

Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	Land and property comprising Silwood Street, London, SE16	
Ward	Evelyn	
Contributors	Patrycja Ploch	
Class	PART 1	3 September 2020

<u>Reg. Nos.</u>	DC/20/116783
<u>Application dated</u>	15 May 2020
<u>Applicant</u>	Montagu Evans on behalf of NPLH Silwood Ltd
<u>Proposal</u>	Construction of mixed-use development comprising four blocks with building heights of five to nine storeys to provide 1,616 sqm of flexible commercial, business and service floorspace (Uses Class E) at ground and first floors with 61 x residential units on the upper floors together with car and cycle parking, service facilities, hard and soft landscaping, and other associated works at land at Silwood Street, SE16. [Revised description]
<u>Background Papers</u>	(1) Case File DE/H8/TP (2) National Planning Policy Framework (3) The London Plan (4) Local Development Framework Documents
<u>Designation</u>	(1) Area of Archaeological Priority (2) Air Quality Area (3) Deptford Neighbourhood Forum (4) Flood Risk Zone 2 and 3 (5) Local Open Space Deficiency (6) London Underground Zone (7) PTAL 2 and 3
<u>Screening</u>	N/A

1 SUMMARY

1 This report sets out the officer's recommendation concerning the above proposal. The report has been brought before members for a decision as:

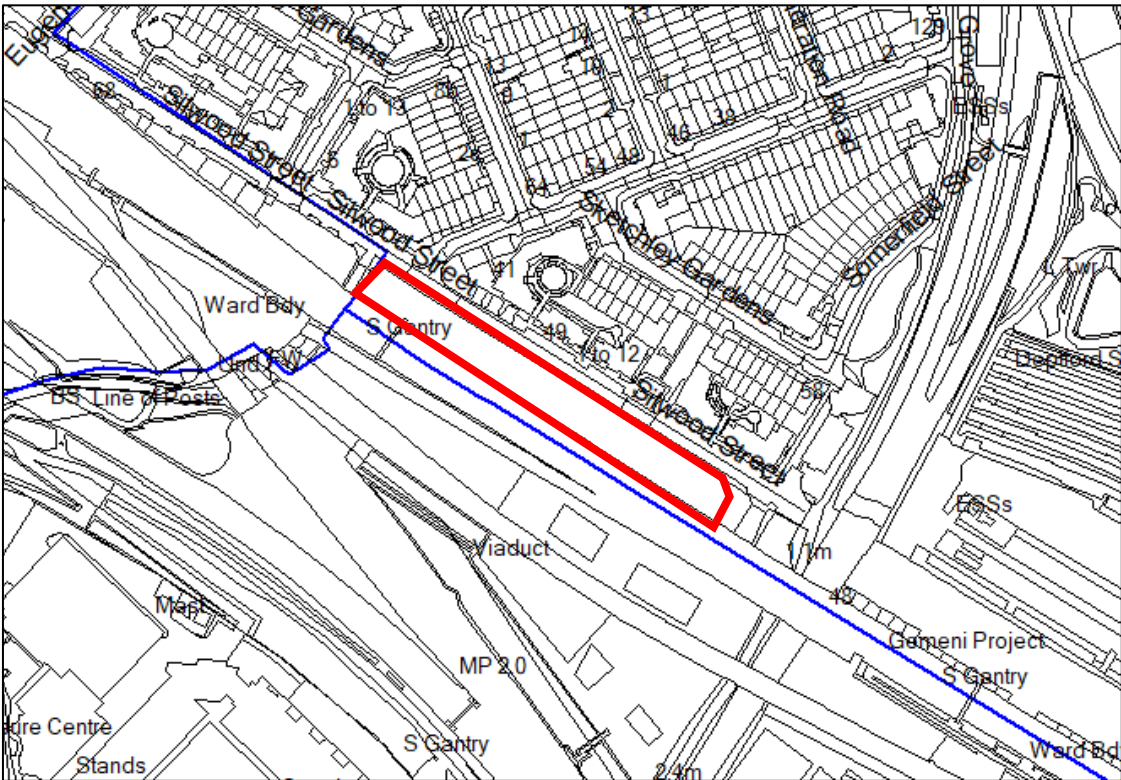
- There are 5 or more valid planning objections; and
- There is 1 or more objection from a recognised residents' association or community/amenity group within their area.

2 SITE AND CONTEXT

2.1 Site description and current use

2 The application site, which is 0.25ha in area, is located on the south side of Silwood Street adjacent to the existing railway arches. The site comprises a linear strip of land that is undeveloped and vacant. The application site is outlined in Map 1 below.

Map 1: Site location plan



2.2 Character of area

- 3 Directly behind the application site, to the south, there are three lines of railway arches. These arches form part of the Bermondsey Dive Under project also known as the Thameslink Programme, which has untangled the tracks on the approach to London Bridge Station and created a new passenger railway track. Whilst the arches are currently vacant, they are intended to be in employment uses in the future, which would serve a function of Strategic Industrial Land. Opposite the site, to the north, is the Silwood Estate, which was redeveloped between 2002-2005. The estate broadly ranges from 3-6 storeys in heights. To the southeast, the application site borders an access road to Network Rail land located to the south of the site, beyond which lies commercial development. Beyond the south-western boundary, the site borders a walkway under the arches, which provides access through to Millwall Football Stadium and wider Surrey Canal Triangle Strategic Site Allocation. The site is included in the councils identified Regeneration and Growth Area within the Core Strategy.

2.3 Surrounding area

- 4 The application site is located approximately 500m (that is 6-minute walk) from Southwark Park, 1.12km (that is 14-minute walk) from Deptford Park, Folkstone Gardens are 0.12km (that is 14-minute walk) and Bridgehouse Meadows is 0.5mile (that is 10 minute walk) from the application site.
- 5 The site is in a wider area of strategic growth and regeneration with significant schemes being consented and delivered on the Southwark border, including the redevelopment of the Surrey Quays shopping centre and surrounding Canada Water, along with sites along Ilderton Road and Old Kent Road. The Area known as the Bermondsey Dive Under has been subject to an initial masterplan study by Southwark Council, Lewisham Council and Network Rail. This identifies the railway arches and land between the viaducts as suitable for new potential Industrial Land, and is also referred to in the

Councils new Lewisham Local Plan 'regulation 18 stage preferred approaches document' (page 218). The application site is also suggested as being suitable for mixed-use development with a linear form building. This study does not hold material planning weight, but is informative for the future direction of the area, subject to the Local Plan process.

2.4 Heritage/archaeology

- 6 The application site is located in an Area of Archaeological Priority.
- 7 The Site does not fall within a Conservation Area However, nor is it subject to an Article 4 Direction. Furthermore, there are no statutorily or locally listed building on or within close proximity to the site.

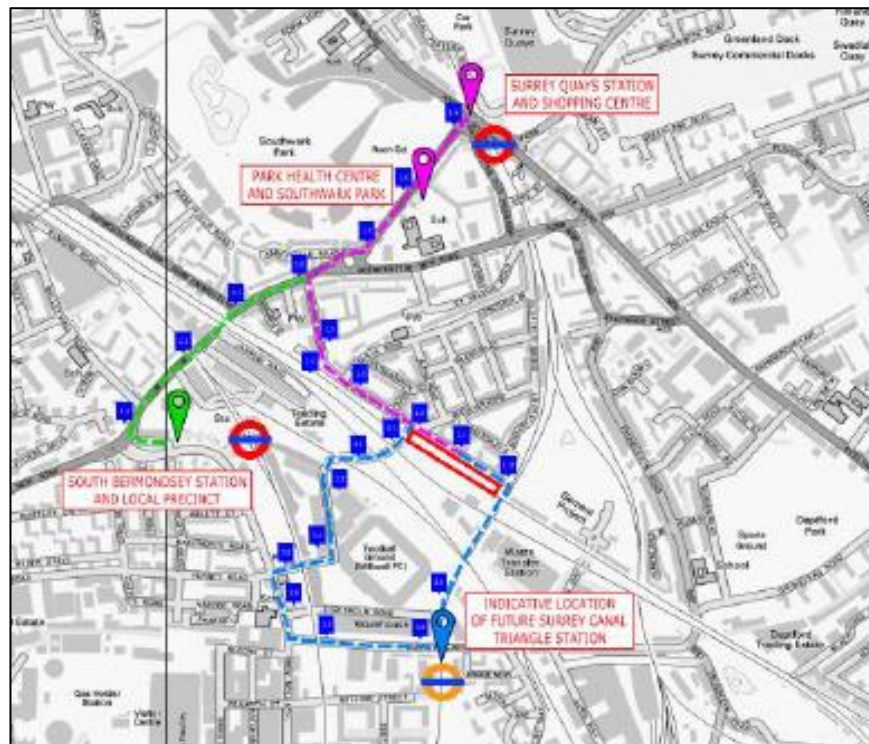
2.5 Local environment

- 8 The application site is located within Flood Risk Zone 3 (high probability of flooding) but benefit from flood protection as demonstrated on Environmental Agency flood map.
- 9 The application site is also located in Air Quality Area, Local Open Space Deficiency, London Underground Zone and Deptford Neighbourhood Forum area.

2.6 Transport

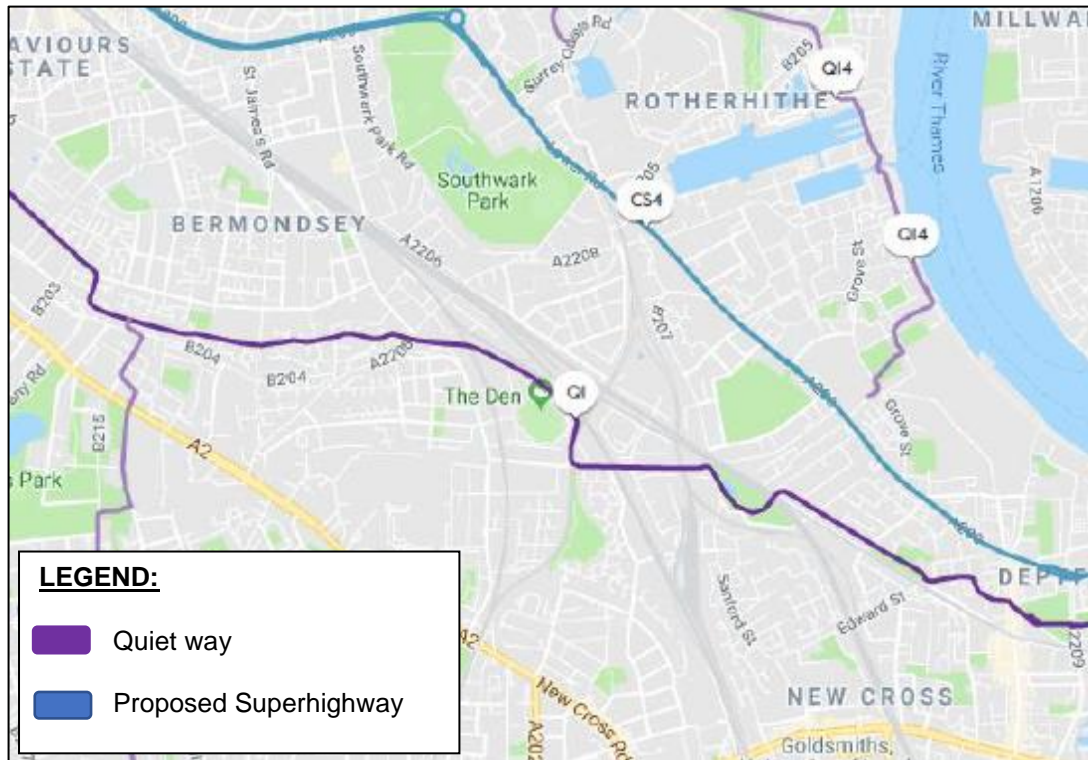
- 10 The application site has a Public Transport Accessibility Level (PTAL) rating between 2 and 3 which is considered to be low. PTAL rating are assed from scale of 1-6b, 1 is lowest and 6b is highest.
- 11 The site is located in close proximity to various public transport modes. There is a bus stop on Corbetts Lane, which is located approximately 500m from the site (that is 6-minute walk). The bus stop is served by a few bus routes No. N1, 1, N381 and 381. There are existing pedestrian access routes at the north-west and south east edge of the site towards South Bermondsey Station, which is located approximately 900m, (that is 8-10 minute walk). Southern Railway serves the station providing services to London Bridge, West Croydon, East Dulwich, Beckenham Junction, and Crystal Palace amongst other locations. Furthermore, the site is approximately 1km (that is 10-minute walk) away from Surrey Quays Station served by London Overground providing services to Canada Water, Clapham Junction, New Cross and Crystal Palace/West Croydon amongst other locations.

Map 2:Public transport in the local area



- 12 The site is located adjacent to 'Quietway 1' cycle route which extends from Waterloo Station toward Greenwich. The site is also in close proximity to the proposed cycle 'Superhighway 4' which would be located north of the site frontage. It is noted that roads around the site are generally flat and wide enough to comfortably accommodate cyclist within the carriageway without resulting in undue safety concerns,

Map 3: Cycle routes in the surrounding area



3 RELEVANT PLANNING HISTORY

13 There is no recent or relevant planning history to the application site and proposed development.

4 CURRENT PLANNING APPLICATION

4.1 THE PROPOSAL

14 The applicant have applied for permission for construction of sixty-one (61) residential units and 1,616sqm of non-residential floorspace as well as the provision of public realm.

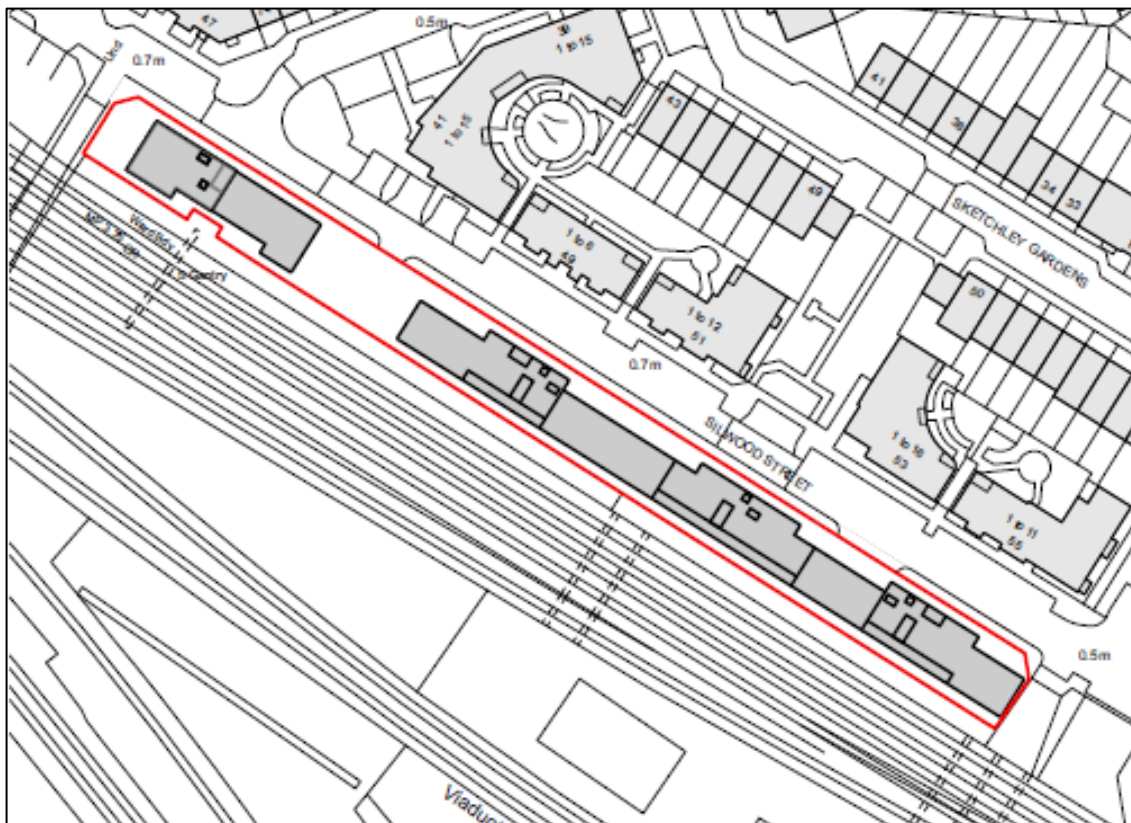
4.1.1 Built from

15 The development would result in a construction of four (4) building blocks with building heights ranging between five to nine (5-9) storeys with associated landscaping including planting of street trees, play space, public realm improvements and service facilities.

16 Block A would be located in the western part of the site and it would have a total height of nine (9) storeys. This block will have no affordable units.

17 Block B- D would be linked and would stretch the remaining of the site. There would be commercial uses at the ground and first floor in these building. Block B-C would house the affordable units.

Map 4: Proposed site plan



4.1.2 Residential

- 18 The application proposes sixty-one (61) residential units comprising a mix of tenure. The proposal includes 21 (34.42%) affordable units and 40 (65.58%) of affordable units by habitable rooms, the remaining units would be by open market. The housing and tenure mix as proposed is fully outlined in the planning assessment later on in the report.

4.1.3 Commercial, Business and Service

Flexible employment

- 19 The application proposes up to a maximum of 1,462sqm of flexible light industrial/office/retail floorspace representing a 100% net increase. This space would be located at ground and first floor of block B, C and D. The units would have individual entrance from Silwood Street with associated refuse and cycle stores located at the rear of the own dedicated access. Two loading bays for commercial use only would be located along Silwood Street.

Retail / café use

- 20 The application proposes 152.5sqm of retail or café floorspace. This space would be located on the corner of block A where Silwood Street meets Bolina Road. The unit would be located over ground and part of first floor. It would have its own individual access and shared a cycle store and refuse with the proposed community unit.

Community centre

- 21 The application proposes 55sqm of community floorspace. The community centre is proposed to be located in block A. The unit would have its own individual access and shared a cycle store and refuse with the proposed retail/café unit.

Changes to the Use Class Order in England

- 22 The application as submitted provided a mixture of flexible light industrial/office/retail/cafe/community floorspace (Use Classes B1a/B1c/A1/A3/D1).
- 23 On the 21st July 2020 the government published a revised use class order under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. This new use class order come into force on the 1st September 2020. The table below set out the new class order.
- 24 The report from now one is referenced with the new use classes.

Table 1: Use Class Order coming into force on 1st September 2020

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Shop not more than 280sqm mostly selling essential good, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial and professional service (not medical)	A2	E
Café or restaurant	A3	E
Officer other than a use within Class A2	B1a	E
Research and development or products or process	B1b	E
Any industrial process (which can be carried out in any residential area without causing detriment to the amity of the area)	B1c	E
Clinic, health centre, crèches, day nursery, day centre	D1	E
Gymnasium, indoor recreation not involving mortised vehicles or firearms	D2	E

4.1.4 Car and cycle parking

- 25 The applicant proposed car free development with the exception of six (6) blue badge spaces.
- 26 The residential units would be provided with one hundred and twenty eight (128) long-stay cycle parking spaces and twenty (20) short-stay cycle parking spaces.

4.1.5 Amenity space and landscaping

- 27 The application proposes soft and hard landscaping to improve the existing public realm along Silwood Street and useable outdoor space will be created to the Bolina Road underpass associated with proposed retail or café. Overall the proposed would provide a total of 422.5sqm of communal amenity space across the scheme. Of the amenity space provided 290sqm will consist of play space, 205sqm of this provision would serve blocks B, C and D and would be located on fifth (5th) floor terrace and 85sqm would serve block A and would be located on seventh (7th) floor terrace.

5 CONSULTATION

5.1 PRE-APPLICATION ENGAGEMENT

5.1.1 Public

- 28 The applicant has undertaken a pre-application consultation prior to submission of the planning application with residents, local community and stakeholders. They have appointed Marengo Communications to assist in this. The full details of the public engagement is included in the submitted Statement of Community Involvement, prepared by Marengo Communications, dated May 2020.
- 29 The submitted Statement of Community Involvement outlines the consultation process that was undertaken stating that the applicant:
- Organised two (2) meeting with the Evelyn ward councillors
 - Distributed 668 leaflets to residents and businesses in the local area. The leaflet provided information about the emerging development and included invitation to the public consultation
 - Held a public consultation with exhibition boards illustrating the emerging scheme on 28 January 2020. The purpose of the public consultation was to gather views and suggestions of the community as well as to provide opportunity for local people to meet the project team and ask questions. The event was attended by 24 local people.
 - Provided a range of feedback opportunities, including paper feedback form, project email address, Freephone number and a freepost address.

5.1.2 Planning Pre-application Advice

- 30 The applicant carried out a number of pre-application meetings with the Council's Planning Service in February 2019, January 2020 and April 2020.
- 31 The scheme that was originally submitted was a residential led scheme which offered 69 residential units and circa 180sqm of commercial floorspace. The scheme presented at the first pre-application raised significant concerns due to the minimal level of employment floorspace proposed. Officers felt that the development of the site would only be acceptable where an employment led project was brought forward which would not preclude the future ongoing viability of industrial space in the viaduct arches beyond.
- 32 Following feedback received, the applicant considered LPA's comments and they have revised the scheme and submitted second pre-application. The revised scheme has progressed positively in some regards from the previous iteration. This was particularly true about the commercial offer under the second pre-application, which changes from 180sqm to 1,827sqm (that is 1,647sqm difference). The number of residential units went

down to 65 from 69. Officers had some concerns with the proposed buildings. This was because it was felt that they appeared as unduly large in terms of their combined impact of the height and length.

- 33 Following feedback from second pre-application, the applicant has amended the length and mass of Block A making it look slender. The elevation of the remaining Blocks B-D were changed to create architectural interest by steeping them in and provision other architectural features to break the building. These changes were reviewed during a third pre-application meeting.

5.1.3 Design Review Panel

- 34 Lewisham Review Design Review Panel (LDPR) also reviewed the application scheme. The Panel made comment on the second pre-application scheme.
- 35 The Panel stated that they were supportive of the uses proposed and the general strategy of bringing the site forward for development via a commercial led mixed use project.
- 36 The Panel commented that it is important to connect the ends of the site with the existing pedestrian routes. The Bolina Road (western) end of the site needs to establish an important statement of place that is welcoming and inviting, to encourage strong connection between this development, the route beneath the viaducts and future development to the south as well as providing a new focus in relation to the wider neighbourhood.
- 37 It was suggested that the wide pavement along Silwood Street and that public realm is improved to help humanise the site, as the uses will be predominantly commercial on the ground floor aside from the four residential entrances.
- 38 The Panel supported the basic principles of height and linear massing, with a base comprising two levels of commercial space at ground and first levels. Two of these pavilions were proposed at seven (7) storeys and one further building at five (5) storeys. The Panel felt that the five (5) storey pavilion could increase to 7 to help improve its proportions which were somewhat ungainly and squat as currently designed.
- 39 The Panel were greatly concerned that Block A appeared slab like, overscaled and overly dominant in relation to the surrounding context, when a building at this scale has to be exemplary as it will become a major focal point in the townscape.
- 40 The emerging designs for Silwood Street facades though not yet in final form seemed to have merit. However, some further work is needed, especially with the southern elevation that faces the railway.
- 41 Officers consider that the applicant has taken all of the points raised by Officer and Lewisham Design Review Panel and incorporated them into the scheme that was presented at the third (3rd) pre-application meeting, and that it was not necessary for the scheme to be reviewed again by the Design Review Panel.

5.2 APPLICATION PUBLICITY

- 42 Site notices were displayed on 17 June 2020 and a press notice was published on the same day.
- 43 385 letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 11 June 2020.

44 At the end of the statutory consultation period, 25 responses were received, comprising 24 objections and 1 support.

5.2.1 Comments in objection

45 The representations objecting to the proposed development, received as a result of the public consultation are summarised as follow:

Material planning consideration	Para(s) where addressed
The density of the proposed development is too high	See section 7.2.2, paragraph 74-76
The proposed scale and mass is excessive and would overwhelm surrounding buildings	
The height of the proposed development would overshadow neighbouring properties north of the application site	174-178
The proposal does not match the architectural style and material finish of the surrounding area	179-184
The proposed development would result in loss of sunlight and daylight	Error! Reference source not found.-Error! Reference source not found.
Loss of view	248-250
The proposed would result in a loss of privacy due to the proximity of the proposed development to the existing flats and introduction of balconies on the north elevation	252-253
Insufficient bike storage provided for the proposed development	226-230
The local area is suffering from parking stress, development which does not provide any car parking would make the situation a lot worse	233-237
The proposed development would increase the traffic on the local roads both during construction and after it is completed	238-239
It is not clear whether the emergency vehicles would be able to drive to Silwood Street as a result of the proposed development	204
Lack of information on how waste collection would take place. What does the Council and the develop propose to do?	215-222
The proposed development did not include provision of green space which is much needed in the local area	7.5.1
Impact of construction on quality of life and traffic in the local area	309-310

5.2.2 Comments in support

46 Introduction of employment opportunities and services in the local area

5.2.3 Local Meeting

- 47 Given the degree of responses following the statutory consultation on the application, a local meeting took place in accordance with the Council's adopted Statement of Community Involvement. Due to the current circumstances of the Covid-19 pandemic, the local meeting was organised as a virtual drop-in session.
- 48 All those who submitted representation on the application during the statutory consultation period were sent invitations to attend the local meeting. The invitation included instructions on how the meeting can be attended.
- 49 The local meeting took place on 10 August 2020 between the hours 19:00pm and 20:05pm. 18 local residents, Lewisham Planning Officer and Applicants project team attended the session. The notes of this meeting are included at Appendix 1.

5.3 INTERNAL CONSULTATION

50 The following internal consultees were notified on 11 June 2020:

- Highways: raised no objection to the application, but sought the inclusion of a planning obligation and planning condition securing cycle parking storage, construction delivery and servicing and delivery plans.
- Environmental Sustainability: requested that a condition is added to remove the individual gas boilers from each unit and secure a new Energy Strategy that contains a communal heating source.
- Environmental Protection (general): no response received.
- Environmental Protection (Contamination): raised no objection to the application, but sought the inclusion of a planning condition securing site contamination and landfill gas investigation.
- Environmental Protection (Air Quality): raised no objection to the application, but sought the inclusion of a planning condition for Dust Management and Non Road Mobile Machinery
- Drainage: no response received
- Legal Services: no response received.
- Housing: no response received.
- Urban Design: raised no objection to the application, but sought the inclusion of a planning condition request for all external materials to be submitted prior the development standing on site to ensure high quality.
- Tree Officer: raised no objection to the application, but sought the inclusion of a planning condition that ensures that the trees are planted in the soil rather than planter.
- Lead Local Flood Risk Authority (LLFA): In light of the revised and amended information submitted by the applicant during the determination of the application the LLFA raises no objection to the proposal but they request that planning condition is added.

5.4 LOCAL GROUPS

51 The following local groups were notified on 11 June 2020:

- The Deptford Society: no response received
- Deptford Folk: no response received

- Deptford High Street Association: no response received
- Deptford Neighbourhood Action Group: no response received
- Bermondsey South Homeowner association: Object to the proposal.

5.5 EXTERNAL CONSULTATION

52 The following external consultees were notified on 11 June 2020

- Network Rail: raised no objection to the application. Network Rail confirmed that discussions with the applicant's team are ongoing. Network Rail therefore ask that the applicant continues to engage with our Asset Protection and Optimisation team and enters into an Asset Protection Agreement with regards to obtaining any final approvals.
- Met Policy Design Out Crime: raised no objection to the application, but sought the inclusion of a planning condition requiring detail of security measures.
- London Fire Brigade Safety team: raised no objection to the application, but sought the inclusion of an undertaking be given that access for fire appliances as required by Part B5 of the current Building Regulations Approved Documents and adequate water supplies for firefighting purposes will be provided.
- National Grid: no response received
- Thames Water: Waste Comments: raised no objection to the application, but sought the inclusion of a planning condition to control impact of piling (due to the proximity of underground water utility infrastructure), as well as informatives with respect to network and water treatment infrastructure capacity.
- TfL: In the first instance the TfL raised concerns with the following:
 - Car-free development can only be supported subject to a S106 obligations towards the implementation of a CPZ and permit free agreements.
 - Due to the low number of parking spaces, the applicant is advised to have active electric vehicle charging provision for all spaces.
 - A Parking Design and Management Plan should be secured through condition. This should detail how the parking area will be managed to ensure that it is not utilised for general parking.
 - Proposed cycle parking provision is accepted, however some cycle parking spaces would not comply with the relevant spacing standards which should be addressed.
 - Utilisation of the loading bays provided for overnight residential parking should be discouraged. Details of how this will be achieved should be contained within the Parking Design and Management Plan and Delivery and Servicing Plan.
 - A full delivery and servicing plan should be secured through condition, in line within intend to publish London Plan policy T7.
 - A full CLP should be secured through condition. This should detail the measures that will be implemented to ensure that there is no disruption to the adjoining railway line.
 - A full Travel Plan should be secured through condition.
 - Route to the Surrey Quays should be further explored and improved. London Cycling Network: no response received

The applicant has submitted further information which was passed on to the TfL. After reviewing this, the TfL confirmed that they have no objection to the proposal, but they sought the inclusion of a planning conditions.

- Fire Prevention Group: no response received
- London Borough of Southwark: no objection to the proposed development.

6 POLICY CONTEXT

6.1 LEGISLATION

53 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

6.2 MATERIAL CONSIDERATIONS

54 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

55 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

56 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to the test of reasonableness.

6.3 NATIONAL POLICY & GUIDANCE

- National Planning Policy Framework 2019 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

6.4 DEVELOPMENT PLAN

57 The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013) (SALP)
- Lewisham Town Centre Local Plan (February 2014) (LTCP)

6.5 SUPPLEMENTARY PLANNING GUIDANCE

58 Lewisham SPG/SPD:

- Alterations and Extensions Supplementary Planning Document (April 2019)
- Planning Obligations Supplementary Planning Document (February 2015)
- Shopfront Design Guide Supplementary Planning Document (March 2006)

59 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)

- 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)

6.6 OTHER MATERIAL DOCUMENTS

- Draft London Plan: The Mayor of London published a draft London Plan on 29 November 2017. The Examination in Public was held between 15th January and 22nd May 2019. The Inspector's report and recommendations were published on 8 October 2019. The Mayor issued to the Secretary of State (SoS) the Intend to Publish London Plan on 9th December 2019. The SoS issued a letter on 13 March 2020 directing modifications to the Local Plan, and the Mayor of London responded on 24 April 2020 indicating he will work with the SoS to achieve the necessary outcomes. Notwithstanding these requested modifications, this document now has some weight as a material consideration when determining planning applications.

7 PLANNING CONSIDERATIONS

60 The main issues are:

- Principle of Development
- Housing
- Employment
- Mixed Use Employment
- Urban Design
- Impact on Adjoining Properties
- Transport
- Sustainable Development
- Natural Environment
- Planning Obligations

7.1 PRINCIPLE OF DEVELOPMENT

Policy

61 The National Planning Policy Framework (NPPF) sets out a number of key principles, including a focus on driving and supporting sustainable economic development to deliver homes, business, industrial units, infrastructure and thriving local place. Paragraph 118 states that planning decision should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

62 Lewisham is defined as an Inner London borough in the London Plan. LPP 2.9 sets out the Mayor of London's vision for Inner London. This includes among other things

sustaining and enhancing its recent economic and demographic growth; supporting and sustaining existing and new communities; addressing its unique concentrations of deprivation; ensuring the availability of appropriate workspaces for the area's changing economy; and improving quality of life and health.

- 63 Core Strategy Spatial Policy 2 states that Deptford and New Cross has the potential to deliver 8,325 new homes between 2017-2016. The policy also recognises that the area can support a vibrant network of smaller-scale local retail uses on sites where larger scale redevelopment occurs. The area will also use development opportunities to improve connectivity throughout the area for pedestrians and cyclist and provide new accessible public spaces. To support sustainable growth and development as the council prepares its next Local Plan (currently at Regulation 18 preferred options approach) an evidence base has been prepared. In this instance the area known as the Bermondsey Dive Under as been subject of initial masterplan prepared by Lyndon Goode Architects (on behalf of Southwark and Lewisham Councils and Network Rail) which set out how the area might accommodate further industrial floorspace along with suitable mixed use development. Whilst this document does not hold material planning weight, it supports a wider vision for the area.

Discussion

- 64 The site is currently a cleared vacant space, having last been used as a works site for the Bermondsey Dive Under and offers no activity to the local area. It is neither designated as employment space, but given the proximity to the railway arches and wider Dive Under location, there is significant opportunity to add the employment space in this location, whilst adding residential to meet the boroughs housing targets. The proposed development would deliver a number of key development plan objectives for the area. This includes the provision of mixed-use employment-led development that also includes residential, flexible retail/café and community uses, and bring forward a long vacant site in an area of strategic growth and redevelopment. The applicant has demonstrated that they have taken account of the principles within the Dive Under masterplan which is supported. As such, the mixed-use redevelopment of this site is consistent with the direction of the NPPF and the policies of the London Plan and Lewisham development plan and the principle of development is supported.

7.2 HOUSING

7.2.1 Contribution to housing supply

Policy

- 65 The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF sets out the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 66 The current London Plan sets an annual target of 1,385 new homes until 2025. The emerging Draft London Plan (if unchanged through the Intention to Publish) would increase this annual target to 1,667.

Discussion

- 67 The application proposes 61 new homes (including affordable housing). This attributes to 4.4% of the annual output for the adopted London Plan target or 3.6% of the annual output for the Draft London Plan. This is 100% housing net gain and would represent a welcomed contribution to the current annual target for Lewisham which officers attach considerable weight.

7.2.2 Density

Policy

- 68 The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF sets out the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 69 The NPPF encourages the efficient use of land subject to several criteria set out in para 122. Para 123 applies where there is an existing or anticipated shortage of land for meeting identified housing needs and strongly encourages the optimal use of the potential of each site.
- 70 The London Plan Policy 3.4 (Optimising housing potential) seeks to optimise housing density, with reference to public transport accessibility, local context and character and design principles. The London plan provides at table 3.2 (Sustainable residential quality density matrix) for different locations based on character and PTAL.
- 71 Further to this the Mayor of London Housing SPG advises that density should be calculated based on net site area (the red line boundary) and that in mixed-use buildings, the proposed non-residential floors pace should be taken into account reduction the net site area proportionately.
- 72 Local Development Management Plan supports the density matrix set in the London Plan.
- 73 Emerging policy in the draft London Plan (2017) signals a shift towards greater flexibility around housing density and a less mechanistic / numerical approach. Draft Policy D6 (Optimising housing potential) does not include the London Plan (2016) SRQ density matrix. Instead, a design-led approach to optimising density is being taken forward.

Discussion

- 74 The application site has an area of 0.25ha and is in PTAL 2/3 in an urban location. The density matrix in the London Plan sets an indicative range of 200-450 habitable rooms per hectare. At a proposed 2.7-3.0 habitable rooms per unit, the sets range is 70-170 units per hectare units per hectare
- 75 The residential density of the proposed scheme is 244 units per hectare (61 units/ 0.25=244) and 704 habitable rooms per hectare (176 proposed rooms/0.25=704). The proposal would comply with the unit number but would be above the recommended density for habitable room per hectare for an "urban" location.
- 76 Although the proposed development would go over the density matrix in one test, it would fall within the ranges of another. Officers are of the view that the development would optimise the use of the site and bring it to use creating positive addition for the local area, through bring a vacant site forward with housing, community spaces and employment space. Given the thrust of current and draft policy, the location of the site and the excellent public transport accessibility rating, the proposed density is considered to be acceptable and make optimum use of the land.

7.2.3 Housing mix

Policy

- 77 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes. The NPPF at paragraph 61 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.
- 78 LPP 3.8 states Londoners should have a genuine choice of homes, including differing sizes and types. Emerging DLPP H12 sets out that an appropriate mix of unit sizes should be informed by several criteria set out in the policy.
- 79 CSP 1 echoes the above with several other criteria however expects the provision of family housing (3+ bedrooms) in major developments. the Council will seek a mix of 42% as family dwellings (3+ bedrooms), having regard to criteria specified in the Policy relating to the physical character of the site, access to private gardens or communal areas, impact on car parking, the surrounding housing mix and the location of schools and other services
- 80 Determining an appropriate mix of dwelling sizes for a site depend on several criteria in CSP 1, relating to: (i) the site's character and context; (ii) previous or existing use of the site; (iii) access to amenity space for family dwellings; (iv) likely parking demand; (v) local housing mix and population density; and (vi) social and other infrastructure availability and requirements.

Discussion

- 81 The proposed housing mix across the development and both the private and affordable tenures is outlined in Table 1 below. The overall mix is set out in Table 2.

Table 1: Dwelling size by tenure

	Private Housing		Affordable Housing				Total Units/ (Hab. room)
			Social Rent (LAR)		Intermediate – Shared ownership		
	Unit	Habitable room	Unit	Habitable room	Unit	Habitable room	
1B2P	18	36	5	10	0	0	23/46
2B3P	13	36	0	0	6	18	19/54
2b/4P	9	30	0	0	2	6	11/36
3B4P	0	0	2	10	0	0	2/10
3B5P	0	0	6	30	0	0	6/30
TOTAL	40	102	13	50	8	24	61/176

Table 2: Overall Dwelling Size

Unit	No. of units	%	Habitable room	%
1B2P	23	38	48	26

2B3P	19	31	54	31
2b/4P	11	18	36	20
3B4P	2	3	10	6
3B5P	6	10	30	17
TOTAL	61	100%	176	100%

82 The proposed development provides a mix of dwelling sizes across both tenures as required by the development plan. The mix is considered appropriate for the urban location and given the PTAL of the application site.

83 The proposed quantum of 3+ bedroom affordable housing is 13% of the total affordable provision which is lower than that recommended by CSP1. The mix is however considered acceptable in this instance given the urban location of the development, constrained site adjacent to a railway line and all family units allocated to social housing. Whilst lower than the quantum sought by the Core Strategy, the scheme would overall provide an appropriate mix of dwellings and a valuable contribution to the provision of family housing in the borough.

7.2.4 Affordable housing

Policy

84 LPP 3.10 defines affordable housing by reference to Social Rented, Affordable rented and intermediate housing to eligible households whose needs are not met by the market. LPP 3.12 states the maximum reasonable amount of affordable housing should be sought, having regard to several criteria in the policy. LPP 3.19 states that 'Increase provision of intermediate housing is one of the ways in which the supply of affordable housing can be expanded'.

85 CSP1 requires sites capable of providing 10 or more dwellings to provide contribution of 50% affordable housing, subject to viability. The affordable housing component is to be proposed at 70% social rented and 30% intermediate housing. This is therefore compliant with CS1.

Discussion

86 The scheme proposes the delivery of 21 affordable units, which equates to 34.42% of the total residential provision by unit, and 74 habitable room, which equates to 42.5% of the total habitable room provision. The Core Strategy adopted in 2011 is also considered along the London Plan (2016) and the Draft new London Plan provides a threshold approach to affordable housing. The provision acceptable in this instance given that the London Plan bases affordable housing on habitable room basis as measured by the GLA. The proposed affordable housing provision across the development is outlined in Table 3 below.

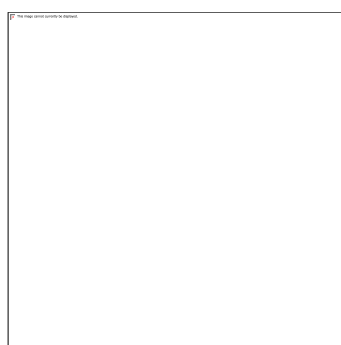
Table 3: Affordable housing provision

	Social Rent (LAR)		Intermediate – Shared ownership	
Unit	Units	Habitable room	Units	Habitable room

1B2P	5	10	0	0
2B3P	0	0	6	18
2b/4P	0	0	2	6
3B4P	2	10	0	0
3B5P	6	30	0	0
TOTAL	13	50	8	24

- 87 The application scheme would provide the threshold of affordable housing that is in line with the emerging policy H5 'Threshold approach to applications' in Draft London Plan, which is at a very advanced stage and hold some weight in decision making.

Table 4: London Affordable Rent levels



- 88 DLLP H5 states that to follow Fast Track route the application must meet all the following criteria, meet or exceed the relevant threshold level of affordable housing on site without public subsidy; be consistent with the relevant tenure split (Policy H7 Affordable housing tenure); meeting other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor were relevant; demonstrate that they have taken account of the strategic 50% target in Policy H5 Delivery affordable housing and have sought grant where required to increase the level of affordable housing beyond the agreed percentage.
- 89 The scheme would provide 42.5% affordable housing. As London Plan bases things on a habitable room basis and the tenure split would be compliant with Policy H6, which requires a minimum of 30% for low cost rented, 30% at intermediate tenure and the remaining 40% at the choice of boroughs based on identified need (allocated to LAR in this instance). Officer are satisfied that the proposal meets all other relevant policy requirements. Finally, the applicant has submitted a viability report, which demonstrated that they have taken into account the strategic target. The report demonstrated that the site has no prospect of delivering any additional affordable housing. Any scheme confirmed as FastTrack is not required to submit viability information and is not subject to a Late Stage Review (Policy H5, E). However, Early Stage Reviews are required to be secured by s106. As the applicant meets the fast track route, the viability report has been submitted voluntarily, and has not been subject of independent review.

Location of Affordable Housing

Policy

- 90 The MHCLG National Design Guide (October 2019) places an emphasis on social inclusivity in reference to the delivery of a mix of housing tenures.
- 91 The guidance states that where different tenures are provided, that these should be well-integrated and designed to the same high quality to create tenure neutral homes and spaces, where no tenure is disadvantaged.
- 92 The guidance goes on to define “Tenure Neutral” as “Housing where no group of residents is disadvantaged as a result of the tenure of their homes. There is no segregation or difference in quality between tenures by siting, accessibility, environmental conditions, external facade or materials. Homes of all tenures are represented in equally attractive and beneficial locations, and there is no differentiation in the positions of entrances. Shared open or play spaces are accessible to all residents around them, regardless of tenure.”

Discussion

- 93 The affordable homes would be located predominantly in Block B and C on second (2nd) to sixth (6th) floors. The affordable units would be accessed via Silwood Street and whilst the units would be located in separate residential core, the entrances to the units would be indistinguishable from the entrance to the private cores. The rooftop amenity space linking Blocks B, C and D would also be freely available to all residents in that block regardless of tenure meaning that all units have equal access and residents would be able to mix and socialise in the same spaces.
- 94 Residents would have equal lift access from the lobby with equal access to the communal outdoor space and the cycle store. Officers are satisfied that the development would provide 'tenure blind' affordable housing.

7.2.5 Residential Quality

General Policy

- 95 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. This is reflected in relevant policies of the London Plan (LPP 3.5), the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).

Internal and Private Amenity space standards

Policy

- 96 Nationally Described Space Standards (NDSS) were released by the Department of Communities and Local Government in March 2015 to replace the existing different space standards used by local authorities. It is not a building regulation requirement, and remains solely within the planning system as a new form of technical planning standard. The national housing standards are roughly in compliance with the space standards of the London Plan and its Housing Supplementary Planning Guidance (2016).
- 97 In addition to this, DMP 32 seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. It also states that new housing should be provided with a readily accessible, secure, private and usable external space and includes space suitable for children's play.
- 98 With regard to private amenity space, 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'.

All of the residential units have been designed to these standards and generally exceed them which is supported.

99 Standard 31 of the London Plan Housing SPG states that “a minimum ceiling height of 2.5 metres for at least 75% of the gross internal area is strongly encouraged”.

100 London Plan Policies require 10% of residential units to be designed to Building Regulation standard M4(3) ‘wheelchair user dwellings’ i.e. being designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% being designed to M4(2) ‘accessible and adaptable’. The development has been designed to accommodate this and an appropriate condition is recommended to secure the details.

Discussion

101 Proposed units would comply with the National Technical Standards in terms of overall unit sizes and the internal space standards of individual rooms and storage space as set out in Policy 3.4 of the London Plan (2016) and DM Policy DM 32. The residential part of the development would have a minimum ceiling height of 2.5 metres.

102 All residential units would be either dual or triple aspects. The units would have large windows and glazed doors with balconies facing Silwood Street to provide suitable levels of daylight and sunlight. Smaller, secondary windows to kitchen, corridors and bathroom face towards the railway provides additional daylight to allow cross ventilation through the units. Open walkways on the railway elevation provide access to units and offer open south-westerly views.

103 Each flat has been provided with a policy compliant provision of private outdoor space, in line with Standard 26 of the Housing SPG (2016). The proposed residential unit meet Standard 27 of the Housing SPG (2016), with private balconies.

104 In addition to the private outdoor space, the future residents would have access to shared outdoor amenity space located on seventh (7th) floor on Block A and on the fifth (5th) floor for Block B-D. This space would include children’s play area and informal communal space for adults.

Accessibility and inclusivity

Policy

105 London Plan Policy 3.8 and DLPP D5 require 10% of new build dwellings to be wheelchair accessible as per Building Regulation requirement M4(3) Wheelchair user dwelling.

Discussion

106 The submitted layout plans demonstrates that out of proposed 61 units, 6 would be wheelchair adaptable under Part M4(3) Wheelchair user dwelling of the Building Regulations 2010 (as amended). This equates to 10% of all the units as required by policy. The remaining units comply with Part M4(2) Wheelchair user dwellings.

107 The wheelchair units would be equally divided between affordable and private provision. That’s three (3) units amongst affordable units and three (3) amongst private units.

108 All circulation cores provide a minimum of two (2) lifts and therefore the wheelchair units have been distribute throughout the floors of the blocks, rather than being solely located at lower storeys. This has enabled a good mix and choice of wheelchair dwellings and does not cause segregation of wheelchair residents. Car parking spaces would be

provided and only be available for wheelchair units. The disabled car parking has been located at an acceptable distance from the core entrances. This is considered acceptable and in line with the above policy.

- 109 With regard to inclusivity for residents of all tenures and access to broadband, this is now handled within Building Regulations under Approved Document R which came into force in 2017. This introduced a new requirement for in-building physical infrastructure, which enables copper or fibre-optic cables or wireless devices capable of delivering broadband speeds greater than 30mbps to be installed. It is recommended that an informative is added to a decision notice drawings the applicants attention to this.

Overbearing, Enclosure & Outlook

Policy

- 110 DM Policy 32 requires that new residential development provides a satisfactory level of outlook both for its future residents and its neighbours.
- 111 Overbearing impact arising from the scale and position of blocks is subject to local context. Outlook is quoted as a distance between habitable rooms and boundaries.

Discussion

- 112 The proposed development as discussed earlier would have two buildings. Block A would face Reculver Road and Block B-D would face building on the opposite site of Silwood Street. All proposed units would be dual aspect and in the case of the larger three (3) bedroom socially rented units they are all triple aspect, which is strongly supported and especially in an dense urban area where triple aspect units can be difficult to achieve.
- 113 Block A would be facing the Reculver Road to the front and the railway viaduct to the rear. There would be sufficient distance between any building to prevent Block A from having an overbearing impact or to result in sense of enclosure or overlooking.
- 114 Block B-D would face the buildings on the opposite site of Silwood Street to the front and railway viaduct to the rear. The proposed building would be stepped in and would provide between 16 to 18 metres distance between the buildings on the opposite side of the road. The separation distances are in a similar range to those within the wider area. For example, there is 17 metres between properties on either side of Sketchley Gardens and between the rear elevations on the development directly opposite the application site.

Privacy

Policy

- 115 Privacy standards are distance between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.
- 116 DMPP 32 states that adequate privacy is an essential element in ensuring a high level of residential amenity. Unless it can be demonstrated that privacy can be maintained through design, there should be a minimum of 21 metres between directly facing habitable room windows on main elevations. This separation will be maintained as a general rule but will be applied flexibly dependent on the context of the development.

Discussion

- 117 The site is set in a clearly urban area, typified by flatted blocks and the railway viaduct. As mentioned before, Block A would be set opposite Reculver Road and Block B-D would be located between 16-18 metres from the front elevation of properties located in the building at Silwood Street. In term of privacy, the relationship of the building to neighbouring building means that there would be limited scope for any conflicts in this regards. This is considered to be acceptable in a dense and established urban location.

Daylight and Sunlight

Policy

- 118 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards. This is not formal planning guidance and should be applied flexibly according to context. It is relevant to note that the BRE guidance was prepared for greenfield, suburban situations rather than inner city locations such as the application site.
- 119 The NPPF does not express particular standards for daylight and sunlight. Paragraph 123 (c) states that where there is an existing or anticipated shortage of land for meeting identified housing needs, Local Planning Authorities should take a flexible approach to policies or guidance relation to daylight and sunlight. It goes further to say that when considering applications for housing, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

The BRE Guidelines

- 120 The BRE Guidelines provide two main methods of assessing daylight, these are as follow:
- Vertical Sky Component (VSC); and
 - No Sky Line (NSL).
- 121 One methodology for assessing sunlight is provided in the BRE Guidelines, which is
- Annual Probable Sunlight Hours (APSH).
- 122 VSC considers the view of the sky from the centre point of the outer face of a window and calculates the difference in where the sky can and cannot be see in the existing situation. This is then compared to the quantum of sky than can be seen upon implementation of a proposed development and the output is quantified as a percentage. The BRE suggests that upon implementation of a proposed development a window should retain a value of 27% or at least 0.8 times its former value (no more than a 20% change). In urban location such as this one, it is established that the typical VSC values can be in the region of 15% (or mid-teens). The BRE Guidelines also recognise that existing architectural features on neighbouring building such as balconies and overhangs restrict the quantum of skyline to windows. In such situations, the applicant is expected to carry out additional calculations that exclude the balcony or the obstruction. Furthermore, officers note that most neighbouring properties potentially affected, currently enjoy a higher than average level of daylight/sunlight because they are located close to an undeveloped site, will experience a change in the level of daylight/sunlight received when sites are developed. Notwithstanding this there is a need for all new developments to demonstrate that any loss of light or increase in overshadowing would be within acceptable level as not to give rise a significant loss of amenity.
- 123 NSL considers the distribution of daylight within a room and calculated where the sky can and cannot be seen at table top height (850mm/0.85m). The contour of the daylight distribution in the existing situation is compared to that of the proposed and the change

is qualities as a percentage. There is no qualitative assessment of the light in the room, only where sky can or cannot be seen. As with VSC, due to the site being undeveloped the neighbouring properties are likely to be subjected to large percentage changes to those rooms with windows facing onto the site.

- 124 APSH considers the number of 'sunspots' that can be seen from a window in the existing situation and compares that to the proposed. The BRE Guidelines provide the calculation points for where the 'sunspots' are positioned in the sky. If a window received one quarter (25%) and APSH including no less than 5% in the winter months then the room should receive adequate levels of sunlight. Window with other orientations than 90 degree due south do not need APSH assessment.
- 125 Given the need for flexibility in the application of the BRE Guideline within dense urban areas, alternative targets should also be considered for sunlight. This is particularly relevant for the site due to it being undeveloped which is a rare for an urban environment. The application site is located within an urban area, which is appropriate for high-density development. Whilst there are some medium rise developments in the area around Silwood Estate, the area is capable of accommodating a high dense development. It is therefore important to acknowledge that residents could not expect to enjoy the same level of amenity as would be expected within low/medium density, suburban location, where each dwelling would typically front and have a rear garden.
- 126 Further clarify on how to measure daylight and sunlight has been provided in the Holy Trinity hearing. The Holy Trinity hearing refers to a hearing report (reference D&P/3067/03) at the Holy Trinity Primary School site in Dalston in the London Borough of Hackney. The application was refused the Council and was taken over by the Mayor of London. On daylight and sunlight, the finding of the hearing were that whilst the finding of the assessment could show negative impact to some windows, the impacts on the development must be considered in the context of the development characteristic of the site and its surrounding. Other appeal decisions have also found the same reasoning.

Discussion

- 127 Daylight & Sunlight Report, prepared by Robinsons Surveyors Limited, dated May 2020 have been submitted in support of application.

Daylight

- 128 The analysis that was undertaken by the applicant demonstrates that when looking at internal daylight in the scheme here was a shortfall of 27 ADF. The remaining of the development is fully compliant with the strict daylight aspirations identified within the BRE Guide. The identified shortfall occur to a variety of rooms. The three (3) affected bedrooms, which have a lower requirement for daylight, officers consider that the impact is acceptable. Of the remaining affected rooms with the exception of 8 living/kitchen/dining rooms remain above 1.5% quoted in the Holy Trinity Case and therefore supportable. Officers consider that given the small shortfall this is acceptable in the context.

Sunlight

- 129 The 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. If the reduction in APSH is greater than 4% and is less than 0.8 times its former value then the impact is likely to be noticeable for the occupants. The APS relates to sunlight to open space: the guidance states that

gardens or amenity areas will appear adequately sunlit throughout the year provided at least half of the garden or amenity area receives at least two hours of sunlight on 21st March.

- 130 Of those windows facing within 90 degrees of due south, only 47 can be seen to suffer either annual or total shortfall. These windows serve 32 rooms. When sunlight is accounted for from other windows it can be seen that 26 rooms fall short of the strict BRE Guide annual and/or winter aspirations. Although, this is the case the vast majority of shortfall occur as the rooms contain at least one window facing significantly away from due south. Such windows are unable to view the full sun path.
- 131 The assessment demonstrates that the majority of habitable rooms achieve acceptable levels of daylight and sunlight, meaning that they meet the BRE guidance. The non-compliant rooms are mainly focused on the north facing elevation.

Noise & Disturbance

Policy

- 132 LPP 7.15 and DMP 26 aim to protect sensitive uses from excessive noise or vibration.
- 133 With regard to internal noise levels of the residential units, Part E of the Building Regulations controls noise transmission between the same uses and is usually outside the scope of Planning.
- 134 Planning controls the effect of noise from external sources on residential uses and noise transmission between different uses. The relevant standard is BS: 8233:2014. This states the internal noise levels within living rooms must not exceed 35dB(A) during the daytime (0700-2300) and 30 dB(A) in bedrooms during the night –time (2300-0700).
- 135 With respect to external areas, BS 8233:2014 recommends that external noise level does not exceed 50dB LAeq,T with an upper guideline of value of 55dB LAeq,T.

Discussion

- 136 A Noise and Vibration Assessment, prepared by Hawkins Environment, dated 30 April 2020, have been submitted in support of this application. The noise measurement study has identified that the primary noise source at the site is railway noise attributed to adjacent railway line. Train passes occurred every few minutes from approximately 05:00 to 01:00. Aircraft noise is also occasionally audible as well as faint road traffic noise between train passes.
- 137 The study has shown that due to the noise from the railway and the wider environments the application site is a “high risk” site under the Pro-PG, with noise levels in excess of the Significant Observed Adverse Effect Level (SOAEL). This is particularly true for the southern façade that faces the railway line. Although the development has been designed to orientate all habitable rooms and outdoor amenity space away from the railway, demonstrating a good standard out acoustic design. The report detailed that further mitigation measures are needed to achieve suitable internal noise levels for each rooms under BS 8233. It is noted that such detail has not being submitted with the planning application. However, given the level of detail in the submitted noise and vibration report, Officers are satisfied that there is sufficient information to establish that the development is not likely to cause harm to future residents in terms of noise. Further mitigation measures can be agreed thought a suitable worded planning condition.
- 138 The mixed use nature of the proposals could cause exposure to levels of internal and noise and vibration transfer for future occupants. Proposed commercial units are arrange in a way that would keep noisier operations at the ground floor with the upper floor being

more suited to quiet office based working and ancillary function. The Building Regulations Part E requires that separating walls and floors between residential uses and other areas achieve a minimum airborne sound insulation level of 45 dB. This level of sound insulation would not normally be sufficient to ensure that residents are protected from disturbance where they adjoin commercial uses. The party floors, particularly between the commercial and residential areas, are designed such that the performance of the party floor exceed the performance standards of Part E of the Building Regulations by at least 5-10dB. However, in the absence of any specific information on the likely occupiers, Officers are of view that a condition should be added requesting that should the future commercial tenants wish to operate at higher noise level than the shall construction specified, then it will be the responsibility of the tenant to provide enhanced sound insulation to protect ad decent uses. This will be secured by a planning condition.

Children's play space

Policy

- 139 LPP 3.6 states housing proposals should make provision for play and informal recreation.
- 140 The Mayor's Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG recommends 10sqm of play space per child. The requirements of children's play space is divided into three categories: (i) under 5s, described as doorstep play and generally considered as part of the plot; (ii) ages 5-11; and (iii) children 12 plus.

Discussion

- 141 The child occupancy and play space requirement for the proposed dwelling and tenure has been calculated using the Mayor's Play Space Calculator Tool, as below.

Table 4: Children's Playspace Requirement and Provision

	No of children	Playspace Requirement	Proposal (sqm)
Under 5s	13.3	133	102.5
5-11 years	9.8	98	119.5
12+ years	4	40	68s
Total	27.1	271	290

- 142 The proposed development would provide 290sqm of playspace across the whole site. 205sqm of this provision served Block B-D and it would be located on the fifth (5th) floor terraced. The remaining 85sqm would serve Block A and it would be located on the seventh (7th) floor terrace.
- 143 Given the linear nature of the site, and position adjacent to the railway viaduct, the development site is highly constrained. The main roof terrace of block B-D would have the largest provision of playspace that would offer activities for various age grounds. It is also noted that the terraces would serves the affordable units and private units. The proposals provide an intuitive and integrated area of play that is set within formal landscaping. On balance, it is considered that the application provides a good access for children to playing equipment. Long term there will be significant improvements to play

as the Surrey Canal Triangle site is brought forward, including significant upgrades to Bridgehouse Meadows.

- 144 In additional to the playspace provided that the site, future residents would have access to nearby parks that are in a close proximity to the site. Southwark Park is approximately 500m (that is 6-minute walk), Deptford Park, Folkstone Gardens are 0.12km (that is 14-minute walk) and Bridgehouse Meadows is 0.5mile (that is 10 minute walk) from the application site. The tables below shows the sport pitches and other activities that can be undertaken at each of the parks that are nearby.

Table 5: Sports pitches and other

	Southwark Park	Deptford Park	Bridgehouse Meadows	Folkstone Gardens
Football pitches	Yes	Yes	No	No
Tennis courts	Yes	No	No	No
Cricket pitches	No	Yes (Non-turf)	No	No
Outdoor gym	Yes	No	No	No
Tennis courts	Yes	No	No	No
MUGA	No	No	Yes	No
Play equipment for younger children	Yes	Yes	No	Yes
Skate Park	No	No	No	Yes

- 145 Given the child yield of the development, the proximity and quality of existing facilities as listed in Table 5 and the proposed playarea within the scheme, it is considered that the development would offer and be around suitable provision for children's recreation and be equally accessible between both affordable and private tenures.

7.2.6 Housing conclusion

- 146 The proposals would utilise this brownfield site, providing an appropriate dwelling mix and tenure split with a high-quality standard of residential accommodation provided for all potential future occupiers providing a substantial number of high-quality new homes within the Borough. This material public benefit is afforded substantial weight by officers.
- 147 The applicant has provided appropriate level of affordable housing and it qualified for the Fast Track route outlined in the DLLP. Early stage viability reviews, secured as part of a Section 106 Agreement will ensure that any uplift is captured and further onsite or financial contributions towards housing provision are secured for the residents of Lewisham.

7.3 EMPLOYMENT

7.3.1 Proposed use

Policy

- 148 Para 80 of the NPPF states “Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”
- 149 LPP 4.1 sets out the Mayor of London’s approach to the continued growth and economic development of all parts of London.
- 150 Core Strategy Spatial Policy 2 of the Local Plan supports development of offices on sites within Regeneration and Growth Areas.

Discussion

- 151 The application proposes a range of employment generating uses, including the potential for some flexible retail/cafe space. Block B-D would contain four units that are two-storeys ranging in size from 180sqm to 525sqm, being 1,313sqm in total. At ground floor the units would have floor to ceiling height of 3.4m, load bearing concrete floors, drainage and toilet facilities. At the first floor, the floor to ceiling height would be 2.5m. The arrangement of the units allows flexibility and the largest units is suitable for subdividing into individual units.
- 152 The units would have loading doors facing Silwood Street. The proposal would provide two (2) loading bays located on Silwood Street. These loading bays would have restricted parking facilities and would only be available for deliveries and servicing. The commercial units would also have access to the rear service path that would run alongside a service road for the railway arches. It is envisioned, that the arches would come forward as commercial units in the near future, following the completion of the Bermondsey Dive-Under railway project into London Bridge.
- 153 Market Report, prepared by Kalmars, dated 1 May 2020 have been submitted to support this application. The report among other things looked at supply and demand for commercial space in the area and assessed it against the likely uptake of the units proposed. It was concluded that demand from certain business is good in local area and given the layout of the units with good access to servicing and natural light the units would be in demand.
- 154 The employment offer is summarised in Table 5 below.

Table 5: Proposed Employment Offer

Use Class	Area/FTE (sqm)	Proposed Floorspace (NIA)	Total Jobs
A1/A3 (flexible unit)	15-20	152.5	9
B1a/c	28.5	1,462	51
Total		1614.5	60

155 The figures above have been derived from the Homes & Community Agency (HCA) Employment Density Guide. The area to Full Time Equivalent (FTE) member of staff for the flexible unit has been taken as a blended figure across the E uses. The NIA or Net Internal Area has been calculated as 80% of the proposed GIA or Gross Internal Area. Table 5 indicates that the proposed development would create 60 full time jobs across the flexible use units located at ground and first floor.

7.3.2 Local Labour

156 The Council's Planning Obligations SPD states that the Council will require both financial and non-financial obligations with regard to Local Labour. The applicant has agreed to a Local Labour Business Strategy as required by the SPD. The details of the Local Labour Business Scheme would be subject to agreement with Lewisham's Economic Development Team but the applicant has outlined that they would be willing to target 50% of construction workers being from Lewisham, as well as where possible employing Lewisham residents for the operational employment opportunities.

157 With regard to the financial contribution, in accordance with the SPD a contribution of £42,432.33 would be required.

7.3.3 Employment conclusion

158 The nature of the proposed development uses are supported by policy and the development is considered to provide a valuable contribution towards employment and local labour in accordance with the aims and objective on the NPPF and the Development Plan.

7.4 SOCIAL INFRASTRUCTURE

7.4.1 Community facilities

Policy

159 CSP 19 states that the Council will work with its partners to ensure a range of health, education, policing, community, leisure, arts, cultural, entertainment, sports and recreational facilities and services are provided, protected and enhanced across the borough.

Discussion

160 The application proposes 55sqm of community space. The layout of community space is adaptable and it could be used to host a range of activities such as community events, meetings and classes. The community space is provided with a dedicated external landscaped area which is suitable as a spill-out space for activities as well as an outdoor resource for wider community events.

161 The applicant has sought to provide a community facility in light of the discussion they had with ward Councillors submitted pre-application stage. It was pointed out by ward Councillors that there are very few places where local residents can meet. Officers welcome the offer to provide this community facility. The application is not accompanied by details of the management of this unit, nor costs for hire. Whilst the inclusion of a community space is supported, the details for its operation and management will need to be secured by planning obligation within an s106.

Summary

- 162 The provision of this space is in accordance with the aspirations of the Development Plan. The community space would provide a valuable asset for existing and future residents of the area and is a planning merit to which officers attach significant weight.

7.5 URBAN DESIGN

General Policy

- 163 The NPPF at para 124 states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 164 Urban design is a key consideration in the planning process. The NPPF makes it clear that Government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Paragraph 124 of the NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 165 LPP 7.6 Architecture requires development to positively contribute to its immediate environs in a coherent manner, using the highest quality materials and design.
- 166 Core Strategy Policy 15 High quality design for Lewisham repeats the necessity to achieve high quality design but also confirms a requirement for new developments to minimise crime and the fear of crime.
- 167 DMLP DM30, Urban design and local character states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity. The London Plan, Lewisham Core Strategy and Lewisham DMLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design. DM Policy 33 seek to protect and enhance the Borough's character and street frontages through appropriate and high-quality design.

Discussion

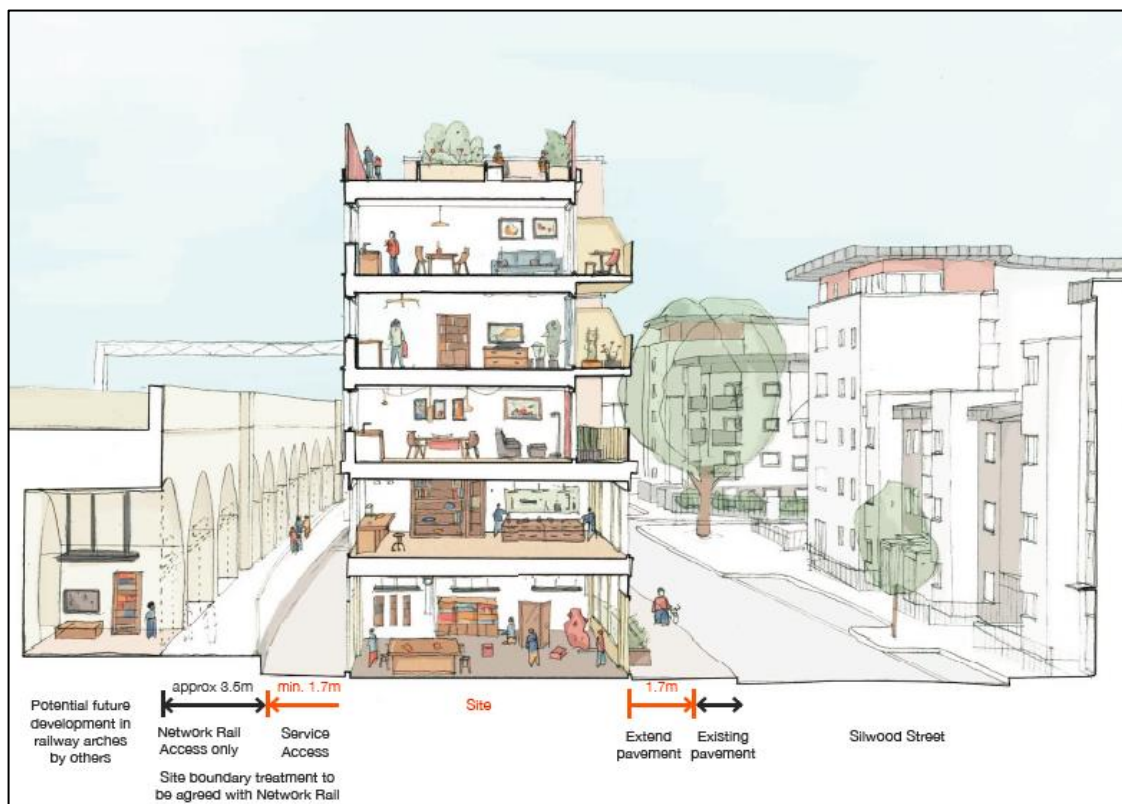
Layout

- 168 At present, the application site is covered by hardstanding with a metal fencing around its perimeter. The proposed development would create two buildings at the site, Block A and Block B-D. The proposed layout is a logical and efficient arrangement for buildings given the inherent linearity of the site.
- 169 Block A would be located at the western part of the site. The building would rise to a maximum of nine (9) storeys with a height of 30 metres AOD. This would be the tallest building in the proposed development. This building would contain a flexible retail/café use with shared communal space to the west that would form a social gathering space and improve public realm around Bolina Road. There would also be a community use with private amenity space to the east of the building. Above the ground and part of first floor there would be residential flats.
- 170 Block B-D would be located to the east of Block A. The building would consist of four (4) building blocks which would be stepped in. These blocks would be joined and they would have varying heights ranging from five (5) to seven (7) storeys with a height between

18.3m and 23.5 metres AOD. This building would provide commercial units that run across the length of the building on ground and first floor levels.

- 171 During the pre-application discussions, that applicant has been advised that designed the scheme to be compatible with any future development that would come forward in the adjacent arches, as part of the Bermondsey Dive Under. The applicant has responded to this by setting the proposed building footprint away from the boundary of the side by at least 1.7m, this distance coupled with further 3.5m distance required to be maintained to allow Network Rail to carry out any future maintenance, results in a gap of 4.2m. Officers also note that the plot has been divided to create new service access point for the development and safeguard potential future development in the railway arches.

Image 1: Section drawing showing the relationship to the railway arches and building on the other side of Silwood Street



- 172 The applicant has also included some planters at the rear to improve the appearance and make the space more welcoming.
- 173 Officers consider that the development would relate well to the establish pattern of development in the local area and is consistent with average distances a spatial relationship between buildings.

Form and Scale

- 174 The application site is within an area with mix heights and character. To the north of the site, there is the Silwood Estate with building ranging from three to six (3 to 6) storeys height.
- 175 The tallest building (Block A) proposed at the site has been located at the end of Reculver Road. The building would act as a marker in the development, at the edge of

Bolina Road which is a strategically important route and entrance into Millwall FC and surrounding Surrey Canal Triangle development. At the ground floor active frontages with improved public realm that would contribute positively to the streetscene.

Image 2: CGI view of proposed Block A building



- 176 The form and scale of Block B-D would be of similar height to the existing properties on opposite side of Silwood Estate. Officers consider that the building would achieve a good relationship with these buildings. The proposed stepping of parts of the building would help to break up its mass and offer architectural interest to otherwise long building.
- 177 Officers note that the massing and form of the development has responded positively to comments received at pre-application stage. The applicant has amended the length and mass of Block A making it look slender. The elevation of the remaining Blocks B-D were amended to create architectural interest by stepping them in and provision other architectural features, including balconies and materials to break the building.

Image 3: CGI view of proposed Blocs B-D building



- 178 Overall, Officers consider that the height and massing of the proposed development is well considered in that it responds well to the surrounding built environment. The applicant has positively responded to Officers advice received at the pre-application, The agreed changes ensure that the proposed development would sit comfortably against the scale of buildings in the wider context, and suitably accord with surrounding built environment, given the range of buildings in the area.

Detailing and Materials

- 179 It is acknowledged that there is a large variety of building types in the surrounding area with no dominant architectural style. The building would be constructed predominantly out of brick which is a robust and high quality material. A range of different bricks would be used on the building. The brick palette would consist of dark coloured, light buff and multi-coloured brick.
- 180 Block A is proposed to be the building using buff brick mixed with the red brick. Whereas Block B-D would have a darker coloured brick on the ground and first floor with lighted brick used for the residential part of the building. The difference in the bricks used would help to create visual interest along Silwood Street and separate the commercial uses at ground/ first floor from the residential uses above. The same bricks would be applied across each tenure, with no difference in quality.
- 181 The ground floor commercial premises in Block B-D would have sliding expanded metal mesh panels with thermally broken metal windows behind screen. The colour of the metal mesh would match window frames and balconies in the building (Anolok Bronze Umber 543 or similar). This detail is considered to complement the other materials.

Image 3: Proposed material palette



182 The residential entrances would be marked as two storey high entrance halls on Silwood Street. Officers are of view that the entrances would be welcoming and they would give appropriate emphasis to the entrances to the residential units between the largely commercial streetscene.

183 The carefully proportioned fenestration would create coherent architectural language bring the front and rear elevations together. Wide, full ceiling fenestrations would characterise the opening to the living and dining area as well as balconies that face Silwood Street. Whereas the narrower fenestrations characterise openings to the bedroom and private entrances smaller windows would be typically found to the rear represent kitchen, corridors or bathrooms.

184 Officers consider that there is sufficient information to establish that the design and architecture is high quality and be of a positive impact in the streetscene. This is subject to conditions requiring the exact specification of all external materials is submitted to ensure that the design quality is carried through the construction of the proposal.

7.5.1 Public Realm

185 The site would offer a net gain of public realm, versus the current fenced yard space. Communal outdoor space at the western corner of the site, adjacent to Bolina Road underpass would be provided by the café space. This space would be defined by tree planting. The proposed trees would be raised with a built up edge to provide protection and place for incidental sitting, the roots have contact with the soil below and root deflectors can direct roots down to natural soil below.

186 Between Block A and B, there would be an outdoor area associated with the community use. This space would have a green boundary separating the space from the walkway to the rear of the side and the car parking space for disabled residents.

187 The proposal would also result in widening of the existing pavement along Silwood Street to a width of 1.7m to 3.5m (increase of 1.7m) at some point on Silwood Street stretching along the development. This provided space for planters to help humanise the site given that the uses at the ground floor would be mainly commercial aside from the four residential entrances.

188 Whilst the applicant submitted some detail of the proposed planting, it is consider that further detail is required in terms of shade and irrigation, plant species, depth of beds and the like to prove planting can be sustained. The same goes for the proposed street trees and other planting that would be provide on the ground floor. These would be secured by condition.

189 The scheme would provide a number of enhancements and measures that would improve existing public realm. The proposed public realm would be of high quality and would make an important contribution towards establishing a sense of place for the development.

7.5.2 Secure by design

Policy

190 The development has carefully considered designing out crime in accordance with DM Policy 32, London Plan Policy 7.3 and Core Strategy 15 and fear of crime also identified within paragraph 91 of the NPPF (2018). The entrance of the buildings will be safe as they are clearly defined and visible from the street through the use of materiality contrast and lighting in accordance with DM Policy 27.

Discussion

191 The scheme has been designed in accordance with the principles of Secure by Design and has been subject to discussions The Metropolitan Policy Officer that the proposal has considered opportunity for natural surveillance and that it incorporated excellent lines of site as well as active areas.

192 In relation to the comments regarding the raised planters to Silwood Street potentially representing a place of concealment. It is considered that through the effective management and pruning of the trees and vegetation within the raised planters, this would prevent these serving as places of concealment. A landscape management plans would be requested by a condition to ensure that the plants in the proposed plants are looked after to prevent they from becoming a place of concealment

7.5.3 Urban design conclusion

193 The proposed development has maximised the potential of the site and the scale of building achievable in this location and, subject to the quality of the detailing and design being adequately secured through conditions, it is considered that the development would be a high quality addition to the area.

7.6 TRANSPORT IMPACT

General policy

194 Nationally, the NPPF requires the planning system to actively manage growth to support the objectives of para 102. This includes: (a) addressing impact on the transport network; (b) realise opportunities from existing or proposed transport infrastructure; (c) promoting walking, cycling and public transport use; (d) avoiding and mitigating adverse environmental impacts of traffic; and (e) ensuring the design of transport considerations contribute to high quality places. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and a choice of transport modes.

195 Para 109 states “Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

196 Regionally, the Mayor’s Transport Strategy (‘the MTS’, GLA, March 2018) sets out the vision for London to become a city where walking, cycling and green public transport become the most appealing and practical choices. The MTS recognises links between car dependency and public health concerns.

197 The Core Strategy, at Objective 9 and CSP14, reflects the national and regional priorities.

7.6.1 Access

Policy

198 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.

199 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.

200 DMP 29 identifies that car limited major residential will be supported in areas with a PTAL of 4 or above and that amongst other factors development should not have a detrimental impact on on-street parking provision in the vicinity. It outlines that measures such as car-clubs and cycle storage will be expected to ensure that sustainable transport modes are encouraged.

Discussion

201 The application site has a single vehicular access point along the Silwood Street frontage. Silwood Street is a single carriageway road that is subject to 20mph speed limit. The Street has adequate street lighting and footways of a suitable width around the site.

202 Pedestrian access to the residential cores and commercial space would be gained from a few approaches from Silwood Street, Bolina Road and the underpass to the east of the application site. The access points are level, clear and identifiable. As mentioned before in the report the applicant would widen the pavement stretching along the application site by further 1.5m.

203 Cycle parking is accessed from Silwood Street for residential units. The commercial unit have separate designated cycle parking also from Silwood Street with the cycle storage being located towards the rear of the site.

204 Emergency vehicle access will be along Silwood Street, with fire main inlets located on the face of the building adjacent to the entrance of each residential core. Access for a pumping vehicle to these inlets can be achieved within 18 metres and will be visible from parking positions along Silwood Street.

205 The site is an area of strategic growth and regeneration. Public transport connections and access are going to improve in the medium and long term with the delivery of the Surrey Canal Triangle scheme which is located across the Viaduct and located adjacent to the Millwall Football stadium. This development is due to provide improvements to walking routes from Bolina Road to South Bermondsey Station via the East London Line link. There would also provide cycle access to the new station at Surrey Canal Road on the London Overground going to Clapham Junction to Highbury and Islington line. That development will also provide new bus routes, extending into central London and onto Lewisham Town Centre.

206 The proposal for access is considered to be safe and appropriate.

7.6.2 Healthy Streets

207 A Healthy Streets audit was undertaken to assess the quality of the pedestrian and cycle environment near the site. The report provides a detailed assessment of the pedestrian and cycle routes. The Audit identifies a number of deficiencies within the audit area that may affect pedestrians and cycle accessibility to and from the site. The Audit also made recommendations and suggested measures to improve the pedestrian and cycle environment.

208 To improve accessibility, and encourage sustainable modes of travel to and from the site, the Council Highway Officer recommended following works to be secured and completed in the S278 Agreement:

- the installation of dropped kerbs and tactile paving near to the turning head facility (south-east of Silwood Street)
- to provide a north – south crossing across Silwood Street (adjacent to 55 Silwood Street)
- works at the Silwood Street / Bolina Road junction to improve pedestrian and cycle access to the car-free pedestrian and cycle route on Bolina Road. The works should include relocating the bollards to prevent vehicles from loading / waiting in this location causing an obstruction, and improvement works to the existing crossing facilities at the Silwood Street / Bolina Road junction (across Silwood Street).

209 The proposal will result in an increase in walking trips near the site. Therefore, the above-mentioned improvement works are considered necessary to make the proposed development acceptable, particularly as the development is a 'car free' scheme, and the majority of the trips to and from the site will be by sustainable modes of travel. These improvements will provide a more attractive pedestrian environment and will create conditions that encourage walking. .

210 In terms of cycling, new cycle route is proposed to be routed along Silwood Street adjacent to the application site and through the railway arch close to the southeast boundary of the site. The Rotherhithe to Peckham Cycleway will result in an increase in cycle movements adjacent to the application site. The new cyclists at the development would also benefit from the introduction of this new route. Therefore, a contribution of £41,630 is required towards the cost of installing lighting under the railway arch adjacent to the southeast boundary of the site, and towards Cycleway signing on Silwood Street, which would raise awareness of the route and improve wayfinding.

7.6.3 Servicing and refuse

Policy

211 The NPPF states development should allow for the efficient delivery of goods and access by service and emergency vehicles.

212 LPP 6.13 requires schemes to provide for the needs of businesses and residents for delivery and servicing and LPP 6.14 states that development proposals should promote the uptake of Delivery and Service Plans.

213 DLPP Policy T6(G) and T7(B)(3) state that rapid electric vehicle charging points should be provided for servicing vehicles.

- 214 DMP 17 requires applications for A3 uses to provide acceptable arrangements for the collection, storage and disposal of bulk refuse. Note that the change to use classes on September 1st now classes A3 as use class E.
- 215 Storage facilities for waste and recycling containers should meet at least BS5906:2005 Code of Practice for waste management in Buildings in accordance with London Plan Housing Supplementary Planning Guidance (2016) standard 23.

Discussion

- 216 All servicing would take place on street along Silwood Street, utilising the turning head to the east of the site as per the current arrangement for collection at existing properties. The applicant has been demonstrated (see drawing number 194030-002) that turning manoeuvre can successfully be undertaken at the existing turning. LBL Highways confirmed this with no objection raised. The proposed servicing arrangement would replicate the way in which refuse is collected along this road in a manner that does not obstruct traffic and is thus considered acceptable.
- 217 The proposals would provide four internal refuse storage areas for use by residents. The refuse areas are located on the ground floor along the Silwood Street. All bin stored are located with a suitable ramped access and will be managed such that the bins are within a maximum ten metre carry distance for refuse workers.
- 218 Commercial refuse store are located along the southern site boundary and can be accessed through a secure service route which would only be accessed by occupiers of the commercial units. As the occupiers are not known, the exact waste requirement are also not known however, the submitted plan will be updated once this information is available. This will be secured by a planning condition. It is likely that a management strategy for commercial unit would rely on private contractor to collect the waste, on street loading bays may be utilised to facilitate collection at the agreed time.
- 219 A servicing plan would need to be agreed via condition to ensure that the servicing of the site is undertaken in a controlled manner which minimises vehicle trips and does not obstruct the highway. The proposed arrangements are therefore considered acceptable subject to the imposition of conditions.

Delivery

- 220 The Delivery Strategy identified that the majority of delivery/servicing movements associated with the residential element of the proposed development will comprise postal deliveries on a daily basis, with the occasional infrequent delivery of bulky items such as furniture and white goods. This is alongside deliveries for the commercial aspect of the development and potential shopping deliveries.
- 221 For the commercial units, it is anticipated that daily deliveries will be less frequent and more predictable, allowing greater management and co-ordination once occupiers are known. Based on the size of the units provided, it is anticipated that these will primary comprise LGV deliveries in vehicles ranging 3.5 to 7.5 T.
- 222 To accommodate the delivery needs of the development, two 12-metre on street loading bays have been proposed along Silwood Street. These loading bays will be implemented via a Traffic Regulation Order (TRO) funded by the applicant, which will permit 20 minutes of loading only (no return within two hours) at all times. This would be secured by a planning obligation.

7.6.4 Transport modes

Walking and cycling

Policy

- 223 Paragraph 110 of the NPPF states that development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring area. Development should create places that are safe, secure and attractive, minimising the scope for conflicts between pedestrians, cyclists and vehicles
- 224 LPP 6.9 sets out to bring a significant increase in cycling to at least 5% of modal share by 2026, supported by the implementation of Cycle Superhighways and the central London cycle hire scheme and provision of facilities for cyclists including secure cycle parking and on-site changing and shower facilities for cyclists.

Discussion

- 225 The site is located in a close proximity for walking to and from the surrounding area using the existing paths. Pedestrian routes and footways along Silwood Street will remain a minimum of two metres in width, with entrances to buildings setback to ensure no safety issues or obstructions. The front elevation would include soft-landscaping to enhance pedestrian amenity and the development will increase social activity and natural surveillance along Silwood Street.
- 226 The long-stay cycle parking for both residential and commercial units, would be located at the ground floor with step-free and convenient access. The residential bike stores would be accessed from Silwood Street. Commercial bike stores would have an access through the rear service passed on the southern boundary. The development would provide a mix of two tier stands and widened Sheffield stands within the internal long-stay cycle stores.
- 227 The short-term cycle parking would be provided within the public realm along the frontage of Silwood Street. The cycle parking would provide wider Sheffield stands to accommodate for large/accessible bicycles.

Table 6: Development Parking Provision

Development Use	New London plan Standard	New London Plan Requirement	Development provision	Difference
Residential: <ul style="list-style-type: none"> 23 X 1B/2P 30 X 2B 8 X 3B 	<u>Long Stay</u> <ul style="list-style-type: none"> 1.5 spaces per 1B/2P 2 spaced per all other dwellings <u>Short Stay</u> <ul style="list-style-type: none"> 5-40 dwellings: 2 spaces Thereafter: 1 space per 40 dwellings 	<ul style="list-style-type: none"> 111 long-stay 3 short stay 	<ul style="list-style-type: none"> 108 long-stay 8 short stay 	<u>Long stay</u> -3 <u>Short stay</u> +5
A1/A3 Unit – 152.5sqm	<u>Long Stay</u> <ul style="list-style-type: none"> 1 space per 175sqm 	<ul style="list-style-type: none"> 2 long-stay 	<ul style="list-style-type: none"> 20 long-stay 	<u>Long stay</u> -3

	<u>Short Stay</u> <ul style="list-style-type: none"> • 1 space per 20sqm (higher standard) 	<ul style="list-style-type: none"> • 8 short stay 	<ul style="list-style-type: none"> • 12 short stay 	<u>Short stay</u> 0
D1 unit – 55sqm	<u>Long Stay</u> <ul style="list-style-type: none"> • 1 space per 8 FTE staff <u>Short Stay</u> <ul style="list-style-type: none"> • 1 space per 100sqm 	<ul style="list-style-type: none"> • 1 long-stay • 1 short stay 		
B1(a)/(c) units 1462sqm	<u>Long Stay</u> <ul style="list-style-type: none"> • 1 space per 75sqm <u>Short Stay</u> <ul style="list-style-type: none"> • 1 space per 500sqm 	<ul style="list-style-type: none"> • 20 long-stay • 3 short stay 		

228 The table above demonstrates that the development would fail to provide the required number of long stay cycle parking for residential and commercial use, in accordance with the Draft London Plan. The shortfall resulted from provision of higher proportion of non-standard, widened Sheffield stands within the internal long-stay parking areas. A Cycle Parking Management Plan would be secured by planning obligation. The Management Plan would be required to include a process to monitor the uplift of both long and short stay parking, which can respond to any uplift in demand with the provision of new spaces, particularly when any change of use within the commercial units occurs in the future.

229 Although the non-compliance is regrettable, officers consider that in this instance the relative minor shortfall can be acceptable given the reasons behind it and constraints of the site.

230 To ensure that facilities are available for cyclists of the commercial elements a condition should be imposed requiring details of welfare/ changing facilities.

Private cars (include disabled and electric charging points)

Policy

231 LPP 6.13 seeks to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use and through the use of well-considered travel, plans aim to reduce reliance on private means of transport.

232 CSP 14 states that the Council will take a restrained approach to parking provision. DMP 29 requires wheelchair parking to be provided in accordance with best practice standards and London Plan Standard 18 requires designated wheelchair accessible dwellings to have a designated disabled car parking space.

Discussion

- 233 The proposed development would be car free with the exception of six (6) disabled parking spaces. These will be monitored by the on-site management staff to ensure that no unauthorised parking occurs, with physical measures such as collapsible bollards in place to control their use. To comply with the London Plan, 20% of all car parking spaces on-site should include active charging points, with the remaining spaces provided passive charging infrastructure. Details of the electric vehicle charging provision would need to be secured by a planning condition.
- 234 The applicant site is currently not in a Controlled Parking Zone (CPZ). There is some informal parking directly outside of the site with no restrictions in place. This is the same for surrounding streets such as Reculver Road and Alpine Road which are also not subject to any restrictions with regards to on-street parking. A financial contribution will be secured to contribute to the implementation of a CPZ. Where a CPZ is adopted, residents would not be able to apply for permits. This would ensure that the development is truly car-free and that development does not result in detrimental impacts on local on-street parking provision.
- 235 A travel plan would be conditioned to help promote sustainable and active travel and discourage car-use. This will help further mitigate against increased on-street demand for parking. On balance the availability of good public transport, future public transport access and the proposed financial contributions warrants car free development in this instance.

Car clubs

- 236 It is considered necessary and proportionate to require the applicant to provide the occupants of each new dwelling with a three year membership to a car-club. This is considered necessary given the car-free nature of the development. The provision of this membership is considered to help discourage car ownership and in turn encourage the use of public transport and active transport modes.
- 237 Car club membership would be made free to each household for three years from first occupation.

7.6.5 Construction Management Plan

- 238 An Outline Construction Logistics Plan, prepared by Ardent, dated May 2020, have been submitted in support of application.
- 239 Council's Highway Officer reviewed the submitted plans and advised that further details of the Construction plan should be submitted prior to commencement on site, secured by planning condition. It should include the following details –

- Details of hoarding lines
- Location of loading area and any waiting/holding area
- Location allocated for site compound, storage and welfare
- Swept path analysis of the proposed access/egress route to/from the site
- Details of the size/type and number of vehicle accessing the site,

7.6.6 Highway Improvements

- 240 A s278 agreement is required to undertake improvements to the provision of two loading bays on Silwood Street with associated restrictions; dropping a kerb from Silwood Street create access to disabled car parking spaces; reinstatement / improvement works to the footways adjacent to the site, on Bolina Street, and the provision of dropped kerbs/tactile paving; Traffic Regulation Order (TRO) for loading bays. The works are considered to be a vital part of the high quality environment the development proposals are seeking to

create in order to enhance pedestrian accessibility to and from the site. Consequently, the s106 should include an obligation to enter into an s278 agreement, which should also include an obligation to secure any necessary repair works to the footway and carriageway of Silwood Street along the specified construction vehicle routes and in front of the development site in the instance that this is damaged during construction. This is considered necessary to safeguard the pedestrian and cycle environment within the vicinity of the Site.

7.6.7 Transport impact conclusion

241 The proposal would not result in harm to the local highway network or pedestrian or highway safety subject to the imposition of conditions and financial contributions. Officers consider this should be afforded considerable weight In light of the proposed public benefits of the development.

7.7 LIVING CONDITIONS OF NEIGHBOURS

General Policy

242 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. At para 180 it 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 and living conditions.

243 This is reflected in relevant policies of the London Plan (LP7.6), the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA).

244 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.

245 Further guidance is given in Housing SPD 2017, GLA.

7.7.1 Overbearing, Enclosure and Outlook

Policy

246 Overbearing impact arising from the scale and position of blocks is subject to local context. Outlook is quoted as a distance between habitable rooms and boundaries.

247 LPP 3.5 focuses on standards in new development, with the Mayor of London's Housing SPG noting that former commonly used minimum separation distances between habitable rooms of 18 – 21 metres may be useful guides, but advocates a more flexible approach to managing privacy.

Discussion

248 Concerns have been raised by neighbouring residents that the proposed development would result in loss of a view, but these are not material planning consideration and cannot be taken into account within decision making.

249 The proposed development front onto Silwood Street and Reculver Road. The existing separation distance between the site and these properties is 16m plus building set back of further 2m. The outlook impacts from the neighbouring building is therefore considered reasonable.

250 It is also noted that in an urban and dense area, like this one, 21m back to back is not typical. The distance of 21m is usually achieved in more suburban context. The proposed distance and layout is considered sufficient to mitigate any potential loss of outlook or creation of an increased sense of enclosure.

7.7.2 Privacy

Policy

251 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.

Discussion

252 Concerns have been raised by neighbouring residents that the proposed development would result in an unacceptable loss of privacy to neighbouring dwellings.

253 As above, the residential properties at Silwood Estate and properties on Reculver Road are located between 16-18 metres away from the nearest proposed residential unit on the application site. The parts of the building that are closest to the neighbouring properties (located at the distance of 16m) face towards building cores which do not have any habitable rooms. When habitable rooms face each other the distance would be 18m. This is considered sufficient to mitigate potential loss of privacy.

7.7.3 Daylight and Sunlight

Policy

254 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards. The BRE Guidelines recognise that they should not form a strict set of criteria to which a development must adhere, rather provide guidance to help inform design.

255 The NPPF does not express particular standards for daylight and sunlight. Paragraph 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.

256 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). Alternatives may include 'drawing on broadly comparable residential typologies within the area and of a similar nature across London.' (ibid, para 1.3.46).

The BRE Guidelines

257 The BRE Guidelines provide two main methods of assessing daylight, these are as follows:

- Vertical Sky Component (VSC); and
- No Sky Line (NSL).

258 One methodology for assessing sunlight is provided in the BRE Guidelines, which is

- Annual Probable Sunlight Hours (APSH).

- 259 VSC considers the view of the sky from the centre point of the outer face of a window and calculates the difference in where the sky can and cannot be seen in the existing situation. This is then compared to the quantum of sky than can be seen upon implementation of a proposed development and the output is quantified as a percentage. The BRE suggests that upon implementation of a proposed development a window should retain a value of 27% or at least 0.8 times its former value (no more than a 20% change). In urban location such as this one, it is established that the typical VSC values can be in the region of 15% (or mid-teens). The BRE Guidelines also recognise that existing architectural features on neighbouring building such as balconies and overhangs restrict the quantum of skyline to windows. In such situations, the applicant is expected to carry out additional calculations that exclude the balcony or the obstruction. Furthermore, officers note that most neighbouring properties potentially affected, currently enjoy a higher than average level of daylight/sunlight because they are located close to an undeveloped site, will experience a change in the level of daylight/sunlight received when sites are developed. Notwithstanding this there is a need for all new developments to demonstrate that any loss of light or increase in overshadowing would be within acceptable level as not to give rise a significant loss of amenity.
- 260 NSL considers the distribution of daylight within a room and calculated where the sky can and cannot be seen at table top height (850mm/0.85m). The contour of the daylight distribution in the existing situation is compared to that of the proposed and the change is qualities as a percentage. There is no qualitative assessment of the light in the room, only where sky can or cannot be seen. As with VSC, due to the site being undeveloped the neighbouring properties are likely to be subjected to large percentage changes to those rooms with windows facing onto the site.
- 261 APSH considers the number of 'sunspots' that can be seen from a window in the existing situation and compares that to the proposed. The BRE Guidelines provide the calculation points for where the 'sunspots' are positioned in the sky. If a window received one quarter (25%) and APSH including no less than 5% in the winter months then the room should receive adequate levels of sunlight. Window with other orientations than 90 degree due south do not need APSH assessment.
- 262 Given the need for flexibility in the application of the BRE Guideline within dense urban areas, alternative targets should also be considered for sunlight. This is particularly relevant for the site due to it being undeveloped which is a rare for an urban environment. The application site is located within an urban area, which is appropriate for high-density development. Whilst there are some medium rise developments in the area around Silwood Estate, the area is capable of accommodating a high dense development. It is therefore important to acknowledge that residents could not expect to enjoy the same level of amenity as would be expected within low/medium density, suburban location, where each swelling would typically front and have a rear garden.
- 263 *Discussion*
- 264 Concerns have been raised by neighbouring residents that the proposed development would result in an unacceptable loss daylight and sunlight. The applicant has submitted a Daylight and Sunlight assessment, prepared by Robinsons Surveyors Limited, dated May 2020 to support their application. The assessment has been carried in accordance with the Building Research Establishment's good practice guide "Site Layout planning for daylight and sunlight". This allows Officers to consider the impact of the proposal on the extent of daylight/sunlight received in the windows of adjacent properties serving the rooms used most frequently. This is useful in assessing the extent to which the site layout allows for natural lighting but is only one factor in considering whether the scheme

is well designed and should be considered in the context of the overall approach to the design of the scheme.

- 265 Due to undeveloped nature of the site, a mirroring assessment for certain number of surrounding properties has been made. This has changes the existing baseline condition so that the massing of neighbouring properties is mirrored placed on the site and the development is assessed against this baseline instead.

The report and its findings

- 266 The scope of the assessment includes:

- 45 Silwood Street, Apartment 1-9
- 47 Silwood Street
- 49 Silwood Street, Apartments 1-6
- 51 Silwood Street, Apartments 1-12
- 53 Silwood Street, Apartments 1-16
- 55 Silwood Street, Apartments 1-11
- 39 Reculver Road, Apartment 1-15
- 41 Reculver Road, Apartments 1.15
- 66 Reculver Road
- 68 Reculver Road
- 70 Reculver Road
- 72 Reculver Road
- 74 Reculver Road
- 2a Alpine Road
- 25-58 – Sketchley Gardens

45 Silwood Street, Apartment 1-9

Daylight

- 267 In total, 40 out of the 45 windows assessed meet the BRE Guidelines baseline criteria or Alternative Target Criteria (ATC) for VSC (mid-teens of at least 15%). Five windows do not retain the ATC. Those windows are located under the balconies and with these removed the rooms do not fall short of the mid-teen target. Taking the above into consideration officers deem that the impact to this property as whole to be minor.

Sunlight

- 268 The sunlight impact to this property, as a result of the Proposed Development, are fully complaint with the aspirations of the BRE Guide.

47 Silwood Street

Daylight

- 269 In total, four out of the six windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%). Two windows that do not retain the ATC serve a bedroom. As bedrooms have a lower requirement for daylight, officers consider that the impact to this property as whole to be minor.

Sunlight

- 270 The sunlight impact to this property, as a result of the Proposed Development, are fully complaint with the aspirations of the BRE Guide.

49 Silwood Street, Apartments 1-6

Daylight

- 271 In total, 15 out of the 34 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%). Out of the windows that do not meet the ATC, five are kitchens only, which are less sensitive to light.
- 272 Therefore, there are 14 windows do not meet the BRE Guidelines. Six of those windows serve bedrooms (W4, W6 at GF; W4, W8 at FF; W4, W8 at 2F). As mentioned before, bedrooms have a lower requirement for daylight and it is considered that the impact to this property would be minor and would not warrant refusal.
- 273 Out the remaining eight rooms (W1, W11, W9, W10 at GF; W13, W11, W12 at FF; W13 at 2F), six (W10 and W11 at GF; W13 and W12 at FF; W12 and W13 at 2F) would have the same restrictions as currently experienced. Therefore, taking the above into consideration officers deem that the impact to this property as whole to be minor.

Sunlight

- 274 There are 12 shortfalls against the strict aspirations of BRE Guidelines on annual/winter aspirations. This is the same number of shortfall resulting from Mirrored analysis. Given the similar number of impacts officers, consider that overall the proposal would achieve good, and in some cases fully compliant levels of APSH.

51 Silwood Street, Apartments 1-12

Daylight

- 275 In total, 32 out of 47 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%). Out of the windows that do not meet the ATC, three are kitchens, which are less sensitive to light.
- 276 Therefore, there are 12 windows do not meet the BRE Guidelines. Four of those windows serve bedrooms (W4, W5 at GF ; W4, W5 at FF). As mentioned before, bedrooms have a lower requirement for daylight and it is considered that the impact to this property would be minor and would not warrant refusal.
- Out the remaining eight rooms (W1, W12, W7, W8, W9 at GF; W9, W10 at FF; W13 at 3F), two (W12 at GF and W13 at 3F) would have the same restrictions as currently experienced. From the remaining six windows (W1, W7, W8, W9 at GF; W9, W10 at FF), four (W8, W9 GF and W9, W10 at FF) would be under balconies and with these removed the rooms do not fall short of the mid-teen target. Taking the above into consideration officers deem that the impact to this property as whole to be minor.

Sunlight

- 277 39 windows were tested, 33 meet the BRE Guidance strict aspirations for annual sunlight with 21 meeting the aspirations for winter months. However, when mitigating sunlight to rooms with dual aspect windows are taken into account, it is clear that just 8 rooms will suffer shortfall. Kitchens and bedrooms make up these rooms and are both less sensitive to light than a primary living room. Most of these would occur in winter months, with total sunlight being far more favourable and most supportable.

53 Silwood Street, Apartments 1-16

Daylight

- 278 In total, 32 out of 35 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%). Out of the windows that do not meet the ATC, one is kitchens, which need not be analysed in accordance with the Mayor's SPD.
- 279 Therefore, there are 12 windows do not meet the BRE Guidelines. 10 of those windows serve bedrooms (W5, W5 at GF; W5, W6 at 1F; W4, W5 at 2F ; W4, W5 at 3F; W4, W5 at 4F). As mentioned before, bedrooms have a lower requirement for daylight and it is considered that the impact to this property would be minor and would not warrant refusal.
- 280 Out the remaining two rooms (W9, W10 at GF), one would have the same restrictions as currently experienced. Taking the above into consideration officers deem that the impact to this property as whole to be minor.

Sunlight

- 281 There are 13 windows with annual and/or winter APSH shortfalls when Proposed Development analysis is compared to the aspirations of the BRE Guidance. Some windows serve rooms with more than one window, these additional sources usually improve result. When this is considered, only 8 rooms suffer shortfalls, of these rooms two are kitchens and can be discounted. Bedrooms suffer 4 shortfalls and living rooms suffer the remaining two. These shortfalls suffer from direct result of this property own design due to orientation and balconies.
- 282 BRE Guidance strict aspirations for annual sunlight with 21 meeting the aspirations for winter months. However, when mitigating sunlight to rooms with dual aspect windows are taken into account, it is clear that just 8 rooms will suffer shortfall. Kitchens represent two of these rooms and should be discounted. Bedrooms make up a further of these shortfalls. Most of these would occur in winter months, with total sunlight being far more favourable and most supportable.

55 Silwood Street, Apartments 1-11

Daylight

- 283 In total, 19 out of 35 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%). Out of the windows that do not meet the ATC, four is kitchens, which need not be analysed in accordance with the Mayor's SPD.
- 284 Therefore, there are 12 windows do not meet the BRE Guidelines. Six of those windows serve bedrooms (W4, W5 at GF; W4, W5 at FF; W4, W5 at 2F). As mentioned before, bedrooms have a lower requirement for daylight and it is considered that the impact to this property would be minor and would not warrant refusal.
- 285 Out the remaining six rooms (W1, W12 at GF, W13, W1 at FF; W1, W13 at 2F), two rooms (W12 at GF, W13 at FF) would have the same restrictions as currently experienced. The remaining four (W1 at GF; W1 at FF and W1 and W13 at 2F) windows are located behind the bay window. Taking the above into consideration officers deem that the impact to this property as whole to be minor.

Sunlight

- 286 There would be some sunlight impact to this property, as a result of the Proposed Development. Some of the shortfalls would be to kitchens and bedrooms, as described above the level of sunlight received by them can be less than the recommended level. It should be pointed out that some of the affected windows would face within 90 degrees of due north and therefore they cannot see any sunlight.

39 Reculver Road, Apartment 1-15

Daylight

In total, 12 out of 15 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%).

Sunlight

- 287 The sunlight impact to this property, as a result of the Proposed Development, are fully complaint with the aspirations of the BRE Guide.

41 Reculver Road, Apartments 1.15

Daylight

- 288 In total, 21 out of 29 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%).

- 289 Therefore, there are eight windows do not meet the BRE Guidelines. Six of those windows serve bedrooms (W4, W5 at FF; W4, W5 at 2F; W4, W5 at 3F). As mentioned before, bedrooms have a lower requirement for daylight and it is considered that the impact to this property would be minor and would not warrant refusal.

It is noted that the remaining two rooms (W9 at FF; W9 at 2F) would have the same restrictions as currently experienced. Taking the above into consideration officers deem that the impact to this property as whole to be minor.

Sunlight

- 290 Four bedrooms would suffer APSH shortfall against BRE Guideline. The mirrored massing test presents similar shortfall to the affected windows and given the room use, as sunlight is less important to bedrooms and as well the modest loss. The proposal is considered to have an acceptable impact.

66 Reculver Road

Daylight

- 291 In total, 4 out of 5 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%). One window that do not meet the BRE Guidelines, is serving a bedroom. As mentioned before, bedrooms have a lower requirement for daylight and it is considered that the impact to this property would be minor and would not warrant refusal.

Sunlight

- 292 The sunlight impact to this property, as a result of the Proposed Development, are fully complaint with the aspirations of the BRE Guide.

68 Reculver Road

Daylight

- 293 In total, 3 out of 4 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%). One window that do not meet the BRE Guidelines, is serving a bedroom. As mentioned before, bedrooms have a lower requirement for

daylight and it is considered that the impact to this property would be minor and would not warrant refusal.

Sunlight

- 294 The sunlight impact to this property, as a result of the Proposed Development, are fully compliant with the aspirations of the BRE Guide.

70 Reculver Road

Daylight

- 295 In total, 3 out of 4 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%). One window that do not meet the BRE Guidelines, is serving a bedroom. As mentioned before, bedrooms have a lower requirement for daylight and it is considered that the impact to this property would be minor and would not warrant refusal.

Sunlight

One of the windows is this property will be affected. The room that this room serves has another window, and when the sunlight is looked at from both these windows the room would be fully compliant. *72 Reculver Road*

Daylight

- 296 In total, 3 out of 4 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%). One window that do not meet the BRE Guidelines, is serving a bedroom. As mentioned before, bedrooms have a lower requirement for daylight and it is considered that the impact to this property would be minor and would not warrant refusal.

Sunlight

One of the windows is this property will be affected. The room that this room serves has another window, and when the sunlight is looked at from both these windows the room would be fully compliant. *74 Reculver Road*

Daylight

- 297 In total, 3 out of 4 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%). One window that do not meet the BRE Guidelines, is serving a bedroom. As mentioned before, bedrooms have a lower requirement for daylight and it is considered that the impact to this property would be minor and would not warrant refusal.

Sunlight

There would be one window that would be affected by the Proposed Development. This window is served by another window, taking this inform consideration, the room would be fully compliant with the levels of sunlight. *2a Alpine Road*

Daylight

- 298 In total, 7 out of 7 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%).

Sunlight

299 The sunlight impact to this property, as a result of the Proposed Development, are fully complaint with the aspirations of the BRE Guide.

25-58 – Sketchley Gardens

Daylight

300 In total, 58 out of 62 windows assessed meet the BRE Guidelines baseline criteria or ATC for VSC (mid-teens of at least 15%).

301 Therefore, there are four windows do not meet the BRE Guidelines. Two of those windows serve bedrooms W1 at No 50 Sketchy Gardens and W1 at No 51 Sketchy Gardens. As mentioned before, bedrooms have a lower requirement for daylight and it is considered that the impact to this property would be minor and would not warrant refusal.

It is noted that the remaining two rooms, W2 No 50 Sketchy Gardens and W1 at No 51 Sketchy Gardens would be served by another windows which has a low reduction in daylight received. Taking the above into consideration officers deem that the impact to this property as whole to be minor.

Sunlight

302 The sunlight impact to this property, as a result of the Proposed Development, are fully complaint with the aspirations of the BRE Guide.

Overshadow

303 The shadow study demonstrates the impact of the development on the 21 March, June and December. Having considered all neighbouring and external residential amenity areas including balconies, front gardens and rear gardens and internal amenity area, the information submitted suggests that the neighbouring properties benefit from 2 hours of sun to their centre following the completion of the development.

304 Officers note that the shadow that occur from proposed development is not materially worse than it would be expected from the mirrored massing. Furthermore, any massing tends to fall on areas already overshadowed by massing on the neighbouring buildings. As such, the proposed development would not have a significant effect on overshadowing of the area.

Conclusion

305 The conclusion of the report stated that the majority of the surrounding properties do not experience substantial adverse effects and are therefore acceptable within the BRE Guidelines. In areas where the shortfall have been identified, it is considered that the design is supportable as any derogations would not be inconsistent with what is expected to line in locations like this one. While there are some impacts on the existing building in the area, this needs to be weights up against material benefits of the proposed development. Given the overall benefits of the scheme officers consider that development will bring a high quality development that offers public realm improvement to the local area. On balance view, it is considered that the proposal would not result in a harm to neighbour amenity that would warrant a reason for refusal.

7.7.4 Noise and disturbance

Policy

- 306 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 noise pollution. Development should help to improve local environmental conditions. Para 180 states decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 307 The NPPG states LPAs should consider noise when new developments may create additional noise.
- 308 The objectives of the NPPF and NPPG are reflected in LPP 7.15, Draft LPP D1,D12 and D13, CS Objective 5 and DMP 26.

Discussion

- 309 Concern have been raised in noise disturbance during construction. Officers recognise that during implementation of the development there would be a significant amount of noise and disturbance from construction related activity including vehicular traffic. Traffic has been discussed in the transport section of this report and the impact has been deemed to be acceptable.
- 310 Construction related noise and activity cannot be avoided when implementing a development of this nature and scale. This is a relatively short-term impact that can be managed as much as practically possible through measures such as a Construction Management Plan (CMP) and control of construction hours. On balance subject to control of the CMP via condition it is not considered appropriate or reasonable to raise an objection to the proposal on the grounds of harm to neighbouring amenity from construction related activity.
- 311 The surrounding area is predominantly residential, and the proposed development would provide mix-use development. Once operational it is not considered that the proposal would have an unacceptable adverse impact on neighbouring amenity by way of noise and disturbance. The proposed commercial uses would be required to be adequately insulated against noise by a planning condition. On this basis it is considered that the proposals would not result in a materially harmful increase in noise or disturbance.
- 312 Any noise or dust associated with construction would be controlled by the relevant environmental health and building control statutory protections. To ensure that construction is undertaken in a manner that does not affect the wider highway and utilises best practice a condition requiring the submission to the LPA for approval of a construction management plan should be imposed were the application to be approved.

7.7.5 Impact on neighbours conclusion

- 313 The proposed development would be constructed on a vacant site. As such, the impact on the adjoining properties is unavoidable to a degree, and should be mitigated through design to an acceptable impact taking account local existing and emerging context. Officers are of view, given the technical analysis provided in the Daylight and Sunlight report Officers are satisfied that the proposal would not have significant adverse daylight, sunlight and overshadowing effects to neighbouring properties.

7.8 SUSTAINABLE DEVELOPMENT

General Policy

314 NPPF para 148 sets an expectation that planning will support transition to a low carbon future. This is reflected in relevant policies of the London Plan and the Local Plan.

7.8.1 Energy and carbon emissions reduction

Policy

315 London Plan covers the mitigation of and adaptation to climate change and the management of natural resources.

316 LPP 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy - (1) be lean: use less energy; (2) be clean: supply energy efficiently; and (3) be green: use renewable energy..

317 LPP 5.5 and 5.6 require consideration of decentralised energy networks and LPP 5.7 requires the use of on-site renewable technologies, where feasible, to reduce CO2 by at least 20 per cent. Of note is that residential buildings must now be carbon zero, and non-domestic buildings must comply with the Building Regulations in terms of their carbon dioxide emissions.

318 The London Plan approach is reflected in CSPs 7 and 8 (which also requires BREEAM 'Excellent' for non-residential development) and DMP 22.

319 Further guidance is given in The Mayor's Sustainable Design and Construction SPG (April 2014), which sets out targets and provides guidance as to how to achieve those targets as efficiently as possible.

Discussion

320 An Energy Statement and Sustainability Assessment based on the Mayor's hierarchy have been submitted. These report sets out the measures that would be taken to reduce carbon emissions in compliance with the energy hierarchy.

Be Lean (use less energy)

321 A range of passive and active energy efficiency measures are to be employed within the development. These include solar control glazing, improved air tightness, reducing the need for artificial lighting among the others.

Be Clean (supply energy efficiently)

322 The London Plan policy 5.5 states The Mayor expects 25 per cent of the heat and power used in London to be generated through the use of localised decentralised energy systems. Policy 5.6 of the London Plan states that development proposals should evaluated the feasibility of Combined Heat and Power (CHP) Systems in relation to the energy hierarchy:

1. Connection to existing heating or cooling networks;
2. Site wide CHP network;
3. Communal heating and cooling.

323 The provision of individual boilers to each units is now no longer desirable in terms of reducing carbon emissions from housing. Therefore a revised energy strategy is sought to be secured by condition which would require the applicant to explore a communal heating network, this approach for a revised energy strategy has been accepted previously on other schemes such as 1 Creekside.

- 324 The site is situated close to the South East London Combined Heat and Power plant (SELCHP) which is an existing heat network supplied by heat from an 'Energy from Waste' facility. Sustainability Statement mentioned that no assessment has been made to identify and demonstrate how and if the application site could connect to the anticipated South East London Combined Heat and Power Heat Network (SELCHP).
- 325 It is considered that this connection and ability to connect should be further explored, as this would help to use waste heat from this emerging heat network, further reducing on site carbon emissions. This would be secured by planning obligation as is in the case on all major developments in the vicinity.

Be Green (low or carbon zero energy)

- 326 A number of renewable technologies such as photovoltaic array connected to the domestic units and air source heat pumps proposed for the non-residential units within the scheme.
- 327 Green roofs are proposed across all roof spaces. The applicant has not submitted any information about the design of the green roof. Details including sections, details of proposed substrate, plant species and management and confirmation that the roofs shall not be used as outdoor amenity spaces will be secured by condition prior to the development starting on site.

Carbon Offset

- 328 Energy Statement identifies that to achieve 'zero carbon' status the remaining regulated CO2 emissions following the application of the energy hierarchy set up above must be offset through a payment contribution. A carbon off-set financial contribution of £188,540 will therefore be required to achieve compliance with Policy 5.2 of the London Plan. This would be secured by Section 106 Agreement with a mechanism that if carbon savings are increased with a revised energy strategy that this payment would be reduced.

BREEAM

- 329 A BREEAM Pre-Assessment has been submitted by the Applicant. This demonstrates that the commercial unit could achieve BREEAM 'Excellent' as required by Core Strategy Policy 8 and DM Policy 22. It is therefore recommended that a condition is attached requiring that the commercial units achieve this standard.

7.8.2 Overheating

Policy

- 330 LLP 5.9 states that proposals should reduce potential overheating beyond Part L 2013 of the Building Regulations reduce and reliance on air conditioning systems and demonstrate this in accordance with the Mayor's cooling hierarchy. Draft LPP S114 echoes this.
- 331 DMP 22 reflects regional policy. DM Policy 32 outlines a presumption against single aspect units to, amongst other factors, help prevent overheating.
- 332 Further guidance is given in the Sustainable Design and Construction SPG (GLA) and Chapter 5 of the London Climate Change Adaptation Strategy.
- 333 The Building Regulations Part F: Ventilation control the construction of buildings in England.

Discussion

- 334 The Overheating Risk Assessment has been included in Energy Statement, prepared by Green Build Consult.
- 335 The assessment demonstrated that the potential risk of overheating would be mitigated by incorporating the passive design measures within the building, including cross ventilation on all units which are dual and triple aspect. However, it should be noted that in more stringent weather scenarios some of the spaces would be at high risk of overheating during summer months. Whilst the non-domestic spaces are proposed to have mechanical cooling systems, provision for retrofitting active cooling has been included within the ceiling spaced of the domestic units within the proposed design in order to future-proof the building against the impacts of climate changed. This would be secured by a planning condition.
- 336 The development proposals will therefore prevent overheating in a passive manner and will provide a good standard of accommodation for future occupants.

7.8.3 Flood Risk

Policy

- 337 LPP 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. LPP 7.13 expects development to contribute to safety, security and resilience to emergency, including flooding.
- 338 CSP 10 requires developments to result in a positive reduction in flooding to the Borough.
- 339 Further guidance is given in the London Plan's Sustainable Design and Construction Supplementary Planning Guidance.

Discussion

- 340 Flood Risk Assessment & Drainage Strategy, prepared by Ardent, dated May 2020, have been submitted to support this planning application.
- 341 The application site is located within Flood Risk Zone 3 (high probability of flooding) but benefit from flood protection as demonstrated on Environmental Agency flood map. The Tidal Flood defences along the River Thames are in a good condition and provide protection for the site to the 1 in 1,000-year level. There remain a residual risk of flooring at the application site because of defences being breached or overtopped.
- 342 A sequential approach to development has been followed, with less vulnerable commercial land uses occupying the ground and first floor level of the building and more vulnerable residential uses at second floor and above.
- 343 On the basis of the above, it is considered that the scheme is acceptable in terms of flood risk, subject to the appropriate information being secured by condition and planning obligation.

7.8.4 Sustainable Urban Drainage

Policy

- 344 The NPPF at para 165 expects major development to incorporate sustainable urban drainage systems (SUDS) unless there is clear evidence it is inappropriate.
- 345 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. The supporting text to the policy recognises the contribution 'green' roofs can make to SUDS. The hierarchy within LPP 5 establishes that development proposals should include 'green' roofs and that Boroughs may wish to develop their own green roof policies. To this end, CSP 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which in effect, comprise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity for bio-diversity.
- 346 Further guidance is given in the London Plan's Sustainable Design and Construction Supplementary Planning Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems.

Discussion

- 347 As mentioned above, the application is accompanied Flood Risk Assessment & Drainage Strategy, prepared by Ardent, dated May 2020
- 348 The application site is currently occupied by concrete hardstanding. The proposed development would result in a small reduction in the impermeable area of the application site since the layout includes approximately 120sqm of landscaped/planted areas.
- 349 The applicant proposes to include green roofs to all proposed building. The storage provision within the green roof would help manage surface water. The proposed tanks would provide storage for the 1 in 100 years storm event plus 40% allowance for climate change. This is considered appropriate.
- 350 The surface water drainage system will be designed for the 1 in 100 year plus 40% allowance for climate change storm event. In accordance with the London Plan, EA guidelines, the SFRA, and CIRIA documents, surface water run-off should be managed as close to its source as possible. The London Plan states that all new developments should aim to reduce run-off to Greenfield rates "utilising SUDS unless there are practical reasons for not doing so". This is in line with the Draft London Plan.
- 351 The Council's Lead Local Flood Officer has no objection to the proposal subject to inclusion of recommended planning condition which officers agree with.

7.8.5 Sustainable Infrastructure conclusion

- 352 The proposed development on balance contributes to sustainable development, providing an improvement beyond the present performance of the site. Future occupiers would not be exposed to unacceptable risk associated with flooding.

7.9 NATURAL ENVIRONMENT

General Policy

- 353 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 354 The NPPF (chapter 15) and NPPG promote the conservation and enhancement of the natural environment and set out several principles to support those objectives. The NPPF at para 180 states that 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.

- 355 LPP 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.

7.9.1 Ground pollution

Policy

- 356 LPP 5.21 advises that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination.

Discussion

- 357 Desk Study Report, prepared by Geotechnical & Environmental Associates Limited (GEA), have been submitted in supports of this application The report finds that the site has not had a potentially contaminative history and that the site presents low risk of significant contamination.
- 358 Having said that, the report recommends that ground investigation be undertaken to allow the risks associated with any potentially contaminated soils that may be present on the site to be determined. The ground investigation should also confirm the ground conditions and to provide parameters for pile design.
- 359 Officers consider that there is sufficient information to establish that the development is not likely to cause harm in terms of contamination to justify refusal of planning permission. This is subject to condition requesting that ground investigation along with remediation works and verification is undertaken prior to development starting at the site.

7.9.2 Air pollution

Policy

- 360 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.
- 361 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.
- 362 LP7.14 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 LP SI1 echoes this.
- 363 Further guidance is given in the Mayor of London's Air Quality Strategy.
- 364 Core Strategy Policy 7: Climate change and adapting to the effects, Core Strategy Policy 9 and DM Policy 23 provide the local plan policy basis for assessing development proposals.

- 365 The Council's Air Quality Management Plan identifies AQMA3 Deptford to be an area where exceedances of vehicle emissions PM10 particles and NO2 have been modelled to be present. Air quality is actively monitored in the area as a whole.

Discussion

- 366 Air Quality Assessment, prepared by Hawkins Environmental Limited have been submitted in support of the application.

- 367 The scoping stage has determined that due to the size of the development, a full assessment of the impacts of the proposed development on local air quality is not required. Emissions for both Transport and Buildings have been calculated and compared to their respective benchmarks to determine whether or not the proposed development can be considered "Air Quality Neutral" in line with the London Plan's Sustainable Design and Construction SPG. The proposed development is to be heated and cooled using air source heat pumps, therefore there will not be any building emissions associated with the proposed development. As a result, the development can be said to be "air quality neutral" from a building perspective without the need for further calculation.

Construction

- 368 With regards to the impacts of construction on air quality, the site is considered a "Medium Risk Site" in respect of earthworks and construction and a "Low Risk Site" in respect of trackout. It is therefore considered a "Medium Risk Site" overall. The IAQM guidance provides a list of potential mitigation measures recommended based upon the risk of the site. For all sites that are a "Medium Risk Site" or higher, a Dust Management Plan is highly recommended and should incorporate the relevant mitigation measures. Officers consider that there is sufficient information to establish that the development is not likely to cause harm in terms of air pollution provided that suggested measures are incorporated. This will be secured by a planning permission.

7.9.3 Water quality

Policy

- 369 Policy 5.14 of the London Plan states that Development proposals must ensure that adequate wastewater infrastructure capacity is available in tandem with development. It states that proposals that would benefit water quality, the delivery of the policies in this Plan and of the Thames River Basin Management Plan should be supported while those with adverse impacts should be refused

Discussion

- 370 The proposed development aims to reduce water consumption to less than 105 litres per person per day using water efficient fittings.
- 371 It is proposed that the foul water from the proposed development will discharge via the existing connection to the Thames Water public sewer. It is understood that capacity exists in the Thames Water sewer network to discharge the expected foul and surface water flows from the proposed development. Thames Water have not objected to the proposed development.

372 On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application.

7.9.4 Waste

Policy

373 LPP 5.18 seeks to minimise waste, and among other things exceed recycling and reuse level in construction, excavation and demolition waste of 95% by 2020. The Mayor of London's Sustainable Design and Construction SPF (2014) makes it clear that developers should maximise the use of existing resources and materials and minimise waste through the implementation of the waste hierarchy.

374 CSP 13 supports the London Plan policy, stating that Council will require all new major development of at least 1,000sqm or 10 dwellings to submit and implement a site waste management plan (SWMP), design the development in a manner to incorporate the existing and future long-term needs of waste management and disposal and achieve recycling and reuse levels in construction, excavation and demolition waste of 95% by 2020 according to the requirements of the London Plan.

Discussion

375 Details of material procurement measures, including consideration of off-site manufacture processes reuse of materials on site and smart procurement methods in the local area are included in the submitted Construction Logistics Plan prepared by Ardent Consultation Engineers. It is recommended that this be secured by condition.

376 In terms on on-site waste the proposed development would benefit from allocated space for communal recycling.

7.9.5 Natural Environment conclusion

377 The applicant has demonstrated that the proposals will safeguard both the natural environment and the health of surrounding residents and future residents of the proposed development

8 LOCAL FINANCE CONSIDERATIONS

378 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

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

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

380 The CIL is therefore a material consideration.

381 £606,796.75 (residential £450,706.56 and all other uses £156,090.19) Lewisham CIL and £298,691.43 (residential £208,451.79 and all other uses £90,239.64) MCIL is estimated to be payable on this application, subject to any valid applications for relief or

exemption, and the applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

9 EQUALITIES

382 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.

383 In summary, the Council must, in the exercise of its function, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and persons who do not share it.

384 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.

385 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>

386 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty
- Equality objectives and the equality duty
- Equality information and the equality duty

387 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>

388 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 there is no on equality.

10 HUMAN RIGHTS IMPLICATIONS

389 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
- Article 9: Freedom of thought, belief and religion
- Protocol 1, Article 1: Right to peaceful enjoyment of your property
- Protocol 1, Article 2: Right to education

390 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.

391 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.

392 This application has the legitimate aim of providing a new building with employment and residential uses. The rights potentially engaged by this application, including respect for your private and family life, home and correspondence are not considered to be unlawfully interfered with by this proposal.

11 LEGAL AGREEMENT

393 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

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

394 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.

395 Draft Heads of Terms:

396 *Finical obligations*

- CPZ consultation and implementation - £15,000 payable upon commencement
- The contribution for the lighting under the railway arch adjacent to the southeast of £41,630, add a clause that if the installation of lighting is less than predicted the applicant could get a refund
- Financial contribution towards apprentice scheme, payable upon commencement - £42,432.33
- £187,200.00 payable upon substantial completion carbon off –set

Other local obligations

Housing

- 34.4% affordable housing by unit and 42% by habitable room.
- Early Stage Review to re-assess viability should the scheme not be substantially implemented within 2 years from the date of permission
- Affordable housing mix: The mix of such units to be as follows:

Affordable Housing Mix			
Unit Type	Social Rent (LAR)	Intermediate - Shared ownership	
1B2P	5		
2B3P		6	
2b/4P		2	
3B4P	2		
3B5P	6		
Total units (% of overall scheme)	13 (21%)	8 (13%)	21 (34.4%)
Total habitable rooms (% of overall scheme)	50 (28%)	24 (14%)	74 (42%)

Transport and public realm

- Future residents not to be eligible to obtain parking permits
- Travel plans residential and commercial.
- Delivery and Servicing Management Plan monitoring and management
- Cycle Parking Management Plan with mechanisms to review. Management Plan would be required to include a process to monitor the uplift of both long and short stay parking, which can respond to any uplift in demand with the provision of new spaces, particularly when any change of use within the commercial units occurs in the future.
- Section 278 public realm improvements and highway works to include:

- Provision of two loading bays on Silwood Street with associated restrictions
 - Dropping a kerb from Silwood Street create access to disabled car parking spaces
 - Reinstatement / improvement works to the footways adjacent to the site, on Bolina Street, and the provision of dropped kerbs/tactile paving
 - Traffic Regulation Order (TRO) for loading bays
 - Any necessary repair works to the footway and carriageway of Silwood Street along the specified construction vehicle routes and in front of the development site in the instance that this is damaged during construction.
- Delivery and Servicing Plan to secure the following:
 - A monitoring strategy in relation to servicing activities at the site
 - Include an obligation to meet the cost of increased provision of on-street loading space on Silwood Streets (if demand is greater than predicted)

Employment & Training

- A local labour and business strategy including monitoring
- Provision stopping the applicant from applying for a change of use to residential on any of the commercial spaces.

Community use

- Community access agreement and rates

Delivering sustainable new floorspace

- Developer to undertake initial fit-out of the commercial unit and community space prior to any occupation of the residential unit to include:
 - Service connections for gas, electricity, water and foul drainage;
 - Provision for telecommunication services and high speed broadband;
 - Wall and ceiling finishes;
 - Wheelchair accessible entrances;
 - Screed floors;
 - Glazing solution.

Community space

- Developer to undertake initial fit-out of the community space prior to any occupation of the residential unit to include:
 - Service connections for gas, electricity, water and foul drainage;
 - Provision for telecommunication services and high speed broadband;
 - Wall and ceiling finishes;
 - Wheelchair accessible entrances;
 - Screed floors;
 - Glazing solution.

Energy and heating

- Future connection to SELCHP heat network line. At a minimum the Council would accept ductwork to the boundary edge

Fire Fighting

- Undertaking be given that access for fire appliances as required by Part B5 of the current Building Regulations Approved Documents and adequate water supplies for firefighting purposes will be provided.

397 Officers consider that the obligations outlined above are appropriate and necessary in order to mitigate the impacts of the development and make the development acceptable in planning terms. Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

12 CONCLUSION

398 This application has been considered in the light of policies set out in the development plan and other material considerations.

399 The proposed development would provide a mixed-use employment-led scheme that would make a significant positive contribution to the Borough in terms of employment and residential provision. This site will offer high quality commercial units in that could provide home to a variety of small businesses which contribute to the established nearby by commercial area.

400 The proposed development would deliver a high quality mix-use development that is employment led on a brownfield site which is currently vacant. It has been demonstrated to the satisfaction of officers that the proposed development would provide a substantial uplift in housing at an appropriate density for a site. Housing that would be provided would have an appropriate dwelling mix and tenure split with a high-quality standard of residential accommodation provided for all potential future occupiers providing a substantial number of high-quality new homes within the Borough. This public benefit is afforded substantial weight by officers.

401 The proposed buildings would be of high quality of design and would cause no harm to the wider area. The finishing materials would be robust and sensitive to the context of the area ensuring that the scheme relates satisfactorily to both the existing and the emerging character of the area.

402 The development would provide sufficient size of internal accommodation and private outdoor amenity space, outlook, privacy and other aspects contributing to an acceptable standard of residential accommodation. The landscaping strategy would responds well to the existing natural environment.

403 The proposal would not result in harm to the local highway network or pedestrian or highway safety subject to the imposition of conditions and financial contributions. Officers consider this should be afforded considerable weight In light of the proposed public benefits of the development.

404 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.

405 In line with the requirements of the NPPF, the council has applied the presumption in favour of sustainable development. The proposed development would accord with sustainable principles and would make efficient use of the land to deliver a high quality development that is in accordance with the council's aspirations for the area . It is therefore recommended that planning permission is granted.

13 RECOMMENDATION

406 Authorise officers to negotiate and complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the principal matters set out in Section 11 of this report, including such other amendments as considered appropriate to ensure the acceptable implementation of the development.

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

13.1.1 CONDITIONS

1) FULL PLANNING PERMISSION TIME LIMIT

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

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

2) LIST OF APPROVED PLANS

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

SSB-P001-S2-P0; SSB-P010 S2-P0; SSB-P050-S2-P0; SSB-P100-S2-P0; SBB-P101-S2-P0; SBB-P102-S2-P0; SBB-P103-S2-P0; SBB-P104-S2-P0; SBB-P105-S2-P0; SBB-P106-S2-P0; SBB-P107-S2-P0; SBB-P108-S2-P0; SBB-P109-S2-P0; SBB-P200-S2-P0; SBB-P201-S2-P0; SBB-P202-S2-P0; SBB-P203-S2-P0; SBB-P204-S2-P0; SBB-P205-S2-P0; SBB-P206-S2-P0; SBB-P207-S2-P0; SBB-P208-S2-P0; SBB-P209-S2-P0; SBB-P210-S2-P0; SBB-P211-S2-P0; SBB-P300-S2-P0; SBB-P301-S2-P0; SBB-P302-S2-P0; SBB-P303-S2-P0; SSB-P500-S2-P0; SSB-P501-S2-P0 received 22 May 2020; DC/20/116783 received on 18 August 2020; DC/20/116783 received on 18 August 2020.

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

3) SITE CONTAMINATION

(a) No development shall commence until each of the following have been complied with:-

- (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
- (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination. encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.
- (iii) The required remediation scheme implemented in full.

- (b) If during any works on the site, contamination is encountered which has not previously been identified ("the new contamination") the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

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

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

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

4) **GAS TESTING**

No development shall commence until the application site is investigated for landfill gas to the satisfaction of the Local Planning Authority, to ascertain whether gas protection measures are required. Where measures are required, the details shall be submitted to and approved in writing by the local planning authority. The required remediation scheme implemented in full.

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

5) **CONSTRUCTION MANAGEMENT**

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

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process

- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - i. Rationalise travel and traffic routes to and from the site.
 - ii. Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - iii. Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

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

6) **Dust Management Plan Condition**

Prior to the commencement of development, a Dust Management Plan (DMP), based on an AQDRA (Air Quality and Dust Risk Assessment), shall be submitted to and approved, in writing, by the local planning authority. The DMP shall be in accordance with The Control of Dust and Emissions during Construction and Demolition SPG 2014. The DMP will need to detail the measures to reduce the impacts during the construction phase. The development shall be undertaken in accordance with the approved plan.

Reason: To manage and prevent further deterioration of existing low quality air across London in accordance with London Plan policy 5.3 and 7.14, and NPPF 181.

7) **PILING DESIGN**

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

7) **MATERIALS**

No development of the relevant part of the development above ground shall take place on site until a detailed schedule and specification/samples of all external materials and finishes to be used on the buildings 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.

2m/2m sample panel(s) shall to be constructed to detail the following:

- All brickwork
- Coping
- All windows/doors
- Metal mesh
- Material and detail used for balconies, soffits and railing

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

8) **ARCHITECTURAL DETAIL**

(a) Notwithstanding the details hereby approved, no development prior to completion of the superstructure shall commence for any phase of the development until detailed plans showing residential entrance, balustrade to terraces, window detail, metal mesh detail have been submitted to and approved in writing by the local planning authority

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

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

9) **REVISED ENERGY STRATEGY**

Prior to commencement of development works hereby approved, a new Energy Statement shall be submitted to and agreed in writing by a local planning authority. The new Energy Statement shall focus on creating a CIBSE CP 1.1 compliant communal heating system, removal individual gas boilers and updating overheating analysis. The strategy contained within the assessment shall be implemented in full as approved and maintained thereafter unless otherwise agreed in writing.

Reason: In order to comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy of the London Plan (2016) and Policy 7 Climate change and adapting to the effects and Policy 8 Sustainable design and construction and energy efficiency of the Lewisham Core Strategy (2011).

10) **SOFT LANDSCAPING**

(a) No development above ground level shall take place until detail design proposal for soft landscaping is submitted and approved by the local planning authority. The soft landscaping scheme should include the following:

1. location, number, species, size for the proposed plans
2. Information on how the proposed trees would be planted
3. Management and maintenance of the landscaping for a period of five years

- (b) The information must elaborate on that set out in the Landscape Statement dated 2020 prepared by Turkington Martin and Design and Access Statement (ref: SSB-P601-S2-P0) prepared by Stephen Davy Peter Smith Architects.
- (c) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

11) **HARD LANDSCAPING (excluding Section 278 works)**

- (a) No development above ground level shall take place until detailed design proposals have been submitted to the local planning authority for their approval, to elaborate on that set out in the Landscape Statement dated 2020 prepared by Turkington Martin and Design and Access Statement (ref: SSB-P601-S2-P0) prepared by Stephen Davy Peter Smith Architects.
- (b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

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

12) **LIVING ROOF**

- (a) No development above ground level shall take place until detailed design for biodiversity living roof is submitted and approved by the local planning authority.
- (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved. The living roof must be kept in accordance with the approved detail under part (a).

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

13) **SECURE BY DESIGN**

No development above ground level shall take place until detailed of security measures is submitted to and approved by local planning authority and any such security measures that have been agreed shall be implemented prior to occupation in accordance with the approved details which shall be in line with the standards set out by Secure by Design.

Reason: To ensure that the development has been designed in the interest of the safety and security of persons using the area and to meets Secure By Design as required by the Metropolitan Police.

14) **BREEAM (COMMERCIAL UNITS)**

- (a) The buildings hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) Prior to any works above ground level of the superstructure a Design Stage Certificate for each building (prepared by a Building Research Establishment qualified Assessor) shall be submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the buildings, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

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

15) **FIXED PLANT NOISE CONTROL**

- (a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.
- (b) No development above ground level shall commence until details of a scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.
- (c) The development shall not be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

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

16) **FLOOD RISK ASSESSMENT**

Prior to commencement of groundworks (excluding site investigations and demolition), the applicant must submit a final detailed drainage design including drawings and supporting calculations including those for the Greenfield runoff volumes to the Lead Local Flood Authority for review and approval, aligned with the Flood Risk Statement & Drainage Strategy Report Reference No. 194030-05B and

associated drawings. The total site area (0.25 ha) instead of the impermeable area (0.238 ha) must be used in the Microdrainage calculations to account for the saturation of landscaped areas. The drainage drawing 194030/001 Rev. B submitted with the application shall be revised to show the exceedance routes and directions of all surfaces including soft landscaped surfaces to account for saturation, alongside comments from the engineer regarding any excess volume of surface water in the 1 in 100 year flood event + 40% for climate change. A detailed management plan confirming routine maintenance tasks for all drainage components must also be submitted to demonstrate how the drainage system is to be maintained for the lifetime of the development.

Reason: To prevent the risk of flooding to and from the site in accordance with relevant policy requirements including but not limited to London Plan Policy 5.13, its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Lewisham Council's Core Strategy Policy 10.

17) DELIVERY AND SERVICE PLAN

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

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

18) MECHANICAL VENTILATION SYSTEM

Prior to completion of the building shell full details of the proposed mechanical ventilation strategy shall be submitted to the local planning authority for their approval, to include detailed drawings of venting locations on the elevations.

Reason: To ensure that space below second floor level is adequately vented to ensure a clean air supply in order to comply with DM Policy 23: Air Quality and also to ensure that the visual impact of the venting system complies with Policy DM 30: Urban design and Local character of the Development Management Local Plan 2014.

19) WELFARE/CHANGING FACILITIES (COMMERCIAL USES)

- (a) Prior to completion of super-structure details of the proposed cycle welfare facilities (showers, lockers, changing rooms and maintenance space) to provide for the needs of the use class E workspace within the development shall be submitted for the approval of the planning authority;
- (b) The facilities shall be provided strictly in accordance with the approved details.

Reason: In order to ensure adequate provision for cycle parking and to comply with the London Plan and London Cycling Design Standards, and Policy 14: Sustainable movement and transport of the Lewisham Core Strategy (2011).

20) **SUSTAINABLE DRAINAGE**

No building hereby permitted shall be occupied until evidence (photographs and installation contracts) is submitted to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components.

Reason: To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework (Paragraph 103), the London Plan (Policies 5.12 and 5.13) along with associated guidance to these policies and Lewisham Council's Core Strategy Policy 10.

21) **OPERATING AND OPENING HOURS**

The café/retail shop hereby approved shall only be open for business between the hours of 07:00-23:00 hours Monday-Sunday.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 127 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, DM Policy 11 other employment locations of the Development Management Local Plan (November 2014).

22) **NON ROAD MOBILE MACHINERY (NRMM) CONDITION**

All Non Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases of the development shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance 'Control of Dust and Emissions During Construction and Demolition' dated July 2014 (SPG) or any subsequent guidance and an inventory on site and/or online, as appropriate, shall be kept at all times.

Reason: To manage and prevent further deterioration of existing low quality air across London in accordance with London Plan policy 5.3 and 7.14, and NPPF 181.

23) **SOUNDPROOFING**

- (a) The party floors, particularly between the commercial and residential areas shall be constructed to exceed the performance standards of the Building Regulations Part E by at least 5-10dm. The soundproofing shall be retained permanently in accordance with the approved details.
- (b) Should the future commercial tenants wish to operate at higher noise level than the construction specified, no development shall happen until detail of sounds insulation measures shall be submitted to and approved in writing by the local planning authority. The approved soundproofing shall be retained permanently in accordance with the approved details.

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

24) WHEELCHAIR UNITS

- (a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified below:
 - i. 6 units shall meet M4 (3) 'wheelchair user dwellings'
 - ii. All other units shall meet standard M4 (2) 'accessible and adaptable dwellings'
 - iii. No part of the development shall be occupied until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with paragraph (a) of this condition.
- (b) The development shall be carried out in accordance with the requirements of (a) paragraph (i) to (iii) of this condition.

Reason: In order to ensure an adequate supply of accessible housing in the Borough in accordance with Policy 3.8 Housing choice of the London Plan (2016), Policy 1 Housing provision, mix and affordability and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

25) CYCLE PARKING PROVISION

- (a) A minimum of 128 long-stay cycle parking spaces secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved, and an additional 20 short stay parking spaces provided in accordance with the development as indicated in the plans.
- (b) Prior to first occupation of the relevant part of the development full details of the cycle parking facilities must be submitted to and approved in writing by the local planning authority. The distribution of the cycle parking spaces within the building between employment and residential to be compliant with the London Plan standards;
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the relevant part of the development and maintained thereafter.

Reason: In order to ensure adequate provision for cycle parking and to comply with the London Plan and London Cycling Design Standards, and Policy 14: Sustainable movement and transport of the Lewisham Core Strategy (2011).

25) **REFUSE AND WASTE STORAGE**

The refuse and waste storage shall be provided within the development as indicated on the plans hereby approved and it shall be retained in accordance with the approved plan in perpetuity.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse disposal, storage and collection, in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

26) **IMPLEMENTATION OF LANDSCAPING SCHEME**

All planting, seeding or turfing comprised in the landscaping scheme hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

27) **RETENTION OF AMENITY SPACE**

The whole of the amenity space (including communal garden, roof terraces and balconies) shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

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

28) **NO EXTERNAL PLUMBING OR PIPES**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the building(s).

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

29) **SATELLITE DISHES AND ANTENNA**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that

Order), no satellite dishes shall be installed on the elevations or the roof of the building, without the prior written consent of the local planning authority.

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

13.2 INFORMATIVES

A) **Positive and Proactive Statement**

The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion.

B) **Community Infrastructure Levy**

As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An 'assumption of liability form' must be completed and before development commences you must submit a 'CIL Commencement Notice form' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk>

C) **S106 Agreement**

You are advised that the approved development is subject to a Section 106 agreement. Please ensure that the obligations under the Section 106 agreement are addressed in accordance with the detail and timeframes set out in agreement. If you have any questions regarding the agreement or how to make a payment or submission required under the agreement, please contact the S106/CIL team on CIL@lewishamgov.uk

D) **Thames Water**

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. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the

Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Should you require further information please contact be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk

E) **Prior to Commencement Conditions**

The applicant is advised that conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 require details to be submitted prior to the commencement of works. This is to ensure that development is managed to ensure safety with construction, flood risk management and potential site contamination. Conditions 17, 18, 19, 20 need to be discharged prior to occupation of the development.