting of trees, hedges, shrubs or grass;
  - (c) the formation of banks, terraces or other earthworks;
  - (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
  - (e) the provision of other amenity features;
- (v) access: the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

5.4 An application for the approval of reserved matters is not an application for planning permission. In terms of formal requirements, the Town and Country Planning (Development Management Procedure) (England) Order 2015 states only that such applications “must include such particulars, and be accompanied by such plans and drawings, as are necessary to deal with the matters reserved in the outline planning permission”.

5.5 It is important to note that as OPP has been granted, the principle of the development and those elements of the development that have already been approved in outline (including the road layout, the overall quantum and mix of uses, the scale, height and massing of buildings and the general layout of the site as identified on the approved parameter plans) do not form part of the current application and are not matters for reconsideration as part of the determination of the proposed reserved matters or other matters submitted for discharge/approval under conditions.

5.6 Condition 20 provides as follows:

*Reserved Matters/ approval of details*

- i) Development other than works approved under Condition 21 shall not commence in a Phase or Sub-Phase or Plot approved under Condition 22 until layouts, plans, sections, elevations and other supporting material for that Phase. Sub-Phase or Plot detailing:
  - a) Siting and layout of the buildings and other structures;
  - b) Scale and design of the buildings (including floor areas, height and massing);
  - c) External appearance (including samples of the materials and finishes to be used for all external surfaces and including but not limited to roofs, elevation treatment and glazing);
  - d) Measures to appropriately mitigate any potential overlooking issues (including details of proposed privacy screening);

- e) Means of access (and details of surface treatments) for carriageways, cycleways, footways, footpaths and pedestrian access routes (identifying those which are to be publicly accessible) and routes to/from car parking and cycle storage/parking;
  - f) Hard and soft landscaping and planting, site boundary treatments of all publicly accessible open space and all private open space (including play space, private residential amenity space and communal residential amenity space); and,
  - g) Impact study of the existing water supply infrastructure (to determine the magnitude of any new additional capacity required in the system and a suitable connection point – for approval by the Local Planning Authority in consultation with Thames Water) have been submitted to and approved in writing by the Local Planning Authority.
- ii) The details of publicly accessible routes required to be submitted pursuant to part (i)(e) of this Condition shall include timescales for completion of such publicly accessible routes by reference to the occupation of residential units within the Phase, Sub-Phase or Plot in which they are to be provided.
  - iii) The development shall in all aspects be carried out in strict accordance with the details approved under this Condition.
  - iv) Not more than the relevant threshold of residential units as specified in the details approved pursuant to part (ii) of this Condition shall be occupied until the publicly accessible routes have been completed in strict accordance with the details approved pursuant to part (i) of this Condition.

#### Discharge of Conditions

5.7

In addition to the application for the approval of Reserved Matters for Plot 15, the applicant has also applied for approval of the other details required by Condition 20 so far as is relevant to Plot 15 and to discharge certain other conditions of the OPP. The relevant conditions are listed in Table 1. The full wording of each of the conditions can be viewed in the OPP, a copy of which is attached as Appendix 1.

Number	Title
3	Microclimate: wind
7	Building design Statement and Tall Buildings Design Statement
8	Reconciliation Statement
10	Housing (Minimum residential space standards)
12	Lighting
13	Heritage Statement
14	Biodiversity
15	Energy Statement
19	Drainage and flood risk
21	Infrastructure and other details
30	Residential open space
45	Contaminated Land
47	Surface water control measures
50	Electric vehicle charging points

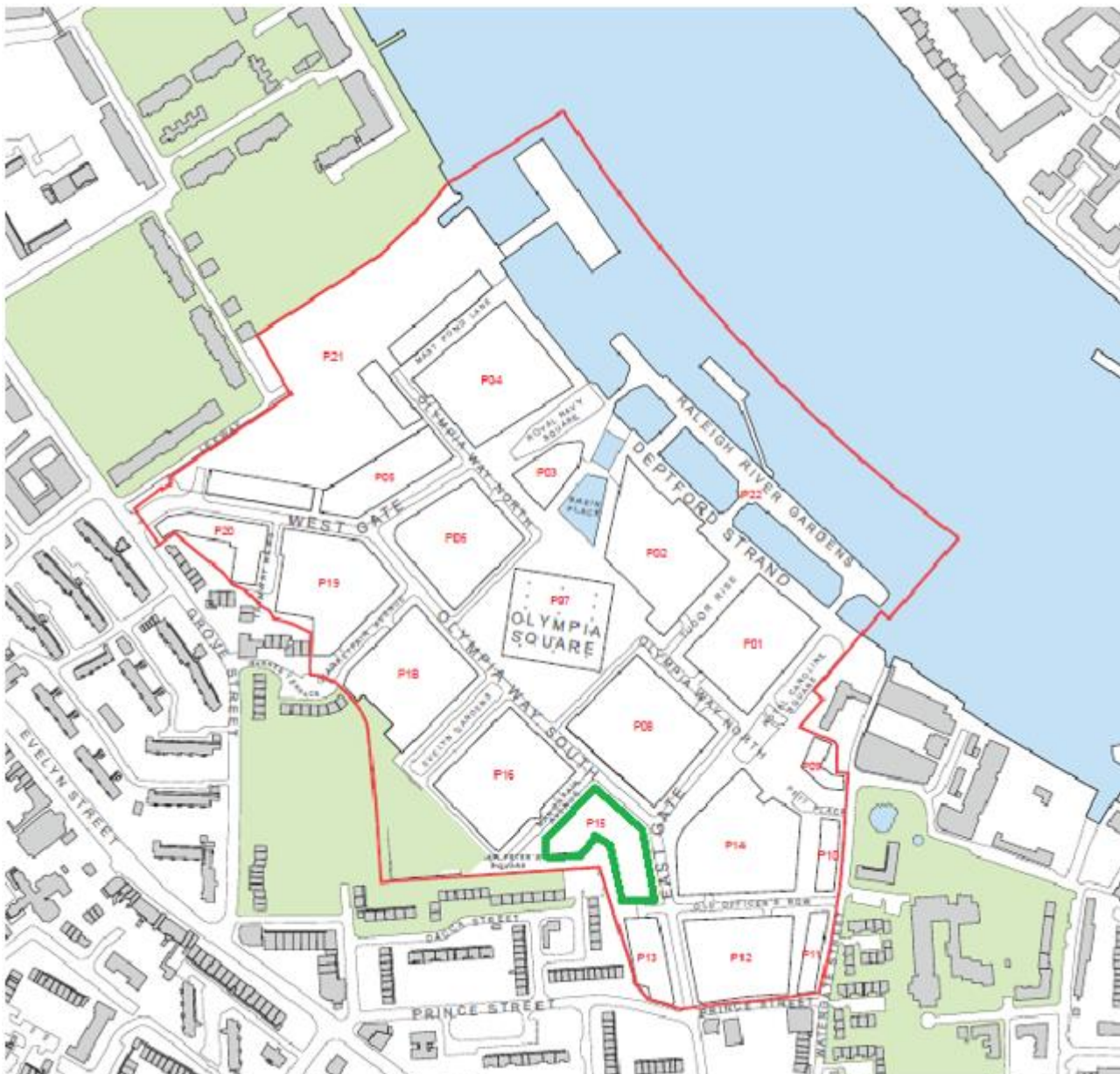
*Table 1: Conditions sought for discharge*

5.8

The details considered below in relation to the Reserved Matters are also material to consideration of other matters required to be approved under Condition 20. The assessment of layout is also relevant to siting (part of 20(i)(a)), the assessments of scale and appearance are also relevant to design (part of 20(i)(b)). The assessment of playspace (part of 20(i)(f)) is also considered under landscaping.

### Overview of Plot 15 Proposals

- 5.9 The approved phasing programme (DC/15/094795 as amended by DC/18/107740) indicates that the works to P15 are to be delivered as part of Phase 1.
- 5.10 In accordance with the approved Development Specification (CW05A), the key components of Plot 15 are as follows:
- 12,525sqm of residential (Class C3) floor space;
  - 800sqm of business (Class B1/ Live/Work units);
  - 300sqm of shops (Class A1) and financial and professional services (Class A2); floor space; and
  - 3,300sqm of Hotel (Class C1) Floor space
- 5.11 The proposal for Plot 15 will seeks to utilise 11,466 sqm with residential, retail (300sqm) and business uses (800sqm). The hotel will not be pursued for this plot as this is anticipated being delivered elsewhere in the development site, likely within Plot 16.
- 5.12 The location of Plot 15 in relation to surrounding plots and existing development is indicated by Image 2 below.



*Image 2: Plot 15 (outlined in green) in relation to surrounding development plots*

- 5.13 The site is located within Phase 1 of the Convoys Wharf development site with an area of 0.28ha. The masterplan has character areas which define the type of uses and character along the street edge, and which in turn informs the building design. Plot 15 is partly within both the Eastern Gateway and Evelyn Quarter character areas as defined by the Design Guidelines.
- 5.14 The building proposed to be constructed on Plot 15 would be a residential building with commercial and business activity on the ground floor. The building shape is defined by the approved parameters. The outdoor space to the south of the building should include outdoor amenity and children's playspace for the occupants. The application also proposes 12 no. blue badge parking spaces and one additional parking space, alongside cycle parking to be provided within external cycle stores.
- 5.15 The application proposes 124 residential units, with 65 of these to be social rent (provided at London Affordable Rent) and 59 to be an intermediate product (shared ownership). This represents a mix of 55% by habitable room (52.5% by unit) at London Affordable Rent and 45% by habitable room (47.5 by unit) as shared ownership. No private housing is proposed. The tenure and housing mix is discussed further below.

## **6.0 CONSULTATION**

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

### Applicant's Pre-Application Consultation

- 6.2 The applicant undertook pre-application community consultation to ensure stakeholders had a full and open opportunity to view and comment on the proposals, prior to the submission of a planning application.
- 6.3 The consultation centred around a public exhibition held over two days, Thursday 28th February and Saturday 2nd March. The exhibition was advertised through the distribution of leaflets to residents and businesses in the local area. Individual invitations were also sent to all councillors and stakeholders. It was attended by 81 people over the two days, with eight feedback forms returned.
- 6.4 The applicant held two further drop-in consultation events on Saturday 29<sup>th</sup> February 2020 and Tuesday 3<sup>rd</sup> March 2020 at the Community Action Centre at Grove Street.

### Council's Application Consultation

- 6.5 The Town and Country Planning (Development Management Procedure) (England) Order 2015 does not prescribe minimum consultation requirements for applications for approval of Reserved Matters or under conditions, nor does the Council's adopted Statement of Community Involvement. However, in common with previous applications and to ensure that statutory and non-statutory consultees as well as members of the public and other interested parties were made aware of the current application, the approach to public consultation for applications for planning permission was adopted. A letter drop was carried out to 1,351 homes and businesses in the area surrounding the application site, an advert was also placed in the Local Press and seven public notices were displayed around the site.
- 6.6 Emails providing a link to the application were sent to the relevant ward Councillors.

6.7 Following the initial consultation, the Council carried out a further reconsultation in February 2020 where another letter drop was carried out to 1,351 homes and businesses in the area surrounding the application site and an advert was also placed in the Local Press.

6.8 The following statutory consultees and stakeholders were also consulted:

- Docklands Light Railway
- Environment Agency
- Greater London Authority
- Historic England
- Highways England
- London Borough of Tower Hamlets
- London Borough of Southwark
- London City Airport
- London Fire and Emergency Authority
- Metropolitan Police Designing Out Crime Officer (Lewisham)
- Museum of London
- National Grid
- Natural England
- Network Rail
- Port of London Authority
- Royal Borough of Greenwich
- Thames Water
- Transport for London

6.9 The following local groups were consulted:

- Creekside Education Trust
- Creekside Forum
- Deptford Folk
- Deptford High Street Association
- Deptford Neighbourhood Action
- Friends of the Earth
- Lewisham Cyclists
- Lewisham Street Traders Association
- London Wildlife Trust
- Greater London Industrial Archaeology Society
- Greenwich Conservation Group
- Greenwich Society
- Naval Dockyards Society
- Pepys Community Forum
- Royal Parks Agency
- The Victorian Society
- Voice4Deptford

6.10 The following Council services were consulted:

- Drainage and Flood Risk
- Ecological Regeneration
- Education
- Environmental Protection
- Highways
- Housing Strategy
- Parks

- 6.11 In addition, the application has been advertised and consulted upon pursuant to the Town and Country Planning (Development Management Procedure) Order 2010.

Written Responses received from Local Residents and Organisations

- 6.12 As a result of the public consultation process, 6 representations were received objecting to the proposed development, these included objections from Alliance for Childhood Voice4Deptford and Lewisham Cyclists. A summary of the representations is outlined in Table 2 below.
- 6.13 The representations from community groups and the public are summarised as follows:

Summary of Representations	Officer Response (paragraphs)
<i>Design and Appearance</i>	
The building fails to take advantage of surrounding architectural design	8.30-8.168
The mixed-use development does not correspond to the history of the site	8.30-8.168
The building should be context-sensitive and site specific with much more green vegetation and landscape all of which should reflect its historic significance.	8.61-8.70, 8.33-8.44, 8.91-8.102, 8.132-8.168
The brick facade does not represent the traditional style of brickwork. The use of brickwork in the facade could bring a playful and artistic sense of heritage and quality design	8.61-8.70
The design has an anywhere feel	8.61-8.70
The proposed brick choice is dark and gloomy	8.61-8.70
The whole of Convoys Wharf site is on archaeological heritage World Monument Watch list. Nothing in the Plot 15 positioning or architecture honours the importance of this.	8.33-8.44, 8.132-8.168
The proposal would result in overshadowing to neighbouring properties	8.33-8.44, 8.216-8.236
<i>Consultation</i>	
There has not been extensive consultation in relation to proposals for Plot 15	6.2 – 6.15
<i>Playspace and Young People</i>	
The application references a play strategy but this is not outlined in the OPP or S106 agreement	8.103-8.111
The location of P15 has potential to create a barrier to children's movement	8.33-8.44
<i>Accommodation and Housing</i>	
The flats appear cramped with inefficient floor layouts, built to the minimum space standards.	8.207
The proposed unit mix is not appropriate – there should be more 3 and 4 beds	8.12 – 8.18
The social rent is at London Affordable Rent which would be higher than that of surrounding estates	8.19-8.25
No detail has been given regarding the security of tenure or service charges	8.19-8.25
The location of P15 is class distinction	8.19-8.25

<i>Transport</i>	
The scheme should be designed to minimise car use and maximise cycle use	8.241 – 8.266
This development brings an opportunity to assess these issues and re-work road junction layouts to increase active travel to and from the site to benefit local people.	The Section 106 Agreement for the Outline Planning Permission secures contributions for the improvement of the existing transport network. Full details can be reviewed within the S106 agreement. A summary of the S106 agreement planning obligations is provided at paragraph 2.15.
<i>Other</i>	
There is no indication given that local residents will have any direct access to the new 'commercial and business activity'.	All commercial units will be directly accessible from publicly accessible open space as defined by the Outline Planning Permission
The naming of areas and streets has not been discussed with the people of Deptford	Schedule 4, Annex 3 of the S106 agreement outlines the Cultural Strategy Commitments. One of the commitments is to promote a naming strategy, all names are currently illustrative.
Energy centre will be a gas powered system	8.279 – 8.295

*Table 2: Summary and officer response to representations received*

- 6.14 Given the application received 6 representations objecting to the proposed development, a Local Meeting was carried out in accordance with Lewisham's Statement of Community Involvement.
- 6.15 Circa 35 people attended the Local Meeting, which was held at the Evelyn Community Centre, in close proximity to the application site, on 30<sup>th</sup> July 2019. The minutes of the local meeting are attached as Appendix 2.

Written Responses received from Statutory Agencies and Authorities

*Docklands Light Railway*

- 6.16 No response

*Environment Agency*

- 6.17 Requested a full Flood Risk Assessment be provided indicating sleeping accommodation be provided above the relevant modelled flood breach model
- 6.18 Recommend partial discharge in relation to condition 19 (in regard to P15)
- 6.19 Recommend partial discharge of condition 45(i) (in regard to P15)

*Greater London Authority*

- 6.20 No response.

*Historic England (Designated Built Heritage Assets)*

- 6.21 Confirmed no objection.

*Historic England (Greater London Archaeology Advisory Service)*



- 6.22 Initially raised objection – outlined in detail in assessment below  
*London Borough of Southwark*
- 6.23 Confirmed no objection  
*London Borough of Tower Hamlets*
- 6.24 Confirmed no objection  
*London City Airport*
- 6.25 No response  
*London Fire and Emergency Authority*
- 6.26 With reference to planning application DC/19/111912, requesting advice in respect of the above-mentioned premises, please refer to the comments below.
- 6.27 Pump appliance access and water supplies for the fire service were not specifically addressed in the supplied documentation, however they do appear adequate. In other respects this proposal should conform to the requirements of part B5 of Approved Document B.  
*Metropolitan Police Designing Out Crime Officer (Lewisham)*
- 6.28 No objection subject to Secured By Design condition  
*Museum of London*
- 6.29 No response  
*National Grid*
- 6.30 No response  
*Natural England*
- 6.31 Confirmed no objection  
*Network Rail*
- 6.32 No response  
*Port of London Authority*
- 6.33 The PLA considers that further information must be provided prior to determination to show how the design of this plot has taken into account any potential impacts (such as noise) of the operational Safeguarded Wharf on future occupants of the building. This would be in line with the Agents of Change principle, as set out in paragraph 182 of the National Planning Policy Framework (NPPF) and policies D12 (Agent of Change) and SI15 (Water Transport) of the draft new London Plan (published with minor suggested changes 2018).
- 6.34 In addition the previously submitted site wide Code of Construction Practice (CoCP) for the Convoys Wharf development referred to the potential for bulk deliveries and material removals to be undertaken using the River Thames, and that the client and their consultants will explore the use of the river with all contractors for the movement of construction materials and removal of waste materials. The CoCP further states that the volumes and the quantum of said movements will be determined on a phase by phase basis to confirm



whether river usage is economic and viable and the developer commits to investigating for each phase or sub-phase a strategy to maximise the use of the river where reasonably appropriate. However it is not clear from the submitted documents for this application whether this process has been carried out. The submitted Remediation Strategy for this application does state that the contractor will produce a works specific Construction Phase Environmental Management Plan (CEMP). This must include full consideration for the use of the River Thames as part of the construction phase of the development either directly to/from the site of through the supply chain and must form a condition as part of any forthcoming planning permission.

*Royal Borough of Greenwich*

6.35 Confirmed no objection

*Thames Water*

6.36 Thames Water agree to discharge condition 20, as the impact of the developments at Convoys Wharf site have already been modelled and the findings of the report are still valid. Due to a significant impact on the local network, the following reinforcements will be required: circa 1.5km of 355mm HPPE main along Surrey Canal Road. After the proposed network reinforcement has been implemented, a fire flow of 25l/s can be met. The developer must adhere to the conclusions and recommendations in these reports that additional reinforcements will be required for this development and work with Thames Water.

6.37 Further condition and informative recommended in relation to works within Thames Water Assets.

*Transport for London*

We have no comments on Condition 3, 7, 8, 9, 10, 14, 14, 15, 19, 30, 42 or 45.

6.38 For Condition 18, we consider it appropriate for the applicant to be specific about deferring discharge of this condition.

6.39 For Condition 21, it appears that insufficient information has been submitted.

6.40 Condition 31 must be discharged, although it isn't listed as a condition to be discharged within this application.

6.41 Condition 32, no supporting information appears to be supplied to allow discharge.

6.42 Condition 33 cannot be discharged as the details provided, albeit not complete, show that the cycle parking is not acceptable.

Responses from Council Departments

*Drainage and Flood Risk*

6.43 Initial objections raised as follows:

6.44 We object to discharging Condition 19 of the application for the following reasons:

- The drainage strategy is not aligned with the drainage hierarchy of the London Plan Policy 5.13. The applicant has not provided evidence to fully justify why more sustainable drainage options are not considered feasible for the development.
- The applicant has not provided the greenfield runoff rates, so we are unable to assess the runoff proposals against the requirements of the London Plan.

- There are three different proposed runoff rates stated within the documentation – 1.85 l/s, 2.0 l/s and 10 l/s. This will need to be clarified and then assessed against the greenfield runoff rate.
- In the proposed drainage strategy, the applicant uses a climate change allowance of 30%.
- Applicant has not demonstrated compliance with the Non-Statutory technical standards S7 to S9, neither provided storage calculations to support that site has enough attenuation capacity.
- Applicant has not provided any drainage drawing with details of the drainage features (e.g. location and size of the underground tank) and a strategic plan of how the overall area will be drained.
- The submitted maintenance plan that has been provided, does not include all of the drainage features (oil separator, green/brown roofs), and includes activities/frequencies in a very general manner.
- We cannot find the cited AECOM's drainage strategy document for the Convoys Wharf drainage infrastructure which is in described as containing information in terms of attenuation, discharge rates and a maintenance plan.

6.45 Please can the applicant submit information which:

- Demonstrates compliance with the London Plan Policy 5.13 drainage hierarchy for achieving a sustainable drainage system, or provide evidence to justify that higher options in the policy are not feasible for the development. The proposed site development can support integrations for more SuDS features that have not been considered such as permeable pavement, raingardens, tree pits, planters etc. It is worth noting that the condition specifies that the development should avoid pumping.
- Demonstrates greenfield rates and show compliance with the London Plan. Discharge rates must be no more than 3x greenfield.
- Clarifies what the proposed discharge rate is.
- Applies a 40% climate change allowance to the calculations as the life span of the development is anticipated to be more than 50 years.
- Demonstrates by submitting detailed calculations, that no flooding occurs during the 1 in 30 year event on site and no flooding occurs to buildings in the 1 in 100 year event and to demonstrate that the proposed attenuation features have enough capacity to attenuate site runoff volumes. Exceedance routes must be identified. The site must be able to attenuate the greenfield volume of the 1 in 100 year 6 hour event or as close as reasonably practical.
- Demonstrates a design drawing, providing details of the drainage features and a strategic plan on how the overall area will be drained.
- Demonstrates a maintenance scheme that includes all of the proposed drainage features and specifies the appropriate actions and frequencies of maintaining the components for the life span of the development. The applicant should also provide more information on the responsible owner.

#### *Ecological Regeneration*

6.46 No response

#### *Education*

6.47 No response

#### *Energy and Sustainability Manager*

6.48 Requested the following further information:

- More information is required on the scheme's Target Fabric Energy Efficiency (TFEE) and how this proposal will exceed the baseline
- More information required on the lighting specification
- More information required in relation to mechanical ventilation
- Overheating analysis is required

#### *Environmental Protection*

- 6.49 Request plot specific land contamination documents as required by condition 45.

#### *Highways*

- 6.50 The submitted drawings for Plot 15 don't include the carriageway or footpath on the Spine Road (named East Gate) that provides pedestrian and vehicular access to the plot from Prince Street / New King Street. Plot 15 cannot be considered in isolation without further details of the proposed pedestrian route to the plot should be included.
- 6.51 While the proposed footway widths may be within the parameters of the outline consent, it is considered reasonable to require a more thorough analysis of pedestrian comfort levels to ensure pedestrian trips can be comfortably accommodated along the spine road between plot15 and the gate at Prince Street / New King Street.
- 6.52 Section 7.5.1 of the Transport Statement (CW-P15-ACE-RP-0701-001-D-01 December 2019) refers to TfL's Healthy Streets Check for Designers which 'requires a proposed clear footway width of 2m minimum', and suggests 'the masterplan proposal held within Appendix G shows a width of clear, continuous walking space (i.e. a clear footway width) of 3m'. The Transport Statement then states 'assessing this proposed 3m clear footway width against the proposed peak pedestrian flow with regards to TfL's Healthy Streets Check for Designers, results in the footways being categorised as quiet.
- 6.53 However, the footway widths are assessed without street furniture, and the scoring guidance for TfL's Healthy Streets Check for Designers states the following:-
- 6.54 'The appropriate amount of footway space depends on likely pedestrian flow, and the Healthy Streets Check takes this into account at a basic level. Note that this metric is intended to be a quick estimate of pedestrian comfort, and does not substitute for a more thorough analysis of pedestrian comfort levels'.
- 6.55 As per my comments outlined above, the proposed footways may be 'adequate' In the temporary scenario, but is not considered acceptable in the permanent scenario.
- 6.56 Further analysis of pedestrian comfort levels are required to ensure pedestrian trips can be comfortably accommodated along the spine road between plot15 and the gate at Prince Street / New King Street.
- 6.57 The footways in the future scenario should have, a Pedestrian Comfort Level rating of 'A' and the clear width of the footway on the Spine road should be a minimum of 3m. These details should be secured by an appropriate planning condition.

#### *Housing Strategy*

- 6.58 No response

#### *Parks*

- 6.59 No response

#### Design and Access Panel

- 6.60 The S106 agreement requires that an independent Design and Access Panel (DAP) be formed, responsible for providing advice and guidance on matters relating to design and design quality and access in relation to the development.
- 6.61 The S106 requires that the membership of the DAP comprise the following 3 persons nominated by the Council and 3 persons nominated by the owner.
- 6.62 The DAP met in relation to the proposed Reserved Matters Application for Plot 08 in February 2019.
- 6.63 The panel supported the following:
- Thorough and convincing historical analysis of site and surrounding area
  - Examination of Deptford High Street and its variety/consistency as potential design precedent (variation and continuity)
  - The conceptual extension of the High Street to the river
  - Public housing (some LCC) and its brick/craftsmanship precedents
  - Considered view analysis – including the idea of ‘node’ design for specific views
  - General design approach – as backdrop/foil/supporting cast
  - Careful approach to questions of base/middle/top design
  - Subtle strategy in respect of a brickwork colour palette
  - Reinforcement/extension of the High Street
  - The limited number of roof ‘steps’
  - General landscape approach including a listed wall and protected trees
- 6.64 The following additional points of consideration were raised:
- A physical model is desirable in order to show the contextual relationship between built form and civic/open space
  - The space at the rear of the accommodation need to be unambiguously identified either as a potential route, or (preferably) for use by residents and ground-floor occupiers only. Removal of parking provision should be tested
  - This would suggest gating the opening on the left of the High Street extension and what appears on the plan as potential access from the Evelyn Quarter
  - The apartments fronting civic space are a sore thumb. This needs a rethink; GHA might show the relationship between civic space and this part of the building in the next design iteration; a drawing could also include potential street parking
  - Decisions are required in respect of distinctive design for tops – or not
  - Planting possibilities on roofline should be taken into consideration
  - Changes in facade treatment if what lies behind is identical needs to be thought through
  - Rigour of detailed design once strategies are finalised will as ever be important
  - Ground plane with its horizontal character will help
  - Clues to next design iteration may lie in thinking about the relationship or difference between a warehouse aesthetic and LCC housing blocks
  - Extended corridors are similarly disappointing after a century-long history of trying to introduce more space and light into this design element. It would be reasonable to expect light to be introduced at the end of corridors. Could lifts be re-orientated?
- 6.65 The applicant has advised as to how the design has evolved and how they have responded to the comments received by the Design and Access Panel in the Design and Access Statement submitted with this application.

## 7.0 POLICY CONTEXT

### Introduction

- 7.1 An application for approval of reserved matters or for discharge of/approval under conditions is not an application for planning permission. Accordingly, the provisions of Section 70(2) of the Town and Country Planning Act 1990 (as amended), which sets out the considerations the local planning authority must have regard to in determining applications for planning permission, do not apply in the determination of this application for approval of reserved matters.
- 7.2 Notwithstanding the statutory provisions, there development plan for Lewisham and other policies which are relevant in assessing the current application. These are set out below.

### DEVELOPMENT PLAN

- 7.3 The Development Plan comprises:
- London Plan Consolidated With Alterations Since 2011 (March 2016) (**LPP**)
  - Lewisham Core Strategy (June 2011) (**CSP**)
  - Lewisham Development Management Local Plan (November 2014) (**DMP**)
  - Lewisham Site Allocations Local Plan (June 2013) (**SALP**)
- 7.4 The London Plan has been reviewed and a new draft London Plan produced (DLP). This has been subject to public examination and an 'Intend to Publish' version subsequently issued by the Mayor of London in December 2019. This has now been reviewed by the Secretary of State and a response outlining amendments has been issued. The DLP is now with the Mayor of London to informally agree amended text with the MHCLG and Secretary of State. Although not yet part of the adopted development plan, given its advanced stage the draft New London Plan carries some weight as a material consideration in planning decisions. The relevant draft policies are discussed within the report.

### NATIONAL POLICY & GUIDANCE

- 7.5 National policy and guidance comprises the following:
- National Planning Policy Framework 2019 (NPPF)
  - National Planning Policy Guidance
  - National Design Guide 2019
- 7.6 London Plan SPG:
- Planning for Equality and Diversity in London (October 2007)
  - London View Management Framework (March 2012)
  - All London Green Grid (March 2012)
  - Play and Informal Recreation (September 2012)
  - Sustainable Design and Construction (April 2014)
  - Character and Context (June 2014)
  - The control of dust and emissions during construction and demolition (July 2014)
  - Accessible London: Achieving an Inclusive Environment (October 2014)

- Social Infrastructure (May 2015)
- Housing (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)
- Culture & Night Time Economy (November 2017)
- Energy Assessment Guidance (October 2018)

## **NEIGHBOURHOOD PLAN**

- 7.7 The application site is located within the Deptford Neighbourhood Action (DNA) (who have been recognised by Lewisham Council as a Neighbourhood Forum since February 2016) designated Neighbourhood Area. DNA are currently progressing their neighbourhood plan and Regulation 14 consultation was commenced in October 2019 – this is still ongoing. Given the early stage of the preparation of the neighbourhood plan, this does not currently carry weight in the consideration of planning applications.

## **8.0 PLANNING CONSIDERATIONS**

- 8.1 The principle of comprehensive redevelopment of the site has been approved through the planning permission granted in March 2015. This permission approved the overall quantum of development and land use mix, the scale, height and massing of buildings, and the site layout and access as well as the detail of the new road layout. Accordingly, the issues for consideration in the determination of the current application relate only to the Reserved Matters for Plot 15 and those details required by the conditions in respect of which application for discharge/approval is sought.
- 8.2 The main issues to be considered in the determination of this reserved matters application and related scheme details are:
- Compliance with the Approved Development Parameters
  - Reserved Matters
    - Layout
    - Scale
    - External
    - Access
    - Landscaping
  - Other details under Condition 20, Condition 21 and other conditions
  - Environmental Considerations
  - Other Matters and Response to Objections

## **COMPLIANCE WITH THE APPROVED DEVELOPMENT PARAMETERS**

### **Background to Approved Parameters**

- 8.3 Condition 2 on the OPP approved and requires compliance with a series of parameter plans. Document CW05A Development Specification (dated February 2014) of the OPP was also approved and must be complied with.
- 8.4 This document provides:
- a coherent framework for the regeneration of the area;
  - a clear statement of the parameters, constraints and restrictions to which the site must adhere under the terms of the OPP; and
  - a flexible framework which is capable of responding to the needs of the scheme within the boundaries of the Environmental Statement (ES).

8.5 There are 18 Parameter Plans, which set out the parameters within which applications for approval of reserved matters and other approvals under the planning permission must adhere to.

8.6 The scope of the parameter plans is outlined below:

- Parameter Plan 01 Planning Application Boundary
- Parameter Plan 02 Existing Site Levels
- Parameter Plan 03 Existing Site Sections 01
- Parameter Plan 04 Existing Site Section 02
- Parameter Plan 05 Existing Building Heights
- Parameter Plan 06 Key Development Plot Plan
- Parameter Plan 07 Proposed Site Levels
- Parameter Plan 08 Open Space
- Parameter Plan 09 Maximum Development Basement Levels
- Parameter Plan 10 Maximum Development Plot Parameters
- Parameter Plan 11 Minimum Development Plot Parameters
- Parameter Plan 12 Max/Min Development Plot Horizontal Deviation
- Parameter Plan 13 Circulation - Main Vehicular Access
- Parameter Plan 14 Circulation - Pedestrian Access
- Parameter Plan 15 Circulation - Public Transport
- Parameter Plan 16 Circulation - Cycle Routes and Cycle Stations
- Parameter Plan 17 Circulation - Parking Areas on Street
- Parameter Plan 18 Phasing Plan

#### **Compliance with Development Plot Maximum Floorspace**

8.7 The key components of Development Plot P15 are, as approved by the OPP are as follows:

- 12,525sqm of residential (Class C3) floor space;
- 800sqm of business (Class B1/ Live/Work units);
- 300sqm of shops (Class A1) and financial and professional services (Class A2); floor space; and
- 3,300sqm of Hotel (Class C1) Floor space

8.8 This Reserved Matters Application (RMA) proposes 124 residential units totalling 11,425sqm (GEA) which is within the 12,525sqm maximum parameter for C3 floorspace.

8.9 At ground level 800sqm (GEA) of B1 use and 300sqm (GEA) of A1 use is proposed, which are both within the maximum approved parameters. 11,425sqm (GEA) of residential floorspace is proposed which accords with the 11,425sqm (GEA) maximum outlined in the OPP.

8.10 The maximum plot area for P15 aligns with the maximum residential plot area at 12,525sqm (GEA) total. The proposals for P15 presented in this RMA would total to 12,525sqm (GEA) which is in accordance with the OPP.

8.11 Thus the quantum of development proposed for Plot 15 accords with the OPP in relation to maximum floorspace.

#### **Compliance with Residential Mix Parameters**

##### Housing Mix

- 8.12 The Development Specification also prescribes the Housing Mix under the OPP. This is set out in the Table below. The figures relate to the whole of the development. As approved by the OPP, the development will include up to 3,500 residential units. A mix of units is proposed and 15% by units will be affordable. The affordable housing will include affordable rent and intermediate tenures as defined by the Section 106 agreement (March 2015) and paragraphs below.

Housing Type	Private	Affordable Rent	Intermediate	Total
1B/2P	40-45%	18-23%	25-30%	35-45%
2B/4P	40-45%	38-43%	65-74%	42-48%
3B6P	10-14%	27-33%	1-6%	10-14%
4B 6/7/8P	2-4%	2-7%	0%	2-4%

*Table 3: Approved tenure and housing mix parameters*

- 8.13 The proposed mix for P15 is as follows:

Housing Type	Private	Social Rent (London Affordable Rent)	Intermediate	Total
1B/2P	0%	18%	31%	60%
2B/4P	0%	51%	64%	40%
3B6P	0%	28%	5%	0%
4B 6/7/8P	0%	3%	0%	0%

*Table 4: Proposed tenure and housing mix*

- 8.14 For clarity the unit numbers across each tenure are outlined below:

Housing Type	Private	Social Rent (London Affordable Rent)	Intermediate	Total
1B/2P	0	12	18	30
2B/4P	0	33	38	71
3B6P	0	18	3	21
4B 6/7/8P	0	2	0	2
<b>Total</b>	<b>0</b>	<b>65</b>	<b>59</b>	<b>124</b>

*Table 5: Proposed units numbers*

- 8.15 The Council has acknowledged that there will need to be flexibility to allow the mix of individual plots and phases to respond to the characteristics and constraints of the various character areas in the Convoys Wharf scheme and, therefore, individual plots and phases



may over or under provide against the overall targets. What is important is that scheme wide, the development is to be in accordance with the tenure and housing mix parameters overall.

- 8.16 The Reserved Matters Application for P08 was the first to be submitted under the OPP. Whilst Plot 08 does not reflect the requirements of the housing mix, such mix is not required to be delivered on a plot by plot basis, but is site-wide. A Reconciliation Statement is required to be submitted with each Reserved Matters Application to demonstrate that this will be achieved on completion of the development. P15 has been brought forward at the request of officers to enable to early delivery of affordable housing on site. A Reconciliation Statement has been submitted with the application which shows is consistent with the overall proposals for the site, as established by the Development Specification CW05A (February 2014) and Parameter Plans. The cumulative totals will inform the future development briefs for future plots to ensure that the housing mix complies with the overall requirements. Compliance with the site-wide OPP requirements will be monitored through the Reconciliation Statements.
- 8.17 The current London Plan sets an annual target for the Borough of 1,385 new homes until 2025. The emerging draft London Plan, if unchanged, would increase this to 1,667. The development proposal of 124 net new homes (64 London Affordable Rent and 59 Shared Ownership). This attributes to 9% of the annual output for the adopted London Plan target or 7% of the annual output for the Draft London Plan.
- 8.18 As such, it is considered that the proposed housing mix for P15 is acceptable and provides a valuable contribution to housing and affordable housing supply specifically in the Borough.

#### Tenure Mix

- 8.19 The minimum provision for affordable housing under the existing Section 106 agreement is a minimum of 15% of the total dwellings (by habitable room) across the development. The tenure split is 30% Affordable Rent Dwellings and 70% Intermediate Dwellings. The overall level of provision is subject to viability review. The Section 106 Agreement also requires that not less than 15% (by Habitable Room) of the total Dwellings in Phase 1 are provided as Affordable Housing Dwellings. The Agreement does not require that all Plots must include an element of affordable housing. Rather, delivery is dealt with on a Phase by Phase basis. Not less than 50% of the Market Dwellings in Phase 1 are to occupied until at least 50% of the Affordable Housing Dwellings to be provided in that Phase (15% of the total dwellings by habitable room) have been completed and Transferred to a Registered Provider and written notice of such transfer has been given to the Council. All of the Affordable Housing Dwellings are to be provided and transferred and notice given to the Council before 90% of the Market Dwellings are occupied.
- 8.20 For the purposes of the Section 106 Agreement, Affordable Rent is a rent not exceeding 60% of the local market rent (including service and estate management charges). Intermediate Dwellings are to be provided for Shared Ownership or for other intermediate tenure type as may be agreed by the Council.
- 8.21 All the units within Plot 15 are proposed as affordable dwellings with 59 Shared Ownership Units and 65 London Affordable Rent dwellings. The London Affordable Rent dwellings would include 18 three bed-six person units and 2 four bed six/seven/eight person units.
- 8.22 London Affordable Rent dwellings are considered genuinely affordable by the Council as they are based on traditional social rents. The proposal represents a more affordable offer than the definition of 'Affordable Rent' contained in the Section 106 agreement. It is recommended that a deed of variation to the Section 106 Agreement is entered into to secure the 65 London Affordable Rent dwellings in Plot 15 in perpetuity. It is also recommended that the deed of variation would also require that Plot 15 is delivered

concurrent to Plot 08 (reserved matters and other details also on the agenda for consideration).

- 8.23 The affordable housing offer presented in this application would provide a large proportion of the 15% minimum affordable housing required in Phase 1 of the development. The total affordable housing offer for Phase 1 and the development as a whole will continue to be monitored through the Reconciliation Statements provided with each Reserved Matters Application.
- 8.24 The representations that have been made include comments about the location of the affordable housing units within Plot 15 which are located to the rear of the site. It has been suggested that the affordable housing is being pushed to the periphery of the development. Plot 15 is the first Reserved Matters Application to come forward with affordable housing and would deliver a large proportion of the affordable housing to be provided within Phase 1. The location straddles two important character areas in the Evelyn Quarter and the Eastern Gateway, on a key node within the site. The building would be located adjacent to Sayes Court Gardens and a short walk to Olympia Square. Occupants of the building would have equal access to publicly accessible open space and playspace as well as other elements of social infrastructure to be provided within the site. Residents would have unobstructed views towards Sayes Court Gardens to the south west and the River Thames to the north. The design quality, architecture and communal amenity space proposed for this plot is considered to be of a very high standard and on a par with that proposed on other residential plots such as P08. It is considered that the affordable housing is not being proposed in a disadvantaged location and that the proposed plot would be of a high quality generally.
- 8.25 Given the above, the proposed tenure mix is considered to be acceptable and provide a valuable contribution to affordable housing delivery in the borough.

#### **Compliance with Parameter Plans**

- 8.26 As stated above, the Development Specification approved 18 parameter plans. Compliance with the approved parameter plans, where relevant, is outlined in Table 6 below.

<b>Plan No.</b>	<b>Title</b>	<b>Compliance</b>
01	Planning Application Boundary	Y
02	Existing Site Levels	Y
03	Existing Site Sections 01	Y
04	Existing Site Section 02	Y
05	Existing Building Heights	Y
06	Key Development Plot Plan	Y
07	Proposed Site Levels	Y
08	Open Space	Y
09	Maximum Development Basement Levels	Y
10	Maximum Development Plot Parameters	Y
11	Minimum Development Plot Parameters (amended by DC/19/113231)	Y
12	Max/Min Development Plot Horizontal Deviation	Y
13	Circulation - Main Vehicular Access	Y
14	Circulation - Pedestrian Access	Y
15	Circulation - Public Transport	Y
16	Circulation - Cycle Routes and Cycle Stations	Y
17	Circulation - Parking Areas on Street	Y
18	Phasing Plan (amended by DC/18/107740)	Y

*Table 6: Compliance with Parameter Plans*

- 8.27 It is noted that several objections have been raised in respect of the proposed balconies overhanging the maximum development parameters.
- 8.28 General Note 03 of the Maximum Development Plot Parameters 10 (CW05A Development Specification, February 2014) states that Plot extents are subject to an additional allowance of up to 2m for balconies, bays, wintergardens, canopies, and awnings projecting out from plot extent limited to within Planning Application Boundary.
- 8.29 Given the above, the proposed development for Plot 15 is in accordance with the approved parameter plans.

## **RESERVED MATTERS**

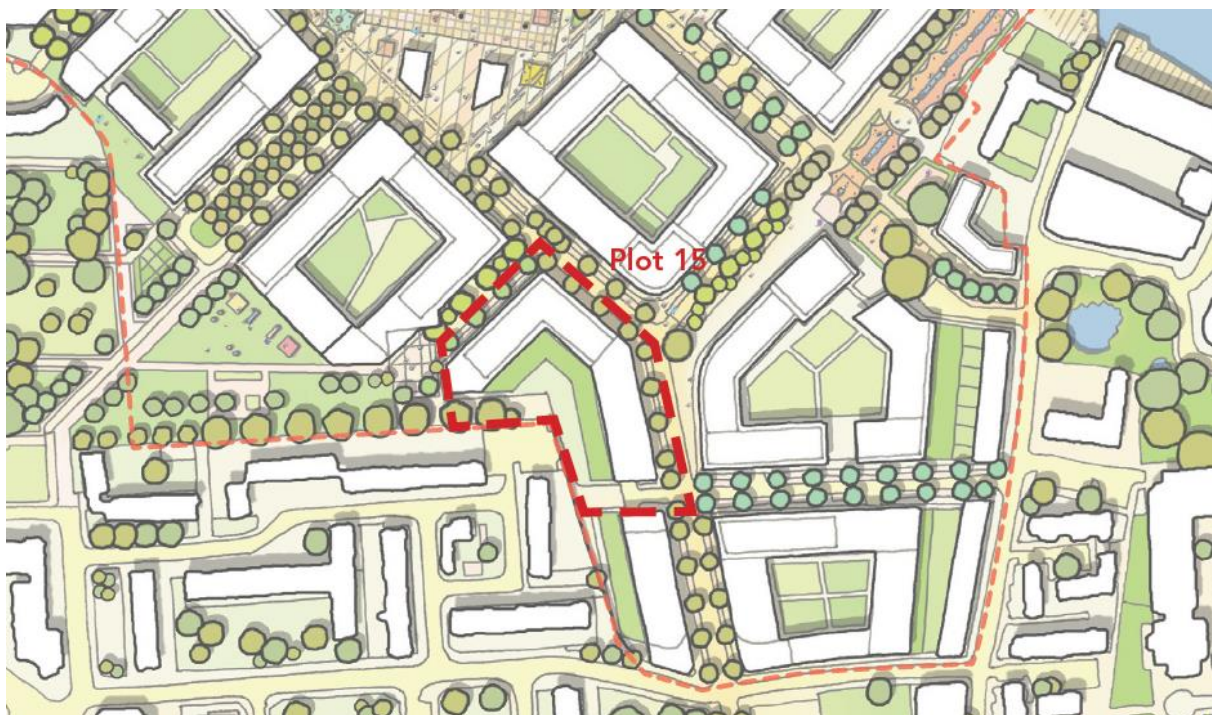
### **Layout**

#### *Policy*

- 8.30 Core Strategy Policy 15 (High quality design for Lewisham) sets out the general objectives and approach to securing design quality in new development across the borough and Policy 18 provides more detailed guidance on the design (as well as location) of tall buildings. In respect of Convoys Wharf itself, Strategic Site Allocation 2 sets out a number of urban design principles for the development of the site.
- 8.31 The NPPF also highlights the importance of high quality and inclusive design, and of achieving a good standard of amenity for all existing and future occupants of land and buildings. The NPPF also notes that good design is a key aspect of sustainable development, which includes delivering a wide choice of high quality homes.
- 8.32 LPP 7.1(d) states the design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood.

#### *Discussion*

- 8.33 The layout of the Plot and siting of the proposed building is outlined in Image 3 below:



*Image 3: Proposed siting and layout of Plot 15 in relation to surrounding plots*

- 8.34 The location of Plot 15 in relation to the Eastern Gateway (blue) and the Evelyn Quarter (red) is outlined in Image 4 below.



*Image 4: Location of Plot 15 in relation to Evelyn Quarter and Eastern Gateway character areas*

- 8.35 The layout of the Plot and siting of proposed building is informed and constrained by the parameter plans and layout approved by the OPP.
- 8.36 Whilst the OPP established the general layout, it does allow for flexibility in the detailed design and layout of the individual plots to create variety and architectural subtlety. The layout of the Development has been developed within the parameters of the OPP (and approved non-material amendment) and has also established the following key principles in relation to the detailed layout. The layout should:
- Adopt the principles of ‘Secure by Design’, creating permeable divisions between public and private areas
  - Allow for good natural surveillance of all public spaces
  - Provide strong active frontages
  - Provide a maximum number of dual aspect units
  - Provide privacy and positive outlook for all units
  - Provide efficient servicing arrangements
- 8.37 Plot P15 falls within two of the defined character areas under the site wide Heritage Statement submitted with the outline planning application - the Eastern Gateway and the Evelyn Quarter.
- 8.38 The Eastern Gateway Character Area links Deptford High Street to the River Thames creating a key link between the existing street structure and the new development. Tree-lined streets with pedestrian footpaths and a series of public spaces towards the River Thames are articulated with ground level retail, business and community uses. This creates active frontages facilitating a vibrant public realm.
- 8.39 As Plot 15 sits at a key junction on the spine road, it forms an important crossroad “marker point” in respect of accessing the site from Deptford. Encouraging access to the area will enable people to appreciate not only the heritage of this site as a whole, but a “reconnection with the riverside”. The northwest face of Plot 15 is positioned within the Evelyn Quarter character area and on the edge of Sayes Court Garden. The positioning of Tsar Peter

Square integrates the spaces between Sayes Court Garden, the Evelyn Centre and Plot 15.

- 8.40 The layout of streets and connections to surrounds established under the OPP are adhered to with consideration to positioning of retail usage and access points into Plot 15 address the layout of these streets.
- 8.41 The layout follows that of an 'L' shaped building with a 'cranked' floorplan, with commercial uses at ground floor and residential above. The building would feature a resident's garden located to the rear of the plot.
- 8.42 The design team have outlined that analysis of the outline scheme documentation established the following guidelines for the development on Plot 15 that guided the massing and layout of the development:
- Plot 15 is a lower rise supporting building within the OPP context;
  - The site forms an open u-shape around a ground level communal courtyard on the southern end of the site;
  - The site forms and important function within the Outline Planning Permission as a transition point between the Eastern Gateway character area towards Olympia Square;
  - The site touches three overall character areas, including the Evelyn Quarter to the west, requiring differentiation in both massing and appearance;
  - Key Views to be considered to verify massing approach, especially the view from the waterfront;
  - Parameter envelope of maximum and minimum parameters as outlined in the previous section of the document.
- 8.43 The building would feature a shoulder height of 7 storeys with a 9 storey 'prow' located on the apex of the spine road and secondary road linking to the Thames River. Additionally, the building would step down in height to the south of the plot adjacent P12 to 4 storeys in height. The internal layout consists of two cores, one for the London Affordable Rent units and the other for the shared ownership units – both would have shared use of the communal amenity space to the rear of the building.
- 8.44 The proposed layout of Plot 15 is in accordance with the principles and parameters of the OPP as discussed above. As such, the proposed layout is considered acceptable.

## **Scale**

### *Policy*

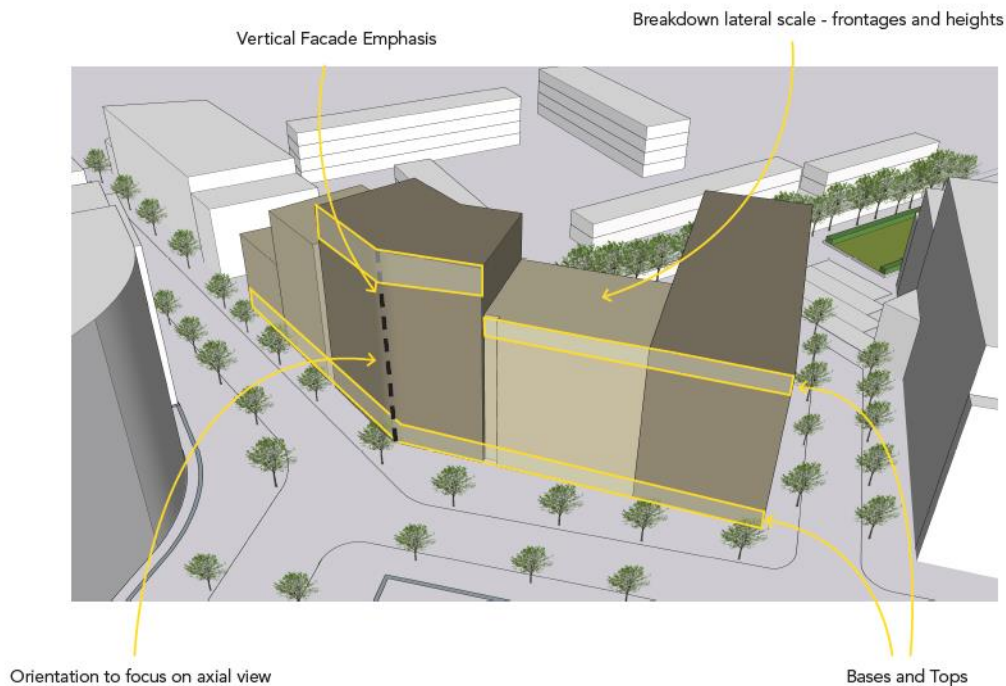
- 8.45 Planning should promote local character. The successful integration of all forms of new development with their surrounding context is an important design objective (NPPG).
- 8.46 LPP 7.4 expects development to have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. LPP 7.6 states architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape.

### *Discussion*

- 8.47 The OPP Parameter Plans establish a variety of scales of buildings on the wider Convoys Wharf development, including low, medium and high-rise buildings that respond to the existing and emerging context of the area, including the proposed character areas.

- 8.48 The locations and maximum heights of the buildings are established in the OPP and cannot be reconsidered in the determination of the Reserved Matters Applications. The proposals for Plot 15 are within the parameters as set by the OPP.
- 8.49 The proposed built form for Plot 15 has been developed in accordance with the following principles:
- Create a strong vertical rhythm to building massing
  - Define relation of buildings with key nodes and opposite buildings
  - Define cores, front doors and active frontage
  - Address different character areas
- 8.50 The design team have carried out a careful character analysis of the OPP and existing built environment in the area. The outcome of the local character analysis has been summarised as follows:
- Deptford High Street exhibits a continuity of frontage with a variety in material and expression that creates vertical rhythm;
  - Breaks in the continuous frontage are often marked by special corner buildings, with a rounded or otherwise highlighted corner aspect;
  - Residential buildings, especially the early 20th century LCC housing estates are predominantly made of brick with reduced ornamentation and accents in masonry or complementary colour bricks;
  - Vertical window proportions, often combined with a repetitive facade order that expresses the general arrangements behind;
  - Special ground floor treatments create a strong datum line, enhancing active frontages and human scale of the buildings;
  - Building tops are terminated with another datum line, with more or less ornamentation depending on period or importance of building.
- 8.51 The proposal has been designed to reflect important aspects of local building character while also recognising the importance to add a contemporary note to the appearance of the building in order to reflect internal arrangements and modern mansion block requirements. The proposal is envisaged as being an extension of Deptford High Street.
- 8.52 The approach to the scale and design of P15 is indicated in Image 5 below:





*Image 5: Proposed siting and layout of Plot 15*

- 8.53 In order to break down the proposed massing the team have sought to create a strong vertical rhythm which reflects the internal layouts and to create visual interest along the building. The proposed windows reflect the vertical emphasis and provide a classical repetitive base order for the base as is common in the existing area. A horizontal datum line has then been introduced to distinguish between the top, middle and commercial uses at ground floor level.
- 8.54 The first floor of the proposed building responds to the design guidelines through exaggerating the base of the building. The ground floor frontages have entrances on the Eastern Gateway and the facade has been designed to reflect the building's use. The ground floor elevation has expressed architectural detail and recessed windows behind a primary wall pane in order to better integrate with the public realm.
- 8.55 The proposed middle of the building provides containment to the open space above the public realm. The use of fenestration, balconies and breaks in the building break down the length of the building, increasing the horizontality and reducing the building mass.
- 8.56 Materials are discussed in further detail below in relation to Appearance and design.
- 8.57 A Sunlight and Daylight Report has also been submitted as required by Condition 4 of the OPP to inform the design of building height and massing. Details of this are set out at "Sunlight and Daylight to Proposed Units – Condition 4" below.
- 8.58 The proposed scale and massing of Plot 15 is within the OPP Parameters and are considered to promote a high quality of design, as such, the proposals for Plot 15 are considered acceptable in this regard.

## **Appearance**

### *Policy*

- 8.59 In terms of architectural style, the NPPF encourages development to be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (para 127).

At para 131, the NPPF states great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings.

8.60 *Discussion*

8.61 The proposed materials of the building are as follows:

Area	Proposed Material
Main external walls	<ul style="list-style-type: none"> <li>Red Brick (Bramford blend or similar) (same as PO8)</li> <li>Grey-brown brick (Wienerberger Forum Smoked Prata)</li> </ul>
Roof	Green and brown roofs
Shopfront surrounds	Powder coated aluminium
Windows	Metal, dark painted
Balconies	Powder coated aluminium

*Table 7: Proposed materials*

8.62 The principle employed in developing the appearance of the proposed development has been to use a palette of high quality materials coupled with simple, crisp detailing. It is also important that the materials age well and are low maintenance in order to ensure that the area will continue to look better over time.

8.63 It is proposed that the architecture for the development will provide a sense of rhythm along the length of the frontages. Further variation within each street will be provided through the location of retail units on a number of frontages, mix of house types and window proportions. These factors will help create a sense of variety and interest across the streetscapes that will respond to the differing character areas defined in the Outline Planning Permission. The architects have undertaken an analysis of the local context, building styles and typologies to ensure the proposed development ties in with the local vernacular.

8.64 For Plot 15, a reduced colour palette has been proposed that revolves around the base red brick, selected to complement both local precedent and the emerging context of Plot 08, which is located opposite.

8.65 Additional brick detailing is proposed to use a brick shade that adds a subtle variation to the window opening surrounds. The window frames are selected in a complementary slightly darker shade that strengthen the visual appearance of the openings, and reflect the different modern use of material in contrast with the timber windows on the historic buildings in Deptford.

8.66 The metal railings and soffits to the balconies are colour matched to create a monochromatic palette. Accents employed to the ground floor include off white masonry frames that differentiate ground uses and mirror the Plot 08 colonnade opposite.

8.67 Image 6 below taken from the Design and Access Statement gives a computerised image of how the proposed building would appear in its context.





*Image 6: CGI of the building proposed at Plot 15*

- 8.68 The colours of the brick relate to existing local brick colours and tones the architects have identified in their character assessment of the wider built environment. At ground floor level, the proposed retail units would have a glass frontage with designated signage zone for uniformity, creating a new active edge.
- 8.69 As the exact specifications of the proposed materials to be used on P15 are not yet known, these details would be reserved by condition.
- 8.70 The strategy to the external appearance of P15, coupled with the overall design of the building is considered to be an appropriate response to the plot's location in the site and to respect the heritage assets and historic significance of Convoys Wharf as well as that of the surrounding area. The impact of the design upon Heritage Assets is explored further below.

## **Access**

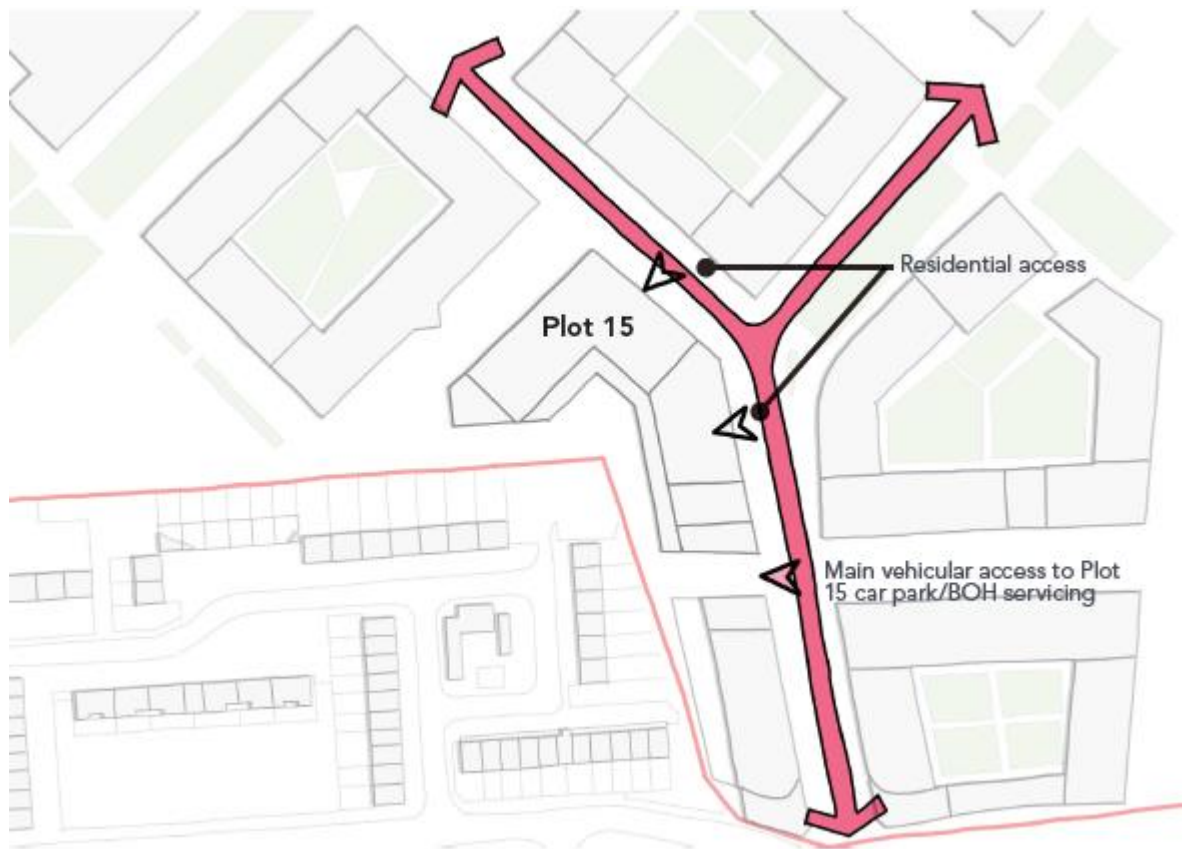
### *Policy*

- 8.71 The NPPF requires safe and suitable access for all users. Paragraph 108 states that in assessing applications for development it should be ensured that appropriate opportunities to promote sustainable transport modes can – or have been taken up and that amongst other things safe and suitable access to the site can be achieved for all users.
- 8.72 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised; that a restrained approach to parking provision will adopted; and that car-free status for new development can only be assured where on-street parking is managed so as to prevent parking demand being displaced from the development onto the street.

- 8.73 A 'Healthy Streets' report has also been submitted in support of the applicant and this is discussed further at the "Healthy Streets" section of this report below.

#### *Discussion*

- 8.74 The proposed access to P15 is indicated on Image 7 below:



*Image 7: Proposed Access to Plot 15*

#### *Pedestrian and Cycle Access*

- 8.75 Improving pedestrian access and permeability within, to and from the site is a key objective of the OPP. The approved Design Guidelines sets out key design commitments and framework principles relating to movement. It was developed in response to local pedestrian movement patterns and an aspiration to reconnect the district with a series of routes that integrate with the wider context and break down the barriers of the former Convoys Wharf site.
- 8.76 With regard to P15 specifically, pedestrian and cycle access will be from New King Street. New pedestrian and cycle routes will be provided throughout the Site in accordance with the Outline Planning Permission, created along the Spine Road and from New King Street towards the River Thames.
- 8.77 Given Plot 15 is one of the first Reserved Matters Application to come forward, there would be no pedestrian or cycle access through the site provided initially. Rather there would be one point of access from New King Street directly to Plot 15 with a road and footpaths continuing an encircling Plot 08 to the north. These roads and accesses are as per those approved at outline planning stage and would eventually be connected to a wider network of roads and footpaths as other plots of the development come forward.
- 8.78 Cycle access would be provided via a shared vehicular and cycle two-way 5.5m to 6m carriageway. The proposed access for cycles via the Spine Road is considered acceptable

and in accordance with the OPP. Details of the cycleways and how these connect to the existing cycle network have not yet been provided but are required by condition 32 of the OPP.

- 8.79 Pedestrian access specifically would be provided by footways on either side of the access road. These will typically be circa 5-8m but will increase to 11m in certain areas and decrease to 3m at certain pinch points. All the pedestrian access footways would be public. Officers have reviewed the footpath widths and are satisfied that whilst constrained by the OPP parameters, that these would be sufficient to permit movement around the development site whilst respecting current social distancing guidelines.
- 8.80 It is noted that the permanent layout of access along the spine road would be required to be provided through a separate application when the scheme has progressed and that level of detail is available.
- 8.81 For all residential homes, pedestrian access to the common cores is proposed directly from the street through 2 separate cores positioned at street level. For the proposed commercial units, level access would also be provided from street level.
- 8.82 The residential cycle parking spaces would be provided at ground floor level within the car park. The proposed retail unit cycle stores would be located at and accessed from ground floor level. The details of the actual cycle parking provision are reserved by condition 33. Those details are not submitted for approval at this stage.
- 8.83 The proposed pedestrian and cycle access is considered to be safe and convenient and in accordance with the aims and objectives of the outline planning permission.

#### Vehicular Access and Access to Parking

- 8.84 The vehicular access would also be gained via the two-way 5.5m to 6m carriageway which would run from New King Street and which would encircle the development plot. This would also be connected to a wider vehicular network as future plots are developed.
- 8.85 The access to residents parking would be located at ground level off the spine road. This is in accordance with the access arrangements as defined by the approved Development Specification. Parking provision itself would be provided at the rear of the building at Plot 15.
- 8.86 Ten on-street parking provision would be located along at street level along both front elevations of the proposed building consisting of two EVCP spaces.
- 8.87 The full details of parking provision (including disabled parking), electric vehicle charging points and car park management are all reserved by condition.

#### Surface Treatments

- 8.88 A mixture of permanent and temporary surface treatments would be provided as per Image 6 above. The temporary surface treatments would consist of vehicular and pedestrian grade asphalt, which would be replaced as future adjacent development plots are developed.
- 8.89 The proposed permanent surface treatments are outlined in Table 8 below.

Area	Proposed Material
On-street parking bays	Marshalls Myriad Block Paving
Pedestrian footways	Marshalls Conservation Flag Paving (granite)
Tactile paving	Marshalls tactile paving
Vehicular and cycle carriageway	Vehicle grade asphalt to spine road

*Table 8: Proposed permanent surface treatment*

- 8.90 The proposed permanent surface treatments have been reviewed by officers and are considered to be of a high quality and sufficiently durable and fit for purpose. As such, no objections are raised in this regard. For continuity and achieving a high standard overall design quality, it is expected that these high quality materials are carried through to other plots of the development as future Reserved Matters Applications and other details come forward. The materials proposed mirror those proposed at Plot 08.

## **Landscaping**

### *Outline Consent Background*

- 8.91 The area of landscaping to the rear of Plot 15 is defined in the approved Development Specification as “Private Open Space at Ground Level”. It is shown in Image 8 below.



*Image 8: Areas of public and private open space at and surrounding P15 (from OPP)*

- 8.92 Officers recognise objections that have been received in relation to the hard and soft landscaping within Plot 15 being made public, however this has been pre-determined by the OPP and cannot be varied by a Reserved Matters Application.

### Hard and Soft Landscaping

- 8.93 *Policy*

- 8.94 LPP 7.5 relates to public realm and expects public spaces to among other things be secure, accessible, inclusive, connected, incorporate the highest quality design and landscaping.

### *Discussion*

- 8.95 Plot 15 is located where two distinct character areas converge. The Eastern Gateway and The Evelyn Quarter which bring both river and parkland influences to the site. The applicant team have sought to weave these characters together to create a cohesive and playful environment for families.



- 8.96 The proposed concept for the garden is inspired by a flowing natural river, which is represented by a more controlled river of stones and plants. The stones are sculptural elements which can be used for children to play on and seating for others. The arrangement of the stones creates a hierarchy of spaces and areas of different characters and planting styles.

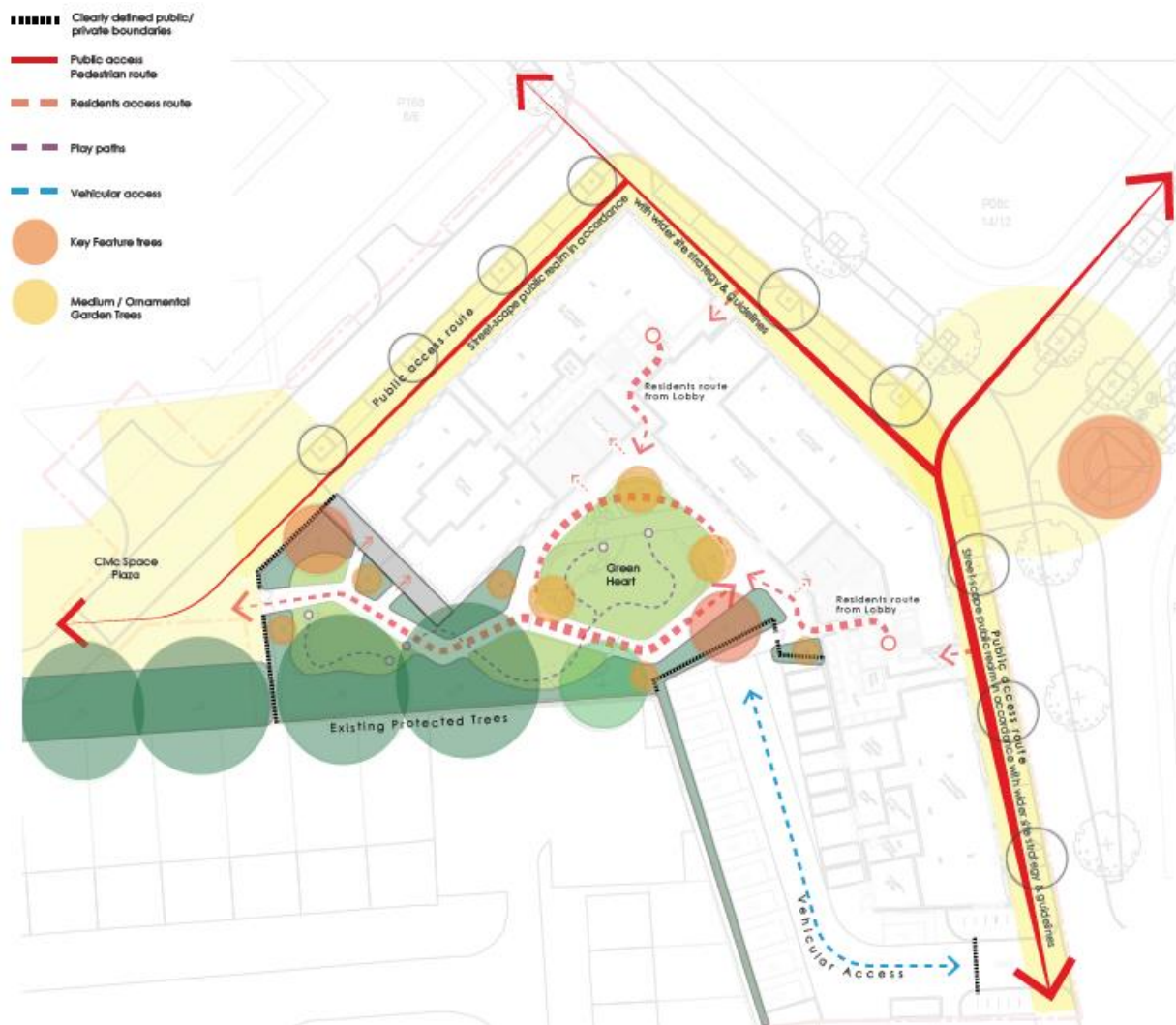


Image 9: Landscape Strategy for P15

- 8.97 The Green space has been maximised throughout the design whilst providing clear and legible access to the buildings.
- 8.98 A simple and robust palette of materials is proposed. For the primary footpath routes through the garden, a hard-wearing bonded gravel finish is proposed (buff/golden gravel tar spray and chip finish). Secondary 'play' paths will be constructed from low maintenance composite decking, creating a bridge effect over the 'dry riverbed' areas. The applicant has also proposed in-situ pigmented concrete benches to bring a modern feel, create enclosure to play space and a central focus to the garden. Access to the proposed area of landscaping would be provided from the parking area, an access point adjacent Sayes Court Gardens, direct access from both residential cores as well as direct access from the terraces of the two ground floor residential units. There would be one access point from the B1 commercial unit which shares a boundary with the garden, however the applicant has advised that this is to serve as an emergency exit only and that this unit would not have general access onto the amenity space.

- 8.99 Hardwood timber slats are proposed to the ground floor units, which benefit from private terraces. This would be the same timber as proposed for hardwood timber seats. Further privacy would be provided by a planted buffer at ground level.
- 8.100 The planting strategy has been designed to reflect the history and heritage of the site, with influences taken from John Evelyn and his work. These proposals are already discussed in the Heritage Influence on Design section of this report. The application proposes a total of 11 new trees as part of the communal garden proposals and a further 9 street trees along the spine road and road between the Plot and Plot 16.
- 8.101 Further comments on landscaping matters are included below in the section on the influence of heritage on the design of Plot 15.
- 8.102 The hard and soft landscaping proposed illustrates a high quality design with regard to layout, functionality and materiality and species selection. As the proposed details provided thus far are illustrative, a full specification of hard and soft landscaping, alongside boundary treatment would be expected as part of a future reserved matters application. As such, it is recommended that the Landscaping reserved matter be only partially discharged in this regard.

### Playspace Provision

- 8.103 The Council is currently producing a revised Open Space Strategy which would supersede the existing 2012-2017 Open Space Strategy. The amended Open Space Strategy will form part of the evidence base for the emerging new Local Plan. It is acknowledged that the Evelyn Ward in particular will experience a considerable increase in population over the lifecycle of the new Local Plan due to the number of strategic and smaller sites within the ward. The Evelyn Ward has proportionally more open space than other parts of the borough but like the majority of other wards has limited opportunity for the expansion of existing open spaces and creation of new. The Open Space Strategy will seek to strategise as to how existing open space can be improved in light of the apparent population increase anticipated in the ward.
- 8.104 The approach accepted at OPP was that playspace for below 5 year olds and 5 to 11 year olds would be provided for (in excess) on site with provision for 12 plus year olds provided on existing facilities off-site.
- 8.105 With regard to playspace provision, the strategy for the provision of such is described in the OPP. The following table from the applicant's Outline Planning submission indicates the approach to provision of playspace:

Age Group	No of Children	Area Required	On-Site Provision		On site Area Provided	Off-Site Provision		Off-Site Area	Total	Over Capacity
<5	256 (57%)	2583 m <sup>2</sup>	Semi-private Courtyards 14,540m <sup>2</sup> Doorstep Play 1,200 m <sup>2</sup>	Neighbourhood Playable Space/ NEAPS 1,800 m <sup>2</sup>	16,766 m <sup>2</sup>		Neighbourhood Playable Space/ NEAPS 29372 m <sup>2</sup>	0 m <sup>2</sup>	16,766 m <sup>2</sup>	+14,183 m <sup>2</sup>
5 to 11	116 (26%)	1158 m <sup>2</sup>	Local Playable Space / LEAPS 300m <sup>2</sup>		768 m <sup>2</sup>		Local Playable Space / LEAPS 450m <sup>2</sup>	8,075 m <sup>2</sup>	8,843 m <sup>2</sup>	+7,685m <sup>2</sup>
12+	73 (17%)	713 m <sup>2</sup>	Youth Space 0m <sup>2</sup>		0m <sup>2</sup>		Youth Space 665m <sup>2</sup>	5,558 m <sup>2</sup>	5,558 m <sup>2</sup>	+4,845m <sup>2</sup>
<b>TOTAL</b>	<b>445</b>	<b>4453 m<sup>2</sup></b>			<b>17,534 m<sup>2</sup></b>			<b>13,633 m<sup>2</sup></b>	<b>31,167 m<sup>2</sup></b>	<b>+26,714m<sup>2</sup></b>

*Image 10: Outline Planning Permission playspace calculations*

- 8.106 The proposals for Plot 15 play areas for children under 5 would be in accordance with GLA guidance on play provision. The total required playable area for Plot 15 is 867.7 m<sup>2</sup> (standard of 10 sqm per child)(blended figure for PTAL 0-3) for children of all ages from 0-17 years old. The scheme as proposed would provide 365sqm dedicated playspace in total,

with other incidental playspace located elsewhere in the communal amenity space to the rear of the proposed building.

- 8.107 As outlined above, the proposed OPP envisaged playspace for 5-11 and 12+ year olds being provided off-site. Of the 867.7sqm required for P15, 360-370sqm is required for 0-5 year olds – as such, the proposals for P15 meet the requirement for children aged 0-5.
- 8.108 Additional playable space for 5-11 year olds would be provided in other designated areas on site (totalling 1089sqm) which would be delivered in Phase 1, adjacent to P09 and in Phase 3 adjacent to P03, as per the Outline Strategy. Similarly, as agreed in the Outline Strategy, playspace provision for over twelves is envisaged as being provided off site and contributions have been secured in relation to these spaces as outlined above.
- 8.109 Play provision at Plot 15 would be integrated into the overall design for the communal amenity space, and consist of a combination of medium sized and smaller play spaces, joined by informal paths through the landscape. These areas would be designed with reference to accessible play guidance such as Developing Accessible Play Space: A Good Practice Guide. The dedicated play space is indicated below in Image 11.



*Image 11: Playspace Provision for P15*

- 8.110 It is noted that in addition to the additional playspace provided on the application site, a Local Open Space Contribution of £560,000 has been secured to be used specifically for “improvements to all or any of the existing public park known as Sayes Court Gardens and other open spaces and play areas within the vicinity of the Development.”
- 8.111 The proposed approach to playspace provision is considered acceptable and in accordance with the parameters and principles of the OPP. Officers are satisfied that within the parameters of the maximum quantum of space available for playspace has been delivered.

## **Other Matters**

### **Heritage Assets**

#### *Background*

- 8.112 Deptford in general and the application site in particular have a long history of maritime heritage. The site includes many areas of known archaeology and in-filled docks and basins and a Scheduled Ancient Monument. There is also the Grade II listed building – the Olympia Warehouse and the Grade II listed entrance gate and part of the perimeter wall. Adjoining the site to the south east is the listed Shipwrights Palace. The archaeology places restrictions on the building format and thus necessitates the use of extensive podium levels approved at Outline Planning Application stage.
- 8.113 With this wealth of historic maritime connections, some of them relating to the Royal Family and explorers such as Drake and Raleigh, the site has been recognised as having opportunity for the creation of a distinctive place/series of places. The OPP stated that this should be brought about in a meaningful way at the detailed stages of any future planning permission.
- 8.114 The Convoys Wharf Site is not within a Conservation Area, nor in close proximity to one. The closest is the Deptford High Street and St. Paul's Conservation Area that sits at circa 150m and 200m from the Site respectively. There is some limited intervisibility between the south-eastern section of the Site, looking down New King Street, with the northernmost edge of this Conservation Area. Plot 15 is set to the west of the main access road from New King Street and would be set behind Plot 13 in the long term and buildings to the south, part of the Sayes Court estate.
- 8.115 The Greater London Historic Environment Record (GLHER), records heritage assets found within this 0.25km search radius; these are illustrated in table 9 below. Listed heritage assets within this area that may be affected by the Proposed Development are detailed in the table below:

Listed Structures	Grade
Former Master Shipwright's House	II*
Former Office Building of Royal Dockyard	II*
Olympia Building	II
Boundary Wall to Convoys Wharf	II
Paynes Wharf	II
River Wall	II

*Table 9: Designated heritage assets within 0.25km from site*

- 8.116 The Olympia Building (Grade II Listed) is immediately adjacent to Plot 8 on its north side. The Olympia building is one of only 7 such structures to survive nationally. It was built in 1844-46 to cover slips 2 & 3, and was altered with wrought iron tied arch roofs between 1880 and 1913, with the roof profile altered from pitched to arched. It is the only above ground building on site remaining from the Dockyard period and its central position in the site underpins its importance in revealing the history of the Dockyard. Its connection with the river is at the heart of its significance, but its roof profile and internal structure when seen from several viewpoints will also be of significance in revealing the history of the site.
- 8.117 Further to the above, the Scheduled Monument, that is the Tudor Naval Storehouse, is located to the north of the plot within the development site; however, it has been excavated and preserved in-situ and is therefore not visible above ground.
- 8.118 Plot 15 sits at the southern edge of the site close to (and partially on) the site of the Sayes Court Manor. It does not have any direct relationships with above ground heritage assets.



## Conservation Areas and Listed Buildings/Structures

### *Background*

- 8.119 Lengthy consideration was given to heritage issues at the OPP stage. When granting the OPP, the Mayor considered the development would appropriately ensure the preservation of existing archaeology at the site, the significance of the Olympia building (Grade II) and Master Shipwrights House and Dockyard Office (Grade II\*) and would enhance the settings of these Listed Buildings. The proposal would not cause harm to the setting or significance of the other Listed Buildings at the site, or in the surrounding townscape and would also preserve the character of Deptford High Street, West Greenwich and Greenwich Park Conservation Areas

### *Policy*

- 8.120 Relevant paragraphs of Chapter 16 of the NPPF set out how LPAs should approach determining applications that affect heritage assets. When considering the impact of proposals on designated heritage assets great weight is to be given to the asset's conservation and any harm to or loss of the significance of such assets requires clear and convincing justification. Thus, the provisions of the NPPF import a requirement to identify whether there is any harm to designated heritage assets and if so to assess the impact of such harm. If there is harm, paragraphs 195 and 196 of the NPPF are then engaged according to whether the harm is substantial or less than substantial.
- 8.121 LPP 7.8 states that development should among other things conserve and incorporate heritage assets where appropriate. Where it would affect heritage assets, development should be sympathetic to their form, scale, materials and architectural details. DLPP HC1 reflects adopted policy.
- 8.122 CSP 16 ensures the value and significance of the borough's heritage assets are among things enhanced and conserved in line with national and regional policy.
- 8.123 DMP 36 echoes national and regional policy and summarises the steps the borough will take to manage changes to Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and Registered Parks and Gardens so that their value and significance as designated heritage assets is maintained and enhanced.

### *Discussion*

- 8.124 As above, the Convoys Wharf Site is not within a Conservation Area, nor in close proximity to one. The closest are Deptford High Street and St. Paul's Conservation Areas, that sit at circa 150m and 200m from the Site respectively and there is limited inter-visibility between the proposed building and these Conservation Areas.
- 8.125 Given the distance and the limited inter-visibility between the development and the nearest conservation areas, it is considered that the proposals would result in no harm to these heritage assets.
- 8.126 With the exception of the Olympia Building, in regard to the listed structures as outlined in Table 7 above, it is also considered that given the distances between such and the proposed building and the limited inter-visibility between such, there would be no harm to the setting of these assets. Furthermore, it is noted that the proposed scale and massing of the building is within the parameters as defined and approved by the OPP.
- 8.127 In relation to the Olympia Building, the larger building at Plot 08 would screen any inter-visibility between the proposed development and the Olympia Building, and it is considered that the proposals would not harm the setting of the Olympia Building.

- 8.128 Further to the above, Historic England (Designated Built Heritage Assets) have been consulted on this RMA and stated they did not wish to provide any comments in relation to the proposed development at Plot 15.
- 8.129 In light of this, it considered that the proposed scheme is acceptable with regard to with regard to Impact on Conservation Areas and Listed Buildings/Structures.

#### Archaeology

- 8.130 The majority of archaeological interest on site is fragile (with the exception of robust stones to the dock entrances which would be revealed where possible and the Sayes Court manor house foundations). As such, the approach taken to the management of such generally, as outlined in the OPP, has been to preserve the remains in situ. The scheme was found acceptable at OPP stage with regard to archaeology subject to the following pre-commencement conditions. The full wording of each condition is detailed in the OPP at Appendix 1.
- Condition 34 (Scheme of Archaeological Management)
  - Condition 35 (Programme of Archaeological work)
  - Condition 36 (Programme of Archaeological Recording – Historic Buildings)
  - Condition 37 (Details of Development below Ground Level)
  - Condition 38 (Design and method statement for foundation design and ground works)
  - Condition 39 (Demarcation and safeguarding of archaeological remains)
- 8.131 The current application has not been submitted with accompanying documents and information in order to address these conditions. Thus, this suite of conditions all must be discharged prior to commencement of works on this plot – this will be in consultation with Historic England (Greater London Archaeology Advisory Service).

#### Influence of Heritage Assets on Proposed Design

- 8.132 Condition 13 requires each Reserved Matters application to be accompanied by a Heritage Statement demonstrating how the design (including but not limited to layout, public realm, architectural treatment and materials) has been informed by heritage assets, both above and below ground. In this regard, the following documents are relevant:
- Design and Access Statement
  - Design Guidelines; reference CW04
  - Heritage statement (plot specific)
  - Heritage Statement (site wide) (April 2013); reference CW014
- 8.133 The site wide Heritage Statement which accompanied the application resulting in the OPP outlined the following:
- “Convoys Wharf site exhibits a high level of historic significance, but relatively few historic features survive. The overall aims have been to preserve the significance of the surviving elements of the site’s heritage, and to allow the heritage to inform the character of the new development and so to contribute to the overall success of the place. In terms of the built structures, this approach leads to stabilising, restoring and adapting the elements to a new use and providing a new setting for them.”*
- 8.134 In reference to the unique and high levels of historic significance of the development site, and the approach outlined by the Heritage Statement above, Condition 13 was imposed.
- 8.135 The initial submission in respect of Plot 15 included a Heritage Statement in respect of Condition 13. Officers considered that this statement did not adequately demonstrate how

the proposed design had been informed to by the site's heritage assets and the applicant was advised to review the scheme accordingly.

- 8.136 Subsequently the applicant entered into a process of amending the scheme to better reflect the heritage assets and history of the site. This process involved a series of meetings with the planning department including Conservation, and Historic England (Greater London Archaeology Advisory Service).
- 8.137 During this process, it was agreed that the applicant should produce a Site Wide Heritage Design document. The purpose of this document is to serve as a guide for all design team professionals (subject to public consultation) involved in the scheme, advising how, why and where design should reference the heritage and history of the site.
- 8.138 An initial draft of this document was submitted to the Council and Historic England in December 2019 and provided an initial structure and framework as to how the site's history and heritage could be reflected through design. It is envisaged that this be a 'living document' that continues to evolve and adapt through continued development in coordination with the local community.
- 8.139 The initial Site Wide Heritage Design document sought to divide the site into seven separate character areas, each reflecting a unique chapter and era in the site's extensive history. The character areas are outlined in Image 12 below:

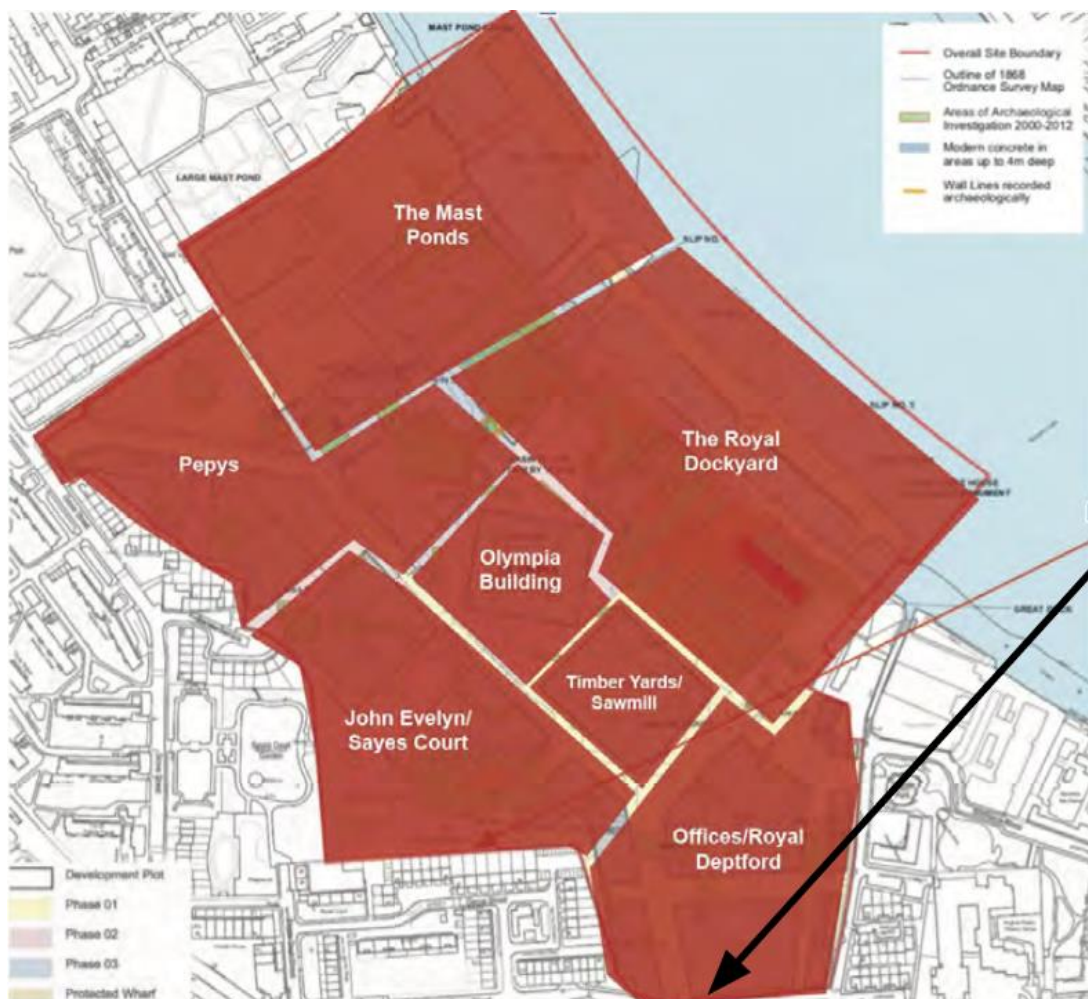
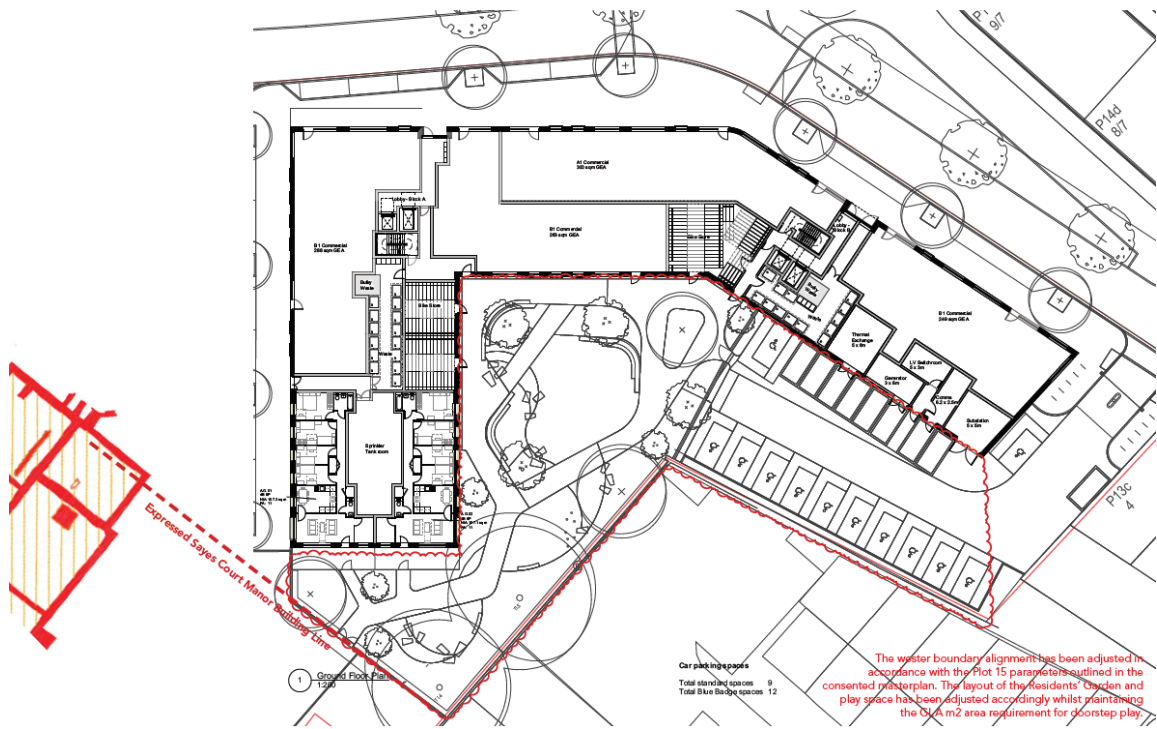


Image 12: Character areas as identified by the Site Wide Heritage Design document

- 8.140 Plot 15 straddles both the Offices / Royal Deptford and John Evelyn / Sayes Court character area as identified by this document. The document provides the following principles with regard to the Officers / Royal Deptford character area:
- 8.141 *"Heritage aspects to be taken into consideration when designing buildings on this site reference the two very different uses: the Smithy and Officers Quarters, both of which are the most prominent sites of interest. From the gathered information, these buildings were constructed with brick, but most interestingly with a mixture of pigments and unusual sizes (292mm long). These forms and mineral compositions could be used in the construction and designs of these sites to create a material language between the past and present.*
- 8.142 *Other notable materials to take notice of include cast-iron, green glazed tiles and masonry details of Portland stone. All of these elements would work for both facade and landscape interventions. Different colour schemes and landscaping could be used to highlight the diversity of the area's historical usage as well as to differentiate from nearby Sayes Court.*
- 8.143 *When looking at the form and silhouettes of the Smithy and Officers Quarters, one notices the strong silhouettes formed by the pitched roofs, windows and chimneys/flues. These architectural details of facades and skylines are important to reference so not to make a stark contrast between the surrounding terraces of Deptford, while at the same time relating to the heritage buildings of the site."*
- 8.144 The Site Wide Heritage Design document states the following with regard to the John Evelyn / Sayes Court character area:
- 8.145 *"Sayes Court has a rich history of prestigious visitors, literary writers and horticultural endeavours to use as a historical reference, along with a plethora of uses ascribed to its buildings through time. With this in mind building on this site will take into consideration this history and its buildings. From the excavation report, we have fathomed that the buildings of the site were of a minor medieval and Tudor style, making notable materials brick and wood (materials that could be utilized in construction or used as accents). With building forms, we are presented with sketches of Sayes Court, giving visual information of shape and layout that could be referred to in the design of buildings or public spaces on this site. When delving into the Sayes gardens and its blueprint we recognize uniformity and linear lines intersected with ovals. From these plans, we can assign these characteristics to landscape and public space, tying together what is below the ground above. Finally, different colour schemes could be used to differentiate this area from nearby Officers/Royal Dockyard."*
- 8.146 Using this document as a framework for design reference to heritage assets, the design team for Plot 15 (Farrells) have produced a document of design responses for Plot 15. This sets out in detail how the proposals have been influenced by the above and below ground heritage assets of the development site and is acceptable to recommend discharge of condition 13. It is further acknowledged, that the document is a 'living document' and will develop and evolve constantly as the development progresses through consultation and input from various stakeholders and the community.
- 8.147 The design response to above and below ground heritage assets is discussed in detail below. The response for this plot is largely reflected through the landscape design and species selection.

#### *Sayes Court Garden Wall*

- 8.148 The original garden wall line was outside of the Sayes Court Manor building line, and it has been adjusted to sit along the extension of the building line as per the image below.



*Image 13: Reflection of the Sayes Court Manor building line*

- 8.149 The garden wall for the communal amenity space to the rear of Plot 15 now reflects the expressed Sayes Court Manor building line.
- 8.150 The garden boundary to the west respects the archaeology of Sayes Court Manor and sets up the strong geometry for the design of 'Czar Peter's Square' to be developed within the adjacent plot.

#### *The Dockyard Wall*

- 8.151 The dockyard at Convoys Wharf was founded in 1513 by Henry VIII, however the last above-ground parts of the storehouse, now a Scheduled Ancient Monument, were demolished in the 1950s, although the foundations remain.
- 8.152 The Dockyard wall was built in 1698 with Sayes Court lands to the west. The Dockyard absorbed Sayes Court and much of the surrounding estate in the eighteenth century; therefore Plot 15 forms a link between Dockyard and Sayes Court, famous for its creative and exotic landscaped gardens.
- 8.153 The location of the wall - shown in blue below, will be marked in the public realm by a coloured paving (recycled from the existing cobblestone paving on site where possible) lined leading from the building, as well as by the brick pattern on the opposite façade. A plaque will be installed on the wall to describe the artwork and the historical significance of the wall.





### *Street Trees*

- 8.158 The street tree planting aligns with the wider landscape strategy and provides valuable greening to the streetscape. Large elm trees are proposed along the spine road which draw on the site's ship building heritage. Smaller ornamental cherry trees are proposed along Manorfair Avenue and make a strong visual connection to the planting of Sayers Court Garden.

### *Proposed Garden Trees*

- 8.159 The application proposes carefully positioned trees help to filter and frame views across the garden. The proposed larger deciduous species create shade and shelter for the play area during the summer and maximise sunlight through the winter months.
- 8.160 Within the garden the tree palette will be formed of 4 no. proposed species:
- Malus 'Everest', provides a historical reference to the site's orchard heritage.
  - Osmanthus burkwoodii brings a John Evelyn's 'Ver Perpetuum' to the heart of the garden with evergreen foliage and a fragrant spring blossom.
  - Platanus x hispanica (London plane) ties into existing perimeter planting and creates a green backdrop to the site and dappled shade to the children's play space
  - Koelreuteria paniculata (Pride of India) used a key specimen multistem tree bringing a unique character to the garden and draws on the dock's 'plant hunter' heritage.

### *Proposed Hedging*

- 8.161 As a nod to John Evelyn's 'prized holly hedge' the proposed Ilex meserveae 'Blue Prince' (an attractive and unusual form of holly) provides a dark green backdrop to the garden and softens the edges of the paved parking area. This is an innovative and playful nod to history which is supported.
- 8.162 The design responses to heritage have been reviewed by Historic England and the Council's Conservation Officer who are supportive of the responses proposed. It is recommended that the proposed design features as outlined above would be secured by condition. This condition would ensure that these are delivered as well as any further design features identified by the evolving Site Wide Heritage Principles.

### **Design Conclusion**

- 8.163 The design of the proposed plot is dictated by the parameters of the OPP. As above, the proposed design is within the parameters and in this regard, is considered acceptable.
- 8.164 In relation to design, this reserved matter provides details of how the proposed building, landscape and public realm will appear including details of the materials to be used – this is provided alongside details of how the building would be accessed. The siting and layout is also considered in the context of the maximum and minimum approved parameters.
- 8.165 As above and in the context of the approved parameters, the layout proposed is considered optimal, maximising sunlight and daylight to the proposed units and the standard of accommodation to be provided. The layout accords with the principles of the masterplan approved within the OPP.
- 8.166 Overall, the proposed design, endorsed by the independent Design and Access Panel, provides a high quality response to the building's context within the masterplan and wider area. The proposed development is considered to have an acceptable impact with regard to the heritage assets above and below ground, both on and off the development site.

- 8.167 The proposed design has been amended to better reflect the site's history, and above and below ground heritage assets. The developing Site Wide Heritage Principles identifies other areas of the site more suitable in terms of location in relation to the historical and masterplan context, where heritage can be better reflected through design. These reflections through design would be captured by condition.
- 8.168 The proposed design is acceptable within the context of the OPP and reflects satisfactorily, the history and heritage of the site through design.

**Other details to be approved under Condition 20**

**Mitigation of Potential Overlooking - 20(i)(d)**

Overlooking within Plot 15

*Policy*

- 8.169 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users.

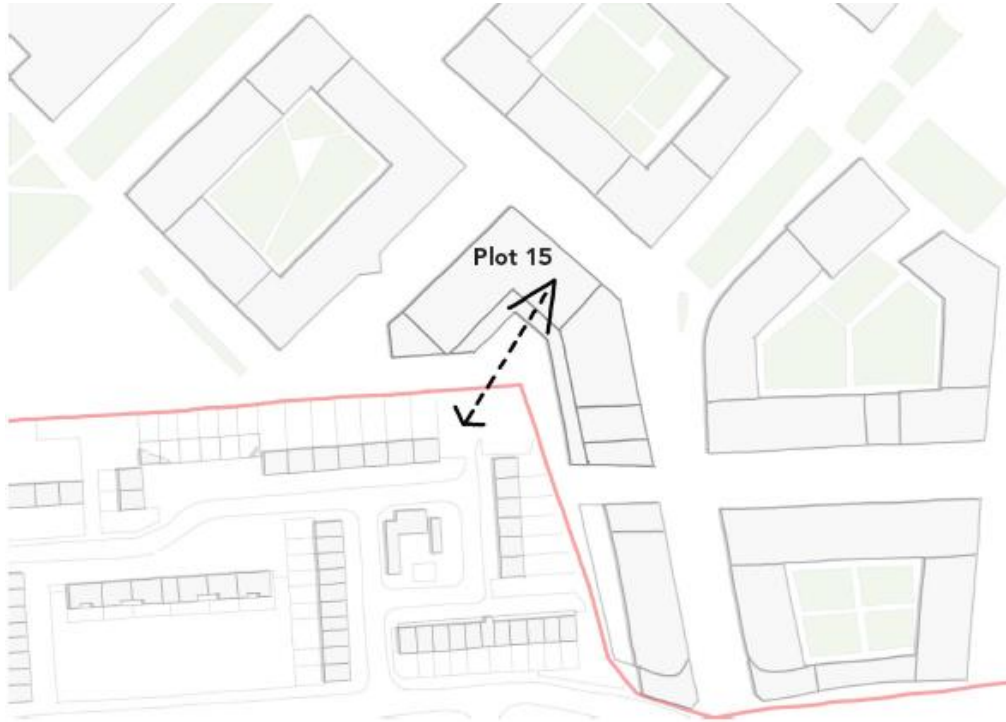
*Discussion*

- 8.170 The plan of Plot 15 has been developed in accordance with and informed by the OPP. The internal plan has been designed so as to minimise any potential overlooking between units.
- 8.171 There is potential for some overlooking between units where the plan turns a 90 degree angle towards Sayes Court Park. The balconies of the units here would be located relatively close to each other (6-7m) in a perpendicular arrangement. Whilst there would exist potential for some minimal overlooking here when balconies are in use, this is considered typical for such a building in an urban environment. Furthermore, the arrangement is dictated by the OPP meaning there is little scope to mitigate this further than the design team have already.
- 8.172 Given the above, the proposals for Plot 15 are considered acceptable with regard to overlooking within the plot.

*Overlooking to Existing Residential Development*

- 8.173 Plot 15 is located adjacent to two storey-terraced dwellings on Dacca Street as indicated on Image 15 below.





*Image 15: Relationship between Plot 15 and dwellings on Dacca Street*

- 8.174 As above, the proposed building at Plot 15 has been designed to sit within the OPP parameters. The proposed elevation of P15 would be located in excess of 25m from the rear elevations of the properties at Dacca Street at the closest point. This is in excess of the 21m separation distance as recommended by Policy MD 32 in the DMLP.
- 8.175 The opportunities for overlooking would be further mitigated by balcony and window positioning, retention of the existing boundary wall in this located as well as the retention of existing mature trees along this shared boundary.
- 8.176 Given the above, it is not considered that the proposed development would result in any unreasonable overlooking with regard to existing residential units on Dacca Street.

#### **Impact Study of Existing Water Supply - 20(i)(g)**

- 8.177 Thames Water have been consulted and have no objection to the proposed development with regard to the impact on existing water supply, subject to a condition, which is attached as part of this recommendation.

#### **Details to be approved under Condition 21**

##### **Infrastructure (including roads, plant and equipment) - 21(i)(a)**

- 8.178 With regard to road and footway infrastructure, these have been discussed in the section on access above. Additionally, as this scheme is one of the first reserved matters applications to come forward, the final design for the access road (spine road) including footways widths has not yet been determined, and is dependent upon the design of other Plots along the spine road being developed. As such, the final design of the spine road and footways will be determined through with future Reserved Matters applications/approval of details.
- 8.179 With regard to plant and other equipment for Plot 15, no details have been submitted at this stage.

- 8.180 In terms of fixed plant, the noise from any such plant is controlled by Condition 26 (fixed plant) of the OPP. This requires fixed plant to be 5 dB below the existing background level at any time. Condition 26 further requires that a scheme demonstrating compliance with these requirements is submitted and approved prior to commencement in the plot.
- 8.181 Condition 21(a) requires that the Spine Road, such details shall include full details of its exact location, design, dimensions, materials, any temporary access, timescales for completion and details of Spine Road bus stops and associated passenger facilities which details shall be submitted not later than submission of the first Reserved Matters application for any of Plots P08, P12, P13, P14 or P15). These details have not yet been provided therefore a partial discharge of condition 21(i)(a) is required with regard to both plant and equipment and details of the spine road bus stops.

### **Foul Water and Surface Water Drainage - 21(i)(b)**

#### *Policy*

- 8.182 The NPPF at para 165 expects major development to incorporate sustainable urban drainage systems (SUDS) unless there is clear evidence it is inappropriate.
- 8.183 LPP 5.13 requires SUDS unless there are practical reasons for not doing so. In addition, development should aim to achieve greenfield run-off rates and ensure surface water is managed in accordance with the policy's drainage hierarchy.
- 8.184 DLPP SI13 expects development to achieve greenfield run-off rates in accordance with the sustainable drainage hierarchy.
- 8.185 CSP 10 requires applicants to demonstrate that the most sustainable urban drainage system that is reasonably practical is incorporated to reduce flood risk, improve water quality and achieve amenity and habitat benefits.

#### *Discussion*

- 8.186 The proposed development should demonstrate that the proposed form of drainage has regard to the SuDs policies as above and industry best practice.
- 8.187 Foul Water and Surface Water Drainage on the development site are regulated by Conditions 19 "Drainage and Flood Risk" and 47 "Surface Water Control Measures" of the OPP.
- 8.188 The EA have reviewed the proposed foul water and surface water drainage documents and have raised no objection with regard to the proposals.
- 8.189 The Lead Local Flood Risk Authority (LLFRA) has also been consulted. The LLFRA initially requested further details as follows:
- a proposed drainage strategy which demonstrates that pumping has been avoided.
  - demonstration of greenfield rates and compliance with the London Plan. Discharge rates must be no more than 3x greenfield.
  - Information to clarify the rates for the referenced specific drainage outlets and information on their location.
  - Information on the proposed discharge rates for the 1 in 1, 1 in 30, 1 in 100, and 1 in 100 + climate change rainfall events.
  - Demonstration by detailed calculations, that no flooding occurs during the 1 in 30 year event on site and no flooding occurs to buildings in the 1 in 100 year event and to demonstrate that the proposed attenuation features have enough capacity to attenuate site runoff volumes. Exceedance routes to be identified. The site to be able

to attenuate the greenfield volume of the 1 in 100 year 6 hour event or as close as reasonably practical.

- A design drawing, providing details of the drainage features and a strategic plan on how the overall area will be drained.
- A maintenance scheme that includes all of the proposed drainage features and specifies the appropriate actions and frequencies of maintaining the components for the life span of the development. The applicant should also provide more information on the responsible owner.

8.190 The applicant submitted the documentation/information requested which was subsequently reviewed by the LLFRA. LLFRA have advised that the detail provided is acceptable with regard to foul water and surface water drainage and for the discharge of condition 19 in relation to Plot 15. They have advised that further details with regard to surface water source control measures are required by condition 47.

8.191 Given the above, the proposals are acceptable with regard to foul water and surface water drainage.

**Jetty, dry dock or temporary wharf structure required for construction purposes including any works within the river - 21(i)(c)**

8.192 This requirement is not relevant to Plot 15.

**Removal of Trees - 21(i)(d)**

8.193 The application has been submitted with an Arboricultural Impact Assessment as the proposed development is situated to the north of a group of 5 trees located along the boundary of the site and residential dwellings on Dacca Street. The trees are subject to a Tree Preservation Order. This report provides an assessment of the impact on trees and makes recommendations for mitigating any negative impacts. It is stated that the design has been developed with careful consideration to minimise the impact on the most important trees across the site.

8.194 One poor quality tree, a self-sown sycamore, which is growing out from the boundary wall at Plot 15 is recommended for removal. Given its poor quality and that it is classified as category "U", as well as the proposed replacement planting, its removal is considered acceptable. Additionally, if this was allowed to further establish, concerns would be raised regarding the stability of the boundary wall. The remaining 4 trees are proposed to be retained and integrated into the development. Sufficient space and adequate protection measures have been set out to ensure that retained trees are not damaged during the pre-construction and construction phase and to enable their successful development post-construction. Retained tree protection measures are discussed throughout on the submitted Tree Protection Plan.

**Remediation - 21(i)(e)**

*Policy*

8.195 The NPPF states at para 170 that planning decisions should contribute to and enhance the natural environment by, among other things preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil pollution and that development should help to improve local environmental conditions by remediating and mitigating contaminated land, where appropriate (para 170).

8.196 Further, the NPPF at para 178 and NPPG states decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from

contamination and that after remediation, land should not be capable of being determined as “contaminated land” under Part 2A of the Environmental Protection Act 1990.

- 8.197 LLP 5.21 reflects national policy, whilst DM Policy 28 advises the Council will use appropriate measures to ensure that contaminated land is fully investigated.

*Discussion*

- 8.198 Contaminated land and remediation of each plot is further controlled by condition 45 of the OPP which requires inter alia, the following details prior to commencement of development of each plot:

- a) Desktop study and site assessment
- b) Site investigation report
- c) Remediation scheme

- 8.199 The Environment Agency have reviewed the documentation provided with regard to contaminated land and have no objection in this regard.

- 8.200 The Council's Environmental Protection Officer reviewed the initial submitted documents, which originally included only a site wide remediation strategy. Following discussions with the applicant, a plot specific Desktop Study and Site Assessment, Site Investigation Report and Remediation Scheme were submitted.

- 8.201 The amended documents were reviewed by the Council's Environmental Protection Officer who considered these sufficient to satisfy Condition 21(i)(d)(remediation) as well as Condition 45 (i).

- 8.202 Historic England have requested that the approved remediation strategy be updated following agreement of archaeological detail required under conditions 34 to 39. Officers propose that this will be addressed when the details relating to archaeology are submitted. As such, a condition will be added to this effect.

**Temporary Site Boundary Treatments - 21(i)(f)**

- 8.203 The proposed temporary site boundary treatments would be 2.4 metres high plywood hoarding. The hoarding would extend around the P15 plot and down both sides of the spine road to the entrance at New King Street. This is considered acceptable.
- 8.204 It is noted that the layout of temporary boundary treatment on site will evolve as other development plots come forward. Details of each plot and changes of boundary treatments to other plots would be required upon submission of details in respect of those plots.

**OTHER MATTERS INCLUDING OTHER DETAILS SUBMITTED FOR APPROVAL/DISCHARGE UNDER CONDITIONS**

**Internal Space Standards and Private Amenity Provision – Conditions 10 and 30**

*Policy*

- 8.205 Standard 4.10.1 of the Mayor's Housing SPG states that 'a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant'.
- 8.206 LPP 3.5 seeks to achieve housing development with the highest quality internally and externally in relation to their context. Minimum space standards are set out in Table 3.3 of the London Plan.

## *Discussion*

- 8.207 Plans have been submitted under Condition 10 which show all proposed residential units meet the minimum space standards and would be provided with 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. Plans have also been submitted under Condition 30 which show all units would be provided with private amenity space meeting or in excess of the relevant London Plan Standards.
- 8.208 Given the above, the proposed development which meets the London Plan requirements and it is considered that adequate internal living spaces and private amenity space would be provided for the future occupiers.

### **Microclimate: Wind – Condition 3(ii)**

- 8.209 The details submitted to discharge this Condition in respect of Plot 15 are considered below at paragraph 8.318 to 3.21.

### **Sunlight and Daylight to Proposed Units – Condition 4**

- 8.210 Condition 4 of the OPP requires daylight and sunlight modelling to be undertaken in to inform the detailed design stage of building height and massing. The applicant has provided this information in accordance with Condition 4. *General Policy*
- 8.211 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a ‘high standard’ of amenity for existing and future users.
- 8.212 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards however, this is not formal planning guidance and should be applied flexibly according to context.
- 8.213 The NPPF does not express particular standards for daylight and sunlight. Para 123 (c) states that, where there is an existing or anticipated shortage of land for meeting identified housing need, LPAs should take a flexible approach to policies or guidance relating to daylight and sunlight when considering applications for housing, where they would otherwise inhibit making efficient use of a site.
- 8.214 Daylight is defined as being the volume of natural light that enters a building to provide satisfactory illumination of internal accommodation between sunrise and sunset. This can be known as ambient light. Sunlight refers to direct sunshine.
- 8.215 The GLA states that ‘An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.’ (GLA, 2017, Housing SPG, para 1.3.45).

### **Impact on Existing Dwellings on Dacca Street**

#### *Daylight*

- 8.216 The daylight testing undertaken for the proposed scheme indicates that there is either no change or an marginal improvement in daylight levels between the maximum OPP massing and the building proposed at P15.

#### *Sunlight*

- 8.217 There are no windows within neighbouring properties that are orientated within 90 degrees of due south and overlook the proposed development. As such, none would require a sunlight assessment in accordance with the BRE methodology.

#### Daylight to Proposed Units

#### *Discussion*

- 8.218 The applicant has submitted a Daylight and Sunlight Report which demonstrates that all habitable rooms within the proposed development have been technically assessed for Average Daylight Factor (ADF) in relation to daylight specifically.
- 8.219 The results of the ADF assessment have shown that 427 (89%) of the 427 habitable proposed meet the BRE and British Standard guidance criteria. The rooms that aren't fully compliant are located primarily along the north west and north eastern boundary of the proposed building across both the London Affordable Rent and Shared Ownership tenures. The majority of these rooms achieve a good level of daylight, marginally below the BRE recommendation, but still acceptable in an urban environment.
- 8.220 In relation to the 11% of rooms which do not meet the BRE guidance, these rooms are located beneath external balconies, which provide important external amenity to the apartments, but by their nature, also cause obstruction to daylight and sunlight. There is therefore a direct trade-off between the amenity provided by the balconies and the lower potential for daylight. Whilst the daylight levels to a number of rooms are lower than the suggested BRE target, the use of an outdoor amenity space can be equally beneficial to the occupants and the amenity benefits associated with the balconies can offset reduced levels of daylight.
- 8.221 Given the requirement for the provision of balconies, and that the design team for the scheme are constrained by the OPP parameters, as well as the very high level of compliance with the BRE guidelines; the proposed development is considered acceptable with regard to daylight to proposed units.

#### Sunlight

#### *Policy*

- 8.222 The Annual Probable Sunlight Hours (APSH) relates to sunlight to windows. BRE guidance states that a window facing within 90 degrees due south (windows with other orientations do not need assessment) receives adequate sunlight if it receives 25% of APSH including at least 5% of annual probable hours during the winter months.

#### *Discussion*

- 8.223 The results of the assessment show a good sunlight availability, with the majority of assessed rooms receiving very good levels of sunlight throughout the year.
- 8.224 Levels of APSH lower than those suggested for the whole year can be found in the living areas located below balconies on the lowest floors and in the corners of the proposed development.

- 8.225 However, the sunlight intercepted is transferred to the balconies and therefore future occupants will be able to enjoy it through the use of their private amenity spaces during the summer. As explained above in relation to the daylight levels, a trade-off of different types of amenity is generally considered acceptable where balconies are provided.
- 8.226 The sunlight availability during the winter months (WPSH) is excellent with all rooms meeting the BRE guidelines, as the balconies cause less obstruction to direct sunlight when the sun is lower in the sky.
- 8.227 With good levels of sunlight enjoyed in the majority of assessed living areas and alternatively, on their balconies, the proposed scheme is considered to be acceptable with regard to sunlight.

### Overshadowing

#### *Policy*

- 8.228 BRE states that in order for a public or communal amenity space to be well sunlit, at least 50% of its area should receive direct sunlight for two or more hours on 21st March.

#### *Discussion*

- 8.229 The results of the assessment indicate that the communal amenity space would see well above the minimum recommended (50%), with 92% of the area seeing at least two hours of sunlight on the spring equinox.
- 8.230 It can therefore be concluded that the proposed communal amenity area within the site will offer excellent levels of sunlight throughout the year.

### Sunlight and Daylight Conclusion

- 8.231 The Sunlight and Daylight Assessment provided with the application demonstrates that the proposed development would provide a good degree of daylight and sunlight to the proposed units, and that the proposed communal area at podium level would not be subject to an unreasonable degree of overshadowing.
- 8.232 Whilst some of the BRE guidelines are not fully complied with regard to daylight, the proposed units would receive good levels of sunlight throughout the year. It is noted that the non-compliant units are largely as a result of the parameters set at outline stage and due to the provision of balconies in order to comply with the relevant private external space standards.
- 8.233 Given the above, it is considered that the proposal is acceptable with regard to daylight, sunlight and overshadowing.

#### *Discussion*

- 8.234 Following a request from the Council's Sustainability Manager, the applicant has submitted an Overheating Assessment. The Overheating Assessment conducted analysis under the CIBSE TM59 overheating methodology for homes, which specifies standardised internal gains, profiles and opening criteria. The assessment found that all spaces would pass the TM59 criteria.
- 8.235 A preliminary assessment suggests that the identified equivalent area is achievable with the current design, but it will be the architect's and the window manufacturer's responsibility to ensure that the equivalent areas stated in this report are achieved. In particular, for bedrooms and studies, close attention should be paid to the ability of residents to achieve

the required operability in a safe manner, as this is likely to require a relatively large opening distance.

- 8.236 As such, the proposed development is considered acceptable with regard to overheating.

### **Affordable Business Space**

- 8.237 The S106 agreement requires that the development site deliver not less than 1,330 square metres of Class B1 floorspace to be provided within Phases 1 and 3 to Shell and Core and made available to Small and Medium Enterprises.
- 8.238 Plot 15 proposes 800 sq. m of office (Use Class B1) use at ground floor level of which 249 sqm will be provided as affordable workspace. The provision of B1 floor space is consistent with the OPP and parameters, and is supported by offices for inclusion within the early phases of delivery.
- 8.239 The applicant has provided draft terms of reference for the Affordable Business Space and these are currently being agreed with the Council. These terms will include both a rent-free period and a subsidised rent period to follow the rent-free period.

### **Servicing, Delivery and Waste Management**

- 8.240 Transport for London and LBL Highways have requested that a condition should be attached to the Reserved Matters approval requiring a servicing, delivery or waste management plan to be submitted and approved. The traffic impacts were assessed at OPP stage and but it was not considered necessary to impose such a condition on the OPP. In any event, servicing of Plot 15 would occur to the rear of that building and on roads within the development site and Officers that there is unlikely to be any unreasonable impact on the existing road network. In the circumstances, the suggested condition is not considered to be reasonable or appropriate. There is not a chance in surrounding context that officers consider a Delivery and service plan would now be required.

### **Vehicular and Cycle Parking**

#### *Outline Consent Background*

- 8.241 The Outline Planning Consent secured a maximum quantum of 1,840 car parking spaces. The development will provide 1540 spaces for residents and 300 car parking spaces for the remaining, non-residential components of the developments, including up to 35 car club spaces within the non-residential provision. These spaces will be provided principally at ground level across much of the site and first floor parking decks beneath landscaped podiums

#### Residential Parking

- 8.242 The proposals for P15 include 13 residential car parking spaces to be provided to the rear of the proposed building. It is noted that the quantum of parking has reduced following consultation with Transport for London and subsequent amendments which have resulted in more space being devoted to proposed cycle parking.
- 8.243 The proposed provision of residential parking spaces is in accordance with the Outline Planning Permission and is proportionate to the quantum of residential units to be provided. Furthermore, the proposals have been reviewed by Transport for London and the Council's Highways Officer who have raised no objection.
- 8.244 Given the above, the proposed residential parking is considered acceptable. It is noted that the applicant is also required to provide prior to commencement, a Car Parking



Management Strategy under condition 31 of the Outline Planning Permission. This has not been submitted as part of this application, but will be forthcoming in future.

#### Accessible Parking

- 8.245 Planning Policy and the approved S106 agreement require that each wheelchair unit is allocated a parking space. As outlined above, 12 of the 124 units across Plot 15 would be provided in accordance with Building Regulations requirement M4(3) 'wheelchair user dwellings'
- 8.246 The parking provision includes 12 blue badge bays meaning that accessible parking is provided at a 1:1 ratio as required.
- 8.247 Given the above, the proposals are in accordance with the OPP and S106 agreement.

#### On-street Parking

- 8.248 The proposals for P15 include the following on-street parking proposals:
- Ten on-street (non-residential) car parking bays comprising:
    - Seven standard car parking bays;
    - One car parking bay allocated for mobility impaired users; and
    - Two electric vehicle car parking spaces.
- 8.249 This arrangement has been reviewed by the Council's Highway Officer and Transport for London – no objections have been raised.

#### Car Club Provision

- 8.250 The OPP provides for up to 35 car club spaces within the non-residential provision (300 spaces). These spaces were outlined as being provided principally at ground level across much of the site and first floor parking decks beneath landscaped podiums.
- 8.251 Plot 15 would provide one on-street car club space. The proposals for car club provision have been reviewed by Transport for London and the Council's Highways Officer who have raised no objections, and are in accordance with the OPP. As such, the proposals are acceptable in this regard.

#### Electric Vehicle Charging Points – Condition 50

##### *Policy*

- 8.252 LPP 6.3 (Parking) requires that 1 in 5 spaces are provided as Electric Vehicle Charging Points (EVCPs). Draft London Plan Policy requires that at least 20% of parking spaces are provided as EVCPs.

##### *Discussion*

- 8.253 The details for provision and maintenance of EVCPs are required to be approved prior to commencement under Condition 50 of the OPP and the applicant is seeking to discharge as part of this application.
- 8.254 The original submission proposed 5 EVCPs within the residential parking. This resulted in 42% of the proposed residential spaces being EVCPs.
- 8.255 Of the 10 non-residential on-street parking spaces, 2 of these would be provided as EVCPs equating to a percentage of 20%.

- 8.256 Given the above, the EVCP provision is policy compliant and acceptable and Condition 50 can be discharged in relation to P15.

#### Cycle Parking

- 8.257 Following consultation with TfL, the cycle parking was amended to meet the London Cycle Design Standards in order to provide an element of accessible spaces and standard Sheffield stands. As a result, a total of 238 cycle parking spaces are provided overall.
- 8.258 A total of 222 cycle parking spaces would be provided in support of the 124 residential dwellings at Plot 15, including 218 internal long-stay spaces (108 within the northern store and 110 within the southern store) and four external short-stay spaces. It is proposed to provide secure covered long-stay cycle parking on the ground level. This is in accordance with the s106 requirements as well as the London Plan.
- 8.259 A total of 16 cycle parking spaces would be provided in support of the non-residential uses at Plot 15 in accordance with the London Plan, including 10 sheltered long-stay spaces and six external short-stay spaces.
- 8.260 The details of cycle parking are controlled as a pre-commencement condition (condition 33) of the Outline Planning Permission. The applicant is not currently seeking to discharge this condition; however, this will be subject to review by Transport of London and the Council's Highways Officer on submission prior to commencement.

#### **Healthy Streets**

##### *Policy*

- 8.261 The Healthy Streets Approach puts people and their health at the centre of decisions about how we design, manage and use public spaces. It aims to make our streets healthy, safe and welcoming for everyone.
- 8.262 The Approach is based on 10 Indicators of a Healthy Street which focus on the experience of people using streets.
- 8.263 Policy T2 (Healthy Streets) of the Draft London Plan states Development proposals should:
- 1) demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance.
  - 2) reduce the dominance of vehicles on London's streets whether stationary or moving.
  - 3) be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport.

##### *Discussion*

- 8.264 The application has been submitted with a Healthy Streets Assessment which has demonstrated how most links in the existing road network responds adequately to the standards set by the Healthy Streets assessment, based on current traffic flows, pedestrian and cycle flows, mix of land uses.
- 8.265 The assessment of the urban design proposals for the streets adjacent to Plot 15 has also shown how Convoys Wharf development and the streetscape improvements proposed as part of the Reserved Matters Application will align with the Healthy Streets principles. As such, the proposals would contribute to improving pedestrian and cycle permeability, road safety and street amenity both within the development's internal street network, and along some of the routes that will connect to the site.

- 8.266 Where some improvements to the existing street network (outside of the application site) have been identified outside the application site, it is considered that there is potential for contributions secured for highways improvements within the Section 106 agreement to be diverted towards these areas when the contributions are released in accordance with the triggers for payment outlined in the S106 agreement.

#### **Code of Construction Practice – Condition 44**

- 8.267 Condition 44(i) of the OPP requires that a site-wide Code of Construction Practice be submitted prior to any development to establish the overarching principles of best construction practice, and is to be based on the Framework Code of Construction Practice, 14 February 2014 (Appendix C of Environmental Statement Addendum Report), as approved by the OPP.
- 8.268 Further to the above, Condition 44(ii) of the OPP requires that prior to commencement of development on a particular plot, a plot-specific Code of Construction Practice be submitted.
- 8.269 A draft Code of Construction Practice has been provided with this application for approval under condition 44(ii) of the OPP. The Council's Highways Officer has advised that these details are generic and not sufficiently specific to the plot and cannot be discharged at this time. It is therefore recommended that the CoCP is not approved under Condition 44(ii). As such, this will remain a requirement to be discharged prior to commencement in Plot 15.

#### **SUSTAINABILITY AND ENERGY – Condition 15**

##### *Policy and Outline Consent Background*

- 8.270 Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.
- 8.271 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
1. Be lean: use less energy
  2. Be clean: supply energy efficiently
  3. Be green: use renewable energy
- 8.272 Achieving more sustainable patterns of development and environmentally sustainable buildings is a key objective of national, regional and local planning policy. London Plan and Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. Core Strategy Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 8.273 The Section 106 agreement required that the owner submit and have approved an 'Interim Energy Strategy' prior to the submission of the first reserved matters application. The intention of the Interim Energy Strategy is to demonstrate how the applicant would secure a connection from the development to the off-site South East London Combined Heat and Power plant (SELCHP). The Interim Energy Strategy was submitted to the Local Planning Authority prior to the first Reserved Matters submission and following amendments was approved on 10<sup>th</sup> January 2017.

- 8.274 The Section 106 agreement also required that the applicant, on submission of the first Reserved Matters Application shall submit the Energy Strategy to the Council for approval and shall:

*“accompany the Energy Strategy with a written statement addressing how the steps required by the Interim Energy Strategy are being addressed and if the connection to SELCHP has not been secured, the Energy Strategy shall include an explanation as to why the connection has not been possible, how any obstacles are proposed to be addressed through Phase 1 and subsequent Phases of the Development and the further strategy for securing the connection to SELCHP.”*

*Discussion*

- 8.275 The applicant has submitted an Energy and Sustainability Statement which follows the overall strategy set out in the approved Interim Energy Strategy (RPT-0003).
- 8.276 The Energy and Sustainability Statement states that baseline energy demand for the development would be reduced by using energy efficiency measures and passive design, prior to the inclusion of appropriate low and zero carbon energy technologies, since limiting the demand is the most effective way of reducing overall carbon emissions.
- 8.277 Carbon reduction would be further achieved by the implementation of Combined Heat and Power (CHP) using one of two potential options. Option 1 comprises a connection to the off-site South East London Combined Heat and Power plant (SELCHP). This option is expected to deliver approximately 27% lower carbon emissions than a Part L 2010 compliant baseline development, or 45% lower emissions, if regulated loads are assessed. This option is subject to commercial negotiations with Veolia, the operator of SELCHP, which are ongoing. If such connection to SELCHP is not found to be viable then the alternative option is to provide onsite Energy Centres, which will be gas-fired CHP with gas-fired boilers supplementary to meet peak loads. Under this scenario the development is expected to achieve CO2 emissions reductions of approximately 11% lower than Part L 2010 standards, or approximately 23% lower than Part L 2010 base load calculations with a 2% renewable contribution. As Option 1 remains a viable option, this is considered acceptable to comply with condition 15 in relation to P08.
- 8.278 It should be noted that if the SELCHP connection is not ready or determined viable by the time the first phase of redevelopment is occupied the on-site district heating network would still allow a future connection to SELCHP to be made, should it prove viable or available at a later stage.
- 8.279 The technical and financial feasibility of finding a route for the pipework will require that the underground services be mapped of the identified connection routes. These will then be analysed, and the least disruptive route selected. Discussions will then be held with utility providers to determine the costs and timescales of any diversions required to allow the connection to proceed.
- 8.280 The applicant is currently in discussion with the operator (Veolia) of South East London Combined Heat and Power (SELCHP) as per the requirements of the Section 106 agreement. These discussions have indicated that SELCHP would consider extending their network to Convoys Wharf.
- 8.281 The applicant and Veolia entered into a Pre-Development Agreement in November 2016 to commence a feasibility study for the pipe route between SELCHP and Convoys Wharf. Since this time, Veolia have been working on the pipework feasibility study between SELCHP and Convoys Wharf.
- 8.282 Veolia identified and analysed a number of different pipe route and selected a preferred pipe route as part of their initial study.

- 8.283 In 2017, Veolia's team presented their initial proposals to the Lewisham Council (Sustainability and Planning Services) and concerns were raised regarding some of the routing of the pipes, due to third party land ownership issues in particular. Since then, Veolia have been pursuing this initial route and trying to overcome the legal issues caused by a route involving third party land ownership.
- 8.284 In 2020, Veolia were awarded £5.5million funding through the central government Heat Network Investment Programme (HNIP) to initiate a heat network in Lewisham through a connection to Convoys Wharf. This funding is awarded on a conditional basis and is dependent on Convoys Wharf coming forward. The Council is working with Veolia to support the development of this heat network to establish a Strategic Heat Network for the borough.
- 8.285 Whilst the connection to SELCHP has not yet been formally secured, it is considered that the applicant has demonstrated ongoing progress in this regard and that the connection is being pursued. The strategic heat network remains critical to the Council in delivering a source of low carbon heating and forms an action point in the Climate Emergency Action Plan (2020).
- 8.286 With regard to further comments raised by the Council's Sustainability Manager, the applicant has advised that The dwelling fabric efficiency exceeds the notional building regulations 'target' by 10-12%, contributing to the domestic Be Lean case achieving a 12.1% improvement.
- 8.287 With regard to comments raised regarding lighting, the applicant has advised that Low Energy lighting would be provided throughout the residential and commercial buildings; at their Energy Consultants recommendation of all spaces/luminaires to be in excess of 70 luminaire lumens per circuit Watt and for commercial spaces in excess of 90 luminaire lumens per circuit-watt.
- 8.288 In terms of lighting controls, residential and office communal circulation would include sensors. All other zones will be manually switched. Perimeter office areas should also include daylight dimming controls.
- 8.289 With regard to further information requested regarding mechanical ventilation, the applicant has advised that the proposed Domestic Mechanical Heat Recovery Ventilation (MVHR) includes at least semi-rigid ducting to enable a greater selection of products. Efficiency has been maximised through the selection of a unit with low SFP (0.63 W/l/s) and high heat recovery (90%). Non-domestic ventilation considers efficiency through a low SFP (1.60 W/l/s) and high heat recovery (80%).
- 8.290 The applicant has advised that Photo Voltaic (PV) panels have been considered at roof level; however, the Outline Planning permission requires brown and green biodiverse living roof to be provided here. The provision of PV panels would compromise the survival and maintenance of the biodiverse living roofs.

## **ENVIRONMENTAL CONSIDERATIONS**

- 8.291 An Environmental Impact Assessment (EIA) Statement of Conformity (SoC) has been submitted with this reserved matters application. The SoC assesses whether the detailed scheme presented in the current application will give rise to new or materially different likely significant effects on the environment from those considered as part of the outline planning permission and thus whether the reserved matters are required to be subject to environmental impact assessment under the EIA Regulations.
- 8.292 As set out below, it is considered that there are no new or materially different likely significant effects on the environment from those identified in Environmental Statement (April 2013) and a Supplementary Environmental Statement (February 2014) which set out

the environmental effects of the outline planning permission based on an assessment of the Approved Parameters. As such, an EIA is not required in relation to the proposals set out in the reserved matters application.

8.293 The topics assessed within the Approved Environmental Statement, submitted in support of the Outline Planning Permission, are as follows:

- Archaeology;
- Built Heritage Assessment;
- Landscape, Townscape and Visual Amenity Assessment;
- Air Quality Assessment;
- Soils, Ground Conditions and Groundwater Quality Assessment;
- Ecological Impact Assessment;
- Noise and Vibration Assessment;
- Socio economic Assessment;
- Sunlight, Daylight and Overshadowing Assessment;
- Electronic Interference Assessment;
- Traffic and Transport Assessment;
- Waste Management Assessment;
- Water Resources including Flood Risk Assessment; and
- Wind and Microclimate Assessment.

8.294 The Plot 15 Proposals are in accordance within the Approved Parameters and Design Specification approved within the OPP as amended by non-material amendment. The majority of the conclusions set out within the technical assessments considered within the Approved Environmental Statement will therefore not be affected by the Plot 15 Proposals.

8.295 However, due to the minor divergence of parameters in isolated locations (as approved by non-material amendment) further consideration has been given to the potential for additional or different environmental effects arising from the following technical topics:

- Built Heritage;
- Ecology;
- Traffic and Transport;
- Sunlight, Daylight and Overshadowing Assessment;
- Water Resources including Flood Risk Assessment; and
- Wind Microclimate.

#### Built Heritage Assessment

8.296 A Built Heritage Statement has been prepared by CgMs in support of the Plot 15 RMA. The Built Heritage Statement concluded that although there would be some limited intervisibility between the taller elements of Plot 15 with Deptford High Street Conservation Area and extremely limited inter-visibility with St. Paul's Conservation Area, Plot 15 would make a neutral contribution to their significance.

8.297 In respect of listed buildings, it is concluded that Plot 15 has considered built heritage assets through its design, materials, layout and place-making and overall it is considered that these elements would make a positive contribution to the settings of built heritage assets, in addition to the local townscape.

8.298 As such, it is considered that the residual effects and conclusions of the Approved Environmental Statement in relation to built heritage remain valid.

#### Ecological Impact Assessment

- 8.299 Plot 15 includes two trees which form part of a row of mature London plane (*Platanus x hispanica*) that will be retained. A third tree, a self-sown sycamore (*Acer pseudoplatanus*) growing out of the boundary wall will be removed.
- 8.300 The remainder of the site within Plot 15 was cleared under the OPP and subsequent regrowth has periodically been cut back. The area is of low ecological value supporting a combination of bare ground and revegetating ground including occasional butterfly bush (*Buddleja davidii*) and common ephemeral and ruderal species including mugwort (*Artemisia vulgaris*), smooth sow thistle (*Sonchus oleraceus*), Canadian fleabane (*Conzya canadensis*), and ragwort (*Senecio jacobea*). This habitat is not sufficiently complex to meet the criteria to be considered as the habitat of principal importance 'Open mosaic on previously undeveloped ground'. The loss of habitats from the site has already been assessed as an impact of the OPP. The development of Plot 15 will therefore not result in any additional losses of semi-natural habitats.
- 8.301 There are no buildings within Plot 15 and the three trees present within Plot P15 have negligible bat roosting potential. Therefore, there are no features within Plot 15 suitable to support roosting bats.
- 8.302 Assuming implementation of standard construction controls through the construction environmental management plan (CEMP) secured by condition on the OPP, no adverse effects on designated sites are anticipated and the residual effects and conclusions of the Approved Environmental Statement in relation to ecology remain valid.

#### Sunlight, Daylight and Overshadowing

- 8.303 A Daylight and Sunlight Report has been prepared by eb7 to assess the potential impact of Plot 15 upon the daylight currently received by the closest neighbouring properties. The assessment has been undertaken using the Vertical Sky Component (VSC), the No-Sky Line Contour (NSC) and the Average Daylight Factor (ADF) tests set out within the BRE guidance 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE, 2011) and the British Standard document BS 8206 pt2.
- 8.304 The VSC, NSC and ADF results show that there is either no change or an improvement in daylight levels of neighbours when the results of the consented scheme and the latest proposal for Plot 15 are compared.
- 8.305 In terms of sunlight, none of the neighbours have site-facing windows within 90 degrees of due south and so they are not relevant for assessment.
- 8.306 As such it is considered that the residual effects and conclusions of the Approved Environmental Statement in relation to sunlight, daylight, and overshadowing remain valid.

#### Traffic and Transport Assessment

- 8.307 Plot 15 is expected to generate a total of 171 two-way trips (including 18 car trips) during the AM peak and 199 two-way trips (including 18 car trips) during the PM peak. The generation of these trips is not expected to have a significant impact on the highway network and is within the parameters of the OPP consent.
- 8.308 Furthermore, Plot 15 is not anticipated to exacerbate any of the accident patterns identified through an analysis of the most recent Personal Injury Accident data. The expected levels of public transport, pedestrian and cycle trips generated by Plot 15 are also within the parameters of the OPP consent. It is therefore also considered that these additional trips will be able to be accommodated on the surrounding public transport, footway and cycle networks.

- 8.309 Further technical information is provided in the Transport Statement, prepared by AECOM and submitted in support of the Plot 15 RMA.
- 8.310 Overall, it is considered that Plot 15 will have no adverse impact on the performance of the local highway network. As such, it is considered that the residual effects and conclusions of the Approved Environmental Statement in relation to traffic and transport remain valid.

#### Wind and Microclimate Assessment

- 8.311 A wind microclimate assessment has been undertaken by AECOM in support of the Plot 15 RMA. The study was conducted using the Lawson Pedestrian Comfort criteria. The results show that following development all regions of the pedestrian level of Plot 15 are acceptable for the typical usages that would be expected on or around a residential led development. Namely the Computational Fluid Dynamics (CFD) study results indicate that there will be no instances that breach the pedestrian distress criteria for a “frail person or cyclist” at either ground level or on balconies.
- 8.312 Furthermore, the CFD study has indicated that all areas around Plot 15 are suitable for pedestrian walk through, with the majority of areas also suitable for pedestrian standing / entrance doors or sitting.
- 8.313 Temple Group were commissioned by the Planning Service to conduct a review of the wind microclimate assessment in relation to Condition 3(ii) (Microclimate: wind) of the OPP. The Temple Group have concluded that the proposals were acceptable with regard to microclimate and as such condition 3(ii) can be discharged.
- 8.314 As such it is considered that the residual effects and conclusions of the Approved Environmental Statement in relation to wind microclimate remain valid.

#### Water Resources, Drainage, and Flood Risk

- 8.315 A Drainage Strategy has been prepared for Plot 15 that confirms that surface water run-off from the building will be collected within the site boundary and will be attenuated to a maximum flow restriction of 10.0l/s (litres per second) total for Plot 15 to comply with the site wide drainage strategy for the entire Convoys Wharf development).
- 8.316 Sustainable Drainage Systems (SuDs) techniques will be adopted to manage surface water run-off from the proposed building within the Plot 15 boundary. As indicated in the site wide drainage strategy, the site is unsuitable for infiltration techniques due to ground water existing relatively close to the surface. Therefore, it is proposed to attenuate the surface water discharge at source utilising living roofs with controlled flow outlets. Where it is not practical to manage any discharges, whether they be at roof level or at ground level, it will be attenuated via a retention tank and flow control.
- 8.317 The foul water drainage peak flow generated by the site will be approximately 17l/s. No attenuation is proposed for the foul water drainage.
- 8.318 As such, it is considered that the residual effects and conclusions of the Approved Environmental Statement in relation to water resources, drainage, and flood risk remain valid.

#### Conclusion

- 8.319 It is considered that the residual effects and conclusions of the Approved Environmental Statement remain valid.

### **NATURAL ENVIRONMENT**



### *General Policy*

- 8.320 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 8.321 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 8.322 The NPPF at para 180 states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the sensitivity of the site or wider area to impacts that could arise from the development.
- 8.323 London Plan Policy 2.18 sets out the Mayor of London's vision for Green Infrastructure as a multifunctional network that brings a wide range of benefits including among other things biodiversity, adapting to climate change, water management and individual and community health and well-being.

### **Ecology and Biodiversity including Green and Brown Roofs – Condition 14**

#### *Policy*

- 8.324 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard to the purpose of conserving biodiversity.
- 8.325 The NPPF at para 170 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. At para 175, it sets out principles which LPAs should apply when determining applications in respect of biodiversity.
- 8.326 LPP 7.19 seeks wherever possible to ensure that development makes a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 8.327 LPP 5.11 encourages major development to include planting and especially green roofs and walls where feasible, to deliver as many of the policy's seven objectives as possible.
- 8.328 DLPP G5 expects major development to incorporate measures such as high-quality landscaping (including trees), green roofs and green walls.
- 8.329 CSP 7 expects urban greening and living roofs as part of tackling and adapting to climate change. DMP 24 requires all new development to take full account of biodiversity and sets standards for living roofs.

#### *Discussion*

- 8.330 The Development Specification approved under the OPP requires that Compensatory habitat, in the form of bio-diverse roofs or at ground level, will be the same or greater than the area of lost habitats, which equates 18,300sqm, approximately 11%. This is controlled by Condition 14 of the OPP.
- 8.331 It is proposed that Plot 15 would provide 580 sqm of biodiverse green roof and 640 sqm of biodiverse brown roof. Cross sections have been provided of both roof types. This would cover the majority of roofspace available to the proposed building. Additionally, a blackstart nesting box would also be provided.

- 8.332 The proposed green and brown roofs to Plot 15 are considered to be policy compliant and in accordance with the OPP and that Condition 14 should be approved in relation to Plot 15.

### **Lighting – Condition 12**

#### *Outline Consent Background*

- 8.333 Condition 12 of the OPP requires that at the same time as the first Reserved Matters application is submitted, a lighting strategy for external lighting across the site, including details of a dark corridor, must be submitted to the Local Planning Authority.

#### *Discussion*

- 8.334 The applicant has submitted a site-wide high level lighting strategy for the development site in accordance with Condition 12(i) of the OPP but as yet the plot specific lighting strategy under Condition 12(ii) has not been submitted in respect of Plot 15. The plot specific strategy does not need to be submitted but Condition 12(ii) allows a period of 6 months following commencement within the relevant Plot during which such strategy is to be submitted.
- 8.335 The Site Wide Lighting Strategy has divided the development site into three different lighting zones, along with the creation and maintenance of a dark corridor along the river frontage.
- 8.336 The level of light required in each public area has been selected depending on the use for that particular area. The lighting classes have been taken from the relevant British Standards.
- 8.337 The Council's Ecology and Highways Teams have reviewed the proposed Site Wide Lighting Strategy and have raised no objection to the detail provided.
- 8.338 The Report in respect of the application for Reserved Matters and other approvals of details in respect of Plot 08 includes a recommendation that the site-wide lighting strategy for the development be approved under Condition 12(i).

### **Air Quality**

#### *Policy*

- 8.339 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality.
- 8.340 Proposals should be designed and built to improve local air quality and reduce the extent to which the public are exposed to poor air quality. Poor air quality affects people's living conditions in terms of health and well-being. People such as children or older people are particularly vulnerable.
- 8.341 London Plan Policy 7.14 states new development amongst other requirements must endeavour to maintain the best ambient air quality (air quality neutral) and not cause new exceedances of legal air quality standards. Draft London Plan SI1 echoes this.
- 8.342 Further guidance is given in the Mayor of London's Air Quality Strategy.

#### *Discussion*

- 8.343 A number of representations from the public raise Air Quality as a concern. The Environmental Impact Assessment SoC in respect of the application does not identify any new or materially different likely effects resulting from the development compared to those considered at the OPP stage. The impacts arising in respect of air quality were considered at OPP Stage and addressed through the Section 106 Agreement, which secures £100,000 towards for air quality monitoring in respect of the development. Officers therefore consider that appropriate mitigation and monitoring has already been secured through the OPP.

## **Flood Risk**

### *Policy*

- 8.344 Paragraph 155 of the NPPF (2019) requires new development to be sited away from areas at risk of flooding, whilst para.165 states that major development should incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate.
- 8.345 London Plan Policy 5.12 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.
- 8.346 London Plan and draft London Plan Policies 5.12 and 5.13 requires new development proposals to comply with the flood risk assessment and management requirements set out in the NPPF. London Plan Policy 7.13 expects development to contribute to safety, security and resilience to emergency, including flooding.
- 8.347 Core Strategy Policy 10 requires developments to result in a positive reduction in flooding to the Borough
- 8.348 The site is located in Flood Zone 3 which is defined as having a 'high probability' of river and sea flooding by the 'flood risk and coastal change' section of the national Planning Practice Guidance.

### *Discussion*

- 8.349 The OPP was submitted with a Flood Risk Assessment which was assessed and approved. This document set out the framework for flood risk management in relation to the proposed development. Various conditions were imposed on the OPP which are relevant to this framework:
- Condition 6 (River Wall Surveys) – submitted and approved by the Local Planning Authority under planning application reference DC/17/100954 on 21 June 2018
  - Condition 14 (Biodiversity) – Assessed and details recommended for approval in 'Ecology and Biodiversity including Green and Brown Roofs' above
  - Condition 16 (River Wall Safeguarding) – not relevant to Plot 15
  - Condition 19 (Drainage and Flood Risk) – relevant to this application
  - Condition 47 (Surface Water Control Measures) – relevant to this application
  - Condition 52 (Tidal Flood Defence) – This condition is not sought for discharge in this application
  - Condition 66 (Hydrology and Water Resources) – Compliance only
- 8.350 The Environment Agency have reviewed the Reserved Matters Application and requested further information with regard to Flood Risk. A Flood Risk Assessment indicating that the finished floor level of the ground floor residential accommodation would be located above the modelled flood risk level.

- 8.351 This information was provided by the applicant and subsequently the Environment Agency have indicated that the application is acceptable with regard to flood risk.
- 8.352 The Council's Flood Risk Manager has reviewed the application and requested further information in relation to Condition 19 (Drainage and Flood Risk) and Condition 47 (Surface Water Control Measures). Following receipt of this information it was considered appropriate to discharge conditions 19 and 47 in relation to Plot 15.
- 8.353 Given the above, the proposed development is acceptable with regard to flood risk and conditions 19 and 47 can be discharged in relation to Plot 15.

## 9.0 SUMMARY REGARDING DISCHARGE OF CONDITIONS

- 9.1 In addition to the reserved matters and other details required by Conditions 20, the applicant seeks to discharge a number of conditions attached to the OPP. outline permission. The additional conditions sought for discharge are laid out below in Table 10 below along with Officers' recommendation. The full wording of the conditions can be seen in the OPP attached as Appendix 1.

Condition	Assessment
3. Microclimate: wind (ii)	Acceptable – assessed in “Environmental Impact Considerations – Microclimate”
7. Building design Statement and Tall Buildings Design Statement	Acceptable – the application has been submitted with a Building Design Statement in relation to P08 outlining how the Design Guideline in CW04 have been applied to the proposed development
8. Reconciliation Statement (i)	Acceptable – the application has been submitted with a reconciliation statement as required by condition 8(i)
13. Heritage Statement	Acceptable – assessed in “Impact of Design on Heritage Assets”
14. Biodiversity (i)	Acceptable – assessed in “Natural Environment - Ecology and Biodiversity including Green and Brown Roofs”
15. Energy Statement	Acceptable – assessed in “Energy and Sustainability” above
19. Drainage and flood risk	Acceptable – assessed in “21(i)(b) – Foul Water and Surface Water Drainage”
21. Details relating to infrastructure and other matters	21(b),(c),(d),(e) and (f) acceptable – assessed in “Details for approval under Condition 21”. Partial discharge of condition 21(i)(a) as details of plant and bus stops not provided
45. Contaminated Land (i)	Acceptable – assessed in “21(i)(e) – Remediation”
47. Surface water control measures	Further detail required, not yet acceptable – assessed in “21(i)(b) – Foul Water and Surface Water Drainage”
50. Electric vehicle charging points (i)	Acceptable – assessed in “Transport Impacts – Electric Vehicle Charging Points”

Table 10: Conditions sought for discharge and assessment

- 9.2 Given the above, the following conditions 3(ii), 7, 8, 13, 14, 15, 19, 21(b), (c),(d),(e) and (f), 45(i), and 50(i) are recommended for discharge. 21(a) is recommended for partial discharge in relation to P15 as details of plant and bus stops and associated passenger facilities are yet to be provided.

## 10.0 EQUALITIES CONSIDERATIONS

- 10.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 10.2 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - b) advance equality of opportunity between people who share a protected characteristic and those who do not;
  - c) foster good relations between people who share a protected characteristic and persons who do not share it.
- 10.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 10.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
- <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>
- 10.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
  2. Meeting the equality duty in policy and decision-making
  3. Engagement and the equality duty
  4. Equality objectives and the equality duty
  5. Equality information and the equality duty
- 10.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:
- <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>
- 10.7 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that no impact on equality.

## **11.0 HUMAN RIGHTS IMPLICATIONS**

- 11.1 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. “Convention” here means the European Convention on Human Rights, certain parts of which were incorporated into English law

under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:

- Article 8: Respect for your private and family life, home and correspondence Protocol 1,
- Article 1: Right to peaceful enjoyment of your property

11.2 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.

11.3 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

## 12.0 CONCLUSION

12.1 Outline planning permission for the comprehensive mixed-use redevelopment of the application site was granted (subject to conditions and following completion of a Section 106 agreement) by the Mayor of London in March 2015. The outline planning permission set the parameters for the scale and massing of the development, the quantum and mix of floorspace to be provided and the overall layout of the site. This current application is for the approval of reserved matters in respect of the layout, scale, appearance, access and landscaping in respect of Plot 15, together with other details submitted for approval under conditions.

12.2 The Reserved Matters and application for approval/discharge of conditions have been considered in the light of relevant policies and standards as well as representations from third parties. The Reserved Matters are in conformity with the approved development parameters for the scheme (scale, massing, floorspace, mix of uses, extent of public realm) and the submitted details, including those under conditions, satisfactorily address the relevant policy considerations and other requirements, including the principles set out in Strategic Site Allocation in the Core Strategy. The Reserved Matters in regard to landscaping are not discharged at this time and further detail will be required as part of a future Reserved Matters Application.

12.3 Consideration has been given to the objections made to the proposed development, as set out in this report. It is considered that none of the material objections outweigh the reasons for approving the Reserved Matters and other details in respect of which approval is sought.

## 13.0 RECOMMENDATION

- a) **GRANT** Reserved Matters approval in respect of layout, scale, appearance and access in relation to Plot 15 subject to the following conditions and informatives and completion of the legal agreement proposed at recommendation e);
- b) **APPROVE DETAILS UNDER/DISCHARGE** conditions 3(ii), 7, 8, 13, 14, 15, 19, 21(b),(c),(d),(e) and (f), 45(i), and 50(i) in relation to Plot 15 only;
- c) **DISCHARGE** all other details and matters required to be approved under Condition 20(i) in relation to Plot 15;
- d) **PARTIALLY** discharge Condition 21(a) (to exclude details relating to plant and bus stops and associated passenger facilities in relation to Plot 15.

- e) **AUTHORISE** the Director of Planning to negotiate and complete a deed of variation to the Section 106 Agreement dated 15 March 2015, under Section 106 of the 1990 Act (and other appropriate powers) so as to secure 65 London Affordable Rent units within Plot 15 and so that Plot 15 is delivered concurrently with Plot 08.

13.1 That the Committee also authorise the Director of Planning to finalise and issue the decision notice in relation to the application and to include such amendments as she may consider appropriate to ensure the acceptable implementation of the development.

## 14.0 CONDITIONS

### 1. Approved Drawings and Documents

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

2056-A-L-501 Rev 1; 2056-A-L-500 Rev 1; 2056-A-L-502 Rev 1; 2056-A-L-401 Rev 1; 2056-A-L-400 Rev 1; 2056-A-L-302 Rev 00; 2056-A-L-301 Rev 00; 2056-A-L-300 Rev 00; 2056-A-L-202; 2056-A-L-201; 2056-A-L-200; 2056-A-L-109; 2056-A-L-107; 2056-A-L-002; 2056-A-L-001; 2056-A-L-108 Rev 1; 2056-A-L-100 Rev 2; 2056-A-L-101 Rev 2; 2056-A-L-102 Rev 2; 2056-A-L-103 Rev 2; 2056-A-L-104 Rev 2; 2056-A-L-105 Rev 2; 2056-A-L-106 Rev 2; 2056-A-C-801 Rev A; 2056-A-L-800 Rev A; 2056-A-L-100 Rev G

584.02 \_SK\_00\_403 Rev P02; 584.02 \_SK\_00\_402 Rev P03; 584.02 \_SK\_00\_401 Rev P03; 584.02 \_SK\_00\_301 Rev P04; 584.02 \_SK\_00\_201 Rev P03; 584.02 \_SK\_00\_103 Rev P04; 584.02 \_SK\_00\_102 Rev P04; 584.02 \_SK\_00\_101 Rev P06; 584.02 \_SK\_00\_100 Rev P04

**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.

### 2. Materials

No development above ground shall commence on site until a detailed schedule and samples of all external materials and finishes including windows and external doors to be used on the building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building(s).

### 3. Design Response to Heritage Assets

Prior to the commencement of above ground development, full details of design response to heritage assets as outlined in, but not limited to, the document entitled "Convoys Wharf Plot 15, Supplementary Design Response to Heritage Assets" dated February 2020, shall be submitted to and approved by the local planning authority in consultation with Historic England (Greater London Archaeological Advisory Service). The approved details shall be implemented prior to occupation of the residential and commercial units and retained in perpetuity.

**Reason:** In order to demonstrate how the heritage assets of the site have informed design proposals.

### 4. Thames Water

No properties within Plot 15 shall be occupied until confirmation has been provided that either:

- a) all water network upgrades required to accommodate the additional flows from the development have been completed; or
- b) a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

**Reason:** The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development

## 15.0 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 discussions took place which resulted in further information being submitted.
- B. 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.
- C. The applicant is required to meet the relevant building control regulations in relation to the proposed development.
- D. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)
- F. The applicant is advised that Landscaping (condition 20, f) is not discharged as a reserved matter, and that full details must be submitted to the local planning authority for approval.