

STRATEGIC PLANNING COMMITTEE

Date of Meeting: **TUESDAY, 17 NOVEMBER 2020 TIME 7.30 PM**

PLACE: **REMOTE - VIA MICROSOFT TEAMS - THE PUBLIC ARE WELCOME TO OBSERVE VIA THE COUNCIL'S WEBSITE AT WWW.LEWISHAM.GOV.UK**

Members of the Committee are summoned to attend this meeting:

**Membership
Councillors:**

**John Paschoud (Chair)
Leo Gibbons (Vice-Chair)
Kevin Bonavia
Andre Bourne
Suzannah Clarke
Liam Curran
Aisling Gallagher
Olurotimi Ogunbadewa
Sakina Sheikh
James-J Walsh**

The public are welcome to observe the meeting via the Council's website at www.lewisham.gov.uk

**Kim Wright
Chief Executive
Lewisham Town Hall
London SE6 4RU
Date: 9 November 2020**

**For further information please contact:
Jasmine Kassim, Senior Committee Manager
5th Floor Laurence House
Catford Road SE6 4RU**

**Telephone No: 0208 314 8577
Email: jasmine.kassim@lewisham.gov.uk**



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Committee	PLANNING COMMITTEE	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	Date:

Declaration of interests

Members are asked to declare any personal interest they have in any item on the agenda.

Personal interests

There are two types of personal interest :-

- (a) an interest which you must enter in the Register of Members' Interests*
- (b) an interest where the wellbeing or financial position of you, (or a "relevant person") is likely to be affected by a matter more than it would affect the majority of inhabitants of the ward or electoral division affected by the decision.

*Full details of registerable interests appear on the Council's website.

("Relevant" person includes you, a member of your family, a close associate, and their employer, a firm in which they are a partner, a company where they are a director, any body in which they have securities with a nominal value of £25,000 and (i) any body of which they are a member, or in a position of general control or management to which they were appointed or nominated by the Council, and (ii) any body exercising functions of a public nature, or directed to charitable purposes or one of whose principal purpose includes the influence of public opinion or policy, including any trade union or political party) where they hold a position of general management or control

If you have a personal interest you must declare the nature and extent of it before the matter is discussed or as soon as it becomes apparent, except in limited circumstances. Even if the interest is in the Register of Interests, you must declare it in meetings where matters relating to it are under discussion, unless an exemption applies.

Exemptions to the need to declare personal interest to the meeting

You do not need to declare a personal interest where it arises solely from membership of, or position of control or management on:

- (a) any other body to which you were appointed or nominated by the Council
- (b) any other body exercising functions of a public nature.

In these exceptional cases, unless your interest is also prejudicial, you only need to declare your interest if and when you speak on the matter .

Sensitive information

If the entry of a personal interest in the Register of Interests would lead to the disclosure of information whose availability for inspection creates or is likely to create a serious risk of violence to you or a person living with you, the interest need not be

entered in the Register of Interests, provided the Monitoring Officer accepts that the information is sensitive. Where this is the case, if such an interest arises at a meeting, it must be declared but you need not disclose the sensitive information.

Prejudicial interests

Your personal interest will also be prejudicial if all of the following conditions are met:

- (a) it does not fall into an exempt category (see below)
- (b) the matter affects either your financial interests or relates to regulatory matters
 - the determining of any consent, approval, licence, permission or registration
- (c) a member of the public who knows the relevant facts would reasonably think your personal interest so significant that it is likely to prejudice your judgement of the public interest.

Categories exempt from being prejudicial interest

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Effect of having a prejudicial interest

If your personal interest is also prejudicial, you must not speak on the matter. Subject to the exception below, you must leave the room when it is being discussed and not seek to influence the decision improperly in any way.

Exception

The exception to this general rule applies to allow a member to act as a community advocate notwithstanding the existence of a prejudicial interest. It only applies where members of the public also have a right to attend to make representation, give evidence or answer questions about the matter. Where this is the case, the member with a prejudicial interest may also attend the meeting for that purpose. However the member must still declare the prejudicial interest, and must leave the room once they have finished making representations, or when the meeting decides they have finished, if that is earlier. The member cannot vote on the matter, nor remain in the public gallery to observe the vote.

Prejudicial interests and overview and scrutiny

In addition, members also have a prejudicial interest in any matter before an Overview and Scrutiny body where the business relates to a decision by the Executive or by a committee or sub committee of the Council if at the time the decision was made the member was on the Executive/Council committee or sub-committee and was present when the decision was taken. In short, members are not allowed to scrutinise decisions to which they were party.

Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	MINUTES	
Ward(s)	New Cross and Evelyn	
Contributors	Committees/Planning	
Class	PART 1	Date 9 NOVEMBER 2020

MINUTES

To consider and approve the Minutes of the meeting of the Strategic Planning Committee held on 14 October 2020.

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MINUTES OF THE STRATEGIC PLANNING COMMITTEE

Wednesday, 14 October 2020 at 7.30 pm

PRESENT: Councillors John Paschoud (Chair), Leo Gibbons (Vice-Chair), Kevin Bonavia, Suzannah Clarke, Olurotimi Ogunbadewa, Sakina Sheikh and James-J Walsh.

ALSO PRESENT:

Legal Representative:

Charles Merrett, Francis Taylor Building – on behalf of Lewisham Council

Presenting Officers:

Service Group Manager, Major & Strategic Projects Manager, and Principal Planning Officer.

Clerk:

Senior Committee Manager

Apologies for absence were received from Councillor Andre Bourne, Councillor Liam Curran and Councillor Aisling Gallagher.

1. Minutes

RESOLVED that the Minutes of the Strategic Planning Committee meeting held on 3 September 2020 be confirmed as a correct record.

2. Declarations of Interests

No interest was declared at the meeting.

3. SELCHP Waste To Energy Facility, Landmann Way, London SE14 5RS

The Principal Planning Officer gave an illustrative presentation of the report, recommending that the Committee should approve the recommendation therein. The Committee was advised that the addendum to the report consisted of amendments to conditions 5 and 6 in light of subsequent negotiations undertaken with the applicant after the main agenda was published.

The Committee noted the report and the addendum to it. It was recognised that the recommendation comprised of two proposals. The first was that it should consider a request for planning permission to construct a below ground decentralised heating network pipeline (main route via Folkstone Gardens and Blackhorse Road) between SELCHP, Landman Way SE14 and Convoys Wharf, SE8. The second request was for the construction of a below ground decentralised heating network pipeline (alternative route via Grinstead Road) between SELCHP, Landman Way SE14 and Convoys Wharf, SE8.

Commenting on the report, the Committee received clarification from the Officer that irrespective of the differences, each proposal would provide an opportunity to reduce carbon emissions and improve energy self-sufficiency in the north of the borough, with capacity to extend heating provision to other local homes and businesses. However, only one of the proposals would be implemented because the applicant had indicated that it would not be financially viable to pursue both. It was also clarified that the reason why the applicant decided to submit the alternative proposal as a necessary option was to prevent delays in applying for another planning permission to correct deviation from the proposed development plan in the event of potential problems during construction work on the main route.

In response to questions raised, the Officer advised the Committee that statements in the report were clear about conditions to mitigate against the impact of the proposed development on residents and the environment, irrespective of which route the applicant decided to implement. Thus, although development on the highway via the main route would result in single lane closures, pedestrian access would be maintained throughout the proposed works. It was confirmed that the same measures would be applied for the alternative option, except that a full street closure for vehicular access would be required at weekends when undertaking works under the railway bridge through the route map. In his closing statement of the issues, the Officer gave an assurance to the Committee that the activities would form part of detailed mitigation measures in a Construction Management Plan (CPN) and a Traffic Management Plan (TPN) to be agreed prior to construction of the proposed site.

Specific to an enquiry on ecology, the Officer advised the Committee that assessments undertaken by the Council's Ecological Officers confirmed that statements in the ecological report and conditions imposed therein were adequate for the type of application.

The Committee also received clarification from the Officer that the consultation exercise undertaken in relation to the proposed development was considered adequate. It was stated that in addition to site notices, letters were sent via the post to businesses and residents in the local area. The Committee noted that only one neutral comment relating to the impact on businesses was received following the consultation, and that the issue would be addressed by conditions in the CPN and TPM.

The Officer continued responding to questions raised with clarification to the Committee that issues about monopoly in the market place, and the cost of heating to residents when the development becomes operational were not included in the report because they were not matters for planning consideration. The agent for the applicant however suggested that if required by the Committee, details would be provided as evidence that the proposed scheme would be operated as a heat trust and would be regulated by the Energy Ombudsman to ensure competitive and fair pricing to residents.

The Committee made further enquiry and received clarification from the agent that there would be no disposal of existing boilers because the heat provision was for installation in new homes and businesses that were yet to be constructed within the Convoys Wharf development site.

In considering submissions made at the meeting, the Committee was of a consensus that the proposals should be welcomed because the creation of decentralised heat network was of strategic importance, and in line with the Council's Core Strategy.

The Chair expressed a view that there should be coherent publicity about the proposal to highlight the Council's commitment in supporting measures to reduce carbon emissions. That was followed by a move from Councillor James-J Walsh of the recommendation in regard to the first proposal via the main route. The recommendation was seconded by Councillor Olurotimi Ogunbadewa and voted upon.

The Committee

RESOLVED:

Unanimously

That it be agreed to **GRANT** planning permission subject to the conditions and informatives set out in the report, and the addendum to it, in order to ensure the acceptable implementation of the development for:

- the construction of a below ground decentralised heating network pipeline (main route via Folkstone Gardens and Blackhorse Road) between SELCHP, Landman Way SE14 and Convoys Wharf, SE8.

Councillor Suzannah Clarke moved the recommendation in regard to the second proposal relating to the alternative route. The recommendation was seconded by Councillor Olurotimi Ogunbadewa and voted upon.

The Committee

RESOLVED:

Unanimously

That it be agreed to **GRANT** planning permission subject to the conditions and informatives set out in the report, and the addendum to it, in order to ensure the acceptable implementation of the development for:

- the construction of a below ground decentralised heating network pipeline (alternative route via Grinstead Road) between SELCHP, Landman Way SE14 and Convoys Wharf, SE8.

The meeting closed at 8.13pm.

Chair

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Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	CREEKSIDE VILLAGE EAST, COPPERAS STREET, LONDON, SE8 EXECUTIVE SUMMARY AND BACKGROUND PAPER	
Ward	NEW CROSS	
Contributors	GARETH CLEGG	
Class	PART 1	17 NOVEMBER 2020

<u>Reg. Nos.</u>	DC/18/108548
<u>Application dated</u>	15 August 2018
<u>Applicant</u>	SC5 Planning on behalf of Kitewood (Creekside) Limited and Galliard Homes
<u>Proposal</u>	The demolition of existing buildings/ structures on land bound by Copperas Street and Deptford Creek SE8, and the construction of two blocks of 26 and 30 storeys comprising 393 residential units, 757m ² of commercial floor space (Use Class A1/A2/A3/A4/B1) and a 5 storey building incorporating cultural/ performance venue, dance studios and education space for Trinity Laban, underground car and cycle parking, open space, associated landscaping and Creekside walk.
<u>Background Papers</u>	(1) Case File DE/124/1/TP (2) Local Development Framework Documents (3) The London Plan

1 EXECUTIVE SUMMARY

Application proposal

- 1 The application proposes the demolition of the existing buildings on site and construction of a mixed-use development, comprising a 30 storey (Block 1), a 26 storey (Block 2) and a 5 storey (Block 3) building, which together comprise 393 residential units, a 7,319sqm extension to the Trinity Laban Conservatoire of Music and Dance (Use Class D1), 757sqm of flexible retail/office floorspace (Use Class A1, A2, A3, A4, B1), new public realm and landscaping, including a Creekside Walk, improvements to part of the creek wall, basement car parking, and landscaping.

Site description and current use

- 2 The application site comprises an area of 0.77 hectares, which is bounded by Copperas Street to the north, and Deptford Creek to the south. To the west of the site lies the Deptford Creekside faculty of Trinity Laban Conservatoire of Music and Dance. To the east, is a recently completed residential-led mixed use development known as Union Wharf, which comprises 249 residential apartments with commercial floorspace and a nursery, within two blocks rising to 12 and 23 storeys.
- 3 The western part of the site currently operates as a service yard and surface car park for Trinity Laban (accommodating approximately 55 car parking spaces), and also

accommodates a temporary building which provides additional dance studio space for Trinity Laban. The remainder of the site comprises a series of derelict buildings which were formerly used for light industrial and storage purposes.

- 4 The application site has approximately 110m of frontage to Deptford Creek along its southern boundary.
- 5 The application site lies adjacent to the borough's administrative boundary with the Royal Borough of Greenwich, which the land directly to the north and east of the application site lying within the Royal Borough of Greenwich.

Land ownership

- 6 The application site is in three ownerships, with approximately 47% in the ownership of the applicant (the central part of the site), approximately 33% in the ownership of the London Borough of Lewisham (the eastern part of the site), and approximately 20% in the ownership of Trinity Laban (the western part of the site). The broad location of the three ownerships across the site is illustrated on the diagram below.



Figure 1 – Land Ownerships

- 7 As the Council owns part of the application site, on the basis of a land sale agreement between the LB Lewisham and the applicant, the Council would receive a financial benefit associated with the delivery of the proposed development. In November 2016, a meeting of the Council's Mayor and Cabinet gave approval to the disposal of the Council's land to Kitewood in return for physical product (residential units), in lieu of a capital receipt. Under the terms of the disposal, the Council would receive an amount of floorspace equivalent to the value of its land that has been agreed with Kitewood. That equates to circa 1,045sqm of residential accommodation (which would broadly equate to 16 units, assuming a typical 65sqm 2 bed unit). In addition to this, the terms of the disposal include an overage mechanism whereby if the amount of private residential floorspace within the development increases beyond that envisaged at the time of the

land sale agreement, the Council would receive an overage payment. On the basis of the application proposal scheme, the Council would therefore receive a financial contribution of c. £500,000, in addition to the circa 1,045sqm of residential accommodation. The Council is free to do as it wishes with those units and would own them on 250 year leases. It is anticipated that the Council would let out these units on the open market at private rental levels, and direct income received towards the delivery of genuinely affordable housing.

- 8 Members are advised that any financial benefit to the Council arising from the land sale agreement should not be accorded any weight in the planning balance.

Planning history

- 9 There is an extensive planning history in relation to the application site, which is key to understanding how the current application proposal has been developed.
- 10 In September 2006, two identical planning applications were submitted to both the London Borough of Lewisham and the Royal Borough of Greenwich for the mixed use redevelopment of a 1.3ha site which straddled the boundary between the two boroughs. The application site comprised the site which is the subject of this current application together with land which lies within the Royal Borough of Greenwich extending up to Creek Road. The application was for the demolition of existing buildings/structures on land bounded by Copperas Street, Deptford Creek and Creekside SE8 and the construction of 4 blocks of 9 to 22 storeys, to provide 11,466 m² of commercial floorspace, including a nursery and healthcare centre and uses within Use Classes B1, A1, A3, A4 and D1 and 9,000 m² of cultural/dance space, archive, exhibition areas and associated facilities for Trinity Laban and 430 residential units, underground car and cycle parking, open space, the reprofiling of the Creek walls and associated landscaping and Creekside walk (LB Lewisham planning application reference **DC/06/063352**, and RB Greenwich planning application reference 06/2062/F).
- 11 The application proposed a building on the Creek Road frontage rising to 12 storeys, and three triangular shaped buildings on the remaining part of the site to the south of Copperas Street, which would rise to 9, 16 and 22 storeys in height. The site layout plan and a computer generated image (CGI) of the 2006 application proposals are illustrated below.

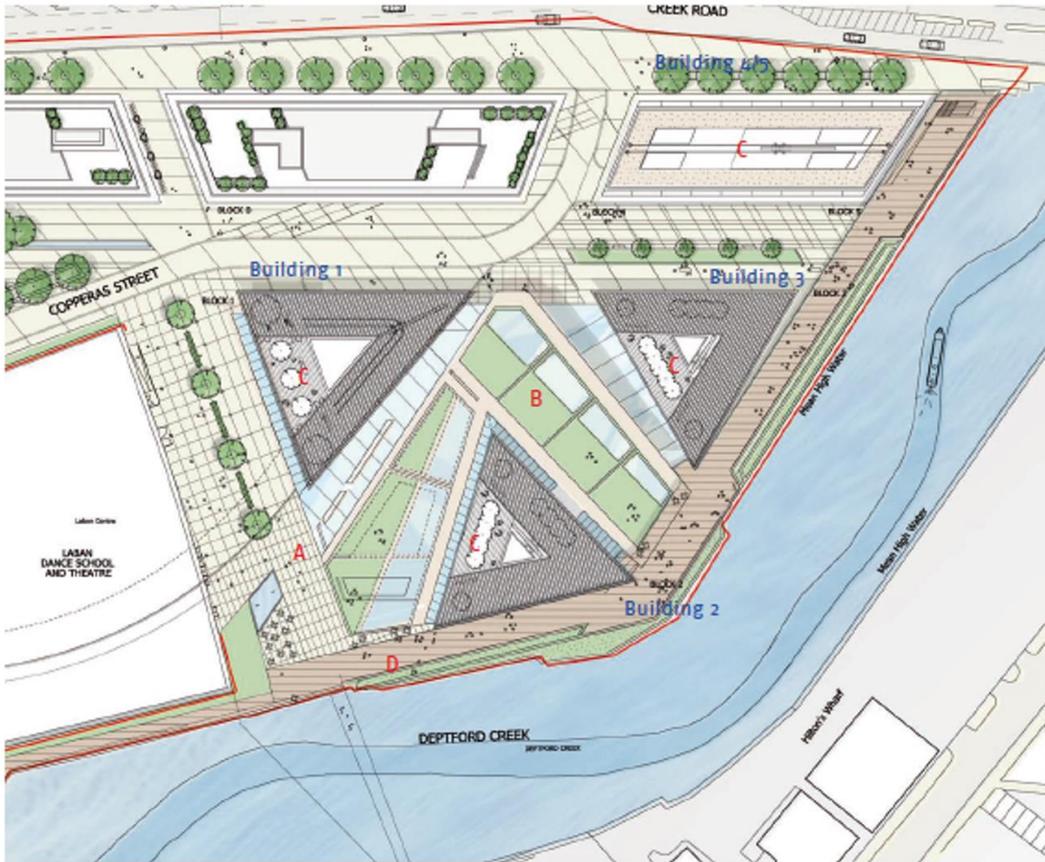


Figure 2 – Proposed Site Layout: September 2006 applications to LB Lewisham (DC/06/063352) and RB Greenwich (06/2062/F)



Figure 3 – Proposed CGI: September 2006 applications to LB Lewisham (DC/06/063352) and RB Greenwich (06/2062/F)

- 12 On 1 November 2007, Lewisham's Strategic Planning Committee resolved that it was minded to grant planning permission subject to the completion of a Section 106 Agreement. The applicant, Ampurius Nu Homes Investments Ltd, subsequently went into receivership. The Section 106 Agreement was therefore not completed and as such the permission was not issued. In relation to the application to the Royal Borough of Greenwich for that part of the site lying within its administrative boundary, the Section 106 Agreement was signed and planning permission was granted on 12 December 2007. This part of the site has subsequently been built out by Essential Living in accordance with a subsequent planning consent granted on 14 December 2015 (RB Greenwich planning application reference 14/3795/F), and comprises two towers of 12 and 23 storeys with a total of 249 residential units, commercial floorspace and a day nursery. This recently completed development is known as Union Wharf.
- 13 That part of the site which lies within LB Lewisham remained vacant, in the absence of planning permission having been granted. Kitewood acquired part of this site from the Receiver acting on behalf of Ampurius Nu Homes Investments Ltd.
- 14 In January 2015, Kitewood submitted a planning application to LB Lewisham relating exclusively to that part of the site within Kitewood's ownership (application reference **DC/15/090768**). This application was for the construction of two buildings of 10 and 24 storeys incorporating 216 residential units and 2,198sqm of commercial floorspace (Flexible A1, A2, A3, A4, B1 and D1 Uses) together with public realm and private amenity space, 55 basement car parking spaces, 349 cycle parking spaces, access, servicing and plant. The applicant lodged an appeal against non-determination of this application. A public inquiry was held between May and July 2016, and the Planning Inspector dismissed the appeal and planning permission was refused on 31 August 2016.
- 15 The site layout plan and a computer generated image (CGI) of the 2015 application proposal is illustrated below.

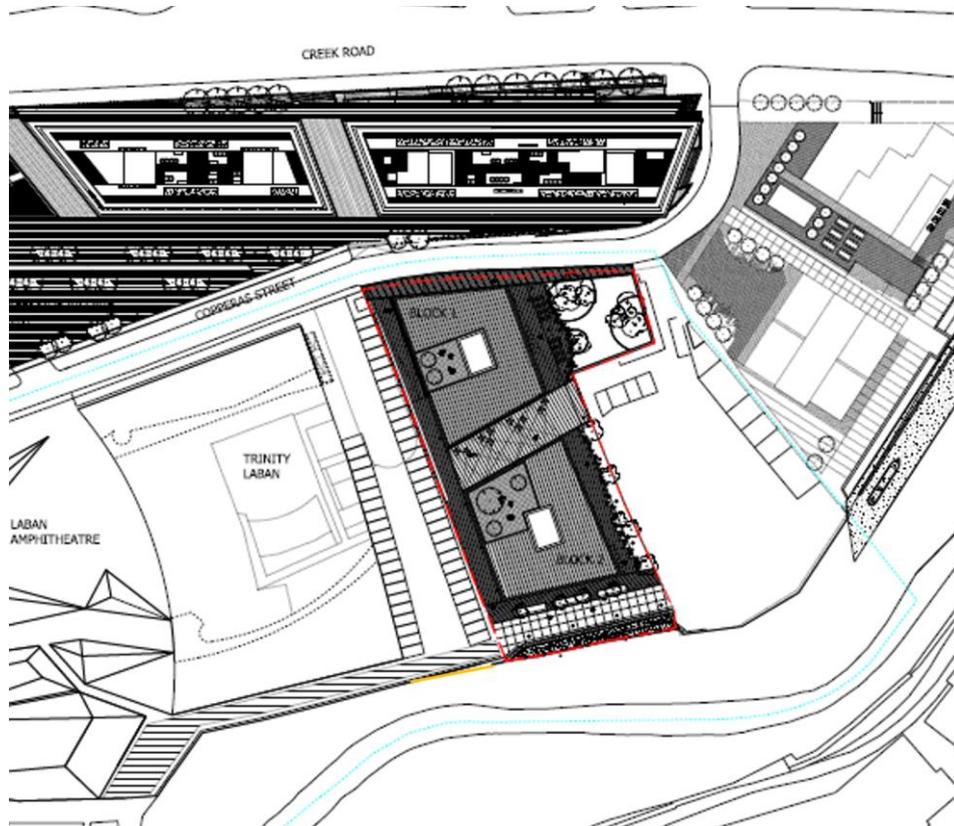


Figure 4 – Proposed Site Layout (DC/15/090768)



Figure 5 – Proposed CGI (DC/15/090768)

- 16 As part of this appeal, it was common ground between the Council and the appellant that the previous scheme (planning application reference DC/06/063352) that LB Lewisham's Strategic Planning Committee was minded to grant permission for subject to the completion of a Section 106 Agreement was a material consideration in this appeal. The Inspector supported this view.
- 17 The Inspector considered that the main issues in the appeal were as follows:
- (a) the effect of the proposed development on the area's character and appearance*
- 18 The Inspector noted that it was common ground between the parties that the appeal site is suitable in principle for tall buildings, given its location within an Opportunity Area, and taking into account its planning history and surroundings (including the Essential Living scheme which was under construction on the adjacent site). The Inspector did not share the Council's objections regarding the detailed design of the new buildings, however he did conclude that resulting from the scheme's layout and public realm arrangement, the overall effect of the development on the area's character and appearance would be unacceptably harmful, and in conflict with the relevant policies.
- (b) whether the proposal would result in a comprehensive approach to the development of the Thanet Wharf Mixed Use Employment Location (MUEL), bearing in mind its effect on the living conditions of potential neighbouring occupiers*
- 19 The Inspector found that the submitted information fell short of the requirements of Core Strategy Policy SSA1, which specifically states that the preparation of a site masterplan is a requirement for each strategic site allocation. The Inspector considered that it is implicit from the requirements of Core Strategy Policy SSA1 that the submitted masterplan should be capable of being delivered, however he resolved that this had not been suitably demonstrated having regard to the deliverability of development on that part of the site which lay within the ownership of LB Lewisham. As such, the Inspector concluded that the scheme would not result in a comprehensive approach to the

development of the Thanet Wharf Mixed Use Employment Location (MUEL), contrary to the relevant policies.

(c) whether the proposal would enable the continued employment functioning of the Mixed Use Employment Location

20 The Inspector concluded that the scheme would enable the continued employment functioning of the MUEL, sufficient to justify an exception to the requirements of Core Strategy Policy 4 and DM Policy 9 which require the comprehensive redevelopment of MUELS to provide employment uses within the B Use Class amounting to at least 20% of the built floorspace of any development as appropriate to the site and its wider context.

(d) whether satisfactory living conditions would be created for occupiers of the proposed development

21 In relation to the proposed separation distances between the windows of facing units, the Inspector concluded that in some cases satisfactory living conditions would not be created for occupiers of the proposed development, conflicting with the relevant policies in this respect. He did however acknowledge that this would apply to a small minority of rooms and units within the development and that this therefore reduced the weight that could be afforded to this policy conflict.

(e) the adequacy of the intended arrangements for access, parking and servicing

22 On this matter, the Inspector concluded that the scheme's arrangements for access, parking and servicing would be adequate and would accord with relevant development plan policies.

(f) whether the mix of affordable housing that is proposed would accord with development plan requirements

23 On this matter, the Council did not seek to challenge the appellants' viability evidence or the overall level of affordable housing provision, but the Council's objection related to the proposed mix of the affordable units specifically in terms of the proportion of units that would be family dwellings (3+ bedrooms). The Inspector concluded that the proposed mix of affordable housing would not accord with development plan requirements, however that this breach would not be of a significant scale and that the mix that had been proposed was supported by an undisputed viability assessment. As such, the Inspector found that these factors reduce the weight that could be attached to this particular policy conflict.

24 In weighing the overall planning balance, the Inspector found that the effect of the development on the area's character and appearance would be unacceptably harmful and that the scheme would not result in a comprehensive approach to the development of the Thanet Wharf Mixed Use Employment Location (MUEL), contrary to relevant policies. The Inspector found that these conflicts were significant and that this harm was not outweighed by the scheme benefits, and as such the appeal was dismissed and permission refused.

25 The planning history therefore establishes a series of principles which set the context within which this current planning application must be considered. Firstly, the 2006 application scheme that LB Lewisham's Strategic Planning Committee was minded to grant permission for is a material consideration. This established the principle of mixed use development on this site, comprising tall buildings rising to 22 storeys. The decision in relation to the 2015 appeal scheme also established the site is suitable in principle for tall buildings, given its location within an Opportunity Area, and taking into account its planning history and surroundings. The other key implication of the appeal decision was

the need for a comprehensive approach to development across the various landownerships, in accordance with the principles set out within the site allocation.

- 26 The appeal decision is included at Appendix 3.
- 27 Following the appeal decision, the applicant engaged with the Council through detailed pre-application discussions to bring forward a proposal for comprehensive redevelopment of the entire site allocation.
- 28 A guiding principle of the emerging proposals was to deliver a new facility for Trinity Laban. The Council had previously helped to facilitate the delivery of the existing Laban Centre at Creekside through contributing land, and it has been a long standing Council aspiration that the Council would where possible use its land to enable or facilitate a further expansion of the Laban Centre, recognising the educational, cultural, economic and wider community benefits that the presence of Laban brings to the local area and the wider borough. This aspiration was reflected within Policy SA12 of the Site Allocations Local Plan which allocates the site as a Mixed Use Employment Location providing a range of employment uses, including provision for cultural and creative industries. The policy states that this site allocation provides the opportunity to “enhance one of the borough’s landmarks, forming part of a wider comprehensive approach to regenerating the area, thereby complementing and supporting the Laban Centre and relating to nearby areas for regeneration”. As part of the pre-application discussions, Trinity Laban therefore agreed to include part of its landownership (its existing service yard and car park) in order to increase the size of the application site and facilitate a comprehensive redevelopment. Trinity Laban would be contributing its land to the development at no cost, recognising that it would receive a new building to a shell and core specification as part of the proposed development.
- 29 The Council played an active role in facilitating these discussions between Kitewood and Trinity Laban, to ensure a comprehensive approach to development that addressed the requirements of the site allocation. As part of this, in November 2016, a meeting of the Council’s Mayor and Cabinet gave approval to the disposal of the Council’s land to Kitewood to facilitate the comprehensive redevelopment of the site. The terms of the land sale agreement between Kitewood and the Council provide that the Council would receive residential units within the proposed development in lieu of a capital receipt for the land. It is anticipated that the Council would let out these units on the open market at private rental levels, and direct income received towards the delivery of genuinely affordable housing. In addition to the units that the Council would receive, the Council would also receive a financial contribution of c. £500,000 as an overage payment. Details of the land sale agreement between Kitewood and the Council are set out within the ‘Local Finance Considerations’ section of the main report.

Planning balance

- 30 The proposed development would deliver substantive public benefits. Key amongst these would be the delivery of a new facility for Trinity Laban, and the associated educational, cultural, economic and community use benefits that this expansion of the Laban Centre would facilitate.
- 31 The site lies within the Deptford Creek / Greenwich Riverside Opportunity Area, and would deliver 393 new dwellings which represents 28.4% of the borough’s current annual housing target, and 23.6% of the borough’s annual housing target on the basis of the Intend to Publish London Plan. This would represent a substantive contribution to the annual target for Lewisham, and therefore significant weight is accorded to this in planning terms. The residential blocks are well designed and would afford a high standard of amenity for future occupiers, in terms of internal and external space standards, outlook, aspect, and the provision of generous external communal amenity space and playspace.

- 32 59 (15%) of the new dwellings would be provided as shared ownership tenure affordable housing. Whilst this would not meet the Council's definition of genuinely affordable housing these units would make a contribution to meeting housing need within the borough, and the development would be fully tenure blind with the units pepper potted throughout both residential blocks. Moderate weight is therefore accorded with regard to the provision of 59 shared ownership units as part of the proposed dwelling mix. The submitted Financial Viability Assessment has been robustly interrogated by the Council's appointed independent viability consultant, and by the GLA's viability expert. This demonstrates that 10% shared ownership affordable housing provision is the maximum provision that the scheme can support in viability terms, given the c. £13m cost of providing the Trinity Laban facilities to shell and core. Notwithstanding this, the developer is prepared to accept a reduced financial return in order to increase the affordable housing provision to 15% in order to secure planning permission.
- 33 The proposed development would achieve an excellent design quality befitting its prominent setting fronting Deptford Creek and adjacent to the striking Laban Building. The development would deliver approximately 3,738sqm of high quality public realm comprising three main spaces. The substantial area of public realm that would be created adjacent to the Creek would be an exceptional new public space providing substantive public benefit for local residents and visitors to the area. The scheme would also deliver a new stretch of publicly accessible Creekside route of approximately 190m in length, which would facilitate a continuous stretch of Creekside route between Kent Wharf and Union Wharf, and make a substantive contribution towards achieving a continuous and publicly accessible route along this stretch of Deptford Creek. The public realm and Creekside route are major benefits of the scheme to which significant weight is attached in planning terms.
- 34 Other benefits of the proposed development include the provision of 757sqm GIA of flexible commercial floorspace which would support job creation and economic benefits, and a substantive financial contribution of £264,000 would be secured to deliver highway and public realm improvements to Copperas Street create a high quality environment for pedestrians and cyclists. The development would also facilitate works to replace two stretches of the existing Creek Wall that have been designed to account for the 2100 flood levels and would allow for future raising to a level of 6.2m AOD to meet enhanced flood resistance. The development would also deliver net gains in biodiversity terms through the provision of new landscaping and planting, biodiverse living roof areas, and tidal terraces within the Creek environment.
- 35 As detailed within this report, the proposed development would result in some harm to designated heritage assets, including to the Outstanding Universal Value of the Maritime Greenwich World Heritage Site to the setting of the Grade I listed St Paul's Church. In the context of NPPF paragraph 196 it is considered that the public benefits of the proposed development would outweigh this harm, and having regard to the statutory duties in respect of listed buildings and conservation areas in the Planning (Listed Buildings and Conservation Areas) Act 1990, officers are satisfied that the proposal would accord with the various provisions and requirements. The proposed development would also result in harm to occupiers of neighbouring apartments through reductions in daylight and sunlight, and overshadowing of a number of amenity spaces. Whilst the degree of harm to particular units will be significant, in weighing this harm against the public benefits of the scheme, it is considered that the substantive benefits that the scheme would deliver do outweigh this harm.
- 36 Members are advised that any financial benefit to the Council arising from the land sale agreement between the applicant and the Council should not be accorded any weight in the planning balance.

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Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	CREEKSIDE VILLAGE EAST, COPPERAS STREET, LONDON, SE8	
Ward	NEW CROSS	
Contributors	GARETH CLEGG	
Class	PART 1	17 NOVEMBER 2020

<u>Reg. Nos.</u>	DC/18/108548
<u>Application dated</u>	15 August 2018
<u>Applicant</u>	SC5 Planning on behalf of Kitewood (Creekside) Limited and Galliard Homes
<u>Proposal</u>	The demolition of existing buildings/ structures on land bound by Copperas Street and Deptford Creek SE8, and the construction of two blocks of 26 and 30 storeys comprising 393 residential units, 757m ² of commercial floor space (Use Class A1/A2/A3/A4/B1) and a 5 storey building incorporating cultural/ performance venue, dance studios and education space for Trinity Laban, underground car and cycle parking, open space, associated landscaping and Creekside walk.
<u>Background Papers</u>	(1) Case File DE/124/1/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Site Allocations Local Plan – SA12 Area of Archaeological Priority Deptford Neighbourhood Forum PTAL 4 Flood Risk Zone 3 Local Open Space Deficiency Green Corridor Waterlink Way Site of Nature Conservation Importance Not in a Conservation Area Not a Listed Building
<u>Screening</u>	DC/17/101594: Request for Scoping Opinion under Regulation 13 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 in respect of demolition of the existing buildings and redevelopment of the site for a mixed use development including housing, commercial uses and new facilities for the Trinity Laban Conservatoire of Music and Dance comprising buildings up to +96.5m AOD with up to 400 dwellings, up to 2198 sqm of commercial floorspace and an extension to Trinity Laban of

approximately 6000 sqm with associated landscaping, car parking and cycle parking at Creekside Village East, Copperas Street, SE8. Scoping Opinion provided dated 13 June 2017.

1 SUMMARY

- 1 This report sets out Officer's recommendation for the above proposal. The report has been brought before Strategic Planning Committee for a decision as there are 152 valid planning objections and the application pertains to a site of strategic importance.

2 SITE AND CONTEXT

Site description and current use

- 2 The application site comprises an area of 0.77 hectares, which is bounded by Copperas Street to the north, and Deptford Creek to the south. To the west of the site lies the Deptford Creekside faculty of Trinity Laban Conservatoire of Music and Dance. To the east, is a recently completed residential-led mixed use development known as Union Wharf, which comprises 249 residential apartments with commercial floorspace and a nursery, within two blocks rising to 12 and 23 storeys.

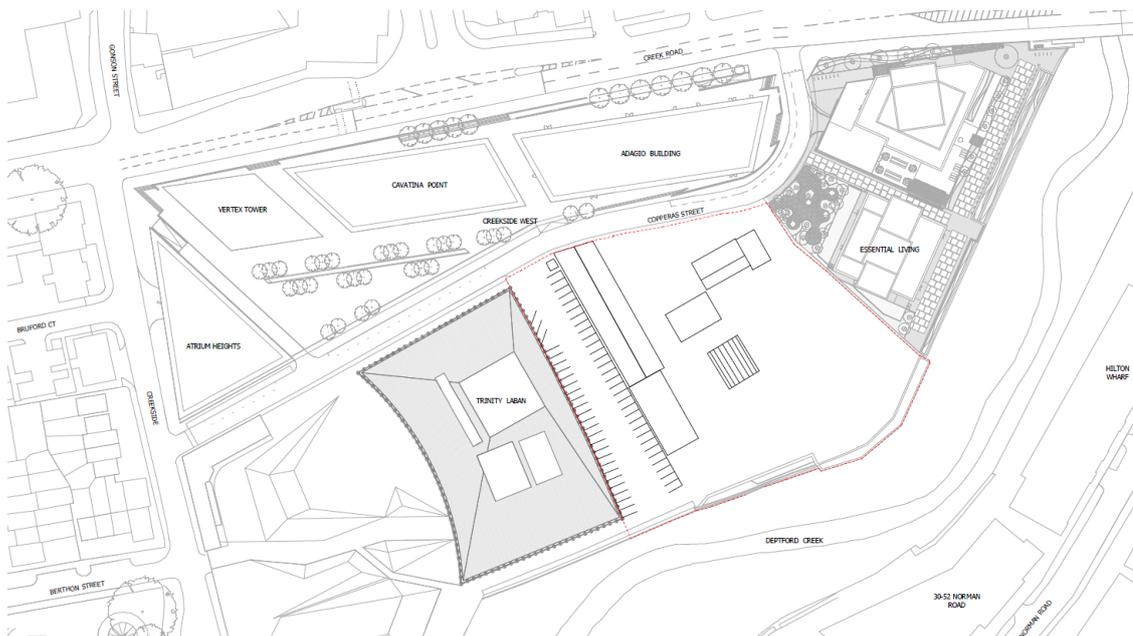


Figure 1 – Site Location Plan

- 3 The western part of the site currently operates as a service yard and surface car park for Trinity Laban (accommodating approximately 55 car parking spaces), and also accommodates a temporary building which provides additional dance studio space for Trinity Laban. The remainder of the site comprises a series of derelict buildings which were formerly used for light industrial and storage purposes.
- 4 The application site has approximately 110m of frontage to Deptford Creek along its southern boundary.

- 5 The application site lies adjacent to the borough’s administrative boundary with the Royal Borough of Greenwich, which the land directly to the north and east of the application site lying within the Royal Borough of Greenwich.
- 6 Access to the site is via Copperas Street, which is a no through route for vehicular traffic and is accessed via Creekside to the west. Copperas Street does however provide access to the north to Creek Road for pedestrians and cyclists. There is a vehicular access point from Copperas Street to the western part of the site, providing access to the service yard and surface car park for Trinity Laban. There are three additional vehicular access points from Copperas Street marked by dropped kerbs, which historically provided access to the uses on the remainder of the site.
- 7 The site is relatively flat with the lowest points being located along Copperas Street. From here levels currently gently rise by approximately 1.5m towards the edge of the Creek. The site’s northern boundary is defined by site hoardings to prevent access from Copperas Street, with metal fencing and gates to secure access to the service yard and surface car park for Trinity Laban.
- 8 The majority of application site is allocated within the Site Allocations Local Plan as site SA12 – Thanet Wharf Mixed Use Employment Location.

Land ownership

- 9 The application site is in three ownerships, with approximately 47% in the ownership of the applicant (the central part of the site), approximately 33% in the ownership of the London Borough of Lewisham (the eastern part of the site), and approximately 20% in the ownership of Trinity Laban (the western part of the site). The broad location of the three ownerships across the site is illustrated on the diagram below.



Figure 2 – Land Ownerships

10 As the Council owns part of the application site, on the basis of a land sale agreement between the LB Lewisham and the applicant, the Council would receive a financial benefit associated with the delivery of the proposed development. In November 2016, a meeting of the Council's Mayor and Cabinet gave approval to the disposal of the Council's land to Kitewood in return for physical product (residential units), in lieu of a capital receipt. Under the terms of the disposal, the Council would receive an amount of floorspace equivalent to the value of its land that has been agreed with Kitewood. That equates to circa 1,045sqm of residential accommodation (which would broadly equate to 16 units, assuming a typical 65sqm 2 bed unit). In addition to this, the terms of the disposal include an overage mechanism whereby if the amount of private residential floorspace within the development increases beyond that envisaged at the time of the land sale agreement, the Council would receive an overage payment. On the basis of the application proposal scheme, the Council would therefore receive a financial contribution of c. £500,000, in addition to the circa 1,045sqm of residential accommodation. The Council is free to do as it wishes with those units and would own them on 250 year leases. It is anticipated that the Council would let out these units on the open market at private rental levels, and could direct income received towards the delivery of genuinely affordable housing, though the Councils own development programme.

11 Members are advised that any financial benefit to the Council arising from the land sale agreement should not be accorded any weight in the planning balance.

Character of area

12 The Laban Building opened in 2003 and houses the Trinity Laban Faculty of Dance with facilities including 13 dance studios, a 300 seat auditorium, a specialist dance library collection, a dance health suite, together with a café and administrative facilities. The building was designed by Herzog and de Meuron and was awarded the Stirling Prize for Architecture in 2003. It is clad with translucent glass and coloured transparent polycarbonate panels, and its front facade and entrance are orientated towards Creekside to the west, accessed via an open area of landscaped grass. The service yard and car park serving the building comprise the western part of the application site.

13 The application site lies within an area which has undergone extensive redevelopment over the last 15 years. The majority of former industrial and storage uses have been redeveloped with residential-led mixed use development, such that the surrounding area is now predominantly residential in character, which a range of commercial and other uses interspersed across the area. To the north of Copperas Street lies the development known as Creekside Village West which comprises a large residential-led mixed use development with 371 residential apartments and commercial space at ground and first floor levels. Creekside Village West was completed in 2011 and comprises four buildings rising from 8 – 17 storeys, known as Adagio Point, Cavatina Point, Vertex Tower, and Atrium Heights (RB Greenwich planning application reference 06/2062/F).

14 To the south east of the Laban building is the recently completed Kent Wharf development comprising 143 residential apartments with over 1,300sqm of artist studio space, within blocks rising from 6 to 16 storeys. There are a wide range of other residential-led mixed use development schemes within the surrounding area, which lie within the Royal Borough of Greenwich to the north of Creek Road and to the east of Deptford Creek, and within the borough of Lewisham within and around the Deptford Creekside conservation area which, was designated as a conservation area in May 2012.

15 The adjoining site to the east has recently been redeveloped with a residential-led mixed use development. This recently completed development is known as Union Wharf and comprises two blocks of 12 and 23 storeys with 249 residential units and 800sqm of flexible commercial floorspace.

- 16 Deptford Creek, which bounds the site to the south, is used for water transport of freight in its lower reaches. Brewery Wharf is a safeguarded wharf which is in current use for aggregate handling, and is located approximately 100m to the north east of the application site on the eastern bank of the Creek, at the junction of Creek Road and Norman Road within the Royal Borough of Greenwich. The wharf has a concrete batching plant with facilities for the unloading and storage of aggregates which are delivered by barge via the Creek.
- 17 The Creekside Education Trust are based at the Creekside Discovery Centre, which lies approximately 250m to the south west of the site. The Trust lead the ecological management of the Creek, and also coordinate a programme of community and outreach activities including low tide walks through the Creek, training sessions and educational visits. The Creek is of significant ecological value and is home to a wide variety of wildlife including shrimp, crabs, fish, birds and many species of wildflower.
- 18 On 7 January 2020 the Planning Board of the Royal Borough of Greenwich resolved to grant planning permission for a residential-led mixed use development known as Ravensbourne Wharf which lies approximately 80m to the east of the application site (RB Greenwich planning application reference 18/4530/F). The development comprises a 28 storey building with 129 residential units, 791sqm of co-working office floorspace and 64sqm of café floorspace together with associated works. The resolution to grant permission was subject to referral to the Mayor of London as required under The Town and Country Planning (Mayor of London) Order 2008, and to completion of a S106 agreement.

Heritage/archaeology

- 19 The application site is not within a conservation area or in the immediate vicinity of any listed buildings, but does lie within the Deptford Creek Archaeological Priority Zone. Across the wider surrounding area there are a significant number of designated heritage assets. Due to its height and massing, the proposed development would be visible within the setting of a number of these heritage assets.
- 20 The application site lies approximately 480m to the west of the boundary of the Maritime Greenwich World Heritage Site, and approximately 280m to the west of the boundary of the World Heritage Site Buffer Zone. Deptford Creekside is the nearest designated conservation area to the application site, lying approximately 150m to the west. The Deptford High Street and St Paul's Church conservation area is also in close proximity, lying approximately 340m to the west of the application site. Within the Royal Borough of Greenwich, the conservation areas of West Greenwich and Ashburnam Triangle lie approximately 275m to the east and 340m to the south respectively.
- 21 There are a considerable number of listed buildings within the wider surrounding area. These include the Grade I listed Church of St Paul which lies approximately 390m to the west of the application site, the collection of Grade II and II* listed properties on Albury Street approximately 370m to the west, the Grade II* listed Church of St Nicholas approximately 300m to the north west, the Grade I listed Church of St Alfege approximately 500m to the east, and the Grade II listed railway viaduct approximately 215m to the south. In total there are approximately eighty statutorily listed buildings, ten conservation areas, four scheduled monuments, one Registered Park and Garden, and one World Heritage Site within a 1.5km radius of the application site.

Surrounding area

- 22 The nearest public open space to the site is Sue Godfrey Local Nature Reserve, which lies approximately 160m to the west. Beyond this, Charlotte Turner Gardens lies approximately 410m to the north west, and St Alfege Park lies approximately 500m to the east. The Thames Path provides a linear recreation route, and is accessible to the

north of Creek Road within 150m walking distance of the site. In terms of local retail facilities and services, Deptford High Street lies approximately 640m walking distance to the west, with a wide range of facilities within Greenwich Town Centre approximately 510m walking distance to the east.

Local environment

- 23 The application site lies within Flood Risk Zone 3 (High Probability) however it is currently defended against flooding by the combined action of the Thames Tidal Barrier and river / creek walls. The site lies within a designated Air Quality Management Area, with the heavily trafficked Creek Road (A200) representing the nearest source of air pollution. In terms of the noise environment, the principal sources of noise within the surrounding area include traffic movement on Creek Road, and the operation of Brewery Wharf which is in use for aggregate handling. As a former industrial site, there is potential for contaminated soil and groundwater to be present on site, associated with these former uses.

Transport

- 24 The site has an average to good public transport accessibility level (PTAL) of 3 to 4. The majority of the site has a PTAL of 4, with the PTAL reducing towards the southern extent of the site. There are bus stops on Creek Road within 100m of the site which are served by a number of bus services, with a wider range of bus services accessible across the surrounding area. DLR services can be accessed via the Cutty Sark DLR Station (approximately 640m from the application site) or Greenwich DLR Station (approximately 960m from the application site). National Rail services can be accessed from Deptford Rail Station (approximately 800m from the application site) or Greenwich Rail Station (approximately 960m from the application site). In addition, riverboat services are available via Greenwich Pier. The site is also located within close proximity to a network of cycle routes including national, local and Quietway routes.
- 25 The administrative boundary between the London Borough of Lewisham and the Royal Borough of Greenwich runs along the centre line of Copperas Street, with the northern section located within Greenwich, and the southern section within Lewisham. However all responsibilities for highway maintenance and infrastructure works to Copperas Street are presently managed by the Royal Borough of Greenwich, by means of an historic agreement between the two authorities under Section 8 of the Highway Act 1980 (as amended).

3 RELEVANT PLANNING HISTORY

- 26 The key relevant planning history is set out within the Executive Summary report. Other relevant planning history is summarised below.
- 27 **DC/14/089408:** Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 in respect of redevelopment at Creekside Village East, Deptford, SE8 including residential, commercial and cultural uses and student accommodation. Screening Opinion issued dated 31 October 2014 determining that the proposed development constitutes EIA development.
- 28 **DC/17/101594:** Scoping Opinion submitted under Regulation 13 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 in respect of demolition of the existing buildings and redevelopment of the site for a mixed use development including housing, commercial uses and new facilities for the Trinity Laban Conservatoire of Music and Dance comprising buildings up to +96.5m AOD with up to

400 dwellings, up to 2198 sqm of commercial floorspace and an extension to Trinity Laban of approximately 6000 sqm with associated landscaping, car parking and cycle parking at Creekside Village East, Copperas Street, SE8. Scoping opinion provided dated 13 June 2017.

- 29 **DC/19/114605:** Retrospective planning permission for a new temporary aluminium framed dance studio to the rear of the existing car park / service yard of Trinity Laban was granted 3 February 2020. As a temporary structure, the permission requires removal of the structure within three years of the grant of consent.

4 CURRENT PLANNING APPLICATION

4.1 THE PROPOSALS

- 30 The application proposes the demolition of the existing buildings on site and construction of a mixed-use development, comprising a 30 storey (Block 1), a 26 storey (Block 2) and a 5 storey (Block 3) building, which together comprise 393 residential units, a 7,319sqm extension to the Trinity Laban Conservatoire of Music and Dance (Use Class D1), 757sqm of flexible retail/office floorspace (Use Class A1, A2, A3, A4, B1), new public realm and landscaping, including a Creekside Walk, improvements to part of the creek wall, basement car parking, and landscaping.

- 31 The proposed development comprises three buildings:

- Building 1 – sited towards the north west corner of the site and rising to 30 storeys, this block would comprise 200 apartments (Levels 1 – 29) and two commercial units at ground floor;
- Building 2 – sited towards the north east corner of the site and rising to 26 storeys, this block would comprise 193 apartment (Levels 1 – 25) and two commercial units at ground floor;
- Building 3 – this building would lie to the south of Building 1 and rise to 5 storeys. It would form an extension to Trinity Laban Conservatoire of Music and Dance, with 7,319sqm GIA floorspace. This building would be linked to the existing Trinity Laban building at first floor level via a glazed bridge link. In addition to the Trinity Laban accommodation, it would also include one commercial unit at its south east corner.

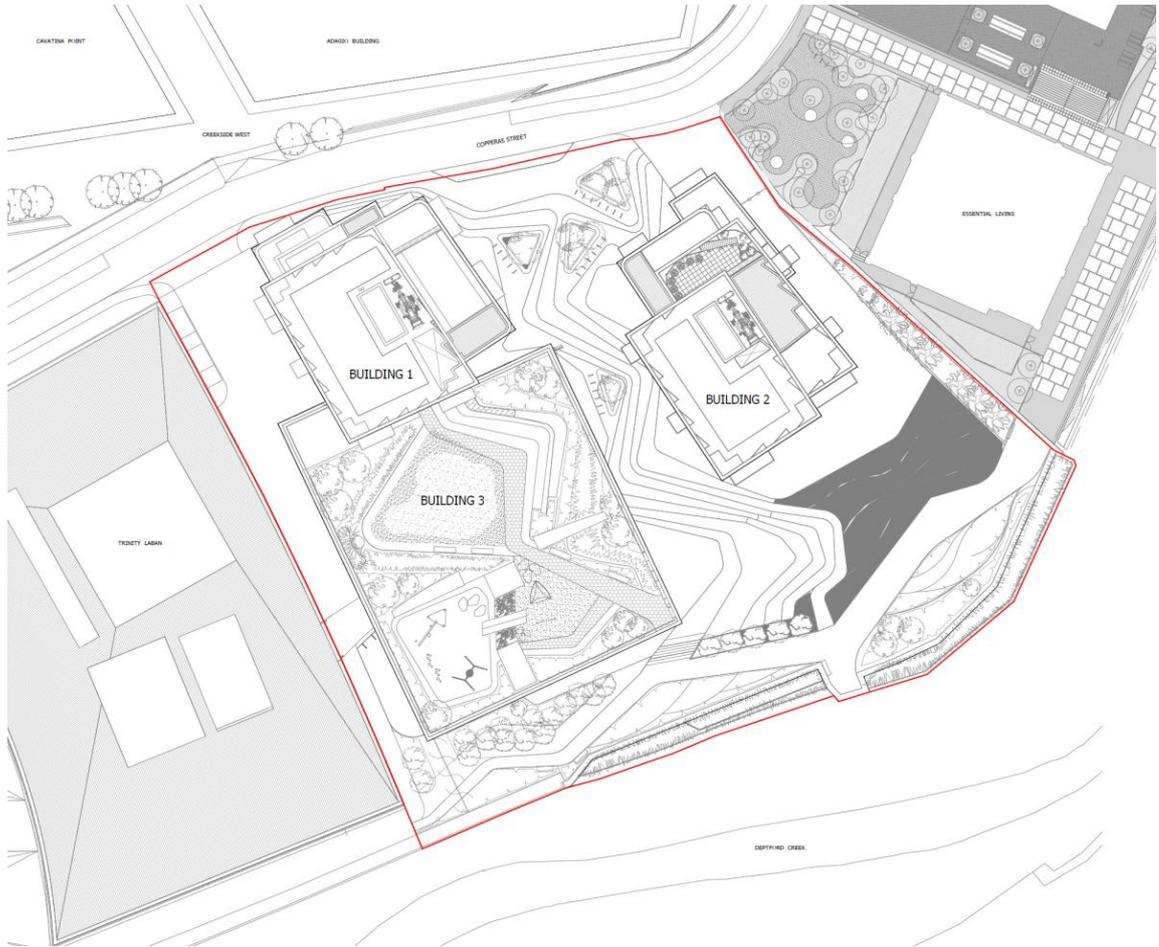


Figure 3 – Proposed Site Layout Plan

Trinity Laban extension

32 The extension to Trinity Laban will comprise 7,319sqm GIA of floorspace and provide the following facilities:

- a 150 seat flexible performance venue;
- four dance studios;
- three large rehearsal studios;
- a new public front of house area;
- workshops for scenery, props and costumes; and
- ancillary back-of-house functions.

33 The extension would be linked to the existing building via a glazed bridge link at first floor level. This would serve to extend the existing east - west axis through the existing building, with its central lobby space which extends from the entrance on its western elevation. The proposed extension would extend this east – west axis via the glazed bridge link, which would in turn connect to the main internal foyer. The entrance to the new building would be on its eastern elevation, providing access to a triple height foyer. At ground floor level, the south east corner of the building would accommodate a café which would present an active frontage to the surrounding public realm and afford spill out into the public realm during summer months. At the north east corner of the building at ground floor level, a wardrobe and costume workshop would feature glazed elements allowing views from the public realm through to the activity within the building.

34 The new building for Trinity Laban would be provided by the developer to 'shell and core' at handover, with the additional costs of fitting out the space to be secured by Trinity Laban.

Residential development

35 The two residential blocks would together comprise a total of 393 residential apartments at first floor level and above. 15% of the units would be intermediate tenure affordable housing (shared ownership), with the remaining units being for private sale. The affordable units would be distributed across the development, located predominantly on the lower floors of both blocks.

Flexible commercial floorspace

36 There would be 757sqm GIA of flexible commercial floorspace sited at the ground floor level across each of the three buildings. This would provide flexible space for take up by office (B1), financial and professional services (A2), retail, food and drink (A1, A3 and A4) uses.

37 *Basement*

38 All three blocks are linked below ground by a single storey basement which would comprise the following:

- 68 car parking spaces, of which 36 are designed for disabled users (32 for residents and 4 for Trinity Laban), and 32 are standard car parking spaces which would be for the use of Trinity Laban (representing the partial re-provision of parking from that part of the site which comprises the existing Trinity Laban car park);
- 710 long term cycle storage spaces (626 spaces for residents split across seven cycle stores, 82 spaces for Trinity Laban, and 11 spaces for the commercial uses);
- Residential refuse stores;
- Plant for all buildings; and
- Facilities for Trinity Laban, including one of the dance studios.

Public realm

39 The development would involve the creation of approximately 3,700sqm of new areas of public realm. This would include a new piazza fronting Deptford Creek, the creation of a new stretch of Creekside Walk along the site's frontage to the Creek, and two routes connecting the new Creekside spaces with Copperas Street.

40 It should be noted that the applicant submitted amended plans in April 2019 during the consideration of the application. These were submitted primarily in response to matters raised by the Environment Agency following the initial stage of consultation on the application. The main changes involved:

- Extending the application red line boundary by approximately 0.05ha to include the stretch of Creek wall which lies to the south of the existing car park for Trinity Laban. The Environment Agency recommended its inclusion in the context of the requirements for further investigation and potential works to this stretch of Creek wall.
- Reducing the size of the basement in order to set it back a minimum of 6m from the Creek wall. This involved a reduction in the total number of parking spaces (where the application as originally submitted proposed a total of 77 car parking spaces, this has now been reduced to 68 spaces).

41 Further amended plans in relation to the basement level were submitted in July 2020, to reflect changes to the basement arrangement associated with the revised energy

strategy for the development, and involving revisions to the cycle parking provision to address compliance with the London Cycling Design Standards.

Supporting Documents

- 42 In addition to the plans and drawings, a number of supporting documents were submitted with the application. The supporting documents are listed below:
- Design and Access Statement
 - Environmental Management Plan
 - Environmental Statement (including Non Technical Summary)
 - Fire Statement letter
 - Overheating Assessment
 - Planning Statement
 - Landscape Design Statement
 - River Impact Study
 - Site Waste Management Plan
 - Statement of Community Involvement
 - Sustainability and Energy Statement
 - Structural Survey
 - TV and Radio Reception Survey and Impact Assessment
 - Trinity Laban Supporting Statement
 - Utilities and Waste Water Assessment
 - Financial Viability Assessment
 - Biodiversity Strategy Plan
- 43 Following the first round of publicity on the application in September 2018 and in response to issues raised by consultees arising from this, in April 2019 the applicant submitted amended plans together with a number of updated and additional supporting documents as follows:
- Updated Chapters to the Environmental Statement (Chapter 11 – Heritage, Townscape and Visual Assessment, and Chapter 9 – Daylight, Sunlight, Overshadowing and Solar Glare)
 - River Wall Report on Condition and Capacity
 - Wind Microclimate Assessment (updated 25 March 2019)
 - Sustainability and Energy Statement (updated 20 November 2018)
 - Response to matters raised by consultees and the Temple Group Initial Review Report of the Environmental Statement (November 2018)
- 44 In August 2019 the applicant submitted a number of updated supporting documents as follows:
- Updated Environmental Statement Non-Technical Summary
 - Updated Chapters to the Environmental Statement (Chapter 4 – Consideration of Alternatives and Design Evolution, Chapter 9 – Daylight, Sunlight, Overshadowing and Solar Glare, and Chapter 15 – Socio Economic Effects)
- 45 In July 2020 the applicant submitted a number of updated supporting documents as follows:
- Updated Environmental Statement Non-Technical Summary
 - Addendum to Environmental Statement Chapter 9 – Daylight, Sunlight, Overshadowing and Solar Glare
 - Sustainability and Energy Statement (updated 11 May 2020)

- River Wall Report on Condition and Capacity (updated 1 July 2020)
- Reclaimed Water Assessment (25 June 2020)
- Updated basement level plans and sections

46 In September / October 2020 the application submitted a number of updated supporting documents as follows:

- Sustainability and Energy Statement (updated 24 September 2020)
- Response to GLA Energy Memo Stage 1 Consultation – Overheating Risk Assessment
- Updated plans to reflect additional roof mounted PV array

Environmental Impact Assessment

47 The scheme has been the subject of a formal Environmental Impact Assessment (EIA) scoping process. The EIA and resultant Environmental Statement (ES) have been progressed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (2011 Regulations), which remain applicable for this proposed development under the transitional provisions of Regulation 76 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as the applicant requested a scoping opinion on 12 May 2017, prior to the 2017 Regulations coming into force (LB Lewisham planning application reference DC/17/101594 - Scoping Opinion submitted under Regulation 13 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011).

48 The summary of the submitted Environmental Statement and its assessment is set out within Section 8 of this report.

5 CONSULTATION

5.1 PRE-APPLICATION ENGAGEMENT

49 The applicant coordinated two pre-application consultation events, which were held from 4 – 8pm on Wednesday 24 January 2018 and from 10am – 2pm on Saturday 27 January 2018 within the Trinity Laban building. These events were publicised through a promotional flyer sent to 4,885 homes and businesses in the local area and through two press adverts. A dedicated website for the proposed development was also updated with details of the proposals and providing the opportunity for visitors to leave feedback. The events were attended by approximately 80 people, and feedback was left by 22 respondents. Whilst the general feedback was mainly positive with regard to the development of this derelict site, concerns were raised in terms of the scale and massing of the proposed buildings and the associated impact on daylight and sunlight to surrounding properties and spaces, the limited provision of affordable housing, and comments regarding the detailed design and appearance of the buildings in terms of materials and design treatment. Other comments related to the need to ensure that the commercial units do not remain vacant, and that public transport improvements are needed in the local area. The full details of the pre-application consultation are set out within the Statement of Community Involvement.

5.2 APPLICATION PUBLICITY

50 Upon submission of the planning application in August 2018, publicity was carried out in accordance the statutory requirements and those required by the Council's adopted Statement of Community Involvement.

- 51 Site notices were displayed on 5 September 2018 and a press notice was published on the same date.
- 52 Letters were sent to approximately 690 residents and businesses in the surrounding area and the relevant ward Councillors.
- 53 Following the applicant's submission in April 2019 of amended plans including an amendment to the red line site boundary, together with further information in relation to the submitted Environmental Statement for the purposes of Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), the Council carried out a further round of publicity in accordance with the statutory requirements and those required by the Council's adopted Statement of Community Involvement. All those who were previously notified of the application together with all those who had previously made comments on the application were renotified of the receipt of amended plans and further information. Site notices were displayed around the site, and a press notice was published in the local newspaper.
- 54 Following the applicant's submission in July 2020 of further information in relation to the submitted Environmental Statement for the purposes of Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), the Council carried out a further round of publicity in accordance with the statutory requirements and those required by the Council's adopted Statement of Community Involvement. All those who were previously notified of the application together with all those who had previously made comments on the application were renotified of the receipt of further information. Site notices were displayed around the site, and a press notice was published in the local newspaper.
- 55 In relation to the three stages of publicity on this application, a total of 231 responses were received, comprising 152 objections¹, and 79 expressions of support. In addition, a petition was received in support of the scheme with 127 signatures.
- 56 In accordance with the requirements of the Council's Statement of Community Involvement, all those who had submitted representations on the proposed development were invited to a local meeting which took place from 7 – 8.30pm on 10 December 2018 at the Trinity Laban building. The meeting was chaired by Cllr Paul Maslin, ward member for New Cross and was attended by representatives from the applicant team together with planning officers. 21 local residents recorded their attendance the meeting. The minutes of the local meeting are attached at Appendix 1.

5.2.1 Comments in objection

- 57 In addition to individual objections, objections were also received on behalf of two resident / amenity societies within RB Greenwich, Ashburnham Triangle Association and the Greenwich Society.
- 58 The majority of points raised are addressed within the body of the report. Where this is not the case, the relevant points are responded to immediately following the table below.

¹ 80 objections were received in relation to the first round of consultation, 82 objections in relation to the second round of consultation, and 40 objections in relation to the third round of consultation. A number of people submitted objections in response to each round of consultation, however for the purpose of totalling, these have been counted as a single objection from each named individual within each property address. As such, a total of 152 objections were received from individuals within named addresses across the three rounds of consultation.

Comment	Section where addressed
<i>Principle of development</i>	
Proposed development represents overdevelopment of the site, which is allocated in the Local Plan for 226 dwellings and mixed use development	Section 7.2.1 – Contribution to housing supply
Proposed density at 1,413 habitable rooms per hectare is over double the recommended figure for locations with a PTAL of 4	
In light of Covid-19 we need to start to sensibly rethink the density of housing design and layouts	See ‘Response to points not addressed within the body of the report’ section
Proposed development does not provide sufficient affordable housing, at just 10% of all units	Section 7.2.2 – Affordable housing
<i>Design</i>	
Proposed development is completely different to the original masterplan for Creekside Village	See ‘Response to points not addressed within the body of the report’ section
Scale of the proposed development is vastly in excess of other buildings in the surrounding area (which are typically around 15 stories in scale), and will be out of character with the context of the local area and surrounding buildings. There is nothing of this scale in the surrounding area. Proposed development should step down in scale from Union Wharf, and be limited to a much lower height	Section 7.4.1 – Appearance and character
Proposed development would detract from the setting of the Stirling Prize winning Laban Building	
The grey pre-cast concrete material palette is dark and dreary and does not reflect the local character and surrounding buildings. The design of the buildings is bland, they have little architectural merit and appear cheap and cheerful	
Internal circulation spaces for the proposed apartment blocks are miserable and narrow and do not foster human interaction	Section 7.2.3 – Residential quality
Proposed development should be sited towards the south of the site, so that an area of open space can be created lying between Copperas Street and the proposed blocks, and to reduce the impact in terms of loss of outlook and light on	See ‘Response to points not addressed within the body of the report’ section

Comment	Section where addressed
neighbouring blocks. The only reason it has not been sited towards the south is because this would cost the developer more to reinforce the Creek wall	
Creekside Walk and open space will become a place of concealment for criminality and anti-social behaviour, as they will not be visible from Copperas Street	Section 7.9.2 – Public safety
It is not clear whether the development will allow public access along the Creekside Walk. Public access should be secured via planning condition. The proposed closure of the Creekside Walk outside the Laban Building at night will create a dead end for the public	Section 7.4.3 – Public realm
Proposed landscape design does little to integrate the proposed development with surrounding developments, and there is no holistic plan for the Creek and its natural environment	
<i>Heritage</i>	
Proposed development is unconvincing about how it complies with the Maritime Greenwich World Heritage Site Buffer Zone criteria and how it will protect the designated views and the skyline	Section 7.4.2 – Impact on heritage assets
Proposed development will further destroy the historic feel of the locality and impact on views from the Naval College and Greenwich Park	
Proposed development would dominate Copperas Street, Deptford Creek and views from Greenwich town centre, impacting on the character of Greenwich and its attraction as a visitor destination	
Proposed development will block views of St Paul's from Greenwich Observatory	
Proposed development would impact on the setting of the listed pumping station on the opposite side of Deptford Creek	
<i>Residential amenity</i>	
Proposed development will severely impact on the amount of daylight and sunlight to surrounding properties, including those within Adagio Point, Cavatina Point, Vertex Tower, Atrium Heights, Union Wharf, Babbage Point, New Capital Quay and Farrer House	Section 7.6.3 – Daylight, sunlight and overshadowing

Comment	Section where addressed
The Daylight and Sunlight Assessment identifies that there would be a 'major adverse' reduction in light for apartments in Adagio Point and Cavatina Point, with a percentage reduction of up to 80% in some cases and failure to meet BRE's VSC, NSL and ADF criteria	
The proposed development will result in a loss of outlook together with overlooking and a loss of privacy for neighbouring occupiers within surrounding blocks including Adagio Point, Cavatina Point and Union Wharf	Sections 7.6.1 – Enclosure and outlook, and 7.6.2 - Privacy
<i>Environmental impacts</i>	
It is not clear what steps will be taken by the developer to build river defences and mitigate local flood risk from Deptford Creek	Section 7.7.4 – Flood risk
Proposed development will increase the funnelling of wind resulting in updraughts and wind tunnels. It is already difficult for pedestrians to walk through Harmony Place on windy days and the proposed development will make this worse	Section 7.8.5 – Wind and microclimate
Proposed development will result in overshadowing of public spaces and the area of grassed landscaping to the west of Trinity Laban, which is a popular community space for the local neighbourhood which has a lack of alternative green spaces	See 'Response to points not addressed within the body of the report' section
Proposed development will add to air pollution within the surrounding area, which is already affected by cruise ships docking at New Capital Quay	Section 7.8.3 – Air pollution
<i>Highways and transport</i>	
Proposed development makes insufficient provision for car parking spaces, and will therefore make it even more difficult to find parking on Copperas Street and surrounding roads	Section 7.5.5 – Transport modes
There is little parking available in the surrounding area for short term use by visitors, such as family members or tradesmen	Section 7.5.5 – Transport modes
There is frequent illegal parking in the surrounding area with no enforcement, resulting in highway safety issues due to blind junctions and single lane roads	Section 7.5.2 – Local transport network

Comment	Section where addressed
<p>Surrounding road network cannot cope with the additional pressure from this number of apartments. Traffic along Creekside and Copperas Street has got worse since the traffic surveys were undertaken, following the completion of Kent Wharf and Union Wharf</p>	
<p>There are issues with public transport capacity in the local area, with the number of trains per hour having been reduced, and the link to Charing Cross having been lost. The existing main line rail and DLR services are already overcrowded. Local bus services are unreliable due to congestion on Creek Road and in the Greenwich Peninsula, Blackwall Tunnel and Rotherhithe Tunnel areas. The proposed development will result in further overcrowding of public transport services</p>	
<p>Copperas Street is narrow and refuse vehicles, deliveries and emergency service vehicles struggle to access Copperas Street, exacerbated by the on-street parked cars. There is also no turning facility on Copperas Street. Since Union Wharf has been completed, vans regularly have to reverse the full length of Copperas Street</p>	<p>Sections 7.5.3 – Servicing and refuse, and 7.5.4 – Emergency vehicle access</p>
<p><i>Social infrastructure</i></p>	
<p>Local services (GPs, hospitals, dentists, other NHS services, schools, nurseries, public transport, policing, and other local services) are already under considerable pressure on the basis of existing development and that which is under construction, and the proposed development will further exacerbate this. GP appointments already need to be booked three weeks in advance with local practices</p>	<p>Sections 7.9.1 – Public health and well-being, and 8 – Environmental Impact Assessment (Social Infrastructure Provision)</p>
<p>The development should reserve space for a privately funded primary school and facilitate its delivery, as local schools are already full</p>	<p>Section 8 – Environmental Impact Assessment (Social Infrastructure Provision)</p>
<p>There is very little land within the surrounding area which is available to develop new social infrastructure facilities (such as schools, medical facilities, and open space) to meet the needs of the significant increase in the residential population to the west of Deptford Creek</p>	<p>Sections 7.9.1 – Public health and well-being, and 8 – Environmental Impact Assessment (Social Infrastructure Provision)</p>

Comment	Section where addressed
CIL receipts from the development should be directed towards improving local healthcare services	Sections 8 – Environmental Impact Assessment (Social Infrastructure Provision), and 9 Local Finance Considerations
<i>Impact of construction phase</i>	
Construction phase will cause significant disruption to the local highway network for several years, compounded by the narrowness of Copperas Street	Section 7.5.2 – Local transport network
The submitted documents identify that the proposed development will generate an average of 17 HGV movements per day as per the Essential Living scheme. However, the Essential Living scheme relied on the delivery of pre-fabricated modular units to the site and therefore unless the proposed construction method is the same, this is not representative of the likely number of HGV movements during the construction phase	See ‘Response to points not addressed within the body of the report’ section
Construction phase will result in additional pollution, noise, dust, congestion, and disruption for existing local residents and will result in highway safety risks for pedestrians and cyclists as a result of HGVs and construction traffic. The construction phase for Union Wharf caused three years of disruption for local residents and the proposed development will result in further disruption for several more years	Sections 7.5.2 – Local transport network, and 7.8.3 – Air quality
The developer should be required to transport materials to and from the site via river barge to minimise the impact of construction activity on local residents	This will be secured via the Construction Logistics Plan – see Condition 4
It is not clear where materials will be stored during construction of the proposed development, and this is therefore likely to result in obstruction of Copperas Street	See ‘Response to points not addressed within the body of the report’ section
There should be no noisy construction activity allowed on Saturday mornings to minimise disturbance to residents. Strict construction working hours should be enforced and noise pollution monitors should be supplied to facing properties	Construction hours and working practices will be secured via the Construction Environment Management Plan. Construction noise is predominantly controlled by restricting the hours of work to 8am – 6pm Monday to Friday and 8am – 1pm on Saturdays, with no working on Sundays and Bank Holidays
Creekside Village West buildings require their cladding to be replaced and if this was to occur at the same time as the construction of the proposed development	See ‘Response to points not addressed within the body of the report’ section

Comment	Section where addressed
it would make access via Copperas Street impossible. The priority must be for the works to Creekside Village West to be corrected first given the potential risks to resident safety	
<i>Consultation</i>	
Trinity Laban have been encouraging its students to submit expressions of support for this application to artificially increase the number of letters of support. Trinity Laban students will not have to live with the impacts of the development and are by nature a transient population within the area. The expressions of support from students should be weighted accordingly	The points raised within objections or expressions of support are all considered equally on the basis of the planning matters raised
<i>Other matters</i>	
A new pedestrian bridge across Deptford Creek to Norman Road was previously proposed to connect Creekside Village to the Greenwich DLR station – this does not feature in the current proposals, and is necessary to facilitate access for residents of the proposed development. The proposed bridge should be reinstated within the proposals	See ‘Response to points not addressed within the body of the report’ section
The cultural and economic benefits of Trinity Laban are overstated – even with the additional facilities it will remain a niche cultural destination with a cultural focus on music and contemporary dance	Sections 7.1 – Principle of development, and 8 – Environmental Impact Assessment (Socio-Economic Effects)
Trinity Laban’s supporting statement overstates their contribution to the local community. Laban’s contribution to the local community is limited, and the courses they offer are niche and expensive, rather than community oriented. The limited number of courses which they offer to the local community are oversubscribed. There would be limited benefit to the local community from the proposed expansion of Trinity Laban’s facilities, and more should be done to bring benefits to the wider population. It is Trinity Laban’s responsibility to fund their own extension, rather than have this provided by the developer	
Trinity Laban is a charitable institution and as such is required to provide community outreach activities. It is therefore misleading of the application documents to suggest that its outreach work would need	

Comment	Section where addressed
to be scaled back if planning permission is not forthcoming	
In a post-Covid world it's not clear that Trinity Laban will still require additional facilities given what will be long-term restrictions on large gatherings for performances	
The vacant commercial premises on Harmony Place could be utilised by Trinity Laban for additional dance studio space	
The proposed commercial floorspace is likely to remain vacant, as per the existing units at Harmony Place which have been vacant for the preceding six years. The proposed development will simply add to the problem of supply outstripping demand for commercial floorspace in the local area and as such will make negligible impact to the local economy. The developer should be required to provide a viable strategy to ensure that commercial floorspace is utilised and optimised, including a fair pricing structure. The proposed commercial units are small in size and are unlikely to be occupied	See 'Response to points not addressed within the body of the report' section
Local residents need more open space including sporting facilities and a children's play area	Sections 7.4.3 – Public realm, and 7.2.3 – Residential quality (External amenity space and children's play space)
There are no contributions proposed to support investment in the local community	Sections 9 – Local finance considerations, and 12 – Legal agreement
There is no safe means of evacuation for tall buildings in the event of a fire	The application is accompanied by a Fire Statement detailing the proposed approach. London Fire Brigade were consulted on the planning application and raised no objection
The statements regarding economic impact of the proposed development are overstated and the social benefits do not address the particular issues of the communities in Evelyn and New Cross wards	See 'Response to points not addressed within the body of the report' section

Response to points not addressed within the body of the report

59 As identified above, the majority of points raised are addressed within the body of the report. Where this is not the case, the relevant points are responded to below.

Impact of Covid-19 pandemic on housing design

60 It is recognised that the impact of the Covid-19 pandemic may result in longer term changes in the type and nature of housing required. However it is not possible to assess what the extent and implication of such changes will be at this stage in the pandemic,

and planning applications must be determined in accordance with the relevant development plan policies that are in place at the current time.

Proposed development does not reflect original Creekside Masterplan

- 61 The masterplan for the development of the Creekside Village area was prepared approximately 15 years ago. As detailed under the 'Relevant Planning History' section above, in September 2006, two identical planning applications were submitted to both the London Borough of Lewisham and the Royal Borough of Greenwich for the mixed use redevelopment of a 1.3ha site which straddled the boundary between the two boroughs. The masterplan is not adopted planning policy, and given the passage of time since its preparation, the development of surrounding sites has continued to evolve and develop. It is noted that the masterplan included the aspiration for a new pedestrian bridge crossing over Deptford Creek to connect Copperas Street with Norman Road. The creation of a bridge link is now unlikely to be practicable given development that has subsequently been implemented on the east bank of the Creek which does not make provision for a bridge landing point. It is also recognised that existing crossings at Creek Road and Ha'penny Bridge provide connections linking the Creekside Village area with Greenwich to the east. A pedestrian bridge does not form part of the application as submitted, and the Council as local planning authority must determine the application that is currently before it.

Buildings should be sited towards the south of the application site and an area of open space provided to set the buildings back from Copperas Street

- 62 As set out above, the Council as local planning authority must determine the application that is currently before it. In terms of design rationale, various options were explored at pre-application design stage and the current proposal was considered to represent the optimum design solution for the site. The main area of public realm / open space has been sited to the south of the site to maximise levels of sunlight to this space from its south facing aspect and to afford animation and views over the Creek.

Proposed development will overshadow the green space to the west of the Laban Building

- 63 Due to its siting and orientation, the proposed development would result in very limited if any overshadowing of this space. Any overshadowing would be confined to the early morning, when the space would be partially overshadowed by the Laban Building in any case.

Number of identified HGV movements during the construction phase is inaccurate

- 64 This is the information that has been submitted by the applicant on the basis of projected vehicle movements. Detailed provisions will be secured as part of the Construction Environment Management Plan and Construction Logistics Plan.

Where will materials be stored during construction phase

- 65 The applicant has identified that the construction compound would not extend beyond the application site boundary, and that the areas surrounding the proposed buildings (i.e. the Trinity Laban service yard and the public realm areas) would function as the construction compound during the above ground level construction phase. Detailed provisions will be secured as part of the Construction Environment Management Plan and Construction Logistics Plan.

Phasing of construction works in relation to replacement of cladding to Creekside Village West

66 The timing of any proposed replacement of cladding to Creekside Village West is not known at this stage. Detailed provisions regarding construction access will be agreed via Construction Logistics Plan, and if timescales for the works to Creekside Village West are known at that stage, this can be appropriately reflected. It is also noted that Creekside Village West lies within RB Greenwich.

Proposed commercial floorspace will remain empty

67 It is recognised that a proportion of the ground and first floor commercial space within Creekside Village West development (which lies within RB Greenwich) remains unoccupied. The proposed development can be expected to generate approximately 935 additional residents which will provide additional local demand for facilities and services, in addition to the additional staff, students and visitors associated with the expansion of Trinity Laban’s facilities. Furthermore, the s106 agreement will require the developer to meet the costs of fitting out the commercial units and includes a provision requiring a rent free period for future occupiers of the units, which will encourage take up.

Economic impact overstated

68 The explanation for how the economic impacts identified within the Planning Statement have been derived is set out within Chapter 15 ‘Socio-Economic Effects’ of the Environmental Statement. The assumptions appear justified and the Council is not in receipt of evidence to contest the validity of these assumptions.

Essential Living objection

69 In September 2020 an objection was received from Essential Living, who are the developer and landowner of the adjacent development known as Union Wharf. This was informed by an assessment undertaken by Avison Young, who are daylight and sunlight consultants that have appointed by Essential Living. The objection raised the following matters:

Comment	Section where addressed
Proposed development will result in a loss of sunlight and daylight that will cause material and demonstrable harm to the living conditions of residents within Union Wharf. The results indicate significant impacts to main habitable rooms to a number of homes, that are in excess of the BRE guidelines	Section 7.6.3 – Daylight, sunlight and overshadowing
There are a number of instances where the assessment omits key information that is required to fully consider the daylight, sunlight and overshadowing impacts to Union Wharf, and there are several inconsistencies that require clarification. Without this further information, the report does not fully consider the impact to the neighbouring properties and at worst, could be considered materially misleading following Judicial Review	BLDA, the applicant’s daylight and sunlight consultants, have prepared a comprehensive response on this matter (dated 23 October 2020) which presents further information in this regard. BLDA do however highlight that they not consider this to be entirely necessary, as the key site-orientated section of Union Wharf was tested for the purposes of the Updated ES Addendum.
Proposed development will result in overshadowing of two areas of external amenity space which form part of the Union Wharf development, in terms of the	Section 7.6.3 – Daylight, sunlight and overshadowing

Comment	Section where addressed
pocket park and the pre-school nursery playspace	
Proposed development will result in an overbearing effect on Union Wharf Block B and an undue sense of enclosure	Section 7.6.1 – Enclosure and outlook
Proposed development will cause material and demonstrable harm to the residential amenity and living conditions of Block B by way of loss of privacy	Section 7.6.2 - Privacy

70 The applicant's daylight and sunlight consultants, have prepared a comprehensive response (dated 23 October 2020) to the points raised in the objection by Essential Living and the assessment by Avison Young which informed this. Relevant matters are addressed within the Daylight, Sunlight and Overshadowing section of the report below.

5.2.2 Comments in support

71 The 79 expressions of support included letters of support from the United Reformed Church (Christ Church), Deptford Green School and the Horniman Museum.

Comment
Existing derelict buildings on the site are an eyesore and attract anti-social behaviour
An increase in local population will encourage the take up of vacant commercial premises
Reduction in sunlight to Adagio Point will assist in preventing overheating of these south facing apartments which experience high temperatures during the summer
Proposed development will bring new homes to the area and contribute to addressing the housing crisis in London through the provision of more apartments
Trinity Laban is a major cultural asset within Lewisham and it needs to expand its existing faculties in order to continue to train and educate the next generation of world-class musicians, dance artists, and musical theatre professionals. The proposed development would allow for the expansion of Trinity Laban's learning and participation programmes, which already reach over 12,000 people locally

5.2.3 Non-material planning considerations

72 A number of comments relating to non-material planning considerations were also raised as follows:

Comment	Response
Proposed development will block views from apartments within surrounding residential blocks	The loss of a private view is not a material planning consideration
Galliard Homes have a poor reputation, having installed flammable cladding on nine blocks at New Capital Quay and still not removed it	This is not a material planning consideration

Comment	Response
Proposed development will result in a reduction in property values of surrounding apartments	The impact on property values is not a material planning consideration
The Creekside Village West development is subject to major problems with the cladding materials, and residents are unable to sell their properties. The proposed development will exacerbate this situation in terms of saleability	The impact on saleability and property values is not a material planning consideration

5.3 INTERNAL CONSULTATION

73 The following internal consultees were notified, and their responses are summarised below:

74 Ecological Regeneration – no objection, subject to conditions regarding biodiverse living roof provision, and securing appropriate provisions to protect habitats and species through the Construction Environment Management Plan and Ecological Management Plan. Advise that the developer should take full account of the expertise of the Creekside Education Trust and their experience studying the ecology of the Creek, particularly with regard to the design of the proposed tidal terraces and surface water outfall to the Creek.

75 Environmental Protection – no objections were raised in relation to air quality or land contamination, subject to appropriate provisions being secured via condition and a financial contribution towards air quality monitoring being secured via s106 agreement. In relation to noise, the Council’s Environment Protection officer initially shared the concerns of the Port of London Authority in relation to the need for a suitable BS4142 assessment to robustly assess the noise impact of operations at the safeguarded Brewery Wharf on the proposed development and to identify necessary mitigation measures arising from this, however this matter has subsequently been resolved with the applicant team providing the required information and demonstrating that this matter could be satisfactorily addressed.

76 Environmental Sustainability – in relation to flooding and drainage, raised initial concerns regarding surface water drainage and compliance with policy requirements were addressed following the receipt of further information. No objection is raised, subject to a condition requiring submission of full details of surface water drainage, and that the scheme is built in accordance with the approved details and managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components.

77 In relation to sustainable construction and energy efficiency, the Council’s Sustainability Manager initially identified a number of concerns in relation to building efficiencies, on-site carbon reduction and overheating. Following liaison between the applicant team and the Council’s Sustainability Manager on these matters, the Sustainability and Energy Statement has been comprehensively updated, and additional information has been provided in relation to requested matters. In response to this updated information, the Council’s Sustainability Manager raises no objection to the proposed development, subject to a series of planning conditions to secure provisions within the submitted Sustainability and Energy Statement and Overheating Assessment.

78 Highways – no objection, subject to securing the provision of a detailed range of measures and appropriate financial contributions via planning conditions and the s106 agreement. These requirements are detailed in full within the Transport Impact section of this report.

5.4 EXTERNAL CONSULTATION

79 The following External Consultees were notified, and their responses are summarised below:

80 Civil Aviation Authority – no objection. Recommend a number of informatives.

81 Environment Agency – the Environment Agency initially objected to the application on the risk to the stability and structural integrity of the River Thames tidal flood defences at this site, the provision of insufficient setback and operational access between the built development and the flood defences, and the need to demonstrate how the future flood defence levels in the Thames Estuary 2100 plan can be achieved on site. In response to this initial objection, the applicant team met with and liaised with the Environment Agency to ensure that their concerns could be addressed in full. In response to this, the applicant has amended the proposal and submitted additional details to address the Environment Agency's concerns.

82 In response to this, the Environment Agency have now confirmed that they raise no objection to the proposed development, subject to the imposition of a series of detailed conditions relating to flood defence measures, the construction of the new elements of Creek wall, contamination and drainage.

83 Fire Prevention Group / London Fire Brigade – no objection. An undertaking should be given that access for fire appliances as required by Part B5 of the Building Regulations Approved Document and adequate water supplies for fire fighting purposes will be provided.

84 Greater London Authority

85 The GLA Stage 1 response (November 2018) made the following comments:

86 *Principle of development* – the redevelopment of this long-vacant site for residential led mixed uses, including Trinity Laban facilities and new public open space, is strongly supported, subject to a significantly improved affordable housing offer.

87 *Affordable housing* – GLA officers have significant concerns with the findings of the applicant's financial viability assessment (FVA) and the offer of 10%, made up of 100% shared ownership, is wholly unacceptable. A third of the site is in public ownership; 20% is being contributed by Trinity Laban at no cost to the applicant; and the majority of the site is former industrial land. This all supports a significantly increased level of affordable housing, together with a greater diversity of affordable tenures. The FVA does not include costs for the fit-out of the Trinity Laban facilities, which raises concerns that the organisation is not receiving a benefit commensurate with its land contribution, and that the facilities may be delayed due to insufficient funds. Full fit-out costs should therefore be included in the scheme. Early and late stage viability reviews are required.

88 *Urban design, World Heritage Sites, strategic views and historic environment* – the proposals are generally of a good design quality; however, further consideration of residential daylight levels, and first floor balconies is required. Additional analysis of the impact of the proposals on the Maritime Greenwich World Heritage Site; the Grade I listed St. Paul's Church; and LVMF designated views is also required.

- 89 *Transport* – further information is required on multi-modal trip generation and cycle parking, and a contribution to the delivery of Cycleway 4 is required.
- 90 *Climate change* – the application does not yet comply with London Plan and draft London Plan policies on energy, flood risk, sustainable drainage, and water infrastructure.
- 91 Following receipt of the Stage 1 response, the applicant has liaised with the GLA to seek to address each of their identified concerns. This is detailed within the body of this report in relation to each relevant section.
- 92 In response to the applicant's most recent submissions, in October 2020 GLA officers confirmed that they supported the 15% affordable housing offer will not be requesting any further information on other matters.
- 93 Greater London Archaeological Advisory Service (Historic England) – no objection subject to imposition of a condition requiring submission of an archaeological written scheme of investigation and the implementation of any works arising from this.
- 94 Heathrow Airport – no objection.
- 95 Historic England – in response to the application submission, Historic England's initial response of 13 September 2018 identified concerns with the potentially harmful impact of the proposed development on the setting of the Grade I listed St Paul's Deptford and on the Maritime Greenwich World Heritage Site (WHS). Historic England considered that further visual assessment should be undertaken to determine the extent of impact on the setting of St Paul's Deptford and the Maritime Greenwich WHS, particularly given their very high level of designation.
- 96 In response to these comments, the applicant team undertook additional Accurate Visual Representations of the proposed development in key views and updated the submitted Heritage, Townscape and Visual Assessment to reflect this. Historic England provided further comments on 24 May 2019 in relation to this additional submission. Whilst Historic England welcomed the provision of further visual assessment, they maintained their concern regarding the potentially harmful impact of the proposed development on the setting of the Grade I listed St Paul's Deptford, and the Maritime Greenwich WHS in western views along College Way. Historic England identified that as these proposals affect a World Heritage Site and one most significant Grade I churches in South London they remained of the view that insufficient information had been presented within the submission to make a full assessment of the proposals. Following a subsequent meeting between the applicant team and Historic England to discuss their concerns, the applicant agreed to undertake some further assessment of key views in relation to both St Paul's Deptford and the Maritime Greenwich WHS.
- 97 In response to this further assessment, Historic England provided a response on 29 November 2019. Within this they welcomed that additional visual assessment had been prepared following the meeting with the applicant team, but maintained their position that further visual information, including a more detailed kinetic assessment along the pathway through the churchyard of St Paul's Deptford that takes account of winter months when the trees are not in leaf, would assist in making a full assessment of the proposals.
- 98 In this latest response, Historic England maintain their position that the proposed development would cause harm to both the setting of St Paul's Deptford, and the Outstanding Universal Value of the Maritime Greenwich WHS by appearing in the background of key views, and detracting from their significance. Historic England state that in determining the application, the Council should consider whether the harm that

they identify has been clearly and convincingly justified and outweighed by the delivery of public benefits as is required under NPPF Paragraphs 194 and 196.

- 99 Historic England also maintain their concerns regarding the cumulative impacts of development along Deptford Creek on both sides of the borough boundary. They identify that whilst the area around Deptford Creek can accommodate a significant intensity of development, it is not in their opinion suited to development of this scale and height, and they therefore encourage the Council to seek a collaborative strategy with RB Greenwich to resolve the issues arising from incremental tall building development in this area.
- 100 London City Airport – no objection. Recommend a number of conditions.
- 101 London Westland Heliport – no response received.
- 102 London Wildlife Trust – no response received.
- 103 Maritime Greenwich World Heritage Site – express concern about the potential for the proposed development to have an adverse impact on the setting and Outstanding Universal Value of the World Heritage Site, given its height and scale.
- 104 Express particular concerns that views from within the World Heritage Site from College Way towards the roofscape of Greenwich Town Centre and the character of its historic buildings are likely to be compromised and the significance of this key attribute undermined. Also express concern about the cumulative effect of the proposed development in tandem with a range of other developments along Deptford Creek on both sides of boundary between the Royal Borough of Greenwich and the Borough of Lewisham, including the recently completed Union Wharf and the proposed development at Ravensbourne Wharf and Sun Wharf. Taken together these developments have the potential to overshadow the World Heritage Site and create an undesirable ‘table topping’ and skyline in-filling because of the mass and density of buildings with a resulting detrimental effect on views and vistas to and from the World Heritage Site.
- 105 Metropolitan Police – no objection. Recommend a Secured by Design condition.
- 106 National Air Traffic Services (NATS) – no objection.
- 107 Natural England – no comments.
- 108 Network Rail – no response received.
- 109 Port of London Authority (PLA) – initially objected to the proposed development on the basis it had not been demonstrated that a suitable BS4142 assessment had been undertaken to robustly assess the noise impact of operations at the safeguarded Brewery Wharf on the proposed development and to identify necessary mitigation measures arising from this. As such, the PLA were concerned that the proposed development could compromise the future operation of Brewery Wharf arising from noise complaints from future occupiers who could be exposed to internal noise levels exceeding established noise standards, and that this would be contrary to the London Plan provisions with regard to the protection afforded to existing safeguarded wharves.
- 110 Following submission of an updated Noise and Vibration Chapter to the Environmental Statement in July 2019, the PLA confirmed that a suitable BS4142 assessment had now been carried out. On the basis of the assessment, the PLA subsequently confirmed that whilst they still have concerns with regard to openable windows proposed on facades facing Brewery Wharf, subject to appropriate conditions securing mitigation measures and suitable provisions within a legal agreement, they are satisfied that the development would not compromise the future operations of Brewery Wharf. As such, they have requested conditions requiring a re-assessment of the potential noise impact once

detailed design work has been undertaken in relation to the building fabric and glazing specification, and for the MVHR specification to demonstrate that suitable ventilation can be achieved within the apartments without requiring occupiers to open windows. In relation to the provisions to be secured via a legal agreement, the PLA also require that i) prospective owners be informed of the nature and extent of activities at Brewery Wharf prior to lease / purchase, and ii) occupiers are not entitled to make or pursue any claim for nuisance or damages caused by noise from Brewery Wharf at a level at or below the baseline noise level. These reflect the provisions that were secured by RB Greenwich in relation to the Union Wharf and Ravensbourne Wharf developments.

- 111 In addition to these provisions, the PLA have requested a series of conditions in relation to a submission of a pollution prevention plan, ecological management plan, detailed lighting strategy, construction logistics plan, construction environment management plan, details of the proposed tidal terrace, and the provision of riparian lifesaving equipment. The PLA have asked to be consulted on any future submission to discharge relevant conditions.
- 112 Royal Borough of Greenwich – in their initial response to the application submission (dated 17 October 2018), RB Greenwich raised no in principle objection to the proposed development, subject to the consideration of a number of observations. These included ensuring precautionary measures be applied to protect Deptford Creek during construction works, provisions regarding the appropriate use of Non-Road Mobile Machinery on site during construction works, provisions in relation to transport and access considerations, flood risk and drainage provisions, and requesting that consideration be given to assessing an additional local viewpoint within RB Greenwich at King John's Walk. In addition, RB Greenwich questioned whether the separation distance between the proposed development and the Union Wharf development would result in acceptable privacy distances between these buildings. RB Greenwich also identified that planning conditions should be imposed on any grant of consent in relation to land contamination and piling, and various transport and highways matters.
- 113 In response to publicity associated with the submission of EIA 'further information' in May 2019, a further response from RB Greenwich was subsequently received (dated 14 June 2019). This response raised objection to the proposed development. This response identified that RB Greenwich consider the application proposal to represent overdevelopment and that the proposed density and height of the development should be reduced. The response reiterated the previously cited concerns regarding separation distances with Union Wharf having regard to privacy issues. It also identified the following additional areas of concern: i) daylight impacts – in relation to Union Wharf, Hilton's Wharf and Cavatina Point, the transgressions of BRE guidelines would result in unacceptable impacts to daylight and sunlight within surrounding properties and RB Greenwich consider that these impacts are a symptom of overdevelopment of the site and that density may need to be reduced accordingly; ii) overshadowing impacts – the shadow path analysis is considered inadequate for the purposes of assessing the overshadowing impact on the amenity areas both within the proposed development and the surrounding, and as such it has not been demonstrated the BRE standard has been achieved; iii) the height and scale of the proposed development would be incongruous to its immediate neighbourhood and would dominate Copperas Street, and the development should be reduced in height; iv) the assessment of views from the Maritime Greenwich WHS does not properly assess the impact of the proposed development on the WHS, with their being no assessment provided from within the Nelson Room in King William Court, the upper storey west facing rooms of King Charles Court and from the Cutty Sark, and that the development would result in a substantial negative impact on heritage significance when viewed from College Way; v) detailed comments regarding the proposed approach to sustainable drainage; and vi) the need to ensure any potential conflict with the operation of the safeguarded Brewery Wharf.

- 114 In response to publicity associated with the submission of EIA 'further information' in July 2020, a further response from RB Greenwich was received (dated 7 September 2020) which confirmed that the Royal Borough has no further observations to make and raises no objections.
- 115 Thames Tideway Tunnel – no comments.
- 116 Thames Water – there are potential capacity issues in relation to the local water supply network that may require upgrade works to serve the proposed development. Request that a condition is imposed that limits occupation until confirmation has been provided that either all water network upgrades required to accommodate the additional flows to serve the development have been completed, or that a development and infrastructure phasing plan has been agreed with Thames Water. Also recommend a number of informatives.
- 117 Transport for London
- 118 TfL provided their initial response to the application on 2 October 2018. The applicant has sought to respond to the points raised within this response, and has liaised with TfL on these matters during the consideration of the application. TfL subsequently provided an updated response on 14 June 2019, and there have been additional email exchanges with TfL in relation to the applicant's further revisions, particularly in relation to cycle parking provision.
- 119 In their initial response, TfL questioned the approach to trip generation calculations in relation the Trinity Laban extension. This matter has subsequently been resolved.
- 120 In order to mitigate the impact of additional trips generated by the development, TfL have requested a financial contribution of £225,000 towards the delivery of Cycleway 4, which will provide a segregated cycle track between Tower Bridge and Greenwich. The identified contribution would be directed towards enhancements at the Creekside / Creek Road junction to facilitate delivery of Cycleway 4. This matter is discussed in detail within the report below, however on the basis of viability and the other contributions which the scheme will be making (including a financial contribution of £264,000 towards highway and public realm improvements along the full length of Copperas Street from Creekside to Creek Road), the applicant has confirmed that the scheme would be unable to make a financial contribution towards Cycleway 4.
- 121 TfL's initial response raised a number of concerns in relation to cycle parking provision, and there has been extensive liaison between the applicant and TfL on this matter during the application's consideration. The applicant has sought to maximise the provision of cycle parking within the scheme where practicable within the constraints of the basement footprint, and provide a proportion of accessible spaces which reflects guidance in the London Cycling Design Standards (LCDS). Notwithstanding the changes introduced, the residential cycle parking provision falls below the Draft London Plan requirement, and TfL have raised concerns that the provision does not fully accord with the LDCS guidance. TfL have also expressed some concern in relation to the proposed bike lift which would provide access to the basement cycle parking, in terms of the personal safety and security of users. These matters are discussed in detail within the report below.
- 122 TfL has welcomes the proposed provisions in relation to electric vehicle charging points and preparation of travel plans, and the proposed financial contributions towards real time bus arrival information at stops on Creek Road, a Controlled Parking Zone and a car club.

5.5 DESIGN REVIEW PANEL

123 The scheme was last presented to the Lewisham Design Review Panel on 27 September 2017. This represented the fourth time that the Panel had reviewed proposals for a development scheme on the site, in the context of the site's previous planning history.

124 The key comments of the Panel are summarised in the table below, together with an officer response detailing how these issues have been addressed within the final submission:

Design Review Panel comments	Officer response
<p>The Panel were broadly supportive of the masterplan, and the siting, height, proportion and scale of the proposed towers. The Panel considered that bringing together the land interests of Kitewood, Trinity Laban and LB Lewisham resulted in a more cohesive approach to the development of the site.</p>	<p>The siting, height, proportion and scale of the submitted scheme largely reflects that which was considered by the Design Review Panel in September 2017. The application site comprises the three land ownerships, which ensures a comprehensive approach to development.</p>
<p>The Panel considered that the design team needed to further develop the detailed design treatment of the Trinity Laban extension to ensure the importance of this building as a very special arts and educational building is reflected in its design treatment. It should be a more distinctive element within the development that is more clearly grouped with the existing Laban building.</p> <p>The Panel considered that the proposed contrasting materiality of darkness and lightness between the two Laban buildings might work well but was dependant on the satisfactory development of the architecture of the Laban building.</p>	<p>The design of the Trinity Laban extension has been further developed through its materiality and detailed treatment. As discussed within the Design section of this report, the proposed building uses a robust and textured materiality to contrast with the smooth and semi-translucent quality of the existing Laban Building. The bridge element would link the two buildings at first floor level with a high quality design.</p>
<p>The Panel felt that the tower typology was unclear and the relationship between the three elements does not currently result in a successfully worked form or architectural expression. In terms of the relationship between Building 1 and Building 3, the Panel considered that this relationship needed to be reconsidered, with either the two buildings being made more separate, or more integrated.</p>	<p>The material palette across the proposed scheme now affords greater differentiation between Building 1 and Building 3. Buildings 1 and 2 would be read together as a pair of towers with a similar design language and materiality, whilst the darker and coarse materiality to Building 3 would ensure this has a relationship with, but is also clearly distinguished from, the two tower elements.</p>
<p>The arrangement of eight units per floor was endorsed by the Panel as producing a pair of elegantly proportioned towers</p>	<p>Each of the residential towers would have no more than eight residential</p>

Design Review Panel comments	Officer response
<p>of subtly differing heights. The Panel commented that the plan layouts will should ensure there are no single aspect north facing units.</p>	<p>units per floor, and there would be no single aspect north facing units.</p>
<p>The Panel considered that the Creekside Walk route should be permanently open and not be closed at night, which risks creating a dead end in the south-western quarter of the public realm.</p>	<p>The nature of the semi-translucent polycarbonate panels which make up the elevations of the exiting Laban Building means that they would be readily susceptible to damage and vandalism. Unrestricted public access to the elevations of the building was never planned for when the building was designed, with the site currently bounded by mesh fencing. Trinity Laban therefore have significant concerns in terms of crime and vandalism to the building should there be unrestricted public access along this stretch of the Creekside route throughout the day and night. Trinity Laban are happy to facilitate public access along this route during daytime hours, but are clear that night time access needs to be restricted. Given the nature of this narrow stretch of route with no active frontage and very limited overlooking, the public are unlikely to feel comfortable using this stretch outside of daylight hours in any case. As such, the proposed approach whereby public access during daytime hours would be provided, but that access to this stretch would be closed off at night via gates is considered appropriate. The detail of these provisions regarding access along this stretch of the Creekside route would be secured via the s106 agreement.</p>
<p>Panel members welcomed the idea of the landscape ‘washing’ around the buildings, and were engaged by the elegance of flowing forms of ‘flux, flow and rhythm’ within the public realm. The Panel supported the treatment at Deptford Creek, but felt that further work was needed to moderate the design at the interaction with Copperas Street, and in terms of how the landscape creates transition at the boundaries with the Essential Living site in terms of texture, surfacing, street furniture and lighting.</p>	<p>The landscape design evolved further prior to submission in response to the comments of the Design Review Panel. The design has sought to better integrate where it meets the Union Wharf site and where it connects to Copperas Street.</p>

Design Review Panel comments	Officer response
<p>The Panel raised concerns with the double width entrance to the basement car park and vehicle servicing area, which they considered to be excessive and overly dominant in the public realm fronting to Copperas Street.</p>	<p>A double width entrance is necessary at this location to facilitate access to both the basement car park and the vehicular servicing along the north east side of the site to provide access for emergency service vehicles and for future maintenance access to the Creek wall, and provide a suitable turning head facility for larger vehicles recognising that no such provision currently exists at Copperas Street. The effect of this on the streetscene along Copperas Street would however be mitigated through the approach to public realm materials.</p>
<p>The design work should include a careful assessment of both diurnal and nocturnal conditions within the public realm, including the development of a suitably high quality lighting scheme.</p>	<p>An indicative lighting scheme has been developed which provides ambient lighting to the public realm areas, however submission of a detailed lighting scheme would be secured by condition associated with any grant of consent.</p>
<p>The Panel encouraged the design team to consider carefully the impact of service space at street level on the street elevation and the public realm and to ensure that these are as minimal as possible.</p>	<p>The servicing arrangements have been subject to detailed discussion with the Council's Highways officers. The provision of a drop-off / loading bay off Copperas Street is considered necessary to meet the servicing needs of the development. The effect of this on the streetscene along Copperas Street would however be mitigated through the approach to public realm materials.</p>
<p>Whilst noting that indicative studies had been undertaken, the Panel advised that the design team should develop the project in tandem with appropriate environmental analysis, in particular ensuring good daylight penetration and avoidance of wind being deflected from the taller buildings into the public and communal realm spaces.</p>	<p>A detailed assessment of daylight, sunlight and overshadowing has been submitted as part of the Environmental Statement. This assessment is detailed within the body of this report below. A wind microclimate assessment also forms part of the submitted Environmental Statement. The wind microclimate assessment identifies a series of mitigation measures to ensure the wind environment would be suitable for the intended uses, and these measures would be secured by condition.</p>
<p>The Panel endorsed the principle that the development be essentially car free, with the exception of disabled parking</p>	<p>This is reflected in the submitted scheme.</p>

Design Review Panel comments	Officer response
and some parking provision for Trinity Laban.	
The Panel identified that at planning application stage, the quality of the detailing needs to be demonstrated through large scale drawings at 1:20 and 1:5 scale of key elements of the building and landscape, and should be accompanied by actual material samples which should be secured as part of any planning approval.	Large scale drawings of elements of the buildings have been submitted. In terms of building and landscape materials, the Design and Access Statement and Landscape Design Statement detail the proposed materials. Planning conditions are recommended in relation to submission and approval of materials. An architect retention clause is also proposed within the s106 heads of terms to ensure that Squire & Partners are retained to ensure that architectural quality of the design and materials is maintained through the detailed design stage.
The design team will need to set out the approach to sustainability and energy performance for the development.	This is addressed within the submitted Energy and Sustainability Statement, which has been revised during the course of the application's consideration. The proposed approach is detailed within the body of this report below.

6 POLICY CONTEXT

6.1 LEGISLATION

125 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).

126 [Include for proposal affecting Listed Buildings or Conservation Areas] Planning (Listed Buildings and Conservation Areas) Act 1990: S.66/S.72 gives the LPA special duties in respect of heritage assets.

6.2 MATERIAL CONSIDERATIONS

127 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.

128 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.

129 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

130 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)

6.5 SUPPLEMENTARY PLANNING GUIDANCE

131 Lewisham SPG/SPD:

- Planning Obligations Supplementary Planning Document (February 2015)
- River Corridor Improvement Plan Supplementary Planning Document (September 2015)

132 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- London World Heritage Sites (2012)
- London View Management Framework (March 2012)
- All London Green Grid (March 2012)
- Play and Informal Recreation (September 2012)
- Sustainable Design and Construction (April 2014)
- Character and Context (June 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- Social Infrastructure (May 2015)
- Housing (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)
- Culture & Night Time Economy (November 2017)
- Energy Assessment Guidance (October 2018)

6.6 OTHER MATERIAL DOCUMENTS

- Draft London Plan: The Mayor of London published a Draft London Plan on 29 November 2017 and minor modifications were published on 13 August. The

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

7 PLANNING CONSIDERATIONS

133 The main issues are:

- Principle of Development
- Housing
- Employment
- Urban Design and Impact on Heritage Assets
- Transport Impact
- Living Conditions of Neighbours
- Sustainable Development
- Natural Environment
- Public Health, Well-being and Safety
- Environmental Impact Assessment
- Planning Obligations

7.1 PRINCIPLE OF DEVELOPMENT

General policy

134 The National Planning Policy Framework (NPPF) at Paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

135 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.

136 LPP 2.13 sets out the policy approach in relation to opportunity areas, and this policy approach is carried forward into DLPP SD1.

Discussion

137 The application site lies within the Deptford Creek / Greenwich Riverside Opportunity Area, as identified under LPP 2.13. Annex 1 to the London Plan identifies that this 165ha opportunity area has an indicative employment capacity of 4,000 jobs and should provide a minimum of 5,000 new homes. This policy approach is carried forward within DLPP SD1 which updates the indicative capacity for the Deptford Creek / Greenwich Riverside opportunity area to 3,000 jobs and 5,500 homes.

138 LPP 2.13 states that development proposals within opportunity areas should a) support the strategic policy directions for the opportunity areas as set out in Annex 1 to the plan; b) optimise residential and non-residential densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses; c) contribute towards meeting (or where appropriate, exceeding) the minimum guidelines for housing and/or indicative estimates for employment capacity set out in Annex 1 to the plan; d) realise scope for intensification associated with existing or proposed improvements in public transport accessibility; and e) support wider regeneration and integrate development proposals to the surrounding areas. In this context, the redevelopment of this long-vacant site for residential-led mixed-use development would contribute to these targets and is in line with the policy approach set out for this opportunity area within both the adopted and the Draft London Plan.

139 Core Strategy Spatial Policy 2 'Regeneration and growth areas' identifies that the Deptford, Deptford Creekside, New Cross/New Cross Gate Regeneration and Growth Area will accommodate up to 2,300 additional new homes by 2016 with a further additional 8,325 new homes by 2026. The policy also identifies that the area will support smaller-scale local retail uses on site where larger scale redevelopment occurs, and support regeneration and growth through the redevelopment of designated underutilised employment sites for a mix of uses including residential and a significant element of employment space at Mixed Use Employment Locations (MELs). Whilst the application site is not identified as one of the seven MEL's identified within this policy on Figure 6.2, the effect of Site Allocation Policy SA12 within the Site Allocations Local Plan (detailed below) is to allocate the site as an additional MEL for the purposes of Core Strategy Spatial Policy 2. The reasoned justification to the policy confirms that in the Deptford and New Cross area, urban design policy will aim to establish visual links with the Thames, increase the connectivity of the street network, improve the streetscape, and create a sense of place. It identifies that all riverside development should address the River Thames as an important part of the public realm, and that development within the MELs will create new places in areas that currently lack identity and will build on existing landscape features to preserve local distinctiveness.

- 140 The majority of the application site is allocated in the Site Allocations Local Plan as site SA12 – Thanet Wharf Mixed Use Employment Location. The site allocation includes the land which lies within the ownership of Kitewood and the land which lies within the ownership of LB Lewisham. That part of the application site which is owned by Trinity Laban and forms their car park / service yard does not fall within the site allocation boundary, as it was not anticipated at that time that the car park / service yard serving the Trinity Laban building would form part of any redevelopment proposal for the adjoining land. As such, the site allocation relates to an area of 0.61 hectares, where the application site boundary extends to an area of 0.77 hectares. Policy SA12 allocates the site as a Mixed Use Employment Location providing a range of Business (B1) employment uses, including provision for cultural and creative industries and housing. The policy identifies an indicative housing capacity of 226 dwellings for the site (recognising that this relates to the smaller site allocation area of 0.61 hectares), with an indicative floorspace for employment uses at 20% of the total floorspace. The policy states that this site allocation provides the opportunity to “enhance one of the borough’s landmarks, forming part of a wider comprehensive approach to regenerating the area, thereby complementing and supporting the Laban Centre and relating to nearby areas for regeneration. The allocation provides an opportunity to promote sustainable transport, accessibility and permeability across the site and physical links with the surrounding area”. It identifies that the views of the Creek would need to be protected and enhanced and the natural habitat of specific fauna and flora be maintained.
- 141 The site’s allocation as a Mixed Use Employment Location and the identification within the policy of an indicative floorspace for employment uses at 20% of the total floorspace derives from and complements Core Strategy Policy 4 – Mixed Use Employment Locations. Core Strategy Policy 4 identifies that the comprehensive redevelopment of the Mixed Use Employment Locations will be required to provide a) employment uses within the B Use Class amounting to at least 20% of the built floorspace of any development; b) residential uses with a proportion of on-site affordable housing; c) improvements to the overall environmental quality, by providing, where appropriate, the provision of new, or improvement of existing, walking and cycling routes to public transport services and local facilities, public transport to increase the public transport accessibility level of the site, a high quality and accessible public realm, landscaping, biodiversity, the provision of amenity and public open space, and children’s play areas, and high quality architecture and design that will contribute to raising the architectural quality of the area; and d) improvements to the social, cultural and leisure facilities of the area. The policy also identifies that a masterplan will be required to be submitted with planning applications to ensure a comprehensive approach to the development of each Mixed Use Employment Location that demonstrates that proposals will provide the highest level of residential amenity for future residents. This policy is complemented by DM Policy 9 – Mixed Use Employment Locations (MEL) within the Development Management Local Plan. Paragraph 2.63 within the reasoned justification to this policy highlights that proposals that have come forward on MEL sites to date have not necessarily reached the 20% requirement of built floorspace to be within the B Use Class, but have proposed alternative forms of employment generating use in order to achieve a vibrant and sustainable development that meets the overall aims of the Core Strategy.
- 142 In relation to the employment use of the site, part of the site was previously used for industrial purposes, containing three warehouse buildings (1,359sqm), with an associated office building (387sqm). The site has however been vacant with no employment use since approximately 2007, and the existing buildings are now in a derelict condition. The principle of the loss of industrial floorspace on this site was established through the resolution of Lewisham’s Strategic Planning Committee on 1 November 2007 to grant permission for the mixed use redevelopment proposal (planning application reference DC/06/063352). This was subsequently confirmed through the adoption of the Site Allocations Local Plan in June 2013, which as detailed above, allocates the site as a Mixed Use Employment Location providing a range of Business

(B1) employment uses, including provision for cultural and creative industries, and housing. The implication of Core Strategy Policy 4 and Site Allocation Policy SA12 is that employment floorspace should represent at least 20% of the total floorspace across the site.

- 143 The application proposal includes new non-residential space in the form of the Trinity Laban extension, and 757sqm of flexible commercial space, which together amount to 18% of the total proposed floorspace. The application submission estimates that the new facilities for Trinity Laban would create an additional 31FTE jobs, and that the commercial floorspace can be expected to generate a further 48FTE jobs. Site Allocation Policy SA12 identifies that the site is allocated for a range of employment uses, including provision for cultural and creative industries. It must also be recognised that the site allocation does not extend to include the full extent of the application site, with 0.16 hectares of the application site lying outside the site allocation (the existing Trinity Laban car park / service yard). Recognising that the 18% non-residential floorspace provision is broadly in line with the policy requirement, that the provision of an extension to Trinity Laban to facilitate its long term retention within the borough is a long held strategic objective, having regard to the fact that the application site boundary extends beyond the site allocation boundary, and taking into account that the site has been vacant and unused for employment purposes for more than ten years, it is considered that the principle of the residential-led mixed use redevelopment of the site is in line with London Plan and Draft London Plan policies, together with relevant Core Strategy policies, DM Policy 9 within the Development Management Local Plan, and Site Allocation SA12.

Land Use: Non-Residential

- 144 The proposed development would deliver a new building comprising an extension to Trinity Laban's facilities, with 7,319sqm GIA of floorspace which would be constructed to shell and core.
- 145 LPP 3.16 'Protection and enhancement of social infrastructure' seeks to ensure there is sufficient high quality social infrastructure to support London's growth, which is reflected in DLPP S1. LPP 3.18 'Education facilities' supports proposals that enhance education provision, including new build and expansion, which is also reflected in DLPP S3. LPP 4.6 'Arts, culture, sport and entertainment' supports developments that address deficiencies in cultural facilities in areas with good public transport, which again is reflected in DLPP HC5. Furthermore, DLPP Policy HC6 'Supporting the night time economy', and the Mayor's Culture and the Night Time Economy SPG, provide additional support to evening and night-time cultural venues. Community use of cultural facilities is supported by both the adopted and Draft London Plan.
- 146 The Core Strategy vision identifies that the Deptford and New Cross area will build on its prestigious art and educational institutions, specifically including Trinity Laban, to become a thriving centre for creative businesses. CSP 20 'Delivering educational achievements, healthcare provision and promoting healthy lifestyles' states that the Council will support the enhancement of the Laban Centre to improve the quality of teaching, learning and research in Lewisham. This is complemented by DMP 43 'Art, culture and entertainment facilities' which states that the Council will encourage new or extended art and culture uses where there is no unacceptable impact on local amenity. In addition, as identified above, site allocation Policy SA12 allocates the application site for mixed use development including provision for cultural and creative industries. The reasoned justification to the site allocation confirms that the redevelopment of the site should complement and support the Laban Centre.
- 147 The proposed extension to the Trinity Laban facility includes an auditorium, three rehearsal studios, four dance studios, offices and workshops. Trinity Laban provides education and training for circa 1,000 students per year, however it has no facilities for collaborative music and dance, and no large performance areas suitable for orchestra,

musical theatre performance or large ensemble/groups. The smaller dance theatre and studios in the existing building are currently operating beyond capacity, which is expected to worsen as student numbers increase. The new space would respond to these needs, as well as allowing increased commercial revenue raising in light of reduced public funding. The building would also allow the expansion of Trinity Laban's community programme, which includes participatory and outreach programmes (currently 80,000 annual attendance, of which 45% is free to local communities), as well as dance and fitness classes.

- 148 Trinity Laban has submitted a statement in support of the planning application which sets out the need for an expansion of their facilities, the benefits of the proposed development to Trinity Laban and the local community, and why this development represents the only option for Trinity Laban to secure new facilities within Lewisham.
- 149 Trinity Laban was formed in 2005 as a merger of two institutions, Trinity College of Music, and Laban Dance Centre. The Laban Dance Centre had been an integral part of the Lewisham community since 1975 when it moved to premises in Laurie Grove, New Cross. Laban moved to the existing facility at Creekside upon the building's completion in 2003, with facilities including 13 dance studios, a 300 seat auditorium, a specialist dance library collection, a dance health suite, together with a café and administrative facilities. Trinity Laban's Faculty of Dance is renowned as one of Europe's leading centres for the training of professional contemporary dance artists, and offers a wide range of undergraduate, postgraduate, distance learning and other courses.
- 150 In terms of community access to the Laban Building, Trinity Laban currently offers a wide range of activities and classes, including a range of dance classes for children and young people, including for children with disability and children with poor mental health. In terms of adult activities, these include an adult dance programme with 375 adults taking part each week in dance / movement classes, an older person's dance programme, and a dance class for adults with brain injury. In addition, Trinity Laban run a range of participatory and outreach programmes which target socially excluded communities, using music and dance to promote social cohesion, health and well-being, and skills development. Trinity Laban's programme of professional, student and community performances are also available for the public to attend, and in 2017 across its range of performance venues performances were attended by over 80,000 people, of which 45% were free to local communities.
- 151 Trinity Laban identify that the proposed new building will provide much needed facilities for its expanding musical theatre cohort, contemporary dance programmes and collaborative space for music and dance, and will enable it to increase student numbers by up to 160 places. The new performance venue will enable Trinity Laban to expand the number of professional performances, and the facilities will also enable it to expand its established community engagement and outreach programmes. Trinity Laban's supporting statement identifies that due to reductions in funding from central Government, it is necessary for them to expand their estate in order to allow them to grow their student numbers and provide opportunities to raise revenue via other means, including the hire of the space for events and performances. The supporting statement identifies that Trinity Laban does not hold the requisite capital reserves to enable it to expand its estate by other means, the cost of which it estimates to be approximately £30-40 million if it were to develop without a development partner. Trinity Laban therefore considers that the partnership with Kitewood to facilitate the delivery of the new building represents the only affordable option available to expand its estate, in the context of reduced opportunities for Arts Council or Lottery funding.
- 152 The new building would be constructed to shell and core, with Trinity Laban funding the fit out costs of the building. The GLA Stage 1 response to the application (dated 19 November 2018) noted that the submitted Financial Viability Review did not include costs or funding for the fit-out of the Trinity Laban facilities and in this context flagged

concern that the delivery of the facilities may be delayed due to insufficient funding being available.

- 153 Trinity Laban estimate that the fit out costs of the new building would be c. £15m, and that this sum would be raised via a range of means including fundraising, trusts, the development of other land in its ownership, and prudential borrowing. A letter received from the Principal of Trinity Laban dated 12 June 2019 confirmed that Trinity Laban are confident that they can to raise the fit-out costs for the new building and states their strong commitment to the partnership with Kitewood to deliver this new facility.
- 154 In response to the impacts of the Covid-19 pandemic, the Principal of Trinity Laban issued a further letter dated 9 July 2020 which reaffirms that nothing has changed from the perspective of Trinity Laban in that they still require the additional facilities that are to be accommodated within the proposed development, and they remain confident that they can to raise the fit-out costs for the new building. The letter restates that Trinity Laban does not have the requisite capital reserves to enable it to fund either the acquisition of a suitable site or a new building to provide the required facilities, and as such they consider that the opportunity presented by the proposed development is the only deliverable option to provide new state of the art facilities.
- 155 As part of the proposed development, Trinity Laban have committed to enter into a legal agreement with the Council to secure additional community use of their facilities. Trinity Laban have submitted proposed heads of terms for this community use agreement which sets out details of the provision of dance and music opportunities for children and young people, community access to their facilities for Lewisham residents and registered charities, and the provision of dance and music opportunities for Lewisham adults and older people.
- 156 In addition, the agreed heads of terms include provisions to ensure that the Trinity Laban building would be completed to an agreed shell and core specification prior to the completion of the 200th residential unit, in order to ensure that this element is delivered at an appropriate stage having regard to the phasing of the development. The agreed heads of terms also include provisions requiring Trinity Laban to commit to fitting out the building and bringing it in to use within a defined time period. These heads of terms are set out in full under 'Section 12 – Legal Agreement' below, and would be secured via legal agreement.
- 157 As set out above, there is clear support in planning policy terms for the retention and expansion of Trinity Laban as a higher education institution and cultural asset within the Deptford area. The proposed development represents a unique opportunity to expand the existing facilities on an adjacent site to the Laban Building, and therefore enable both buildings to operate together realising efficiencies of scale in terms of the management of the facility and avoiding the need for staff and students to travel between two separate facilities. In this context, the proposed development is considered to be in accordance with the provisions of London Plan Policies 3.16, 3.18 and 4.6 together with Core Strategy Policy 20 and Site Allocation Policy SA12. The development would facilitate a high quality new facilities that would support the retention and expansion of Trinity Laban within the area. Moreover, the provisions of the community use agreement would secure increased public and community use of Trinity Laban's facilities. Substantial weight should therefore be accorded to this as a planning benefit of the proposed development.
- 158 In addition to the provision of the new Trinity Laban building, the proposed development would include 757sqm GIA of flexible commercial floorspace. This would provide flexible space for take up by office (B1), financial and professional services (A2), retail, food and drink (A1, A3 and A4) uses. This quantum of commercial floorspace is considered to be appropriate to serve the needs of the development, and is important in the context of providing active ground floor uses to animate the public realm. In accordance with DMP

9 and the Planning Obligations SPD, the costs of fitting-out of this commercial floorspace would be secured via s106 agreement.

Deptford Creekside

- 159 Core Strategy Policy 11 'River and waterways network' states that development adjacent to rivers and the waterway network should contribute to their special character by improving the urban design quality and natural ability of the rivers and waterways to function, the vitality of the river frontages, and improving access to the foreshore and naturalising flood defences. Complementing this, DM Policy 34 'Thames Policy Area and Deptford Creekside' requires that development on sites adjacent to Deptford Creek improves the relationship of the Creek with the local context by maintaining and enhancing the relationships of local views, existing visual links and physical connections with the Creek; providing a mix of uses; addressing the Creek as an important part of the public realm and contributing to the liveliness of the waterfront; maintaining and enhancing the appearance and nature conservation interest of the Creek corridor; and maintaining the stability of the flood defences.
- 160 Complementing these development plan policies, Lewisham's River Corridor Improvement Plan SPD (September 2015) establishes design and development guidelines for development within the defined river corridor character areas in order to ensure high quality development that enhances the river setting. The application site lies within the River Thames and Deptford Creek River Corridor Character Area. The SPD identifies that new development should seek to improve visual and physical public access to and along the river for pedestrians and cycles, create public spaces that overlook the river together with public art and wildlife / ecological interpretation, preserving or enhancing local biodiversity through providing appropriate landscaping and habitats and managing invasive species, integrating flood risk mitigation measures, and making provision for appropriate management and maintenance. For the River Thames and Deptford Creek area, the SPD provides corridor specific policies requiring the maintenance of existing and provision of new ecological fenders and intertidal terracing and the maintenance and improvement of access to the Creekside Discovery Centre.
- 161 A River Impact Study (Squire and Partners, July 2018) has been submitted alongside the application submission, which seeks to demonstrate how the proposed development addresses the requirements of the SPD. This is discussed in the relevant sections of the appraisal below, in relation to design, flood risk and drainage, and ecology and biodiversity.

7.2 HOUSING

162 This section covers: (i) the contribution to housing supply, including density; (ii) the dwelling size mix; (iii) the standard of accommodation; and (iv) total affordable housing proposed and its tenure split.

7.2.1 Contribution to housing supply

Policy

163 National and regional policy promotes the most efficient use of land. 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.

164 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.

165 LPPs 3.3 and 3.4 seek to increase housing supply and to optimise housing output within the density ranges set out in the sustainable residential quality matrix.

166 The London Plan is clear that it is not appropriate to apply the matrix mechanically (para 3.28). The Mayor's Housing SPG (2016) elaborates that the density matrix should be a starting point and a guide rather than an absolute rule (para 1.3.8). DMP 32 reflects this approach. The emerging Draft London Plan takes this approach further, removing the density matrix and focusing on a design-led approach in accordance with the Intend to Publish London Plan Policy D2.

167 The Intend to Publish London Plan Policies H1 and D6 support the most efficient use of land and development at the optimum density. Defining optimum density is particular to each site and is the result of the design-led approach. Consideration should be given to: (i) the site context; (ii) its connectivity and accessibility by walking and cycling and existing and planned public transport (including PTAL); and (iii) the capacity of surrounding infrastructure.

168 The current London Plan sets an annual target for Lewisham of 1,385 new homes until 2025. The Intend to Publish London Plan identifies a ten year housing target for net housing completions (2019/20 – 2028/29) of 16,670 for Lewisham, which equates to an annualised average of 1,667 new homes per year.

Discussion

169 The proposed development would deliver 393 new dwellings, which represents 28.4% of the borough's current annual housing target, and 23.6% of the borough's annual housing target on the basis of the Intend to Publish London Plan. This would represent a significant contribution to the annual target for Lewisham, and therefore officers attach significant weight to this in planning terms.

170 The application site has an area of 0.77 hectares and a PTAL of 4, and is within an area which accords with the Central typology given the development density on surrounding sites and the mix of uses. The density matrix within Table 3.2 of the London Plan identifies an indicative density range of 650 – 1,100 habitable rooms per hectare, or 140 – 405 units per hectare in this context. The density of the proposed scheme is 1,828 habitable rooms per hectare, or 634 units per hectare, based on the net residential site

area as per the methodology for calculating density in relation to mixed use schemes as set out in the Mayor’s Housing SPG.

171 Table 1 below sets out the measures of density criteria required by emerging DLPP D3 for all sites with new residential units.

Table 1: Measures of Density

Criteria	Value	Value/area*
Site Area (ha)	0.77 (0.62)*	-
Units	393	634 per ha
Habitable rooms	1,074	1,732 per ha
Bedrooms	681	1,098 per ha

* NB as this is a mixed use development, the figures are calculated on the net residential site area as per the methodological guidance within the Mayor’s Housing SPG (para 1.3.70) for calculating residential density on mixed use developments. The non-residential floorspace accounts for approximately 19% of the total floorspace, and as such it is appropriate to apply a 19% reduction to the site area as the basis for calculating the residential density.

172 It is recognised that the measures of density would be above the guidance ranges set out in Table 3.2 of the London Plan. Paragraph 1.3.51 of the Mayor’s Housing SPG identifies that it may be acceptable for a particular scheme to exceed the ranges in the density matrix, providing important qualitative concerns are suitably addressed. The SPG confirms that schemes which exceed the ranges in the matrix must be of a high design quality and should be tested against the considerations outlined in LPP 3.4 ‘Optimising housing potential’ (namely local context, and character, design principles and public transport capacity); the existing and planned public transport connectivity, social infrastructure provision and other local amenities and services; the need for development to achieve high quality design in terms of liveability, public realm, residential and environmental quality, and accordance with the housing quality standards; the residential mix and dwelling types proposed; and whether the proposals are in the types of accessible locations which the London Plan considers appropriate for higher density development.

173 In this context, it is recognised that the site is located within an Opportunity Area, with good accessibility. Recent development within the surrounding context (notably Union Wharf, Creekside Village West, and Kent Wharf) comprises high density development that includes tall buildings. In terms of design, the detailed design of the scheme has been independently reviewed by Lewisham’s Design Review Panel, and has also been subject to a series of pre-application meetings with the Council and the GLA. Issues of design are addressed in detail below.

174 The emerging policy in the Intend to Publish London Plan signals a shift towards greater flexibility around housing density and a less mechanistic approach. Policy D6 adopts a design-led approach to optimising density and the policy approach does not utilise a density matrix. In relation to the issue of density, it is noted that the GLA Stage 1 response identified that the proposed density is supported in principle, subject to the resolution of a number of identified concerns regarding residential quality. These are discussed below under ‘Residential Quality’.

Summary

175 Having regard to the context of the application site, the provisions within the Mayor’s Housing SPG in relation to applying the density matrix, and the thrust of the Intend to Publish London Plan policies on this matter, it is considered that the proposed density is

acceptable for this location. In delivering 393 new residential units, the proposed development would make a notable contribution to Lewisham’s annual housing target and officers attach significant weight to this in planning terms.

Dwelling mix

Policy

- 176 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.
- 177 NPPF para 61 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.
- 178 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.
- 179 CSP 1 echoes the above with several other criteria however expects the provision of family housing (3+ bedrooms) in major developments and DMP 32 confirms that single person dwellings will not be supported other than in exceptional circumstances where they are of exceptional design quality and in highly accessible locations.
- 180 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

- 181 The proposed dwelling mix across the scheme as a whole is summarised in the table below:

Table 2: Dwelling mix

Unit Size	No. of Units*	% of Total*	No. of Hab Rooms	% of Total
1B2P	164 (20)	41.7% (48.8%)	328	30.5%
2B3P	3 (-)	0.8% (-)	9	0.8%
2B4P	167 (17)	42.5% (41.5%)	501	46.6%
3B5P	39 (4)	9.9% (9.8%)	156	14.5%
3B6P	20 (-)	5.1% (-)	80	7.4%
TOTAL	393 (41)	100% (100%)	1,074	100%

* Wheelchair accessible units shown in *(brackets)*

- 182 The proposed mix of units is considered appropriate, with 58% of all units having two or more bedrooms, and 15% of all units having three bedrooms. There would be no studio units provided within the development. For a higher density development within an Opportunity Area this is considered to represent a positive mix that provides for a good range of dwelling sizes, which will contribute towards the creation of a balanced community. As such, the proposed development would make a substantive contribution to Lewisham’s housing needs by providing a range of dwelling sizes, and officers attach significant weight to this in planning terms.

7.2.2 Affordable housing

Percentage of affordable housing

Policy

- 183 The NPPF expects LPAs to specify the type of affordable housing required (para 62).
- 184 LPP 3.10 defines affordable housing. LPP 3.12 states the maximum reasonable amount of affordable housing should be sought, having regard to several criteria in the policy.
- 185 CSP1 and DMP7 reflect the above, with an expectation of 50% affordable housing, subject to viability.
- 186 DLPP H5 sets a threshold level of affordable housing at a minimum of 35%, increasing to 50% for public sector land or Strategic Industrial Locations, Locally Significant Industrial Sites and Non-Designated Industrial Sites appropriate for residential uses. The policy sets out a series of criteria for applications to follow the Fast Track Route of the threshold approach.

Discussion

- 187 The scheme initially proposed 10% affordable housing provision (by both number of units and by habitable rooms) in the form of 39 shared ownership tenure units. As this did not meet the requirements for the fast track route, the applicant provided a Financial Viability Assessment (FVA). The FVA seeks to demonstrate that if the £13m cost of providing the Trinity Laban facilities to shell and core was alternatively used to provide affordable housing, 35% affordable housing provision could be achieved across the scheme.
- 188 The submitted FVA has been subject to detailed independent review by Urban Delivery, the Council's appointed viability consultants in relation to this application. The report of Urban Delivery (Financial Viability Review Report – Creekside Village East, October 2018) is appended to this report as Appendix 2. This report concludes that a proposed scheme comprising 10% Shared Ownership units will generate a Residual Land Value that is approximately £650,000 below the accepted Benchmark Land Value. It confirms that this level of deficit indicates that the proposed development would not be able to support the inclusion of any additional affordable housing provision. The report also notes that should house prices fall, this would have significant implications on the financial viability of the project and the delivery of the proposed development scheme.
- 189 In its Stage 1 response to the application (dated 19 November 2018), the GLA response identified that GLA officers had identified significant concerns with the findings of the FVA, in particular the benchmark land value. In this context, the response found that the proposed affordable housing provision of 10% of units as shared ownership tenure was unacceptable. The GLA noted that 33% of the site is in public ownership and 20% of the site is being contributed by Trinity Laban at no cost to the applicant, and that this should therefore support higher levels of affordable housing, including low cost rent tenure. The GLA Stage 1 response therefore identified that a significantly increased level of affordable housing was required, together with a greater diversity of affordable tenures.
- 190 Following receipt of the GLA Stage 1 response, further discussions took place between the applicant and their appointed viability consultant, the Council and its appointed independent viability consultant, and the GLA and their viability expert. Following on from this, the GLA's viability expert indicated that based on the additional information presented the scheme would generate a residual land value of £5.136m which results in viability deficit of -£713,348 when compared to the £5,850,000 Benchmark Land Value, which demonstrates that the scheme will only just show a viable position in delivering

10% affordable housing provision (all shared ownership tenure). The GLA's viability expert recognised that the cost of providing new facilities for Trinity Laban has a significant impact on this, with the total cost of the provision of the Trinity Laban facility to shell and core, inclusive of build costs, fees, CIL, finance and profit is c. £20m. The GLA's viability expert identified that whilst it is difficult to accurately state what overall tenure policy compliant affordable housing this would have delivered (as there would need to be a redesign of the scheme in the absence of the Trinity Laban facilities), it could be expected to be around 30%, assuming a tenure split of 70% London Affordable Rent and 30% Shared Ownership. In conclusion, the GLA's viability expert confirmed that the proposed development complies with the viability methodology of the Mayor's Affordable Housing and Viability SPG and the Planning Practice Guidance, and that the assessment demonstrates that 10% affordable housing provision (all shared ownership tenure) is the maximum reasonable affordable housing provision in viability terms.

191 Notwithstanding this, in order to respond to the political desire for an improved affordable housing offer and to seek to avoid the time delay and costs of a planning appeal associated with any refusal of the application, the applicant has confirmed that they are prepared to increase the affordable housing provision to 15% (by both number of units and habitable rooms) in the form of 59 shared ownership tenure units. The applicant has however made clear that this increased offer of 15% affordable housing provision is made solely on the basis that the application is approved by LB Lewisham and is supported by the GLA at Stage 2 referral. In the event that the application were to be refused, the affordable housing offer for the purposes of any future planning appeal would revert to the 10% provision, as justified on the basis of the viability evidence. The GLA has expressed support for the 15% offer, but reiterate that a formal decision would be made at Stage 2.

192 In making the enhanced offer of 15%, it is important to make clear that this in no way undermines the viability evidence which has been subject to robust independent scrutiny. Moreover, it means that the developer would be prepared to accept a reduced developer return (i.e. reduced profit) in order to avoid the time delay and costs associated with pursuing a planning appeal, and is offering this as an additional incentive to weigh as part of the planning balance.

Affordable housing tenure and dwelling size mix

Policy

193 The tenure split and dwelling size mix of affordable housing is prescriptive. LPP 3.9 promotes mixed and balanced communities. LPP 3.11 sets a tenure split of (i) 60% Social or Affordable Rent and (ii) 40% intermediate housing. The AVH differs with (i) 30% low cost rented homes – Social Rent or London Affordable Rent; (ii) 30% intermediate products – London Living Rent or London Shared Ownership; and (iii) the final 40% to be determined by the LPA based on identified need, with an expectation that will focus on Social Rent/London Affordable Rent (pp24-25). DLPP H7 would adopt this more recent tenure split.

194 DLPP H6 identifies a threshold of 50% for public sector land, which as a public asset is expected to deliver more affordable homes. This applies to approximately one third of the site, which is in the ownership of the London Borough of Lewisham. DLPP H6 also identifies that former industrial sites are subject to a 50% threshold due to lower land values.

195 CSP1 expects 70% to be Social Rent and 30% intermediate housing. This is consistent with the AVH and DLPP H7. The Lewisham Planning Obligations SPD (2015) allows for some flexibility to reflect site context (para 3.1.52).

196 CSP1 also expects 42% of the affordable housing offer to be family dwellings (3+ bedrooms). DMP7 gives priority to providing family dwellings in the rented housing. The Lewisham Planning Obligations SPD (2015) states 16% of any intermediate housing is family-sized (para 3.1.47) with the remainder as socially rented. It also sets affordability thresholds for intermediate housing (para 3.1.64 and table 3.1).

Discussion

197 The affordable housing provision would be exclusively in the form of shared ownership tenure units. Whilst this does not meet the Council's definition of genuinely affordable housing, shared ownership is a recognised form of affordable housing, as an intermediate ownership product which allows London households who would struggle to buy on the open market to purchase a share in a new home and pay a low rent on the remaining, unsold, share. The Draft London Plan identifies that intermediate ownership products such as London Shared Ownership, should be affordable to households on incomes of up to £90,000.

198 Provisions would be secured through the s106 agreement to secure the affordability of shared ownership units in accordance with qualifying income levels as set out in the Draft London Plan, the Affordable Housing and Viability SPG and the Annual Monitoring Report including a range of income thresholds for different sized units. In addition, the s106 agreement would include provision to ensure that the shared ownership homes are made available through the Homes for Londoners online portal, and that secures the availability of the units as shared ownership tenure in perpetuity (subject to any staircasing).

199 Whilst it is recognised that shared ownership tenure does not meet the Council's definition of genuinely affordable housing, the 59 shared ownership units would make a contribution to meeting the borough's housing need for this type of accommodation, and as such moderate weight is attached to this as a planning benefit of the proposed development.

200 The tables below present the dwelling mix of the 59 shared ownership units, and compare this to the mix of the private tenure units.

Table 3: Dwelling Size of Shared Ownership Units*

Unit Size	No. of Units*	% of Total*	No. of Hab Rooms	% of Total
1B2P	23 (2)	39.0% (40%)	46	27.9%
2B3P	0 (-)	- (-)	-	-
2B4P	25 (1)	42.4% (20%)	75	45.5%
3B5P	8 (2)	13.6% (40%)	32	19.4%
3B6P	3 (-)	5.1% (-)	12	7.3%
TOTAL	59 (5)	100% (100%)	165	100%

*Wheelchair accessible units shown in *(brackets)*

Table 4: Dwelling Size by Tenure*

Type	Private		Shared Ownership		Total	
	Units*	% of Total	Units*	% of Total	Units*	% of Total
1B2P	141 (18)	42.2%	23 (2)	39.0%	164 (20)	41.7%
2B3P	3 (-)	0.9%	0 (-)	-	3 (-)	0.8%
2B4P	142 (16)	42.5%	25 (1)	42.4%	167 (17)	42.5%
3B5P	31 (2)	9.3%	8 (2)	13.6%	39 (4)	9.9%
3B6P	17 (-)	5.0%	3 (-)	5.1%	20 (-)	5.1%
TOTAL	334 (36)	100%	59 (5)	100%	393 (41)	100%

*Wheelchair accessible units shown in *(brackets)*

- 201 As demonstrated within the tables above, the dwelling mix of the shared ownership units would reflect the dwelling mix of the private units and the scheme as a whole. This is considered to be appropriate, and would ensure a range of shared ownership units which would meet the needs of a range of households in terms of size and income.
- 202 Five of the shared ownership units would be wheelchair user dwellings, representing approximately 10% of the shared ownership units.

Location of affordable housing

Policy

- 203 The MHCLG National Design Guide (October 2019) places an emphasis on social inclusivity in reference to the delivery of a mix of housing tenures. 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.

204 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

205 The shared ownership units would be pepper potted across both residential blocks, across a range of levels. Officers have secured a commitment from the applicant that no shared ownership units would be located at Level 1, recognising that these units have no private balcony space. These provisions would be secured via the s106 agreement, to ensure that the location of the shared ownership units reflects these agreed provisions in perpetuity. As such, the proposed development would be fully tenure neutral.

Review mechanisms

206 Policy H5 of the Draft London Plan and the Mayor of London’s Affordable Housing and Viability SPG require that schemes which have been subject to viability testing at the application stage are subject to viability review mechanisms. As such, the proposed level of affordable housing will be subject to both early and late stage viability review mechanisms.

207 The reviews will follow the templates and structure as set out by the GLA and will secure an early stage review (if substantial implementation of the planning permission has not been implemented within two years of any grant of consent) and a late stage review (when 75% of homes are sold or let).

208 These reviews would include mechanisms to secure further on-site affordable housing provision or off-site payments in lieu should there be improvements in scheme viability. These provisions would be secured by s106 agreement.

Summary of affordable housing

209 The proposed development would deliver 59 affordable homes as intermediate shared ownership tenure. This represents 15% affordable housing provision across the scheme as a whole (by both number of units and habitable rooms). Whilst this does not meet the Council’s definition of genuinely affordable housing, shared ownership is a recognised form of affordable housing, and as an intermediate ownership product would meet an identified need for this form of housing. The affordable housing would be pepper potted throughout the proposed development and would be tenure neutral meaning there would be no differentiation in quality between private and affordable units.

210 The quantum of affordable housing provision and its intermediate tenure falls below the policy threshold requirements in this regard. It has however been demonstrated through the submitted viability assessment that if the £13m cost of providing the Trinity Laban facilities to shell and core was alternatively used to provide affordable housing, a level of affordable housing provision that would be broadly commensurate with 30 – 35% provision could have been achieved across the scheme. The submitted FVA has been subject to detailed independent review by the Council’s appointed viability consultants and by the GLA’s viability expert. These independent assessments have both confirmed that 10% affordable housing provision (all shared ownership tenure) is the maximum reasonable affordable housing provision that the scheme can support in viability terms.

211 Notwithstanding this, in order to respond to the political desire for an improved affordable housing offer and to seek to avoid the time delay and costs of a planning appeal

associated with any refusal of the application, the applicant has confirmed that they are prepared to increase the affordable housing provision to 15% (by both number of units and habitable rooms) in the form of 59 shared ownership tenure units. The applicant has however made clear that this increased offer of 15% affordable housing provision is made solely on the basis that the application is approved by LB Lewisham and is supported by the GLA at Stage 2 referral. In the event that the application were to be refused, the affordable housing offer for the purposes of any future planning appeal would revert to the 10% provision, as justified on the basis of the viability evidence.

- 212 Whilst it is recognised that shared ownership tenure does not meet the Council's definition of genuinely affordable housing, the 59 shared ownership units would make a contribution to meeting the borough's housing need for this type of accommodation, and as such moderate weight is attached to this as a planning benefit of the proposed development.

7.2.3 Residential Quality

General Policy

- 213 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 (CSP 15), the Development Management Local Plan (DMP 32) and associated guidance including the Housing SPG (2017) and the Alterations and Extensions SPD (2019).

- 214 The main components of residential quality are: (i) space standards; (ii) outlook and privacy; (iii) overheating; (iv) daylight and sunlight; (v) noise and disturbance; (vi) accessibility and inclusivity; and (vii) children's play space.

Units per core

- 215 The residential towers have been designed with no more than eight residential units per floor served by the building core, which accords with the best practice guidance set out within the Mayor's Housing SPG.

Internal and private amenity space standards

Policy

- 216 Nationally Described Space Standards (NDSS) were published by the Department of Communities and Local Government in March 2015. 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 broadly in compliance with the space standards set out in the London Plan and its Housing Supplementary Planning Guidance (2016).
- 217 In addition to this, DM Policy 32 seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. It also states that new housing should be provided with a readily accessible, secure, private and usable external space and includes space suitable for children's play.
- 218 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'.

Discussion

- 219 All of residential units would either meet or exceed the internal space standards in accordance with the development plan requirements, including internal floor area, floor to ceiling heights, room sizes, and storage space. A significant proportion of units would exceed the minimum internal floor areas, providing generous and well proportioned accommodation.
- 220 With the exception of the thirteen units located at first floor level across both blocks, all remaining units would be provided with private outdoor amenity space in the form of balconies or terraces which would either meet or exceed the London Plan requirements in terms of the provision of private amenity space. The units at first floor level have not been provided with balconies, and this reflects a deliberate design rationale by the architects to prevent balconies directly overhanging the commercial space at ground floor level and allow a greater generosity in how the blocks come to ground and interface with the public realm. The omission of balconies at first floor level affords a stronger and more defined base for the two towers, which gives the appearance of a double height space, where bringing the balconies down to first floor level would result in a squat appearance to the base of the towers. The first floor units would feature Juliet balconies but it is recognised that these units would not be afforded any private outdoor amenity space. It must however also be noted that a number of these units are oversized to offset either fully or in part the lack of provision of external amenity space.
- 221 The Mayor's Housing SPG identifies that in particular circumstances where it is not possible to provide private outdoor space for all dwellings, it may be appropriate for a proportion of dwellings to be provided with additional internal living space equivalent to the area of the private open space requirement (para 2.3.32). Three of the thirteen units would be sufficiently oversized to fully offset the lack of provision of amenity space, and four would be oversized sufficient to offset this in part. The remaining six units would not be oversized. Recognising that these six units represent just 1.5% of all units within the scheme and in the context of the extent of communal amenity space and public realm being provided by the scheme (detailed below) and the design rationale for the omission of balconies at first floor level, this is not considered to be unacceptable. The provisions within the legal agreement will ensure that none of first floor units are shared ownership tenure in order to ensure that the intermediate tenure units are in no way disadvantaged with regard to the provision of private outdoor amenity space.

Aspect, Outlook & Privacy

Policy

- 222 Standard 29 in the Mayor's Housing SPG identifies that developments should minimise the number of single aspect dwellings, and states that single aspect dwellings that are either north facing, exposed to significant noise levels, or contain three or more bedrooms should be avoided.
- 223 Emerging DLPP D1(8) requires development to achieve "appropriate outlook, privacy and amenity".
- 224 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its future residents.
- 225 DMP 32 also identifies that there will be a presumption that residential units should be dual aspect and that north facing single aspect units will not be supported.

Discussion

- 226 In terms of outlook 63% of residential units would be dual aspect, with the remaining 37% being single aspect. Of those units which are single aspect, these would face either north east or south west, with no single aspect north facing units. Due to the orientation

of the two towers, the majority of single aspect units would benefit from an open outlook with long range views from those units which are located on higher storeys.

227

In terms of separation distances, a minimum distance of 10m would be maintained between Building 2 and the nearest element of the 12 storey block which forms part of the Union Wharf development to the west. Building 2 has however been designed so that it would be set at an angle to this adjacent block which forms part of Union Wharf, such that there would be an offset relationship between the two blocks and no direct facing relationship between habitable room windows. The 10m distance therefore represents the minimum distance at the closest point between the two blocks, and this distance would increase when measured at all other points between the two blocks reflecting the offset relationship. This is illustrated in the diagram below.

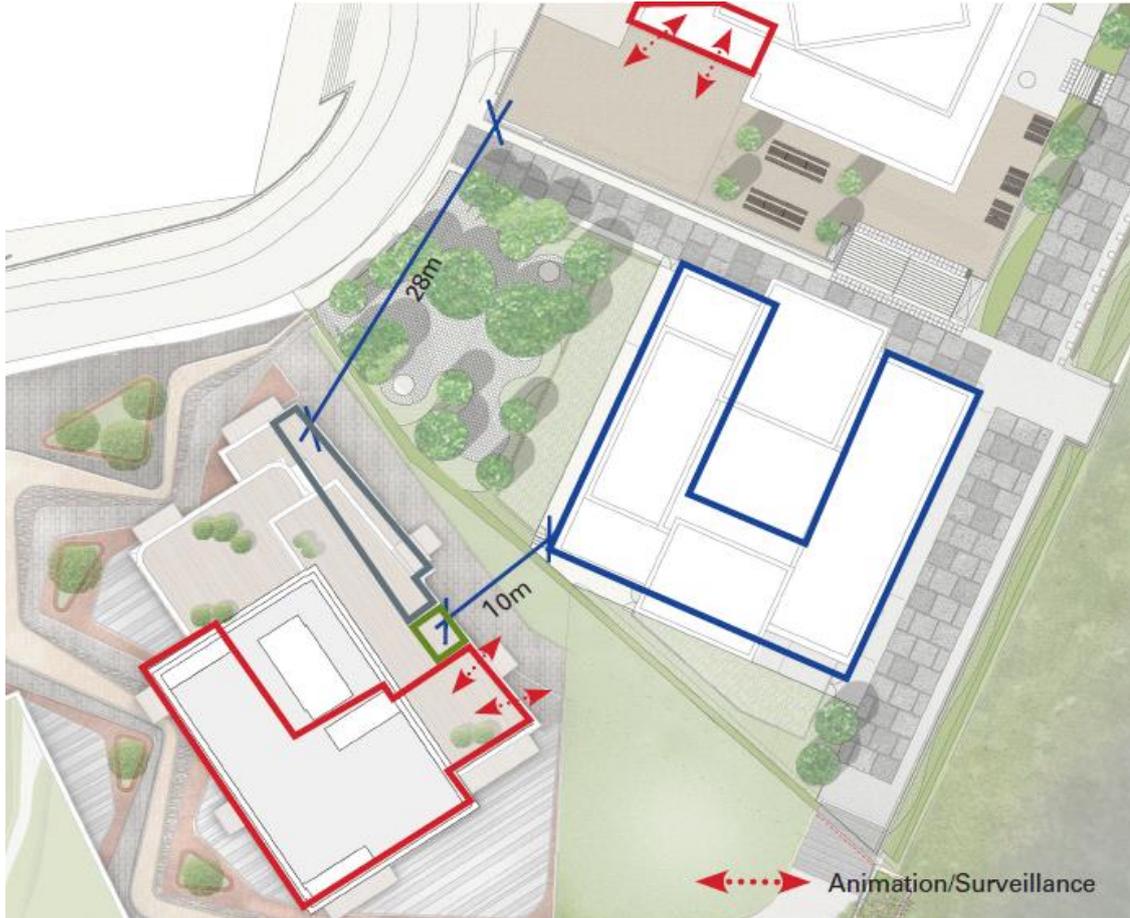


Figure 4 - Minimum separation distance and offset relationship between Building 2 and Union Wharf

228

Due to the offset relationship between these two blocks it is considered that occupiers of units on the north east facing elevation of Building 2 would be afforded an acceptable level of outlook and privacy.

229

In terms of the relationship with Adagio Point on the north side of Copperas Street, Buildings 1 and 2 would be set at a slightly offset orientation in relation to Adagio Point. There would be a minimum distance of approximately 18.5m between any habitable room window in the north facing elevation of Building 2 and the closest point on the facing elevation of Adagio Point (reducing to approximately 17m between the furthest projection of the balconies on the north facing elevation of Building 2 and the closest point on the facing elevation of Adagio Point). Similarly in relation to Building 1, there would be a distance of approximately 15.5m between any habitable room window in the north facing elevation of Building 2 and the closest point on the facing elevation of

Adagio Point (reducing to approximately 14m between the furthest projection of the balconies on the north facing elevation of Building 2 and the closest point on the facing elevation of Adagio Point).

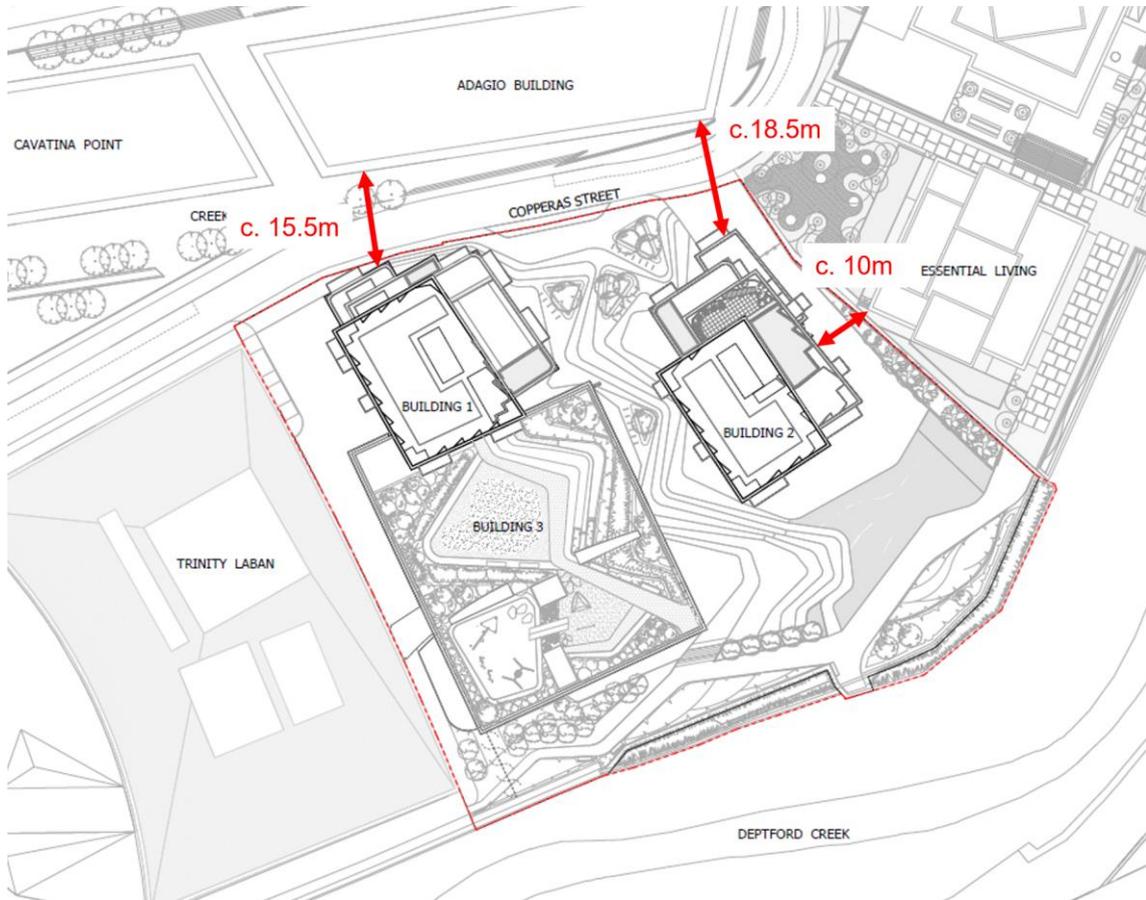


Figure 5 – Key separation distances

230

The positioning of Buildings 1 and 2 in relation to each other would result in no facing relationship between habitable room windows. The units on the south west facing elevation of Building 2 at levels one to five would face the extension to Trinity Laban. A distance of approximately 11.5m would be maintained between these facing elevations. On levels one to five, there would only be one single aspect unit facing the extension to Trinity Laban, with the other two units on this south western elevation benefitting from a dual aspect. Given that the extension to Trinity Laban would comprise studio space in this facing elevation, and recognising that at Level 6 and above, the units in Building 2 on this south west elevation would enjoy open views over the extension to Trinity Laban, it is considered that an acceptable level of amenity would be achieved. In a similar relationship, the units on the south west facing elevation of Building 1 at levels one to five would face the side elevation of the existing Laban Building across the service yard. A minimum distance of approximately 14m would be maintained in this regard. Again, only one unit per floor would have this more constrained level of outlook, and this would only apply in relation to apartments on levels one to five. Having regard to the site's location within an Opportunity Area and the urban density of surrounding development, these separation distances and levels of outlook are considered to be acceptable in this context.

231 Related to this, the GLA questioned within its Stage 1 response how lower level residential units adjacent to the Trinity Laban servicing yard would be impacted by this space and how this would be mitigated. In this context, it is not considered appropriate to impose planning conditions which would constrain the operation of Trinity Laban's service yard, recognising that the use of this space will predominantly be for servicing during the day, albeit that there may be limited occasional use of the space into the evening and night associated with use of the building's performance spaces. A condition is however proposed requiring the submission of a scheme demonstrating that defined internal noise standards would be achieved in relation to all residential apartments, and the applicant would need to demonstrate as part of this that the defined standards could be met in relation to those units which would overlook the service yard, to ensure that these units could be appropriately ventilated in the event that occupiers should need to keep windows closed to meet the defined noise standards. This matter could therefore be satisfactorily addressed via condition.

232 In this context, it is considered that an acceptable level of amenity would be afforded for future occupiers of the development having regard to issues of outlook and privacy.

Daylight and Sunlight

Policy

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

234 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. The BRE standards set out below are not a mandatory planning threshold.

235 In new dwellings, the BRE minimum recommended average daylight factor (ADF) is 1 % for bedrooms, 1.5% for living rooms and 2 % for kitchens.

Discussion

236 An assessment of daylight and sunlight levels within the proposed residential units and an assessment of overshadowing of the public realm and amenity space that would be provided as part of the development was undertaken by the applicant's daylight and sunlight consultants, BLDA. The results of this assessment are reported in 'Updated Chapter 9 Rev A: Daylight, Sunlight Overshadowing and Solar Glare' which was submitted in August 2019.

Daylight and Sunlight

237 In terms of levels of daylight, 1,075 habitable rooms were tested across Buildings 1 and 2. The NSL assessment demonstrates that of these, 889 (82.7%) would meet the BRE recommendation in terms of daylight. Of the 186 habitable rooms that would fall below the BRE recommended level, 143 are bedrooms and 43 are combined living rooms / kitchens. The ADF assessment demonstrates that of the 1,075 habitable rooms tested, 721 (67.1%) would meet the BRE recommendation in terms of daylight. Of the 354 habitable rooms that would fall below the BRE recommended level, 118 are bedrooms and 236 are combined living rooms / kitchens.

238 In terms of sunlight, 858 south facing windows were tested across Buildings 1 and 2. The assessment demonstrates that of these, 686 windows (80.0%) would meet the BRE recommendation in terms of sunlight.

- 239 The GLA Stage 1 response highlighted that a relatively high proportion of rooms would fail to meet the BRE recommendation in terms of ADF, with approximately two thirds of these being combined living rooms/kitchens. The GLA response highlighted that this raises some concerns about residential quality and recommended that options to improve position this be explored, such as increasing the width of glazing.
- 240 It is recognised that a proportion of rooms within the proposed development would fail to meet the BRE recommendations in terms of daylight and sunlight. It must however be recognised that the BRE recommended levels are based on a suburban context, and in urban areas comprising tall buildings these recommended levels will necessarily be challenging to achieve. The rooms which would fail to meet the BRE recommended levels would be located predominantly at lower levels within Buildings 1 and 2. The lower levels of daylight to certain units is in part a result of the impact of the existing development at Creekside Village West and Union Wharf, taken together with the impact of projecting balconies which form part of the proposed design. It is also a function of the internal layout of some of the units, where some rooms have a relatively deep plan form meaning that daylight distribution reduces away from the windows.
- 241 The proposed design of the buildings relies on the window dimensions being repeated up the towers to create a verticality in the design treatment. Increasing the window width to improve levels of daylight at lower levels would therefore require similar changes across all levels. This would impact on the overall design and appearance of the towers and the solid / void ratio in terms of the fenestration, and would also have associated implications in terms of the potential for overheating given the increased proportion of glazing.
- 242 Having regard to these issues, and the fact that in the context of high rise development within a built up urban area it will rarely be possible to achieve the BRE recommended levels in terms of daylight and sunlight for units located at lower levels, it is considered that an acceptable standard of amenity for future occupiers would be provided in relation to daylight and sunlight within the proposed development.

Overshadowing

- 243 In terms of overshadowing of amenity space, BRE guidance recommends that at least half of the amenity space should receive at least two hours of sunlight on 21st March.
- 244 The main area of public realm that would be created lies to the south of the proposed buildings, alongside Deptford Creek. Due to its orientation and the open aspect over the Creek to the south, this area of public realm would benefit from sunlight throughout much of the day. Similarly, the principal area of communal amenity space for future residents would be provided on the roof of the Trinity Laban extension (Building 3), which lies essentially to the south of the two tower elements. As such, the assessment clearly demonstrates that more than 50% of the proposed public realm and amenity space would receive more than two hours of sunlight on 21st March in accordance with the BRE recommendation.
- 245 Overall it is considered that the proposed development would deliver a high quality of public realm and communal amenity space that would be afforded excellent levels of sunlight throughout much of the day.

Noise & Disturbance

Policy

- 246 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.

- 247 With regard to internal noise levels, Part E of the Building Regulations controls noise transmission between the same uses and is usually outside the scope of Planning.
- 248 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 (2300-0700).
- 249 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
- 250 Policy D13 'Agent of Change' of the Intend to Publish London Plan places the responsibility for mitigating impacts from existing noise generating activities or uses on the proposed new noise-sensitive development. Policy D13 goes on to state that Boroughs should ensure that planning decisions reflect the Agent of Change principle and take account of existing noise generating uses in a sensitive manner when new development is proposed nearby.

Discussion

- 251 Environmental Statement Chapter 14: Noise and Vibration presents the findings of an assessment of the potential impacts of traffic and other noise/vibration sources on future occupiers of the proposed development.
- 252 The principal sources of noise within the immediate surrounding area include road traffic noise from the A200 Creek Road, noise associated with the rail line and DLR lines which lie approximately 230m to the south of the site, and noise associated with the operation of Brewery Wharf.
- 253 Brewery Wharf is a safeguarded wharf which is used for aggregate handling, and is located approximately 100m to the north east of the application site on the eastern bank of the Creek, at the junction of Creek Road and Norman Road within RB Greenwich. The wharf has a concrete batching plant with facilities for the unloading and storage of aggregates which are delivered by barge. Dependent on the need for deliveries, aggregate can be delivered to the wharf twice a day, during both day and night time periods, with the timings governed by high tide.

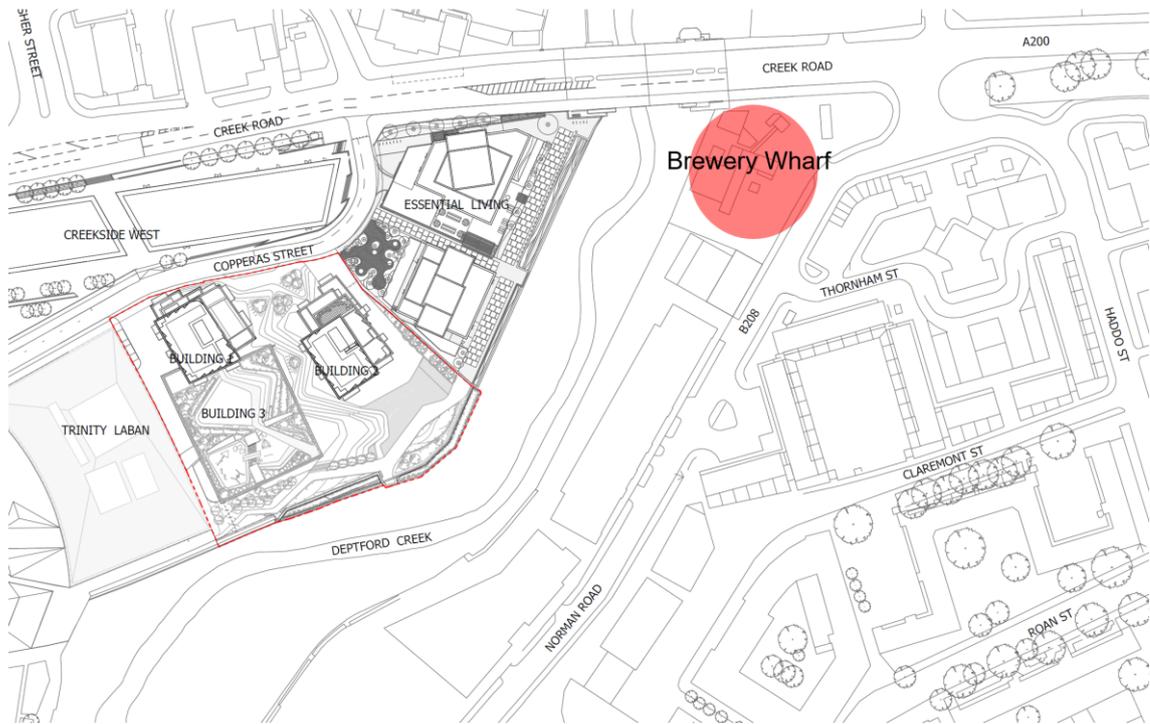


Figure 6 – Location of Brewery Wharf in relation to application site

- 254 In response to initial concerns raised by the Port of London Authority (PLA) and the Council’s Environmental Protection Officer regarding the assessment of the impact of operations at Brewery Wharf on the proposed development, in July 2019 the applicant team submitted an Updated Environmental Statement Chapter 14: Noise and Vibration which represents a full BS4142 assessment.
- 255 The noise monitoring that was undertaken on site to inform the assessment specifically included monitoring of the noise associated with the unloading of a vessel transporting aggregate to the wharf using a bulk handling crane with clamshell bucket attachment, to ensure that the worst case scenario of noise impact from operations at Brewery Wharf was appropriately captured. Clearly, the impact of wharf operations taking place at night has the greatest potential to result in disturbance for occupiers of the proposed development.
- 256 The results of the noise assessment modelling show that mitigation would be required in order to meet internal noise standards within the proposed apartments. The assessment identifies that the predicted sound reduction required for double glazing in order to meet BS8233 levels would be up to a maximum of 31 dB(A), and that this level of mitigation is considered achievable with double glazing an appropriately attenuated trickle or passive ventilation. The assessment also identifies that with partially open windows, predicted noise levels would exceed internal noise standards and therefore an alternative ventilation strategy would be required alongside the installation of double glazing to the required specification so that suitable ventilation can be achieved with windows closed in order to meet BS8233 noise levels.
- 257 In this context, Mechanical Ventilation with Heat Recovery (MVHR) is proposed to provide fresh air and extract ventilation for the apartments and will include a summer bypass mode and a boost mode that will enable the unit (with the apartment windows closed) to achieve an air changes rate of 2 air changes per hour in the summer conditions, exceeding the minimum ventilation requirement of Part F of the Building Regulations. In this respect, it is considered that the proposed MVHR units would

provide an effective means of ventilation which would mitigate against overheating when the apartment windows are closed.

- 258 In summary therefore, the MVHR system would provide suitable level of ventilation to enable residents to keep windows closed. This would ensure that internal noise standards could be achieved within the residential apartments. Windows would not however be fixed closed, providing future occupiers with the choice of opening windows to allow for natural ventilation, albeit that there would be occasions when certain operations at Brewery Wharf would mean that keeping windows open would result in internal noise levels exceeding the defined standard.
- 259 The noise assessment has also calculated daytime noise levels at those areas proposed for outdoor amenity space, including the balconies of each residential block and communal amenity space. The highest predicted noise levels for balcony spaces would exceed by 4 dB the upper design target within BS8233 which recommends 50 – 55 dB(A). Under such circumstances, BS 8233 acknowledges that where the external guidelines are not achievable in all circumstances where development would be desirable, the convenience of having these areas should outweigh the potential high noise levels. It is recognised that within a densely built up urban area, the noise standards for external amenity space will not always be achievable. It is also recognised that noise associated with operations at Brewery Wharf is periodic rather than consistent, and as such there would be extensive periods when noise levels to balconies would be within the target range. It is also recognised that the proposed communal amenity spaces would provide occupiers with alternative spaces for outdoor relaxation, with the main communal amenity space on the roof of the Trinity Laban extension affording a location that would be more shielded from noise by the proposed tower elements. The benefits of providing private amenity space to the apartments is therefore considered to outweigh any harm as a result of noise.
- 260 It must also be recognised that there are existing residential properties which lie in closer proximity to Brewery Wharf than the proposed development, most notably the apartments at Union Wharf which lie directly opposite Brewery Wharf. The two blocks at Union Wharf would themselves afford a degree of screening to the proposed development in the context of noise arising from Brewery Wharf. Conditions were imposed as part of the grant of consent for Union Wharf requiring submission of details of mitigation in the form of enhanced glazing and whole-house mechanical ventilation to provide appropriate ventilation without the need for windows to be opened. Notwithstanding this, windows are openable within Union Wharf and as with the approach proposed as part of this application, occupiers have the choice of either opening windows for natural ventilation or keeping them closed and relying on mechanical ventilation. In addition to this, at the request of the PLA, specific provisions were secured by RB Greenwich via the s106 agreement to ensure that prospective occupiers are made aware of the nature of operations at Brewery Wharf and are prevented from making any claim for nuisance caused by noise at Brewery Wharf at or below a defined baseline noise level.
- 261 In response to the Updated Environmental Statement Chapter 14 the PLA and the Council's Environmental Protection Officer are satisfied that subject to appropriate conditions and provisions within the legal agreement suitable mitigation would be provided. The PLA's response identifies that it does maintain some concerns with regard to having openable windows on those facades facing Brewery Wharf, given that this would mean occupiers would be responsible for closing windows to ensure that acceptable internal noise levels are achieved. It is however recognised that the Union Wharf development which lies in closer proximity to Brewery Wharf than the proposed development has openable windows. The PLA therefore advise that conditions should be imposed on any grant of planning consent which require submission of details of how internal noise standards would be achieved once the detailed specification of the glazing, building fabric and MVHR system is known, and that a re-assessment of

potential noise impacts affecting indoor design targets should be undertaken at this stage. With reference to the provisions of the s106 agreement for Union Wharf, the PLA also requested that provision be made within the s106 agreement for the proposed development that requires i) the developer to inform prospective future occupiers of the nature and extent of activities at Brewery Wharf including the fact that the wharf may be operational 24 hours a day seven days per week throughout the year and ii) that any prospective future occupiers within the development are not entitled to make any claim for nuisance or damages caused by noise from Brewery Wharf at a level at or below an agreed baseline noise level.

- 262 Conditions are proposed to reflect those requested by the PLA. In relation to those provisions requested by the PLA to be reflected in the s106 agreement, the Council's legal advisors have advised that such provisions should be secured via a Deed of Easement, instead of through the s106 agreement. The Deed of Easement would be a bi-lateral legal agreement between the developer and the PLA to which the Council would not be party. This is an approach that has recently been taken in relation to other applications both in Lewisham and neighbouring boroughs to address noise related Agent of Change issues. The PLA accept that this is an appropriate mechanism, and this approach is currently being taken in relation to the Ravensbourne Wharf scheme within RB Greenwich where the developer and the PLA are entering in to a Deed of Easement to secure these provisions.
- 263 Subject to these provisions, it is considered that an acceptable noise environment for future occupiers would be secured.

Agent of Change

- 264 DLPP D13 'Agent of Change' states that the Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Boroughs should ensure that Development Plans and planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby. Development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them. Paragraph 3.13.6 within the reasoned justification to the policy confirms that the Agent of Change principle should be applied to all noise-generating uses and activities, specifically including safeguarded wharves. Alongside this, LPP 7.26 and DLPP SI 15 afford further specific protection to safeguarded wharves.
- 265 In relation to Brewery Wharf, subject to imposing the relevant conditions and securing the appropriate provisions through a Deed of Easement as detailed above, this is considered to appropriately safeguard the continued operation of the wharf in accordance with the provisions of DLPP D13 and the Agent of Change principle.
- 266 The Agent of Change principle also applies to the proposed development in the context of the existing and proposed performance spaces of Trinity Laban. The GLA Stage 1 response highlights that it must be ensured that the continued operation of the new facilities for Trinity Laban is unfettered by the proximity of the proposed and existing residential uses, and that the building envelope must be designed to incorporate adequate sound insulation between noise generating and noise sensitive uses. A condition is proposed in this regard to ensure appropriate sound insulation within the proposed development to ensure that the future operation of the studio and performance spaces within Trinity Laban is not compromised.
- 267 Subject to these provisions, it is considered that the proposed development would accord with the provisions of DLPP D13 and the Agent of Change principle.

Accessibility and inclusivity

Policy

- 268 LPP 3.8 and DLPP D5 require 10% of residential units to be designed to Building Regulation standard M4(3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% to M4(2) 'accessible and adaptable dwellings'.

Discussion

- 269 The proposed development would comprise a total of 41 wheelchair accessible M4(3) units, representing 10.4% of the total number of units. As demonstrated in Table 2 above, the wheelchair units would comprise a mix of 1, 2 and 3-bed units, with this mix being broadly representative of the mix of units across the development as a whole. 5 of the 59 shared ownership units would be wheelchair units, representing approximately 10% of the shared ownership units. The wheelchair unit dwellings would be evenly distributed across both residential towers. All remaining units would be M4(2) compliant accessible and adaptable dwellings.
- 270 In accordance with Standard 4 of the Mayor's Housing SPG the areas of communal amenity space would be accessible to disabled people including people who require level access and wheelchair users. In accordance with Standard 16, all wheelchair dwellings would be served by more than one lift, as there are three lifts serving the core of each tower.

Inclusivity

- 271 With regard to inclusivity for residents of all tenures and access to broadband, this is now handled via 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 30mps to be installed. It is recommended that an informative is added to a decision notice drawing the applicant's attention to this. Future residents would have access to this infrastructure regardless of tenure, but would be responsible for taking out their own internet contracts with a provider.

External amenity space and children's play space

- 272 The provision of private external amenity space is discussed above under 'Internal and private amenity space standards'.

Policy

- 273 LPP 3.6 states that housing proposals should make provision for play and informal recreation.
- 274 Standard 4 within the Mayor's Housing SPG identifies that where communal open space is provided, it should be well overlooked, accessible to those who require level access and wheelchair users, designed to take advantage of direct sunlight, and have suitable management arrangements in place.
- 275 The Mayor's Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG recommends 10sqm of play space per child. The GLA divide the requirements of children's play space 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

- 276 The proposed development would be provided with two areas of rooftop communal amenity space for residents. The principal space would be provided on the roof of the Trinity Laban extension (Building 3), comprising an area of 1,479sqm which would be accessed via Level 6 of Building 1. For clarification, whilst the space would be located on the roof of the Trinity Laban extension, it would not be accessible via the Laban facility and therefore its use would solely be for residents of the proposed development. Due to interconnected form of Buildings 1 and 3, there would be direct access on to the space from Level 6 of Building 1. Affording spill-out opportunities into this space would be a resident’s communal room located on Level 6 within Building 1, which has been designed as a flexible multi-purpose space where residents can come together for community events, or rent the space for business meetings or parties.
- 277 The submitted Landscape Design Statement details the landscaping treatment for the areas of rooftop communal amenity space. The principal space at Level 6 would be generously proportioned and would provide two areas for children’s play (a wet pour rubber crumb play area designed for infant play, and a tiger mulch play area for junior play) connected by a bridge feature across a dry creek bed, together with areas of hard landscaping and seating, and an area of lawn surrounded by planting featuring shrubs and trees.
- 278 This would be complemented by a secondary communal amenity space on the roof of Building 2 (62sqm accessed via Level 25) which would comprise soft landscaping, a paved area, and seating.
- 279 The layout of the two spaces is shown in Figure 7 below.



Figure 7 – layout of rooftop communal amenity spaces

- 280 The communal amenity spaces would be accessible to residents of the development. Recognising that access to the principal space at Level 6 would be via Building 1,

provision would be secured via the s106 agreement to ensure that this space is accessible to occupiers of all residential units within the development in perpetuity.

281 As set out above, an overshadowing analysis of these communal amenity spaces was undertaken as part of the daylight and sunlight assessment. BRE Guidance sets out that for amenity areas to be adequately sunlit throughout the year, at least 50% of the amenity space should receive at least two hours of sunlight on 21st March. The overshadowing analysis found that both of these spaces would accord with this requirement in terms of receiving sunlight for the requisite period.

282 The generous proportions of the principal space at Level 6 of Building 1, with its south facing aspect and views across Deptford Creek, would represent a high quality external amenity space for future occupiers. The secondary space at Level 25 of Building 2 would complement this, providing additional opportunities for quiet relaxation for occupiers of this block. In addition, the development would deliver generously proportioned and high quality new public realm spaces which would provide additional opportunities for residents (and the wider public) to enjoy. The public realm spaces are detailed below in relation to Urban Design and Public Realm

Children’s play space

283 Using the calculator provided in the Mayor of London’s Play and Informal Recreation SPG, the estimated child yield for the development is set out in the table below.

Table 5: Play space requirement and provision

	No. of children	Play space requirement (sqm)	Proposal (sqm)
Under 5	22	220	340
5 to 11	10	100	160
12+	6	60	116
Total	38	380	616

284 The proposed development would generate an estimated child yield of approximately 38 children and the associated play space requirement would therefore be 380sqm.

285 The scheme would provide a total of 500sqm of playable space for younger children, situated within the principal rooftop amenity space accessible from Level 6 of Building 1. This space would comprise two separate areas for play, with an area for infant play (under 5) and a linked area for junior play (5+). In addition to this provision, the public realm surrounding the development would provide informal opportunities for play for older children, including areas of both hard landscaping and seating, and a meadow area. Beyond this, the nearest public open space is Sue Godfrey Local Nature Reserve, which lies approximately 160m to the west, with Charlotte Turner Gardens lying approximately 410m to the north west, and St Alfege Park lying approximately 500m to the east.

286 The proposed development would deliver high quality playspace for future occupiers that would exceed the London Plan requirement in terms of quantum of provision. The playspace would have good levels of natural surveillance, and would provide areas of seating for parents to sit whilst their supervising their children play.

Summary of Residential Quality

287 Overall the proposed development would provide a high quality environment for future occupiers. Appropriate provisions would be secured by condition and s106 agreement, to secure this and ensure any required mitigation is in place.

7.2.4 Housing conclusion

288 The proposed development would deliver 393 new dwellings, which represents 28.4% of the borough's current annual housing target, and 23.6% of the borough's annual housing target on the basis of the Intend to Publish London Plan. The development would provide a good range of dwelling sizes contributing towards the creation of a balanced community, with 58% of all units having two or more bedrooms, and 15% of all units having three bedrooms. As such, the proposed development would make a substantive contribution to Lewisham's housing needs, and officers attach significant weight to this in planning terms.

289 The proposed residential units would achieve a high standard of amenity for future occupiers. All units would meet the minimum internal space standards and a significant proportion of units would exceed the minimum standards, providing generous and well proportioned living accommodation. The residential accommodation has been well designed with no more than eight units per core, and 63% of residential units would be dual aspect, with no single aspect units.

290 With the exception of the units located at first floor level, all remaining 380 units would be provided with private outdoor amenity space in the form of balconies or terraces which would either meet or exceed the minimum requirements in terms of private amenity space. The development would also be provided with generous communal amenity space provision. The principal space at Level 6 of Building 1, with its south facing aspect and views across Deptford Creek, and incorporating children's playspace, would represent a high quality external amenity space for future occupiers, and there would be a secondary space accessible from Building 2 to complement this, providing additional opportunities for quiet relaxation. In terms of outlook, privacy, daylight and sunlight, a suitable level of amenity would be provided for future occupiers, having regard to the urban context within which the development lies.

291 Having regard to the nature of operations at the safeguarded Brewery Wharf, subject to an appropriate glazing specification and Mechanical Ventilation with Heat Recovery units to provide fresh air and extract ventilation for the apartments, the proposed development would achieve an acceptable internal noise environment and provide an effective means of ventilation with the apartment windows closed. Subject to appropriate provisions being secured via a Deed of Easement between the developer and the Port of London Authority, this would safeguard the continued operation of the wharf in accordance with the provisions of DLPP D13 and the Agent of Change principle.

292 The proposed development would deliver 59 affordable homes as intermediate shared ownership tenure. This represents 15% affordable housing provision across the scheme as a whole (by both number of units and habitable rooms) and would meet an identified need for this form of housing. The affordable housing would be pepper potted throughout the proposed development and would be tenure neutral meaning there would be no differentiation in quality between private and affordable units. Whilst it is recognised that shared ownership tenure does not meet the Council's definition of genuinely affordable housing, the 59 shared ownership units would make a contribution to meeting the borough's housing need for this type of accommodation, and as such moderate weight is attached to this as a planning benefit of the proposed development.

7.3 EMPLOYMENT

Policy

- 293 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”
- 294 LPP 4.1 sets out the Mayor of London’s approach to the continued growth and economic development of all parts of London.
- 295 Policy SA12 of the Site Allocations Local Plan allocates the application site as a Mixed Use Employment Location providing a range of Business (B1) employment uses, including provision for cultural and creative industries and housing. The policy identifies an indicative floorspace for employment uses at 20% of the total floorspace.

Discussion

- 296 As set out above in relation to ‘Principle of Development’, the application proposal comprises education space in the form of the Trinity Laban extension, and 757sqm of flexible commercial space, which together amount to 18% of the total proposed floorspace. Based on employment densities from the Homes and Community Agency ‘Employment Densities Guide 2015’, the application submission estimates that the new facilities for Trinity Laban would create an additional 31FTE jobs, and that the commercial floorspace can be expected to generate a further 48FTE jobs. Recognising that the 18% non-residential floorspace provision is broadly in line with the policy requirement, that the provision of an extension to Trinity Laban to facilitate its long term retention within the borough is a long held strategic objective, having regard to the fact that the application site boundary extends beyond the site allocation boundary, and taking into account that the site has been vacant and unused for employment purposes for more than ten years, the quantum of floorspace provided for non-residential uses is considered acceptable and in broad alignment with the relevant policy provisions.

Employment conclusion

299 The nature of the proposed employment 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 objectives of the NPPF and the Development Plan.

7.4 URBAN DESIGN AND IMPACT ON HERITAGE ASSETS

General Policy

- 300 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. The NPPG encourages decision takers to always secure high quality design; this includes being visually attractive and functional, however other issues should be considered:
- local character (including landscape setting)
 - safe, connected and efficient streets
 - a network of greenspaces (including parks) and public places
 - crime prevention
 - security measures
 - access and inclusion
 - efficient use of natural resources
 - cohesive and vibrant neighbourhoods
- 301 LPP 7.6 requires development to positively contribute to its immediate environs in a coherent manner, using the highest quality materials and design.
- 302 CSP 15 repeats the necessity to achieve high quality design.
- 303 DMLP 30, Urban design and local character states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity. The London Plan, Core Strategy and DMLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.
- 304 LPP 7.7 and DLPP D9 set out specific design requirements for tall buildings. CSP 18 provides parameters associated with the location and design of tall buildings. It identifies that the location of tall buildings should be informed by the Lewisham Tall Buildings Study (2012) and sets out a clear rationale for tall buildings in design terms.

7.4.1 Appearance and character

Policy

- 305 Planning should promote local character. The successful integration of all forms of new development with their surrounding context is an important design objective (NPPG).
- 306 In terms of architectural style, the NPPF encourages development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (para 127). At para 131, the NPPF states great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area.
- 307 LPP 7.4 expects development to have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. LPP 7.6 states architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape.

Discussion

- 308 The application site represents the final remaining development plot on Copperas Street, with the surrounding Creekside area having been subject to comprehensive redevelopment over the last two decades. The completion of the Laban Building in 2003

marked a key moment in the regeneration of the former industrial and warehousing buildings which previously characterised this part of Deptford Creek. The majority of former industrial and storage buildings have been redeveloped with residential-led mixed use development, such that the surrounding area is now predominantly residential in character, with a range of commercial and other uses interspersed across the area.

- 309 The developments which have come forward alongside the Creek over the last two decades have established a high density urban mixed use character to the area, with commercial and employment uses providing active frontages at lower levels and residential development rising above. The development plots have a dense urban grain with the building footprints framing and defining the public realm. Reflecting the area's designation as an opportunity area, higher density development has been delivered with the majority of schemes comprising tall buildings. This includes Creekside Village West which was completed in 2011 and comprises four buildings rising from 8 to 17 storeys, the recently completed Kent Wharf development rising from 6 to 16 storeys, and the recently completed Union Wharf development which comprises two blocks of 12 and 23 storeys. In addition, a series of developments have come forward on the eastern side of the Creek within RB Greenwich. Taken together, these developments have established an urban high density character along much of Deptford Creek, with tall buildings as an established element of the townscape.
- 310 The proposed development responds to and reflects this established character. The building footprints define the extent of the public realm, introducing active frontages at ground floor level to animate the surrounding spaces. The public realm to Copperas Street and around the northern extent of the site has a strong urban character, that reflects the predominantly hard landscaped public realm spaces within which the Creekside Village West development sits. Moving south towards the Creek, the proposed development opens out to reveal a softer landscaped public realm with expanses of meadow and planting fronting the Creek, which contrast with the urban character of Copperas Street.
- 311 In terms of its scale and form, the proposed development again responds to the established character and appearance of the surrounding area. Tall buildings have become an established element of the surrounding townscape, and the two tower elements reflect this. Each of the surrounding developments takes a different approach in terms of architectural form, materiality and detailing, which brings interest to the townscape. The striking form of the Laban Building is echoed in the external treatment of Creekside Village West with its smooth and semi-opaque glazed walling creating strong and clean lines. Kent Wharf draws on a more traditional design approach with its brick finish complemented with coloured glazed tile detailing. Union Wharf also utilises brick and tiling, and adopts a contemporary form through the introduction of an open crown to each building.
- 312 The proposed development responds to the form and materiality of its surroundings. The dark materiality of the extension to Trinity Laban represents a strong and deliberate contrast with the light and semi-translucent quality of the Laban Building. The material palette used across the buildings and the public realm responds to the materials of the Creek environment and the area's industrial heritage, and its colour and texture contrasts with the semi-translucent and smooth finish of the Laban Building and Creekside Village West. The form of the towers with their strong sculptural crown elements echo those of Union Wharf.



Figure 9 – Artist’s impression of the proposed development from the east bank of the Creek

Layout

Policy

- 313 LPP 7.1(d) states the design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood.

Discussion

- 314 The proposal has been designed such that the Trinity Laban extension (Building 3) follows the internal layout of the existing building with its ‘internal street’ arrangement which runs through the building along a broadly east-west alignment. A glazed bridge link at first floor level will connect the new building to the existing Laban Building, facilitating this clear integration between the two buildings. Building 1 would adjoin the Trinity Laban extension sitting directly north of it, whilst Building 2 would be sited towards the north east corner of the site. The rationale for the site layout is to facilitate a new public realm connection through the site to link Copperas Street to the Creekside. The siting of Buildings 1 and 2 on the northern half of the site is to facilitate the creation of a large area of new public realm fronting Deptford Creek, which would benefit from its south facing orientation and receive sunlight throughout much of the day.

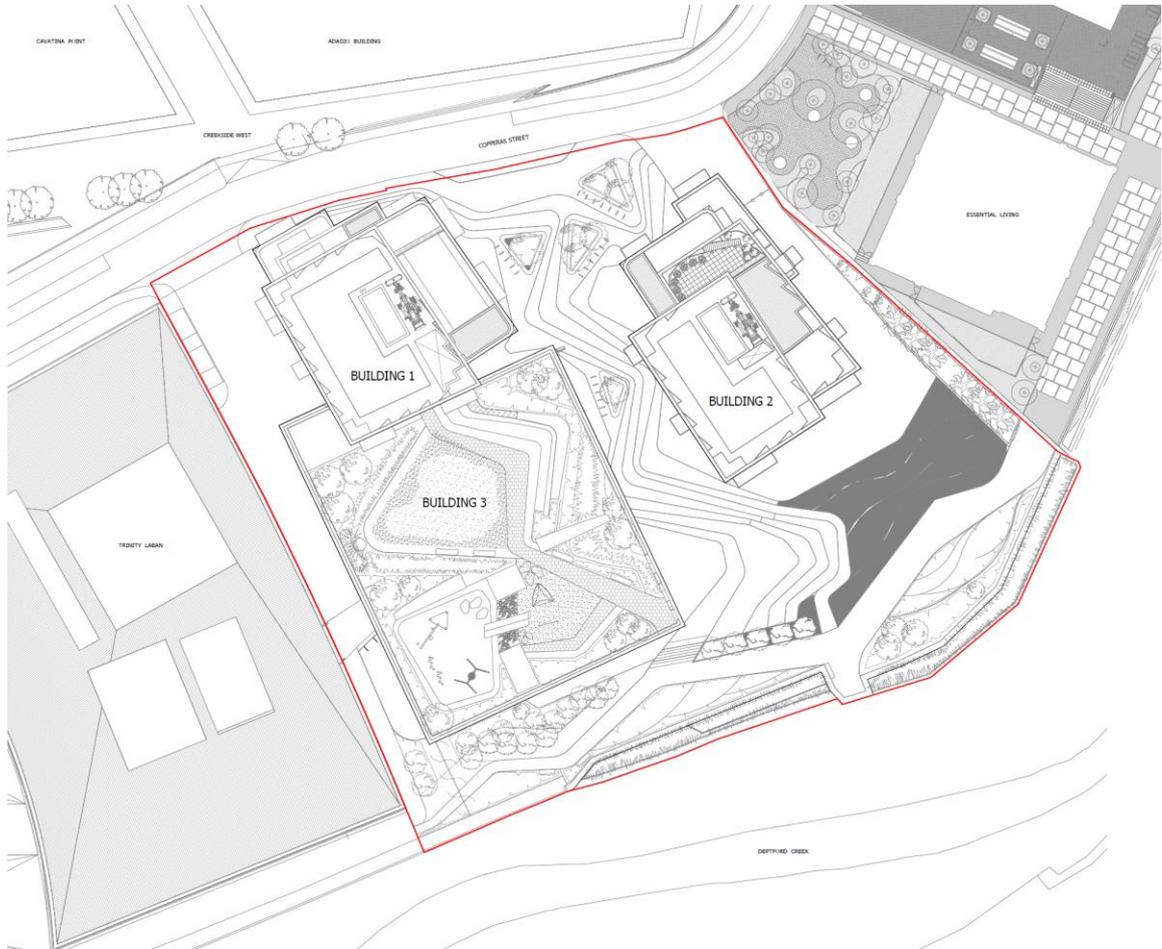


Figure 10 – Proposed site layout

- 315 The new public realm connection that runs through the site would be afforded activity and animation at ground floor level, with a number of commercial units fronting on to this space, together with the main entrance to the Trinity Laban extension building being accessed via this route. At ground floor level within the Trinity Laban extension, a wardrobe workshop would occupy the northeast corner of this building, with a glazed frontage affording visibility to the activity within. At the building's south western corner, a café would spill out into the adjacent public realm, benefitting from views of the Creek. Building 2 would also comprise commercial units at ground floor fronting the new public realm connection and the area of public realm fronting the Creek. In terms of access to the residential blocks, this would be towards the northern extent of these blocks closest to Copperas Street.
- 316 Access to the basement car park and cycle parking and for servicing would be via a ramp located towards the north east corner of Building 2 fronting Copperas Street, thereby serving to remove any need for vehicles to use the new public realm connection through the site which would be exclusively for use by pedestrians and cyclists. Along the site's eastern boundary with Union Wharf, a dedicated vehicular access would be maintained, in order to provide maintenance access for future works to the Creek and also offer the opportunity for servicing / deliveries associated with the future use of the Creekside public realm for outdoor events. Along the site's western boundary with the Laban Building an external service yard area for Trinity Laban would be maintained, allowing for servicing, deliveries and the transportation of sets and staging to the performance spaces.

- 319 LPP 7.7 states that tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Several criteria for tall buildings are listed in LPP 7.7, and the policy identifies that opportunity areas are an appropriate location in principle for tall buildings.
- 320 DLPP D8 recognises the role tall buildings have to play in helping accommodate growth as well as supporting legibility. The policy sets out an extended criteria for design rationale and assessment and also states that publicly accessible areas should be incorporated into tall buildings where appropriate, particularly more prominent tall buildings.
- 321 CSP 18 relates to tall buildings: these need to be of the highest design quality and appropriately located. Regard will be had to flight path safety and microclimate effects.
- 322 LPP 7.11 designates in Table 7.1 a list of strategic views known as the London View Management Framework ((LVMF). Further guidance is given in the LVMF SPG (2012). LPP 7.12 relates to specific criteria for development within or close to a strategic view. These principles are carried forward through DLPP HC3 and HC4.
- 323 CSP 17 protects the LVMF vistas and the London panorama in line with regional policy. It also seeks to protect locally designated local views, landmarks and panoramas.

Discussion

- 324 Building 1 would rise to 30 storeys (101m AOD) and Building 2 to 26 storeys (87m AOD). Building 3 (the Trinity Laban extension) would rise to 5 storeys. The positioning of the two towers relative to each other, and relative to the adjacent Union Wharf scheme, has been informed by the need to achieve a visual separation of their massing in key views, as well as delivering a substantial new area of public realm with a south facing orientation fronting the Creek. Notwithstanding this, it is acknowledged that the two towers proposed will necessarily coalesce in some views, and therefore variation in the materiality between the two blocks has been introduced to help distinguish the buildings in this context.
- 325 With regard to the site's planning history, the previous minded to grant scheme (LB Lewisham planning application reference DC/06/063352) proposed buildings on the site rising to 9, 16 and 22 storeys. The development of this site as envisioned as part of the wider masterplan for the surrounding area was therefore intended to accommodate the tallest building within the immediate vicinity, and as identified in the Inspector's Report on the subsequently refused scheme, it is appropriate to consider this minded to grant scheme as a material consideration. At 30 and 26 storeys, the current application proposal would similarly represent the tallest blocks within the local vicinity, however this must be appreciated having regard to the surrounding context. The recently completed Union Wharf development rises to a maximum of 23 storeys (84m AOD), Creekside Village West which lies to the north of Copperas Street and rises to a maximum of 17 storeys (60m AOD) and the Kent Wharf development to the south west which rises to 16 storeys. In January 2020, the Planning Board of the Royal Borough of Greenwich resolved to grant planning permission for the Ravensbourne Wharf development which would rise to 28 storeys (RB Greenwich planning application reference 18/4530/F).
- 326 The GLA Stage 1 response identified that the height of the proposed buildings in this location is supported, subject to further views analysis in relation to the impact on the Maritime Greenwich World Heritage Site and the Grade 1 listed St Paul's Church (Deptford). The assessment of impact in relation to views is addressed below.
- 327 The application was accompanied by a Heritage, Townscape, and Visual Impact Assessment (HTVIA), which includes an analysis of heritage assets and the impact of

the proposals, including representations of the proposed development from 16 viewpoints. In response to comments from the GLA, Historic England, and the Council's conservation officer, in April 2019 the applicant submitted an addendum to the HTVIA which included representations of the proposed development from an additional 5 viewpoints. Taken together, the 21 viewpoints assessed are set out in the table below.

Ref	Viewpoint Description
1	View from St Paul's Church
2	View towards St Paul's Church
3	View from Deptford Church Street
4	View from Creekside
5	View from Copperas Street
6	View from A200, Creek Road
7	View from Blackheath Point (LVMF 6A.1)
8	View from Roan Street
9	View from St Alfege Church
10	View from Granite Wharf
11	View from Greenwich Park, near statue of General Wolfe (LVMF 5A.2)
12	View from Deptford Creek, near Greenwich Reach Swing Bridge
13	View from Creekside, south of viaduct
14	View from Creek Road, near Deptford Church Street
15	View from Albury Street
16	View from Island Gardens, Isle of Dogs to Royal Naval College (LVMF 24A)
17	View from College Way, Maritime Greenwich WHS
18	View from St Paul's Churchyard
19	View from Primrose Hill (LVMF 4A.1)
20	View from the Serpentine Bridge (LVMF 23A.1)
21	View from Ha'penny Bridge, Deptford Creek

328 In terms of LVMF viewpoints, the application site is within the Protected Vistas Extensions of 'London Panorama: Primrose Hill' (Assessment Point 4A.1 to St. Paul's Cathedral), and 'Townscape View: Bridge over the Serpentine to Westminster' (Assessment Point 23A.1 to Palace of Westminster). The proposed development would also lie within 'London Panorama: Greenwich Park' (Assessment Point 5A.2 to St. Paul's Cathedral), 'London Panorama: Blackheath Point' (Assessment Point 6A.1 to St. Paul's Cathedral), and 'Townscape View: Island Gardens, Isle of Dogs to Royal Naval College' (Assessment Point 24A to the Royal Naval College).

329 In terms of LVMF 4A.1 (Primrose Hill to St Paul's Cathedral), the assessment demonstrates that the proposed development would not be visible within this view as it would be entirely obscured by the dome of St Paul's Cathedral. Similarly in terms of LVMF 23A.1 (Serpentine Bridge to Palace of Westminster), the proposed development would not be visible within this view as it would be entirely obscured by existing buildings in the foreground within and around the Palace of Westminster. Within LVMF 5A.2 (Greenwich Park to St Paul's), the proposed development would also not be visible

within this view as it would be obscured by the Royal Observatory buildings in the foreground.

- 330 Within LVMF 6A.1 (Blackheath Point to St Paul's Cathedral), the proposed development would be clearly visible within this view. It would however be seen in the context of other tall buildings, and would sit between the recently completed Union Wharf development and the consented development at Convoys Wharf. The scale of the proposed buildings when seen from this viewpoint would be broadly comparable with that of Union Wharf and Convoys Wharf and as such the proposed development would not be read as visually dominant within this view. It would be read as part of a cluster of tall buildings within this broad location, with the established concentration of tall buildings at Canary Wharf also clearly visible within this view. Significantly, there would be no change to the long distance views of St Paul's Cathedral from this viewpoint.
- 331 In terms of LVMF 24A (Isle of Dogs to Royal Naval College), the proposed development would be visible within the periphery of this view. It would however sit behind the recently completed Union Wharf development which would partially screen its visibility within this viewpoint. Significantly, the proposed development would not obscure any direct views of the Maritime Greenwich WHS from this viewpoint, and would not detract from the masts of the Grade I listed Cutty Sark which would remain a dominant feature in this viewpoint.
- 332 In relation to LVMF 5A.2, 6A.1 and 24A which were assessed as part of the HTVIA as originally submitted, the GLA Stage 1 response raised no concerns with regard to the impact on these views. For the two additional LVMF views which the GLA requested to be assessed, the HTVIA Addendum submitted in April 2019 demonstrates that the proposed development would not be visible within these views.
- 333 In this context, it is not considered that the proposed development would result in any harm to the LVMF strategic views or their landmark elements, in accordance with the LPP 7.12 and DLPP HC4. The scale and massing of the proposed development is also considered to be appropriate in design terms having regard to the emerging cluster of tall buildings within this location, reflected by both completed and consented schemes. The acceptability of the scale and massing having regard to issues of daylight, sunlight and overshadowing, and in relation to wind microclimate is assessed separately in Sections 7.6 Living Conditions of Neighbours and 7.8 Natural Environment of this report.

Detailing and Materials

Policy

- 334 Attention to detail is a necessary component for high quality design. Careful consideration should be given to items such as doors, windows, porches, lighting, flues and ventilation, gutters, pipes and other rain water details, ironmongery and decorative features. Materials should be practical, durable, affordable and attractive. The colour, texture, grain and reflectivity of materials can all support harmony (NPPG).
- 335 LPP 7.6 expects the highest quality materials and design appropriate to context.

Discussion

- 336 The design concept underpinning the development draws on the nature and character of Deptford Creek. The grey tones and the use of coarse and textured aggregate are drawn from the materials and colour palette of the Creek's industrial past. The design of the Trinity Laban extension has also been developed to strongly contrast with the existing Laban Building. The dark grey tone and coarse textured finish of the extension will represent a counterpoint to the smooth, light and semi-translucent quality of the Laban Building. The principal material across the three blocks will be pre-cast concrete which

allows for the creation of sculptural panels whilst maintaining an efficient façade design. The elevations are formed of sculptured rectangular concrete panels featuring a simple diagonal twist, which are scaled, rotated and mirrored to give the visual effect of a moving contour along the facades, that reflects the concept of erosion and movement which is central to the Creekside environment. The use of concrete panels allows for a range of tones that reference the local palette, and allows for variation in the surface roughness of the concrete panels, to reflect the nature of Thames aggregate and the materials within the Creek and reflect the concept of erosion through the materiality.

337

The elevational treatment also utilises metal, which draws on the area's industrial heritage. Metal is used on the facades for a wide range of elements, with the use of dark, monochrome tones for window frames and balustrades which references local industrial precedents, and warmer, rusty tones for more decorative elements such as cladding panels, shutters and signage which again reference the themes of natural erosion and the industrial legacy of the Creek.



Figure 12 – the evolution of the scheme's materiality

Trinity Laban extension (Building 3)

338

The Trinity Laban extension would be faced in dark concrete panels which would be coarsely textured with aggregate. The detailed design and materiality of this building has been designed to markedly contrast with the lightness and smooth finish of the translucent polycarbonate panels which make up the façade of the Laban Building.

Where the existing building is light and bright with dark tinted glazing, the new facade is heavy and dark with white tinted glazing.

- 339 The concrete panels which comprise the elevations of this building would be very coarse textured with visibly exposed aggregate covering the surface, creating a rough surface in contrast to the smooth and polished surface of the existing Laban Building. The panels would be arranged in long rows, spanning over two storeys in correspondence to the internal arrangement of double height spaces. The repeated regularity of the twisted and projecting concrete panels is designed to reference the regularity of the vertical timber beams which clad the Creek Wall. Glazed double height window strips follow the same proportions as the concrete panels to maintain the overall appearance of the building as a single cubic object whilst creating the effect of a randomised pattern of solid and void to the elevations.
- 340 The fenestration provides a mix of larger fixed panes, openable windows, and small louvres serving internal plant. The fenestration arrangement in terms of the proportions and locations of glazing bars, has been designed to reference the appearance of Labanotation, a dance annotation system invented by Rudolf Laban.
- 341 The Trinity Laban extension would be connected to the existing Laban Building via a first floor bridge link, which would span column free between both buildings. The bridge would be cantilevered from the proposed building and touches the existing building in a soft joint fashion that does not affect the existing facade but allows a level and smooth transition between spaces. The bridge link would be clad in clear glazing.



Figure 13 – the glazed link connecting Building 3 to the existing Laban Building

- 342 The building has been designed to incorporate signage as part of its design, to announce the building as Trinity Laban. Signage would be located at roof level towards the south east corner of the building, which would be visible from the Creekside walk, and signage would also be located down the building's eastern elevation where it would be visible from Copperas Street looking south along the new public realm route connecting to the Creekside walk. The signage design represents a delicate interpretation of large and legible lettering.



Figure 14 – the proposed approach to signage of the Trinity Laban extension

Residential towers (Buildings 1 and 2)

- 343 The facades of Buildings 1 and 2 comprise of double height concrete precast panels to emphasise verticality, that match the panels utilised on the Trinity Laban extension in terms of shape and width. Set within these panels are high performance double glazed areas with solid metal side panels. Complementing the double height concrete panels, stacked balconies are used to provide additional verticality on the facades.
- 344 In terms of colour palette, where the Trinity Laban extension is faced with dark grey coarsely textured concrete panels, the panels to Building 1 are finished in a mid grey, whilst to Building 2 the panels are finished in a lighter white-grey. This gradation in the tone of the three buildings allows them to be read together as a family, whilst also allowing for clear visual differentiation between the two tower elements that serves to prevent the coalescence of these buildings within mid and longer range views. In comparison to the clean and minimalist design of the façade to the Trinity Laban extension, the facades of Buildings 1 and 2 are more embellished with the inclusion of metal panels, fins and shutters.
- 345 The form and elevational treatment of Buildings 1 and 2 can be split into three elements; the base, the middle, and the crown.



Figure 15 – design structure of the tower elements

- 346 The base is formed of the ground and first floors, which comprise commercial uses and the entrances to the residential elements at ground floor level, with residential apartments at first floor level. The texture of the concrete panels forming the base is coarse, featuring large exposed aggregates similar to those used on the Trinity Laban extension. The ground floor frontages between the piers are fully glazed to maximise the extent of active and animated frontage. The commercial units and service entrances feature full height perforated metal shutters which fold to the sides, and have been designed to reference the area's industrial heritage. These shutters can be closed at night or outside operating hours. At first floor, the proportions of the fenestration match that of the floors above, with wide full height glazing flanked by projecting metal fins and rust coloured metal side panels.
- 347 At first floor level, the decision was taken for design reasons that these units would be served with Juliet balconies with metal balustrades rather than projecting balconies as per the units above, which is considered to be the best response in design terms to afford a strong and well defined base to the towers. It is considered that incorporating balconies at first floor levels would result in the ground floor appearing squat in proportion to the rest of the towers, and therefore the omission of projecting balconies at this level results in an improved design treatment that is visually read as a double height element at the base of the towers.

348 The middle sections of the towers express the verticality of the form through repeated and stacked fenestration and projecting balconies. The texture of the concrete panels is smoother than at the base with an acid etched or grit blast finish. Horizontal concrete spandrel panels at every other floor in the same concrete finish serve to frame the double height concrete panels and conceal the internal floor build-up, whilst providing a horizontal rhythm. The fenestration comprises full height glazing flanked by projecting metal fins as part of the window frames and rust coloured metal side panels. Projecting balconies to each floor are framed by dark coloured metal balustrades which have been designed to reference the gantries of the area's industrial heritage. The projecting metal fins to the sides of the window frames provide an element of solar shading whilst maintaining unobstructed views from the apartments.

349 The top of the towers erode the rigid form of the middle sections and provide a gentle crown to the towers in longer distance views. Over the top two floors, the geometry of each building erodes further with the glazing set back at an angle from the concrete frame to allow glimpses through to the sky behind. The concrete texture of the panels remains smoother, reflecting that of the middle sections, and the concrete piers appear more sculptural as the set back glazing reveals greater depth. The angled set back of glazing creates recessed balconies for these units, allowing the repeated form of stacked projecting balconies across the middle sections to fall away.

Summary

350 It is considered that the proposed development would achieve an excellent quality design quality befitting its prominent setting fronting Deptford Creek and adjacent to the striking Laban Building. The design was evolved at the pre-application stage with the input of the Council's Urban Designer and the Lewisham Design Review Panel. The materiality and detailed treatment of the buildings would be of a very high standard. The public realm treatment would be of a similarly high standard, and the substantial area of public realm that would be created adjacent to the Creek would be an exceptional new public space providing substantive public benefit for local residents and visitors to the area. The scheme would also deliver a new stretch of publicly accessible Creekside route of approximately 190m in length (of which approximately 110m would be within the application site, and the remaining 80m would be within the existing Trinity Laban site). This would afford a continuous stretch of Creekside route between Kent Wharf and Union Wharf, and make a substantive contribution towards achieving a continuous and publicly accessible route along this stretch of Deptford Creek. This is a major benefit of the scheme to which significant weight is attached in planning terms.

351 Approval of the details of the proposed material palette would be secured by condition, as would the landscaping and public realm treatment. The applicant has agreed to an architect retention clause to be secured via the s106 agreement in order to ensure that the quality of design would be maintained moving forward to detailed design stages.

7.4.2 Impact on Heritage Assets

Policy

352 Heritage assets may be designated, including Conservation Areas, Listed Buildings, Scheduled Monuments, Registered Parks and Gardens, archaeological remains, or non-designated.

353 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives LPAs the duty to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives LPAs the duty to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

- 354 Relevant paragraphs of Chapter 16 of the NPPF set out how LPAs should approach determining applications that relate to heritage assets. This includes giving great weight to the asset's conservation, when considering the impact of a proposed development on the significance of a designated heritage asset. Further, that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against the public benefits of the proposal.
- 355 LPP 7.8 states that development should among other things conserve and incorporate heritage assets where appropriate. Where it would affect heritage assets, development should be sympathetic to their form, scale, materials and architectural details. DLPP HC1 reflects adopted policy.
- 356 LPP 7.10 seeks to protect World Heritage Sites and their settings, avoiding adverse impacts, having regard to its Outstanding Universal Value. Further guidance is given in the Mayor's World Heritage Sites - Guidance On Settings SPG (2012). DLPP HC2 requires Heritage Impact Assessments for development with the potential to affect a WHS or its setting. DLPPs HC3 and HC4, dealing with strategic views and the LVMF, are also relevant.
- 357 CSP 16 ensures the value and significance of the borough's heritage assets are enhanced and conserved in line with national and regional policy.
- 358 DMP 36 echoes national and regional policy and summarises the steps the borough will take to manage changes to Conservation Areas, Listed Buildings, Scheduled Ancient Monuments and Registered Parks and Gardens so that their value and significance as designated heritage assets is maintained and enhanced.

Discussion

- 359 The application site is not within a conservation area or in the immediate vicinity of any listed buildings, but does lie within the Deptford Creek Archaeological Priority Zone. Across the wider surrounding area there are a significant number of designated heritage assets.
- 360 The application site lies approximately 480m to the west of the boundary of the Maritime Greenwich World Heritage Site, and approximately 280m to the west of the boundary of the World Heritage Site Buffer Zone. Deptford Creekside is the nearest designated conservation area to the application site, lying approximately 150m to the west. The Deptford High Street and St Paul's Church conservation area is also in close proximity, lying approximately 340m to the west of the application site. Within the Royal Borough of Greenwich, the conservation areas of West Greenwich and Ashburnam Triangle lie approximately 275m to the east and 340m to the south respectively.
- 361 There are a considerable number of listed buildings within the wider surrounding area. These include the Grade I listed Church of St Paul which lies approximately 390m to the west of the application site, the collection of Grade II and II* listed properties on Albury Street approximately 370m to the west, the Grade II* listed Church of St Nicholas approximately 300m to the north west, the Grade I listed Church of St Alfege approximately 500m to the east, and the Grade II listed railway viaduct approximately 215m to the south. In total there are approximately eighty statutorily listed buildings, ten conservation areas, four scheduled monuments, one Registered Park and Garden, and one World Heritage Site within a 1.5km radius of the application site.

Impact on Maritime Greenwich World Heritage Site (WHS)

- 362 UNESCO designated Maritime Greenwich as a World Heritage Site in 1997. The Maritime Greenwich World Heritage Management Plan (Third Review, 2014) states that the importance of Maritime Greenwich "lies in its royal origins, especially under the

British Tudor and Stuart dynasties, and its development from the 17th century as a site of astronomical research related to navigation, and of Royal Naval welfare and education". The World Heritage Site encompasses the Old Royal Naval College, the National Maritime Museum, the Royal Park and Greenwich Town Centre.

- 363 LPP 7.10 and DLPP HC2 state that development should conserve, promote and enhance the Outstanding Universal Value of World Heritage Sites. Further guidance is provided in the Mayor's supplementary planning guidance 'London World Heritage Sites - Guidance on Settings', and the Maritime Greenwich World Heritage Site Management Plan. The proposed development will be visible from, and will therefore have an impact on, the Maritime Greenwich WHS. As a place of Outstanding Universal Value, the WHS is a designation of the highest order, and as such it is an important planning consideration, and must be rigorously assessed. The WHS also contains a number of statutory designations, which afford protection individually and collectively. This includes the Grade I listed Old Royal Naval College, Queen's House and Observatory buildings; the Greenwich Park Conservation Area; a number of scheduled monuments in the Park, which is a Grade I registered park and garden; and elements of the park are considered important for nature conservation.
- 364 The integrity of the Maritime Greenwich World Heritage Site is defined in UNESCO's Statement of Outstanding Universal Value which states that "the boundary of the WHS encompasses... the town centre buildings that form the approach to the formal ensemble. All the attributes of Outstanding Universal Value are included within the boundary of the property. The main threats facing the Property are from development within the town that could impact adversely on its urban grain and from tall buildings, in the setting, which may have the potential to impact adversely on its visual integrity".
- 365 The axis along College Way is identified as an Important Local View within the World Heritage Site Management Plan to protect the visual relationship between the town centre buildings and the formal layout of the Old Royal Naval College. The view west along College Way is described in the Management Plan as "enticing, and one of the key views outwards from the Old Royal Naval College" (para 5.8.5.15).
- 366 The submitted Heritage, Townscape and Visual Impact Assessment (HTVIA) included the assessment of one verified view within the World Heritage Site, VP11 from Greenwich Park (LVMF 5A.2 - Greenwich Park to St Paul's). As identified above, the assessment demonstrates that the proposed development would not be visible within this view as it would be obscured by the Royal Observatory buildings in the foreground.
- 367 Historic England and the GLA requested additional verified viewpoints be prepared to assess the impact on the WHS. Responding to this, an addendum to the HTVIA was submitted in April 2019 which included an additional verified view from College Way within the WHS (VP17: College Way, Maritime Greenwich WHS). College Way is the principal thoroughfare that traverses the Old Royal Naval College site. VP17 is taken from that stretch of College Way which crosses the Naval College Gardens, looking westwards towards the town centre. This view is framed by the Grade II listed Pepys Building (now used as the Discover Greenwich Visitor Centre) on the north side of College Way, and the Grade II listed Dreadnought Building on the south side.
- 368 In this view, there are two existing tall buildings visible which rise above the roof of the Pepys Building. These are a residential tower block at Thornham Street (within RB Greenwich) dating from the second half of the C20, and the recently completed Union Wharf development (also within RB Greenwich). The assessment demonstrates that the proposed development would be visible within this view, appearing above the Pepys Building and sitting broadly between the Thornham Street and Union Wharf blocks. Following further discussion with Historic England, the applicant assessed an additional viewpoint taken approximately 30m further west along College Way. In this view, the proposed development is again visible above the Pepys Building, and would sit

alongside the Union Wharf development. In both views, Building 2 of the proposed development (26 storeys) would appear broadly the same height as the Union Wharf block. Whilst Building 1 (30 storeys) would appear marginally higher, only its upper floors would be visible as it would sit largely behind Union Wharf and Building 2 in views from College Way.

- 369 The HTVIA Addendum submitted to RB Greenwich to inform the assessment of the Ravensbourne Wharf planning application includes the Creekside Village East proposed development as a cumulative scheme, recognising that it was submitted following submission of this application. This HTVIA Addendum includes a kinetic assessment of views moving westward along College Way. These indicate the relationship between the Ravensbourne Wharf scheme, the application proposal, and the Union Wharf development taken together in the context of the setting of the World Heritage Site. View 28 within this HTVIA Addendum for Ravensbourne Wharf is the closest to the two College Way viewpoints assessed as part of the HTVIA for Creekside Village East. In this view, the proposed Ravensbourne Wharf development would appear above the Pepys Building, sitting in the foreground of the Creekside Village East proposed development, appearing marginally higher than Building 1 of the application proposal, and partially obscuring Building 2. The officer report to RB Greenwich's Planning Board identified that Historic England and Greenwich's conservation officer considered that the Ravensbourne Wharf development would cause some harm to the Outstanding Universal Value of the Maritime Greenwich World Heritage Site. In this context, the planning officer acknowledged that the impact of the development as seen from College Way would result in some harm to the WHS, however for the purposes of the NPPF they concluded that this harm was less than substantial, and that the harm was clearly outweighed by other public benefits of the development. The GLA Stage 2 response agreed with this assessment.
- 370 In its response to the application proposal, Historic England consider that whilst the recently completed Union Wharf development and Thornham Street tower block already appear above the roofline of the Grade II listed Pepys Building, the proposed development would exacerbate this impact, creating a cumulative visual distraction along a significant stretch of College Way and further reducing the ability to appreciate the visual relationship between the town centre buildings and the formal layout of the Old Royal Naval College. Historic England have highlighted their concerns regarding the emergence of a cluster of tall buildings along Deptford Creek within both Lewisham and Greenwich, and the incremental impact of this development on some of London's most important historic sites. Historic England consider that these applications should be part of a plan-led approach and not a reaction to speculative development proposals, and they consider that whilst the area around Deptford Creek can accommodate a significant intensity of development, they do not consider it is suited to development of this scale and height.
- 371 Having reviewed the additional viewpoint from College Way, Historic England consider that the proposed development would further reduce the ability to appreciate the relationship between the town centre buildings and the formal layout of the Old Royal Naval College. As such, they consider that the proposals would cause harm to the Outstanding Universal Value of the WHS by appearing in the background of key views, and thereby detract from the significance of the designated heritage asset. Historic England conclude that it is for the Council to consider whether the identified harm is clearly and convincingly justified and outweighed by the delivery of public benefits as required by NPPF paragraphs 194 to 196.
- 372 The Royal Borough of Greenwich objected to the proposed development, and as part of this objection they cited the harm to the WHS. They considered that an insufficient number of viewpoints have been assessed within the WHS and as such a thorough assessment of impact on the WHS has not been provided. RB Greenwich specifically highlighted the absence of impact assessments from within the Nelson Room in King

William Court, the upper storey west facing rooms of King Charles Court on the Old Royal Naval College Site and also from the Cutty Sark. RB Greenwich considered that on the basis of VP17, the proposed development would fill the gap between the two existing tall buildings at Union Wharf and Thornham Street creating a cluster and mass that may be unacceptable and resulting in substantial negative impact. RB Greenwich stated that the proposed buildings would appear taller than both of the existing buildings at Thornham Street and Union Wharf when viewed from the WHS, and as a result, the moderate Georgian town centre of Greenwich may stand to lose its significance if dominated by tall building encroachment. In response to publicity associated with the submission of EIA 'further information' in July 2020, a further response from RB Greenwich was received (dated 7 September 2020) which confirmed that the Royal Borough has no further observations to make and raises no objections.

373 Maritime Greenwich World Heritage Site have also raised concerns about the potential for the proposed development to have an adverse impact on the setting and Outstanding Universal Value of the WHS. They consider that views from within the WHS from College Way towards the roofscape of Greenwich Town Centre and the character of its historic buildings are likely to be compromised and the significance of this key attribute undermined. They also express concern about the cumulative effect of the proposed development alongside other recently completed and proposed developments along Deptford Creek. Taken together, they consider that these developments have the potential to overshadow the WHS and create an undesirable 'table topping' and skyline in-filling because of the mass and density of buildings with a resulting detrimental effect on views and vistas to and from the WHS.

374 On the basis of the submitted assessment of viewpoints, it is clear that the proposed development would be visible along a stretch of College Way. It would be seen rising above the roofline of the Pepys Building when moving westwards along College Way. It must be recognised that there are existing buildings which currently appear above the Pepys Building in these views. The Thornham Street tower block has appeared in these views since its construction in the 1960s, and the Union Wharf development represents a more recent addition in this context. As such, tall buildings visible in the distance above the Pepys Building are an established feature in these views westwards along College Way. Furthermore, the Ravensborne Wharf proposal for which RB Greenwich's Planning Board were minded to grant consent in January 2020 would also be visible above the roofline of the Pepys Building in these views. The application proposal would appear of a broadly comparable scale to these existing and proposed blocks. The proposed development would lie approximately 700m to the west of the Pepys Building, and therefore whilst its massing would be visible above the roofline, the intervening distance would mean that it is clearly read in the background to views of the Pepys Building, with its approach to fenestration and materiality further serving to reinforce this clear distinction. It is recognised that taken cumulatively with the Union Wharf and proposed Ravensbourne Wharf schemes, the application proposal would contribute towards a massing of blocks in the distance behind the Pepys Building which would coalesce and merge together within particular views along College Way. For this reason, it is considered that the proposed development would result in a degree of harm to the Outstanding Universal Value of the Maritime Greenwich World Heritage Site. In the context of the impact of existing buildings in these views and given the significant intervening distance which would mean that the proposed development would clearly be read within the distant background in views of the Pepys Building, it is considered that this harm would be less than substantial having regard to paragraphs 194 to 196 of the NPPF. The assessment of this harm against the public benefits of the proposal are assessed in the conclusion to this section below.

Impact on Listed Buildings

375 There are a considerable number of listed buildings within the wider surrounding area. These include the Grade I listed Church of St Paul which lies approximately 390m to the

west of the application site, the collection of Grade II and II* listed properties on Albury Street approximately 370m to the west, the Grade II* listed Church of St Nicholas approximately 300m to the north west, the Grade I listed Church of St Alfege approximately 500m to the east, and the Grade II listed railway viaduct approximately 215m to the south.

St Paul's Church

- 376 St Paul's Church was built 1713-30 by Thomas Archer as part of the Fifty New Churches Commission. Built in Portland stone, the church's cylindrical tower rises above a semi-circular columned portico. The building is of exceptional architectural and historic interest as recognised by its Grade I listing, and was described by renowned architectural historian Nikolaus Pevsner as "one of the most moving 18th century churches in London". The church is set within its original churchyard setting to the west of Deptford High Street which provides a secluded setting and a sense of sanctuary to visitors from the bustle of the High Street. The church and its churchyard also lie within the Deptford High Street and St Paul's Church Conservation Area (CA) as detailed below. St Paul's Church is one of only two Grade I listed buildings within the borough of Lewisham.
- 377 As part of the HTVIA (and its addendum), the applicant team has assessed three verified viewpoints which show the impact of the proposed development on the setting of the church and its churchyard; VP1 – St Paul's Church; VP2 – View towards St Paul's Church; and VP18 – St Paul's Churchyard.
- 378 VP1 is taken from a point within the churchyard at the northwest corner of the church, looking eastwards along the north elevation of the church. Within this view, there is some development visible to the north of the churchyard at Mary Ann Gardens and the taller block at 75-121 Albury Street. The assessment demonstrates that the proposed development would be clearly visible in this view, with both Buildings 1 and 2 being visible in the vista between the church and the line of mature trees which mark the northern boundary of the churchyard. This would result in the visual gap in built form being filled and the sense of openness and space around the church being eroded. Whilst these trees would afford a partial screening of the proposed development when in leaf, the impact of the proposed development within this view would be greater during winter months.
- 379 VP2 is a panoramic view taken from the elevated position of the northern platform at Deptford railway station looking north-eastwards. St Paul's Church is visible at the far extent of the panorama, with the mature trees within its churchyard forming a clear break between the church and cluster of tall buildings around the Creek. Creekside Village West, Union Wharf and Kent Wharf are all visible within this exiting view, and the proposed development would be seen within this context, where it would be seen sitting in front of Union Wharf. Whilst the proposed development would appear taller and more prominent in this view than the existing development, it would form part of this existing cluster and clear separation would be maintained between the church and the proposed development, ensuring that there would be limited harm to the appreciation of its setting in this context.
- 380 VP18 is taken from the western entrance to St Paul's churchyard from Deptford High Street, looking eastwards along the footpath that runs through the churchyard. The assessment demonstrates that from this viewpoint, the two tower elements of the proposed development would be largely obscured by the line of mature trees which mark the northern boundary of the churchyard. Even when the trees are not in leaf, the proposed development would be largely screened from this viewpoint by the trunks and branches of the line of trees, and would only be visible in glimpsed views between the trees. In addition, a small part of Building 3 (the extension to Trinity Laban) would be visible above the roofline of the existing three storey development on the eastern side of Deptford Church Street in the far distance beyond the termination of the footpath. In this

view the impact on the setting of the church would be minimal, particularly in summer months, and the church would remain the focal point within its churchyard setting. The proposed development would contribute to a cumulative impact on the setting of the church resulting from other proposed development that would be more appreciable in this view, including the proposed development at Sun Wharf, however for the reasons set out above, the proposed development is considered to make a limited contribution to the cumulative impact in this regard.

- 381 Further to this, Historic England advised that the impact of the proposed development on the setting of the church should be extended by assessing kinetic views travelling eastwards along the footpath that runs through the churchyard from the Deptford High Street entrance to the west porch of the church. Two additional viewpoints were agreed with Historic England. The first supplementary viewpoint is taken approximately half way along this footpath where the west porch and spire of the church can be seen within the context of the wider setting of the churchyard. This view shows that the proposed development would be obscured by the mature trees within the churchyard when the trees are in leaf. It can however be expected that Buildings 1 and 2 would both be visible through the trees in winter months. It is recognised that the Union Wharf development has a similar relationship to the setting of the church in this context, being obscured when the trees are in leaf but visible in winter months. The impact of the proposed development would however be greater than that of Union Wharf in this regard, appearing more prominently in this view in winter months due to its greater height and by being sited closer to the church than the Union Wharf development.
- 382 The second supplementary viewpoint is taken from a position approximately 30m further eastwards along this footpath, closer to the west porch. In this view, the proposed development would be visible sitting adjacent to the northern flank of the church, where it would rise to a point approximately three quarters up the main body of the church. Whilst it would be partially obscured by the mature trees within the churchyard, a considerable proportion of the towers would be clearly visible in the gap between the church and the trees, even when the trees are in leaf. This impact would be greater still during winter months. Whilst Union Wharf would be visible currently in this view during winter months, by reason of its additional height and its particular siting, the proposed development would appear considerably more prominent than Union Wharf in this view. The proposed development would result in harm to the setting of St Paul's Church in this context. In this view there would be no gap maintained between the church and the proposed development, serving to undermine the existing clean silhouette of the church. This would result in the visual gap in built form being filled and the sense of space around the church being eroded.
- 383 Taken together, the assessment demonstrates that the proposed development would be visible from certain locations when moving through the churchyard, and that the extent of this visibility would in most cases depend on the time of year in terms of whether the trees within the churchyard are in leaf. The church and its spire would clearly remain the dominant form in all views, however in certain views, particularly where the proposed development would infill the gap between the church and the churchyard trees, there would be some harm to the setting of the church.
- 384 The Council's conservation officer considers that there would be harm to the setting of St Paul's Church in this context. Whilst they consider that this harm would be less than substantial having regard to the NPPF, they consider that this would be at the high end of less than substantial harm. Having reviewed the two supplementary views that have been assessed, Historic England consider that a more detailed kinetic assessment along the pathway that takes account of winter months would assist in making a fuller assessment of the proposals. However on the basis of the evidence presented to date, Historic England consider that the proposed development would cause harm to the setting of St Paul's Church, and thereby detract from its significance. Historic England's response concludes that it is for the Council to consider whether the identified harm is

clearly and convincingly justified and outweighed by the delivery of public benefits as required by NPPF paragraphs 194 to 196.

Albury Street

- 385 Albury Street runs eastwards from Deptford High Street, and comprises a significant concentration of early 18th Century buildings. It is one of the oldest streets in Deptford and hosts some of its most handsome buildings, of which 18 are Grade II* listed and three are Grade II listed. Albury Street lies approximately 370m to the west of the application site. Albury Street lies within the Deptford Town Hall and St Paul's Church CA.
- 386 As part of the HTVIA, the applicant team has assessed one verified viewpoint from Albury Street; VP15 – Albury Street. This viewpoint is taken from the eastern end of Albury Street, close to its junction with Deptford High Street. Albury Street runs broadly east – west, and looking eastwards Vertex Tower (part of Creekside Village West) is clearly visible, terminating the vista at the end of the street. The taller block of Union Wharf is also partly visible behind this. The assessment demonstrates that the upper storeys of the proposed development would also be clearly visible within this view, sitting just to the side of Vertex Tower. The proposed development would be read as the taller element in this view, recognising its additional height relative to Vertex Tower. The proposed material palette would also add to its prominence in this view, where the glazed façade of Vertex Tower means that it is more likely to blend in to the sky depending on light conditions. There is considered to be a degree of additional cumulative harm to the setting of the listed properties on Albury Street, by further enclosing the termination of the vista along the street with a scale of building that is out of keeping with the historic character of these properties. For these reasons, it is considered that the harm caused to the setting of these listed buildings would be at the low / moderate end of less than substantial.

Railway Viaduct

- 387 The Grade II listed historic viaduct of the London-Greenwich railway line lies approximately 215m to the south of the application site. Constructed in 1836, the viaduct consists of a series of 22 feet high brick arches that carry the railway bed, enclosed by parapets. The listing description notes that the 32 arches from Deptford Creek to Deptford Church Street are considered to be the most attractive part of the line and that the viaduct carried the first passenger railway in London, considered to be one of the first major achievements of railway engineering in Britain. The viaduct lies partially within the Deptford Creekside CA.
- 388 As part of the HTVIA, the applicant team has assessed one verified viewpoint which shows the impact of the proposed development on the setting of the railway viaduct; VP13 – Creekside, south of the viaduct.
- 389 VP13 is taken from a point looking north along Creekside towards the railway viaduct. The viaduct forms a strong visual boundary to the Deptford Creekside CA and forms a key townscape element in this view (see separate assessment below in relation to impact on conservation areas). There are existing tall buildings visible within this view, including Creekside Village West, Kent Wharf and Union Wharf. The proposed development would be clearly visible within this view, however it would appear at some distance from the viaduct and would be read as separate in the same way as the existing tall buildings are seen within this view. A railway viaduct is a feature which by its nature cuts through the urban environment and as such its setting in heritage terms is appreciated differently to the setting of a landmark building. In this context it is considered that the harm caused to the setting of the viaduct would be at the low end of less than substantial. It is also noted that the application proposal for Sun Wharf would

sit in the foreground and largely obscure views of the Creekside Village East proposal from this location.

St Nicholas Parish Church and McMillan Nursery

- 390 The HTVIA identifies a grouping of four listed buildings at Deptford Green, within RB Greenwich. These are located approximately 300m to the north west of the application site and include the Grade II* listed St Nicholas Parish Church and its associated north and east walls (Grade II*), together with the Rachel McMillan Nursery (Grade II) and its associated Memorial to Margaret McMillan (Grade II). The HTVIA identifies that modern residential development predominately defines the wider settings of these listed buildings, and that the development proposals will likely be sufficiently screened by interposing development already established within the wider settings of these heritage assets. The HTVIA identifies that if an appreciation of the proposed development was to occur, it would be read and understood in the established urban context of other large scale developments at Deptford Creek, such as Union Wharf. As such, it is considered that the proposed development would cause either no or very limited harm to the setting and significance of this heritage asset group.

Mumford's Grain Silo

- 391 The Grade II listed Mumford's Grain Silo lies approximately 550m to the south of the site at the southern end of Deptford Creek, within RB Greenwich. The HTVIA concludes that given the intervening development and the elevated DLR viaduct, there would be no appreciation or understanding of the proposed development within the setting of Mumford's Grain Silo, thereby preserving this heritage asset's significance.

Deptford Sewage Pumping Station

- 392 The HTVIA identifies a grouping of listed buildings at Old Pearson Street, on the south side of Deptford Creek within RB Greenwich. These include a number of buildings forming part of Deptford Sewage Pumping Station together with the Office of the Saxonia Electric Wire Company, which are located approximately 300m to the south of the application site. The HTVIA identifies that existing modern development at Creekside is likely to obscure any appreciation of the proposed development from the heritage assets identified in this group. If an appreciation of the proposed development was to occur, it would be read and understood in the established urban context of other large scale developments at Deptford Creek. As such, it is considered that the proposed development would cause either no or very limited harm to the setting and significance of this heritage asset group.

St Alfege with St Peter's School

- 393 St Alfege with St Peter's School lies on Creek Road, approximately 350m to the east of the application site within RB Greenwich. The HTVIA identifies that the immediate setting of this heritage asset is characterised by the modern residential development along Creek Road and concludes that the proposed development would be read in this context and not negatively affect the understanding of this heritage asset's significance.

- 394 In addition to the listed buildings identified above, there are significant concentrations of listed buildings within the conservation areas of Ashburnham Triangle, and West Greenwich, which are both within RB Greenwich. The impact on the setting of these conservation areas and the heritage assets within them are assessed below in relation to the impact on conservation areas.

Impact on Conservation Areas

Deptford Creekside CA

- 395 Deptford Creekside is the nearest designated Conservation Area (CA) to the application site, lying approximately 150m to the west. Deptford Creekside CA comprises the industrial area on Creekside south of the railway viaduct as well as Sue Godfrey Nature Reserve and part of the Crossfield Estate. The CA's significance lies firstly in the development from the 16th Century onwards of wharfs and industrial activities along the Creek, representing the only remaining historic river-related industrial quarter of significant coherence within Deptford and along the Creek itself, and secondly in the Crossfield Estate which is of social, historic and architectural significance and evidences the London County Council inter-war social housing programme.
- 396 As part of the HTVIA (and its addendum), the applicant team has assessed three verified viewpoints from within Deptford Creekside CA; VP3 – Deptford Church Street, VP13 – Creekside, south of the viaduct, and VP21 – Ha'penny Bridge.
- 397 VP3 is taken from a point on Deptford Church Street opposite Bronze Street looking east across Sue Godfrey Nature Reserve. The assessment shows that the proposed development will be seen within this view as part of the ensemble of tall buildings which have recently been developed along the Creek, including Union Wharf and Kent Wharf which are both visible from this location. As with these existing schemes, the proposed development would be largely screened from view by trees within Sue Godfrey Nature Reserve when the trees are in leaf.
- 398 VP13 is taken from a point looking north along Creekside towards the railway viaduct. The viaduct forms a strong visual boundary to the CA and this listed viaduct is of high architectural and historic value and forms a key townscape element in this view (see separate assessment above in relation to listed buildings and structures). There are existing tall buildings visible within this view, including Creekside Village West, Kent Wharf and Union Wharf. The proposed development would be clearly visible within this view, however it would appear at some distance from the boundary of the CA and would be read as separate in the same way as the existing tall buildings are seen within this view. It is also noted that the application proposal for Sun Wharf would sit in the foreground and largely obscure views of the Creekside Village East proposal from this location.
- 399 VP21 is taken from the Ha'Penny pedestrian bridge crossing the Creek, looking north through the arch formed beneath the lifting bridge and its stone piers. Within this view, the Laban Building and the lower storeys of Creekside Village West and Union Wharf are visible through the arch. The assessment demonstrates that in terms of the proposed development, the extension to the Laban facility would be visible through the arch as would elements of the lower storeys of Buildings 1 and 2, however none of the buildings would not be visible above the railway viaduct.
- 400 For these reasons, it is considered that the harm caused to the setting of the CA in this context would be at the low end of less than substantial.

Deptford High Street and St Paul's Church CA

- 401 The Deptford High Street and St Paul's Church CA lies approximately 340m to the west of the application site. The CA is focused around Deptford High Street, extending from Evelyn Street in the north to Deptford Broadway to the south, and includes St Paul's Church and its churchyard within its extent. The Deptford High Street and St Paul's Church CA was formed via the merger of two adjoining CAs in 2019 as part of an updated Conservation Area Appraisal undertaken for the area. The CA encompasses the historic settlement of Upper Deptford and its significance derives from its unique history, the vitality of its historic retail and market character, and the scale, grain and texture of its buildings and townscape. St Paul's Church is a building of exceptional architectural and historic interest, a landmark within the CA and beyond, and one of only two Grade I listed buildings within the borough of Lewisham.

402 As part of the HTVIA (and its addendum), the applicant team has assessed four verified viewpoints from within Deptford Creekside CA; VP1 – St Paul’s Church; VP2 – View towards St Paul’s Church; VP15 – Albury Street; and VP18 – St Paul’s Churchyard.

403 The impact of the proposed development on these views is discussed above in relation to the impacts on listed buildings in terms of St Paul’s Church and Albury Street respectively. As identified above, there would be harm to the setting of St Paul’s Church, and to a lesser degree to the setting of the buildings on Albury Street. The harm to the setting of the conservation area must be considered in this context. St Paul’s Church is clearly a major landmark building within the CA and therefore harm to its setting will necessarily result in harm to the setting of the CA. The historic townscape of Albury Street makes a positive contribution to the character of the CA. For these reasons and having regard to the significance of the CA, it is considered that the harm caused to the setting of the CA in this context would be at the low to moderate end of less than substantial.

West Greenwich CA

404 The West Greenwich Conservation Area lies within RB Greenwich, approximately 275m to the east of the application site at its nearest point. The CA extends from the town centre, the pier, the Thames foreshore and Cutty Sark to the railway station, the Georgian and Victorian housing and the open heath on the edges of Blackheath to the south. The conservation area shoulders the Old Royal Naval College and Greenwich Park and the three areas make up the Maritime Greenwich World Heritage Site. The CA is significant for the quality of its townscape and the diversity of its architecture, which includes Hawksmoor’s Church of St Alfege (Grade I listed), the Georgian houses of Crooms Hill and Hyde Vale and, in the twentieth century, the former town hall on Greenwich High Road. The CA also includes the Cutty Sark (Grade I listed) and is notable for the formal set pieces such as Gloucester Circus and the Regency replanning of the town centre around the market.

405 As part of the HTVIA, the applicant team has assessed two verified viewpoints from within the West Greenwich CA; VP8 – Roan Street, and VP9 – St Alfege Church.

406 VP8 is taken from Roan Street close to its junction with Straightsmouth, looking west. Moving west along Roan Street there are two taller buildings which are currently visible; the residential tower block at Thornham Street, and Union Wharf. The verified view demonstrates that the proposed development would be clearly visible within this view, sitting above the roofline of the smaller scale buildings in the foreground. However it would appear at some distance from the CA and would be read as separate in the same way as the existing tall buildings are seen within this view. In this context it is considered that the harm caused to the setting of the CA would be at the low end of less than substantial.

407 VP9 is taken looking west from the public footpath which runs adjacent to the Church of St Alfege, outside the west entrance to the church. The verified view demonstrates that part of the upper portion of the proposed development would be visible above the roofline of the buildings which frame this courtyard space. Again however, it would appear at some distance from the CA and would be read as separate in the same way as Union Wharf is currently visible above the roofline of these buildings. Whilst there would be a cumulative impact of development being seen above the roofline of these buildings, it is considered that the harm caused to the setting of the CA and the Grade I listed Church of St Alfege would be at the low to moderate end of less than substantial.

Ashburnham Triangle CA

408 The Ashburnham Triangle CA lies within RB Greenwich, approximately 340m to the south of the application site at its nearest point. The CA comprises of the three main

roads of Blackheath Road, Greenwich High Road, and Greenwich South Street, and the predominantly residential area that they enclose. Development on the three main roads has evolved gradually since 1575 and is varied and organic, with some surviving buildings here dating from the first years of the 18th century. Development within the Triangle itself is mainly residential and typically dates from between 1830 – 1870. The conservation area includes 26 listed buildings and over 200 locally listed buildings. The significance of the CA derives from the legibility and identity of the Triangle, the rich and varied organic character of the three boundary streets, the Georgian and Victorian group character of the 19th century buildings and the associated townscape, streetscape and views.

- 409 The HTVIA identifies that the surrounding urban character dominates the immediate setting of the CA, and as a result, outward facing views are primarily defined along the three main roads of Greenwich High Road, Blackheath Road, and Greenwich South Street. The development visible within this setting is considered have a neutral contribution to the significance of the CA as it represents the organic development of the surrounding urban context as it has subsequently been developed. At the western extent of the CA, the road layout allows for glimpsed views towards Deptford Creek. However, due to the existing topography and intervening development, there is no appreciation and understanding of the site itself. Any glimpsed views of the proposed development would be appreciated in a similar context as glimpsed views of existing tall development along Deptford Creek, such as Union Wharf. In this context, it is considered that any harm to the setting of the CA and its heritage assets would be at the very low end of less than substantial.

Archaeology

- 410 An Archaeological Desk Based Assessment has been submitted as part of the application submission (Thames Valley Archaeological Services, August 2018) and forms Appendix 7.1 to the Environmental Statement. The application site lies within Archaeological Priority Area 8 – Deptford Creek, with its archaeological potential being derived from its proximity to Deptford Creek which is a topographic location favoured for early occupation. The proposed development includes a basement and will require piling works, and therefore has the potential to impact on the archaeologically relevant levels. The Archaeological Desk Based Assessment recommends that a field evaluation is undertaken to provide detailed information on the archaeological potential of the site so that a scheme to mitigate the impact of development on any below ground archaeological remains could be drawn up where appropriate.
- 411 The submitted report has been reviewed by the (Historic England) Greater London Archaeological Advisory Service (GLAAS) who consider that it adequately summarises the archaeological potential on the site and highlights the need for intrusive archaeological field evaluation. On the basis of the submitted report, GLAAS consider that there is potential for survival of deep-lying palaeo-environmental remains, which may contain evidence for waterlogged organic remains, and past land surfaces, and for water-management features and river walls dating from the Roman period onwards.
- 412 GLAAS highlight that whilst the NPPF generally envisages evaluation being undertaken prior to determination of a planning application, in this particular case having regard to the nature of the proposed development and the archaeological interest, GLAAS confirm that they consider a two-stage archaeological condition would provide an acceptable safeguard. A condition is therefore recommended which comprises firstly of evaluation to clarify the nature and extent of surviving remains, followed if necessary by a full investigation.

Summary

- 413 It should be noted that Historic England have not formally objected to the application, and have confirmed that it is the responsibility of the Council to consider whether the harm that they have identified is clearly and convincingly justified and outweighed by the delivery of public benefits as is required under NPPF Paragraphs 194 and 196 respectively.
- 414 As set out above, in relation to the majority of heritage assets, any harm to their setting or significance that would result from the proposed development would be at the low end of less than substantial. In relation to the Maritime Greenwich World Heritage Site, it is considered that the proposed development would result in a degree of harm to the Outstanding Universal Value of the World Heritage Site but that this harm would be less than substantial. In relation to the Grade I listed St Paul's Church, the impact of the proposed development on the setting of the church is considered to be at the high end of less than substantial. In relation to the setting of the listed buildings at Albury Street, the setting of the Deptford High Street and St Paul's Church Conservation Area, and the Grade I listed Church of St Alfege and the West Greenwich Conservation Area, the level of harm would be at the low to moderate end of less than substantial.
- 415 NPPF paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In terms of public benefits, the development would deliver a new facility for Trinity Laban to shell and core to facilitate its expansion as a leading centre for the training of professional contemporary dance artists at their existing Deptford site. As detailed above, enhanced community use of the expanded facilities would be secured via legal agreement. The proposed development would deliver 393 new homes of which 15% (59 units) would be intermediate (shared ownership) tenure, contributing towards the borough's housing requirement. In addition, the development would deliver substantive new areas of high quality public realm, including opening up access along its frontage to Deptford Creek. The creation of commercial floorspace at ground floor level would support job creation, and a substantive financial contribution would be secured to deliver highway and public realm improvements to Copperas Street to create a high quality environment for pedestrians and cyclists. The proposed development would deliver substantive public benefits, and taking all the identified public benefits into account, it is considered that they outweigh the identified harm to the designated heritage assets. As such, having regard to the statutory duties in respect of listed buildings and conservation areas in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant paragraphs in the NPPF in relation to conserving the historic environment, Officers are satisfied that the proposal would accord with the aims and objectives of LPP 7.8, Chapter 16 of the NPPF and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.4.3 Public Realm

Policy

- 416 Streets are both transport routes and important local public spaces. Development should promote accessibility and safe local routes. Attractive and permeable streets encourage more people to walk and cycle.
- 417 LPP 7.5 relates to public realm and expects public spaces to among other things be secure, accessible, inclusive, connected, incorporate the highest quality design and landscaping. LPP 7.18 and DLPP G4 support the creation of new publicly accessible green and open space, and London Plan policies on the Blue Ribbon Network (which includes Deptford Creek) seek to improve access to the waterways, which is reflected in DLPP SI16 'Waterways – use and enjoyment'.

- 418 DM Policy 35 'Public realm' requires that public spaces should be designed to be safe, inclusive, accessible, attractive and robust, enhancing existing connections and providing new connections as appropriate. Existing local connections that are valued and contribute to the distinctiveness of the area's public realm and streetscape should be enhanced. The policy requires that street paving and furniture, public art and street signage should be well designed using high quality materials, be sited to minimise visual clutter, provide legible signage and allow level and safe passage for all including people with disabilities including the careful design of shared surfaces with cyclists.
- 419 DM Policy 25 'Landscaping and trees' requires that all major applications are accompanied by a landscape scheme comprising a landscape plan and a five year landscape management plan detailing the provision, management and maintenance of high quality hard and soft landscapes and trees.
- 420 DM Policy 34 requires that development on sites adjacent to Deptford Creek address the Creek as an important part of the public realm and contribute to the liveliness of the waterfront.

Discussion

- 421 The application proposal will create approximately 3,738sqm of new public realm, focused around three new spaces. A new Creekside route will be created along the site's frontage to Deptford Creek which forms its southern boundary. This will provide connection with the new Creekside route which runs along the Union Wharf scheme to the east of the application site. The second new space will provide a connection for pedestrians and cyclists between Copperas Street and the Creek. This route will be lined by active ground floor uses, and the main entrance to the Trinity Laban extension building will be via this route. The third new space, known as The Meadows, will be an area of public space to the south of Building 2 comprising an open grassed area, together with hard and soft landscaping. This south facing space affording open views over the Creek will present a highly attractive space for local residents and visitors, with spill out from the café within Trinity Laban and the commercial unit at the base of Building 2 affording additional animation to the space. Levels and inclines have been designed to provide access for all abilities between the Creekside route and Copperas Street, with inclines of less than 1:20 for all main routes.
- 422 The design and character of each of these spaces responds to their nature and intended use. The application is accompanied by a Landscape Design Statement which sets out the design rationale for the public realm, and the proposed materials and planting. The design of the public realm has been informed by themes of movement, erosion and flow around the buildings, and the sinuous movement of rivers and creeks. The design of the public realm has sought to achieve a more distinctive and vibrant treatment than the formal character of the public realm to the north of Copperas Street which was delivered as part of the Creekside Village West scheme.
- 423 The plan below illustrates the landscape masterplan for the public realm. Each of three new spaces are described in additional detail below.



Figure 16 – Landscape masterplan for the public realm

Creekside route

- 424 The provision of this route supports the ambition to create an accessible route along the full length of the Creek as sites come forward for development. The landscape scheme has been designed to dovetail into the public realm treatment for the Union Wharf scheme which connects to the east. The landscape proposals will create a soft, vegetated edge to the Creek wall and a hard landscaped viewing point allowing pedestrians access right up to the Creek wall affording views of the Creek. The Creekside route will be finished in materials which are robust, including Kellen ‘Perlano’ which incorporates shells and aggregates within its surface, to reflect the character of the Creekside setting. The design of the boundary treatment to the Creek alongside this route has been designed to reflect that of the recently completed stretch adjacent to Union Wharf, comprising a low wall topped by open balustrading.
- 425 In addition to delivering a new stretch of publicly accessible Creekside route along the application site’s frontage to the Creek (c. 110m in length), the scheme would also open up a new stretch of Creekside route through the existing Trinity Laban site. This would involve the provision of hard landscaping to form a Creekside route, and securing public access through this new stretch (c. 80m in length). These provisions would be secured through the s106 agreement. Taken together, this would afford a continuous stretch of Creekside route between Kent Wharf and Union Wharf (which itself connects to Creek Road), and make a substantive contribution towards achieving a continuous and publicly accessible route along this stretch of Deptford Creek.
- 426 In relation to the Creekside route, it is proposed that gates would be installed towards the site’s western boundary to allow the stretch of route through the existing Trinity Laban site to be closed off during the evenings and at night. Whilst this is regrettable and the principle of full public access along the Creekside route at all times would typically be sought, in this instance it is recognised that the transparent polycarbonate panels which make up the elevations of the Laban Building are not robust and could be

readily susceptible to vandalism and damage. It is for this reason that the scheme has been designed with gates to facilitate the closing off of this stretch of route at night. From a public safety perspective, it is recognised that the stretch of Creekside route outside the Laban Building would not benefit from active frontage and when combined with its narrow width, it means that people may be disinclined to use this stretch of the route outside of daylight hours in any case. As such, it is considered that given the particular circumstances it would be appropriate for access to the stretch through the existing Trinity Laban site to be closed off at night. There are existing gates adjacent to Kent Wharf which would enable this stretch to be independently closed off.

- 427 Provisions would be secured within the s106 agreement to ensure that the stretch of route through the existing Trinity Laban site (which lies outside the application red line boundary) is accessible to the public within defined hours, and that in relation to the new public realm delivered within the application red line boundary, public access is secured at all times and in perpetuity.

Route connecting Copperas Street and the Creekside

- 428 A small plaza at the north end of the route where it intersects with Copperas Street will accommodate a vehicular drop off bay for visitors and deliveries. The plaza will feature raised planters in pre-cast concrete that provide seating and pockets for tree and vegetation planting, and serve to prevent vehicular access to this route. The route extends from Copperas Street down towards the Creekside with sinuous bands of paving in a palette of earth tones that has been informed by the form and nature of the Creek bed. This route would be finished in a range of high quality paving materials, including Kellen Breccia 'Terra Secca' which has been selected as it has the appearance of cracked mud through its colour and form which comprises a series of irregular shapes that can be arranged in a random pattern, reflecting the character of the Creekside environment. The other bands of paving materials have been selected in a range of earth tones to reflect the materiality of aggregates found within the Creek environment, framed by paving materials in silver and grey towards the edges of the route, which reference the materials of the proposed buildings. The sinuous form the bands of paving materials draw pedestrians towards the entrance to the Trinity Laban extension which is accessed via this route. Towards its southern extent, the route splays out to the public space fronting the Creek.

The Meadows

- 429 This new public space will lie to the south of Building 2, formed at the intersection of the Creekside Walk and the new route connecting Copperas Street and the Creekside. At its northern extent, there will be a wide area of paving providing spill out space associated with the commercial unit at ground floor level within Building 2. At its western extent, the space will be framed by set of wide and sinuous steps which provide an informal gathering space and area of seating, and which also serve to form an informal amphitheatre performance and events space. An area of paving provides spill out space to the café located at the south east corner of the ground floor of the Trinity Laban extension. These areas of hard landscaping frame an area of green space, which will comprise a combination of open dry meadow together with woodland fringe planting. Within the Landscape Design Statement, a range of options are presented demonstrating how this space could accommodate a range of programmable events, including an outdoor gallery, and outdoor cinema, or a small market. Power and water points would be provided to this space to facilitate its use for a range of events.
- 430 In addition to these three new spaces, a hard landscaped route along the site's eastern boundary with the Union Wharf scheme will be provided. Retractable bollards will provide controlled access to this route to facilitate access for fire appliance vehicles, refuse vehicles, and access for the Environment Agency to facilitate inspection and maintenance works to the Creek Wall.

Planting species

- 431 The planting scheme has been designed to incorporate a variety of native and non-native plants in order to provide interest throughout the seasons and provide habitat for wildlife. The planting is themed around riverside and estuarine environments. The Creekside corridor would be planted with a variety of native shrubs and grasses together with flowering perennials that attract pollinators and produce seed pods that attract birds. Along the Creek wall native field plants would provide a backdrop to the scheme. The Meadows would be managed via a twice yearly mowing regime and contain a wide variety of native species. A number of small to medium sized trees would be provided across the public realm, set within the planters, along the Creekside route, and along the site's eastern boundary.
- 432 The Creekside Education Trust has identified that they would wish to see the planting scheme being more clearly informed by native species present within the Creekside environment. This would ensure the successful colonisation of the planting, and support enhanced biodiversity gain within the Creekside habitat. In this context, a condition is proposed requiring submission of soft landscaping details and a planting plan that is specifically informed by native species present within the Creekside environment.

Public realm lighting scheme

- 433 DM Policy 27 'Lighting' requires that through appropriate lighting design, new development protects local character, residential amenity and the wider public, biodiversity and wildlife from light pollution and nuisance.
- 434 The Landscape Design Statement outlines the public realm lighting strategy. Due to the ecological sensitivity of the Creekside environment, the scheme has been designed with low level lighting in all areas in order to provide lighting at ground level without creating upward light pollution. At ground level, recessed lighting is incorporated into the raised planters and shielded LED strip lighting into the underside of the seating steps. On the Creekside Walk the scheme incorporates low level ground wash lighting into the paving in order to provide lighting across the pathway and deflect light away from the Creek. Lighting of steps will be through recessed lights in the sidewalls in order to ensure illumination of the treads. All lighting will incorporate low energy LED luminaires.
- 435 A condition is proposed to secure details of the lighting strategy across the site, which would minimise any disturbance to wildlife whilst providing a suitable level of lighting to provide a safe environment outside of daylight hours.

7.4.4 Urban design conclusion

- 436 The proposed development would achieve an excellent design quality befitting its prominent setting fronting Deptford Creek and adjacent to the striking Laban Building. The materiality and detailed treatment of the buildings would be of a very high standard. The development would deliver approximately 3,738sqm of high quality public realm comprising three main spaces. The substantial area of public realm that would be created adjacent to the Creek would be an exceptional new public space providing substantive public benefit for local residents and visitors to the area. The scheme would also deliver a new stretch of publicly accessible Creekside route of approximately 190m in length, which would facilitate a continuous stretch of Creekside route between Kent Wharf and Union Wharf, and make a substantive contribution towards achieving a continuous and publicly accessible route along this stretch of Deptford Creek. The public realm and Creekside route are major benefits of the scheme to which significant weight is attached in planning terms.
- 437 The proposed development would result in some harm to designated heritage assets. It is considered that the proposed development would result in a degree of harm to the

Outstanding Universal Value of the Maritime Greenwich World Heritage Site but that this harm would be less than substantial. In relation to the Grade I listed St Paul's Church, the impact of the proposed development on the setting of the church is considered to be at the high end of less than substantial. In relation to the setting of the listed buildings at Albury Street, the setting of the Deptford High Street and St Paul's Church Conservation Area, and the Grade I listed Church of St Alfege and the West Greenwich Conservation Area, the level of harm would be at the low to moderate end of less than substantial. NPPF paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The proposed development would deliver substantive public benefits, and taking all the identified public benefits into account, it is considered that they outweigh the identified harm to the designated heritage assets. As such, having regard to the statutory duties in respect of listed buildings and conservation areas in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant paragraphs in the NPPF in relation to conserving the historic environment, officers are satisfied that the proposal would accord with the aims and objectives of LPP 7.8, Chapter 16 of the NPPF and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.5 TRANSPORT IMPACT

General policy

- 438 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.
- 439 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”.
- 440 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.
- 441 The Core Strategy, at Objective 9 and CSP14, reflects the national and regional priorities.

Discussion

- 442 A Transport Assessment (Cannon Consulting Engineers, July 2018) has been submitted alongside the application and forms Appendix 16.1 to the Environmental Assessment.
- 443 Copperas Street is a cul-de-sac for the purposes of vehicular traffic, accessed from Creekside at its western end. It does however provide a pedestrian and cycle connection to Creek Road (A200) at its eastern extent. Copperas Street provides vehicular access for servicing to both Creekside Village West and the recently completed Union Wharf scheme.
- 444 The site is located within close proximity to a network of cycle routes including national, local and Quietway routes. Copperas Street forms part of National Cycle Route 21 (NCN 21) which runs from the River Thames to Eastbourne. It also forms part of Lewisham’s Waterlink Way which is a 12km walking and cycling route extending from Sydenham northwards to the River Thames, passing through a network of parks and green spaces broadly following the line of the Pool and Ravensbourne Rivers. Copperas Street also lies in close proximity to Quietway Cycle Route 1 which links Waterloo Station with Greenwich Station, as identified within TfL London Cycling Guide No 7.
- 445 The site has an average to good public transport accessibility level (PTAL) of 3 to 4 with the PTAL reducing towards the southern extent of the site. There are bus stops on Creek Road within 100m of the site which are served by a number of bus services, with a wider range of bus services accessible across the surrounding area. DLR services can be accessed via the Cutty Sark DLR Station (approximately 640m from the application site) or Greenwich DLR Station (approximately 960m from the application site). National Rail services can be accessed from Deptford Rail Station (approximately 800m from the application site) or Greenwich Rail Station (approximately 960m from the application site). In addition, riverboat services are available via Greenwich Pier.
- 446 The site is located within a suitable walking distance to a wide variety of local services and facilities. A Pedestrian Environment Review System (PERS) audit of the existing pedestrian network to five key destinations (Cutty Sark DLR, Deptford Station,

Greenwich Pier, Trinity Laban School of Music, and Deptford Church Street) was undertaken as part of the Transport Assessment. PERS is used to assess the level of service and quality provided for pedestrians across a range of pedestrian environments. The PERS audit confirms that the majority of the pedestrian environment to these key destinations is good, with a couple of areas identified as average. The PERS audit identified a number of quick wins that would improve the scoring of some of the components, mainly attributable to construction works that were underway at the time of the audit or through improved street cleaning.

- 447 The administrative boundary between LB Lewisham and the Royal Borough of Greenwich runs along the centre line of Copperas Street, with the northern half of the street being within Greenwich and the southern half being within Lewisham. All highway maintenance and infrastructure works to Copperas Street are however managed by RB Greenwich, by means of an historic agreement between the two authorities under Section 8 of the Highway Act 1980 (as amended).

7.5.1 Access

Policy

- 448 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.
- 449 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.
- 450 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

- 451 Pedestrian access to the two residential cores would be via Copperas Street. The entrance to the Trinity Laban extension would be via the new public realm space which would run between Copperas Street the Creekside. This would represent a secondary entrance to Trinity Laban, with the principal entrance being the existing entrance via Creekside on the west elevation of the exiting Laban building. The extension would be joined to the existing building via a glazed corridor link at first floor level, connecting to the central circulation space within the Laban building and facilitating movement between the buildings. The commercial units would be accessed directly via the new areas of public realm that would be created.
- 452 The basement cycle parking for residents and the commercial units would be accessed via a bike lift sited on the eastern elevation of Building 2, accessed from the shared surface service route that runs between Building 2 and Union Wharf. Pedestrian access to the cycle stores would also be provided via the residential cores of Buildings 1 and 2. The cycle store for Trinity Laban would be sited within that part of the basement beneath the proposed extension, and would be accessible via the main stair and lift core within this building.

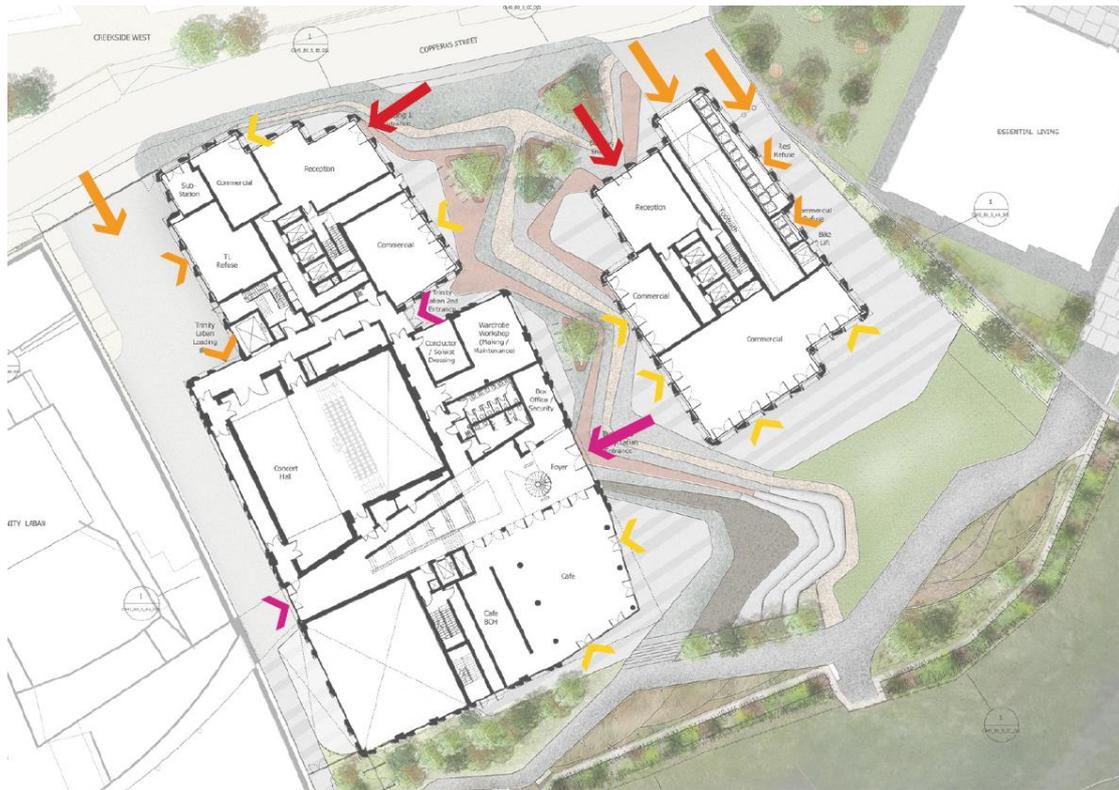


Figure 17 – Access and movement around the proposed development

- 453 The layout of the proposed development has been designed to provide for all vehicular servicing along the site’s western and eastern boundaries via Copperas Street, thereby ensuring that the areas of public realm created centrally within the site and fronting the Creek would be spaces for pedestrians and cyclists, free of vehicle movement.
- 454 A service yard for Trinity Laban would be sited along the site’s western boundary adjacent to the existing Laban Building, providing access for all servicing and delivery requirements for the Laban facility.
- 455 Along the site’s eastern boundary adjacent to the Union Wharf scheme, a shared surface servicing route would be provided for servicing and refuse collection associated with the residential and ground floor commercial elements. This route, with access controlled by retractable bollards, would also provide emergency vehicle access and provide the Environment Agency with access to the Creek Wall for the purposes of inspection and maintenance. The entrance to this service route would also provide a turning head facility to allow vehicles to turn within Copperas Street. There is currently no turning head facility to Copperas Street, and the applicant proposes that this turning facility would be offered to the highway authority for adoption. The shared surface nature of this route means it also provides a secondary connection for pedestrians and cyclists between Copperas Street and the Creek.
- 456 A lay-by running parallel to Copperas Street would be provided along part of the site’s northern boundary, providing a pick-up / drop-off facility to serve the development, which would also provide additional servicing opportunities for online shopping deliveries. The

applicant proposes that the lay-by would also be offered to the highway authority for adoption so that appropriate waiting and loading restrictions can be imposed and enforced through a Traffic Regulation Order (TRO).

- 457 Vehicular access to the basement car park serving the development would be via a signal controlled access ramp to Copperas Street, located within Building 2 towards the north eastern corner of the site. The ramp entrance is set back approximately 9m from Copperas Street which affords an area for a car to pull clear of the highway whilst waiting to enter the basement car park, in order to prevent waiting vehicles from blocking Copperas Street.
- 458 Swept path analysis has been provided in relation to all relevant vehicle types for each of the access points to the site and the vehicle turning head, which demonstrates that all relevant vehicles can be accommodated including fire appliances, large refuse vehicles, and vehicles necessary to facilitate inspection and maintenance of the Creek Wall by the Environment Agency. For completeness, swept path analysis has also been undertaken to demonstrate that the proposed turning head would accommodate the turning of a 15m coach, notwithstanding that Trinity Laban have confirmed that they have existing coach pick-up and drop-off arrangements in place and that there would be no requirement for coaches to access Copperas Street.
- 459 The proposals for access have been reviewed by officers, including the Council's Highways Officer and Transport for London and are considered to be safe and appropriate for the proposed development.

7.5.2 Local Transport Network

Policy

- 460 The NPPF states that significant impacts on the transport network (in terms of capacity and congestion) should be mitigated to an acceptable degree.

Discussion

Highway impact

- 461 To assess the impact of the proposed development on the highway network, a series of traffic surveys were undertaken across the surrounding area in November 2017. The traffic impacts of development commitments (including extant consents and applications pending determination) were also taken into account. An assessment of the impact of the proposed development on four identified highway junctions demonstrates that the increases in flows on the local highway network arising from the proposed development would be very small. In the AM peak hour, the percentage increases on the assessed junctions range between 0.1% to 5.5%, with the largest percentage increase relating to the junction of Creekside and Copperas Street itself. On this basis, more detailed assessment of the Creekside / Copperas Street junction was undertaken, which demonstrated that the junction would operate well within the maximum ratio of flow to capacity design threshold taking into account both the proposed development and other commitments. The Transport Assessment therefore concludes that the proposed development will not lead to a material increase in vehicular traffic on the surrounding highway network.
- 462 In addition, a parking survey was undertaken in December 2017 in accordance with the Lambeth parking survey methodology to review how on-street parking is utilised within the surrounding area, which is not currently subject to a Controlled Parking Zone. LB Lewisham are currently reviewing on-street parking in the area with a view to establishing a Controlled Parking Zone (CPZ) or Restricted Parking Zone (RPZ).

Contributions have been sought from surrounding developments towards the establishment of a CPZ, and the applicant has agreed to make a financial contribution of £30,000 towards the establishment of a CPZ / RPZ within the surrounding area which would be secured via the s106 agreement. The applicant has also agreed that any resident of the proposed development would be precluded from applying for a parking permit should a CPZ /RPZ be introduced, save for those who qualify for disabled parking Blue Badge. This would ensure that the residential element of the proposed development would be car free. This provision would also be secured via the s106 agreement.

- 463 A number of objections identify that Copperas Street is utilised for parking by residents of surrounding developments. In this context, it should be noted that Creekside Village West has a dedicated basement car park accessed via Creekside which provides approximately 337 car parking spaces for its residents. Union Wharf is essentially a car free development, with 16 parking spaces at basement level of which 13 are wheelchair parking spaces, two are car club spaces, and with one space for visitors / service vehicles. As identified above, LB Lewisham are currently reviewing on-street parking in the area with a view to establishing a CPZ / RPZ.

Public transport impact

- 464 Trinity Laban has a total of approximately 630 staff and 1,100 students in full time education (FTE) across its sites at Creekside (Faculty of Dance) and Greenwich (Faculty of Music). Typical weekday occupancy in the Laban Building is approximately 460 people (300 students and 160 staff), rising to 600+ for learning and participation events on some weekends. Trinity Laban estimate that the proposed extension would result in an additional 170 students and 25 staff using this faculty on weekdays. In addition, there is likely to be an increase in movement of staff and students between the site and the Faculty of Music (King Charles Court, Greenwich) which is estimated to be in the order of 100 additional return trips each week. It must be noted that the increase in staff and students would be staged associated with a phased increase in pupil numbers over a five year period following completion and fit out of the facility. This equates to an annual increase of 39 people visiting the site on weekdays, across each of the five years following the facility's opening. As such, the additional education trips that would result are considered to have very limited impact on the public transport network.
- 465 As part of their formal comments on this application, TfL consider that the proposed development should make a financial contribution of £225,000 towards the delivery of Cycleway 4 (formerly known as Cycle Superhighway 4), to mitigate the impact of additional trips generated by public transport, foot and cycle. TfL have confirmed that they have prioritised a financial contribution towards Cycleway 4 above potential contributions towards bus and DLR improvements which they also consider are justified on the basis of public transport impact.
- 466 Cycleway 4 will provide a fully segregated 5km cycleway from Tower Bridge to Greenwich, connecting Bermondsey, Rotherhithe and Deptford. In relation to that stretch of Cycleway 4 which lies in proximity to the site, it would involve provision of a two-way segregated cycle track on the north side of Creek Road, a new pedestrian crossing at the junction of Creek Road and Deptford Church Street and improvements to existing crossings, together with changes to bus lanes and some bus stops. The scheme is being funded, designed and managed by TfL, and is currently under construction.
- 467 The applicant has identified that in the context of scheme viability, a financial contribution towards Cycleway 4 is not able to be supported in the context of the other financial contributions which the scheme is required to make in relation to highways and other matters. The assessment of this is addressed below under 'Transport impact conclusion'. Furthermore, the scheme is delivering an extension of the Waterlink Way.

468 Recognising that the proposed extension to Trinity Laban will accommodate a new 150 seat performance space which will be utilised for performances and events and may be subject to external hire, it is considered appropriate to secure submission of and ongoing management in relation to an Event Management Plan that details how events will be managed in order to minimise any adverse impacts on the surrounding highway or in relation to the amenity of surrounding residents. The submission of, and implementation in accordance with, an Event Management Plan would be secured via the s106 agreement.

Framework Travel Plan

469 A Framework Travel Plan (Cannon Consulting Engineers, July 2018) has been submitted alongside the application. The Framework Travel Plan sets out the overriding principles and measures which will inform the future preparation of full Travel Plans for the residential, and commercial and educational elements of the development.

470 The Framework Travel Plan has been reviewed by the Council's Highways Officer who considers it represents a suitable approach. As such, the submission of, and implementation in accordance with, a Residential Travel Plan, and an Non-Residential Travel Plan (including both Trinity Laban and the commercial floorspace within its scope) would be secured via the s106 agreement.

Construction phase

471 The submission documents identify an estimated construction build programme of 36 months. As part of the Transport Assessment, an assessment of the highway impact of the construction phase has been undertaken, having regard to the cumulative impact associated with the construction of other consented schemes within the surrounding area. This assessment concludes that vehicle movements associated with construction of the application proposal would be broadly comparable with those associated with the construction of Union Wharf in terms of the movement and routing of vehicles, and given that there would be no overlap with Union Wharf now being complete, the impact of construction vehicles on the highway network that was established during the construction of Union Wharf would be broadly replicated for the duration of the construction of the application proposal.

472 A Draft Construction Logistics Management Plan has been submitted alongside the Transport Assessment which details the proposed approach to construction vehicle routing and access and seeks to mitigate the highway related construction impacts associated with the proposed development. TfL have commented that the Draft CLMP does not explicitly refer to measures for mitigation for cyclists, and safe interaction between construction vehicles and cyclists in the area throughout the construction programme will need to be addressed in the final CLMP. The Council's Highways Officer has also reviewed the Draft CLMP and had identified a number of additional matters that should be addressed as part of this.

473 On this basis, a condition is recommended requiring submission of, and implementation in accordance with, a Construction Logistics Plan which would address the identified requirements.

7.5.3 Servicing and refuse

Policy

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

- 475 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.
- 476 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.
- 477 CSP 13 requires all major development to submit and implement a site waste management plan, and to provide well designed recycling facilities for all proposed uses.

Discussion

- 478 Trinity Laban's existing servicing requirements comprise approximately three van deliveries per day plus weekly refuse collection. In addition, HGVs access the site (associated with productions and performances) approximately once per month. The Transport Statement confirms that the proposed development will not materially alter the current servicing requirements.
- 479 A Draft Delivery & Servicing Management Plan (DSMP) has been submitted alongside the Transport Assessment. The submission of, and implementation in accordance with, a DSMP would be secured via a s106 agreement. The Draft DSMP identifies that the management company for the development would be responsible for ensuring that servicing and deliveries are managed in accordance with the DSMP, and for ensuring that refuse bins are transported to the identified location for collection.
- 480 All commercial and refuse servicing of the commercial and residential elements would be via the shared surface service route along the site's eastern boundary with Union Wharf. The refuse stores for the residential element are located in the basement adjacent to the building cores for Buildings 1 and 2, and at ground floor level along the eastern elevation of Building 2 fronting the service route. The refuse store for the commercial units is sited at ground floor level on the eastern elevation, to facilitate collection from the service route. Retractable bollards would provide controlled access to this space for the purposes of servicing and refuse collection. This route would also provide the means of access for the Environment Agency for the purposes of inspection and maintenance of the Creek Wall. It is anticipated that any future use of the new public space fronting the Creek for events / markets would also be serviced via this route.
- 481 All servicing for Trinity Laban would be undertaken via its dedicated service yard which would lie along the site's western boundary between the existing Laban Building and the proposed extension. The refuse store serving the Trinity Laban extension would be located at ground floor level on its western elevation, providing direct access to its service yard.
- 482 A proposed lay-by to Copperas Street would provide additional short term servicing opportunities for the development via temporary parking for deliveries and pick-up / drop-off. The layby would be 13m in length providing short term parking for a number of vehicles, and following adoption by the highway authority this would be subject to a Traffic Regulation Order in order to control and enforce its use.
- 483 During the construction phase, Trinity Laban's existing service yard would be unavailable for an extended period of time, and consequently the Draft DSMP sets out alternative servicing arrangements for the construction phase whereby deliveries and servicing to Trinity Laban would be undertaken via the existing vehicular access point from Creekside, with goods trolleyed through to the building.
- 484 The Council's Highways Officer has reviewed the Draft DSMP and identified a series of additional details which should be provided within any future DSMP. As set out above,

the submission of, and implementation in accordance with, a DSMP is proposed to be secured through the s106 agreement. This will provide the mechanism to ensure the identified points are fully addressed, including the matters identified by the Council's Highways Officer.

7.5.4 Emergency Vehicle Access

- 485 The Draft DSMP demonstrates how access to the proposed development for the emergency services would be provided. Fire appliances would be able to park on Copperas Street and be within 18m of the dry rising inlet serving the north stair within the Trinity Laban extension. The service route along the site's eastern boundary provides access for fire appliances, which can then in turn access the public realm surrounding the development, providing full access for firefighting purposes to all buildings. Swept path diagrams confirm this being a suitable turning facility for fire appliances.
- 486 The submission documents identify that fire hydrants would be provided around the development as required to comply with all relevant regulations. The Trinity Laban extension would be provided with two firefighting lift shafts and stairways, fitted with dry rising mains to meet the relevant requirements. A fire-fighting lift shaft would also be provided to both Buildings 1 and 2, and the stair in each residential tower would be provided with a wet rising main. A wet riser storage tank would be provided at basement level.
- 487 In commenting on this application, London Fire Brigade raised no objection but highlighted that an undertaking should be given that access for fire appliances as required by Part B5 of the Building Regulations Approved Document and adequate water supplies for fire-fighting purposes will be provided. An informative has been added to this effect.

7.5.5 Transport modes

Walking and cycling

Policy

- 488 DLPP T5 cycling states that Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.
- 489 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised.

Discussion

- 490 Copperas Street is currently a poor environment for pedestrians and cyclists. Footways are narrow, finished in tarmac and are not of a high standard, reflecting the former industrial nature of the area. The highway itself is dominated by on-street parking bays, which act as a barrier to movement and serve to reduce the width of carriageway.
- 491 The Council's Highways Officer has identified that a financial contribution of £264,000 is required to deliver public realm and highway works along the length of Copperas Street. This would include new pedestrian public realm surfacing, shared space and raised tables, integrated cycle routes, integrated on-street parking bays at footpath level, and wayfinding signs. These works are required to improve the environment for pedestrians and cyclists and improve accessibility for all.

- 492 Copperas Street forms part of National Cycle Route 21, which plays a key strategic role within the borough, and provides an important link between Quietway 1 on Creekside, and Cycleway 4 on Creek Road. The Copperas Street section of the route is however currently dominated by parked cars and the carriageway is in poor condition, which discourages people from travelling by cycle. Therefore, public realm improvements to Copperas Street would benefit existing cyclists and would encourage cycling to and from the application site. Public realm improvement works are considered necessary to make the proposed development acceptable, particularly as the residential element of the proposed development is car-free and the majority of trips would be by sustainable modes of travel.
- 493 The applicant has agreed to make a financial contribution of £264,000 towards public realm works to Copperas Street in accordance with this, and this would be secured via the s106 agreement. This would enable the delivery of works to comprehensively upgrade the quality of the highway and public realm along the full length of Copperas Street, to the same standard and consistency of materiality as the proposals which LBL Highways are currently working up for Creekside. This would ensure a seamless approach and a high quality public realm within this area that would improve the environment for both pedestrians and cyclists.
- 494 In addition to this, the applicant has agreed to enter into a S278 and S38 agreement with the Highway Authority to deliver the following works:
- The creation of the turning head which the applicant intends to offer for adoption, to be secured under a Section 38 Agreement with the Highway Authority;
 - The creation of the lay-by facility on Copperas Street;
 - The revision of existing waiting restrictions to prevent vehicles waiting / loading / parking in inappropriate locations on Copperas Street through associated Traffic Regulation Orders (TROs); and
 - The closure of all redundant crossovers.
- 495 In relation to the findings of the PERS audit, the Council's Highways Officer has also identified that to improve accessibility to public transport facilities in the vicinity of the site, the applicant should be required to include the following works within the S278 Agreement:
- The provision of dropped kerbs/tactile information at the Copperas Street / Creekside junction; and
 - The provision of dropped kerbs/tactile information at the Creek Road / Creekside junction.
- 496 All of the above provisions would be secured via the s106 agreement, requiring the applicant to make the agreed financial contribution, and to enter into a S278 and S38 agreement with the Highway Authority to deliver the identified works.
- 497 Taken together, the proposed works would significantly improve Copperas Street as an environment for pedestrians and cyclists. As set out above, whilst the scheme is unable in viability terms to support both the proposed works to Copperas Street and make the scale of contribution to Cycleway 4 as requested by TfL, it is considered appropriate that the delivery of public realm works to Copperas Street is the priority in this regard. Given the poor standard of highway and public realm to Copperas Street, these works are necessary to make the scheme acceptable, and will also deliver improvements for cyclists in the context of accessing the network of cycle routes which surround the site.

498 As identified above, the administrative boundary between LB Lewisham and the Royal Borough of Greenwich runs along the centre line of Copperas Street, with the northern half of the street being within Greenwich and the southern half being within Lewisham. All highway maintenance and infrastructure works to Copperas Street have to date been managed by RB Greenwich, by means of an historic agreement between the two authorities under Section 8 of the Highway Act 1980 (as amended). During the course of the application's consideration, RB Greenwich Highways have confirmed their agreement in principle to LB Lewisham undertaking highway and public realm works to Copperas Street (subject to detailed agreement on the nature and specification of the proposed works and materials). LB Lewisham would carry out these works on behalf of RB Greenwich in relation to that part of the highway which lies within Greenwich, via an agreement under Section 8 of the Highway Act 1980.

Cycle parking provision

- 499 For the residential element of the proposed development, the adopted London Plan requirement is for 622 cycle parking spaces plus an additional 10 visitor spaces. This increases under the Draft London Plan to 704 spaces plus an additional 10 visitor spaces. The proposed development would provide 626 resident cycle parking spaces located within basement, and split across seven cycle stores. Of these, 25% are identified as accessible spaces (Sheffield, and 'Toaster Rack' stands). The required level of short stay visitor spaces would be provided within the public realm.
- 500 For the commercial floorspace, the adopted London Plan requirement is for 8 long stay and 19 short stay cycle parking space. This increases under the Draft London Plan to 10 long stay spaces and 38 short stay spaces. The proposed development would provide 11 long stay spaces within the basement, within a cycle store designated specifically for the commercial units. Of these, four spaces are identified as accessible spaces (Sheffield, and 'Toaster Rack' stands). The required level of short stay visitor spaces would be provided within the public realm.
- 501 For the Trinity Laban extension, based on the anticipated increase in staff and student numbers, the adopted London Plan requirement is for 12 long stay spaces and 1 short stay space. Under the Draft London Plan this increases to 12 long stay spaces and 17 short stay spaces. The Laban Building currently has 36 cycle parking spaces accessed via the surface car park. Recognising that these existing spaces would be removed, the proposed development would provide a total of 82 cycle parking spaces for Trinity Laban within the basement in a cycle store designated specifically for Laban, reflecting the re-provision of the existing 36 spaces together with an additional 46 spaces. This would therefore exceed the minimum cycle parking requirement. Of the 82 spaces that would be provided, 25% are identified as accessible spaces (Sheffield, and 'Toaster Rack' stands).
- 502 The proposed level of provision, compared to the adopted and Draft London Plan requirements are summarised in the table below.

Table 6: Cycle parking requirement and provision

	Residential	Commercial	Trinity Laban	Total
Adopted London Plan				
Long stay spaces	622	8	12	642
<i>Visitor spaces</i>	<i>10</i>	<i>19</i>	<i>1</i>	<i>30</i>
Draft London Plan				
Long stay spaces	704	10	12	726
<i>Visitor spaces</i>	<i>10</i>	<i>38</i>	<i>17</i>	<i>65</i>
Proposed development				
Long stay spaces	626	11	46*	683
<i>Visitor spaces</i>	<i>10</i>	<i>38</i>	<i>17</i>	<i>65</i>

* The proposed development would provide a total of 82 cycle parking spaces for Trinity Laban, which reflects the re-provision of an existing 36 spaces together with an additional 46 spaces. The additional 46 spaces are reported in the table above for consistency of approach, so as not to double count for re-provision of existing spaces.

- 503 Section plans have been submitted demonstrating that the basement would achieve the minimum 2.6m floor to ceiling height required to accommodate two-tier cycle parking.
- 504 The level of cycle parking provision and its arrangement within the basement has been subject to a series of revisions during the course of the application's consideration, in order to seek to address the comments of TfL. The applicant initially sought to demonstrate that the Draft London Plan cycle parking requirement would be achieved, however TfL expressed concerns that this did not make suitable provision for sufficient accessible cycle parking spaces and associated aisle widths in accordance with the London Cycling Design Standards (LCDS). In response to this, the applicant has amended the proposed cycle parking provision within the basement to better address the requirements of the LCDS and provide a range of accessible spaces through incorporating Sheffield stands. This does however mean that the level of residential provision falls below the Draft London Plan requirement, but does exceed the level of provision required under the adopted London Plan.
- 505 The applicant has sought to maximise the provision of residential cycle parking provision within the basement having regard to TfL's comments, however in the context of the various floorspace requirements at basement level including facilities for Trinity Laban, plant and vehicular parking, it has not been possible to accommodate the full Draft London Plan requirement. This has been exacerbated by the need to reduce the extent of the basement to allow a minimum 6m offset from the Creek Wall to address the previous objection of the Environment Agency in this regard.

- 506 In their comments on the latest revision to the basement cycle parking provision, TfL maintain some concerns in relation to residential cycle parking provision. TfL recognise that the quantum of Sheffield stands provided for residential cycle parking has increased to 10% of total provision, including 5% at the wider spacing, but highlight that this remains below the 20% requested at normal spacing (1000-1200mm) and the total 25% of Sheffield stands required for the residential element. In addition, TfL highlight that few of the proposed Sheffield stands have sufficient side space to allow for them to accommodate a wider/larger cycle, and that this is below the 5% minimum provision for wider/larger cycles as set out in the LCDS. TfL also highlight that some of the aisles fail to accord with the minimum widths identified in the LCDS.
- 507 The basement cycle parking for residents and the commercial units would be accessed via a bike lift sited on the eastern elevation of Building 2, accessed from the shared surface service route that runs between Building 2 and Union Wharf. Pedestrian access to the cycle stores would also be provided via the residential cores of Buildings 1 and 2. The cycle store for Trinity Laban would be sited within that part of the basement beneath the proposed extension building, and would also be accessible via the main stair and lift core within this building. TfL have expressed some concern with regard to the bike lift in terms of the personal safety and security of users, and what measures would be put in place to prevent cyclists using the vehicular ramp to access the basement. It is considered that these provisions could be addressed through the Car Park Management Plan and Cycle Parking Management Plan, which would be secured via the s106 agreement.
- 508 The cumulative requirement for short stay cycle parking spaces arising from the residential, commercial and education elements of the scheme under the Draft London Plan would be 65 spaces. The proposed development will provide a series of Sheffield stands within the public realm providing a total of 65 spaces in accordance with this requirement.
- 509 It is recognised that there would be an underprovision of 78 residential cycle parking spaces compared to the Draft London Plan requirement (i.e. an underprovision of 11% against the requirement). The development would however exceed the minimum provision in relation to Trinity Laban and the commercial floorspace elements, providing 34 cycle parking spaces over and above the minimum requirement. The underprovision of residential cycle parking spaces compared to the Draft London Plan requirement is regrettable. The proposed requirement does however exceed the adopted London Plan requirement. The applicant has sought to maximise cycle parking provision but in the context of the various elements that need to be accommodated at basement level and with the reduction in the size of the basement during the application's consideration to address the Environment Agency's objection, it is not possible to accommodate the full cycle parking requirement and provide sufficient accessible spaces in accordance with the LCDS guidance. The applicant has taken the decision to increase the provision of accessible spaces, albeit that this results in an underprovision against the overall requirement. This is considered to be an appropriate response, where the provision of a proportion of accessible and oversized spaces is considered to be a key priority. When weighed against the substantive public benefits that the scheme would deliver, this 11% underprovision against the Draft London Plan requirement and the departures from the LCDS guidance as identified by TfL are considered to be outweighed by the wider benefits of the scheme.
- 510 The detailed cycle parking provision would be secured by condition, and a Cycle Parking Management Plan would be secured via the s106 agreement.

Public transport

- 511 To assist with the additional impact of the proposed development on the local bus network, TfL requested that a contribution of £25,000 be secured to fund Real Time

Passenger Information / digital countdown signage at two bus stops on Creek Road. The applicant has agreed to this contribution, and this provision would be secured via the s106 agreement.

Car clubs

- 512 Recognising that the residential element would be 'car free', the Council's Highways Officer has requested that the developer be required to submit a Car Club Strategy and provide free membership for all residents of the development for a three year period. The Car Club Strategy would include a review of existing car club infrastructure in the vicinity of the site to determine if whether additional vehicle provision would be required. If additional provision was to be required, it is considered that on-street parking bays could be provided within the surrounding roads, and that the proposed highway and public realm works to Creekside and Copperas Street would provide a mechanism to ensure their appropriate provision. The applicant has agreed to the identified measures, and a requirement for submission of a Car Club Strategy and provision of membership for all residents for three years would be secured via the s106 agreement.

Private cars (include disabled and electric charging points)

Policy

- 513 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.
- 514 DLPP T6 states that 20% of parking spaces should be provided with Electric Vehicle Charging points with the remaining spaces providing passive provision
- 515 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

- 516 The proposed development would accommodate a total of 68 car parking spaces at basement level. Of these, 36 spaces (32 standard / 4 Blue Badge) would be for the use of Trinity Laban (representing the partial re-provision of the 44 existing parking spaces from that part of the site which comprises the existing Trinity Laban car park). The remaining 32 spaces would be Blue Badge spaces serving the proposed residential development. As such, the residential element of the development would be 'car free'. There would also be no parking provision associated with the proposed commercial units.
- 517 The basement car park would be accessed via a ramp with a signal controlled light system. The submission documents confirm that vehicular access to the basement car park would be controlled via a secure pass system to prevent unauthorised vehicles from accessing the basement.
- 518 A Draft Car Park Management Plan has been submitted alongside the Transport Assessment which details the proposed approach to the management and use of the car parking provision, including how this is apportioned between Trinity Laban and the residential element and the provision of electric vehicle charging points. The submission of, and implementation in accordance with, a Car Park Management Plan would be secured via the s106 agreement.

- 519 In terms of the car parking provision for Trinity Laban, this represents a reduction of approximately eight spaces compared to the existing level of provision within the surface car park serving the Laban Building. There are no defined parking standards for educational uses within the development plan. Trinity Laban have confirmed that they anticipate that the majority of additional trips associated with the extension will comprise walking, cycling and use of the public transport services. LB Lewisham are currently reviewing on-street parking in the area with a view to establishing a Controlled Parking Zone (CPZ) or Restricted Parking Zone (RPZ) within the surrounding area. Subject to its future confirmation under a Traffic Regulation Order (TRO), this would serve to prevent any displacement of parking from Trinity Laban on to the surrounding roads. In this context the proposed overall reduction in parking provision for Trinity Laban is considered acceptable.
- 520 In terms of Blue Badge parking provision for the residential element, Table 6.2 within the London Plan states that adequate parking spaces for disabled people must be provided, preferably on-site. The Mayor of London's Housing SPG advises that each designated wheelchair accessible dwelling should have a car parking space that complies with Part M4(3) of Building Regulations. As originally submitted, the scheme proposed 41 Blue Badge spaces, reflecting a provision of one space for each wheelchair accessible dwelling. In response to reducing the basement footprint to afford a minimum 6m set back from the Creek Wall, there has been a limited reduction in the number of Blue Badge spaces such that the current proposal would provide 32 Blue Badge spaces serving the residential element. Whilst this falls below the one space per unit provision set out within the Housing SPG, on the basis of experience across other large scale housing developments, actual take up of Blue Badge spaces is considerably lower than the recommended level of provision. As such, the proposed level of Blue Badge car parking provision is considered acceptable to serve the residential element of the scheme.
- 521 20% of parking spaces would be fitted with electric vehicle charging points (EVCPs) and the remaining 80% would have passive provision for easy adaptation in the future, in line with Draft London Plan standards. This would be secured by condition.
- 522 The Council's Highways Officer considers that the proposed approach to limiting parking provision across the development and the residential element being 'car free' is acceptable having regard to the site's accessibility. In order to prevent displacement of parking onto surrounding roads, the Highways Officer has however identified that a financial contribution towards a CPZ / RPZ would be required, and that future residents of the development should not be eligible to obtain parking permits. These measures would be secured via the s106 agreement.
- 523 The Council's Highways Officer has reviewed the Draft Car Park Management Plan and identified a series of additional details which should be provided in terms of the management of parking within and around the proposed development as part of any future Car Park Management Plan.
- 524 As set out above, the submission of, and implementation in accordance with, a Car Park Management Plan is proposed to be secured through the s106 agreement. This would provide the mechanism to ensure the identified points are fully addressed.

7.5.6 Transport impact conclusion

- 525 The Transport Assessment and supporting evidence demonstrate that the proposed development and associated highway improvements will not result in an unacceptable impact on highway safety, and that the residual cumulative impacts associated with the proposed development will not be severe. Having regard to the provisions of NPPF paragraph 109 the development is therefore considered to be acceptable in transport terms.

- 526 As set out above, TfL requested a financial contribution of £225,000 towards the delivery of Cycleway 4, to mitigate the impact of additional trips generated by public transport, foot and cycle. The Council's Highways Officer has identified that a financial contribution of £264,000 is required towards highway and public realm improvements along the full length of Copperas Street from Creekside to Creek Road.
- 527 As discussed above in relation to scheme viability, the Council's appointed viability consultant has reviewed the submitted Financial Viability Assessment (FVA) and considers that the scheme would generate a residual land value of £5.136m which results in viability deficit of -£713,348 when compared to the £5,850,000 Benchmark Land Value, which demonstrates that the scheme would only just show a viable position in delivering 10% affordable housing provision. The FVA made an allowance of £393,000 for s106 financial contributions (based on an estimate of £1,000 per dwelling). Taking TfL's identified contribution towards Cycleway 4 together with the requirement identified by the Council's Highways Officer would result in a contribution of £489,000. In addition to this, there are a series of other financial requirements arising from the development which would be secured via planning obligation. In this context, the applicant has confirmed that the scheme could not viably support the Cycleway 4 contribution in addition to the contribution towards the highway and public realm improvements to Copperas Street. The viability evidence corroborates this position.
- 528 Officers consider that the works to Copperas Street are essential to support the development, to improve the environment for pedestrians and cyclists accessing the development, and recognising the existing poor condition and constrained pavement widths at Copperas Street which reflects the former industrial character of this road. Copperas Street forms part of National Cycle Route 21 and Waterlink Way, and connects to Quietway Route 1 at Creekside but is currently dominated by parked cars and the carriageway is in poor condition which discourages its use as a cycle route. The proposed improvement works to Copperas Street are therefore a desirable element of promoting sustainable travel both for the proposed development, and for the wider area.
- 529 The applicant has confirmed that they are willing to make a financial contribution of £264,000 towards improvements to Copperas Street, together with a contribution of £25,000 to fund real time passenger information digital countdown signage at two bus stops on Creek Road which lie in close proximity to the application site, and a contribution of £30,000 towards the establishment of a CPZ / RPZ.
- 530 In addition, the applicant has agreed to make financial provision for the first occupier of each residential unit to be provided with a three year car club subscription which would be secured via the s106 agreement.
- 531 In summary the highway provisions that would be secured via the s106 agreement are as follows:
- £264,000 contribution towards highway and public realm works to Copperas Street
 - £30,000 contribution towards the establishment of a CPZ / RPZ within the surrounding area, with provision to ensure that future residents will not to be eligible to obtain parking permits
 - Submission of a Car Club Strategy and provision of free membership for all residents for three years, including a review of existing car club infrastructure in the vicinity to determine if whether additional vehicle provision would be required
 - £25,000 contribution to fund RTPI / digital countdown signage at two bus stops on Creek Road
 - The requirement to enter in to a S278 agreement to deliver the following:

- The creation of a turning head, to be offered to LBL / RBG for adoption which should be secured under a S38 Agreement
- The creation of a layby/set down facility on Copperas Street
- The revision of existing waiting restrictions to prevent vehicles waiting/loading/parking in inappropriate locations on Copperas Street with associated Traffic Regulation Orders (TROs)
- The closure of all redundant crossovers
- The provision of dropped kerbs/tactile information at the Copperas Street / Creekside junction
- The provision of dropped kerbs/tactile information at the Creek Road / Creekside junction
- Submission of and subsequent implementation in accordance with the following:
 - Car Park Management Plan
 - Cycle Parking Management Plan
 - Delivery and Servicing Plan
 - Residential Travel Plan
 - Non-Residential (including Trinity Laban) Travel Plan
 - Event Management Plan

532 Officers consider that the financial contribution to deliver highway and public realm works along the full length of Copperas Street should be afforded considerable weight in planning terms.

7.6 LIVING CONDITIONS OF NEIGHBOURS

General Policy

533 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.

534 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; Alterations and Extensions SPD 2019, LBL).

535 LPP 7.6(b)(d) requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing. LPP 7.7 states that tall buildings should not affect their surroundings adversely in terms of (amongst others) microclimate or overshadowing.

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

537 Further guidance is given in the Mayor's Housing SPG (2017) and Lewisham's Alterations and Extensions SPD (2019) which establishes generally acceptable standards relating to these matters, although site context will mean these standards could be tightened or relaxed accordingly.

Overview

538 The relationship between the proposed development and surrounding buildings is illustrated on the diagrams below. Note that the blocks labelled Essential Living A and B together comprise the development known as Union Wharf.

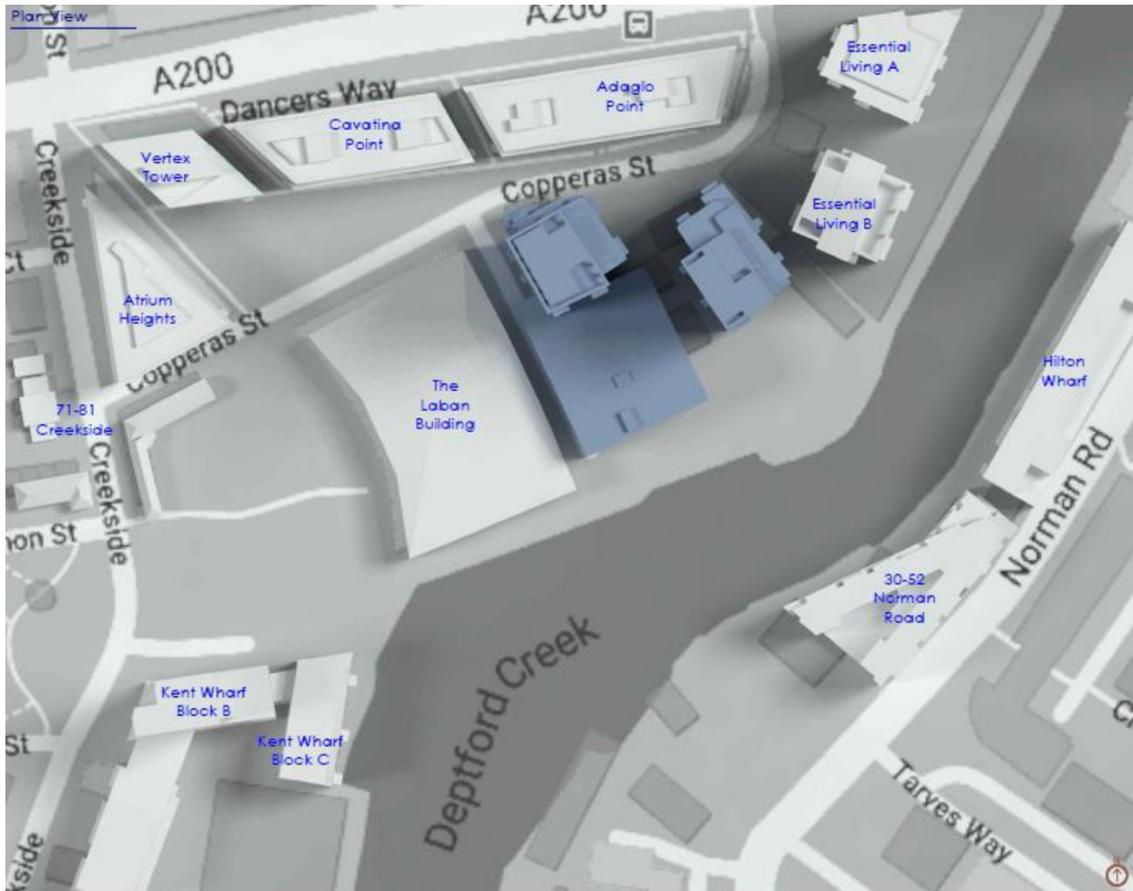


Figure 18 – Relationship between the proposed development and neighbouring buildings (plan form)



Figure 19 – Relationship between the proposed development and neighbouring buildings (3D form)

539 The main impacts on amenity arise from: (i) overbearing enclosure/loss of outlook; (ii) loss of privacy; (iii) loss of daylight within properties and loss of sunlight to amenity areas; and (iv) noise and disturbance.

7.6.1 Enclosure and Outlook

Policy

540 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

541 The application site is currently occupied by a small number of low rise derelict buildings, set within extensive areas of hardstanding. As such the surrounding residential developments of Creekside Village West and Union Wharf have a largely open outlook and unobstructed views across the application site. Within Adagio Point which directly faces the application site to the north, given that the lowest residential units within this building are at Level 3, all residential units within Adagio Point are currently afforded an unobstructed outlook across the application site. Given this existing baseline, any development of an urban scale on the site could be expected to impact on the outlook from surrounding developments.

542 With regard to the site's planning history, the previous minded to grant scheme (LB Lewisham planning application reference DC/06/063352) proposed buildings on the site rising to 9, 16 and 22 storeys. The development of this site as envisioned as part of the wider masterplan for the surrounding area was therefore intended to accommodate the tallest building within the immediate vicinity, and as identified in the Inspector's Report on the subsequently refused scheme, it is appropriate to consider this minded to grant scheme as a material consideration.

543 The application site represents the last former industrial site to be redeveloped on Copperas Street. Given that development of a substantial scale and massing was envisaged on this site as part of the wider masterplan for the surrounding area, occupiers of surrounding developments which have been developed ahead of the application site should have a reasonable expectation that the site will be developed in due course, and that this will necessarily result in a reduction in outlook where there are currently unobstructed views over the undeveloped site. It would be unreasonable that the development of the application site be constrained simply because it is the final site to come forward for development in the immediate vicinity.

544 The units located towards the south western corner of Adagio Point are likely to experience the most notable impact on outlook. Building 1 would be sited approximately 15.5m from the nearest residential apartments within Adagio Point at its closest point (excluding balcony projections). It is however noted that units at the south western corner of Adagio Point are dual aspect (with the exception of the units at the 10th and 11th floor which are set back from the principal elevation). These dual aspect units either benefitting from habitable room windows on the south and west elevations, or south and east elevations (where windows overlook a central void space within the building). Whilst the remaining units with windows in the south facing elevation of Adagio Point would also experience a reduction in outlook, the effect of this would be less significant given the increased separation distance, with a minimum distance of approximately 18.5m between Building 2 and the nearest residential apartments within Adagio Point at its closest point (excluding balcony projections). The gap that would be maintained between Buildings 1 and 2, and the public space that would be created between them, would also serve to mitigate the sense of enclosure and reduced outlook to units with windows on the south elevation of Adagio Point.

- 545 Those units in the other blocks forming part of Creekside Village West which have views towards the application site, including the south facing elevations of Cavatina Point and Vertex Tower, and the east facing elevation of Atrium Heights would also experience some impact on outlook, albeit that this would be mitigated by the fact that views of the application site from Cavatina Point and Vertex Tower are oblique with their main outlook facing south towards the existing Laban Building, and given the intervening distance between Atrium Heights and the proposed development it is not considered that this would result in any unacceptable impact.
- 546 In relation to Union Wharf, the offset relationship between Building 2 and the southern block of Union Wharf (labelled as Block B on the diagrams above), discussed in greater detail below in relation to privacy, would serve to mitigate the impact on outlook for occupiers of Union Wharf. It must also be recognised that Union Wharf Block B is sited in very close proximity to the boundary of the application site. The south west corner of Block B lies approximately 3m from the application site boundary. By contrast, Building 2 of the application proposal is set in by approximately 7m from the site boundary at its closest point to Union Wharf Block B. As such, it can be considered that the siting of Union Wharf Block B itself imposes an unreasonable burden on the application site by being sited in such close proximity. The siting of the application proposal has sought to mitigate the impact on the Union Wharf Block B through its offset relationship and being set in further from the site boundary, however it is recognised that there will necessarily be a reduction in outlook and an increased sense of enclosure for the occupiers of units within Union Wharf Block B.
- 547 Given the existing baseline position of a largely vacant and undeveloped site, the proposed development will clearly result in an increased sense of enclosure and reduced outlook for occupiers of surrounding blocks. However, with regard to the site's planning history it has been clear that this site was to be redeveloped and accommodate a significant scale of development, comprising buildings up to 22 storeys. In the context of the urban scale of development that has characterised the redevelopment of Copperas Street over the last two decades, and the site's location within a designated Opportunity Area, the impact of the proposed development in terms of outlook and enclosure for surrounding blocks is not considered to be unacceptable.

7.6.2 Privacy

Policy

- 548 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.
- 549 Standard 28 in the Mayor's Housing SPG states that designers should consider the position and aspect of habitable rooms, gardens and balconies, and avoid windows facing each other where privacy distances are tight. The SPG recognises that in the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 – 21m between facing habitable room windows. The SPG highlights that whilst these can still be useful yardsticks for visual privacy, adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can unnecessarily restrict density.

Discussion

- 550 As recognised within the Housing SPG, development within a dense urban context it is unlikely to be able to achieve separation distances of 18 – 21m which are based on a more suburban form of development. The relationship between blocks within the surrounding area demonstrates this. For example, the spaces between the blocks which comprise the Creekside Village West development afford distances of approximately 8 – 12m between facing elevations (i.e. the spaces between Adagio Point and Cavatina

Point, Cavatina Point and Vertex Tower, and Vertex Tower and Atrium Heights). Each of these elevations features habitable room windows serving bedrooms.

- 551 In terms of the relationship between the proposed development and Adagio Point, Buildings 1 and 2 would be set at a slightly offset orientation in relation to Adagio Point. There would be a minimum distance of approximately 18.5m between any habitable room window in the north facing elevation of Building 2 and the closest point on the facing elevation of Adagio Point (reducing to approximately 17m between the furthest projection of the balconies on the north facing elevation of Building 2 and the closest point on the facing elevation of Adagio Point). Similarly in relation to Building 1, there would be a distance of approximately 15.5m between any habitable room window in the north facing elevation of Building 2 and the closest point on the facing elevation of Adagio Point (reducing to approximately 14m between the furthest projection of the balconies on the north facing elevation of Building 2 and the closest point on the facing elevation of Adagio Point).
- 552 In terms of the relationship to Union Wharf, a minimum distance of 10m would be maintained between Building 2 and the nearest element of the southern block of Union Wharf. Building 2 has however been designed so that it would be set at an angle to this adjacent block, such that there would be an offset relationship between the two blocks and no direct facing relationship between habitable room windows. The 10m distance therefore represents the minimum distance at the closest point between the two blocks, and this distance would increase when measured at all other points between the two blocks reflecting the offset relationship. The units at the south west corner of this block within the Union Wharf development are also dual aspect, and therefore the impact on privacy would be further mitigated given that occupiers would have the opportunity to introduce some form of screening to these windows if they had particular concerns regarding privacy, whilst still maintaining an open outlook from the windows on their other elevation.
- 553 The diagram below shows the relationship between units within Building 2 and those within Union Wharf in relation to outlook and privacy.

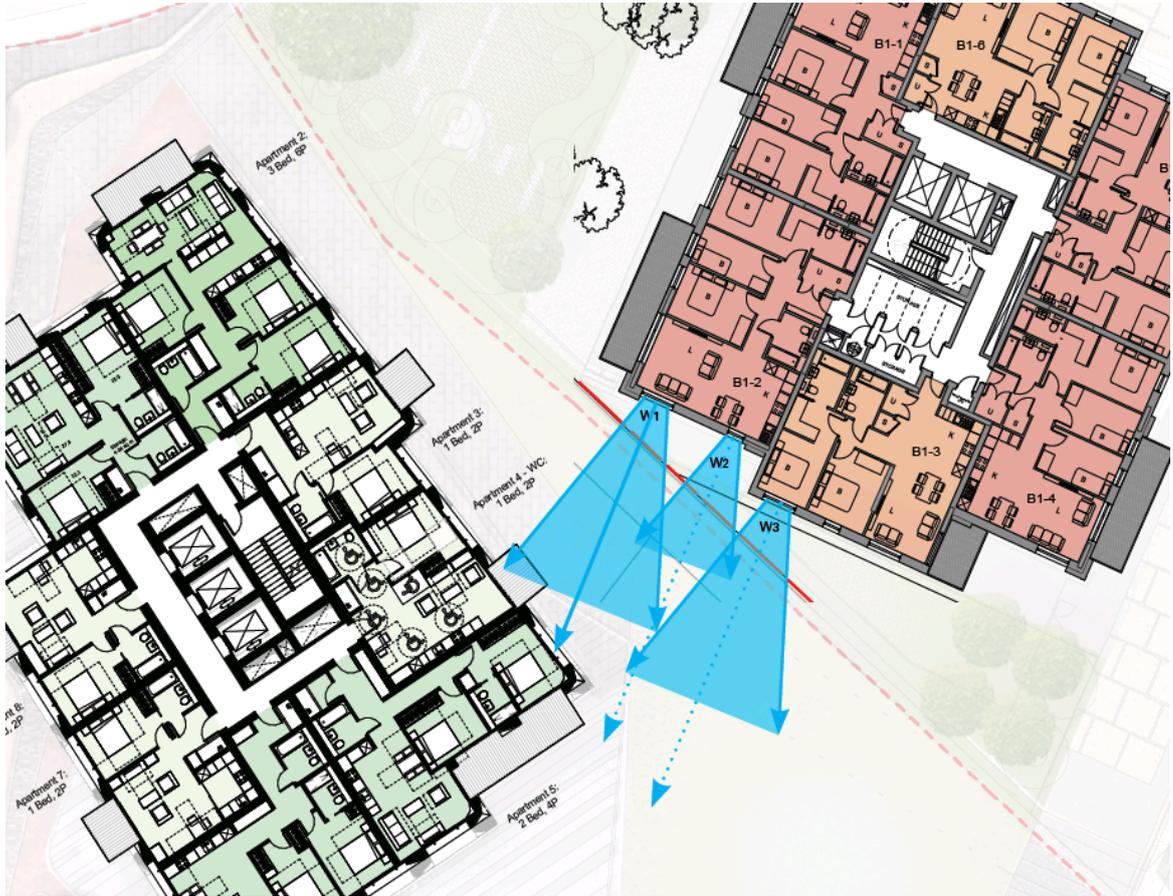


Figure 20 – Proposed relationship with Union Wharf

554 As set out above in relation to enclosure and outlook, it must be recognised that Union Wharf Block B is sited in very close proximity to the boundary of the application site. The south west corner of Block B lies approximately 3m from the application site boundary. By contrast, Building 2 of the application proposal is set in by approximately 7m from the site boundary at its closest point to Union Wharf Block B. As such, it can be considered that the siting of Union Wharf Block B itself imposes an unreasonable burden on the application site by being sited in such close proximity. The siting of the application proposal has sought to mitigate the impact on the Union Wharf Block B through its offset relationship and being set in further from the site boundary, however it is recognised that there will necessarily be some loss of privacy for the occupiers of units within Union Wharf Block B.

555 Having regard to the urban context which has been established by the surrounding development, and in the context of the planning history of the site as addressed above in relation to enclosure and outlook, it is considered that acceptable levels of privacy would be maintained for occupiers of surrounding blocks.

7.6.3 Daylight, Sunlight and Overshadowing

Policy

556 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards.

557 The NPPF does not express particular standards for daylight and sunlight. Para 123 (c) states that, where there is an existing or anticipated shortage of land for meeting identified housing need, LPAs should take a flexible approach to policies or guidance

relating to daylight and sunlight when considering applications for housing, where they would otherwise inhibit making efficient use of a site.

558 The Mayor's Housing SPG 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).

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

560 It is therefore clear that the BRE standards set out below are not a mandatory planning threshold.

561 In the first instance, if a proposed development falls beneath a 25 degree angle taken from a point two metres above ground level, then the BRE say that no further analysis is required as there will be adequate skylight (i.e. sky visibility) availability.

562 Daylight is defined as being the volume of natural light that enters a building to provide satisfactory illumination of internal accommodation between sun rise and sunset. This can be known as ambient light. Sunlight refers to direct sunshine.

Daylight guidance

563 The three methods for calculating daylight are as follows: (i) Vertical Sky Component (VSC); (ii) Average Daylight Factor (ADF); and (iii) No Sky Line (NSL).

564 The VSC is the amount of skylight received at the centre of a window from an overcast sky. The ADF assesses the distribution of daylight within a room. Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced factors including the size of the window relative to the room area and the transmittance of the glazing, with the size of the proposed obstruction being a smaller influence. NSL is a further measure of daylight distribution within a room. This divides those areas that can see direct daylight from those which cannot and helps to indicate how good the distribution of daylight is in a room.

565 In terms of material impacts, the maximum VSC for a completely unobstructed vertical window is 39.6%. If the VSC falls below 27% and would be less than 0.8 times the former value, occupants of the existing building would notice the reduction in the amount of skylight. The acceptable minimum ADF target value depends on the room use: 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. If the NSL would be less than 0.8 times its former value, this would also be noticeable.

566 While any reduction of more than 20% would be noticeable, the significance and therefore the potential harm of the loss of daylight is incremental. The following is a generally accepted measure of significance:

- 0-20% reduction – Negligible / No Effect
- 21-30% reduction – Minor Adverse
- 31-40% reduction – Moderate Adverse
- Above 40% reduction – Major Adverse

567 It is important to consider also the context and character of a site when relating the degree of significance to the degree of harm.

568 The BRE guidance identifies that a typical obstruction angle from the ground-floor window within a historic city centre is usually 40°, which corresponds with the VSC of 18%, which is considerably lower than the target of 27%. In this context is noted that recent planning decisions (including appeal decisions made by the Planning Inspectorate) in London and Inner London have found retained VSC values in the mid-teens to be acceptable.

Sunlight guidance

569 Sunlight is measured as follows: (i) Annual Probable Sunlight Hours (APSH); and (ii) Area of Permanent Shadow (APS)

570 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.

Discussion

571 Chapter 9 of the Environmental Statement assesses the impact of the proposed development in relation to daylight, sunlight, overshadowing and solar glare. In response to matters identified by the Council's appointed consultants as part of their review of the Environmental Statement and in response to points raised by officers, a number of addendums to Chapter 9 of the Environmental Statement have been submitted during the course of the application's consideration, the latest of which was submitted to the Council in July 2020 (Addendum to Updated Chapter 9 Rev A: Daylight, Sunlight, Overshadowing and Solar Glare, BLDA Consultancy, May 2020).

572 The assessment is based on the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice' (2nd Edition, 2011) (hereafter referred to as 'the BRE Guide') and British Standard (BS) 8206 Part 2: 2008 – Code of Practice for Daylighting.

573 The assessment considers the impact of the proposed development on a number of identified sensitive receptors, which include the following residential properties and blocks:

- Adagio Point, Cavatina Point, Vertex Tower and Atrium Heights (which together comprise the Creekside Village West development)
- Union Wharf (also known as Essential Living)
- 71 – 81 Creekside
- Kent Wharf
- 30-52 Norman Road (also known as Caledonian Point)
- Hilton's Wharf (also known as Babbage Point)

- 574 The location of these properties in relation to the application site is shown on Figures 18 and 19 above.
- 575 Overall, the assessment has considered the effects of the proposed development on 2,755 windows serving 1,608 habitable rooms of neighbouring properties. Of the windows tested, 1,527 are orientated within 90° of due south and have also been tested in terms of the impact on the current levels of direct sunlight. The number of windows and rooms tested in relation to each of the residential properties and blocks is as follows:
- Adagio Point – 375 windows (336 south-orientated) / 130 rooms
 - Cavatina Point – 310 windows (276 south-orientated) / 131 rooms
 - Vertex Tower – 280 windows (223 south-orientated) / 87 rooms
 - Atrium Heights – 187 windows (50 south orientated) / 52 rooms
 - Union Wharf – 1,002 windows (543 south-orientated) / 704 rooms (including 110 windows / 20 south-orientated and 80 rooms within Union Wharf B (Part))
 - 71-81 Creekside – 20 windows (0 south-orientated) / 19 rooms
 - Kent Wharf – 235 windows (77 south-orientated) / 184 rooms
 - 30-52 Norman Road – 159 windows (14 south-orientated) / 131 rooms
 - Hilton's Wharf – 187 windows (8 south-orientated) / 170 rooms.
- 576 As part of the Addendum submitted in July 2020, the applicant's consultants have also undertaken a mirror-massing assessment in relation to Adagio Point. This has been done due to the fact that Adagio Point is located in close proximity to the application site boundary and is currently has an almost unobstructed outlook over the limited number of low-rise buildings on the application site. In such circumstances, the BRE guidance identifies that it may be appropriate to set an alternative massing which would be a mirror image of the neighbouring building under consideration, positioned an equal distance from the site boundary. The applicant's consultants have therefore modelled the mirrored massing of Adagio Point and have positioned the massing an equal distance from the centre of Copperas Street. They have then tested the impact of the proposed development against this more urban-type baseline condition. In addition, they have also tested the neighbouring Cavatina Point, Vertex Tower, and Atrium Heights against this baseline, and that part of Union Wharf Block B which would lie in close proximity to the proposed development. They have also carried out the mirror-massing assessment by maintaining the existing baseline condition on the application site and treating the mirror image of Adagio Point as if that was to be the proposed massing. This is a hypothetical scenario, which seeks to demonstrate that any more urban-like massing on the application site would result in transgressions of the BRE guidelines.
- 577 The diagrams below show the mirror massing of Adagio Point that has been utilised as the basis for this assessment.

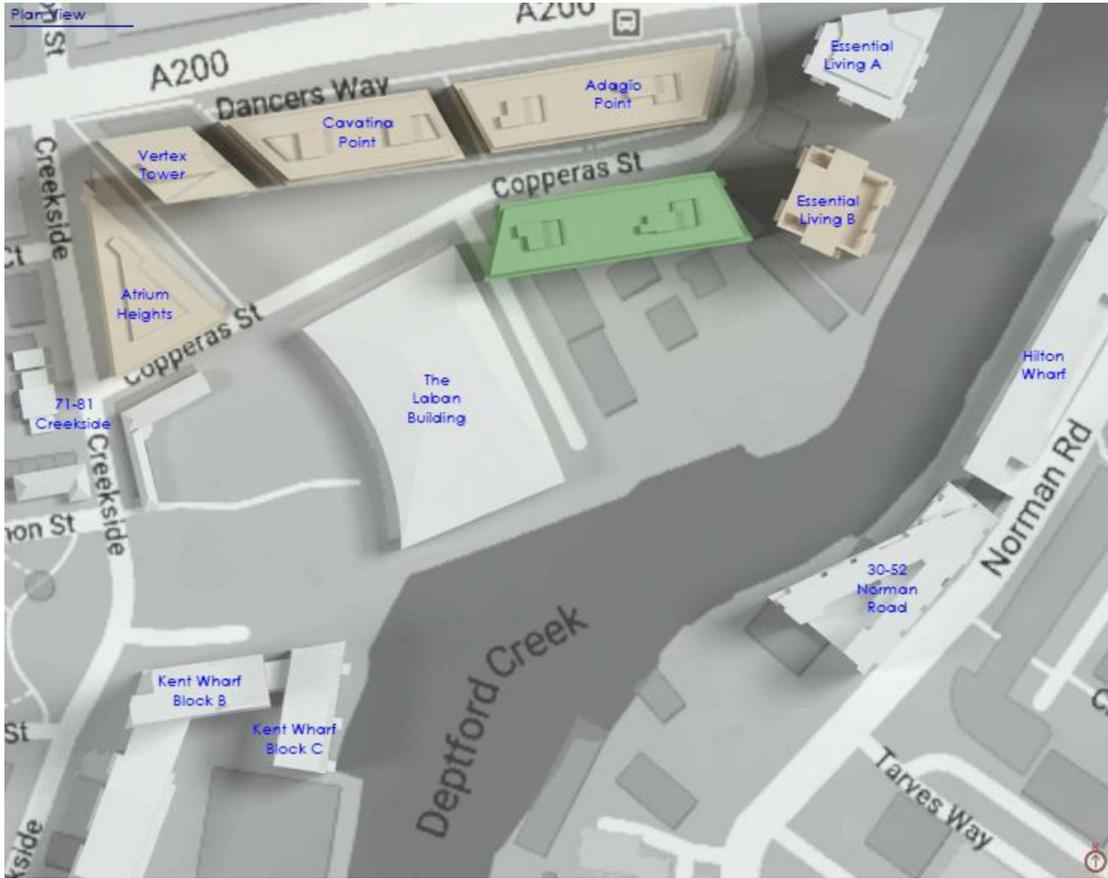


Figure 21 – mirror massing of Adagio Point (plan view)

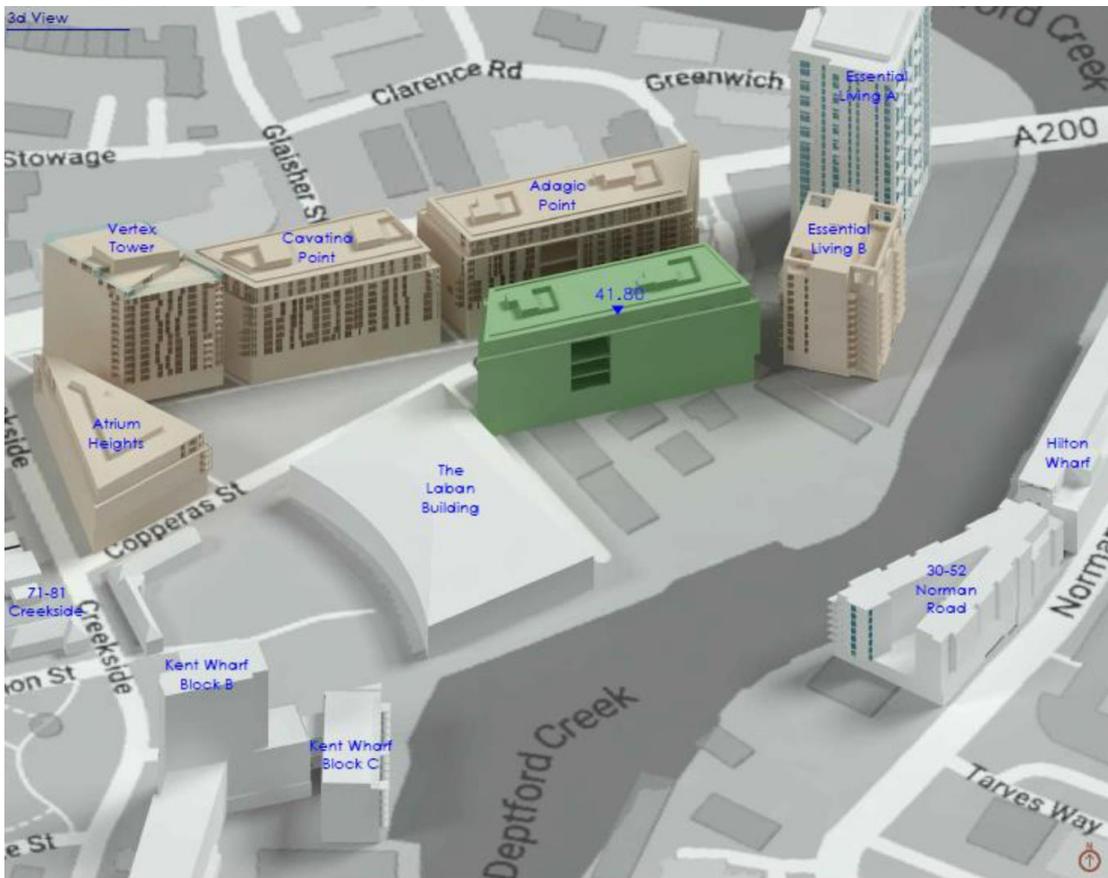


Figure 22 – mirror massing of Adagio Point (3D view)

Adagio Point

578 Adagio Point is a block which lies to the north of Copperas Street, forming part of the Creekside Village West development, and which comprises residential apartments at Levels 3 – 11.

Existing baseline

579 Given that the lowest residential units within Adagio Point are at Level 3 and given the low-rise nature of existing buildings on the application site, all residential units within Adagio Point are currently afforded an unobstructed outlook across the application site.

580 The existing VSC results show that of the 375 windows tested, 170 windows (c. 45%) currently do not meet the BRE guidelines. Furthermore, 150 of the 375 windows (40%) are currently below c. 20% of VSC, while 76 of the 375 windows (c. 20%) are currently below c. 15% of VSC. The existence of a large number of windows across Adagio Point currently below the BRE guidelines is considered to result from the building's own design which is characterised by projecting/recessed balconies and terraces located within the building's central void. The hypothetical baseline levels with the mirror-image of Adagio Point on the application site show that only 83 windows (c 22%) would currently meet the BRE guide levels for VSC. The applicant's consultants highlight that this assessment raises a question over whether Adagio Point can be considered a 'good neighbour' as per the BRE guidance, 'standing a reasonable distance from the boundary and taking no more than its fair share of light'.

581 For existing DD/NSL values, none of the 130 habitable rooms tested currently fall below the BRE guidelines. However, the hypothetical mirror-image baseline results show that 66 rooms at Adagio Point (c. 51%) would not currently meet the DD/NSL levels if they were they facing a more urban-like massing of its own mirror-image. For existing ADF values, 11 rooms (c. 8%) currently do not meet the ADF criteria. Again, the hypothetical mirror-image baseline results show that 65 rooms (50%) would not meet the ADF criteria if they were facing its own mirror-image.

582 The existing sunlight results show that of the 336 site-facing windows which are orientated within 90° of due south, 32 windows (c. 10%) currently fall below the annual sunlight criteria while 5 windows (c. 1%) fall below the winter sunlight criteria. The windows not currently meeting the BRE guidelines are located on the lower floors and are positioned behind/below a balcony or/and are looking onto its own or other neighbours' massing. As with the existing baseline daylight results, the hypothetical baseline levels with the mirror-image of Adagio Point show much reduced levels of compliance. Were the residential apartments looking onto a more urban-like massing, 89 windows (c. 26%) and 115 windows (c. 34%) would currently not meet the BRE guide levels with regard to sunlight.

Daylight impact

583 The daylight results show that with the proposed development in place, of the 375 windows tested, the vast majority (c. 86%) will fall below the BRE numerical targets for VSC. However, as noted in the existing baseline results, 170 windows (c. 45% of the windows tested) are already below the BRE guidelines in the existing condition, with many windows below 15% of VSC.

584 When tested against the mirror-image of the building itself, the VSC results show that 163 windows (c. 43%) would fully meet the BRE numerical guide levels for VSC. This represents a better compliance ratio than the results of the second iteration of the mirror-massing assessment, which shows that 152 windows (c. 41%) would meet the VSC targets if the massing on the application site was the same as Adagio Point. The applicant's consultants consider that these results demonstrate that any meaningful

massing on the application site would result in VSC reductions to a large number of rooms within Adagio Point.

- 585 When looking at the retained VSC values with the proposed development in place, 69 windows (c. 21%) not meeting the guidelines will still retain the VSC values in the region of 15%; and, therefore, of the 375 windows tested, 123 windows (c. 33%) will either meet the BRE numerical targets for VSC or will retain VSC values which are commonly considered acceptable in a higher density urban location in London. Furthermore, when testing the proposed development against the mirror-massing of Adagio Point itself, 229 windows (c. 61%) would either fully meet the BRE guidelines or retain the VSC values in the region of 15%. This figure would only improve to 235 windows (c. 63%) if the proposal for the site was a mirror-image of Adagio Point.
- 586 The DD/NSL results demonstrate that 77 of the 130 habitable rooms tested (c. 59%) will fully comply with the BRE guidelines with the Development in place. However, 32 rooms below the guidelines (c. 60%) serve bedrooms which are considered of lesser importance in daylight terms due to their nature and expected use. Looking at the retained daylight distribution levels within the rooms with the proposed development in place, 45 rooms below the guidelines will still retain unobstructed sky visibility to at least 50% of the room area. Therefore, 122 habitable rooms (c. 94%) will either meet the BRE numerical targets for DD/NSL or still retain the acceptable values of 50% or more.
- 587 The 8 rooms with more compromised DD/NSL levels are deep (in excess of 5m) combined Lounge / Kitchen / Diners (LKDs) looking directly onto the taller tower of the proposed development. However, they will all still retain unobstructed sky visibility to their sitting area closer to the windows. Overall, the vast majority of the primary living areas at Adagio Point (c. 87%) will either meet the guidelines or retain DD/NSL levels of 50% or more. When comparing the proposed development against the mirror-massing of Adagio Point itself, 122 rooms (c. 94%) would either meet the guidelines or retain DD/NSL levels of 50% or more. The application scheme would present an improvement to daylight to many rooms when compared against the massing of Adagio Point due to the gap between the towers offering an open outlook. The impact on Adagio Point would be considerably worse if the proposal was a mirror-image of Adagio Point itself, where only 84 rooms (c. 65%) would either fully comply with the BRE or retain the DD/NSL values at 50% or more.
- 588 Only 11 primary living rooms would have the ADF retained values with the proposed development in place below 1%, which is commonly considered a minimum threshold for more constrained rooms in higher density urban areas in London. However, all of these rooms are deep LKDs and the ADF values would be above 1% of ADF if the kitchen areas located at the back of these rooms were to be excluded from the room areas tested.
- 589 Overall, taking all the above points into account, the applicant's consultants conclude that the impact of the proposed development on the existing daylight levels at Adagio Point would be moderate adverse.

Sunlight impact

- 590 The sunlight results show that with the proposed development in place, of the 336 site-facing windows which face within 90° of due south, 230 windows (c. 68%) will fully comply with the annual sunlight criteria while 276 windows (c. 82%) will fully comply with the winter sunlight criteria. It is noted that some windows are already below the BRE sunlight criteria under the baseline position. The higher compliance ratio in relation to winter sunlight is a result of lower angle of the sun during the winter months.
- 591 When considering the effects of the proposed development against the mirror-image of Adagio Point, 290 windows (c. 86%) and 302 windows (c. 90%) would fully meet the

annual and winter sunlight criteria respectively. These figures would reduce to c. 76% and c. 68% respectively if the proposal for the site was the mirror-image of Adagio Point. This indicates that the proposed development causes a lesser impact on winter sunlight levels at Adagio Point than the mirror-image of Adagio Point itself.

592 When looking at the standard existing vs. proposed sunlight results on a room basis, of the 130 rooms tested, 102 rooms (c. 78%) will meet the annual sunlight criteria while 93 rooms (c. 72%) will meet the winter sunlight criteria. Furthermore, all the 28 rooms which fall below the annual sunlight criteria are bedrooms which are commonly considered as not having expectation for sunlight provision due their nature and expected use.

593 The applicant's consultants therefore conclude that the impact of the proposed development on the existing sunlight levels at Adagio Point would be minor adverse.

Cavatina Point

594 Cavatina Point is a block which lies to the north of Copperas Street, forming part of the Creekside Village West development, and which comprises residential apartments at Levels 3 – 11.

Existing baseline

595 The existing VSC results show that of the 310 windows tested, 136 windows (c. 44%) currently do not meet the BRE guidelines. Furthermore, 121 of the 310 windows (c. 39%) are currently below 20% of VSC, while 41 of the 310 windows (c. 13%) are currently below c. 15% of VSC. The existence of a large number of windows across Cavatina Point currently below the BRE guidelines is considered to be a result of the building's own design, containing projecting/recessed balconies and/or having some windows in close proximity to Adagio Point to the east and Vertex Tower to the west.

596 For existing DD/NSL values, none of the 131 habitable rooms tested currently fall below the BRE guidelines. For existing ADF values, 21 rooms (c. 16%) currently fall below the ADF criteria.

597 The existing sunlight results show that of the 276 site-facing windows which are orientated within 90° of due south, 3 windows (c. 1%) currently fall below the annual sunlight criteria and none of the windows fall below the winter sunlight criteria. A few additional windows would fall below the sunlight criteria if there was the mirror-image of Adagio Point on the application site.

Daylight impact

598 The daylight results show that with the proposed development in place, of the 310 windows tested, 269 windows (c. 87%) will fully meet the BRE guide levels for VSC. As noted in the existing baseline results, c. 44% of the windows are already below the guidelines in the existing condition.

599 When looking at the retained VSC values with the proposed development in place, 17 windows will still retain the VSC values in the region of 15% or more. Therefore, of the 310 windows tested, 286 windows (c. 92%) will either meet the BRE numerical targets for VSC or will retain VSC values which are commonly considered acceptable in a higher density urban location in London. When testing the effects of the proposed development against the mirror-image of Adagio Point, this figure would improve by 1 window and there would be only 12 additional windows when considering the mirror-image of Adagio Point as the hypothetical proposed massing at the site.

600 The DD/NSL results demonstrate that all (100%) of the 131 rooms tested will fully comply with the BRE guide levels for DD/NSL.

601 The applicant's consultants therefore conclude that the impact of the proposed development on the existing daylight levels at Cavatina Point would be minor adverse.

Sunlight impact

602 The sunlight results show that with the proposed development in place, of the 276 site-facing windows which face within 90° of due south, all (100%) will fully comply with both the annual and winter sunlight hours.

603 The applicant's consultants therefore conclude that the impact of the proposed development on the existing sunlight levels at Cavatina Point would be negligible.

Vertex Tower

604 Vertex Tower is a block which lies to the north of Copperas Street, forming part of the Creekside Village West development, and which comprises residential apartments at Levels 3 – 16.

Existing baseline

605 The existing VSC results show that of the 280 windows tested, 130 windows (c. 46%) currently do not meet the BRE guidelines. Furthermore, 113 of the 280 windows (40%) are currently below c. 20% of VSC, while 62 of the 16 windows (22%) are currently below c. 15% of VSC. As with the other blocks which comprise Creekside Village West, this is considered to be a result of the positioning of the windows behind the projecting/recessed balconies or/and outlook onto the neighbouring buildings.

606 For existing DD/NSL values, 9 of the 87 habitable rooms tested (c. 10%) currently fall below the BRE guidelines. For existing ADF values, 12 rooms (c. 14%) currently fall below the ADF criteria.

607 The existing sunlight results show that of the 223 site-facing windows which are orientated within 90° of due south, 15 windows (c. 7%) currently fall below the annual sunlight criteria while 9 windows (c. 4%) fall below the winter sunlight criteria. The windows below the BRE guidelines are positioned behind/below a balcony and/or are looking onto the neighbouring massing.

Daylight impact

608 The daylight results show that with the proposed development in place, of the 280 windows tested, 268 windows (c. 96%) will fully meet the BRE guide levels for VSC. The DD/NSL results demonstrate that all (100%) of the 131 rooms tested will fully comply with the BRE guide levels for DD/NSL.

609 The applicant's consultants therefore conclude that the impact of the proposed development on the existing daylight levels at Vertex Tower would be minor adverse.

Sunlight impact

610 The sunlight results shows that with the proposed development in place, of the 223 site-facing windows which face within 90° of due south, all (100%) will fully comply with both the annual and winter sunlight hours.

611 The applicant's consultants therefore conclude that the impact of the proposed development on the existing sunlight levels at Vertex Tower would be negligible.

Atrium Heights

612 Atrium Heights is a block which lies to the north of Copperas Street, forming part of the Creekside Village West development, and which comprises residential apartments at Levels 3 – 7.

Existing baseline

613 The existing VSC results show that of the 187 windows tested, 137 windows (c. 73%) currently do not meet the BRE guidelines. Furthermore, 109 of the 187 windows (c. 58%) are currently below c. 20% of VSC, while 83 of the 187 windows (c. 44%) are currently below c. 15% of VSC. As above, this is considered to be a result of the positioning of the windows behind the projecting/recessed balconies and the orientation of the tested façade of the building onto the neighbouring Vertex Tower and Cavatina Point.

614 For existing DD/NSL values, 25 of the 52 habitable rooms tested (c. 48%) currently fall below the BRE guidelines. For existing ADF values, 8 rooms (c. 15%) currently fall below the ADF criteria.

615 The existing sunlight results show that of the 50 site-facing windows which are orientated within 90° of due south, 2 windows (c. 4%) currently fall below the annual and winter sunlight criteria.

Daylight impact

616 The daylight results show that with the proposed development in place, of the 187 windows tested, 165 windows (c. 88%) will fully meet the BRE guide levels for VSC. The DD/NSL results demonstrate that all (100%) of the 131 rooms tested will fully comply with the BRE guide levels for DD/NSL.

617 The applicant's consultants therefore conclude that the impact of the proposed development on the existing sunlight levels at Atrium Heights would be minor adverse.

Sunlight impact

618 The sunlight results shows that with the proposed development in place, of the 50 site-facing windows which face within 90° of due south, all (100%) will fully comply with both the annual and winter sunlight hours.

619 The applicant's consultants therefore conclude that the impact of the proposed development on the existing daylight levels at Atrium Heights would be negligible.

Union Wharf

620 Union Wharf is a recently completed development which adjoins the application site to the east, and which comprises residential apartments at Levels 1 – 11 within Block B (which lies directly adjacent to the application site).

Existing baseline

621 The existing VSC results show that of the 1,002 windows tested, 386 windows (c. 39%) currently do not meet the BRE guidelines. This is considered to be primarily a result of the positioning of the windows behind the recessed balconies (especially in relation to Block B), the façade treatment which contains projecting masonry grid and/or orientation of some of the windows onto the other block's massing/other neighbouring buildings.

622 For existing DD/NSL values, 86 of the 704 habitable rooms tested (c. 12%) currently fall below the BRE guidelines. For existing ADF values, 124 rooms (c. 18%) currently fall below the ADF criteria.

623 The existing sunlight results show that of the 543 site-facing windows which are orientated within 90° of due south, 33 windows (c. 6%) currently fall below the annual sunlight criteria while 32 windows (c.6%) fall below the winter sunlight criteria. The windows which fall below the BRE guidelines are blinkered by their own projecting massing/balcony.

624 Looking specifically at the section of the development located in closest proximity to the application site, none of the 20 site-facing windows which are orientated within 90° of due south currently fall below the BRE criteria for both annual and winter sunlight.

Daylight impact

625 The results show that with the proposed development in place, out of the 1,002 windows serving all the residential dwellings across the two towers forming this recently completed development, 810 windows (c. 81%) will fully comply with the BRE guide levels for VSC. Furthermore, the DD/NSL results show that of the 704 habitable rooms tested, 641 rooms (c. 91%) will full comply with the BRE guidelines.

626 The applicant's consultants have also considered the most sensitive section of the development's 'Block B', which lies directly adjacent to the application site, and have tested all the windows/rooms facing the application site.

627 In relation to this most sensitive section of Block B, the daylight results show that with the proposed development in place, of the 110 windows tested, the vast majority (c. 88%) will fall below the BRE numerical targets for VSC. However, as noted in the existing baseline results, 59 windows (c. 54% of the windows tested) are already below the BRE guidelines in the existing condition, with many windows below 15% of VSC, which is primarily a function of the building's own design. When tested against the mirror-massing, the VSC results show that 69 windows (c. 63%) would fully meet the BRE numerical guide levels for VSC. This represents a better compliance ratio than the results of the second iteration of the mirror-massing assessment, which shows that 60 windows (c. 55%) would meet the VSC targets if the massing on the application site was the mirror-image of Adagio Point.

628 When looking at the retained VSC values with the proposed development in place, 40 windows (c. 41%) not meeting the guidelines will still retain the VSC values in the region of 15%; and, therefore, of the 110 windows tested, 53 windows (c. 48%) will either meet the BRE numerical targets for VSC or will retain VSC values which are commonly considered acceptable in a higher density urban locations in London. When testing the proposed development against the mirror-massing of Adagio Point, 87 windows (c. 79%) would either fully meet the BRE guidelines or retain the VSC values in the region of 15%. This figure would reduce to 80 windows (c. 73%) if the proposal for the site was the mirror-image of Adagio Point.

629 The DD/NSL results demonstrate that 72 of the 80 habitable rooms tested (c. 90%) will fully comply with the BRE guidelines with the proposed development in place. Looking at the retained daylight distribution levels within the rooms with the proposed development in place, 5 rooms below the guidelines will retain unobstructed sky visibility to at least 50% of the room area. Therefore, 77 habitable rooms (c.96%) will either meet the BRE numerical targets for DD/NSL or still retain values of 50% or more. The 3 rooms with more compromised DD/NSL levels are all bedrooms which have the lowest expectation for natural light amongst habitable rooms.

630 Overall, taking all the above points into account, the applicant's consultants conclude that the impact of the proposed development on the existing daylight levels at Union Wharf would be minor adverse.

- 631 In response to the objection received in September 2020 from Essential Living who are the developer and landowner of the Union Wharf development, the applicant's consultants prepared a supplementary assessment of the impact on Union Wharf (letter dated 23 October 2020). This assessment specifically focuses on all units within Union Wharf (Blocks A and B) which have at least one window facing towards the application site. They highlight that whilst this has been undertaken to address the points raised in Essential Living's objection, they do not consider this to be entirely necessary, given that the key site-orientated section was tested for the purpose of the Addendum to Updated Chapter 9 Rev A: Daylight, Sunlight, Overshadowing and Solar Glare (BLDA Consultancy, May 2020).
- 632 The results of this further assessment identify that out of the 572 windows serving all the site-facing residential dwellings across Union Wharf Blocks A and B, 378 windows (c. 66%) will fully comply with the BRE guide levels for VSC. The DD/NSL results show that of the 385 habitable rooms tested, 320 rooms (c. 83%) will fully comply with the BRE guidelines. The ADF results show that 303 rooms (c. 79%) will either meet the ADF targets for their room uses with the proposed development in place or will experience reductions within the allowable 20% as per the BRE guide (i.e. if their existing levels are already below the ADF targets in the existing condition). The assessment highlights that 60 habitable rooms within Union Wharf are currently below the ADF targets but will either experience no change or will have their light levels reduced by no more than 20% after the implementation of the proposed development. The assessment considers that this is primarily a result of the positioning of the windows beneath large balconies.
- 633 When looking at the retained VSC values with the proposed development in place, 93 of the 194 windows (c. 48%) not meeting the guidelines will still retain VSC values in the region of 15%; and, therefore, 471 windows (c. 82%) will either fully meet the BRE numerical targets for VSC or will retain VSC values which are considered acceptable in a higher density urban location in London. Furthermore, when looking at the higher retained target of 20% of VSC, the updated results show that 433 windows (c. 76%) will either fully meet the BRE numerical targets for VSC or will retain VSC values at 20% or more.
- 634 Looking at the retained daylight distribution levels within the Union Wharf habitable rooms with the proposed development in place, 30 rooms below the guidelines will still retain unobstructed sky visibility to at least 50% of the room area. Therefore, 350 site-facing habitable rooms (c. 91%) will either fully meet the BRE numerical targets for DD/NSL or still retain the London acceptable values of 50% or more. Of the 35 rooms with more compromised DD/NSL levels, 28 within Block A and 3 within Block B serve bedrooms which have the lowest expectation for natural light amongst habitable rooms, due to their nature and expected use. The remaining 4 rooms within Block A are living rooms located on the 1st to 4th floors. These rooms are served by two windows, with the smaller window looking directly onto Adagio Point while the main window is looking directly onto the application site and is also partially obscured by the massing of Block B. The assessment finds that more than 40% of their room area will receive unobstructed sky visibility with the proposed development in place, and that these rooms will retain ADF values of at least 1%, which can be considered acceptable for the most constrained units, and the reductions caused by the proposed development range from 32% on the 1st floor to 27% on the 4th floor (and, therefore, are primarily in the 'minor adverse' category).
- 635 When compared with the daylight results presented in the Updated ES Addendum, the total compliance ratios there were at c. 81% for VSC and c. 91% for both DD/NSL and ADF. These higher compliance ratios were due to the inclusion of the windows/rooms within Block A which are not looking onto the application site. Looking in more detail at Block B, the further assessment shows that 93 windows (c. 44%) will fully comply with the BRE guide levels for VSC, 144 rooms (c. 94%) will fully comply with the BRE guide levels for DD/NSL while 119 rooms (c. 78%) will either meet the ADF targets or reduce

by no more than 20% as a result of the proposed development. This compares with the compliance ratios of c. 12% for VSC, c. 90% for DD/NSL and c. 58% for ADF, as presented in the Updated ES Addendum. Looking at the retained daylight levels at Block B, 150 windows (c. 71%) will either fully meet the BRE numerical targets for VSC or will retain VSC values at 15% or more while 127 windows (c. 60%) will either fully meet the BRE numerical targets for VSC or will retain VSC values at 20% or more. With regards to the retained DD/NSL levels, 150 habitable rooms (c. 98%) will either fully meet the BRE numerical targets for DD/NSL or still retain the acceptable values of 50% or more.

636 The applicant's consultant concludes that overall, these are good levels of daylight compliance for a large-scale scheme in a higher density urban regeneration area within London, and therefore taking all the above points into account, they maintain that the impact of the proposed development on the existing daylight levels at Union Wharf is considered to be minor adverse.

Sunlight impact

637 The sunlight results show that with the proposed development in place, of the 543 site facing windows which face within 90° of due south, 520 windows (c. 96%) will fully comply with the annual sunlight criteria while 507 windows (c. 93%) will fully comply with the winter sunlight criteria. When looking at the most sensitive part of Block B specifically, all (100%) of its site-facing windows which face within 90° of due south will fully comply with both the annual and winter sunlight criteria.

638 The applicant's consultants therefore conclude that the impact of the proposed development on the existing sunlight levels at Union Wharf would be minor adverse.

639 In response to the objection received in September 2020 from Essential Living, the applicant's consultants also prepared a supplementary assessment of the impact on sunlight at Union Wharf (letter dated 23 October 2020).

640 The results of this further assessment identify that of the 325 site-facing windows which face within 90° of due south, 298 windows (c. 92%) will fully comply with the annual sunlight criteria while 287 windows (c. 88%) will fully comply with the winter sunlight criteria. This compares with c. 96% and c. 93% respectively as presented in the Updated ES Addendum, and these slightly lower compliance levels result from excluding the south-orientated windows which are not facing the site within Block A. Looking at Block B specifically, 113 of its 114 site-facing windows which face within 90° of due south (c. 99%) will fully comply with the annual sunlight criteria while all 114 windows (100%) will comply with the winter sunlight criteria. This compares with the 100% compliance for both annual and winter sunlight criteria as presented in the Updated ES Addendum.

641 As such, the applicant's consultant concludes that the impact of the proposed development on the existing sunlight levels at Union Wharf would be minor adverse.

71 – 81 Creekside

642 71 – 81 Creekside comprise modern two storey houses on the west side of Creekside, which have front and rear garden areas.

Existing baseline

643 The existing VSC results show that of the 20 windows tested, 13 windows (c. 65%) currently fall below the BRE guidelines for VSC. This is considered to result from the buildings' own projecting massing and overhanging eaves. For existing DD/NSL values, 7 of the 19 habitable rooms tested (c. 37%) currently fall below the BRE guidelines. For existing ADF values, 12 rooms (c. 63%) currently fall below the BRE guidelines.

644 The existing sunlight results show that none of the site-facing windows tested are orientated within 90° of due south and, therefore, have not been tested for sunlight availability.

Daylight impact

645 The daylight results show that with the proposed development in place, all (100%) of the 20 windows tested will fully comply with the BRE guide levels for VSC. All (100%) of the 19 habitable rooms tested will fully comply with the BRE guide levels for DD/NSL.

646 The applicant's consultants therefore conclude that the impact of the proposed development on the existing daylight levels at 71 – 81 Creekside would be negligible.

Sunlight impact

647 None of the site-facing windows are orientated within 90° of due south and, therefore, have not been tested. The proposed development will therefore cause no effect on the existing sunlight levels at 71-81 Creekside.

Kent Wharf

648 Kent Wharf is a recently completed development lying between Creekside and Deptford Creek, with residential apartments at Levels 1 – 15.

Existing baseline

649 The existing VSC results show that of the 235 windows tested, 39 windows (c. 17%) currently fall below the BRE guidelines for VSC. This is a result of the positioning of the windows below/behind balconies. For existing DD/NSL values, 1 of the 184 habitable rooms tested (c. 1%) currently falls below the BRE guidelines. For existing ADF values, 32 rooms (c. 17%) currently fall below the BRE guidelines.

650 The existing sunlight results show that none of the 77 site-facing windows which are orientated within 90° of due south currently fall below the BRE criteria for both annual and winter sunlight.

Daylight impact

651 The daylight results show that with the proposed development in place, all (100%) of the 235 windows tested will fully comply with the BRE guide levels for VSC. All (100%) of the 184 habitable rooms tested will fully comply with the BRE guide levels for DD/NSL.

652 The applicant's consultants therefore conclude that the impact of the proposed development on the existing daylight levels at Kent Wharf would be negligible.

Sunlight impact

653 The sunlight results shows that with the proposed development in place, of the 77 site-facing windows which face within 90° of due south, all (100%) will fully comply with both the annual and winter sunlight hours.

654 The applicant's consultants therefore conclude that the impact of the proposed development on the existing sunlight levels at Kent Wharf would be negligible.

30 – 52 Norman Road

655 30 – 52 Norman Road is a modern development on the east bank of Deptford Creek, with residential apartments at Levels 1 – 8.

Existing baseline

- 656 The existing VSC results show that of the 159 windows tested, 61 windows (c. 38%) currently fall below the BRE guidelines for VSC. This is considered to be a result of the positioning of the windows below/behind balconies. For existing NSL/DD values, none of the 131 habitable rooms tested currently fall below the BRE guidelines. For existing ADF values, 45 rooms (c. 34%) currently fall below the BRE guidelines.
- 657 The existing sunlight results show that none of the 14 site-facing windows which are orientated within 90° of due south currently fall below the BRE criteria for both annual and winter sunlight.

Daylight impact

- 658 The daylight results show that with the proposed development in place, of the 159 windows tested, 112 windows (c. 70%) will fully comply with the BRE guide levels for VSC, and a further 8 windows will experience only minor adverse effects. It is noted that 61 windows (c. 38%) currently fall below the BRE guidelines for VSC due to their own design.
- 659 The results show that of the 131 habitable rooms tested, 130 rooms (c. 99%) will fully comply with the BRE guide levels for DD/NSL, with the remaining rooms experiencing a minor adverse effect.
- 660 The applicant's consultants therefore conclude that the impact of the proposed development on the existing daylight levels at 30 – 52 Norman Road would be minor adverse.

Sunlight impact

- 661 The sunlight results shows that with the proposed development in place, of the 14 site-facing windows which face within 90° of due south, all (100%) will fully comply with both the annual and winter sunlight hours after the implementation
- 662 The applicant's consultants therefore conclude that the impact of the proposed development on the existing sunlight levels at 30 – 52 Norman Road would be negligible.

Hilton's Wharf

- 663 Hilton's Wharf is a modern development on the east bank of Deptford Creek, with residential apartments at Levels 1 – 7.

Existing baseline

- 664 The existing VSC results show that of the 187 windows tested, 73 windows (c. 39%) currently fall below the BRE guidelines for VSC. This is considered to be a result of the positioning of the windows below/behind balconies. For existing DD/NSL values, 14 of the 170 habitable rooms tested (c. 8%) currently fall below the BRE guidelines. For existing ADF values, 37 rooms (c. 22%) currently fall below the BRE guidelines
- 665 The existing sunlight results show that none of the 8 site-facing windows which are orientated within 90° of due south currently fall below the BRE criteria for both annual and winter sunlight.

Daylight impact

666 The daylight results show that with the proposed development in place, of the 187 windows tested, 159 windows (c. 85%) will fully comply with the BRE guide levels for VSC, and a further 23 windows will experience only minor adverse effects. It is noted that 73 windows (c. 39%) currently fall below the BRE guidelines for VSC due to their own design.

667 The results show that of the 170 habitable rooms tested, 151 rooms (c. 89%) will fully comply with the BRE guide levels for DD/NSL, and a further 7 rooms will experience only minor adverse effects.

668 The applicant's consultants therefore conclude that the impact of the proposed development on the existing daylight levels at Hilton's Wharf would be minor adverse.

Sunlight impact

669 The sunlight results show that with the proposed development in place, of the 8 site-facing windows which face within 90° of due south, all (100%) will fully comply with both the annual and winter sunlight hours.

670 The applicant's consultants therefore conclude that the impact of the proposed development on the existing sunlight levels at Hilton's Wharf would be negligible.

Summary and overall impact

671 The tables below summarise the impact of the proposed development on neighbouring properties, in relation to VSC, DD/NSL, ADF, APSH and WPSH.

Vertical Sky Component (VSC)					
Neighbouring Property	No. Windows Assessed	No./% Above BRE Guide	20.1%-30% Loss (Minor Adverse)	30.1%-40% Loss (Moderate Adverse)	More than 40% Loss (Major Adverse)
Adagio Point	375 windows	54/c. 14%	6	4	311
Cavatina Point	310 windows	269/c. 87%	4	20	17
Vertex Tower	280 windows	268/c. 96%	8	4	0
Atrium Heights	187 windows	165/c. 88%	7	11	4
Essential Living	1,002 windows	810/c. 81%	50	61	81
Essential Living B (Part)	110 windows	13/c. 12%	11	33	53
71-81 Creekside	20 windows	20/100%	N/A	N/A	N/A
Kent Wharf	235 windows	235/100%	N/A	N/A	N/A
30-52 Norman Road	159 windows	112/c. 70%	8	21	18
Hilton's Wharf	187 windows	159/c. 85%	23	5	0
Sub-total (Adagio Point /Cavatina Point /Vertex Tower /Atrium Heights /Essential Living B (Part))	1,262 windows	769/ c. 61%	36	72	385
Total (All Properties)	2,755 windows	2,092/c. 76%	106	126	431

Daylight Distribution (DD)/No-Sky Line (NSL)					
Neighbouring Property	No. Rooms Assessed	No./% Above BRE Guide	20.1%-30% Loss (Minor Adverse)	30.1%-40% Loss (Moderate Adverse)	More than 40% Loss (Major Adverse)
Adagio Point	130 rooms	77/c.59%	12	18	23
Cavatina Point	131 rooms	131/100%	N/A	N/A	N/A
Vertex Tower	87 rooms	87/100%	N/A	N/A	N/A
Atrium Heights	52 rooms	52/100%	N/A	N/A	N/A
Essential Living	704 rooms	641/c. 91%	25	7	31
Essential Living B (Part)	80 rooms	72/90%	3	3	2
71-81 Creekside	19 rooms	19/100%	N/A	N/A	N/A
Kent Wharf	184 rooms	184/100%	N/A	N/A	N/A
30-52 Norman Road	131 rooms	130/c. 99%	1	0	0
Hilton's Wharf	170 rooms	151/c. 89%	7	7	5
Sub-total (Adagio Point /Cavatina Point /Vertex Tower /Atrium Heights /Essential Living B (Part))	480 rooms	419/c. 87%	15	21	25
Total (All Properties)	1,608 rooms	1,472/c. 92%	45	32	59

Average Daylight Factor (ADF)			
Neighbouring Property	No. Rooms Assessed	No./% Above BRE Guide	No./% Below BRE Guide
Adagio Point	130 rooms	48/c. 37%	82/c. 63%
Cavatina Point	131 rooms	131/100%	0/0%
Vertex Tower	87 rooms	87/100%	0/0%
Atrium Heights	52 rooms	46/c.88%	6/c. 12%
Essential Living	704 rooms	642/c. 91%	62/c. 9%
Essential Living B (Part)	80 rooms	46/c. 58%	34/c.42%
71-81 Creekside	19 rooms	19/100%	0/0%
Kent Wharf	184 rooms	184/100%	0/0%
30-52 Norman Road	131 rooms	99/76%	32/c. 24%
Hilton's Wharf	170 rooms	168/c. 99%	2/c. 1%
Sub-total (Adagio Point /Cavatina Point /Vertex Tower /Atrium Heights /Essential Living B (Part))	480 rooms	358/c. 75%	122/c. 25%
Total (All Properties)	1,608 rooms	1,424/c. 89%	184/c.11%

Annual Sunlight (APSH)					
Neighbouring Property	No. Windows Assessed	No./% Above BRE Guide		No./% Below BRE Guide	
		Adagio Point	336 windows	230	68%
Cavatina Point	276 windows	276	100%	0	0%
Vertex Tower	223 windows	223	100%	0	0%
Atrium Heights	50 windows	50	100%	0	0%
Essential Living	543 windows	520	c. 96%	23	c. 4%
Essential Living B (Part)	20 windows	20	100%	0	0%
71-81 Creekside	0 windows	None of the site-facing windows are south-orientated			
Kent Wharf	77 windows	77	100%	0	0%
30-52 Norman Road	14 windows	14	100%	0	0%
Hilton's Wharf	8 windows	8	100%	0	0%
Sub-total (Adagio Point /Cavatina Point /Vertex Tower /Atrium Heights /Essential Living B (Part))	905 windows	799	c. 88%	106	c. 12%
<i>Total</i>	<i>1,527 windows</i>	<i>1,398</i>	<i>c. 92%</i>	<i>129</i>	<i>c. 8%</i>

Winter Sunlight (WPSH)					
Neighbouring Property	No. Windows Assessed	No./% Above BRE Guide		No./% Below BRE Guide	
		Adagio Point	336 windows	276	c. 82%
Cavatina Point	276 windows	276	100%	0	0%
Vertex Tower	223 windows	223	100%	0	0%
Atrium Heights	50 windows	50	100%	0	0%
Essential Living	543 windows	507	c. 93%	36	c. 7%
Essential Living B (Part)	20 windows	20	100%	0	0%
71-81 Creekside	0 windows	None of the site-facing windows are south-orientated			
Kent Wharf	77 windows	77	100%	0	0%
30-52 Norman Road	14 windows	14	100%	0	0%
Hilton's Wharf	8 windows	8	100%	0	0%
Sub-total (Adagio Point /Cavatina Point /Vertex Tower /Atrium Heights /Essential Living B (Part))	905 windows	845	c. 93%	60	c. 7%
<i>Total (All Properties)</i>	<i>1,527 windows</i>	<i>1,431</i>	<i>c. 94%</i>	<i>96</i>	<i>c. 6%</i>

Daylight impact

- 672 Overall, the daylight results show that of the 2,755 windows serving all the existing neighbouring properties, 2,092 windows (c. 76%) will fully comply with the BRE numerical guide levels for VSC. 2,198 windows (c. 80%) will either fully comply or will experience minor adverse effects.
- 673 The results of the NSL/DD test demonstrate that of the 1,608 habitable rooms facing the Site, 1,472 rooms (c. 92%) will fully comply with the BRE numerical guide levels for DD/NSL. 1,517 rooms (c. 94%) will either fully comply with the BRE guidelines or will experience minor adverse effects.
- 674 The results of the ADF test show that a total of 1,424 rooms (c.89%) will comply with the ADF criteria.
- 675 The applicant's consultants conclude that overall, the vast majority of dwellings assessed will retain good daylight levels after the implementation of the proposed development, particularly in the context of similar neighbouring developments, the emerging higher density character of the area and an evolving, more urban-like, expectation of natural light at Creekside. The applicant's consultants conclude that overall, in EIA terms, the effects of the proposed development on the existing daylight levels within neighbouring properties will be of negligible to moderate adverse significance.

Sunlight impact

- 676 Overall, the sunlight results show that with the proposed development in place, of the 1,527 site-facing windows which face within 90° of due south, 1,398 (c. 92%) will fully comply with the annual sunlight criteria while 1,431 (c. 94) will fully comply with the winter sunlight criteria. The applicant's consultants conclude that overall, in EIA terms, the effects of the proposed development on the existing sunlight levels within neighbouring properties will be of no effect to minor adverse significance.

Mirror-massing assessment

- 677 The results of the mirror-massing assessment indicate that the current low-rise massing of the application site is one of the main contributory factors to the more pronounced transgressions of the BRE guidelines. When considered against a baseline which is more reflective of the surrounding urban context (i.e. the mirror-image of Adagio Point), the effects of the proposed development would further improve and significantly in relation to Adagio Point itself.
- 678 The applicant's consultants conclude that the results of the mirror-massing assessment indicate that the uniform mirror-massing of Adagio Point would cause more adverse effects than the proposed development. They identify that the current baseline condition for the assessment results in artificially inflated impacts, where results to individual windows/rooms would be much improved if the baseline was more urban-like. They highlight that this confirms the need for a more context-based approach to the daylight and sunlight assessment for the proposed development.

Overshadowing

Policy

- 679 The BRE Guidelines suggest that Sun Hours on Ground assessments should be undertaken on the equinox (21st March or 21st September) and it is recommended that at least half of a garden or amenity space area should receive at least two hours of sunlight on 21st March, or that the area which receives two hours of direct sunlight

should not be reduced to less than 0.8 times its former value (i.e. there should be no more than a 20% reduction).

Discussion

- 680 The applicant's daylight and sunlight consultants have carried out a sun-on-ground overshadowing assessment in relation to all relevant external amenity areas. The 21st March overshadowing results for the amenity areas at Union Wharf show that the area to the north west of Block B (which includes a pocket park, and one of the two amenity spaces serving the pre-school nursery) would not meet the BRE target. The assessment finds that a large proportion of this overshadowing results from the Union Wharf development itself, given that these spaces lie to the north west of Block B.
- 681 In relation to rooftop amenity areas within Union Wharf, the assessment finds that two small roof terrace areas within Block B would also not fully meet the BRE guidelines on 21st March. The assessment considers that this is largely due to overshadowing from Union Wharf itself, with one of the terraces currently receiving 2 hours of direct sunlight on 21st March to just 15% of its area. The assessment finds that the principal rooftop amenity space within Block B would however remain almost entirely 'well-sunlit' (at 98% and with no change as a result of the proposed development). Similarly, the amenity space serving the pre-school nursery which is located between Block B's south western elevation and the application site boundary would also remain unaffected (at 100% 'well-sunlit' in the existing and proposed condition).
- 682 In relation to those spaces which fall below the BRE guidelines, the applicant's daylight and sunlight consultants have carried out an assessment of these spaces on 21st June which show improved direct sunlight provision levels.
- 683 Within a built up urban context featuring tall buildings it must be recognised that there will be instances of overshadowing where the BRE guidelines cannot be achieved. In relation to the small pocket park space to the north west of Union Wharf Block B, it must be recognised that much of the overshadowing of this space results from its siting to the north west of the Union Wharf block itself, and therefore it relies on an open aspect over the undeveloped application site for much of its direct sunlight. This pocket park is a small space laid with artificial turf and features a small number of seating platforms and areas of planting, and in amenity terms its value is therefore somewhat constrained. The principal amenity space serving residents of Union Wharf would continue to meet the BRE guidelines in terms of sun on ground. It must also be recognised that the proposed development will deliver substantive new areas of public realm, including an exceptional quality south facing public space overlooking Deptford Creek. These public realm spaces would be readily accessible to residents of Union Wharf and the benefits of these new high quality spaces are considered to outweigh the impact in terms of increased overshadowing of the pocket park and other smaller spaces as identified above. Having regard to the urban context, the site's Opportunity Area designation, and the planning history of the site and its surrounding development, it is not considered that these impacts in terms of additional overshadowing of certain spaces would be unacceptable.

Daylight, sunlight and overshadowing conclusion

- 684 The submission has been accompanied by a comprehensive daylight and sunlight assessment undertaken as part of the Environmental Statement. The assessment has been updated and expanded in its scope in response to matters raised by officers and by the independent consultants appointed by the Council to review the Environmental Statement, and an addendum in relation to the assessment was submitted to the Council in July 2020 (Addendum to Updated Chapter 9 Rev A: Daylight, Sunlight, Overshadowing and Solar Glare, BLDA Consultancy, May 2020).

- 685 The independent consultants appointed by the Council have undertaken a comprehensive review of the submitted daylight and sunlight assessment. This review finds that the scope of the assessment and its methodological approach are appropriate and proportionate to the type, location and scale of the proposed development. It also finds that the conclusions drawn by the assessment are reasonable. In relation to Adagio Point, the review notes that Adagio Point does experience a number of significant adverse alterations in terms of daylight, and that whilst the number of adverse alterations may tend to indicate an overall 'major adverse' effect for daylight to this building for the purposes of the Environmental Impact Assessment, the reasoning provided in the assessment with regard to BLDA Consultancy's conclusion that the overall effect categorisation for Adagio Point would be 'moderate adverse' is considered to be reasonable. The Council's appointed independent consultants conclude that the submitted daylight and sunlight assessment "provides sufficient information and reasoning to support the overall conclusion that the daylight and sunlight results, which do include breaches of the BRE guidelines, may be considered acceptable".
- 686 It is clear from the assessment that the proposed development will result in reductions in daylight and sunlight levels for surrounding properties. The effect of these reductions will be greatest in relation to apartments within Adagio Point and Union Wharf, both in terms of the proportion of windows and rooms which would fail to meet BRE recommended levels, and in terms of the extent of reduction to those windows and rooms which would be most significantly affected. The applicant's consultants classify the overall impact on daylight to apartments within Adagio Point as being 'moderate adverse', and the impact on daylight to apartments within Union Wharf as being 'minor adverse'. Whilst apartments within other surrounding blocks would also experience reductions in daylight and sunlight which would result in windows and rooms failing to meet BRE recommended levels, the impact would generally be less significant in terms of both the proportion of windows and rooms which would fail to meet BRE recommended level, and the extent of reduction to those windows and rooms which would be affected. The applicant's consultants classify the overall impact on daylight to apartments within these other surrounding blocks as being either 'minor adverse' or 'negligible'.
- 687 As identified within the assessment, it must be recognised that under the existing baseline situation a proportion of windows and rooms in surrounding blocks currently do not meet the BRE guidelines in relation to daylight and sunlight. Given that many of the windows assessed currently benefit from an unobstructed open outlook over the application site, this failure to meet BRE guidelines is considered to result in large part from the design of these surrounding buildings with projecting / recessed balconies which reduce levels of daylight, and the internal layout of these blocks with deep rooms. This exemplifies that it is not always possible to meet BRE guidelines in relation to higher density schemes, and highlights that the BRE guidance needs to be treated flexibly, especially in denser urban environments and particularly where neighbouring properties have existing architectural features (such as balconies) which necessarily impose restrictions on levels of daylight and sunlight.
- 688 The BRE guidance is based around a suburban model of development and therefore it must be applied more flexibly in urban locations where expectations of levels of daylight and sunlight are likely to be different. The Mayor's Housing SPG (para 1.3.45) makes clear that flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, and that guidelines should be applied sensitively to higher density development, especially in opportunity areas and other locations, where BRE advice suggests considering the use of alternative targets.
- 689 In relation to the use of alternative targets, the BRE guidance identifies that in situations where an existing building is located in close proximity to its boundary and relies on an existing open outlook over the proposal site for its daylight and sunlight, it may be appropriate to set an alternative massing which would be a mirror image of the

neighbouring building under consideration, positioned an equal distance from the site boundary. Adagio Point is sited with very limited set back from Copperas Street. A distance of between approximately 6 – 10m is maintained between the south elevation of Adagio Point and the centre line of Copperas Street. This suggests that Adagio Point could be relying on an open outlook over the application site for its daylight and sunlight. In accordance with the BRE guidance, the applicant's consultants have therefore assessed alternative scenarios based on a mirror-massing of Adagio Point, which represents the hypothetical situation of a mirror image of Adagio Point being sited on the application site, positioned an equal distance from the site boundary. The purpose of this mirror-massing assessment is to indicate what the impacts would be for levels of daylight and sunlight to Adagio Point if a more urban form of development occupied the application site. The applicant's consultants conclude that the mirror-massing assessment indicates that Adagio Point is largely relying on its current open outlook over the undeveloped application site for its daylight and sunlight, and that a mirror-massing of Adagio Point on the application site would result in a significant reduction in terms of daylight and sunlight levels for Adagio Point itself. The applicant's consultants highlight that this assessment raises a question over whether Adagio Point can be considered a 'good neighbour' as per the BRE guidance, 'standing a reasonable distance from the boundary and taking no more than its fair share of light'.

690 It must also be recognised that with regard to the site's planning history, the previous minded to grant scheme (LB Lewisham planning application reference DC/06/063352) proposed buildings on the site rising to 9, 16 and 22 storeys. The development of this site as envisioned as part of the wider masterplan for the surrounding area was therefore intended to accommodate the tallest building within the immediate vicinity, and as identified in the Inspector's Report on the subsequently refused scheme, it is appropriate to consider this minded to grant scheme as a material consideration. The masterplan clearly envisaged the redevelopment of the application site, and that it would accommodate tall buildings. Given that it is the last remaining plot on Copperas Street to be redeveloped, the occupiers of surrounding blocks have benefitted from an open outlook over the application site since their blocks were constructed. Given the planning context, the occupiers of surrounding blocks should have an expectation of light levels which reflect the ongoing redevelopment of the area and can be reasonably expected within an urban area comprising tall buildings. It would not be appropriate to compromise the ability of the application site to accommodate a form of development for which it was intended to accommodate, simply as it is the last plot to come forward for redevelopment.

691 In relation to overshadowing of amenity spaces, whilst there would be a degree of harm resulting from increased overshadowing of certain smaller amenity spaces delivered as part of the recently completed Union Wharf development, it must be recognised that some of these spaces are already partly compromised by their siting in relation to the Union Wharf development itself. The proposed development will deliver substantive new areas of public realm, including an exceptional quality south facing public space overlooking Deptford Creek, which would be readily accessible to residents of Union Wharf. The benefits of these new high quality spaces are considered to outweigh the impact in terms of increased overshadowing of the pocket park and other amenity spaces. Having regard to the urban context, the site's Opportunity Area designation, and the planning history of the site and its surrounding development, it is not considered that these impacts in terms of additional overshadowing of certain spaces would be unacceptable.

692 In conclusion, it is recognised that occupiers of a number of surrounding apartments will experience reductions in terms of loss of daylight and sunlight. The greatest impact will be in relation to Adagio Point and Union Wharf, and occupiers of some of the units within these buildings which face the application site will experience significant reductions in terms of daylight and sunlight. For the reasons set out above, it is considered that this impact must be considered in the context of the existing baseline context, the need to

apply BRE guidelines flexibly in the context of urban development within a designated opportunity area, the outcome of the mirror-massing assessment, and the site's planning history. This impact must also be weighed against the public benefits of the scheme. In terms of public benefits, the development would deliver a new facility for Trinity Laban to shell and core to facilitate its expansion as a leading centre for the training of professional contemporary dance artists at their existing Deptford site. As detailed above, enhanced community use of the expanded facilities would be secured via legal agreement. The proposed development would deliver 393 new homes of which 15% (59 units) would be intermediate (shared ownership) tenure, contributing towards the borough's housing requirement. In addition, the development would deliver substantive new areas of high quality public realm, including opening up access along its frontage to Deptford Creek. The creation of commercial floorspace at ground floor level would support job creation, and a substantive financial contribution would be secured to deliver highway and public realm improvements to Copperas Street to create a high quality environment for pedestrians and cyclists. The proposed development would deliver substantive public benefits, and taking all the identified public benefits into account, it is considered that they outweigh the identified harm in relation to those apartments which would experience reductions in terms of levels of daylight and sunlight.

693 As such, it is considered that the daylight, sunlight and overshadowing impacts of the proposed development would not be unacceptable, and that the public benefits would outweigh the identified harm.

7.6.4 Noise and disturbance

Policy

694 PPG states LPAs should consider noise when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.

695 A range of other legislation provides environmental protection, principally the Control of Pollution Act. It is established planning practice to avoid duplicating the control given by other legislation.

696 Construction and demolition activity can result in disturbance from among things noise, vibration, dust and odour. This can harm living conditions for the duration of construction. Since some disturbance is inevitable, such impacts are usually not considered to be material planning considerations. In certain circumstances, particularly large or complex works may require specific control by planning. Further guidance is given in the Mayor of London's The Control of Dust and Emissions during Construction and Demolition SPG (2014).

Discussion

697 The residential element of the proposed development is not considered to result in unacceptable levels of noise pollution. The extension to Trinity Laban would create expanded facilities including studios and an auditorium which have the potential to generate noise. Planning conditions are however proposed to secure an appropriate level of soundproofing to the development which would ensure no unacceptable impact either for occupiers of the proposed residential or for occupiers of surrounding buildings. It is recognised that the redevelopment along Copperas Street and Creekside has sought to retain a mixed use environment with commercial uses at ground floor level and residential uses above. The levels of background noise associated with these established commercial uses is therefore an accepted part of the surrounding context. Similarly, it is recognised that the Laban Building currently hosts events and activities within its studios and auditorium which can involve larger groups of people entering the building and leaving the building at similar times. Any noise associated with the arrival or

departure of groups from the Laban Building already forms part of the baseline context, and in any noise disturbance resulting from this is likely to be limited and short term by its nature. Recognising that the expansion of Trinity Laban's facilities would result in an increased number of events and activities taking place, an Event Management Plan would be secured by s106 agreement to manage both the transport implications of groups arriving and departing, and to mitigate any other form of disturbance such as noise associated with the congregation of people.

698 In relation to the noise impacts associated with the construction phase, conditions are proposed requiring submission of, and implementation in accordance with, a Construction Environmental Management Plan and a Construction Logistics Plan. These would provide the mechanism to mitigate any noise impacts associated with the construction phase.

7.6.5 Impact on television and radio reception

699 A Television and Radio Reception Impact Assessment (GTech Surveys Ltd, 4 June 2018) has been submitted alongside the application submission to assess the effects of the proposed development upon television broadcast service reception. This identifies that the use of tower cranes during the construction phase and the effect of the completed development itself may cause signal disruption to digital terrestrial television to properties immediately adjacent to the site to the north east, and to digital satellite television within a shadow zone located broadly to the north west of the site. The report identifies mitigation measures to address these issues in terms of the betterment of antennas to affected properties to address impacts to digital terrestrial television, and the repositioning of satellite dishes to affected properties to address impacts to digital satellite television.

700 The delivery of the identified mitigation measures would be secured by the s106 agreement to ensure that any impact on television and radio reception to surrounding properties would be suitably mitigated.

7.6.6 Impact on neighbours conclusion

701 The application site is currently occupied by a small number of low rise derelict buildings, set within extensive areas of hardstanding. As such the surrounding residential developments of Creekside Village West and Union Wharf have a largely open outlook and unobstructed views across the application site. Given this existing baseline, any development of an urban scale on the site could be expected to result in impacts to neighbouring development in terms of enclosure, outlook, privacy, daylight, sunlight and overshadowing.

702 With regard to the site's planning history, the previous minded to grant scheme (LB Lewisham planning application reference DC/06/063352) proposed buildings on the site rising to 9, 16 and 22 storeys. The development of this site as envisioned as part of the wider masterplan for the surrounding area was therefore intended to accommodate the tallest building within the immediate vicinity, and as identified in the Inspector's Report on the subsequently refused scheme, it is appropriate to consider this minded to grant scheme as a material consideration.

703 The application site represents the last former industrial site to be redeveloped on Copperas Street. Given that development of a substantial scale and massing was envisaged on this site as part of the wider masterplan for the surrounding area, occupiers of surrounding developments which have been developed ahead of the application site should have a reasonable expectation that the site will be developed in due course, and that this will necessarily result in impacts in terms of enclosure, outlook, privacy, daylight, sunlight and overshadowing compared to the existing baseline. It would be unreasonable that the development of the application site be constrained

simply because it is the final site to come forward for development in the immediate vicinity.

- 704 In the context of the urban scale of development that has characterised the redevelopment of Copperas Street over the last two decades, and the site's location within a designated Opportunity Area, the impact of the proposed development in terms of enclosure, outlook and privacy for surrounding blocks is not considered to be unacceptable.
- 705 The proposed development would result in harm to occupiers of neighbouring apartments through reductions in daylight and sunlight. Whilst apartments within a number of surrounding blocks will experience reductions to daylight and sunlight, the greatest impact will be in relation to Adagio Point, both in terms of the proportion of windows and rooms which would fail to meet BRE recommended levels, and in terms of the extent of reduction to those windows and rooms which would be most significantly affected. Occupiers of some of the units within this building which faces the application site will experience significant reductions in terms of daylight and sunlight. For the reasons set out above, it is considered that this impact must be considered in the context of the existing baseline context, the need to apply BRE guidelines flexibly in the context of urban development within a designated Opportunity Area, the outcome of the mirror-massing assessment, and the site's planning history. Whilst the degree of harm to particular units will be significant, in weighing this harm against the public benefits of the scheme, it is considered that the substantive benefits that the scheme would deliver do outweigh this harm.

7.7 SUSTAINABLE DEVELOPMENT

General Policy

- 706 NPPF para 148 sets an expectation that planning will support transition to a low carbon future.
- 707 This is reflected in relevant policies of the London Plan and the Local Plan.
- 708 CS Objective 5 sets out Lewisham's approach to climate change and adapting to its effects. CSP 7, CSP 8 and DMP 22 support this.
- 709 London Plan Policies require developments to meet the highest standards of sustainable design, including the conservation of energy and water; ensuring designs make the most of natural systems and the conserving and enhancing the natural environment.
- 710 The London Plan approach is reflected in Core Strategy Policy 7 'Climate change and adapting to the effects' and Policy 8 'Sustainable design and construction and energy efficiency' which states that the Council will explore opportunities to improve the energy standards and other sustainability aspects involved in new developments and that it will expect all new development to reduce CO2 emissions through a combination of measures including maximising the opportunity of supplying energy efficiently by prioritising decentralised energy generation for any existing or new developments and meet at least 20% of the total energy demand through on-site renewable energy.
- 711 Core Strategy Policy 8 requires non-residential development to achieve a minimum of Building Research Establishment Environmental Assessment Method 'Excellent' standard.
- 712 DM Policy 22 'Sustainable design and construction' provides further guidance in terms of how all developments will be required to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling.

7.7.1 Energy and carbon emissions reduction

Policy

- 713 LPP 5.1 seeks an overall reduction in CO2 emissions whilst LPP 5.2 (Minimising Carbon Dioxide Emissions) states that major development proposals should make the fullest contribution to minimising CO2 in accordance with the following hierarchy: (1) be lean: use less energy; (2) be clean: supply energy efficiently; and (3) be green: use renewable energy.
- 714 In addition, LPP 5.2 sets targets for CO2 reduction in buildings, expressed as minimum improvements over the Target Emission Rate (TER) outlined in national building regulations. The target for residential buildings is zero carbon from 2016 and non-domestic buildings from 2019.
- 715 LPP 5.7 presumes that all major development proposals will seek to reduce CO2 by at least 20 per cent through the use of on-site renewable energy generation wherever feasible.
- 716 Draft LPP SI2 requires major development to be net zero carbon, through reducing emissions and minimising energy demand in accordance with the energy hierarchy. The policy requires a minimum on-site reduction of at least 35% beyond Building Regulations for major development, and where it is clearly demonstrated that the zero-carbon target cannot be full achieved on site, and shortfall should be provided through a cash in lieu contribution to the borough's carbon offset fund or provided off-site.

717 CSP8 seeks to minimise the carbon dioxide (CO₂) emissions of all new development and encourages sustainable design and construction to meet the highest feasible environmental standards.

718 DMP22 require all developments to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling using the published hierarchy.

Discussion

719 The application was submitted with an energy strategy based on combination of energy efficiency measures and on-site low carbon energy technology in the form of combined heat and power. In response to comments from the GLA and the Council's Environmental Sustainability team, the applicant has revisited the proposed energy strategy for the development. An updated Sustainability and Energy Statement was submitted to the Council in September 2020 (Sustainability and Energy Statement – Update, RSK, 24 September 2020).

720 The updated Sustainability and Energy Statement identifies that a CO₂ reduction below 2013 Building Regulations is anticipated through a combination of energy efficiency measures (U Values, air tightness, thermal bridging, low energy lighting etc) and on-site low carbon energy technology (Air Source Heat Pump (ASHP) and Solar PV). The combined heat and power element has been removed from the scheme.

721 A BREEAM 2018 New Construction Pre-Assessment has been undertaken in relation to the proposed educational space within the Trinity Laban extension. The pre-assessment indicates that a score of 73.70% or more is achievable which would deliver an 'Excellent' rating (for which a minimum score of 70.00% is required). A condition is proposed to secure an 'Excellent' rating, with submission of a Design Stage Certificate and a Post Construction Certificate to confirm this.

Be Lean

722 A range of enhanced energy efficiency measures beyond maximum 'back stop' 2013 Building Regulations values are proposed for the development. These include high levels of insulation within the proposed building fabric to reduce heat loss to achieve enhanced U values, thermal bridging and air tightness, low energy lighting and gas savers. A Building Management System (BMS) or sub-meters will be specified to monitor energy use from major building services systems and by tenant/building function areas. External light fittings and controls will be specified in accordance with BREEAM criteria to ensure energy efficiency and minimise light pollution. Building lifts will be energy efficient, and energy efficient equipment (e.g. kitchen and catering facilities) are also proposed.

723 Based on the SAP 10 emissions factors, the domestic element of the proposed development is estimated to achieve a reduction of 85 tonnes per annum (22%) in regulated CO₂ emissions through "be lean" energy efficiency measures. The non-domestic element of the proposed development is estimated to achieve a reduction of 47 tonnes per annum (30%) in regulated CO₂ emissions through "be lean" energy efficiency measures.

Be Clean

724 In order to reduce carbon emissions an ASHP system is proposed combined with communal gas boilers. The ASHP system would meet 45% of peak thermal heating demand, and the communal gas boilers would meet the remaining 55% of peak thermal heating demand. The ASHP system will be run by grid electricity with an efficiency of

3.7, providing 45% of the heat load and natural gas for the boilers with an efficiency of 96% providing 55% of the heat load.

725 Based on the SAP 10 emissions factors, the domestic element of the proposed development is estimated to achieve a reduction of 79 tonnes per annum (21%) in regulated CO2 emissions through “be clean” measures. The non-domestic element of the proposed development is estimated to achieve a reduction of 27 tonnes per annum (18%) in regulated CO2 emissions through “be clean” measures.

726 The South East London CHP (SELCHP) Heat Network is located approximately 1km to the west of the site. Following conversations between the applicant and SELCHP, it is understood that there is not currently an opportunity to connect to this network, however the Sustainability and Energy Statement affirms that the applicant is committed to connecting the development to this or any future local heat network that is developed in the local area, where it is both technically and commercially viable to do so.

Be Green

727 43.5kWp of PV panels (which equates to an area of approximately 326 sqm) are proposed on the roof elements of Buildings 1 and 2, which would serve the non-domestic element of the proposed development. The non-domestic element is estimated to achieve a reduction of 9 tonnes per annum (6%) in regulated CO2 emissions through these “be green” measures. A detailed roof layout has been provided demonstrating that the roof’s potential for a PV installation has been maximised. Full details would be required by condition.

Carbon Offset

728 Based on the SAP 10 emissions factors the residential apartments are predicted to achieve a 43% CO2 saving (beyond the minimum 35% target) through a combination of energy efficiency (22% saving) and ASHP (21% saving). Residual CO2 emissions to “zero carbon” standards of 6,542 tonnes are estimated over 30 years for offsetting.

729 Based on the SAP 10 emissions factors the combined non-domestic areas achieve a 54% CO2 saving through a combination of energy efficiency (30 % saving), ASHP (18%) and 43.5 kWp of PV (approx. 326 sqm) (6%).

730 Taking the development as a whole, based on SAP 10 emissions factors energy efficiency measures deliver a 25% CO2 saving, with ASHP delivering a further 20% and with 43.5 kWp of PV a saving of 1.7% to result in a total CO2 reduction of 46%. This results in a total shortfall of residual CO2 emissions of 189 tonnes per annum, which equates to 5,659 tonnes over 30 years. As such, the domestic and non-domestic carbon dioxide savings exceed the on-site targets set within Policy 5.2 of the London Plan and Policy SI2 of the Draft London Plan, however, the domestic element is required to meet the zero carbon target and any remaining regulated carbon dioxide emissions must be met through a contribution to Lewisham’s offset fund.

731 In accordance with the Council’s Planning Obligations SPD, a carbon offset contribution of £104 per tonne is required for the 30 year period. This equates to a financial contribution of £588,536.

732 In this instance, the viability assessment submitted by the applicant and interrogated by the Council’s appointed viability consultant indicates that there is no surplus generated given the scheme’s provision of the Trinity Laban extension to shell and core, the provision of shared ownership units, and the other financial contributions that are required to make the scheme acceptable in planning terms. As such, for the applicant to be in a position to provide the full carbon offset contribution, the affordable housing offer would need to be reduced. Recognising that the applicant has worked to maximise the

on-site reduction of carbon dioxide emissions through improving the development's energy performance by improving building fabric efficiencies and replacing CHP with ASHP to meet thermal heating demand, the applicant proposes that a reduced financial contribution of £200,000 would be committed to via the s106 agreement and that should any surplus be identified through either the early or late stage viability review mechanisms, this could then be transposed into a financial contribution up to the maximum value of the carbon offset contribution, subject to the Council's priorities or requirements at the time.

- 733 Whilst the developer would not be meeting the full carbon offset requirement, given the shortfall of £388,536 against the policy requirement, it is recognised that the submitted viability assessment which has been robustly assessed by the Council's appointed viability consultant demonstrates that the scheme would not be able to support the full contribution. As such, for the applicant to be in a position to provide the full financial contribution towards the carbon offset requirement, the affordable housing offer would need to be reduced. As this is not desirable and recognising that the applicant has during the course of the application's consideration amended the sustainability and energy strategy in order to maximise the on-site carbon reductions through improving building efficiencies, replacing CHP with ASHP and increasing the provision of roof mounted PV, it is considered acceptable in this instance that if any surplus should be identified by either the early or late stage viability review mechanisms, this could then be transposed into a financial contribution up to the maximum value of £388,536 (index linked) as set out above, subject to the Council's priorities or requirements at the time.

7.7.2 Overheating

Policy

- 734 LP5.9 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 SI14 echoes this.
- 735 DMP 22 reflects regional policy.
- 736 Further guidance is given in the Sustainable Design and Construction SPG (GLA) and Chapter 5 of the London Climate Change Adaptation Strategy.

Discussion

- 737 An Overheating Risk Assessment (Meinhardt, August 2018) was submitted as part of the application submission.
- 738 In order to mitigate overheating, glazing with a solar transmission factor (g value) of 0.18 is proposed for both the domestic and non-domestic elements of the development. Individual Mechanical Ventilation with Heat Recovery (MVHR) units are proposed to provide fresh air and extract ventilation for the apartments and would include a summer bypass mode and a boost mode that would enable the unit (with the apartment windows closed) to achieve an air changes rate of 2 air changes per hour in the summer conditions, exceeding the minimum ventilation requirement of Part F of the Building Regulations. In this respect, it is considered that the proposed MVHR units would provide an effective means of ventilation which would mitigate against overheating when the apartment windows are closed.
- 739 The assessment demonstrates compliance with the Chartered Institution of Building Services Engineers (CIBSE) guidance TM 59 Design Methodology for the Assessment of Overheating Risk in Homes for DSY1. The assessment concluded that, in accordance with CIBSE TM59, there was no need to carry out modelling using the alternate years

(DSY2 and DSY3) as there were no particular concerns in terms of protecting vulnerable occupants or in the usability of the building.

- 740 Following submission of the application, the GLA issued an updated document “Guidance on Preparing Energy Assessments” in October 2018. In response to subsequent comments from the GLA and the Council’s Environmental Sustainability team requesting an assessment of the scheme against the DSY2 and DSY3 (2020) weather scenarios, this further assessment has now been undertaken. The results demonstrate that the CIBSE compliance criteria cannot be met at the proposed development for all apartments for the DSY2 and DSY3 (2020) weather scenarios through the use of natural ventilation via openable windows/doors alone.
- 741 It is acknowledged in the latest GLA energy strategy guidance that meeting the CIBSE compliance criteria is challenging for the DSY2 and DSY3 weather files which involve more extreme weather scenarios than DSY1, and CIBSE TM59 suggests that a pass is not mandatory with these scenarios. The Overheating Risk Assessment and the Sustainability and Energy Statement demonstrate that the risk of overheating has been reduced as far as practical in accordance with the cooling hierarchy, and that the passive design provides an appropriate balance between minimising summer heat gain, maximising winter heat gain, and maximising natural daylight. It is proposed that residents would cope in extreme weather events by operating the MVHR unit in boost mode and by using portable fans.
- 742 On the basis of this further assessment, the Council’s Sustainability Manager has confirmed that they raise no objection to the proposed development in relation to overheating, subject to a planning condition to secure the provisions within the submitted Overheating Risk Assessment. In October 2020, the GLA confirmed that they will not be requesting any further information in relation to either energy and overheating matters.

7.7.3 Urban Greening

Policy

- 743 LPP 5.10 requires development to contribute to urban greening, including tree planting, green roofs and walls and soft landscaping, recognising the benefits it can bring to mitigating the effects of climate change.
- 744 LPP 5.11 encourages major development to include planting and especially green roofs and walls where feasible, to deliver as many of the policy’s seven objectives as possible.
- 745 DLPP G5 expects major development to incorporate measures such as high-quality landscaping (including trees), green roofs and green walls.
- 746 CSP 7 expects urban greening and living roofs as part of tackling and adapting to climate change. DMP 24 requires all new development to take full account of biodiversity and sets standards for living roofs.

Urban greening factor

- 747 The Draft London Plan introduces the concept of an Urban Greening Factor (UGF) as a principle to support improved public realm and air quality. Policy G5 of the Draft London Plan identifies that development should contribute towards urban greening, with a UGF target score of 0.4 recommended for residential-led development. The UGF is calculated on the basis of a weighting given to different surface finishes ranging from hard and soft landscaping through to intensive and extensive green roofs on a development. The aggregate of the areas multiplied by the weighting is then divided by the total site area to provide a UGF for a development scheme.

748 Due to the extensive areas of landscaped public realm proposed which account for approximately 50% of the site area, together with the areas of green roof, the proposed development achieves a UGF of 0.418. This exceeds the target UGF of 0.4 for residential-led schemes, and the GLA in its Stage 1 response confirmed that this is strongly supported. The contribution to urban greening with its associated benefits in terms of amenity, ecology, biodiversity, and the urban heat island effect is a planning benefit of the scheme to which weight is accorded.

Living roofs

749 A number of living roof areas will be provided on the upper levels of the proposed development, at Levels 26 and 28 in Building 1, Levels 24 and 25 in Building 2, and at the top of the cores of each building. These areas will only be accessible for maintenance and will be planted on an extensive substrate depth of up to 150mm in order to maximise the range of plants and biodiversity value. This would be in accordance with the Council’s requirements, and the specific details of living roof provision will be secured via condition.

Table 7: Living Roof Provision

Type of Living Roof/Wall	Size of Living Roof/Wall (m2)	Size of Living Roof (as % of total roof space)
Green roof - inaccessible	70	2%
Green roof below PVs	474	16%
Total	544	18%

7.7.4 Flood Risk

Policy

750 NPPF para 155 expects inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. Para 163 states development should only be allowed in areas at risk of flooding where mitigation measure can be included.

751 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.

752 LPP 7.13 expects development to contribute to safety, security and resilience to emergency, including flooding.

753 DLPP SI12 expects development proposals to ensure that flood risk is minimised and mitigated.

754 CSP 10 requires developments to result in a positive reduction in flooding to the Borough. CSP 11 ‘River and waterways network’ complements this, and identifies that the Council will work with the Environment Agency and community organisations to ensure that Deptford Creek is preserved and enhanced and contributes to the Blue Ribbon Network principles, which includes its water quality, landscape, biodiversity, amenity and historical value together with wider recreational and health benefits, as its potential as a transport route.

755 Further guidance is given in the NPPG and the GLA Sustainable Design and Construction SPG.

Discussion

756 A Flood Risk Assessment (FRA) (Cannon Consulting Engineers, July 2018) has been submitted alongside the application and forms Appendix 17.1 to the Environmental Statement. This is complemented by a River Wall Report on Condition and Capacity (Meinhardt, Issue 3 – 1 July 2020), which has been subject to a series of revisions during the course of the application's consideration in order to address the comments of the Environment Agency.

Tidal and river flood risk

757 The application site lies within Flood Zone 3 (high probability). Protection from tidal flooding in this location is provided by the Thames Tidal Barrier and the raised river walls which line the banks of the Thames and creeks upstream of the barrier.

758 Although the site is defended by the River Thames tidal flood defences up to a 1 in 1000 year (0.1%) level, there is still a residual risk of flooding in the event of a failure of the Thames tidal flood defences. The Environment Agency flood data shows that the site does not lie within the current fluvial floodplain associated with the Ravensbourne River.

759 Under the Environment Agency's Thames Estuary 2100 (TE2100) strategy, the flood defence wall heights prescribed for London will need to increase in order to account for the proposed increase in the flood levels associated with the evolving operational regime of the barrier. The intention is that by the year 2100 flood defence walls will be at a height of 6.2m AOD (or greater). The proposal to increase flood defence levels means that the site will continue to be defended from the design flood levels in the Thames.

760 Residential units within the development would be sited at the first floor and above, and these residential floor levels would be set well above the Thames Estuary 2100 plan second stage flood defence raising level of 6.20m AOD, with first floor levels set at 9.55m AOD and 10.75m AOD within the two residential towers.

761 In terms of flood management in the event of a breach of the defences, residents of the development would be advised to remain in their apartments during a flood unless directed to evacuate by the relevant authority. The primary means of managing flood risk to the users of the commercial and educational spaces at ground floor level would be through evacuation and closure in response to a flood warning being issued. The basement would be evacuated and closed following receipt of a flood warning.

762 In relation to flood risk, the Environment Agency have identified that there is some uncertainty over the potential risk of fluvial flooding from overland flow over the west bank of the River Ravensbourne from further upstream. Accordingly, there is some risk that flood water could enter the basement of the proposed development during an extreme fluvial flood event. The Environment Agency have confirmed that they will be undertaking revised flood modelling of the River Ravensbourne to provide a better understanding of this risk. They are however satisfied that in advance of this modelling being undertaken, it appropriate to deal with this issue by imposing a planning condition requiring the applicant to assess the risk of flooding to the basement and incorporate appropriate flood risk reduction measures, such as a rising barrier across the basement entrance to minimise the risk of flooding.

763 Subject to the imposition of a series of detailed conditions relating to flood defence measures, the Environment Agency have confirmed they raise no objection to the proposed development on flood risk grounds.

Creek Wall

- 764 The application site boundary has been extended during the course of the application's consideration to include the full stretch of Creek wall which forms the site's frontage to the Creek. A small area of the Creek wall which lies within Trinity Laban's ownership had not initially been included within the application site boundary, however this was subsequently included following discussion with the Environment Agency, recognising that there would be a requirement for works to replace this stretch of Creek wall.
- 765 The site's frontage to the Creek therefore comprises three sections of Creek wall. At the western extent, there is a timber clad section of wall which lies within Trinity Laban's ownership and extends in front of their existing building and car park (referred to as Zone 1 - Laban Wall). The central section comprises a stretch of Creek wall which was rebuilt by the Environment Agency in 2010 as part of an upgrade of local flood defences (referred to as Zone 2 - Thanet Wharf Wall). This stretch incorporates two intertidal terraces. The eastern section adjacent to the Union Wharf scheme comprises an older section of Creek wall (referred to as Zone 3 - Weybridge Wharf Wall).
- 766 In response to the initial objection from the Environment Agency, in April 2019 the applicant submitted revised plans and associated supporting information to seek to address the Environment Agency's concerns. As part of this, the basement of the proposed development has been reduced in size in order to maintain a minimum 6m set back from the rear of the capping beam of the Creek wall to the outside face of the basement wall. This is to allow for flood defence inspection and maintenance and replacement works, including river enhancement or restoration opportunities, and also to allow a suitable margin to support ecology and biodiversity.
- 767 In response to the issues raised by the Environment Agency, the applicant submitted a River Wall Report on Condition and Capacity which has been informed by further detailed investigation and survey of the existing Creek wall. Several iterations of the River Wall Report on Condition and Capacity have been submitted during the course of the application's consideration, in order to address the detailed comments of the Environment Agency, with the version dated 1 July 2020 representing the most up to date submission.
- 768 The submitted River Wall Report on Condition and Capacity identifies that the Zone 2 - Thanet Wharf section of wall is in good condition and has been designed for a 100 year design life. As such this section of wall is to be retained, with allowance for the future vertical extension of this wall to meet enhanced flood resistance in line with the Thames Estuary 2100 plan. In relation to Zone 1 - Laban Wall and Zone 3 - Weybridge Wharf Wall, the report identifies that there is some evidence of minor deterioration to these sections of wall. The report confirms that both of these sections of Creek wall will be replaced as part of the proposed development, and the replacement walls have been designed to account for the 2100 flood levels and would allow for future raising to a level of 6.2m AOD to meet enhanced flood resistance. The replacement sections of Creek wall would also incorporate the provision of new tidal terraces and habitat features to facilitate habitat colonisation. Further detail on this is set out under the 'Ecology and Biodiversity' section of the report below.
- 769 In response to the revised proposals and additional information, the Environment Agency have confirmed that they raise no objection to the proposed development, subject to the imposition of a series of detailed conditions relating to flood defence measures and the construction of the new elements of Creek wall.

Surface water and ground water flood risk

- 770 The FRA identifies that the surface water flood map indicates that surface water does not pose a significant or notable threat to the proposed development. There are no

records of historic groundwater flooding at the site, however due to site geology, there is the potential for groundwater to enter the proposed basement which would be managed with a basement pump. Thames Water records do not include any past instances of sewer flooding in the area, however as with groundwater flows, any flood flows from the sewer network able to enter the basement would be managed via the basement pump.

7.7.5 Sustainable Urban Drainage

Policy

- 771 The NPPF at para 165 expects major development to incorporate sustainable urban drainage systems (SUDS) unless there is clear evidence it is inappropriate.
- 772 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.
- 773 DLPP SI13 expects development to achieve greenfield run-off rates in accordance with the sustainable drainage hierarchy.
- 774 CSP 10 requires applicants demonstrate that the most sustainable urban drainage system that is reasonably practical is incorporated to reduce flood risk, improve water quality and achieve amenity and habitat benefits.
- 775 Further guidance is given in the London Plan's Sustainable Design and Construction SPG, the London Sustainable Drainage Action Plan, the Non-Statutory Technical Standards for Sustainable Drainage Systems and CIRIA C753 The SuDS Manual.

Discussion

- 776 The FRA sets out proposals for surface water management, and these have been refined in response to comments from the Council's Environmental Sustainability team.
- 777 The FRA identifies that surface water discharge through infiltration is impractical given the potential for elevated groundwater levels in this waterside location. It is therefore proposed that surface water runoff would be discharged to Deptford Creek via an outlet within the Creek Wall. No surface water would be directed to the Thames Water public sewer network, but would instead be stored on-site and discharged to Deptford Creek via an outfall. A 150mm storage zone would be created across the entire basement level where rainfall would be stored in geocellular tanks above the basement slab. These would store water when the Creek is in flood, until it is able to be discharged via a controlled outlet point to the Creek. In order to account for the potential overloading of the proposed storage (from a significant rainfall event or prolonged period of locking of the outfall) an emergency pump is proposed, to pump flows over/through the Creek Wall in order to avoid discharge to the sewer network and avoid inundation of the proposed basement. Permeable paving and living roofs across the development would also contribute towards surface water management.
- 778 A Reclaimed Water Assessment (June 2020) was prepared in response to the comments of the Council's Environmental Sustainability Team. This identifies that rainwater harvesting would be utilised as part of the sustainable drainage strategy to harvest rainwater collected via the living roof spaces and the main communal amenity space located at Level 6, and that this rainwater would be used to meet non-potable water demand within the Trinity Laban extension including toilet flushing.
- 779 The submitted information has been reviewed by the Council's Environmental Sustainability team in their role as Lead Local Flood Authority (LLFA), who have confirmed that they raise no objection to the proposed development subject to the

imposition of conditions requiring the submission of full details of the proposed drainage strategy and submission of a detailed maintenance strategy for all components of the drainage strategy together with information on the adoption arrangements for the ongoing maintenance activities.

780 In addition, a condition is proposed requiring submission of details of the surface water outfall discharge. This will provide the mechanism to ensure that the outfall discharge is appropriately designed and managed so that it does not discharge over the tidal terraces and that the timing of the discharge can be controlled to prevent discharge at low tide, which could result in scouring of the river bed and also pose a potential hazard for those taking part in Creek walks organised by the Creekside Education Trust. In addition, the Environment Agency have advised that any outfalls discharging to the Creek will require at least two mitigation measures against tidal locking and this would also be secured via condition.

7.7.6 Sustainable Infrastructure conclusion

781 Whilst the developer would not be meeting the carbon offset financial requirement in full, it is recognised that in viability terms the scheme would not be able to support the full contribution taken together with the other elements it is providing. Recognising that the applicant has worked to maximise the on-site carbon reductions through improving building efficiencies, replacing CHP with ASHP and increasing the provision of roof mounted PV, it is considered acceptable in this instance that if any surplus should be identified by either the early or late stage viability review mechanisms, this could then be transposed into a financial contribution towards carbon offsetting, subject to the Council's priorities or requirements at the time.

782 The Council's Sustainability Manager raises no objection to the proposed development, subject to a series of planning conditions to secure the provisions within the submitted Sustainability and Energy Statement in relation to building efficiencies, on-site carbon emissions reduction, ASHP, and roof mounted PV, and the commitments within the submitted Overheating Risk Assessment.

783 Subject to conditions as outlined above, the proposed development is considered acceptable with regard to flood risk and sustainable drainage. The development's substantive contribution to urban greening with its associated benefits in terms of amenity, ecology, biodiversity, and the urban heat island effect is a planning benefit of the scheme to which moderate weight is accorded.

7.8 NATURAL ENVIRONMENT

General Policy

- 784 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 785 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 786 The NPPF at para 180 states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the sensitivity of the site or wider area to impacts that could arise from the development.
- 787 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.

7.8.1 Ecology and biodiversity

Policy

- 788 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard to the purpose of conserving biodiversity.
- 789 NPPF para 170 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. NPPF para 175 sets out principles which LPAs should apply when determining applications in respect of biodiversity.
- 790 LPP 7.19 seeks wherever possible to ensure that development makes a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 791 DLPP G6 expects Sites of Importance for Nature Conservation (SINCs) to be protected. Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain.
- 792 CSP 12 seeks to preserve or enhance local biodiversity.
- 793 DMP 24 require all new development to take full account of biodiversity in development design, ensuring the delivery of benefits and minimising of potential impacts on biodiversity.

Discussion

- 794 The application is accompanied by an Ecological Impact Assessment (Environ, January 2015) which forms Appendix 8.1 to the Environmental Statement. This was informed by a Phase 1 habitat survey and bat survey, and an aquatic ecology survey of the creek undertaken to inform the previous planning applications at the site. It is noted that the submitted Ecological Impact Assessment was undertaken in relation to the land which lies within Kitewood's ownership and did not therefore include the land within Trinity Laban's ownership or the land within the ownership of LB Lewisham. However, it is recognised that the land in Trinity Laban's ownership comprises a hard surfaced car park and is therefore of limited ecological value, and that the LB Lewisham land has been

used as a construction compound for the adjacent Union Wharf for a number of years, as has the majority of the Kitewood land.

- 795 The application site lies immediately adjacent to the Tidal Thames and Tidal Tributaries Site of Metropolitan Importance for Nature Conservation which includes Deptford Creek within its extent. In addition, the Sue Godfrey Nature Park Local Nature Reserve (LNR) and Site of Importance for Nature Conservation (SINC), the St Nicholas Churchyard Deptford SINC, the Creekside Education Centre SINC and the St Paul's Churchyard and Crossfield Street Open Space SINC are all located within 300m of the application site.
- 796 The assessment identifies that in terms of ecological value, the existing buildings are of negligible nature conservation value in their own right, with one of the buildings being of site value for nesting birds. It considers that the scattered scrub, ephemeral vegetation and immature non-native trees are common and widespread habitats of no more than site value for nature conservation due to their potential to support invertebrates, birds and foraging bats. It also identifies that the site is considered to be of site value for invertebrates, birds and bats, and that the adjacent Creek is of local value for use by foraging bats and roosting and feeding water birds.
- 797 In terms of potential impacts on Deptford Creek which forms part of the River Thames and Tidal Tributaries Site of Metropolitan Importance for Nature Conservation, the assessment identifies the potential for pollution through run-off and dust, and lighting of the Creek, during both the construction and operational stages. In terms of pollution arising from the construction phase, the assessment identifies that a pollution prevention plan will be implemented as part of the Construction Environmental Management Plan (CEMP) which will reduce the risk of impacts on the Creek. In terms of the impact on lighting, a lighting strategy is proposed which will minimise light spillage to the Creek. Both of these elements will be secured by condition. The assessment also identifies that where discharge of surface water to Deptford Creek is proposed, run-off would need to be treated to prevent pollution and Environment Agency consent would be required.
- 798 In terms of habitats, the proposed development will result in the removal of the scrub, ephemeral and ruderal habitats and trees which the assessment considers to be of no more than site nature conservation interest. The development will mitigate this loss through landscape planting with trees and native and fruiting species of value to wildlife, living roofs and the tidal terraces which will in part offset the loss of existing vegetation. The assessment identifies that this would result in a loss of habitat for invertebrates in the short term but that over time as the landscaping, living roofs and tidal terraces mature and colonise, this loss will be offset. The assessment identifies that provision of invertebrate boxes should be provided within the proposed development to further enhance the site for invertebrates. This will be secured via condition.
- 799 The proposed development will also result in the loss of foraging habitat and nesting habitat for common bird species and potentially Black Redstart, and disturbance of wetland species on the Creek. The proposed landscape planting, living roofs and the tidal terraces, will however afford mitigation in this respect by providing new foraging and nesting habitat for birds, including Black Redstart. The assessment recommends that due to the suitability of the site for Black Redstart, if construction works are to commence between May and August, Black Redstart breeding surveys should be undertaken. The assessment also recommends that bird boxes should be incorporated within the development. Both of these measures will be secured by condition. The assessment considers that the impact on water birds using Deptford Creek would be limited as these birds are already subject to disturbance and are likely to be relatively tolerant to noise and activity in adjacent areas. As such, the assessment does not consider that specific mitigation is necessary in this regard.
- 800 The assessment identifies that whilst no roosting bats were recorded on site via the bat survey, the site does have the potential to be used by foraging bats, and as such the

proposed development has the potential to negatively impact on small numbers of foraging bats making occasional use of the site and more consistent use of Deptford Creek. It recommends the provision of bat boxes as part of the development to provide mitigation in this regard, together with the development of a lighting strategy that minimises light spillage to the Creek and areas of vegetation. Again, both of these provisions will be secured via condition.

801 The submission documents identify that an Ecological Management Plan would be prepared to ensure that the new habitats are managed to provide beneficial habitat to wildlife. Measures to monitor habitats and species and review the need for additional management would be included within the Ecological Management Plan. This will be secured via condition.

802 As identified above in relation to the public realm planting scheme, the Creekside Education Trust has identified that they would wish to see the planting scheme being more clearly informed by native species present within the Creekside environment. This would ensure the successful colonisation of the planting, and support enhanced biodiversity gain within the Creekside habitat. In this context, a condition is proposed requiring submission of soft landscaping details and a planting plan that is specifically informed by native species present within the Creekside environment.

Tidal terraces

803 Tidal levels in Deptford Creek have a large range, consisting of two cycles per day with high and low tide times shifting throughout the year. High tide levels can reach above 3.78m AOD with low tide levels dropping below -2.90m AOD. Rainfall also makes a contribution to the level of the water within the Creek, which is fed by the Ravensbourne River.

804 The proposed rebuilding of the two sections of Creek wall (Zone 1 - Laban Wall and Zone 3 - Weybridge Wharf Wall, as detailed above under 'Flood Risk') includes the provision of new tidal terraces which will provide planting and habitat for aquatic species and improved biodiversity. Tidal terraces provide capture of mud and silt from tidal rivers that are brackish in nature and provide habitat for a range of crustaceans, snails and beetles. The tidal terraces would support a number of plants that thrive on areas that receive regular inundation such as sedges, rushes and salt marsh grass. A condition is proposed requiring submission of details of the tidal terraces, recognising that the precise level at which the terrace is set will be key to its successful colonisation by vegetation. The applicant will be required to engage with the Environment Agency and the Creekside Education Trust in the design and colonisation of the tidal terraces, recognising their knowledge and expertise in relation to the Creek environment.

Impact of lighting

805 DM Policy 27 'Lighting' requires development to provide sensitive lighting schemes with particular consideration of the potential adverse impact on biodiversity.

806 The application is supported by a Lighting Impact Assessment (RSK, 16 May 2018) which forms Appendix 12.1 to the Environmental Statement. This identifies that the area has high baseline levels of artificial light with an average of 3 Lux around the site and surrounding areas, resulting primarily from street lighting to Copperas Street and lighting to the Trinity Laban car park. In the absence of a detailed lighting design at this stage, the assessment has made a number of assumptions regarding an assumed lighting design to ensure the Society of Light and Lighting recommended lighting levels are achieved and to minimise light spillage beyond the site boundaries. This demonstrates that a lighting scheme could be developed using luminaires that direct the light down and cut off any unwanted sideways illumination, resulting in little or no light spill to the Creek.

807 A condition is proposed requiring of submission of an external lighting strategy for approval, which will provide the mechanism to ensure that the lighting scheme minimises light spillage to the Creek and areas of vegetation, thereby minimising any impacts on the foraging habitats of bats in accordance with the recommendations of the Ecological Impact Assessment.

Summary

808 The submitted information has been reviewed by the Council's Ecological Regeneration Manager who raises no objection on ecological grounds, subject to conditions requiring i) submission of and implementation in accordance with an Ecological Management Plan, ii) submission of details of the proposed approach to discharge surface water to Deptford Creek, and iii) submission of details of living roofs to ensure that these are extensive substrate roofs designed for biodiversity. As discussed above, conditions are proposed in this regard.

7.8.2 Ground pollution

Policy

809 Failing to deal adequately with contamination could cause harm to human health, property and the wider environment (NPPG, 2014). 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 soil pollution. Development should help to improve local environmental conditions.

810 The NPPF states decisions should contribute to and enhance the natural and local environment by remediating and mitigating contaminated land, where appropriate (para 170). Further, the NPPF at para 178 and NPPG states decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination.

811 DMP 28 'Contaminated land' provides the policy basis for assessing development proposals in terms of site contamination.

812 Contaminated land is statutorily defined under Part 2A of the Environmental Protection Act 1990 (EPA). The regime under Part 2A does not take into account future uses which need a specific grant of planning permission. To ensure a site is suitable for its new use and to prevent unacceptable risk from pollution, the implications of contamination for a new development is considered by the LPA.

813 The test is that after remediation, land should not be capable of being determined as "contaminated land" under Part 2A of the EPA.

814 If there is a reason to believe contamination could be an issue, developers should provide proportionate but sufficient site investigation information (a risk assessment) to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors') so that these risks can be assessed and satisfactorily reduced to an acceptable level. DEFRA has published a policy companion document considering the use of '[Category 4 Screening Levels](#)' in providing a simple test for deciding when land is suitable for use and definitely not contaminated land.

815 The risk assessment should also identify the potential sources, pathways and receptors ('pollutant linkages') and evaluate the risks. This information will enable the local planning authority to determine whether further more detailed investigation is required, or whether any proposed remediation is satisfactory.

- 816 At this stage, an applicant may be required to provide at least the report of a desk study and site walk-over. This may be sufficient to develop a conceptual model of the source of contamination, the pathways by which it might reach vulnerable receptors and options to show how the identified pollutant linkages can be broken.
- 817 Unless this initial assessment clearly demonstrates that the risk from contamination can be satisfactorily reduced to an acceptable level, further site investigations and risk assessment will be needed before the application can be determined.

Discussion

- 818 A Preliminary Risk Assessment (RSK, June 2018) has been submitted as part of the application submission. This identifies that the site and its immediate surroundings have been the location of heavy industrial works since the mid 1800s which means that there is significant potential for ground contamination associated with these past uses. The site is also located within a high risk area for unexploded ordnance. In order to determine soil and groundwater conditions at the site and assess potential pollutant linkages, the report recommends an intrusive site investigation be undertaken. In addition, it recommends that a detailed desk study be commissioned to assess the potential risk from unexploded ordnance, and that an asbestos survey of the existing buildings on site be undertaken prior to their demolition.
- 819 The submitted report has been reviewed by the Council's Environmental Protection team who raise no objection to the proposed development, subject to the imposition of a condition requiring a full desktop study and site assessment, site investigation report and closure report including verification details to be submitted to and approved by the local planning authority.
- 820 Subject to the above, the proposed development is considered to be acceptable with regard to ground pollution.

7.8.3 Air pollution

Policy

- 821 NPPF 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. Proposals should be designed and built to improve local air quality and reduce the extent to which the public are exposed to poor air quality. Poor air quality affects people's living conditions in terms of health and well-being. People such as children or older people are particularly vulnerable.
- 822 LPP 7.14 states new development amongst other requirements must endeavour to maintain the best ambient air quality (air quality neutral) and not cause new exceedances of legal air quality standards. DLPP S11 echoes this.
- 823 CSP 7 reflects the London Plan. CSP 9 seeks to improve local air quality. DMP 23 sets out the required information to support application that might be affected by, or affect, air quality.
- 824 Further guidance is given in the Mayor of London's Air Quality Strategy.

Discussion

- 825 The application site lies within an Air Quality Management Area (AQMA).

- 826 An Air Quality Assessment Technical Report (RSK, July 2018) has been submitted alongside the application submission, and forms Appendix 6.1 to the Environmental Statement. This assesses the impact of the proposed development on air quality during both the construction phase, and the operational phase.
- 827 In terms of the construction phase, the report identifies that construction works for the proposed development have the potential to lead to the release of dust and particulate matter, arising from works including earth moving, movement and use of construction aggregates, and the movement of construction vehicles. The report identifies that subject to implementation of an appropriate Dust Management Plan (DMP), the impacts on air quality during the construction phase can be appropriately mitigated. A condition is proposed in this regard.
- 828 In terms of the operational phase, the report identifies that the principal air quality impacts are likely to be emissions from the proposed CHP and boiler plant and from the increased traffic on local roads. An assessment was therefore undertaken using the latest version of the ADMS-Roads atmospheric dispersion model to assess concentrations of pollutants NO₂ (Nitrogen Dioxide), PM₁₀, PM_{2.5} (Particulate Matter) and CO (Carbon Monoxide). This identified that concentrations of these pollutants at all assessed receptors would not exceed the relevant air quality objectives. The report therefore concludes that the proposed development would result in a 'negligible' air quality impact with respect to annual mean NO₂, PM₁₀ and PM_{2.5} concentrations. On this basis, the report considers that operational phase mitigation is unlikely to be required.
- 829 The report considered the cumulative impact of the proposed development together with other developments proposed within the surrounding area. Recognising that these other development schemes would also be subject to DMPs to ensure appropriate dust mitigation measures during the construction phase, and given the separation distances between the proposed development and other sites, the report considers that the likelihood of interaction of dust particles and emission components is minimal. The report notes the presence of Brewery Wharf in proximity to the site, however concludes that dust associated with the transport and use of aggregates at Brewery Wharf is not considered likely to impact upon future residents of the proposed development.
- 830 In addition, an air quality neutral assessment has been undertaken for the proposed development. The development emissions are below the NO_x Building Emissions Benchmark and the Transport Emission Benchmarks for NO_x and PM₁₀, therefore, the proposed development can be considered 'air quality neutral' for the purposes of building and transport emissions.
- 831 It should be noted that the energy strategy for the proposed development has been revised during the course of the application's consideration, and the CHP element has been removed. As identified above, the updated energy strategy relies on a combination of Air Source Heat Pumps and communal gas boilers. As such, the emissions can be expected to be further reduced from those which were modelled as part of the air quality assessment.
- 832 The submitted documents have been reviewed by the Council's Environmental Protection team, who raise no objection to the proposed development on air quality grounds. The Council's Environmental Protection team have identified that a financial contribution of £40,000 is required towards air quality actions and monitoring. The applicant has agreed to this contribution, which would be secured via the s106 agreement.
- 833 Subject to the above being secured by s106 agreement, it is considered that the proposed development would be acceptable with regard to air quality.

7.8.4 Water quality

Policy

- 834 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 water pollution. Development should, wherever possible, help to improve local environmental conditions such as water quality, taking into account relevant information such as river basin management plans

Discussion

- 835 The Environment Agency have advised that controlled waters are particularly sensitive in this location, because the site is located upon a Secondary Aquifer. There is therefore a potential risk of contamination to controlled waters at this site associated with construction activities. The Environment Agency have therefore recommended conditions requiring intrusive site investigations and the implementation of associated measures to prevent ground contaminants impacting on water quality, and requiring approval of details in advance of any piling works taking place. As discussed above in relation to ecology, the Construction Environmental Management Plan (CEMP) and associated Dust Management Plan (DCP) will mitigate the risk of any impacts to water quality within the Creek during the construction phase. Conditions are proposed to secure the appropriate provisions.
- 836 In terms of local water supply, Thames Water have confirmed that they are liaising with the developer to deliver the off-site water infrastructure needs to serve the development. They have however identified that whilst some capacity exists within the water network, upgrades to the network will be required to serve the proposed number of residential units and the non-residential floorspace. As such, Thames Water have requested a planning condition to ensure that development does not outpace the delivery of essential water supply infrastructure. This would serve to limit occupation of the proposed development until confirmation has been provided that either all water network upgrades required to accommodate the additional flows to serve the development have been completed, or a development and infrastructure phasing plan has been agreed with Thames Water. A condition is proposed in this regard.

7.8.5 Wind & Microclimate

Policy

- 837 LP7.7 states tall buildings should not affect their surroundings adversely in terms of among other things microclimate and wind turbulence. Draft LP SI1 echoes this.
- 838 CSP 18(6) relates to microclimate and tall buildings.

Discussion

- 839 A Pedestrian Level Wind Microclimate Assessment (RWDI, 25 March 2019) has been submitted as part of the application submission and provides a wind microclimate assessment based on a series of wind tunnel tests.
- 840 The assessment identifies that based on wind tunnel testing, the surrounding wind environment would generally be acceptable for sitting or walking during the windiest season. In addition to the implementation of the proposed landscaping scheme, the assessment does identify a number of specific areas where additional wind mitigation measures would be required. In response to this a number of additional measures were developed including the introduction of externally mounted lettering signage to the Trinity Laban extension building in two locations, the recessing of the entrance door to one of

the commercial units, and the design of the proposed gate to the Trinity Laban service yard. The assessment identifies that with the application of the proposed landscaping scheme and the additional identified measures, wind conditions would range from suitable for sitting use to strolling use during the windiest season, and that wind conditions on thoroughfares and at entrances would be acceptable for the intended pedestrian uses. During the summer season, wind conditions within amenity spaces would be suitable for sitting and standing use. The proposed mitigation measures reduce the occurrence of strong winds, such that winds exceeding 15m/s would not occur for more than 0.025% of the time (approximately two hours per year).

841 Given the above, the proposed development is considered acceptable with regard to wind microclimate impacts.

7.8.6 Waste

Policy

842 LPP 5.16 seeks to minimise waste and, among other things, exceed recycling and reuse levels in construction, excavation and demolition waste of 95% by 2020. The Mayor of London's Sustainable Design and Construction SPG (2014) makes clear that developers should maximise the use of existing resources and materials and minimise waste through the implementation of the waste hierarchy.

Discussion

843 A draft Site Waste Management Plan (SWMP) (RSK, August 2018) has been submitted as part of the application submission. The draft SWMP details the anticipated waste arising volumes and waste management strategies for all waste produced during the demolition and construction activities associated with the proposed development. The draft SWMP estimates that up to 8,578 tonnes of waste may arise from construction works associated with the project, and details the measures to reduce, manage, store and where necessary dispose of the waste arisings associated with the construction phase. A condition is proposed requiring submission of an updated SWMP as part of the Construction Environment Management Plan.

7.8.7 Natural Environment conclusion

844 Subject to conditions as outlined above, the proposed development is considered acceptable with regard to ecology and biodiversity, ground pollution, air pollution, water quality, wind microclimate and site waste management. In terms of biodiversity, the proposed development should deliver a net gain in terms of the provision of soft landscaping and trees, living roofs, tidal terraces and wildlife boxes.

7.9 PUBLIC HEALTH, WELL-BEING AND SAFETY

General Policy

- 845 The NPPF and NPPG promote healthy communities. Decisions should take into account and support the health and well-being of all sections of the community. The NPPG recognises the built and natural environments are major determinants of health and wellbeing. Further links to planning and health are found throughout the whole of the NPPF. Key areas include the core planning principles (para 15) and the policies on transport (chapter 9), high quality homes (chapter 5), good design (chapter 12), climate change (chapter 14) and the natural environment (chapter 15).
- 846 The NPPG sets out a range of issues that could in respect of health and healthcare infrastructure, include how development proposals can support strong, vibrant and healthy communities. Development, where appropriate, should encourage active healthy lifestyles that are made easy through the pattern of development, good urban design, good access to local services and facilities; green open space and safe places for active play and food growing, and is accessible by walking and cycling and public transport. The creation of healthy living environments for people of all ages can support social interaction.
- 847 Where appropriate, applicants should show how they have accounted for potential pollution and other environmental hazards, which might lead to an adverse impact on human health (see Section 8.12).
- 848 Para 127 Good design create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 849 LPP 3.2 seeks to ensure development is designed, constructed and managed in ways that improve health and promote healthy lifestyles to help reduce inequalities.
- 850 LPP 7.1 requires development to contribute to health, well-being and public safety.

7.9.1 Public health and well-being

Discussion

- 851 Chapter 15 'Socio-Economic Effects' of the ES identifies that based on a projected residential population of 935, the proposed development can be expected to generate a requirement for 0.6 GPs. It identifies that there are 12 GP surgeries within 15 minutes walking distance (0.75 miles) of the site and these facilities have 46 GPs and have 73,783 registered patients, providing a GP to patient ratio of 1 per 1,604, which compares to an NHS average of 1 per 1,392. Implementation and full occupation of the proposed residential units would increase the GP to patient ratio to 1 per 1,624 which is above the NHS average of 1,392. The assessment does however highlight that the surgeries within the study area are accepting new patients despite the capacity exceeding the average GP to patient ratio. The development will make a financial contribution to the borough Community Infrastructure Levy which could be potentially be directed towards additional public health facilities if this is considered to be a priority.
- 852 In terms of well-being, the development will comprise a generously proportioned communal amenity space on the roof level of the Trinity Laban extension, which will provide high quality outdoor amenity space for use by residents of the development. This space includes children's playspace, and is complemented by a secondary communal amenity space accessible via Level 25 within Building 2. The development will also deliver generous new public realm spaces, including hard and soft landscaping and an

open grassed area providing flexibility for a range of uses, and through implementing a new stretch of Creekside route, will enable enhanced use of this attractive route for pedestrians and cyclists by facilitating a continuous section of route extending from Creek Road through to Kent Wharf (Creekside).

853 The development presents good access to local services and facilities, open space and safe places for active play, and is accessible by walking and cycling and public transport.

854 Given the above, the proposed scheme is considered acceptable with regard to public health and wellbeing.

7.9.2 Public safety

Policy

855 Para 127 Good design create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

856 Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.

857 LPP 7.3 seeks to ensure that developments are designed to reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. LPP 7.13 expects development to contribute to safety, security and resilience to emergency, including crime and terrorism and fire.

858 DLLP D10 states measures to design out crime should be integral to the proposals, taking into account the principles of the Secured by Design scheme. Development should maintain a safe and secure environment and reduce the fear of crime.

859 CSP 15 requires development to minimise crime and the fear of crime.

860 DLLP D11 requires developments to achieve the highest standards of fire safety. A Fire Statement, prepared by a suitably qualified independent assessor, should accompany all major developments. This should address several specific actions among which are: (i) construction methods, products and materials; (ii) means of escape; (iii) appropriate fire alarm systems and passive and active fire safety measures; and (iv) details of access for the emergency services.

Discussion

861 The proposed development has been designed to comply with the principles of 'Secured by Design'. Key elements that have been addressed include natural surveillance, lighting, integration of CCTV and management of common parts. These elements were main drivers for the ground floor and public realm layouts where locations of entrances for each function and street animation have been placed to create a secure environment around the buildings.

862 As part of the design process, pre-application consultation took place with the Metropolitan Police Designing Out Crime Officer.

863 The Designing Out Crime Officer has reviewed the application submission and has commented that the design of the development has considered opportunities for natural surveillance, incorporates excellent lines of site and finds that the development should 'activate' this area, which are all considered to be excellent crime prevention measures.

The Designing Out Crime Officer raises no objections to the proposed development but requests that a planning condition be attached to any grant of consent requiring the development to incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. A condition is proposed in this regard.

8 ENVIRONMENTAL IMPACT ASSESSMENT

Introduction

864 The position regarding the need for and scope of the EIA of the proposed development is set out within Section 4 of this report.

865 This section reviews the various topics covered by the submitted Environmental Statement (ES). The key findings of the ES are referred to in earlier sections where necessary and have been used as an integral part of considering the acceptability of the proposed development. This section sets out a summary of the findings of the ES and proposed further mitigation (over and above designed-in mitigation that is embedded within the proposals). The ES has been subject to detailed reviewed by independent specialist consultants appointed by the Council. Overall, officers generally agree with the findings of the ES, unless otherwise stated, and have recommended the use of planning conditions or obligations to secure the identified supplementary mitigation and other measures that they consider necessary.

Non-Technical Summary

866 As required by the Regulations, the ES is accompanied by a Non-Technical Summary (NTS). This provides a brief introduction to the proposals, summarises the EIA methodology and approach to assessment, outlines the alternative development approaches, and summarises the likely level of significant effects and the means of mitigation. An updated version of the NTS was submitted in August 2019 in response to the recommendations of the Council's independent appointed specialist consultants and a further addendum to the NTS was submitted in July 2020 in relation to the addendum to the Daylight, Overshadowing and Solar Glare chapter of the ES which was submitted alongside this.

867 The following is an overview of the findings of the ES and, where relevant, a commentary on those findings. The headings correspond to the relevant chapters of the ES.

EIA Methodology and Approach to Assessment

868 Chapter 2 of the ES outlines the methodological approach to the assessment, including the definition of a baseline position against which likely environmental changes arising from the proposed development are predicted and evaluated, the identification of the likely significant environmental effects of the proposed development in relation to environmental receptors (i.e. people, built resources and natural resources), and the assessment of likely significant effects both during the construction and operational stages of the proposed development. Following on from this, the methodological approach involves the identification of potential mitigation measures that may be required to reduce or off-set any likely significant adverse effects arising from the assessment. The likely significant residual effects of the proposed development on the surrounding environment are then identified, assuming the implementation of any further mitigation measures proposed.

869 The methodological approach outlines that a cumulative assessment of the proposed development has been undertaken in the context of schemes in the vicinity of the application site which were either under construction, had the benefit of planning permission, or were the subject of a planning application or an EIA scoping request, at the point of submission. The list of cumulative schemes to be assessed was agreed with Council officers prior to submission. The following schemes were therefore assessed in this context:

- Union Wharf (Essential Living)

- Faircharm Trading Estate
- Kent Wharf
- Deptford Wharves
- Convoys Wharf
- Thames Tideway Tunnel
- Land north of Reginald Road and south of Frankham Street
- No.1 Creekside
- Sun Wharf

870 For the purposes of the cumulative assessment, the construction phase of the proposed development was assumed to be three years, and the fully operational design year was assumed to be 2023.

The Site, Land Uses and Planning History

871 Chapter 3 of the ES provides a description of the application site in its existing condition (the 'no-development scenario'), together with a description of the general characteristics of the surrounding and wider area, and an overview of the relevant planning history.

Consideration of Alternatives and Design Evolution

872 Chapter 4 of the ES outlines the alternatives and design evolution of the proposed development. An updated version of Chapter 4 was submitted in August 2019 in response to the recommendations of the Council's independent appointed specialist consultants.

873 No alternative sites for the proposed development were considered as part of the EIA process, on the basis that the majority of the site is allocated for development within the Site Allocations Local Plan. Two main alternatives were considered, namely i) a 'no-development scenario', and ii) alternative layouts and designs for the proposed development.

874 In terms of the 'no-development scenario', the assessment concludes that this would leave the site in a vacant and semi-derelict state which would fail to realise the regeneration and development objectives for this site, as set within the site allocation policy, and would fail to realise the site's potential to meet the borough's housing requirement. In the context of the site's accessible location within an Opportunity Area, the no-development scenario is therefore not considered to be a realistic option and would fail to realise the objectives of the Mayor of London and the Council in relation to the development potential of the site.

875 The majority of this ES chapter therefore details the alternative layout and design options which were considered as part of the design process. It outlines that the design evolved over a period of approximately two years in response to pre-application discussions between the applicant team and the Council, the GLA and other consultees, and the pre-application public consultation activities.

876 In terms of layout, alternative options were considered and reviewed in workshops with Council officers which included a large variety of options such as three towers instead of two, a podium comprising the Trinity Laban facilities with the towers sited above, positioning the Trinity Laban extension on other parts of the site, and the exploration of numerous building shapes. The ES chapter details how alternatives in terms of quantum, scale and massing, means of access, layout, and landscaping were considered as part of the design evolution, together with options in terms of the elevational treatment. It sets out how the design evolved in response to feedback via Lewisham's Design Review Panel process, and in response to three pre-application meetings with GLA officers, together with the pre-application public consultation.

The Proposed Development

877 Chapter 5 of the ES sets out the description of the proposed development, in terms of the quantum of development, public realm and landscape design, vehicular access and servicing arrangements, and sustainability and energy details. It also provides a summary of the proposed construction arrangements and measures to mitigate impacts during the construction phase, as set out in full within the draft Environmental Management Plan and Site Waste Management Plan.

Air Quality

878 Chapter 6 of the ES assesses the likely impact of the proposed development upon surrounding existing sensitive receptors and the impact of future local air quality upon the proposed development itself. The chapter is informed by the Air Quality Assessment Technical Report which forms ES Appendix 6.1.

Construction Phase

879 The assessment has explored the risk of dust impacts at specific sensitive receptors within the surrounding area (i.e. the facades of residential properties and apartment blocks), in terms of the dust risk associated with demolition, earthworks and construction activities. The assessment finds that subject to the proposed development being undertaken in accordance with a Dust Management Plan to mitigate impacts on the surrounding area, the impacts would not be significant.

Operational Phase

880 The principal air quality impacts once the proposed development is complete and occupied are likely to be emissions from the proposed CHP and boiler plant and the impact associated with the increased traffic on local roads.

881 The assessment finds that the maximum annual mean NO₂ increase as a result of the proposed development is predicted to be 0.1µg/m³, which represents a percentage change of between 0 – 0.3%. On this basis the assessment finds that the proposed development would have a ‘negligible’ impact upon annual mean NO₂ concentrations having regard to the impact criteria set out within the Environmental Protection UK and the Institute of Air Quality Management (EPUK-IAQM) guidance.

882 In terms of particulate matter, the assessment finds that the predicted PM₁₀ and PM_{2.5} concentrations at all the assessed receptors and under all scenarios would not exceed the relevant air quality objectives. Therefore, air quality impact is predicted to be ‘negligible’ with reference to the EPUK-IAQM guidance.

883 The assessment also considers the impact of future air quality on the sensitive receptors within the proposed development itself. No exceedances of the NO₂, PM₁₀, PM_{2.5} or CO air quality objectives is predicted at the modelled proposed receptor locations and therefore, air quality at future receptor locations is deemed to be acceptable. The assessment notes that Brewery Wharf lies to the south-east of the development but finds that dust associated with activities at Brewery Wharf is not considered likely to impact upon future residents as the prevailing winds are south-westerly.

Cumulative

884 In terms of the construction phase, the assessment notes that there are other developments that may be coming forward within the surrounding area. It identifies that due to the separation distances between these development sites, and given that the dust impacts tend to be local to a development site, the likelihood of interaction of dust particles and emission components is considered to be minimal. It therefore concludes

that subject to these proposed developments being undertaken in accordance with Dust Management Plans, the cumulative impacts would not be significant.

885 The assessment finds that the proposed development is predicted to cause a 'negligible' change in NO₂, PM₁₀ and PM_{2.5} concentrations at the assessed sensitive receptor locations. Overall the impact of the proposed development on local air quality at sensitive human receptors is considered to be of negligible significance.

886 It should be noted that the energy strategy from the building has subsequently evolved from the CHP and boiler plant scheme which was assessed for the purposes of the ES. The proposed scheme would utilise communal gas boilers and Air Source Heat Pumps. This is not considered to change the conclusion that the impact of the proposed development on local air quality at sensitive human receptors is considered to be of negligible significance.

Mitigation Measures

887 The ES chapter outlines a series of mitigation measures that will be put in place to mitigate any impacts during the construction phase. These include implementation in accordance with a Dust Management Plan, and a Construction Environment Management Plan. These provisions would be secured via condition.

Archaeology

888 Chapter 7 of the ES outlines the potential effect of the proposed development on the archaeological resource. The application site lies within the defined Archaeological Priority Area (APA) 8 – Deptford Creek. The Archaeological Desk Based Assessment (ADBA) revealed that the baseline situation of the archaeological resource of the site is imperfectly understood, as whilst there are no known heritage assets within the site or close enough to be directly affected by the proposed development, the absence of previously recorded remains is inconclusive as there has been no archaeological investigation within the site, and its location adjacent to Deptford Creek raises its archaeological potential.

889 The assessment considers that the potential impacts would depend on the state of preservation of any archaeological remains present. Archaeological remains are highly sensitive receptors and development to the proposed depth (comprising basement, foundations and piling) would be destructive. The assessment does however note that the site appears to be covered in a considerable depth of made ground and therefore it is possible that the most destructive impacts may be confined to this level and have no effect on any archaeological remains that may be present beneath the made ground.

890 If the archaeologically relevant level did survive higher than the formation depth of the basement, and archaeological remains were in fact present (neither of which is yet determined) it must be assumed that the effects of the proposed development would be permanent and irreversible destruction. The magnitude of this impact, however, would reflect the significance of the remains affected. This would represent a Major Adverse impact in the case of non-designated heritage assets of archaeological interest that are of equivalent significance to scheduled monuments, and decreasing magnitude as the significance of the archaeological remains diminishes, such that the impact on remains of purely local interest would be Minor Adverse.

891 The assessment therefore concludes that the magnitude of the impact on buried archaeological deposits will be dependent on the degree to which construction will impinge on the archaeologically relevant level for this site as well as on the presence of such deposits in the first place.

- 892 The details of mitigation measures to be adopted cannot be addressed without knowledge of any archaeological resource present on the site. In general terms, where there is no leeway for 'preservation in situ' by altering the design of the development, mitigation can be achieved by 'preservation by record', which involves excavation, recording and publication of results to professional standards, and the creation of an archive for future research.
- 893 A programme of evaluation to assess the potential for archaeological remains would therefore be required, with any mitigation measures identified as necessary. It is proposed that this be secured via condition associated with any grant of consent.
- 894 As set out above, the Greater London Archaeological Advisory Service (GLAAS) have reviewed the submitted documents and have commented that whilst the NPPF envisages evaluation being undertaken prior to determination of a planning application, in this particular case having regard to the nature of the proposed development and the archaeological interest, GLAAS consider a two-stage archaeological condition would provide an acceptable safeguard. They have proposed a condition which comprises firstly of evaluation to clarify the nature and extent of surviving remains, followed if necessary by a full investigation.
- 895 The ES has been independently reviewed by external consultants appointed by the Council. In relation to the matter of archaeology, the Council's appointed consultants identified a series of concerns in relation to the approach on archaeology. The appointed consultants consider that the applicant should undertake further archaeological assessment prior to the determination of the application in order to assess the significance of potential impact to any archaeological resource. In the context of the response from GLAAS that a two-stage archaeological condition would provide an acceptable safeguard, the applicant considers that this assessment is not required in advance of the planning application being determined, as archaeological assessment would be undertaken subject to any grant of consent, in accordance with the recommendations of GLAAS in this regard.

Cumulative

- 896 The assessment notes that there are proposals for development on a number of sites within the surrounding area. The demonstration of the presence or absence of archaeological remains on the other sites, however, could not be properly extrapolated to the application site, nor vice versa. In this respect, there is no cumulative effect from additional developments.

Biodiversity

- 897 Chapter 8 of the ES assesses the potential impacts and likely effects of the proposed development on ecological features. The biodiversity baseline at and surrounding the site has been characterised by undertaking a desk study, extended Phase 1 Habitat Surveys and bat surveys.

Construction and Operational Phases

- 898 In terms of the impact on designated sites, the assessment finds that there is potential for both negative and positive impacts (through enhancements) on Deptford Creek as a result of the proposed development. Any impacts would occur on a very small area of the SINC and would therefore be unlikely to be significant at the Metropolitan Level. Potential impacts include pollution through run-off and dust, and noise, vibrations and lighting of the Creek, which could cause disturbance to invertebrate, fish, bird and bat species using it. These could occur during both the demolition and construction phases and once the proposed development is complete and operational. In addition, there is potential for dust pollution to the nearby Sue Godfrey Nature Park. Without mitigation,

there is potential for negative effects on designated sites, of significance at the local level.

- 899 The assessment identifies that due to the location of the proposed development in relation to Deptford Creek, impacts from overshadowing of the SINC from the proposed development will be limited to a small amount of transient overshadowing on a small proportion of the SINC in the afternoon. This has the potential to lead to a limited reduction in primary productivity for aquatic ecology. However, the twice daily effect of tidal flushing will renew the available phytoplankton for benthic communities within that section of the Creek in the shadow of the proposed development. As such, significant negative effects from the shading of Deptford Creek on the ecology of the Creek are considered unlikely.
- 900 In terms of the impact on habitats, the proposed development would result in the demolition of the existing disused buildings and the removal of the existing vegetation on the site. The assessment finds that without mitigation, negative effects on habitats would be significant at the site level. In addition, hybrid knotweed has been recorded on the tidal terraces. In the absence of mitigation, construction work has the potential to cause the spread of knotweed, and potentially other non-native invasive species, within the site and to adjacent areas off-site.
- 901 In terms of the impacts on species, the potential impacts on common terrestrial invertebrates would be limited to loss of habitat in the short term at the demolition and construction phase. In addition, temporary impacts on small numbers of aquatic invertebrates on the Creek wall within the SINC may occur. Potential impacts on birds would include loss of foraging habitat and nesting habitat for common species and potentially loss of habitat for black redstarts, if the site becomes suitable for them during the demolition and construction phase. Water birds using Deptford Creek are already subject to disturbance and are likely to be relatively tolerant to noise and activity in adjacent areas, and therefore disturbance impacts on these species are not likely to be significant. The proposed development has the potential to negatively impact on small numbers of foraging bats making occasional use of the site and more consistent use of Deptford Creek at both the demolition and construction phase and the operational phase. Loss of foraging habitat would occur at the demolition and construction phase, and disturbance of foraging habitat through increased levels of lighting has the potential to occur at both the demolition and construction phase and once the development is complete and operational,

Cumulative

- 902 The assessment concludes that there would be no significant cumulative effects arising from the impact of the proposed development when taken together with the impact of development on other sites.

Mitigation Measures

- 903 In terms of designated sites, it is proposed that a pollution prevention plan would be implemented as part of the Construction Environment Management Plan to reduce impacts resulting from demolition and construction, including run-off, dust, noise, vibration and lighting, impacting on Deptford Creek. This would reduce the risk of effects on Deptford Creek and surrounding areas during the demolition and construction phase. Discharge of surface water to Deptford Creek will occur once the proposed development is complete. Run-off would be treated to prevent pollution, for example through permeable paving and SuDS planters, and Environment Agency consent would be required (outside of the planning process) for discharge of surface water to the Creek.
- 904 An ecologically sensitive lighting scheme would be developed to minimise the impact of artificial lighting on the Creek habitat. The introduction of new tidal terraces with planting

with native aquatic species would introduce new habitat and enhance the biodiversity importance of Deptford Creek, providing habitat for native plant species, invertebrates, fish and birds in the operational phase.

- 905 In terms of habitats, measures to check for the presence of knotweed and other non-native invasive species prior to site clearance would be included within the Construction Environment Management Plan, and if identified knotweed would be removed by experienced invasive species specialists. Mitigation for loss of habitat through the inclusion of extensive landscape planting with trees and native and fruiting species of importance to wildlife, meadow planting, green roofs and planted tidal terraces would compensate for the loss of habitat and potentially result in positive effects in the medium term, once the planting becomes established. An Ecological Management Plan would be produced to ensure that new habitats created within the proposed development are managed to ensure they provide beneficial habitat to wildlife. Measures to monitor habitats and species and review the need for additional management would be included in the Ecological Management Plan.
- 906 In terms of species, enhancement through the provision of wildflower-rich green roofs, planting of the new tidal terraces and invertebrate boxes is proposed to enhance the site for invertebrates. Due to the low suitability of the site for black redstart, construction would not be started during the black redstart breeding season from May to August. However, if it is necessary to start during this period, black redstart breeding surveys would be undertaken prior to work commencing. Removal of vegetation would be undertaken outside of the bird breeding season (considered to be the end of February to the end of August inclusive). If vegetation clearance cannot be undertaken outside this period, vegetation would be checked for the presence of nesting birds by an experienced ecologist prior to work commencing. The provision of landscape planting, trees and planted tidal terraces within the proposed development would provide foraging and nesting habitat suitable for use by a variety of bird species and would mitigate for the loss of existing habitat. Bird boxes would be incorporated into the scheme to provide enhanced nesting habitat.
- 907 Lighting of the site and the adjacent Creek at night during the demolition and construction phase would be minimised, and appropriate measures to implement this would be incorporated into the CEMP. A detailed lighting strategy for the site would be devised in conjunction with an experienced bat ecologist to ensure that spillage of artificial light onto the locations of artificial bat roosts, Deptford Creek and areas of vegetation would be minimised. In addition, a series of bat boxes would be provided.
- 908 Each of these various mitigation measures would be secured via condition. The assessment concludes that with the implementation of mitigation, residual effects on designated sites, habitats and species would not be significant at either the demolition and construction phase or once the proposed development is complete and operational.

Daylight, Sunlight, Overshadowing and Solar Glare

- 909 An updated version of ES Chapter 9 was submitted in August 2019 in response to the recommendations of the Council's independent appointed specialist consultants, and an addendum to Chapter 9 was submitted in July 2020 (Addendum to Updated Chapter 9 Rev A: Daylight, Sunlight, Overshadowing and Solar Glare, BLDA Consultancy, May 2020).
- 910 The Addendum highlights that the existing low rise buildings which currently occupy the site provide a baseline condition which is unusual for a higher density urban environment and means that neighbouring buildings which are in close proximity to the boundary are sensitive to any meaningful increase in massing on the site, resulting in transgressions of the BRE guidelines. In such circumstances, the BRE guide recommends that a mirror massing assessment is carried out where a hypothetical 'mirror image' building is set an

equal distance apart from the boundary as a basis for establishing alternative target values, in order to demonstrate what hypothetical impacts would be caused should the baseline condition be more typical of an urban environment. The assessment set out within the Addendum is informed by this mirror massing assessment. The findings of the ES and its Addendum are discussed in detail in earlier sections of this report, with a summary set out below in relation to the significance of impacts.

Construction Phase

- 911 The assessment finds that any daylight and sunlight effects during the demolition and construction phase associated with the construction equipment (i.e. cranes) would be temporary, short-term local effects of negligible to minor adverse significance. No mitigation measures are identified.

Operational Phase

- 912 The assessment finds that the daylight effects to neighbouring buildings would be permanent, long-term local effects ranging between negligible to moderate adverse significance, dependent on the situation of the neighbouring building and its relationship to the proposed development. The results of the assessment in relation to the daylight effects of the proposed development on the existing neighbouring buildings demonstrate that out of the 2,755 windows tested, 2,092 windows (c. 76%) will fully comply with the BRE guide levels for VSC while 2,198 windows (c. 80%) will either fully comply or will only experience minor adverse effects. Furthermore, the more comprehensive interior daylight analysis shows that out of 1,608 habitable rooms served by the tested windows, 1,472 rooms (c. 92%) will fully comply with the BRE numerical guide levels for DD/NSL while 1,517 rooms (c. 94%) will either fully comply with the BRE guidelines or will only experience minor adverse effects. Overall, in EIA terms, the assessment concludes that the effects of the proposed development on the existing daylight levels within neighbouring properties will range between negligible to moderate adverse significance. No mitigation measures are identified.
- 913 In terms of sunlight effects to neighbouring buildings, the assessment finds that there would be permanent, long-term local effects ranging between no effect / negligible significance to minor adverse significance, dependent on the situation of the neighbouring building and its relationship to the proposed development. Of the 1,527 windows tested which face within 90° of due south, 1,398 windows (c. 92%) will fully comply with the annual sunlight criteria while 1,431 (c. 94%) will fully comply with the winter sunlight criteria. Overall, in EIA terms, the assessment concludes that the effects of the proposed development on the existing sunlight levels within neighbouring properties will range between no effect to minor adverse significance. No mitigation measures are identified.
- 914 The effect of reductions in daylight will be greatest in relation to apartments within Adagio Point, both in terms of the proportion of windows and rooms which would fail to meet BRE recommended levels, and in terms of the extent of reduction to those windows and rooms which would be most significantly affected.
- 915 The assessment finds that the results of the mirror-massing assessment confirm that the current low-rise massing character at the site is one of the main contributory factors to the more pronounced transgressions of the BRE guidelines. If considered against a baseline which is more reflective of the surrounding urban context (i.e. the mirror-image of Adagio Point), the effects of the proposed development would improve, and significantly in relation to Adagio Point itself. The assessment finds that the current baseline condition results in artificially inflated impacts shown under the existing vs. proposed scenario, where results to individual windows/rooms would be much improved if the baseline was more urban-like.

916 The independent consultants appointed by the Council have undertaken a comprehensive review of ES Chapter 9 and its addendum. This review finds that the scope of the assessment and its methodological approach are appropriate and proportionate to the type, location and scale of the proposed development. It also finds that the conclusions drawn by the assessment are reasonable. In relation to Adagio Point, the review notes that Adagio Point does experience a number of significant adverse alterations in terms of daylight, and that whilst the number of adverse alterations may tend to indicate an overall 'major adverse' effect for daylight to this building in EIA terms, the reasoning provided in the assessment with regard to BLDA Consultancy's conclusion that the overall effect categorisation for Adagio Point would be 'moderate adverse' is considered to be reasonable. The Council's appointed independent consultants conclude that the submitted daylight and sunlight assessment "provides sufficient information and reasoning to support the overall conclusion that the daylight and sunlight results, which do include breaches of the BRE guidelines, may be considered acceptable".

Cumulative

917 The assessment confirms that all the recently completed developments neighbouring the site (i.e. Union Wharf, Kent Wharf) have been treated as existing receptors for the assessment and given that there are no other emerging developments which would cause any cumulative impact on the existing neighbouring receptors over and beyond the impact of the proposed development itself, no cumulative assessment was deemed necessary.

Ground Conditions and Contamination

918 Chapter 10 of the ES assesses the potential effects of ground conditions on the proposed development and the immediate surrounding area during both the construction and operational phases. This was informed by a desk based preliminary risk assessment which forms Appendix 10.1 to the ES.

919 The PRA has identified several potentially contaminative activities that were undertaken on the application site and the immediately adjoining area and consequently there is a potential for contaminated soil and groundwater to be present. The proposed development includes the excavation of considerable quantities of potentially contaminated made ground to accommodate the basement level which would be used for parking, cycle storage, plant and facilities for Trinity Laban.

Construction Phase

920 The assessment identifies that during the construction phase, there is potential for a range of effects as set out below. In terms of made ground, the development will result in the majority of made ground being excavated and removed from the site, and therefore any contaminants within this made ground will be removed from the site. The excavation of soil containing volatile organic compounds and hydrocarbons has the potential to result in the release of odours, however this would not be at concentrations that would cause harm to human health and therefore the potential effect would be of nuisance to surrounding properties. Given the short term nature of this, the assessment finds that the significance of the effect would be negligible / minor and as such no mitigation is required in relation to this. There is potential for contaminants within the ground to be dispersed by the wind as dust during the construction phase. As such, mitigation measures are proposed in terms of dust suppression, which would be secured via planning condition requiring implementation in accordance with an approved Dust Management Plan. There is also potential for asbestos fibre release should asbestos containing material be disturbed during construction works. The potential for asbestos will be interrogated as part of an intrusive site investigation, and any necessary mitigation measures will be identified through this process. The assessment also

identifies the potential for the migration of ground gas and vapours. In relation to each of these elements, necessary mitigation would be secured through the standard contaminated land planning condition.

921 There is also potential for uncontrolled surface water run off from the site during the construction phase to cause sediment to enter Deptford Creek, or for dissolved contaminants to be leached from the contaminated soils. Mitigation is therefore proposed. In addition, the assessment identifies that there is potential for fuel oils, lubricants and other chemicals to enter groundwater. A range of mitigation measures are identified in this regard, which would be secured via condition through the Construction Environment Management Plan.

922 The piling associated with the construction provides a pathway for contamination to migrate to groundwater. The site is underlain by a secondary aquifer and lies close to the catchment of a potable water supply borehole. The assessment identifies that a groundwater risk assessment will be undertaken, which would identify mitigation requirements in this regard. In addition, the assessment identifies potential risk from unexploded ordnance from WW1 and WW2 and therefore a detailed desk study is proposed to assess and potentially zone the extent of any hazard on site.

Operational Phase

923 The assessment finds that the majority of risks would be either non-existent or minor/negligible during the operational phase, which would in part result from the mitigation measures put in place during the construction phase. The only area where a greater significance of risk applies is in relation to the potential for chemicals within the made ground to damage the structure of the proposed development over time. This risk will be mitigated through a site investigation to characterise the shallow ground conditions for the presence of contamination and gas generation potential, in order that appropriate building material can be specified for the purposes of construction.

924 As such, the assessment concludes that there would be no residual effects anticipated after mitigation is implemented for the effects of soil and ground conditions. If remediation of soil or groundwater is required a remediation plan will be developed for approval by the Council. Any remediation undertaken will be verified through the production of a verification report, which will also be submitted to the Council for approval. This process would be secured via the standard contaminated land planning condition, such that occupation of the proposed development can only take place once the Council is satisfied that there are no unacceptable risks.

Cumulative

925 The assessment concludes that there would be no cumulative effects arising from the proposed development when taken together with other development schemes in relation to ground conditions.

Heritage, Townscape and Visual Assessment

926 Chapter 11 of the ES assesses the likely significant effects of the proposed development in relation to heritage, townscape and visual impacts during both the construction and operational phases. An updated version of Chapter 11 was submitted in April 2019 in response to the recommendations of the Council's independent appointed specialist consultants.

927 Built heritage assets were identified through consultation of the National Heritage List for England, Historic Environment Record data and Conservation and Heritage documentation published by LB Lewisham and RB Greenwich This identified a large number of listed buildings, conservation areas and non-designated built heritage assets

within proximity of the site. A 500m and 1,500m radius from the site boundary has been used to inform the assessment and identify receptors, and a Zone of Theoretical Visibility was produced which provided an indication of the area in which the proposed development is likely to be visible.

- 928 An assessment of the impacts of the proposed development on heritage assets, townscape and views is discussed in detail in earlier sections of this report.

Construction Phase

- 929 The assessment addresses the effects of the proposed development on heritage, townscape and views during the construction phase. In terms of heritage, it identifies that there will be no direct impacts on any built heritage assets, but that indirect impacts may relate to temporary changes in the setting of heritage assets through the introduction of cranes, scaffolding, and other plant, in addition to views of the new buildings with the construction of each floor level until the buildings are topped out. In terms of townscape, impacts may result in the immediate vicinity of the site from the introduction of site access into the construction site, temporary plant, machinery and other workings associated with the site. In terms of views, impacts may relate to temporary changes in views through the introduction of cranes and other plant, in addition to views of the new buildings with the construction of each floor level until the buildings are topped out

Operational Phase

- 930 The assessment finds that the completion of the tall building elements of the proposed development will have a direct impact on the surrounding townscape and on visual receptors in the immediate area of Deptford Creekside, and an indirect impact on some receptors at greater distances in the wider Deptford and Greenwich areas.
- 931 In terms of the effects on heritage assets, the assessment identifies that the likely effects will generally be 'negligible' to 'moderate beneficial'. The proposed development is likely to be primarily obscured from view by existing topography and interposing development. Where visible in some, the proposed development would be seen obliquely and not affect the observer's ability to appreciate the respective significance of the heritage assets identified. It would be recognised within an existing and established context of urban development, and not as part of the immediate setting of any heritage assets. The assessment concludes that these effects are not considered significant.
- 932 In terms of townscape effects, the assessment identifies that the likely effects will generally be either 'neutral/negligible' or 'minor-moderate beneficial' as the proposed development will introduce high-quality design into the townscape and will likely improve the currently poor townscape quality in the site's immediate area. No adverse townscape effects are identified to arise in the wider surroundings as part of the proposed development.
- 933 In terms of visual effects, the assessment identifies that the visual effects of the proposed development will generally be 'neutral/negligible' when seen in long distance views. There will be more 'minor/moderate' beneficial effects in viewpoints located closer to the site where the improvements to the public realm and its high-quality material palette can be better appreciated. The assessment finds that whilst the proposed development will introduce a new built form in these viewpoints, this will form part of contemporary development already established at Creekside and in the wider area of Deptford. Each of these schemes will be read as distinctive elements in these viewpoints to ensure that the overall cumulative effects that will arise are likely to be 'negligible/neutral'.

Cumulative

934 A series of consented schemes within the wider surrounding area were taken into account for the purposes of the Accurate Visual Representations (AVRs), to ensure that schemes which were under construction or consented but yet to be built out were reflected as part of this cumulative assessment.

Lighting

935 Chapter 12 of the ES assesses the potential effects on the local environment (particularly Deptford Creek given its ecological value) from new artificial lighting that would be provided as part of the proposed development. It reports the results of a Lighting Impact Assessment Report which forms Appendix 12.1 to the ES.

936 The proposed development will incorporate external artificial lighting in order to ensure suitable night time light levels and a safe environment. The lighting assessment seeks to ensure that these safe lighting levels are achieved without causing unacceptable impacts to surrounding potential sensitive receptors such as dwellings and Deptford Creek.

Construction Phase

937 The assessment recognises that construction phase lighting impacts will be dependent on the location of the main construction site offices and proposed sequence phasing of construction. Typical construction lighting mitigation options includes the use of directional lighting, motion sensing lighting and down lighters. The assessment identifies that overall construction phase lighting impacts are considered to be temporary and of minor negative significance in a worst case scenario.

Operational Phase

938 In the absence of a detailed lighting design, indicative external lighting arrangements for the completed development have been assumed for the purposes of the assessment. The indicative lighting design seeks to ensure the minimum recommended lighting levels for safe use of the development are achieved in accordance with Society of Light and Lighting criteria. The assessment finds that the predicted increase in light levels compared to the baseline level is considered to be of negligible significance at all receptor locations.

Cumulative

939 The lighting assessment has not taken account of potential future cumulative effects associated with the impact of other development projects, as such an assessment would require detailed information on external lighting arrangements of all other existing and proposed schemes. However, on the assumption that the lighting schemes for any cumulative impact site will be carried out in accordance with a scheme approved by the local planning authority, then the assessment concludes that there is unlikely to be an unacceptable cumulative effect in this respect.

Mitigation Measures

940 The assessment identifies that during the construction phase, measures to minimise the environmental impacts of light pollution would be secured as part of the Construction Environment Management Plan. Such measures should include ensuring that all lighting faces away from the Creek wherever possible, that down lighting is used where possible and with bat friendly luminaires that are not operational outside of site hours. In relation to the operational phase, mitigation measures would be inherent to the assumed indicative design of the proposal's external lighting scheme, the details of which would be secured by condition.

Microclimate

- 941 Chapter 13 of the ES presents the findings of a qualitative assessment of the likely significant effects on the local wind microclimate as a result of the proposed
- 942 development. In particular, it considers the effects of wind on pedestrian comfort and summarises the findings of a wind tunnel model test as well as reporting the presence of any strong winds.

Construction Phase

- 943 In relation to the potential effects of construction on the wind microclimate, the assessment is based on professional judgment and experience to assess the likely conditions. The buildings under construction will progressively adjust the wind conditions from the existing baseline situation to the final, completed development scenario. During construction there will be areas considered as a working site in which windier conditions would be tolerated, however the wind microclimate is not expected to exceed the current windiest conditions at the site. The assessment finds that wind conditions during the demolition and construction phase would therefore represent a negligible effect.

Operational Phase

- 944 The anticipated wind conditions for the operational development have been modelled via wind tunnel testing. Wind conditions would range from being suitable for sitting to walking use during the windiest season. During the summer season wind conditions at both ground and terrace levels would be suitable for sitting and standing use.
- 945 The proposed public realm that would connect Copperas Street to the Creek would have conditions suitable for walking use or calmer during the windiest season. Walking conditions would be one category windier than suitable for a thoroughfare in a residential development and mitigation would therefore be required to improve wind conditions in this location. Copperas Street would have wind conditions suitable for strolling use or calmer during the windiest season, which are deemed acceptable conditions for a pedestrian thoroughfare. Similarly, wind conditions along the Creekside route, would be suitable for strolling use or calmer and therefore acceptable for a pedestrian thoroughfare during the windiest season. As such, the assessment concludes that wind conditions on thoroughfares would represent a significance of 'minor adverse' to 'minor beneficial' effect.
- 946 The majority of entrances to the proposed development would have wind conditions suitable for standing use or calmer during the windiest season which are acceptable conditions for these locations. There would be a limited number of locations where entrances would have wind conditions suitable for strolling use, which is one category windier than suitable for retail entrances and as such wind mitigation measures would be required at these locations. As such, the assessment concludes that wind conditions at entrances would therefore represent a significance of 'minor adverse' to 'minor beneficial' effect.
- 947 Wind conditions within the ground level amenity spaces would generally be suitable for sitting use during the summer season, which is acceptable for the proposed amenity use of these spaces for sitting and spill out seating associated with the café. Wind conditions in a number of locations would be suitable for standing use, which is one category windier than suitable for amenity use during the summer season, and as such mitigation measures would be required for these areas to be suitable for their intended use. As such, the assessment concludes that wind conditions at ground level amenity spaces would therefore represent a significance of 'minor adverse' to 'negligible' effect.

948 Wind conditions within terrace and balcony level amenity spaces would be suitable for a mix of sitting and standing use conditions during the summer season. As such, the assessment concludes that wind conditions on terraces and balconies would therefore represent a 'negligible' effect.

Cumulative

949 The wind conditions have been assessed with cumulative schemes in the surrounding area.

Mitigation Measures

950 The assessment identified that mitigation measures would be required to improve wind conditions and ensure an acceptable wind microclimate. Additional wind tunnel testing was therefore conducted with the proposed landscaping scheme and additional wind mitigation measures to improve wind conditions in sensitive areas. The assessment identifies a series of mitigation measures to ensure an appropriate wind environment. These include a proposed landscaping scheme, signage lettering mounted to the Trinity Laban extension building, the design of the gate to the Trinity Laban service yard, and repositioning the entrance to one of the commercial units. With these mitigation measures in place, the assessment identifies that the likely residual effect would be 'negligible' or 'negligible / minor beneficial'. The mitigation measures have been incorporated in to the design of the submitted scheme, the details of which would be secured by relevant planning conditions.

Noise and Vibration

951 Chapter 14 of the ES assesses the potential significance of noise impacts on existing residents during the construction and operational phases of the proposals, as well as assessing the suitability of the site for the proposed mixed use development, comprising residential units, commercial units and an extension to the existing Trinity Laban facility.

Construction Phase

952 The nearest receptors to the construction works would be surrounding residential apartments and the Trinity Laban facility. Calculations have been undertaken to a worst case scenario, assuming that all items of mobile and static plant are at the closest possible point on the Site boundary to each of the receptor locations. Notwithstanding this, the assessment identifies that the threshold for requiring noise insulation, as identified in BS 5228-1 would not be triggered as a result of the construction works, and the effects would be minor, temporary and not significant. The assessment identifies that once the exact construction plant, phasing and timings have been determined, a further assessment would be considered as part of the Construction Environment Management Plan, which would be secured via condition.

953 In terms of vibration, the assessment identifies the potential for vibration impacts associated with any piling activities on site during construction. It identifies that a review of potential vibration effects would be included within the Construction Environment Management Plan in order to identify where vibration monitoring and subsequent additional mitigation may be required. As such, the assessment finds that the impact of piling would therefore be negligible, temporary and not significant.

954 In terms of construction traffic noise, the predictions show that the effect of the development (including cumulative schemes in the area) on traffic noise would increase noise levels by a maximum of 0.5 dB(A) along Copperas Street. The assessment finds that such an increase would be negligible, and not significant.

Operational Phase

955 The assessment considers the suitability of the site to accommodate the intended uses, and impact of existing noise sources on the proposed residential units. Existing noise sources include the activities associated with the operation of Brewery Wharf, and plant associated with and the existing Trinity Laban building and surrounding developments. The assessment finds that an appropriate internal sound environment would be achieved within the proposed apartments with windows closed and subject to an appropriate glazing specification. This issue is discussed in detail earlier within this report.

Cumulative

956 The assessment confirms that the cumulative impact of other developments with planning permission or under construction was taken into account for the purposes of assessing cumulative impacts. Whilst no comprehensive assessment has been undertaken for the construction phases of those committed developments in the area, each development would be subject to its own set of criteria/guidelines and would be required to impose the same best practicable procedures on their working practices. As such, the assessment concludes that the cumulative impact of those committed developments would not be significant.

Mitigation Measures

957 The assessment identifies a series of mitigation measures. In terms of the construction phase, these include a range of measures to be addressed as part of the Construction Environment Management Plan and Construction Logistics Plan. These measures would be secured via condition.

958 In terms of the operational phase, the assessment identifies a required level of glazing specification and building fabric insulation together with a mechanical ventilation and heat recovery system, to ensure suitable internal noise levels can be achieved within the proposed residential apartments, and that suitable ventilation and cooling can be achieved within the apartments with windows closed. Noise limits for the operation of fixed plant as part of the proposed development are also recommended. Conditions are proposed to secure details of each of these mitigation measures.

Socio-Economic Effects

959 Chapter 15 of the ES provides an assessment of how the proposed development is likely to directly affect the local and regional economies during its construction in terms of capital investment and employment generation, the on-site employment to be created by the commercial floorspace, and the effects of the proposed development on the local area in terms of population, household expenditure, and local facilities and services. An updated version of Chapter 15 was submitted in August 2019 in response to the recommendations of the Council's independent appointed specialist consultants.

Construction Phase

960 The total construction costs of the proposed development will be around £105 million (measured works including preliminaries and overheads) and it is estimated that the gross impact generated by the implementation of the development will be 746 person years of construction activity on-site, which equates to 249 full time equivalent jobs over the three year build period. The assessment highlights that construction activity has significant positive impacts that go well beyond the on-site jobs created and the capital expenditure invested as part of the construction itself. By applying the relevant output and employment multipliers, the assessment forecasts that the proposed development will realise a total value of £195.2 million (£105 million direct, £90.2 million indirect and induced), and employment of 514 full time equivalent jobs (249 direct and 265 indirect and induced) within the wider economy over the build period. These construction costs

and values do not include the fit-out of the Trinity Laban extension, which can be expected to generate additional employment and associated values.

961 In terms of construction employment, the Gross Value Added (GVA) generated by the proposed development is forecast to total £57.7 million over the three-year build period. Taking account of the wider economic benefits that occur through construction activity, the total GVA created is estimated to be £110.4 million over the same period

Operational Phase

962 The assessment identifies that applying the average household size for Lewisham of 2.38 (from the 2011 Census), the proposed development comprising 393 residential units can be expected to accommodate a total of c. 935 people. Whilst not all of the households to be accommodated in the proposed development will be new to Lewisham, those households who move to the development from elsewhere within the borough will be replaced by other households, many of whom will be new to Lewisham. The assessment finds that the proposed development will have a positive impact of a moderate scale in helping to meet the housing requirements of Lewisham and the Council's affordable housing target.

963 The assessment finds that the 393 new dwellings will generate additional consumer demand by increasing household spending in Lewisham and the wider London area. The assessment estimates that the net additional annual household expenditure of the proposed development will be £9.3 million. It is assumed that 40% of household expenditure is likely to be spent outside of the borough, which means the additional household expenditure that will directly benefit Lewisham would be £5.6 million net per annum, which represents a positive impact of a minor scale. This net increase in household expenditure will see additional jobs created as a result of the level of spending being introduced into the local economy. Based on assumed average turnover per employee that relates total output across all business sectors to total employment, the net additional household expenditure per annum is forecast to directly support the equivalent of 47 jobs.

964 The extension to Trinity Laban would also make a contribution to the local economy, with the additional student numbers contributing through spend on housing and general living costs. The net contribution made by the 160 additional students is expected to be c. £8.7 million over a typical 3 year course. In terms of net annual expenditure (excluding housing costs) of this additional student intake, this is forecast to directly support the equivalent of 11 jobs.

965 The proposed development will generate ongoing employment beyond the construction phase, in terms of the additional facilities for Trinity Laban and the commercial floorspace that would be provided. Based on employment densities from the Homes and Community Agency 'Employment Densities Guide 2015', the assessment forecasts that 31 FTE jobs can be expected to be created as part of the additional facilities for Trinity Laban, and 48FTE jobs can be expected to be created associated with the commercial floorspace.

966 The assessment estimates that proposed development would generate an additional GVA of £6.1 million annually from the extension to Trinity Laban and the commercial floorspace. Furthermore, the equivalent of 47 jobs supported by the extra household expenditure would generate additional GVA of around £3.6 million annually and £0.9m annually from the equivalent 11 jobs supported by the expenditure arising from the additional students enrolled at Laban.

967 The proposed development will also deliver a New Homes Bonus (including affordable housing premium) for related to the 393 new homes as well as increased annual Council Tax receipts.

Social Infrastructure Provision

- 968 As identified above, the proposed 393 apartments can be expected to accommodate a residential population of c. 935. This would generate the need for 0.6 GPs, based on the ratio of 1 GP per 1,392 patients taken from the NHS 'General and Personal Medical Services, England'. There are 12 GP surgeries within 15 minutes walking distance (0.75 miles) of the site. These facilities have 46 GPs and have 73,783 registered patients, providing a GP to patient ratio of 1 per 1,604. This compares to the NHS average of 1 per 1,392. Implementation and full occupation of the proposed residential units would increase the GP to patient ratio to 1 per 1,624 which is above the NHS average of 1,392. The assessment does however highlight that the surgeries within the study area are all accepting new patients despite the capacity exceeding the average GP to patient ratio referred to in the General and Personal Medical Services publication. The assessment concludes that effects upon doctor's surgeries are expected to be permanent and local, but any adverse impact would be of a negligible scale, reducing capacity of existing GP surgeries only to a limited degree.
- 969 The proposed development is expected to generate 21.6 nursery pupils (0-4 years old). However, there will be some parents living in Lewisham who choose to place their children in nurseries near their place of work outside the borough. The Council's Childcare Review indicates this could be up to 15% of children, and therefore, the assessment notes that the number of children living in the proposed development and utilising children's nurseries in the borough could be lower than 21.6. The assessment identified that there are 13 nursery facilities within a 15 minute walking distance (0.75 miles) of the application site, which have a combined total of 613 places. The assessment does however note that many of these facilities can accommodate a larger number of children "on roll" as not every child will attend all day, five days a week.
- 970 There are 6 primary schools within 15 minutes walking distance of the application site providing 2,346 places in total and 2 of these schools had 128 spare places between them in January 2017. The proposed development is expected to generate demand for 22 primary school places, which is 17% of the capacity identified at January 2017 within 15 minutes walking distance of the site.
- 971 Addey and Stanhope School and Sixth Form is located within 15 minutes walking distance of the application site and at January 2017 had spare capacity for 3 pupils. Bellerbys College (an independent school) is also located less than 15 minutes from the application site, which had spare capacity for 280 pupils. The proposed development is expected to generate demand for 16 secondary school places and 17 post-16 places. The assessment highlights that the proposed expansion of Addey and Stanhope School had been recently revoked on the grounds that there was a collective drop in both primary and secondary school applications in 2017 and revised forecasting data suggests a lower than expected requirement for secondary places. As such, the assessment concludes that it is anticipated that there will be existing capacity for the additional demand for secondary school places generated by the proposed development by the time the units are occupied.
- 972 The proposed new housing will clearly create an increased demand on local services and facilities. The assessment identifies that without mitigation, the impact on school places, healthcare services and open space will be negative but of a minor scale. The receptors have a degree of adaptability and are capable of responding to change (i.e. some capacity is identified, albeit limited). However, the assessment concludes that mitigation through CIL contributions can be expected to broadly neutralise any adverse impacts.

Mitigation Measures

973 The assessment identifies that financial contributions would be secured through CIL, which could be directed towards investment in the expansion of local health and education facilities where considered appropriate and subject to other priorities. As detailed below, the development is estimated to generate a borough CIL contribution of approximately £5,120,258 which could be directed towards increasing social infrastructure provision within the local area.

Transport and Access

974 Chapter 16 of the ES assesses the effects the proposed development in respect of transport and access, including taking into account cumulative transport impacts. This has been informed by the Transport Assessment which forms Appendix 16.1 to the ES.

Construction Phase

975 It is anticipated that during the construction period, there will be approximately 180 two-way construction vehicles per day. Based on a typical 8.5-hour weekday operation (08:00-16:30) this equates to approximately 22 two-way movements per hour. The construction vehicle movements are considered to be comparable to those of Union Wharf and as such it is not considered that communities will be severed by effect the construction traffic, or that drivers or pedestrians will be subject to any unreasonable delay in their journey times. The assessment finds that the effects on the highway network associated with the construction phase would be temporary in nature and managed through the Construction Environment Management Plan and Construction Logistics Plan with a low number of exposed receptors and a low magnitude of effect. As such it finds that the significance will therefore be negligible.

Operational Phase

976 The assessment demonstrates that the proposed development will have significantly less than 30% impact on the surrounding highway network. The greatest increase in traffic would be at the Copperas Street/Creekside junction at 6.2% in the AM period (where all development traffic accesses the site). At the strategic junctions of the A200 Creek Road/Creekside and the A200 Creek Road/A2209 Deptford Church Street, the largest identified impacts are 0.5% and 0.2% respectively in the AM period. The assessment considers that these increases would be of negligible significance.

977 The increases in traffic flows on Copperas Street for the identified periods would be less than 30% and the percentage increase is as a result of the existing low baseline traffic flows on Copperas Street. The assessment finds that even with the largest effects of the development arising on Copperas Street, these are considered to be 'minor – negligible' in terms of significance. The impacts of increased traffic volumes following completion of the proposed development are considered likely to be of little impact to the total highway network capacity.

Cumulative

978 The assessment incorporates the series of committed developments within the surrounding area to ensure that the cumulative effects have been taken into account within the assessment in a robust manner. Mitigation measures including careful design, implementation of construction phase best practice methods, the Construction Environment Management Plan, a commitment to form part of the Evelyn Street Zonal CLP forum, and the Travel Plans will help to reduce any adverse cumulative effects. The cumulative construction traffic effect is considered to be temporary and of negligible significance due to the management of construction vehicles anticipated during the construction phase, along with the employment of best practice construction techniques which will seek to minimise adverse effects.

Mitigation Measures

- 979 The assessment identifies that the Construction Environment Management Plan and Construction Logistics Plan would provide the mechanism to mitigate transport and access impacts associated with the construction phase of the proposed development. These would both be secured by condition. As part of this, consideration will also be given to the potential use of the Creek to transport materials during construction.
- 980 In terms of the operational phase, given that the assessment demonstrates that the proposed development does not result in a significant net impact in traffic on the highway network, the assessment identifies that the management measures will largely fall within the need to operate a Delivery and Servicing Plan and Travel Plans for the residential and non-residential elements. In addition, and as requested by the Council's Highways officers, a Car Park Management Plan, Cycle Parking Management Plan and Event Management Plan would also be secured in addition to these identified measures, via s106 agreement.

Water Environment

- 981 Chapter 17 of the ES assesses the likely significant effects of the proposed development on the water environment and focuses on the key issues of quantity (the primary influence on downstream flood risk) and quality. The assessment is informed by the Flood Risk Assessment which forms Appendix 17.1 to the ES.

Construction Phase

- 982 In terms of water quality, the assessment identifies that any spill of fuel or lubricants from a properly managed construction site would be relatively limited in volume, and as such the potential effect of a spill on the water environment is considered to be minor adverse. There is a risk that physical pollutants, such as dust and sediment arising from construction activities could enter the local surface water environment. However, given the size of the watercourses and highly urbanised nature of the surroundings the potential effect on the water environment is considered to be negligible.
- 983 The primary effect on off-site water quantity associated with the construction phase of would be associated with any temporary dewatering/groundwater level control to facilitate the groundworks and basement installation. Any extracted groundwater would be pumped into the adjacent section of the Creek and would therefore increase the quantity of water in the channel. Given the size of the receiving watercourse, it would have capacity to absorb additional volumes associated with localised groundwater removal. As such, the effect on flood risk as a result of groundwater management at the site during construction is considered to be minor adverse to negligible.

Operational Phase

- 984 Surface water runoff from the development may contain both physical and chemical contaminants from various sources (brake dust, road salt, oil spills, domestic building works, domestic use of pesticide etc). The quantity of physical contaminants is unlikely to be excessive, as only a limited proportion of the site area would be exposed to vehicular traffic. Potential chemical contaminants associated with the development would likely be limited to landscape maintenance and products associated with the general upkeep of the building and soft landscaping. As such, the associated effect on the water environment of these pollutants is considered to be negligible.
- 985 The site is currently impermeable and therefore the completed development would not result in a notable increase in the impermeable area of the site. However, as it is proposed to discharge surface water to the Creek, the proposals will result in an increase in the volume of runoff to the Creek and downstream watercourse (the

Thames). Given the potential capacity of the Thames to receive additional flows without resulting in a significant increase in its level, the effect of allowing surface water runoff to discharge to the Creek is considered to be a negligible effect.

Mitigation Measures

986 The assessment identifies pollution prevention will be achieved during the construction phase through physical and procedural measures, including temporary sediment traps, sacrificial /protective surfacing, suitable storage of materials and fuels, regular maintenance of plant and emergency procedures for any spills. These provisions would be secured via the Construction Environment Management Plan, which is subject to a planning condition. Groundwater management during the construction phase would be the responsibility of the lead contractor. Depending on the nature of groundwater encountered, continuous pumping of groundwater may be required in order to facilitate construction activities. On-site storage of groundwater would allow for discharge rates to the Creek to be managed and could reduce the effect on the water environment from minor adverse to negligible.

987 In terms of the operational phase, surface water runoff would be intercepted with various proposed sustainable drainage techniques including SuDS planters, permeable paving and areas of green roof. The treatment of both physical and some chemical pollutants afforded by such techniques would reduce the effect on the water environment from negligible to minor beneficial.

Summary of Residual Effects

988 The likely residual effects of the proposed development on the environment are identified in the relevant technical ES Chapters, assuming the implementation of the embedded mitigation within the scheme design and any additional recommended mitigation measures by relevant technical consultants. Chapter 18 of the ES presents a summary of the residual effects.

Cumulative Effects

989 Chapter 19 of the ES identifies that a cumulative assessment has been undertaken of the proposed development. The cumulative effects assessed are as follows:

- Type 1: Combined effects of different types of impacts from the scheme, for example, noise, dust and visual impacts, on a particular receptor known as 'impact interaction' or 'interrelationships'
- Type 2: Combined effects from other developments in conjunction with the proposed development, which individually might be insignificant, but when considered together could amount to a significant cumulative effect.

990 In relation to Type 1, the assessment concludes that in combination the air quality, daylight, sunlight, overshadowing, solar glare, visual impact, lighting, microclimate, noise and vibration, effects of the scheme, taking into account mitigation measures, would not give rise to an environmentally unacceptable cumulative effects in terms of residential, educational and recreational amenity. In addition, such cumulative effects in terms of residential, educational and recreational amenity need to be balanced against the wider environmental, social and economic benefits of the scheme. The environmental effects of the scheme in relation to a range of other topics (archaeology, biodiversity, ground conditions and contamination, heritage and townscape, socio-economic, transport and access and the water environment) have been assessed in the ES, taking into account mitigation measures where appropriate. In this respect, it is considered that when these individually environmentally acceptable impacts are combined with the other environmental impacts of the proposed development, in relation to residential,

educational and recreational amenity as referred to above, this would not give rise to an unacceptable cumulative effect that would tip the balance back against the scheme. As such, in relation to the combination of impacts from the scheme, the ES concludes that there would be no unacceptable cumulative effect.

- 991 In relation to Type 2, the ES concludes that the combination of effects from other developments in conjunction with the proposed development would result in no unacceptable cumulative impact.

Conclusion

- 992 The ES has been independently reviewed by external consultants appointed by the Council. Following their initial review, the appointed consultants raised a series of points where either clarification or further information was required. Recognising that some of these points could be considered to formally constitute 'further information' for the purposes of Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), the Council followed due procedure upon submission by the applicant team of the requested information. This was undertaken in both May 2019 and again in July 2020 in response to the submission of 'further information' in EIA terms. These clarifications and further information have also been reviewed by the external consultants appointed by the Council, with a number of further matters of clarification subsequently provided in relation to this. Council officers consider that the applicant has now satisfactorily addressed the outstanding matters and it is considered that the ES and subsequent clarifications and further information provide a full and appropriate assessment of the likely significant effects of the development. It is concluded that that the development will not give rise to any unacceptable cumulative environmental impacts, subject to appropriate mitigation measures and provisions being secured by condition and s106 agreement.

9 LOCAL FINANCE CONSIDERATIONS

993 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).

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

995 The CIL is therefore a material consideration.

996 Approximately £5,120,258 Lewisham CIL and £2,038,472 MCIL is estimated to be payable on this application, subject to any valid applications for relief or exemption in relation to the affordable housing provision, and the applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

10 EQUALITIES CONSIDERATIONS

- 997 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.
- 998 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.
- 999 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.
- 1000 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>
- 1001 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
- 1002 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>
- 1003 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 impact on equality.

11 HUMAN RIGHTS IMPLICATIONS

- 1004 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:
- Article 8: Respect for your private and family life, home and correspondence
 - Protocol 1, Article 1: Right to peaceful enjoyment of your property
 - Protocol 1, Article 2: Right to education
- 1005 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.
- 1006 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.
- 1007 This application has the legitimate aim of providing a new building comprising educational, commercial and residential uses. The rights potentially engaged by this application are not considered to be unlawfully interfered with by this proposal.

12 LEGAL AGREEMENT

1008 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

1009 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.

Trinity Laban Extension Building – delivery to shell and core

1010 Completion of Building 3 (the Trinity Laban extension building) to an agreed shell and core specification prior to the completion of the 200th residential unit.

Trinity Laban Extension Building – commitment to occupation and fit out

1011 Provision that prior to the commencement of development, Trinity Laban is required to:

- a) contractually commit to taking occupation of Building 3 upon its completion to shell and core;
- b) submit detailed evidence to demonstrate how the fit out costs of the building will be met; and
- a) commit to fitting out the building and bringing it in to use as an extension to its existing facility within a defined time period from the building's completion to shell and core.

Trinity Laban Community Use Agreement

1012 A community use agreement to secure the following:

- A) Provision of additional dance and music opportunities for children and young people (under the age of 18) resident in the London Borough of Lewisham, as follows:
 - i) A minimum of 3,000 children/young people under 18 resident or at school in Lewisham to be registered to participate in dance and music activities in a combination of the Deptford site and through schools and community settings across Lewisham.

- ii) A minimum 10% of the total cohort each year in TL’s dance centre for advanced training (ages 13 – 18) to be made available for Lewisham residents.
- iii) A minimum 10% of the total cohort each year in TL’s junior Trinity programme for ages 11 – 18 with exceptional potential in music to be Lewisham residents.
- iv) A minimum of 50% of all schools in Lewisham will be offered free opportunities for music and dance activities operated by TL either within the schools or at the TL facility.

B) Access to the Trinity Laban building for Lewisham residents and registered charities:

- i) TL will offer the following discounts for the hire of space at the new building and facilities to companies, charities and enterprises based in Lewisham:
 - Small to medium size enterprise in the private sector – 25%.
 - Public sector or government funded, education and health care organisations – 25%.
 - Registered charities – 50%.
- ii) The offer of accessible or reduced ticket prices to local residents for public programmes in dance and music to achieve a 20% increase in Lewisham resident audiences – with a target of 710 bookings each year.

C) Increased dance and music opportunities for Lewisham adults including over 60s at the Trinity Laban buildings

- i) To widen and increase the existing dance and music activities for adults and older people in both the new TL building and across Lewisham to achieve a minimum of 500 adult and older Lewisham resident participants each year.

Affordable Housing and Viability Review Mechanisms

1013 Provisions to secure the following:

- 59 residential units to be provided as intermediate shared ownership tenure.
- The dwelling mix of the shared ownership units to be as follows:

Unit Size	No. of Units*
1B2P	23 (2)
2B3P	0 (-)
2B4P	25 (1)
3B5P	8 (2)
3B6P	3 (-)
TOTAL	59 (5)

*Wheelchair accessible units shown in (brackets)

- The shared ownership units to be pepper potted at various levels within both Buildings 1 and 2, and no shared ownership units to be located on Level 1 of either building (recognising that Level 1 units do not have private outdoor amenity space).
- Affordability of shared ownership units in accordance with qualifying income levels as set out in the Intend to Publish London Plan, the Mayor's Affordable Housing and Viability SPG and the Annual Monitoring Report including a range of income thresholds for different sized units.
- Homes to be made available through the new Homes for Londoners online portal.
- Availability of units in perpetuity (subject to staircasing).
- Completion timing and availability of affordable units in relation to market units.
- Submission of a Shared Ownership Units Scheme for approval by the Council, detailing all the above provisions and confirming the specific location of the shared ownership units within each block.
- Early Stage Viability Review triggered if an agreed level of progress on implementation (completion of ground floor slab for Buildings 1 and 3) is not made within two years of any permission being granted.
- Late Stage Viability Review triggered when 75% of the units are sold or let.
- Both Early Stage and Late Stage Viability Review mechanisms to specifically include provision that should there be any underspend against the cost identified within the submitted Financial Viability Assessment to build the Trinity Laban facility to shell and core, any underspend shall be made available to the Council to be directed toward affordable housing provision (or the local labour contribution, or carbon-offset contribution as deemed appropriate). – **Note this is still awaiting agreement from the applicant, and a update will be provided for committee.**

Wheelchair Housing

1014 Provisions to secure the following:

- Provision and retention in perpetuity of wheelchair units, including their number, mix, location, fit-out and associated car parking spaces.
- Submission of a Wheelchair Housing Marketing Plan to include:
 - Marketing of wheelchair units for a minimum period of 6 months prior to release of unsold units to the open market; and
 - Shared ownership wheelchair units to be marketed in accordance with the SELHP Guidelines for Developing & Marketing Wheelchair Accessible Shared Ownership Properties.

Local Labour and Business

1015 Submit and enter in to a Local Labour and Business Strategy (to be agreed with Lewisham's Economic Development Team), to support local people into work by

providing employment opportunity linked training during both the construction phase and operational phase (within both Trinity Laban, and the commercial floorspace).

- 1016 Subject to any surplus being identified via the Early Stage or Late Stage Viability Review mechanisms, any surplus could potentially be directed towards a local labour contribution at that stage, up to a maximum of £250,160 (index linked).

Commercial Floorspace Marketing Strategy and Fit Out

- 1017 Submission of a Commercial Floorspace Marketing Strategy (to be agreed with Lewisham's Economic Development Team) in relation to the marketing of the commercial units. This will address the matters set out within paragraph 3.4.10 of the Lewisham Planning Obligations SPD (February 2015), and will specifically include the following commitments:

- a) the developer to fit out commercial units (i.e. the non-residential floorspace, but excluding the Trinity Laban floorspace) or meet the costs of fitting out by the first occupiers; and
- b) the developer to provide a minimum 3 month rent free clause for future occupiers of the commercial units.

Carbon Offsetting

- 1018 Financial contribution of £200,000 towards carbon offsetting, with £50,00 to be payable upon commencement and £150,000 payable prior to occupation of the 100th residential unit.
- 1019 Subject to any surplus being identified via the Early Stage or Late Stage Viability Review mechanisms, any surplus could potentially be directed towards the remaining £388,536 (index linked) of the carbon offset contribution at that stage.

Highways and Transport

- 1020 £264,000 contribution towards highway and public realm works to Copperas Street.
- 1021 Enter in to a S278 agreement to deliver the following:
- The creation of a turning head, to be offered for adoption under a Section 38 Agreement;
 - The creation of a layby/set down facility on Copperas Street;
 - The revision of existing waiting restrictions to prevent vehicles waiting/loading/parking in inappropriate locations on Copperas Street with associated Traffic Regulation Orders (TROs);
 - The closure of all redundant crossovers;
 - The provision of dropped kerbs/tactile information at the Copperas Street / Creekside junction; and
 - The provision of dropped kerbs/tactile information at the Creek Road / Creekside junction.

- 1022 £30,000 contribution towards consultation on and / or implementation of a Controlled Parking Zone / Restricted Parking Zone within the surrounding area.
- 1023 Provision to ensure that future residents will not to be eligible to obtain parking permits.
- 1024 Car Club Strategy providing membership for all residents for 3 years, including a review of existing car club infrastructure in the vicinity to determine if whether additional vehicle provision would be required.
- 1025 £25,000 contribution to fund RTPI / digital countdown signage at two bus stops on Creek Road.
- 1026 Submission of the following documents for approval by the local planning authority, and ongoing implementation and management in accordance with the approved details:
- Cycle Parking Management Plan;
 - Residential Travel Plan;
 - Non-Residential (including Trinity Laban) Travel Plan;
 - Event Management Plan;
 - Car Park Management Plan, to reflect the provision within the draft document submitted alongside the planning application together with the following additional details:
 - How the off-street spaces within the development will be allocated / managed;
 - How informal parking throughout the development will be enforced (within the basement and on the hard landscaped areas);
 - What security measures will be in place within the basement car park;
 - How access to the car park will be controlled / managed;
 - Details of the traffic signal system that will installed to control priority over the one-way ramp and how it will be managed / maintained;
 - How the service access which also serves as a turning head facility (on Copperas Street) will be managed / enforced; and
 - Details of the proposed retractable bollards used to secure and controlled service vehicle access within the site.
 - Delivery and Servicing Plan to reflect the provision within the draft document submitted alongside the planning application together with the following additional details:
 - How maintenance access to the Creek for the Environment Agency, emergency vehicle access will be managed;
 - Measures to minimise impact of all the commercial and residential deliveries to the site i.e. concierge or central deliveries point;
 - The waste management strategy for all of the uses within the site; and

- Details of refuse/recycling storage areas and collection points for all the uses within the site.

1027 A commitment to form part of the Evelyn Street Construction Logistics Partnership (including any forums).

Air Quality

1028 £40,000 contribution towards air quality monitoring actions during the construction and operational phase.

Public Realm

1029 Completion of all public realm within the application site and it being made publicly accessible prior to completion of the 350th residential unit. Submission of a detailed delivery and phasing strategy in relation to the construction programme, which seeks to deliver and complete defined elements of the public realm ahead of this final backstop wherever practicable within the constraints of the construction programme.

1030 Provision which requires all public realm within the application site (excluding that land which lies to the west of the proposed gate adjacent to the Laban Building) to be publicly accessible to pedestrians and cyclists at all times and in perpetuity.

1031 Provision which requires the laying of a hard landscaped path through the existing Trinity Laban site (between the existing gate on the boundary with Kent Wharf, and the proposed gate adjacent to the Laban Building) to afford a continuous Creekside route. Provision that this route shall be complete and made available for public use prior to completion of the 350th residential unit and provision that this stretch of route will be publicly accessible to pedestrians within defined hours in perpetuity.

1032 Submission of a Public Realm and Public Access Management Plan for approval, capturing the above, and detailing management and maintenance arrangements for the public realm.

Amenity Space & Children's Playspace

1033 Ensure that equal access to the communal amenity spaces accessed via Level 6 of Building 1 and via Level 25 of Building 2 is provided for all residents of both residential blocks in perpetuity.

Creek Wall

1034 Commitment that works to raise the crest height of the tidal flood defence crest level to a minimum of 6.2 metres above Ordnance Datum (mAOD) shall be completed before the year 2065.

Ecology and Biodiversity

- 1035 Secure provision of intertidal terrace and monitoring provisions to confirm its successful implementation / colonisation and ongoing management.

Brewery Wharf Safeguarding Provisions

- 1036 The developer to enter in to a Deed of Easement with the Port of London Authority that requires:
- i) the developer to inform prospective future occupiers of the nature and extent of activities at Brewery Wharf including the fact that the wharf may be operational 24 hours a day seven days per week throughout the year; and
 - ii) that any prospective future occupiers within the development are not entitled to make any claim for nuisance or damages caused by noise from Brewery Wharf at a level at or below an agreed baseline noise level.

Design Champion / Architect Retention Clause

- 1037 Squire & Partners to be retained in a design champion / guardian role overseeing the executive architect if another practice is appointed during construction to ensure exemplary design quality is achieved.

Television and Radio Reception Mitigation

- 1038 Implementation of mitigation measures identified within the submitted Television and Radio Reception Impact Assessment (GTech Surveys Ltd, 4 June 2018).

Monitoring Fee and Legal Costs

- 1039 £25,000 fee (which applies to developments of 301+ units).
- 1040 Commitment to meeting the Council's costs in relation to the preparation and drafting of the legal agreement (legal costs and officer time).
- 1041 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).

13 CONCLUSION

- 1042 This application has been considered in the light of policies set out in the development plan and other material considerations, as required by Section 38(6) of the Planning and Compulsory Purchase Act.
- 1043 The proposals were developed in the context of extensive pre-application discussions with Council officers, the Greater London Authority and following presentation to Lewisham's Design Review Panel. The applicant has also held two pre-application consultation events to which local residents and stakeholders were invited.
- 1044 The proposal has been designed to take a comprehensive approach to the development of the site, incorporating those elements of land within the ownership of Trinity Laban and LB Lewisham to ensure the site comes forward as one, and thereby addressing one of the principal reasons for refusal in relation to the previously refused scheme (application reference DC/15/090768) which was dismissed at appeal and which related only to the land within Kitewood's ownership.
- 1045 From the outset, one of the guiding objectives of the current scheme has been to deliver a building to facilitate the expansion of Trinity Laban. The provision of an extension to Trinity Laban to facilitate its long term retention within the borough is a long held strategic objective, which is reflected in Site Allocation Policy SA12 which allocates the site for a range of uses, including provision for cultural and creative industries, and identifies that the site provides the opportunity to "enhance one of the borough's landmarks, forming part of a wider comprehensive approach to regenerating the area, thereby complementing and supporting the Laban Centre and relating to nearby areas for regeneration".
- 1046 Trinity Laban have confirmed that they do not hold the requisite capital reserves (estimated at £30 - £40 million) to enable them to expand their estate by other means and without a development partner. Trinity Laban therefore consider that the proposed development represents the only affordable option available to expand their estate. The proposed development therefore represents a unique opportunity to expand the existing facilities on an adjacent site to the Laban Building, and enable both buildings to operate together realising efficiencies of scale in terms of the management of the facility and avoiding the need for staff and students to travel between two separate facilities. The development would facilitate a high quality new facility that would support the retention and expansion of Trinity Laban within the borough. Moreover, the provisions of the community use agreement would secure increased public and community use of Trinity Laban's facilities, including the provision of dance and music opportunities for children and young people, community access to their facilities for Lewisham residents and registered charities, and the provision of dance and music opportunities for Lewisham adults and older people. Substantial weight is therefore accorded to this as a planning benefit of the proposed development.
- 1047 The application site lies within the Deptford Creek / Greenwich Riverside Opportunity Area, and would deliver 393 new dwellings which represents 28.4% of the borough's current annual housing target, and 23.6% of the borough's annual housing target on the basis of the Intend to Publish London Plan. This would represent a substantive contribution to the annual target for Lewisham, and therefore significant weight is accorded to this in planning terms. The residential blocks are well designed and would afford a high standard of amenity for future occupiers, in terms of internal and external space standards, outlook, aspect, and the provision of generous external communal amenity space and playspace.
- 1048 15% of the new dwellings would be provided as shared ownership tenure affordable housing. Whilst this would not meet the Council's definition of genuinely affordable

housing and the provision falls below the standard policy requirement, it has been demonstrated through robust interrogation of the submitted viability evidence that 10% shared ownership affordable housing provision is the maximum provision that the scheme can support in viability terms. The developer is prepared to accept a reduced financial return in order to increase the affordable housing provision to 15% in order to secure planning permission. Early and late stage viability review mechanisms would ensure that any improvement in viability could be captured and directed towards affordable housing delivery. The shared ownership units would make a contribution to meeting housing need within the borough, and the development would be fully tenure blind with the units pepper potted throughout both residential blocks. Moderate weight is therefore accorded with regard to the provision of 59 shared ownership units as part of the proposed dwelling mix.

- 1049 The proposed development would achieve an excellent design quality befitting its prominent setting fronting Deptford Creek and adjacent to the striking Laban Building. The materiality and detailed treatment of the buildings would be of a very high standard. The development would deliver approximately 3,738sqm of high quality public realm comprising three main spaces. The substantial area of public realm that would be created adjacent to the Creek would be an exceptional new public space providing substantive public benefit for local residents and visitors to the area. The scheme would also deliver a new stretch of publicly accessible Creekside route of approximately 190m in length, which would facilitate a continuous stretch of Creekside route between Kent Wharf and Union Wharf, and make a substantive contribution towards achieving a continuous and publicly accessible route along this stretch of Deptford Creek. The public realm and Creekside route are major benefits of the scheme to which significant weight is attached in planning terms.
- 1050 Other benefits of the proposed development include the provision of 757sqm GIA of flexible commercial floorspace which would support job creation and economic benefits, and a substantive financial contribution of £264,000 would be secured to deliver highway and public realm improvements to Copperas Street create a high quality environment for pedestrians and cyclists. The development would also facilitate works to replace two stretches of the existing Creek Wall that have been designed to account for the 2100 flood levels and would allow for future raising to a level of 6.2m AOD to meet enhanced flood resistance. The development would also deliver net gains in biodiversity terms through the provision of new landscaping and planting, biodiverse living roof areas, and tidal terraces within the Creek environment.
- 1051 As detailed within this report, the proposed development would result in some harm to designated heritage assets. It is considered that the proposed development would result in a degree of harm to the Outstanding Universal Value of the Maritime Greenwich World Heritage Site but that this harm would be less than substantial. In relation to the Grade I listed St Paul's Church, the impact of the proposed development on the setting of the church is considered to be at the high end of less than substantial. In relation to the setting of the listed buildings at Albury Street, the setting of the Deptford High Street and St Paul's Church Conservation Area, and the Grade I listed Church of St Alfege and the West Greenwich Conservation Area, the level of harm would be at the low to moderate end of less than substantial. NPPF paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The proposed development would deliver substantive public benefits, and taking all the identified public benefits into account, it is considered that they outweigh the identified harm to the designated heritage assets. As such, having regard to the statutory duties in respect of listed buildings and conservation areas in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant paragraphs in the NPPF in relation to conserving the historic environment, officers are satisfied that the proposal would accord with the aims and objectives of LPP 7.8, Chapter 16 of the NPPF and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 1052 The proposed development would also result in harm to occupiers of neighbouring apartments through reductions in daylight and sunlight. Whilst apartments within a number of surrounding blocks will experience reductions to daylight and sunlight, the greatest impact will be in relation to Adagio Point and Union Wharf, both in terms of the proportion of windows and rooms which would fail to meet BRE recommended levels, and in terms of the extent of reduction to those windows and rooms which would be most significantly affected. Occupiers of some of the units within these buildings which face the application site will experience significant reductions in terms of daylight and sunlight. For the reasons set out above, it is considered that this impact must be considered in the context of the existing baseline context, the need to apply BRE guidelines flexibly in the context of urban development within a designated opportunity area, the outcome of the mirror-massing assessment, and the site's planning history. Whilst the degree of harm to particular units will be significant, in weighing this harm against the public benefits of the scheme, it is considered that the substantive benefits that the scheme would deliver do outweigh this harm.
- 1053 As set out within the report, the Council owns part of the application site and on the basis of a land sale agreement between the LB Lewisham and the applicant, the Council would receive a financial benefit associated with the delivery of the proposed development. Members are advised that any financial benefit to the Council arising from the land sale agreement should not be accorded any weight in the planning balance.
- 1054 In conclusion, the proposed development is considered to be in accordance with the relevant national planning policy guidance and development plan policies. The proposals comprise sustainable development in accordance with the NPPF and will make an important contribution to the delivery of the and the site allocation, in respect of delivering a new facility for Trinity Laban, making a substantive contribution to the borough's housing supply, and redeveloping a derelict and vacant site to complement the redevelopment that has taken place within the surrounding area over the last 20 years. The proposals are therefore considered to be both appropriate and beneficial. Therefore, on balance, any harm arising from the proposed development is considered to be outweighed by the substantive benefits listed above.

14 RECOMMENDATION

RECOMMENDATION (A)

- 1055 To agree the proposals and refer the application, this report and any other required documents to the Mayor of London (Greater London Authority) under Article 5 of the Town and Country Planning (Mayor of London) Order 2008.

RECOMMENDATION (B)

- 1056 Subject to no direction being received from the Mayor of London, authorise the Head of Law to complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the principal matters as set out in Section 12 of this report, including other such amendments as considered appropriate to ensure the acceptable implementation of the development.

RECOMMENDATION (C)

- 1057 Subject to completion of a satisfactory legal agreement, authorise the Head of Planning to **GRANT PLANNING PERMISSION** subject to conditions including those set out below and such amendments as considered appropriate to ensure the acceptable implementation of the development.

14.1 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. Develop in Accordance with Approved Drawings and Documents

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

Received 30 August 2018

C645_B0_E_01_001; C645_B0_E_02_001; C645_B0_E_03_001;
C645_B0_E_04_001; C645_B0_E_05_001; C645_B0_E_06_001;
C645_B0_S_AA_001; C645_B0_S_DD_001; D811_B1_P_01_001;
D811_B1_P_01_002; D811_B1_P_01_003; D811_B1_P_01_004;
D811_B1_P_01_005; D811_B1_P_T1_001; D811_B1_P_T1_002;
D811_B1_P_T1_003; D811_B1_P_T1_004; D811_B1_P_T1_005;
D811_B1_P_T1_006; D811_B1_P_T1_007; D811_B1_P_T1_008;
D811_B1_P_02_004; D811_B1_P_02_005; D811_B1_P_06_006;
D811_B1_P_06_007; D811_B1_P_24_001; D811_B1_P_24_005;
D811_B1_P_25_001; D811_B1_P_26_001; D811_B1_P_26_002;
D811_B1_P_26_003; D811_B1_P_27_001; D811_B1_P_27_002;
D811_B1_P_28_001; D811_B1_P_28_002; D811_B1_P_28_003;
D811_B1_P_28_004; D811_B1_P_29_001; D811_B1_P_29_002;
D811_B1_P_29_003; D811_B1_P_29_004; D811_B2_P_01_001;
D811_B2_P_01_002; D811_B2_P_01_003; D811_B2_P_01_004;
D811_B2_P_01_005; D811_B2_P_01_006; D811_B2_P_01_007;
D811_B2_P_01_008; D811_B2_P_T1_001; D811_B2_P_T1_002;

D811_B2_P_T1_003; D811_B2_P_T1_004; D811_B2_P_T1_005;
D811_B2_P_T1_006; D811_B2_P_T1_007; D811_B2_P_T1_008;
D811_B2_P_22_002; D811_B2_P_22_003; D811_B2_P_22_004;
D811_B2_P_23_002; D811_B2_P_23_003; D811_B2_P_24_001;
D811_B2_P_24_002; D811_B2_P_24_003; D811_B2_P_24_004;
D811_B2_P_24_005; D811_B2_P_24_006; D811_B2_P_24_007;
D811_B2_P_25_004; G251_B0_P_00_001; G251_B0_P_00_002;
G251_B1_BS_00_001; G251_B1_BS_08_002; G251_B1_BS_RF_001;
G251_B3_BS_RF_001; JA12_B0_E_01_001; JA12_B0_E_02_001;
JA12_B0_E_03_001; JA12_B0_E_04_001; JA12_B0_E_05_001;
JA12_B0_E_06_001

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C645_B0_P_01_001 Rev A; C645_B0_P_02_001 Rev A; C645_B0_P_03_001
Rev A; C645_B0_P_04_001 Rev A; C645_B0_P_06_001 Rev A;
C645_B0_P_T1_001 Rev A; C645_B0_P_22_001 Rev A; C645_B0_P_23_001
Rev A; C645_B0_P_24_001 Rev A; C645_B0_P_27_001 Rev A;
C645_B0_S_BB_001 Rev A; C645_B0_S_CC_001 Rev A;
G251_B0_P_00_003; JA12_B0_P_RF_001 Rev A; JA12_B0_P_00_001 Rev A;
JC20_B0_P_00_001 Rev A

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C645_B0_P_B1_001 Rev E; C645_B0_P_B1_003 Rev B; C645_B0_S_EE_001
Rev A

Received 29 October 2020

C645_B0_P_25_001 Rev B; C645_B0_P_26_001 Rev B; C645_B0_P_28_001
Rev B; C645_B0_P_29_001 Rev B; C645_B0_P_RF_001 Rev B;
C645_B0_P_RF_002 Rev B; C645_B0_P_RF_100 Rev B; C645_B0_P_RF_101
Rev B

Received 2 November 2020

C645_B0_P_00_001 Rev C

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

3. Construction Environment Management Plan

No development shall commence on site until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the local planning authority (in consultation with the Port of London Authority). The plan shall include:-

- (a) appropriate limits on hours of site working;
- (b) a Pollution Prevention Plan as identified within the submitted Ecological Assessment (ENVIRON, UK11-20599 (January 2015)) in order to minimise risk of pollution to Deptford Creek from any site-related impacts, including commitments regarding site lighting and details of measures to mitigate the impact of any light spillage to Deptford Creek during the construction phase;

- (c) measures to check for the presence of knotweed and other non-native invasive species prior to site clearance, and the measures that will be employed for their removal;
- (d) commitments regarding the secure on-site storage of fuel and other hazardous liquids or materials to prevent these causing groundwater contamination;
- (e) a Site Waste Management Plan including commitments regarding waste management strategies for all waste produced during demolition and construction activities;
- (f) the location and operation of plant and wheel washing facilities;
- (g) noise and vibration monitoring positions and the format of noise and vibration reporting, and details of best practical measures to be employed to mitigate noise and vibration arising from the construction process;
- (h) details of Security Management (to minimise risks to unauthorised personnel);
- (i) details of the training of site operatives to follow the Construction Environment Management Plan requirements; and
- (j) a process for updating local residents of construction work progress including any potential disturbance arising, and a process for handling complaints from the public.

The works shall be carried out in strict accordance with the approved Construction Environment Management Plan.

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 (March 2016), Policy 9 Improving local air quality and Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and DM Policy 23 Air Quality and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

4. Construction Logistics Plan

No development shall commence on site until a Construction Logistics Plan has been submitted to and approved in writing by the local planning authority (in consultation with the Port of London Authority). The plan shall demonstrate the following:-

- (a) Rationalise travel and traffic routes to and from the site;
- (b) A commitment to use Deptford Creek for the movement of materials where practicable;
- (c) 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 vehicle activity;

- (d) Provide full details of the following:
- Siting of hoarding lines;
 - Location of site access gates (both vehicular and pedestrian);
 - Location of on-site parking;
 - Location of loading area and any waiting/holding area;
 - Location allocated for site compound, storage and welfare;
 - Vehicle route through the site;
 - Swept path analysis of the proposed access/egress route to/from the site via Creekside / Copperas Street;
 - Details of the size/type and number of vehicle accessing the site; and
 - Details of temporary servicing arrangements for Trinity Laban during the construction phase;
- (e) Measures to ensure a safe environment for pedestrians and cyclists using Copperas Street and Creekside during the construction phase;
- (f) How the construction phasing of committed developments in the vicinity of the site will be taken into consideration; and
- (g) Confirmation that the developer or its contractor will contribute and participate in the Evelyn Street Construction Logistics Partnership.

The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to during the period of construction.

Reason: In order to ensure satisfactory vehicle management 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 (March 2016) and Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

5. Dust Management Plan

No development shall commence on site until a Dust Management Plan to minimise the risk of dust pollution during site clearance and construction works (including any works of demolition of existing buildings) and which includes details of appropriate monitoring activities, has been submitted to and approved in writing by the local planning authority (in consultation with the Port of London Authority).

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 any pollution impacts to Deptford Creek and the natural environment, to comply with Policy 5.3 Sustainable design and construction and Policy 7.14 Improving air quality of the London Plan (March 2016) and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

6. Archaeological Scheme of Investigation

No demolition or development shall take place until a Stage 1 written scheme of investigation (WSI) has been submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by the Stage 1 WSI, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved in writing by the local planning authority. For land that is included within the Stage 2 WSI, no demolition or development shall take place other than in accordance with the agreed Stage 2 WSI which shall include:

- a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
- b) The programme for post-investigation assessment and subsequent analysis, publication, dissemination and deposition of resulting material.

This condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.

Reason: To ensure adequate access for archaeological investigations in compliance with Policy 7.8 of the London Plan (March 2016) and Policy 15 High quality design for Lewisham and Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011).

7. Ecological Management Plan

No development shall commence on site until an Ecological Management Plan (in conformity with BS 42020:2013) including mitigation measures during demolition and construction, long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, has been submitted to and approved in writing by the local planning authority (in consultation with the Port of London Authority). The Ecological Management Plan shall also include pre-works check for invasive species and measures to monitor habitats and species and review the need for additional management. Development proposals must ensure no net loss of biodiversity and wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity and achieve the required Urban Greening Factor (UGF) score for the approved site.

Reason: In order that the local planning authority may be satisfied that development is carried out in a manner which will make a positive contribution to the protection, enhancement, creation and management of biodiversity and to comply with Policy 7.19 Biodiversity and access to nature of the London Plan (March 2016), Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

8. Ground Contamination

- (a) No development or phase of development (including demolition of existing buildings and structures, except where enabling works for site investigation has been agreed by the local planning authority) shall commence until:

(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 for all receptors which may be affected (including those off site) which shall include the gas, hydrological and contamination status and the risk of unexploded ordnance, specifying rationale and recommendations for treatment for contamination and risk encountered (whether by remedial works or not), has been submitted to and approved in writing by the local planning authority; and

(iii) The required remediation scheme has been 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 local planning authority.

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, and identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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 uses 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).

9. Piling Works

- (a) No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the local planning authority.
- (b) Details of any such operations must be submitted to and approved in writing by the local planning authority (in consultation with the Environment Agency and Thames Water) prior to commencement of development on site and shall be accompanied by details of the relevant penetrative methods.

- (c) Any such work shall be carried out only in accordance with the details approved under part (b).

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

10. Sustainability and Energy Performance

Prior to any superstructure works commencing on site, details shall be submitted to and approved in writing by the local planning authority based on RIBA Stage 4 technical designs that demonstrate how the following carbon reduction savings identified within the submitted Sustainability and Energy Statement – Update (RSK, 24 September 2020) will be achieved:

- a) The residential element shall achieve an on-site carbon reduction of at least 43% beyond the requirements of Part L of the Building Regulations 2013 based on the SAP 10 emissions factors; and
- b) The non-residential element shall achieve an on-site carbon reduction of at least 54% beyond the requirements of Part L of the Building Regulations 2013 based on the SAP 10 emissions factors.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, and 5.7 Renewable energy of the London Plan (March 2016), Policy SI2 Minimising greenhouse gas emissions of the Intend to Publish London Plan (December 2019) and Policy 7 Climate change and adapting to the effects and Policy 8 Sustainable design and construction and energy efficiency of the Core Strategy (June 2011).

11. Flood Defences and Tidal Terracing

No foundation works within 16 metres of Deptford Creek shall commence until a scheme of tidal flood defence works for the design, construction, access to, and maintenance of, the permanent flood defences and intertidal terracing has been submitted to and approved in writing by the local planning authority (in consultation with the Environment Agency). The scheme of works shall include:

- a) demonstrating that the lifetime of the flood defence structures is no less than 100 years and that they are able to accommodate crest raising to a level of 6.2 metres above Ordnance Datum (mAOD), for climate change induced sea level rise;
- b) how the proposed ground raising behind the existing Thanet Wharf wall will avoid an increase in surcharge loading acting on the wall;
- c) details of the access route from the public highway and along the length of the river wall able to support civil engineering plant, including a 90 ton crane;
- d) details of new intertidal habitat features, including tidal terraces designed to last for the lifetime of the development and to be adaptable for future sea level rise, which shall include the siting, height, details and planting of the tidal terraces (which shall have been informed through liaison with the Creekside Education Trust);

- e) a long-term inspection and maintenance plan for the flood defences and the tidal terraces, which includes provision for ongoing review mechanisms to ensure successful colonisation of the tidal terraces;
- f) details of surface water outfalls through the river walls or preparatory work to enable needed outfalls to be constructed later; and
- g) the timing of implementation of the scheme of works.

The development will then only proceed in strict accordance with the approved scheme and shall be maintained as such for the lifetime of the development.

Reason: To minimise the risk of flooding to the surrounding built environment and to the development for its lifetime, in line with the Thames Estuary 2100 plan, and for the benefit of wildlife and to comply with Policies 5.12 Flood risk management, 5.13 Sustainable drainage and 7.19 Biodiversity and Access to Nature of the London Plan (March 2016), Policy 10: Managing and reducing the risk of flooding 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 and local character of the Development Management Local Plan (November 2014).

12. Surface Water Discharge to Deptford Creek

Prior to the installation of the surface water attenuation tank, full details of the operation of the attenuation tank and its outfall to Deptford Creek shall be submitted to and approved in writing by the local planning authority (in consultation with the Environment Agency and the Creekside Education Trust). This shall include the detailed design of the outfall, water diffuser, and the treatment of the discharge water. It should also detail the mechanism that will be utilised to ensure the appropriate timed release of the outfall discharge from the attenuation tank, in order to prevent discharge at low tide and thereby mitigate any risk of scouring the creek bed or posing a danger to any persons who may be within the Creek at low tide (associated with the Creekside Discovery Centre). It should also detail how any outfall discharging to the Creek will be provided with at least two mitigation measures against tidal locking.

The development shall be implemented in accordance with the approved details and shall be maintained as such for the lifetime of the development.

Reason: To minimise the risk of flooding and for the benefit of wildlife and to comply with Policies 5.12 Flood risk management, 5.13 Sustainable drainage and 7.19 Biodiversity and Access to Nature of the London Plan (March 2016), and Policy 10: Managing and reducing the risk of flooding and Policy 12 Open space and environmental assets of the Core Strategy (June 2011).

13. Biodiverse Living Roofs

Details of the living roof which shall cover an area no less than 544 sqm shall be submitted to and approved in writing by the local planning authority prior to any superstructure works commencing on site. A 1:20 scale plan of the living roof that includes contoured information depicting the extensive substrate build up and a cross section showing the living roof components shall be submitted for approval. The living roof shall be:

- a) biodiversity based with extensive substrate base (depth shall vary between 80-150mm with peaks and troughs but shall average at least 133mm);

- b) laid out in accordance with plan C645_B0_P_RF_001 Rev B hereby approved; and the scheme will include details of how the roof has been designed to accommodate any plant, management arrangements, and the proposed photovoltaic panels and fixings; and
- c) plug planted and seeded with an agreed mix of species within the first planting season following the practical completion of the building works.

Evidence that the roof has been installed in accordance with sub-points a) to c) above 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 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.

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 of the London Plan (March 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).

14. Sustainable Drainage Strategy

- (a) No development above ground level shall commence on site until full details of the proposed drainage strategy and a detailed maintenance strategy for all components of the drainage strategy together with information on the adoption arrangements for the ongoing maintenance activities, has been submitted to and approved in writing by the local planning authority.
- (b) Prior to first occupation of the development hereby permitted, evidence shall be submitted to and approved in writing by the local planning authority to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the approved details.
- (c) The sustainable drainage scheme shall be managed and maintained for the lifetime of the development in accordance with the agreed management and maintenance plan for all of the proposed drainage components.

Reason: To prevent the risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage of the London Plan (March 2016) and Policy 10: Managing and reducing the risk of flooding of the Core Strategy (June 2011).

15. Flood Risk Reduction Measures for Basement

Before the construction of entrances and any openings through which flood water could flow in to the basement are completed, a scheme of flood risk reduction measures for the basement shall be submitted to and approved in writing by the local planning authority (in consultation with the Environment Agency). The scheme will include:

- i) details of the lowest water entry threshold levels;
- ii) proprietary measures to be built in to the fixed structures;
- iii) flood barriers; and
- iv) an operating plan for the basement flood risk reduction measures.

The approved scheme will be implemented in full before the basement comes in to first use, and shall be maintained as such for the lifetime of the development.

Reason: To minimise the risk of flooding to people and property and to comply with Policy 5.12 Flood risk management of the London Plan (March 2016) and Policy 10: Managing and reducing the risk of flooding of the Core Strategy (June 2011).

16. Materials

No development above ground shall take place until a detailed schedule and samples of all facing materials (including a 1:1 scale composite sample panel to be provided on site) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the buildings and to comply 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).

17. Internal and External Noise Standards

- (a) The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAmax (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with windows shut and other means of ventilation provided. External amenity areas shall be designed to ensure that the 'lowest practicable levels' (as per BS 8233: 2014) will be achieved. The evaluation of human exposure to vibration within the building shall not exceed the vibration dose values criteria 'Low probability of adverse comment' as defined within BS 6472.
- (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 (in consultation with the Port of London Authority).
- (c) Prior to first occupation of the development, a scheme for testing the internal noise environment of the residential units to demonstrate that compliance with the standards required within paragraph (a) has been achieved, and the results of the noise testing, shall be submitted to and approved in writing by the local planning authority (in consultation with the Port of London Authority).
- (d) The sound insulation scheme shall be maintained for the lifetime of the development in accordance with the approved details.

Reason: To safeguard the amenities of the occupiers of the proposed dwellings 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).

18. Sound Insulation Details

- (a) The development shall be designed to incorporate soundproofing of a

specification for sound insulation against airborne noise to meet $D'nT,w + C_{tr}$ dB of not less than 55 for walls and/or ceilings where residential parties non domestic use.

- (b) No development above ground level shall commence until details of a scheme complying with paragraph (a) of this condition has been submitted to and approved in writing by the local planning authority.
- (c) The development shall only be occupied once the soundproofing works as agreed under part (b) have been implemented in accordance with the approved details.
- (d) The soundproofing shall be retained permanently in accordance with the approved details.

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

19. Fixed Plant Noise

- (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. The scheme shall be maintained for the lifetime of the development.

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).

20. BREEAM

- (a) The non-residential floorspace within the buildings hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) Prior to any works above ground level, a Design Stage Certificate (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 first occupation of the development, 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 all non-residential floorspace within the development.

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 of the London Plan (March 2016) and Policy 7 Climate change and adapting to the effects and Policy 8

Sustainable design and construction and energy efficiency of the Core Strategy (June 2011).

21. Secured by Design

Prior to the commencement of above ground development, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the local planning authority in consultation with the Metropolitan Police Designing Out Crime officers. The development shall be carried out in accordance with the approved details and maintained as such for the lifetime of the development.

Reason: In order to ensure that the development is safe, secure and appropriately accessible in accordance with Policy 7.3 of the London Plan (March 2016).

22. Mechanical Ventilation with Heat Recovery Units

No development above ground floor level shall take place until full details of the proposed mechanical ventilation with heat recovery (MVHR) units has been submitted to and approved in writing by the local planning authority. The details shall demonstrate that the MVHR units will provide fresh air and extract ventilation for the residential apartments and will include a summer bypass mode and a boost mode that will enable the unit with the apartment windows closed to achieve two air changes per hour (ACH) in the summer conditions, exceeding the minimum ventilation requirement of Part F of the Building Regulations.

Reason: To ensure that the residential apartments are provided with appropriate ventilation and cooling even with all windows closed, so that the appropriate internal noise standards identified in Condition 17 can be achieved without resulting in the apartment overheating, and to comply with DM Policies 23: Air Quality, 26 Noise and vibration and 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

23. Heat Interface Unit Specification

- a) No development above ground floor level shall take place until details of a selected make and model of Heat Interface Unit (HIU) that has passed all the elements of the BESA UK HIU test have been submitted to and approved in writing by the local planning authority.
- b) The details shall include the commissioning of the HIU in accordance with CIBSE guidance CP1 and the published BESA UK HIU test results for the HIU make and model selected.
- c) The HIU shall be provided and installed in accordance with the approved details and maintained as such for the lifetime of the development.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.5 Decentralised energy networks and 5.7 Renewable energy of the London Plan (March 2016) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency of the Core Strategy (June 2011).

24. Overheating Risk Assessment

No development above ground floor level shall take place until full details of the design measures to reduce the potential for internal overheating and reliance on air conditioning systems as identified within the submitted Overheating Risk Assessment (Meinhardt, 13 August 2018) have been submitted to and approved in writing by the local planning authority. Such details shall include the free openable area and how the glazing design will achieve this, the ventilation strategy, details of any external shading deemed necessary, glazing g-values and any other passive design measures such as deep window reveals and balcony overhangs.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions and 5.3 Sustainable design and construction of the London Plan (March 2016), Policy SI2 Minimising greenhouse gas emissions and Policy SI4 Managing heat risk of the Intend to Publish London Plan (December 2019) and Policy 7 Climate change and adapting to the effects and Policy 8 Sustainable design and construction and energy efficiency of the Core Strategy (June 2011).

25. District Heat Network

Unless otherwise agreed in writing by the local planning authority, no part of the development hereby approved shall be used or occupied until evidence has been submitted to the local planning authority confirming that the developer has provided appropriate data to the Greater London Authority (GLA, environment@london.gov.uk) to allow the site to be uploaded to the London Heat Map (<https://www.london.gov.uk/what-wedo/environment/energy/london-heat-map>).

Reason: To ensure that the development contributes to the London Plan targets for decentralised energy production and district heating planning in accordance with Policy SI3 of the Intend to Publish London Plan (December 2019).

26. Electric Vehicle Charging Points

(a) Details of the number and location of electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to construction of above ground works. The details should demonstrate that 20% of all parking spaces would be fitted with electric vehicle charging points and the remaining 80% of spaces would have passive provision to enable adaptation in the future.

(b) The electric vehicle charging points as approved shall be installed prior to occupation of the development and shall be maintained as such for the lifetime of the development in accordance with the details approved under (a).

Reason: To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality of the London Plan (March 2016), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

27. Soft Landscaping

(a) A scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to development above first floor level. The

planting plan shall be informed by species native to the Deptford Creek environment (and shall involve liaison with the Creekside Education Trust in terms of identifying the appropriate native species) and should also include nectar-producing night-flowering plants to provide prey for foraging bats in accordance with the recommendations of the submitted Ecological Assessment (ENVIRON, UK11-20599 (January 2015)).

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

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with 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).

28. Hard Landscaping (excluding Section 278 works)

- a) No development above first floor level shall take place until detailed design proposals for hard landscaping have been submitted to the local planning authority for their approval.
- b) The development shall be implemented in accordance with the details approved by the local planning authority.

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 of the London Plan (March 2016), 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 Development Management Local Plan (November 2014).

29. Wildlife Boxes

- (a) No development above first floor level shall take place until details of the number and location of bird boxes (a minimum of eight), invertebrate boxes (a minimum of eight) and bat boxes (a minimum of four) to be provided as part of the development hereby approved in accordance with the recommendations of the submitted Ecological Assessment (ENVIRON, UK11-20599 (January 2015) have been submitted to and approved in writing by the local planning authority. The specific type and location of the wildlife boxes should be based on the advice of an experienced ecologist.
- (b) Prior to first occupation of the development, evidence that the wildlife boxes have been installed in accordance with the details approved under (a) shall be submitted to and approved in writing by the local planning authority.
- (c) The wildlife boxes shall be retained for the lifetime of the development in accordance with the approved details.

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation of the London Plan (March 2016), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24

Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

30. Photovoltaic Panels

No development above first floor level shall take place until full details of the proposed photovoltaic arrays to meet at least the minimum specification set out within the submitted Sustainability and Energy Statement – Update (RSK, 24 September 2020) have been submitted to and approved in writing by the local planning authority. The panels shall be installed as per the approved details and retained for the lifetime of the development.

Reason: To promote sustainable forms of energy and to minimise carbon emissions in accordance with Policies 5.1 Climate change mitigation and 5.7 Renewable energy of the London Plan (March 2016) and Policy 8 Sustainable design and construction and energy efficiency of the Core Strategy (June 2011).

31. Refuse and Recycling Facilities

(a) Details for the on-site storage, disposal and collection of refuse and recycling facilities for both the residential and non-residential elements of the development shall be submitted to and approved in writing by the local planning authority prior to the completion of above ground works of the development hereby approved.

(b) The approved details shall be carried out in full prior to first occupation of the development and retained as such for the lifetime of the development.

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 Policy 13 Addressing Lewisham waste management requirements of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character Development Management Local Plan (November 2014).

32. Cycle Parking Details

(a) Prior to first occupation of the development, full details of the cycle parking facilities shall be submitted to and approved in writing by the local planning authority. This shall include the provision of at least 626 long term spaces including spaces for adapted cycles for the residential part of the development, 93 long term spaces including spaces for adapted cycles for the non-residential part of the development, and 65 short-term visitor spaces within the public realm in accordance with plan C645_B0_P_B1_003 Rev B hereby approved.

(b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.

(c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained as such for the lifetime of the development.

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

33. Riparian Lifesaving Equipment

Prior to first occupation of the development, full details of riparian lifesaving equipment (such as grab chains, life buoys and escape ladders) to be installed along the frontage to Deptford Creek to a standard recommended in the 1991 Hayes Report shall be submitted to and approved in writing by the local planning authority (in consultation with the Port of London Authority). The riparian lifesaving equipment shall be installed in accordance with the approved details prior to first occupation of the development and maintained as such for the lifetime of the development.

Reason: For the safety of residents and visitors to the area and to comply with Policy 11: River and waterways network of the Core Strategy (June 2011).

34. Building Signage Details

Prior to first occupation of the development, details of the externally mounted signage to the Trinity Laban extension building shall be submitted to and approved in writing by the local planning authority, and implemented in full accordance with the approved details. The externally mounted signage shall be designed to appropriately mitigate identified wind microclimate impacts in accordance with the recommendations of the submitted Wind Microclimate Assessment (RWDI #1703676 PLW Rev-A, 25 March 2019). The signage shall be maintained as such for the lifetime of the development.

Reason: To ensure a high standard of design to the building signage and to ensure an appropriate wind microclimate environment within the surrounding area, and to comply with Policy 7.7 Location and design of tall and large buildings of the London Plan (March 2016) and Policies 15 High quality design for Lewisham and 18 The location and design of tall buildings of the Core Strategy (June 2011).

35. Service Yard Gate Details

Prior to first occupation of the development, the gates to the service yard for Trinity Laban shall be implemented in accordance with plan G251_B0_P_00_002 hereby approved. The gates shall be maintained as such for the lifetime of the development.

Reason: To ensure a high standard of design to the public realm and to ensure an appropriate wind microclimate environment within the surrounding area, and to comply with Policy 7.7 Location and design of tall and large buildings of the London Plan (March 2016) and Policies 15 High quality design for Lewisham and 18 The location and design of tall buildings of the Core Strategy (June 2011).

36. Lighting Strategy

(a) Prior to first occupation of the development a detailed lighting strategy for any external lighting that is to be installed at the site, including measures to prevent light spillage, shall be submitted to and approved in writing by the local planning authority (in consultation with the Port of London Authority). The lighting strategy shall be devised in conjunction with an experienced bat ecologist to ensure that any spillage of artificial light is minimised in relation to locations of artificial bat roosts, Deptford Creek and areas of vegetation.

(b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.

- (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky, neighbouring properties and environmental habitats and to comply with Policy 7.19 Biodiversity and access to nature of the London Plan (March 2016), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character, and DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

37. Water Supply Infrastructure

There shall be no occupation beyond the 99th dwelling until confirmation has been provided from the local planning authority (in consultation with Thames Water) that either all water network upgrades required to accommodate the additional flows to serve the development have been completed, or that a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation beyond the 99th dwelling shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, in accordance with Policy 8 Sustainable design and construction and energy efficiency of the Core Strategy (June 2011).

38. Flood Defence Drawings

Within 3 months of completion of the development, 'as built' drawings of the tidal flood defence works shall be provided to the local planning authority.

Reason: To minimise the risk of flooding to people and property and to comply with Policy 5.12 Flood risk management of the London Plan (March 2016) and Policy 10 Managing and reducing the risk of flooding of the Core Strategy (June 2011).

39. Crest Height of Tidal Flood Defence

Works to raise the crest height of the tidal flood defence crest level to a minimum of 6.2 metres above Ordnance Datum (mAOD) shall be completed before the year 2065.

Reason: To protect the development and surrounding built environment for the lifetime of the development from tidal flood risk with climate change induced sea level rise, in line with the Thames Estuary 2100 plan and to comply with Policy 5.12 Flood risk management of the London Plan (March 2016) and Policy 10 Managing and reducing the risk of flooding of the Core Strategy (June 2011).

40. Flood Defences and Tidal Terracing (encroachment)

The new flood defence works and the tidal terraces shall extend no further in to Deptford Creek than the existing structures.

Reason: To prevent encroachment in to Deptford Creek and to comply with Policy 5.12 Flood risk management of the London Plan (March 2016) and Policy 10 Managing and reducing the risk of flooding of the Core Strategy (June 2011).

41. Offset Between River Wall and Basement

The minimum horizontal offset between the landward extent of the river wall structures and the riverward extent of the basement structures shall be no less than 6.0 metres, as shown on the submitted 'river wall sections' drawing by Meinhardt (UK) Ltd (plan reference 2287-C-SK013, Issue D).

Reason: To preserve space for future works to the River Thames tidal flood defences, in line with the Thames Estuary 2100 plan and to comply with Policy 5.12 Flood risk management of the London Plan (March 2016) and Policy 10 Managing and reducing the risk of flooding of the Core Strategy (June 2011).

42. Drainage Systems for Infiltration of Surface Water Drainage

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

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants, in line with paragraph 170 of the National Planning Policy Framework, Policy 5.13 Sustainable drainage of the London Plan (March 2016) and Policy 10 Managing and reducing the risk of flooding of the Core Strategy (June 2011).

43. Parking Permits

No resident of the development, with the exception of disabled persons, shall be eligible to obtain a resident's parking permit within any Controlled Parking Zone / Restricted Parking Zone that may be in force.

Reason: The development is in a location that is easily accessible by public transport and near a range of amenities, including shops and leisure facilities, and as such it is appropriate to restrict access to parking permits in accordance with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

44. Restriction on Use Class of Commercial Units

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the ground floor commercial units hereby approved shall only be used for the purposes falling within Use Class A1, A2, A3, B1, or D1 and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: In order to ensure that the commercial units are utilised for purposes that are compatible with the surrounding area and in the interests of retaining employment provision on the site, to reflect the policy designation of the site as a mixed use employment location in accordance with Policy 4 Mixed Use Employment Locations of the Core Strategy (June 2011).

45. Hours of Operation of Commercial Units

The ground floor commercial units hereby approved shall not be open for trading other than between the hours of 07.00 and 23.00 on any day of the week, including Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally 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).

46. Black Redstart Surveys

Where demolition or construction works are due to commence between May and August, black redstart breeding surveys should be undertaken prior to work commencing in accordance with the recommendations of the submitted Ecological Assessment (ENVIRON, UK11-20599 (January 2015)). If breeding activity is recorded or the habitat on the site becomes suitable for use by black redstart, with for example piles of undisturbed rubble, monthly surveys should be undertaken to monitor the impacts on this species and appropriate mitigation implemented in line with The Black Redstart Action Plan.

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation of the London Plan (March 2016), 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).

47. External Plumbing

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, including rainwater pipes, shall be fixed on the external faces of the buildings, unless otherwise agreed in writing with 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).

48. Satellite Dishes and Antennae

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

implemented in accordance with the approved details and retained as such for the lifetime of the development.

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).

14.2 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. Positive and proactive discussions took place with the applicant prior to the application being submitted through pre-application discussions. Following submission of the application, positive discussions took place which resulted in further information being submitted.

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/myserVICES/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>

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 details and timeframes set out in the 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@lewisham.gov.uk.

D. Street Naming and Numbering

The applicant be advised that the implementation of the proposal will require approval by the Council of a Street Naming & Numbering application. Application forms are available on the Council's website.

E. Construction – Pollution and Noise

You are advised that all construction work should be undertaken in accordance with the London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites available on the Council's website.

F. Archaeological Written Scheme of Investigation

An archaeological written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. The applicant should have regard to the guidance set out in the GLAAS response (dated 19 September 2018) in terms of the scope of the archaeological fieldwork. The applicant is advised that Condition 6 is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

G. Nesting Birds

All nesting birds are legally protected. Removal of vegetation should be undertaken outside of the bird breeding season (considered to be end of February to end of August inclusive). If vegetation clearance cannot be undertaken outside this period, the area should be checked for the presence of nesting birds by an experienced ecologist prior to work commencing. If nests are found, the work should be delayed until the nests are deemed to be inactive.

H. Flood Risk Activities - Environmental Permit

Please be aware that the River Ravensbourne (Deptford – tidal) is a designated 'main river' and, as such, is under the jurisdiction of the Environment Agency for its land drainage functions. Under the Environmental Permitting (England & Wales) Regulations 2016, certain activities in, over or under the main river or within 16 metres of a tidal defence may require a flood risk activity permit (FRAP).

Please visit the 'flood risk activities: environmental permits' section of the Environment Agency website for further information. Please contact the Environment Agency's National Customer Contact Centre on 03708 506 506 or email enquiries@environment-agency.gov.uk or the local Partnerships & Strategic Overview team on ps0.selondonandnkent@environment-agency.gov.uk for further details.

I. Reporting of Pollution Incidents

Any pollution incidents during construction that could affect Deptford Creek should be reported to the Port of London Authority immediately via their 24 hour line on 0208 855 0315.

J. River Works Licence

As part of the development of the proposed tidal terrace, a River Works licence will be required from the Port of London Authority. The maintenance and monitoring of the tidal terracing will remain the responsibility of the licence holder. The applicant should contact the Port of London Authority at LIC.APP@pla.co.uk for further information.

K. Fire Appliance Undertakings

London Fire Brigade has identified that an undertaking will be required that access for fire appliances as required by Part B5 of the Building Regulations Approved Document and adequate water supplies for firefighting purposes will be provided.

L. Water Mains and Underground Assets

There are water mains crossing or close to the application site. Thames Water do not permit the building over or construction within 3m of water mains. If you are

planning significant works near Thames Water's mains (within 3m) they will need to check that your development does not reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services they provide in any other way. The applicant is advised to review the Thames Water guide for working near or diverting pipes:

https://urldefense.proofpoint.com/v2/url?u=https-3A_developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFaQ&c=OMjwGp47Ad5otWI0_lpOg&r=0rBh74_8rvTrJLBSTecvQldNiLUAd9iE2fRw4zrl-Jc&m=dJBdjs0CKtr7amOsOVWPv9Gk45hI0oflOjjozflOp4A&s=HnF1nZ7XvXq4cJUKxHuzOgULVej_U3PmXluWt5R4FA&e=

The proposed development is located within 15m of Thames Water's underground assets, and as such the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Water's guide 'Working Near Our Assets' to ensure workings are in line with the necessary processes you need to follow for working above or near Thames Water pipes or other structures: https://urldefense.proofpoint.com/v2/url?u=https-3A_developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFaQ&c=OMjwGp47Ad5otWI0_lpOg&r=0rBh74_8rvTrJLBSTecvQldNiLUAd9iE2fRw4zrl-Jc&m=dJBdjs0CKtr7amOsOVWPv9Gk45hI0oflOjjozflOp4A&s=HnF1nZ7XvXq4cJUKxHuzOgULVej_U3PmXluWt5R4FA&e= Should you require further information please contact Thames Water via email: developer.services@thameswater.co.uk

M. London City Airport

The developer should liaise with London City Airport to provide details and diagrams of all cranes to be used during construction works, clearly labelled with maximum operating heights, coordinate locations and radius/ jib length to ensure no impact on aviation operations and safety.

N. Broadband

Building Regulations Approved Document R - Physical infrastructure for high speed electronic communications networks came into effect in January 2017, and 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 30mps to be installed. The development should be undertaken in accordance with these provisions as a minimum, to ensure suitable broadband capability for future occupiers.

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**DC/18/108548 - Creekside Village East: Local Meeting Minutes
6th December 2018**



Trinity Laban, Creekside

Chaired by Councillor Paul Maslin – New Cross Ward

Council Officers Michael Forrester and Gareth Clegg (LBL)

Applicant Team Philip Van Reyk – Kitewood (KW)
 Bettina Brehler– Squire and Partners (SP)
 Simon Chadwick - WYG (WYG)

Residents 21 residents recorded their attendance (RES)

Various members of staff from Trinity Laban (TL) were also in attendance including the Principal, Professor Anthony Bowne

The meeting was introduced by Councillor Paul Maslin, followed by a brief introduction by Squire and Partners as to the scheme and its history.

RES – How many objections have been received?

LBL – We have received circa 85 objections from the planning consultation to date.

RES – How many objections are needed to re-think this scheme?

LBL – It is not about the number, but the planning issues raised.

RES – A lot of people in Creekside Village West are unhappy with this development, particularly about loss of daylight / sunlight, and especially in relation to Adagio Point. There is no objection to development on this site per se, but the scheme is too tall. The building heights should be swapped around to move the tallest element further south on the site and away from Creekside Village West. The Creek Wall may need to be strengthened to facilitate this.

SP – There were various discussions around the placement of buildings at the pre-application stage. We had to look at townscape views as well, and the view toward the Laban Building. There is also a need to take into account the daily operations and requirements of Trinity Laban. We have investigated placing the tower on top of the new Laban facility, but discounted this as it adds a lot of additional structural work because of the open spans required within the Laban facility for the studios and auditorium. This would have had an impact on delivering affordable housing and other landscape works. It is acknowledge that the current design has more of an impact than other options.

RES – Everything has been thought of, except the residents of Creekside Village West. The scheme is totally unacceptable because of its impact on Creekside Village West.

RES – The presentation only shows the best CGI's. The site allocation is for 266 dwellings. The increase to 393 dwellings is a large increase, and this is out of scale

for the area. There is a very low affordable housing provision proposed, given that part of the land is in public ownership. The buildings need to be repositioned on the site. You have chosen profit ahead of residents. Why is the increase in the number of dwellings so huge? Why does it have to be so high? There could be a better layout.

KW – The site history has fragmented this site, which was always anticipated to accommodate a large scale of development as part of the masterplan. This site is now the only one dealing with the Trinity Laban expansion and also has to provide affordable housing.

RES – The GLA have said that the level of affordable housing is still too low.

WYG – there have been further discussions with the GLA in relation to the viability assessment.

RES – this whole development is in order to facilitate the development of Trinity Laban. Existing facilities are already stretched – schools, transport etc. Convoys Wharf will be coming forward down the road which will make the situation even worse.

LBL – the development is CIL liable, and this will be spent on local services and infrastructure.

RES – In principle the development is supported, but the main objection is in relation to daylight impacts and density. The submitted assessment demonstrates that apartments in Adagio Point may experience reductions in daylight of up to 70%. Essential Living is already over double the recommended density per hectare. The application proposal is four times the recommended level of density and there is no consideration for transport and GP surgeries. It is difficult to access trains in the morning or to get a doctor's appointment. There is no access to local amenities. This site should provide a bridge over the Creek as was originally proposed. There could have been better engagement.

WYG – Exhibitions of the scheme were held prior to submission. Density can be applied flexibly on a base by case basis. The CIL figure would be approximately £5 million to spend on services, and this is a mandatory figure and is non-negotiable. The Creek bridge was discussed, but the sheer cost of delivering this scheme affects the viability. Taking TL into account too, the bridge would not be possible.

RES – This scheme is all about Laban. What happens now is everyone is building much higher than the 15 storey average of the area. People moved here and did not expect tall buildings.

LBL – The area was subject to a 2006 masterplan which included buildings of 22 storeys.

RES – The CGI perspective (from the Creek) is misleading. There is an issue with school provision. How many schools have been built? Essential Living got permission for its larger flats and reduced rent.

RES – This is right on the boundary with LBL and RB Greenwich, and that's why the impact on Creekside Village West residents is not a consideration for LBL.

LBL – We have consulted Greenwich on the planning application. We are holding this local meeting as a further means of public engagement.

RES – People apply for a school in LBL, but there is no capacity, so now they go to Crossharbour School on the Isle of Dogs. There is also the traffic impact. The infrastructure will not cope.

RES – School capacity is an issue. The application does not include a school. If you are having four times the density with no provision for schools or doctors that

combined with loss of light mean this needs a re-think, and should take into account the needs of the local community. If the scheme that was lower, with better public amenities it would be received more favourably. There is a need to take into account public concerns. TL is not the only consideration.

RES – Why is it so close to the existing buildings and why so high? What considerations were there? What about emergency access - it will be a bottle neck, and very difficult.

WYG – we have worked with LBL Highways and our transport consultant, and have tracked emergency vehicles in and out of the site, and the buildings. Fire engines can access the buildings. A turning head would be provided as part of the proposals. Tracking drawings are included in the application.

SP – have also worked with a daylight consultant. We recognise that there is an impact and a compromise.

RES – the compromise is the negative impact on surrounding residents.

RES – there is an public open space planned in the development, but it is hidden behind the buildings. There are two amenity areas, but they are separate from the Creekside Village West development. The building could be swapped around and joined to create one large amenity area to make a much better amenity space adjacent to Copperas Street.

RES – what is the driver with Trinity Laban?

RES – every objection is to the height. How do we get the size down?

RES – where is the 9 or 22 storey block?

LBL – that is the previous application which Committee resolved to grant, but the decision was not issued as the s106 agreement was not completed due to the financial downturn.

RES – there is no consideration of the impacts for daylight and sunlight. We bought our flats to have light and airy homes, but this will be lost.

LBL – the scheme is still being assessed.

RES – the submitted daylight documents do not take into account daylight once Essential Living is included. What is the funding arrangement for Trinity Laban? Has the design been tested using a wind tunnel?

WYG – yes there is a microclimate study including wind. The report says there would be an acceptable standard. The daylight and sunlight assessment is being re-looked at again. The existing report does take into account Essential Living. There are two scenarios, one without and one with (cumulative development).

TL – we need the expansion very much, the building would be provided to shell and core provided by the developer. The internal fit out is for us to find. We have not done the detailed design for the fit-out. We are estimating around £15 million, but it needs further design.

RES – what is the cost of the building?

KW – a further £15m

RES – what are the timescales of the application?

LBL – still under consideration but no exact date yet. Any decision to approve the application will need to be referred to the GLA.

RES – what about all the other people who will be affected who haven't been able to attend this meeting?

RES – what sort of height would be acceptable?

Chair – that is difficult to answer, because we are considering the application before us.

RES – this is a question for Trinity Laban. You want to be good neighbours, but how do you feel when hearing about the direct impact on the lives of neighbouring residents?

TL – I am looking at the needs of Trinity Laban, but the planning department will need to look at the scheme.

RES – if you got no money from the Council, then you wouldn't be leaving anyway.

TL – times have changes a lot, and our funding position has changed a lot. We do need to expand. We may not be able to deliver our community benefit programme without this expansion.

RES – this is a unique position on the border between two boroughs. What is the Council doing to communicate with RB Greenwich. Are you a Chair of the Planning Committee?

Chair – I am not a Chair of Planning Committee.

LBL – we are having ongoing dialogue with Greenwich Council.

RES – monies allocated to the Council, can get spent on other projects. Is there a GP surgery being provided? Existing surgeries are not taking on any new patients.

LBL – there is a health strategy across the borough, and we are working with partners including the CCG etc.

Appeal Decision

Inquiry held on 25-27 May, 9-10 June and 5 July 2016

Site visit made on 8 June 2016

by Michael J Hetherington BSc(Hons) MA MRTPI MCIEEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 31 August 2016

Appeal Ref: APP/C5690/W/15/3132142

Creekside Village East, Thanet Wharf, Copperas Street, Deptford, London, SE8 3DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Creekside Village Developments Ltd and Israel Discount Bank Ltd against the Council of the London Borough of Lewisham.
 - The application ref. DC/15/90768, is dated 30 January 2015.
 - The development proposed is: mixed use residential and commercial development including 216 residential units and floorspace for A1, A2, A3, A4, B1 and D1 uses, with new public realm, creekside walk, basement car parking, access, servicing and landscaping following demolition of all existing buildings.
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Decision

1. The appeal is dismissed and planning permission is refused for a mixed use residential and commercial development including 216 residential units and floorspace for A1, A2, A3, A4, B1 and D1 uses, with new public realm, creekside walk, basement car parking, access, servicing and landscaping following demolition of all existing buildings at Creekside Village East, Thanet Wharf, Copperas Street, Deptford, London.

Application for Costs

2. At the Inquiry an application for costs was made by the Council of the London Borough of Lewisham against Creekside Village Developments Ltd and Israel Discount Bank Ltd. This application is the subject of a separate decision.

Preliminary Matters

3. The main parties disagree as to whether the full list of drawings set out in the Statement of Common Ground (SOCG) was received by the Council at the time of the application's submission¹. However, both parties agree that these should be taken into account in the present appeal, subject to the replacement of D811_B2_P_02_009 A by D811_B2_P_02_009 B². For the avoidance of doubt, I have determined the appeal on this basis.
4. Following submission of the appeal, The Planning Inspectorate informed the appellants that it was considered that there was insufficient information

¹ Inspector's Note: The disputed drawings are coloured red in the list in Appendix 1 to the SOCG (Document 13).

² The latter drawing was tabled as Document 29.

submitted with the application to allow the Secretary of State to screen it. The appellants agreed to prepare an Environmental Statement (ES). This was duly submitted and was publicised in line with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). The appeal scheme is therefore EIA development in the terms of Regulation 4 of the 2011 Regulations.

5. In reaching my decision I have had regard to the ES and other relevant environmental information. In doing so, I have noted the comments of consultees about the scope of the ES and other environmental evidence. Specifically, I am satisfied that the assessment of baseline noise conditions took place over a realistic time period and that it therefore measured normal events from nearby facilities – including Brewery Wharf – and the construction taking place at the Hilton’s Wharf site. Baseline air quality assessment data account for emissions from freight along the river, while the submitted lighting assessment aims to ensure that there would be no significant effects beyond the site boundary. I therefore agree with the appellants that the potential effects arising from the site’s relationship to Brewery Wharf have been adequately assessed.
6. While the Council refers to a number of potential information requests, it concludes that the ES covers all the points listed in Schedule 4 of the Regulations³. Its further comments appear to be largely issues about the choice of assessment methodology and the adequacy of the proposed mitigation rather than specific points that refer back to the requirements of Schedule 4. As such, there is no need to revise the Secretary of State’s conclusion about the ES⁴, which is that it meets the minimum requirements of Schedule 4 of the EIA regulations.

Main Issues

7. The Council confirms that its concerns about effects on the site’s archaeological value (its 7th notional refusal reason) are capable of being addressed by the imposition of a planning condition in the event of the appeal being allowed. It also confirms that the need to secure the provision of necessary infrastructure and affordable housing, although not the proposed mix of affordable housing, is addressed by the unilateral undertaking submitted by the appellants. I have no reason to depart from these assessments.
8. Bearing the above in mind, the main issues in this appeal are:
 - (a) the effect of the proposed development on the area’s character and appearance;
 - (b) whether the proposal would result in a comprehensive approach to the development of the Thanet Wharf Mixed Use Employment Location (MUEL), bearing in mind its effect on the living conditions of potential neighbouring occupiers;
 - (c) whether the proposal would enable the continued employment functioning of the MUEL;
 - (d) whether satisfactory living conditions would be created for occupiers of the proposed development;

³ Table 2.1 ‘Regulatory Compliance’ of Document 15.

⁴ E-mail from The Planning Inspectorate to Mr Stott of Signet Planning dated 13 May 2016.

- (e) the adequacy of the intended arrangements for access, parking and servicing; and
- (f) whether the mix of affordable housing that is proposed would accord with development plan requirements.

Reasons

Background

9. The appeal site, which is bounded by Copperas Street to the north and Deptford Creek to the south, is occupied by a number of derelict buildings with associated hard-standing. To the west lies the Trinity Laban Conservatoire of Music and Dance (referred to as the Trinity Laban Centre during the inquiry and in this decision), a structure clad with transparent/translucent glass panels with coloured transparent polycarbonate panels. The building, which was designed by Herzog and de Meuron, won the Stirling Prize for Architecture in 2003.
10. To the east of the site lies vacant land owned by the London Borough of Lewisham (LBL). Beyond this is development land (known as the Essential Living site) within the London Borough of Greenwich (LBG), where a scheme involving residential (249 units) and commercial uses in two blocks of 10 storeys and 21 storeys is under construction. Taken together, the appeal site and the LBL land form the Thanet Wharf MUEL: this is identified as site SA12 in the Lewisham Site Allocations Local Plan (SALP) adopted in 2013.
11. Land on the northern side of Copperas Street, also in the LBG, has been developed for residential and commercial uses in four buildings (known as Creekside Village West).
12. The appeal site, along with the Essential Living site, the land owned by the Council and some Trinity Laban land was the subject of planning applications for a comprehensive development scheme submitted in 2006. This included residential and commercial uses, including facilities for Trinity Laban, within four blocks ranging from 9 to 22 storeys in height. Planning permission was granted for the part of the site within LBG: that land is now occupied by the above-noted Essential Living development. In respect of the land within LBL, the Council resolved to grant planning permission subject to a section 106 agreement. However, the agreement was not completed and the permission was not issued. It is however common ground that this 'minded to grant' scheme is a material consideration in the present appeal.

Character and Appearance

13. The Council's concerns in respect of the first main issue relate to the scale, massing, form and layout of the appeal scheme. The Council considers that the proposal would fail to constitute high quality design, to deliver a high quality public realm or to improve the MUEL's overall environmental quality. It states that the scheme would not amount to high quality architecture and that it would have a detrimental impact on the Trinity Laban Centre and the setting of the Creek. In considering these matters, I address first the intended design of the new buildings, second the effect of the scheme on the Trinity Laban Centre and Deptford Creek and, third, the quality of the resulting public realm.
14. The appeal scheme proposes the erection of two blocks. The northern block (block 1), adjoining Copperas Street, would be 10 storeys high, while the

- southern block (block 2), located nearer to Deptford Creek, would contain 25 storeys. The Council raises concerns about the scale, massing and appearance of these buildings.
15. The appeal site, and indeed the wider policy SA12 allocation, does not lie within an area that is specifically identified as being suitable for tall buildings in policy 18 of the Lewisham Local Development Framework Core Strategy (CS). However, it is common ground that in view of its location within an Opportunity Area (as set out in the London Plan), and taking into account its planning history and surroundings, the appeal site is suitable in principle for tall buildings. As already noted, a scheme involving 10 and 21 storey structures is under construction on the Essential Living site nearby. Harm to longer distance views as a result of the height of the new buildings now proposed is not alleged by any party. Furthermore, the Council raised no objections to the scale and massing of the tall buildings in the 'minded to grant scheme'. I have no reason to disagree with any of these assessments.
 16. The Council's objections to the detailed design of the new buildings echo concerns raised by the Lewisham Design Review Panel (LDRP). I have considered these comments, and the comments of the Council's design witness, carefully. However, I prefer the analysis of the appellants' witnesses in respect of this matter. Specifically, I agree with the latter that the trapezoidal plan form and angled tops of the two new buildings would create an interesting and well-proportioned effect. The resulting group would amount to a distinctive local landmark. Given the intended scale and proportion of the two blocks, I do not agree with the LDRP's view that the towers would have 'squat' forms. To my mind they would both have a clear vertical emphasis that would be reinforced by the arrangements of glazed and solid panels on their main elevations. These aspects of the scheme would not appear harmful.
 17. I also disagree with the Council's suggestion that insufficient detail is available about the intended elevational treatments. Drawings have been submitted, together with a Details of Materials document, that enable the likely appearance of the development to be assessed. The exact specifications of materials could be secured through a planning condition were the scheme otherwise acceptable. Furthermore, I do not share the Council's criticisms of the suggested materials. To my mind, the intended palette of glass panels, broken up by vertical bands of metal panels, would be consistent with the distinctive appearance of the Creekside Village West scheme nearby. It would also take reference from the contemporary style of the Trinity Laban Centre, although it is accepted that it would be inappropriate to seek to wholly replicate the particular design of that building which differs significantly in form, scale and function to the scheme that is now proposed. I am therefore satisfied that, in this regard, the area's local distinctiveness would be maintained. It is noted that paragraph 60 of the National Planning Policy Framework (the Framework) states that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.
 18. It is agreed by both main parties that the scheme's key effects on the wider townscape relate to the Trinity Laban Centre and the setting of Deptford Creek. Taking the second of these first, it seems to me that the intended siting of the taller building (block 2) would respond well to the presence of the Creek. The

broad width of the Creek at this point, along with the degree of separation that is proposed between block 2 and the water's edge, would provide an appropriate degree of spaciousness in the foreground of views across the Creek towards the site. As already noted, the form and appearance of the appeal scheme would broadly accord with the area's emerging character. While I have no reason to doubt the Council's assertion that a similarly large building could be appropriately sited on the adjoining site in the Council's ownership⁵, I see no substantive reason why such a location would be preferable to that now proposed. Although a building on the LBL land – which includes a small projection into the Creek – would appear more prominent in views along the Creek from the east and north-east, the block 2 building in the appeal scheme would create a strong visual marker in views down the Creek from the south and south-west. To my mind, the arrangement that is now proposed would not adversely affect the setting of the Creek.

19. It is not disputed that the height and vertical emphasis of the appeal scheme would differ markedly from the horizontal proportions of the Trinity Laban building. However, as discussed above, the principle of locating tall buildings within the appeal site (and within the SA12 allocation as a whole) is not in dispute. As such, it is clear that redevelopment of the SA12 allocation is very likely to involve the introduction of tall buildings to the east of the Trinity Laban Centre and, moreover, that such buildings would form conspicuous elements in the backdrop to the Centre in views from the west towards its main elevation. A contrast in building scale, height and massing is therefore inevitable. Indeed, the Essential Living scheme will itself, once completed, introduce a tall building into this backdrop.
20. To my mind, it does not follow that such a contrast would necessarily be adverse. While the block 2 building now proposed would be closer to the Trinity Laban Centre, and with a different footprint, than that proposed in the 'minded to grant' scheme it does not seem to me that the overall effect – of a relatively low horizontal building located in front of much larger buildings with a vertical emphasis – would be materially more harmful. This broad effect can be appreciated by comparing photo-montages of the two respective schemes. In both cases, the taller buildings to the east would act to enclose the lower Trinity Laban Centre, broadly continuing the effect of the existing development to the north of Copperas Street which is also materially taller than the Centre. The Centre would therefore be seen as a lower element in the foreground of a higher backdrop. As already described, the intended materials of the appeal development would take reference from the contemporary style of the Centre. This would provide a degree of visual linkage between the two developments. Taken together, these factors would not result in material harm to the setting of the Trinity Laban Centre. It is common ground that the Centre does not amount to a heritage asset in the terms of the Framework.
21. Notwithstanding the above, I share some of the Council's concerns in respect of the quality of the public realm that is proposed within the appeal scheme. I agree with the appellants that an adequate degree of set-back would be provided between block 2 and the Creek wall, allowing the inclusion of a creekside walkway and areas to sit out – for example in association with proposed ground floor commercial uses. Clearly, the Creek itself would also provide a spacious setting to that side of the development. However, such

⁵ See the figure on page 14 of Ms Reynolds' proof of evidence.

spaciousness would contrast markedly with the degree of separation proposed between both blocks and the site's western boundary and between blocks 1 and 2 themselves. In respect of these aspects of the scheme, I agree with the Council that, for the reasons below, the public realm would appear cramped.

22. The Design and Access Statement (DAS) states that an advantage of the intended layout is that it would allow permeability across the site and access to the Creek. As explained to the inquiry, the intended access route along the western edge of the site would align with a gap in the development on the north side of Copperas Street, creating a movement corridor and visual linkage between Creek Road and the Creek itself.
23. In principle, this would be a positive feature. However, the western access route would be markedly narrower than the gap in the development to the north. As was clarified at the inquiry, the western route would have a pinch point some 3.8 metres wide. It would be bordered on one side by the boundary with the Trinity Laban Centre land, much of which would be subject to 'green screening'⁶ and on the other side by the ground floors of the two blocks. This would include a significant section of 'dead frontage' along the side of the above-noted vehicle access ramp. Notwithstanding the presence of landscaping, including a 'green wall' on the side of block 1, I feel that these factors would combine to cause the route to appear cramped and uninviting – adverse effects that would be amplified by the need to share the northern part of the route with some vehicular traffic and the presence at certain times of refuse containers in the 'holding bay' next to block 1 shown in the DAS.
24. While the intended space between the two blocks would be wider than the western access, it is clear from vehicle tracking plans that a significant part of it would need to remain clear to allow vehicles to progress around the loop within the site⁷. Along with the shading effect arising from the scale and proximity of block 2, this would reduce the potential for the space to be used for sitting out as is suggested on the application drawings. The resulting swept path would also pass close to the residential entrance to block 2. To my mind, these arrangements would also appear cramped – an effect that would be at odds with the intended function of this space as the main residential approach to both blocks and the intended location of commercial activities. It would therefore be unlikely to function effectively as a Central Entrance Plaza, as envisaged in the submitted Landscape and Public Realm Strategy (LPRS).
25. The Council also raises concerns about the proposed area of open space which would be located to the east of block 1. Although this could be subject to shading from development on the adjoining LBL land to the south, I agree with the appellants that – as a matter of principle – there would be some townscape merit in locating an open space area on the site's Copperas Street frontage, creating in effect a 'public square'. However, given the resulting difference in levels between the open space and Copperas Street to the north and the LBL land to the south (which would both be lower than the open space)⁸ and the intention to incorporate a retaining wall on at least three sides of the open space, the CGI images in Mr Squire's proof of evidence that show a broadly level arrangement appear to be somewhat unrealistic representations⁹.

⁶ See page 15 of the appellants' Landscape and Public Realm Strategy (LPRS).

⁷ See for example drawing number P971/314 within Mr Gurner's supplemental note (document 13).

⁸ See page 18 of the LPRS.

⁹ For example, figures 6.1 and 6.2 of Mr Squire's proof of evidence.

26. Drawings in the DAS¹⁰ indicate that the open space occupies a key position in the heart of the wider area. I share that analysis. However, this is not reflected in the layout as submitted, which shows no pedestrian routes crossing the open space. Indeed, while a south-west to north-east desire line is shown in the DAS, it is suggested that such movement would be routed to the south of the open space across the LBL land¹¹, with access to the open space itself only being taken from the south-west¹². While such an outcome would be consistent with the relative site levels referred to above, it would be at odds with the central position of the open space within the wider development area. Specifically, its raised nature and the lack of direct access from Copperas Street would act to prevent movement across the open space from Copperas Street to any development on the LBL land.
27. As a result of these factors the function of the open space area would be unclear, causing it to appear as 'left-over land' rather than an integral part of the scheme's design. These factors would be at odds with policy DM35 of the Lewisham Local Development Framework: Development Management Local Plan (DMLP) which, among other matters, requires public spaces to provide new connections as appropriate.
28. A further concern relates to the scheme's Copperas Street frontage, which would comprise an important public façade. However, approximately half of the ground floor of block 1 facing the street would comprise 'dead frontage' – namely the refuse store and entrance to the basement parking – with only a single office/commercial unit on the north-eastern corner providing an active frontage element. Such an arrangement would be at odds with the objective of DM policy 30 that developments should provide activity and visual interest at ground floor level for the public including the pedestrian environment and provide passive surveillance.
29. Drawing these matters together, and notwithstanding my comments about the intended design of the buildings themselves, I conclude that as a result of the above-noted concerns about the scheme's layout and public realm, the overall effect of the development on the area's character and appearance would be unacceptably harmful. In this regard, it would conflict with DM policies 30 and 35, CS policy 15 and London Plan policies 3.5, 7.3, 7.4, 7.5 and 7.6.

Comprehensive Development of MUEL

30. CS policy Strategic Site Allocation 1 (SSA1) states that the preparation of a site masterplan is a requirement for each strategic site allocation. CS policy 4 sets out a similar requirement in respect of MUEs. It is clear from the terms of these policies and the reasoning set out in the supporting text that such a masterplan should refer to the site allocation as a whole. In the present case, this means site SA12, which includes the appeal site and the adjoining LBL land. The aims of this requirement, as set out in policy CS4, are to ensure a comprehensive approach to the development of each MUEL and to provide the highest level of residential amenity for future residents.
31. It was clarified at the inquiry that the relevant masterplan on submission of the appeal application was illustrative drawing no. G200_B0_P_RF_010, which is

¹⁰ Notably DAS figures 3.16-3.18.

¹¹ See for example figure 4.4.4 of Mr Squire's proof of evidence.

¹² See page 7 of the LPRS.

included within the DAS. However, the appellants also refer to the contents of the DAS itself (notably section 3), as well as to later evidence such as that contained within Mr Squire's proof of evidence, as also setting out their approach towards the masterplanning of the wider site.

32. To my mind, this approach falls short of the requirements of policy SSA1 in two main respects. First, the masterplan was not the subject of public consultation prior to the submission of the planning application – although consultation was carried out in respect of the application itself. This is a specific requirement of CS policy SSA1(1). Evidence submitted by the appellants¹³ suggests that the Trinity Laban Centre, or at least its agents, was made aware of the contents of the masterplan – although this was disputed at the inquiry¹⁴. Nevertheless, and in any event, it seems to me that whatever degree of contact did take place it fell short of the level of involvement that is anticipated by CS policy SSA1(1) – as is evidenced, in part, by the concerns that the Council and Trinity Laban Centre have raised. This state of affairs contrasts markedly with the ongoing discussions between all of the relevant parties in respect of the development of an alternative comprehensive proposal for the wider site.
33. Second, the masterplan – either as submitted with the application or as amplified during the appeal process – does not show the full level of detail that is envisaged by CS policy SSA1(3b) in respect of the MUEL *as a whole*, including the adjoining LBL land. This policy requires the masterplan to show, among other matters, the quantum of development and the scale, massing and height of buildings. It is appreciated that there is a limit to how far applicants can reasonably be required to consider the details of a development on a neighbouring piece of land over which they have no control. However, it seems to me that it is implicit from the aims of CS policy 4 that sufficient information should be submitted to ensure that a *comprehensive* approach is taken to the development of the MUEL *as a whole* that provides the highest level of amenity for future residents.
34. In the present case, the masterplan contains some details of an illustrative scheme for the LBL land, the roof plan of which is shown on drawing no. G200_B0_P_RF_010. It was clarified at the inquiry that this refers to a notional 12 storey development with residential uses above a facility for the use of the Trinity Laban Centre. The appellants' daylighting and sunlighting evidence suggests that the living conditions of residents within such a scheme would not be harmfully affected by the appeal development. The Council does not challenge that evidence and I have no reason to take a different view.
35. However, no substantive evidence has been presented to demonstrate that the illustrative 12 storey development represents either a realistic or viable proposal for the LBL land. As was made clear during the inquiry, it is likely that the inclusion of an arts facility on the LBL site would require additional funding or a cross-subsidy from other elements of the development. The potential for this is not explored in the masterplan and it is not clear whether this would amount to a viable scheme in practice. A delivery strategy for the MUEL *as a whole* along the lines required by CS policy SSA1(3c) has not been submitted.
36. The appellants take the view that the appeal scheme would not preclude a substantial development on the Council land and an overall effective and

¹³ E-mail bundle – document 10.

¹⁴ Evidence of Mr Bowne – document 9 and oral submissions.

efficient development on site SA12 as a whole¹⁵. However, I do not feel that this has been adequately demonstrated. While the effect of the appeal development has been tested against the illustrative 12 storey scheme on the LBL land noted above, it has not been shown that such a scheme is either realistic or viable. It is implicit from the requirements of CS policy SSA1 that the submitted masterplan should be capable of being delivered. Furthermore, while the development of a 60-70 unit scheme on the LBL land would, in combination with the appeal proposal (216 units), exceed the indicative site capacity set out in the SALP and, in combination with the Essential Living development now under construction, exceed the number of units proposed in the minded to grant scheme, the evidence before me suggests that in principle there is the potential for a greater number of residential units to come forward from site SA12 as a whole. The figure of 400 units is being discussed by the appellants and LBL in the context of ongoing dialogue about an alternative development proposal: while this can be given only limited weight, as it has yet to even reach the planning application stage, it may be illustrative of the site's overall potential.

37. Indeed, during the inquiry, the appellants' architectural witness suggested that from his perspective a taller building could be acceptable on the LBL land, up to 22 storeys in height¹⁶. However, this is not presented in the masterplan and the implications of such a development, for example with respect to daylight and sunlight, have not been analysed to any substantial degree. Bearing in mind the scale of block 2 of the appeal development (25 storeys), its proximity to the boundary of the LBL land (some 7 metres) and the relatively restricted dimensions of the LBL land, I agree with the Council that there is the potential for harm to result to residents' living conditions arising from the juxtaposition of two large towers. However, this cannot be properly assessed in the present appeal, as the analysis has not been undertaken and a realistic and comprehensive approach to the SA12 site as a whole has not been presented.
38. The mechanism for assessing and resolving such effects is clear – the preparation of a masterplan in the terms required by CS policies 4 and SSA1. For the reasons set out above, I consider that this has not occurred. I therefore conclude that the scheme would not result in a comprehensive approach to the development of the Thanet Wharf Mixed Use Employment Location (MUEL), contrary to these policies.

Employment

39. CS policy 4 requires the comprehensive redevelopment of MUELS to provide employment uses within the B Use Class amounting to at least 20% of the built floorspace of any development as appropriate to the site and its wider context. This requirement is carried forward into DMLP DM policy 9, while the relevant reference for site SA12 in the SALP refers to 20% as an 'indicative' figure. The appeal scheme proposes mixed commercial accommodation amounting to some 11% of the total floor area. Given that this would itself include non-B Class uses, it is common ground that the scheme would conflict with the requirements of CS policy 4 and DM policy 9.
40. Nevertheless, the Council accepts that this requirement can be applied flexibly and evidence has been presented of a number of other developments where

¹⁵ Appellants' closing submissions, paragraph 100.

¹⁶ Mr Squire in cross-examination.

this has occurred – including a nearby scheme at Kent Wharf. In the present case, the Council does not seek to substantively challenge the viability assessment submitted by the appellants that supports their assertion that the amount of commercial floorspace is what is assessed as being viable. I have no reason to doubt that assessment.

41. The Council's main concern in respect of this matter, as expressed to the inquiry, relates to the nature of the commercial floorspace that has been proposed and to its potential for future use. However, it seems to me that the Council's requirement that the employment spaces should be designed with a specific type of end-user in mind is unduly onerous. CS policy 4 merely requires the design of the employment uses and the development as a whole to 'enable the continued employment functioning of the areas'. I share the view of the appellants that there is merit in applying a flexible approach and that, given the likely timescale for a substantial development such as the appeal scheme to be implemented, it may be unrealistic to seek agreement with potential occupiers at an early stage. This is borne out by the experience at Kent and Sun Wharves, where an intended pre-let to a specific occupier did not in the event take place.
42. I have commented above on the absence of a realistic delivery strategy for the SA12 site overall. I agree with the Council that the Commercial Use Marketing Strategy submitted with the appeal documentation¹⁷ is general in nature and lacking in specific detailed actions in respect of the appeal development. The viability assessment has been prepared to fulfil a markedly different purpose. However, while I note the Council's concerns about the slow take-up of units in the Creekside Village West scheme, I have seen no specific evidence that the units that are now proposed would in themselves be unsuitable for a commercial or employment use. It seems to me that these units would allow flexibility in that regard, subject to overall limits on the type of uses which could be imposed by planning condition were matters otherwise acceptable.
43. In that context, I do not agree with the Council's reading of the statement by the appellants' architectural witness that the commercial units would amount to 'almost a by-product' of the residential part of the development¹⁸. I have seen no evidence that the scheme's commercial element would be anything other than an integral part of the development as a whole. Notwithstanding my serious concerns about the resulting proportion of active frontage on Copperas Street and the western access route, the intended location of the commercial units on the ground and first floors would provide some animation and activity at ground level within other parts of the site. Furthermore, in respect of flood risk, the location of more vulnerable uses such as residential at ground level would cause the scheme to fail the Sequential Test set out in the Framework and PPG¹⁹.
44. Furthermore – and importantly – the submitted unilateral undertaking makes provision for a proportion of the scheme's commercial element to comprise affordable business space in perpetuity, representing a change from the earlier (time-limited) proposal. In view of the attractiveness of the wider area for employment within the creative sector that may struggle to meet full market rents, as was explained to the inquiry by representatives of that sector, such

¹⁷ Appendix 1 to Mr Allison's proof of evidence.

¹⁸ See Council's closing submissions paragraph 21, referring to comments by Mr Squire.

¹⁹ See document 23.

provision would be likely to encourage the take-up and occupation of commercial space within the scheme.

45. It is accepted that the appeal development has not been specifically designed to meet the expansion needs of the Trinity Laban Centre. Given the Centre's proximity, and in view of its importance to the creative sector, there would clearly be benefits in accommodating such needs within the development. However, this is not a policy requirement in either the CS or DMLP, and the most that the SALP states is that the SA12 allocation should complement and support the Centre. Although the Council considers that the provision of accommodation for the Centre 'could have been a significant material consideration capable of overriding certain breaches of the development plan'²⁰, this position is not therefore grounded in the development plan. Therefore, while the scheme's failure to provide for the Centre's needs may represent a missed opportunity, it does not amount to a reason for refusing planning permission. Indeed, the absence of provision for the Centre is not referred to in the Council's notional reasons for refusal.
46. For the above reasons, I therefore conclude that the scheme would enable the continued employment functioning of the MUEL. The factors discussed above are sufficient to justify an exception to the above-noted requirements of CS policy 4 and DM policy 9 in this instance.

Living Conditions of Proposed Occupiers

47. The Council's concerns in this regard relate in part to the potential for mutual overlooking between units in blocks 1 and 2 facing each other over the intervening entrance plaza. Objection is not raised in respect of daylight and sunlight and I have no reason to take a different view. The Council clarified at the inquiry that, bearing in mind the intended provision of roof-top open space, it is not pursuing its concerns about the amount of play space in the scheme.
48. While many of the units would have a double aspect, the resulting arrangement on a typical floor level would include bedrooms in both blocks fronting onto the entrance plaza²¹. The degree of mutual separation between the two blocks would be some 10 metres. Although the facing windows would be off-set to a degree, their relationship would be such that views between the units would be easily achieved. Given the mutual proximity of the two blocks, the resulting effect would materially harm the privacy of the occupiers of the units concerned.
49. It is accepted that this adverse effect could be reduced by the use of obscured panels and/or fritted glass, which could be secured by condition were the scheme otherwise acceptable. However, this would act to increase the degree of enclosure within the rooms themselves, creating an unduly oppressive effect to the detriment of the occupiers' living conditions. A similar effect would be experienced in a number of bedrooms which would have no glazed panels.
50. For these reasons, I conclude that in some cases satisfactory living conditions would not be created for occupiers of the proposed development. This would conflict with relevant policies, notably DM policy 32. However, it is accepted that this would apply to a small minority of rooms and units within a large

²⁰ Council's closing statement, paragraph 25.

²¹ See for example figure 5.5.4 of Mr Squire's proof of evidence.

development in which generally acceptable standards would be achieved. This reduces the weight that can be afforded to this policy conflict.

51. The appellants point to other recent developments in London containing broadly similar building-to-building separation distances. However, I am not aware of the full details of those schemes: my conclusion on this matter relates to the particular circumstances described above.

Access, Parking and Servicing

52. The appellants' position with respect to these matters changed following the initial inquiry sessions. Specifically, this resulted from the accurate measurement of the western access route which – it is now agreed by both parties – would include a 'pinch point' some 3.8 metres wide. The appellants had previously proposed that this route would form part of an access loop for large vehicles, including refuse vehicles²². However, they now accept that use of this route for such vehicles would overly restrict the space available for pedestrians and cyclists. I have no reason to disagree with that assessment.
53. The appellants' response to this matter is to suggest that such vehicles would instead undertake a three point turn in Copperas Street, using the eastern access of the development to back into. The Council raises concerns about such a manoeuvre. However, while the appellants' revised arrangements have not been the subject of formal consultation with relevant bodies, I have seen no substantive evidence that material harm to the safety of road users would be likely to result from this arrangement. Although part of a cycle route, Copperas Street is a cul-de-sac to vehicular traffic: it is not (and is not likely to be) subject to significant vehicular flows. The evidence before me indicates that a similar turning manoeuvre will be required in respect of the Essential Living scheme, and that deliveries and servicing to the Creekside Village West development already involve large vehicles turning in Copperas Street.
54. The implication of such an arrangement for the appeal proposal is that medium and large vans and lorries would have to wait on Copperas Street to allow goods to be loaded and unloaded. (Smaller vehicles, depending upon their size, would either use the internal loop or access the basement area.) While the Council raises concern that waiting on Copperas Street would 'inevitably' create congestion, as well as causing hazards for the cycleway, it is clear from the submitted drawings that adequate space exists to enable vehicles to pass stationary vehicles as long as improvements are carried out to the public realm on Copperas Street including the restriction of on-street parking.
55. In that context, the submitted unilateral undertaking makes provision for the payment of contributions towards a public realm enhancement scheme and a controlled parking zone (CPZ). Copperas Street forms the boundary between LBL and LBG and it is clear that both authorities would need to participate in the implementation of the enhancement scheme and CPZ in order for the schemes to take proper effect. However, neither local authority is a party to the undertaking. As such, I cannot be certain that either the enhancement scheme or the CPZ would be secured through this mechanism. I am therefore unable to give these obligations any weight in my decision.

²² See for example drawing no. P971/301A attached to Mr Gurner's main proof of evidence.

56. Nevertheless, this is not to say that there is no prospect at all of these actions being performed within the time limit of any planning permission. I therefore agree with the appellants that notwithstanding my comments about the effectiveness of the relevant planning obligations, I am satisfied that 'Grampian' type planning conditions could appropriately be imposed if the appeal scheme was acceptable in other respects.
57. Concern is also raised about the ability for Environment Agency vehicles to access the Creek in the event of an emergency. Given the agreed position with the western access as already described, the appellants have updated relevant drawings to indicate such an emergency route along the site's eastern access and the eastern side of block 2. Although requiring a significant degree of reversing, I am satisfied that such use would be sufficiently infrequent to avoid it resulting in a material safety risk. The appeal drawings show that this route would be partially blocked by cycle stands. Given that the relevant access would relate to emergency conditions, I do not agree with the appellants that it would be appropriate to install cycle stands that could be dismantled and replaced at a later time. However, I see no reason why the cycle stands could not be located elsewhere within the site – an outcome that could also be secured in principle by imposition of a planning condition.
58. Drawing these matters together, and subject to the imposition of the above-noted conditions, I conclude that the scheme's arrangements for access, parking and servicing would be adequate. In this respect, the scheme would accord with relevant development plan policies, notably CS policy 14. It would also accord with paragraph 32 of the Framework which states, among other matters, that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Affordable Housing Mix

59. The Council's concern in respect of affordable housing relates to the intended mix of units rather than to the overall level of provision. As already noted, the Council does not seek to challenge the appellants' viability evidence. CS policy 1 states that for affordable housing, the Council will seek a mix of 42% as family dwellings (3+ bedrooms). Some 33% of the affordable units in the appeal scheme would accord with that category.
60. The appellants comment that, if measured by floorspace, some 44% of the affordable housing would comprise family units. It is accepted that CS policy 1 does not clarify whether the relevant measure relates to units or floorspace. However, I note that the Council states that it has consistently adopted the former measure in making such assessments and it seems to me that this represents a commonsense reading of the policy that can easily be applied and enforced. It is also consistent with the use of a percentage target for affordable housing elsewhere in CS policy 1. For these reasons, I agree with the Council's assessment. I therefore conclude that the mix of affordable housing that is proposed would not accord with development plan requirements. However, this breach would not be of a significant scale and, moreover, the mix that has been proposed is supported by an undisputed viability assessment. These factors reduce the weight that can be attached to this particular policy conflict.

Planning Balance

61. It is not part of the appellants' case that the development plan is out of date in terms of the Framework. The appeal scheme would result in clear benefits, most notably the redevelopment of part of a vacant site that is allocated for development in the SALP. I have concluded above that the appeal proposal would enable the continued employment functioning of the MUEL and that, subject to the imposition of conditions, its arrangements for access, parking and servicing would be adequate. Affordable housing and commercial space, including affordable business space, would be provided. These factors would support the economic and, in part, the social dimensions of sustainable development, as set out in the Framework. While satisfactory living conditions would not be created for some of occupiers of the proposed development and while the intended mix of affordable housing would not accord with development plan requirements, these are matters that – for the reasons set out above – would not amount to reasons for refusing planning permission if the scheme was acceptable in other respects.
62. However, it is not. I have concluded above that the effect of the development on the area's character and appearance would be unacceptably harmful and that the scheme would not result in a comprehensive approach to the development of the Thanet Wharf Mixed Use Employment Location (MUEL), contrary to relevant policies. These factors, which bear on the environmental and, in part, the social dimensions of sustainable development, amount to significant objections to the development. Bearing in mind that the Framework attaches great importance to good design, including the achievement of high quality and inclusive design for all development, including individual buildings, *public and private spaces* and *wider area development schemes*²³ (my italics), I consider that these matters are sufficient to overcome the advantages described above. The appeal scheme would not therefore amount to sustainable development in the terms of the Framework.

Conclusion

63. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed and that planning permission for the appeal development should be refused.

M J Hetherington

INSPECTOR

²³ Paragraphs 56 and 57 of the Framework.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Ms Annabel Graham Paul	of Counsel Instructed by Mr Kevin Chadd, Solicitor, London Borough of Lewisham (LBL)
She called:	
Ms Amanda Reynolds	AR Urbanism
BArch MA(UD) RIBA	
Ms Catherine Paterson	Highways and Transportation, LBL
BSc(Hons) MSc	
Mr Neil Goldsmith	Nathaniel Lichfield & Partners
BA(Hons) BPI MRTPI	
Mr Anthony Bowne	Trinity Laban Centre
Ms Kate Hayler	LBL (conditions session only)
BArch MA	

FOR THE APPELLANTS:

Mr Stephen Morgan	of Counsel Instructed by Mr Simon Chadwick, Signet Planning
He called:	
Dr Christopher Miele	Montagu Evans
IHBC MRTPI FRHS	
Mr Michael Squire	Squire and Partners
MA DipArch(Cantab) RIBA	
Mr Patrick Gurner	PSP Consulting
BSc(Hons) CEng MICE	
Mr Gerald Allison	Cushman and Wakefield
RICS	
Mr Simon Chadwick	Signet Planning
BSc(Hons) MRICS	
Ms Bettina Brehler	Squire and Partners (conditions session only)
Dipl.Ing ARB	

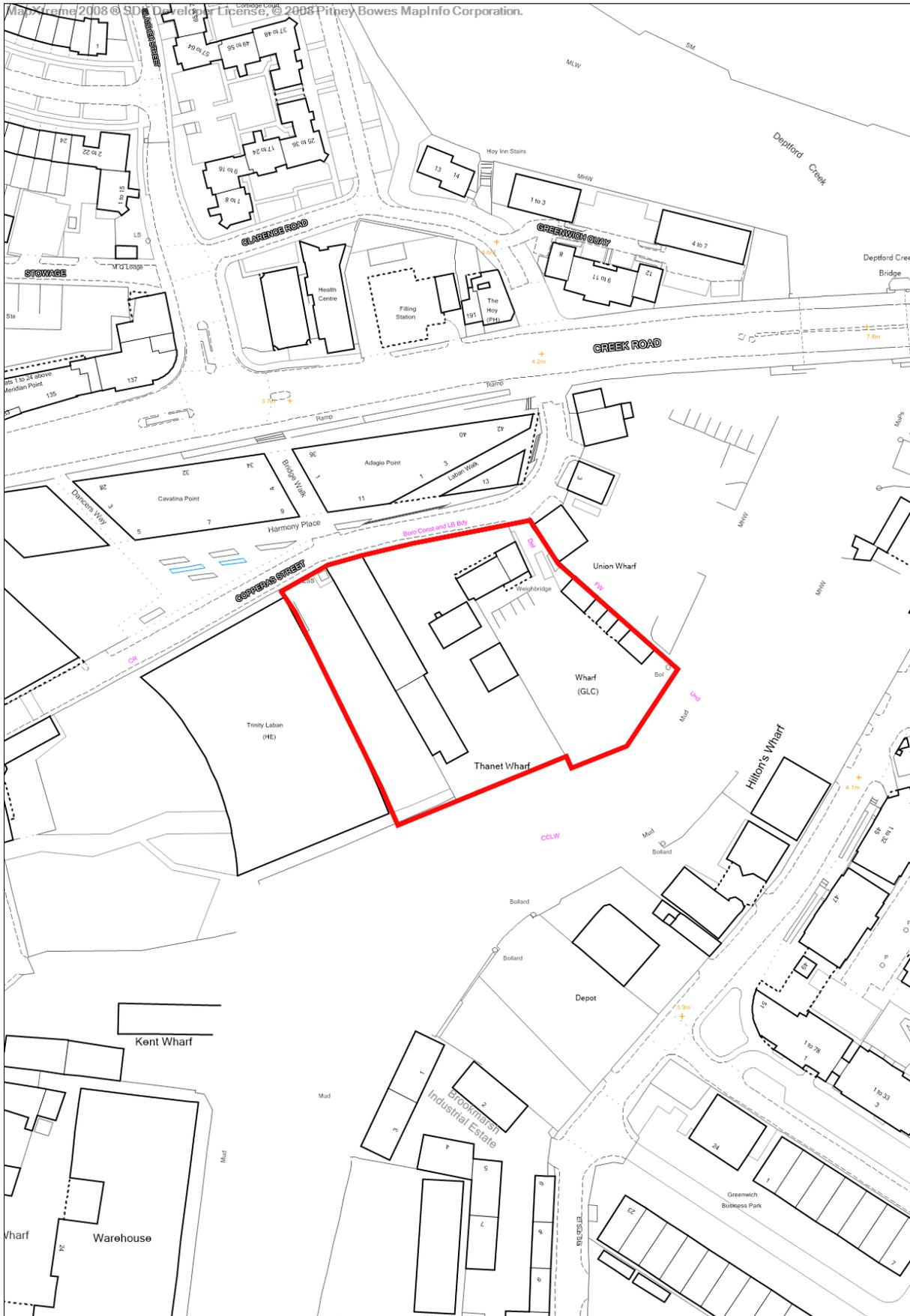
INTERESTED PERSON:

Mr Matthew Wood	Second Floor Studios
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List of Inquiry Documents

- Document 1: Draft unilateral undertaking
- Document 2: Comments by Mr Squire on Buildings for Life 12 Assessment.
- Document 3: Opening statement on behalf of the appellants.
- Document 4: Opening statement on behalf of the London Borough of Lewisham (LBL).
- Document 5: Drawing no. P971/307.
- Document 6: Comments by Ms Reynolds on Mr Squire's comments.
- Document 7: Extract from Report of Lewisham Design Review Panel (Oct 2015).
- Document 8: Copies of slides from Mr Squire's presentation containing material not previously contained in his evidence.
- Document 9: Further statement of Mr Bowne.
- Document 10: Bundle of e-mails tabled by appellants.
- Document 11: Additional drawing used at site visit: no. C645_B0_P_00_011.
- Document 12: E-mail exchange in respect of Kent Wharf site.
- Document 13: Supplemental Note on Servicing and Access by Mr Gurner.
- Document 14: Mixed use sites summary document.
- Document 15: Review of Environmental Statement (LUC for LBL).
- Document 16: Copy of planning permission dated 30 March 2012 in respect of Block C, Creekside Village West, Creek Road, Deptford.
- Document 17: Agreed Statement of Common Ground.
- Document 18: Draft list of planning conditions.
- Document 19: Further draft of unilateral undertaking.
- Document 20: Interim Delivery and Servicing Plan
- Document 21: Letter from Brecher Solicitors confirming site ownership.
- Document 22: CIL Regulations Justification Statement.
- Document 23: Additional evidence on flood risk and the sequential test.
- Document 24: LBL response to Mr Gurner's Supplemental Note.
- Document 25: Appellants' response to Port of London Authority comments on Environmental Statement.
- Document 26: Appellants' response to LBL comments on Environmental Statement.
- Document 27: Viability Assessment (Montagu Evans).
- Document 28: Amended list of planning conditions.
- Document 29: Drawing no. D811_B2_P_02_009 B.
- Document 30: London Borough of Greenwich Planning Board report in respect of planning permission attached as Document 16 above.
- Document 31: Closing submissions on behalf of LBL.
- Document 32: Transcript of *Horsham District Council v SSCLG and Barratt Southern Counties Limited [2015] EWHC 109 (Admin)*.
- Document 33: Closing submissions on behalf of the appellants.
- Document 34: Costs application by LBL.
- Document 35: Final version of unilateral undertaking, dated 8 July 2016.

DC/18/108548: Creekside Village East – Site Location Plan



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