

SUPPLEMENTARY AGENDA 2 STRATEGIC PLANNING COMMITTEE

Date of Meeting: **WEDNESDAY, 13 JULY 2022 TIME 7.00 PM**

PLACE: **COUNCIL CHAMBER, CIVIC SUITE, LEWISHAM
TOWN HALL, CATFORD, SE6 4RU**

Members of the Committee are summoned to attend this meeting:

**Membership
Councillors:**

**Suzannah Clarke (Chair)
John Paschoud (Vice-Chair)
Peter Bernards
Will Cooper
Mark Ingleby
Louise Krupski
Jack Lavery
Jacq Paschoud
Aliya Sheikh
James-J Walsh**

The public are welcome to attend our committee meetings, however, occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

**Kim Wright
Chief Executive
Lewisham Town Hall
London SE6 4RU
Date: Date Not Specified**

**For further information please contact:
Committee Officer
5th Floor Laurence House
Catford Road SE6 4RU**

Email: committee@lewisham.gov.uk



SUPPLEMENTARY AGENDA 2

	Order Of Business		
Item No	Title of Report	Ward	Page No.
3.	<p>Sun Wharf, Creekside SE8 - DC/20/118229</p> <ul style="list-style-type: none">• Addendum to the report:<ul style="list-style-type: none">○ To provide minor updates to the Main Report with regard to sunlight/ daylight matters; river wall service charges; a covenant; an amendment to a planning condition; Noise, Vibration and Air Quality; and RB Greenwich comments. And○ Confirms the change in Ward from the former New Cross to Deptford.		1 - 6

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Committee	STRATEGIC PLANNING COMMITTEE (Addendum Report)	
Report Title	Sun Wharf, Creekside, SE8	
Ward	Deptford	
Contributors	Geoff Whittington	
Class	PART 1	13 July 2022

Reg. Nos. DC/20/118229

Application dated 3 September 2020

Applicant Bellway Homes Ltd and Peabody Development Ltd

Proposal Demolition of all existing buildings and comprehensive redevelopment to provide 3 new buildings ranging in heights of 3 to 19 storeys to provide 220 residential units (C3 Use Class) and 1,132sqm of commercial floorspace (Use Class E) plus 311sqm of commercial floorspace (Use Class E) in a container building, together with associated wheelchair accessible vehicle parking, cycle parking, landscaping, play areas, public realm, improvements to river wall and public riverside walkway and associated works at Sun Wharf, Creekside SE8.

Background Papers

- (1) Submission drawings
- (2) Submission technical reports and documents
- (3) Internal consultee responses
- (4) Statutory consultee responses
- (5) Design Review Panel responses

Designation

Site Allocations Local Plan – SA11
Opportunity Area
Mixed Use Employment Location
Creative Enterprise Zone
Cultural Quarter
Area of Archaeological Priority
Deptford Neighbourhood Forum
PTAL 3/4
Flood Risk Zone 3
Green Corridor
Waterlink Way
Adj Site of Nature Conservation Importance
Adj to Conservation Area
Air Quality Management Area

SUN WHARF ADDENDUM REPORT

1.0 INTRODUCTION

- 1.1 This report has been prepared to provide minor updates to the Main Report with regard to sunlight/ daylight matters; river wall service charges; a covenant; an amendment to a planning condition; Noise, Vibration and Air Quality; and RB Greenwich comments.
- 1.2 The Addendum also confirms the change in Ward from the former New Cross to Deptford.

2.0 Sunlight/ Daylight Report

- 2.1 Paragraph 573 is updated to refer to the number of habitable rooms within Broadside House considered as 'well lit', with 38no. replaced by 37.
 - For existing NSL values, of the 39 habitable rooms tested, 37 are currently above 80% well lit.
- 2.2 In regard to paragraph 595, reference to APSH relates to the living/ kitchen/ diners.
- 2.3 Paragraph 613 is replaced with:
 - In regard to sunlight, there are **two minor and one moderate** reductions in the APSH, whilst no units would fall below the 5% winter criteria.
- 2.4 For clarity, the 34 site facing windows referred to in para.617 relates to living room openings.
- 2.5 To align with the terminology in the ES submission, reference to 'significant' in para.620 will be replaced by 'greatest'.
 - The **greatest** VSC reductions would be to the nine south facing windows.
- 2.6 Also to align with the terminology in the ES, reference to 'minor' in para.639 will be replaced by 'minimal'.
 - In regard to the winter criteria, the majority of reduction are **minimal**. W7 at 1st floor would fall from 2% to 0% - it is noted there are four existing windows of 0%
- 2.7 Para 647 is updated to include reference to the Applicants undertaking a measured survey of Kent Wharf.
- 2.8 Comments have been received from some residents that the day/ sunlight assessments that have been undertaken by the Applicant are incorrect and falsified.
- 2.9 All Applicant submissions have been reviewed on behalf of the Council by Delva Patman Redler, who have advised that the methodology and conclusions reached by eb7 are acceptable.

- 2.10 In their previous Stage 1 response in 2019 for a withdrawn Sun Wharf planning application (DC/18/110290), the GLA raised daylight and sunlight concerns relating to the impact upon the Kent Wharf development.
- 2.11 The GLA have raised no similar daylight and sunlight issues with the current scheme in their 2020 Stage 1 response.

3.0 River Wall Service Charges

- 3.1 Paragraph 739 of the Committee report refers to the intention for service charges to be incurred by the private residential and commercial units toward the maintenance of the river wall structure. Further details of this have been requested by officers, however this has not been forthcoming to date.
- 3.2 Concern has been raised to the last condition survey of the existing river wall having been undertaken in 2017, and that elements of the wall could not be viewed at the time.
- 3.3 The Environment Agency have requested a planning condition that requires the Applicant to undertake an intrusive survey of the wall to establish its current condition. The outcome of this will inform whether the wall can be retained, or replaced either in part or entirely.
- 3.4 A further concern in regard to service charges has been raised if the existing wall is retained to some extent. Should a significant structural issue with the river wall arise in the future, Sun Wharf residents would be liable to incur the cost of potentially expensive repairs.
- 3.5 Officers have reviewed this issue with the Council's Legal team and the Environment Agency, and have established that the responsibility for the maintenance of a river wall falls upon the riparian owner, which it is to be assumed would be addressed in the owner's deeds.
- 3.6 This is a civil rather than a material planning matter.

4.0 Covenant

- 4.1 An excerpt of a 'Tenant's Covenants with the Management Company the Landlord and the Other Owners' has been provided by a Kent Wharf occupier, which states:

The Tenant covenants with the Landlord and covenants separately with the Management Company and the Other Owners as follows

11. Not to stop up darken or obstruct any windows or light belonging to the Property nor permit the same to be done.

- 4.2 The Covenant is with the Kent Wharf Management Company.
- 4.3 Officers have not had view of the full content of the Covenant, and are unaware of the reason for the para.11 wording. This is a civil matter between the relevant parties

to resolve, and is not a material planning consideration that should inform either the officer recommendation or the final decision of the current planning application.

5.0 Planning Condition

5.1 This addendum also includes a minor change to the wording of Condition (37)(b) to ensure that the approved works within the Ecological Masterplan will be implemented in full accordance prior to residential occupation of the development, and are retained thereafter:

- (b) The works that form part of the approved Ecological Masterplan shall be implemented in full accordance prior to first occupation, and shall be retained in perpetuity.

6.0 RB Greenwich Comments

6.1 The officer report in para.117 advises that the Royal Borough of Greenwich raise objections on the following grounds:

- No daylight/ sunlight assessment on residential buildings within Greenwich, including Saxon Wharf.

6.2 Saxon Wharf is a residential-led scheme within Greenwich fronting Deptford Creek on its eastern side. The development, which has not been implemented to date, would lie approximately 118m from the proposed Block B1. Considering the significant distance to Saxon Wharf, and other development within Greenwich with consent or resolution to grant, officers did not require the Applicants to undertake a further assessment of those sites.

7.0 Noise & Vibration and Air Quality

7.1 In response to concerns raised with regard to the validity of Noise and Vibration, and Air Quality, both topics have been reviewed by an independent consultant on behalf of the LPA. The assessments undertaken by the Applicant are considered acceptable, whilst Conditions requiring the submission of further details have been included.

8.0 RECOMMENDATION

Grant planning permission subject to:

- referral of the application and this Report and any other required documents to the Mayor for London (Greater London Authority) under Article 5 of the Town and Country Planning (Mayor of London) Order 2008 (Category 1C (1.(c)) of the Schedule of the Order) and;
- the prior completion of a Legal Agreement pursuant to Section 106 of the 1990 Act (and other appropriate powers) to secure the PLANNING OBLIGATIONS detailed in Section 10.

And to authorise:

- the Head of Law to negotiate and complete a legal agreement to cover among other things the matters.
- the Head of Planning is delegated authority to issue the planning permission and impose conditions (and informatives).
- the Head of Planning is delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by Committee.

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