



Strategic Planning Committee

Report title: Land bounded by Oxestalls Road, Evelyn Street, Dragoon Road and Grove Street SE8 – Plots 1 & 3 only.

Date: 12 June 2023

Key decision: No.

Class: Part 1

Ward(s) affected: Evelyn

Contributors: Geoff Whittington

Outline and recommendations

This report sets out Officer's recommendation for the above planning application. The report has been brought before Strategic Planning Committee for a decision as there are 21 valid planning objections and the application pertains to a site of strategic importance.

The application is recommended for approval subject to planning conditions, completion of a s106 agreement, and Stage 2 approval by the GLA.

Application details

Application reference number: DC/21/122345

Application Date: 21 June 2021

Applicant: Lendlease Deptford Limited

Proposal: Application submitted under s73 of the Town and Country Planning Act 1990 (as amended) for the approval of minor material amendments to planning permission ref. DC/15/92295 comprising the variation of Conditions 1 (Approved Drawings and Documents), 8 (Total Built Non- Residential Floorspace), 9 (Total Residential Units), 19 (Accessibility), 36 (Landscaping) and 50 (Motorcycle Parking Spaces) to provide changes to: Mixed use redevelopment for five buildings comprising residential dwellings (Class C3 Use), purpose-built student accommodation (Sui Generis) and a range of commercial, business and service uses (Use Class E), together with cycle parking, public realm works and provision of open space at Land bounded by Oxestalls Road, Evelyn Street, Dragoon Road and Grove Street SE8 – **Plots 1 and 3**.

Plot 1: (1) The removal of Building 1A and a new public garden to Dragoon Road and provision of a 115 sqm non-residential unit; (2) An additional 86 residential units on Plot 1 to accommodate 305 homes between Buildings 1B and 1C; (3) An increase in height to Building 1B from 7 storeys to 8 storeys; (4) Alteration to Building 1C of the consented masterplan from a 24 storey building to 35 storey building; (5) Alteration to first floor podium garden; and (6) Elevational changes to all buildings.

Plot 3: (7) Amendments to Blocks 3B, 3C, 3D to include an additional 26 residential units on Plot 3 to accommodate 184 homes between Buildings 3B, 3C and 3D with 28 additional units in Block 3B and 2 fewer units in Block 3C; (8) Increase in quantum of non-residential floorspace from 470sqm to 645sqm; and (9) Alteration to Building 3B of the consented masterplan from a 10 storey building to 14 storeys to provide 28 additional units.

Background Papers:

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

Designation:

Deptford Neighbourhood Forum
PTAL 3
Flood Risk Zone 2/ 3
Area of Archaeological Priority
Air Quality Management Area

Screening:

Scoping Opinion pursuant to Part 4 Regulation 15(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (EIA Regulations), and the application has been submitted with an Environmental Impact Assessment.

1. EXECUTIVE SUMMARY

- 1 The current s73 application has been submitted by Lichfields on behalf of Lendlease Deptford Limited for minor-material changes to the consented development at Plots 1 and 3 - Land bounded by Oxestalls Road, Evelyn Street, Dragoon Road and Grove Street SE8. The two plots lie to the southern section of the wider Deptford Timberyard site.
- 2 The site lies within the Deptford Creek/ Greenwich Riverside Opportunity Area, which is identified in Table 2.1 of the London Plan (2021) as being a significant location with development capacity to accommodate new housing, commercial development and infrastructure to sustain growth.
- 3 Hybrid Planning Permission was granted in 2015 for the comprehensive redevelopment of the site for mixed use housing and commercial uses. Plot 1 was granted full planning permission for 219 residential units and 653sqm of non-residential floorspace within 3 blocks, including a 24-storey building.
- 4 Plot 3, which also benefits from full planning permission, included 158 residential units, and 3,830 commercial floorspace within 4 blocks.
- 5 The current s73 application proposes a number of changes, including the removal of a consented building on Plot 1; an increase in height of the consented 24-storey building to 35 storeys (Block 1C); an additional storey to Block 1B; and 4no. additional storeys to Block 3B within Plot 3.
- 6 There would be an overall uplift in residential units across the two Plots by 112 to 489, with the additional provision subsumed from the undeveloped Plot 5. All 112 units are Market only.

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- 7 Commercial floorspace within Plots 1 and 3 would increase by 290sqm.
- 8 A new public 'pocket park' and additional commercial floorspace would be provided in place of the removed building.
- 9 The scheme would provide a total of 980 cycle parking spaces, and 15 blue badge bays split between on-site (below podium level), and 5 on-street on Timberyard Street.
- 10 The scale and height of the proposal is considered to be reflective of development granted permission within the wider Deptford Landings site and would result in no significant harm to the London View Management Framework or the settings of conservation areas and listed buildings. The report concludes that the harm to heritage assets is at the lower end of less than substantial, and is outweighed by public benefit, in accordance with the NPPF.
- 11 Subject to appropriate planning conditions and legal obligations, the scheme is acceptable and is recommended for approval and referral to the Mayor of London (Stage 2.)

2 **SITE AND CONTEXT**

Site description and current use

- 12 The application site relates to Plots 1 and 3, and measures 1.92 hectares (ha), bounded by Dragoon Street to the south, Evelyn Street (A200) to the west, and Grove Street to the east. (see Figure 1)
- 13 Plots 1 and 3, which are currently undeveloped, were granted Full planning permission for 377 residential units and commercial floorspace in the extant 2015 permission (DC/15/92295.)

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Figure 1 – Site Location Plan (Plots 1 and 3 outlined in purple)

- 14 The wider site, known as Deptford Landings, covers an area of approximately 4.54ha, and historically the application site has included a mix of residential and industrial / commercial uses and local services including a public house. The site excludes Scott House at 185 Grove Street (former Diploma Works), which is a three-storey brick building located at the junction of Oxestalls Road and Grove Street.
- 15 The site is generally flat although Evelyn Street and Oxestalls Road rise above the level of the site where bridges cross the route of the former canal. The Oxestalls Road/Evelyn Street junction is signal controlled and there are a number of vehicular accesses into the site on each frontage.
- 16 There are a few reminders of the former use of the site as a series of wharves along the route of the Grand Surrey Canal including brick boundary walls incorporating the name of the wharf, Blackhorse Bridge on Evelyn Street which retains its cast iron structure and brick abutments and the pub on Grove Street. However the canal itself was filled in the 1970's and is not evident on the site, and the process of redevelopment of individual plots on the site has obscured its legibility and much of its history.
- 17 To the north-east corner is the vacant Plot 6, which is due to be developed in 2023 for 189 residential units.
- 18 Plot 5 to the north-western corner is currently subject to a Full planning application (DC/22/127966) that proposes mixed use development comprising 405 residential

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dwellings; 382 student bedspaces; and commercial floorspace located within buildings ranging between 6 and 29 storeys.

- 19 Plot 2 to the eastern side fronting Grove Street and adjacent to Plot 1 has already been developed and accommodates 203 residential units and 779sqm non-residential floorspace.
- 20 Plot 4 lies to the western side, and at the time of writing this report, was under construction for 251 residential units, and 439sqm of flexible non-residential floorspace.

Heritage/archaeology

- 21 The application site is not within a conservation area and contains no heritage assets.
- 22 Across the wider surrounding area there are a significant number of designated heritage assets. Grade II Listed buildings includes;
- i) Deptford Fire Station;
 - ii) The Terrace;
 - iii) Royal Victoria Entrance;
 - iv) Cannon posts to front of Royal Victoria Yard entrance;
 - v) Colonnade Building;
 - vi) Gate Piers to naval dockyard.
- 23 Due to its proposed scale, in particular the 35-storey height and massing, the development at Plots 1 and 3 would be visible within the extended background of Strategic Views 'London View Management Framework (LVMF)' 4A.1 (Primrose Hill summit to St Paul's Cathedral); and LVMF 23A.1 (Bridge over the Serpentine to Westminster).

- 24 The Maritime Greenwich World Heritage Site and associated Buffer Zone lie approximately 1.8km to the south-east of the application site.
- 25 The site lies within the Deptford Archaeological Priority Area.

Surrounding area

- 26 To the south-east of the application site are 3 to 5 storey blocks forming part of the Trinity Estate located on Dragoon Road.
- 27 To the west are commercial buildings within the Deptford Trading Estate. To the north of the application site is Lower Pepys and Pepys Park, with additional green space located to the west of Evelyn Street at Deptford Park.
- 28 To the north and east of the wider Deptford Landings site is the Pepys Estate comprising blocks of flats including Eddystone Tower on the northern side of Oxestalls Road. Deptford Park Primary School lies to the north, fronting Evelyn Street and Oxestalls Road.
- 29 In terms of local amenities, the immediate surroundings provides a limited range of retail units to the north on Grove Street, whilst the nearest centre is Deptford High Street 1.6km to the south.

Local environment

- 30 The site lies within Flood Zone 3, which is at high risk of flooding.

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- 31 The site lies within a designated Air Quality Management Area, with the heavily trafficked A200 representing the nearest source of air pollution. In terms of the noise environment, the principal sources of noise within the surrounding area also arises from traffic movement.
- 32 As a former industrial site, there is potential for contaminated soil and groundwater to be present on site, associated with the historic uses.

Transport

- 33 The A200 Evelyn Street to the western side north forms part of the Borough's Principal Road Network.
- 34 The site has a moderate public transport accessibility level (PTAL) of 2/3, where 1 means poor access to public transport, and 6a is excellent. There are a number of bus stops within the immediate vicinity, served by the nos.47, 188, N47 and 199.
- 35 The nearest London Overground station is at Surrey Quays, 1km to the north. The Jubilee Underground service lies an approximate 30 minute walk from the site at Canada Water. The nearest mainland railway stations are located at South Bermondsey and Deptford.
- 36 Commuter river bus services are available from Greenland Pier, 1km to the north-east.

3 RELEVANT PLANNING HISTORY

- 37 **DC/15/92295:** Planning permission was granted at Strategic Planning Committee on 23 March 2016 for 'The comprehensive redevelopment of land bounded by Oxestalls Road, Grove Street, Dragoon Road and Evelyn Street SE8, but excluding Scott House, 185 Grove Street (formerly known as Diploma Works) seeking outline planning permission (Phases 1-3) for the demolition of existing buildings on the site, excluding former Public House on Grove Street to facilitate the phased redevelopment of the site to provide up to 10,413 square meters (GEA) non-residential floorspace comprising (A1) Shops, (A2) Financial & Professional Services, (A3) Restaurants & Cafés, (A4) Drinking Establishments, (A5) Hot Food Takeaways, (B1) Business, (D1) Non-Residential Institutions and (D2) Assembly & Leisure uses and an energy centre and up to 1132 residential units in buildings ranging from 3 to 24 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works and provision of open space and detailed planning permission (Phase 1) for up to 562 residential units and up to in buildings ranging from 3 to 24 storeys in height, together with car and cycle parking, associated highway infrastructure, energy centre, public realm works and provision of open space'.
- 38 **DC/17/099912** was approved by the LPA on 1 August 2017. The Non-Material amendments related principally to Plots 1 and 3 regarding the car parking provision, an additional 13 residential units, minor alterations to landscaping, internal configuration and elevations.

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- 39 **DC/17/103955** was approved by the LPA on 7 November 2017 and allowed amendments to the wording of Condition 42 part (a) (flood risk) to allow a revised threshold for the location of residential units above breach flood water levels.
- 40 **DC/17/103865** was approved by the LPA on 7 December 2017. This NMA related to detailed design changes within Plots 1, 2 and 3. The application reference was updated to DC/17/104981, dated 21 December 2018, to reflect an administrative error on the decision notice regarding the number of units specified on Condition 2 (Total Residential Units).
- 41 **DC/17/105015** – A Reserved Matters application for Plot 4 approved 22 February 2018. Plot 4 is currently under construction, and will provide 251 residential units and 439sqm (GEA) of flexible non-residential floorspace (Use Class A1/ A2/ A3/ A4/ A5/ D1/ D2/ B1), ancillary plant room and open space/ public realm in accordance with DC/15/92295.
- 42 **DC/18/109447** – was approved by the LPA on 21 November 2018. This NMA related to amendments to Plot 2 principally relating to the “Y-building” and its adjacent external and public realm. Amendments relating to building height by 1.2m plus roof-plant, elevational changes, an additional floor within the slightly increased building height, floor plans, ground floor uses and ancillary refuse / cycle parking.
- 43 **DC/18/110184** – was approved by the LPA on 4 January 2019. This NMA related to amendments to the Parameter Plans as they relate to Plot 6, including amendments to: building height; vehicular access; development zone; ground floor levels and pedestrian / cycle access.
- 44 **DC/18/110070** – was approved by the LPA on 4 January 2019. This NMA relates to a minor amendment to the site location diagram relating to Plot 6 to reflect land ownership.
- 45 **DC/18/110247** – was approved by the LPA on 23 January 2019. This NMA to the approved site wide *Energy Strategy* to introduce an ambient loop heat energy system to serve Plots 1, 3, 4, 5, 6. CHP unit to be implemented on Plot 2. Site-wide design strategy for the provision of roof top plant at the Timberyard Site to ‘conceal’ as the first principle and apply materials that allow a coherence with the overall Design Code and site wide material palette (Plots 3, 4, 6); and ‘celebrate’ where appropriate to improve wayfinding and visual interest (Plot 1 and potentially Plot 5).
- 46 **DC/19/110414** - Approval of Reserved Matters on 20 March 2019 for Plot 6 (part Phase 3) facing Oxestalls Road and Grove Street (comprising for Blocks 6A, 6B and 6C at eight storeys) to provide a total of 189 residential units, ancillary plant room and open space/public realm pursuant to condition 2 (Approved Drawings - Outline Components), condition 3 (Time Limit - Outline Components) relating to layout, scale, appearance, landscaping and means of access, and condition 10 (Land Use Reconciliation) of hybrid planning permission DC/15/92295 (as amended) on land bounded by Oxestalls Road, Grove Street, Dragoon Road and Evelyn Street SE8, but excluding Scott House and 185 Grove Street (formerly known as Diploma Works)."
- 47 **DC/22/127966** is a Full Application that relates to Plot 5 to the north-western part of the Deptford Timberyard site, which is being presented to Members concurrently with the Plots 1 and 3 s73 application.

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48 The proposal is for the mixed-use development of Plot 5 for five buildings comprising residential dwellings (Class C3 Use), purpose-built student accommodation (Sui Generis) and a range of commercial, business and service uses (Use Class E), together with cycle parking, public realm works and provision of open space at Land bounded by Oxestalls Road, Evelyn Street, Dragoon Road and Grove Street.

4 CURRENT PLANNING APPLICATION

THE PROPOSALS

49 As part of the consented scheme DC/15/92295, Plots 1 and 3 would accommodate 7 blocks across the southern section of the wider Deptford Timberyard site.

50 377 Market dwellings were approved for Plots 1 and 3, with buildings ranging in heights between 7 and 24 storeys, the tallest building (1C) being located to the south-east corner with Grove Street and Dragoon Road.

51 The approved provision of residential units in the extant permission is set out in Table 1.

Plot	Residential Units (approved by DC/15/92295 as at 23/03/16 – Illustrative scheme Condition 9)		Current Position (Detailed approval including NMA amendments or submitted as part of Plot 4 & 6 RMAs)	
1	210		219 [+9]	
2	203		203	
3	149		158 [+9]	
4		570	251	112
5			-	
6			189	
Total	1,132		1,020 [-112]	

Table 1: Comparison between extant permission and current position – 112 units reallocated to Plots 1 and 3 to maintain consented 1,132 dwellings

52 1,132 units were granted in the hybrid application. Plots 4, 5 and 6 formed were approved Outline consent to accommodate 570 units, which was later reduced by s96a applications to 552no.

53 The 18no units were relocated to Plots 1 and 3, which maintained the overall consented provision of 1,132 units.

54 Plots 4 and 6 have since been subject to Reserved Matters applications whereby 440 residential units of the 552 provision have been allocated – 251no. to Plot 4, and 189no. to Plot 6.

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55 The remaining 112 Market units form part of the current s73 application, which proposes minor-material amendments to Plots 1 and 3 to allow for the accommodation of the units. This in turn releases the undeveloped Plot 5 from the extant permission to allow for the current standalone planning application DC/22/127966.

56 The proposed s73 changes are as follows:

Plot 1:

- The removal of Building 1A and the formation of a new public garden to Dragoon Road and provision of a 115 sqm non-residential unit;
- An additional 86 residential units on Plot 1 to accommodate 305 homes between Buildings 1B and 1C;
- An increase in height to Building 1B from 7-storeys to 8-storeys;
- Building 1C would increase in height from the consented 24-storeys to 35-storeys;
- Alteration to first floor podium garden; and
- Elevational changes to all buildings.

Plot 3:

- Amendments to Blocks 3B, 3C, 3D to include an additional 26 residential units on Plot 3 to accommodate 184 homes, with 28 additional units in Block 3B and 2 fewer units in Block 3C;
- Increase in quantum of non-residential floorspace from 470sqm to 645sqm; and
- Alteration to Building 3B of the consented masterplan from a 10-storey building to 14- storeys to provide 28 additional units.'

57 The non-residential Block 3A within Plot 3 (the 'Y' shaped block), is not subject to any changes as part of this s73, and will retain its approved 7-storey height.

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Plot	Block	Consented Height (storeys)	Approved Number of Homes	Proposed Height (storeys)	Proposed number of Homes
1	1A	7	23	0	-
	1B	7	30	8	49
	1C	24	166	35	256
3	3A	-	-	-	-
	3B	10	63	14	91
	3C	7	36	7	34
	3D	11	59	11	59
Total		-	377	-	489

Table 2: Comparison between consented and s73 schemes

58 Table 2 sets out the comparison between the consented heights of each building and the number of approved dwellings, and the subsequent amendments being proposed in the current scheme.

59 The proposed **Plot 1** amendments are detailed as follows:

- **The removal of Building 1A and a new public garden to Dragoon Road and provision of a 115 sqm non-residential unit.**

60 The consented 7-storey Building 1A (shown in Figure 2 below) was to be located to the southern side of Plot 1 fronting Dragoon Road, accommodating 23 residential units.



Figure 2: Building 1A

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61 The current proposal seeks its full removal, with the 23 units redistributed elsewhere within Plots 1 and 3. A pocket park for public use would replace 1A, with an adjacent single-storey commercial unit providing flexible use (Unit 8).

- **An increase in height to Building 1B from 7 storeys to 8 storeys**

62 Block 1B to the north side of Plot 1 fronts Timberyard Street and Grove Street, and faces towards the completed Plot 2.

63 It is proposed that the consented 7-storeys is increased to 8-storeys; and a subsequent increase from 30 residential units to 49. The building would incur a minor relocation towards Grove Street by approximate 2m, in addition to elevational changes.

- **Alteration to Building 1C of the consented masterplan from 24 to 35-storeys**

64 Building 1C lies to the south-eastern corner of Plot 1 (Figure 3), and the additional 11 storeys that are proposed would make the 35-storey building the tallest within the wider Deptford Landings site.

65 Subsequently, the consented 166 units would increase by an additional 90 to 256. The requirement to increase upon the consented 24-storey height (and that of 1B) relates to the omission of Building 1A, and the redistribution of 112 residential units from within Plots 4, 5 and 6 to Plots 1 and 3, of which Plot 1 would accommodate 86 of those units.



Figure 3: Building 1C

- **Elevational changes**

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66 Elevation changes will be undertaken to all Plot 1 buildings, which will be addressed in detail later in this report.

67 The proposed **Plot 3** amendments are as follows:

- **Alteration to Building 3B of the consented masterplan from a 10-storey building to 14 storeys to provide 28 additional units**

68 3B lies within the central area of Plots 1 and 3 (Figure 4), directly to the south of Plot 2, and was consented to be a 10-storey building that would accommodate 63 residential units.

69 The proposed increase in height to 14-storeys would result in 26 additional units, 91 in total.

70 The heights of Buildings 3C and 3D would be retained (7 and 11 storeys respectively), however the consented sawtooth roof of 3D (and 3B) would be replaced by a flat roof. There would be no increase in unit numbers – 3C would see a reduction from 36 to 34 units.

71 In total, Plot 3 would accommodate an additional 26 units, 184 overall.

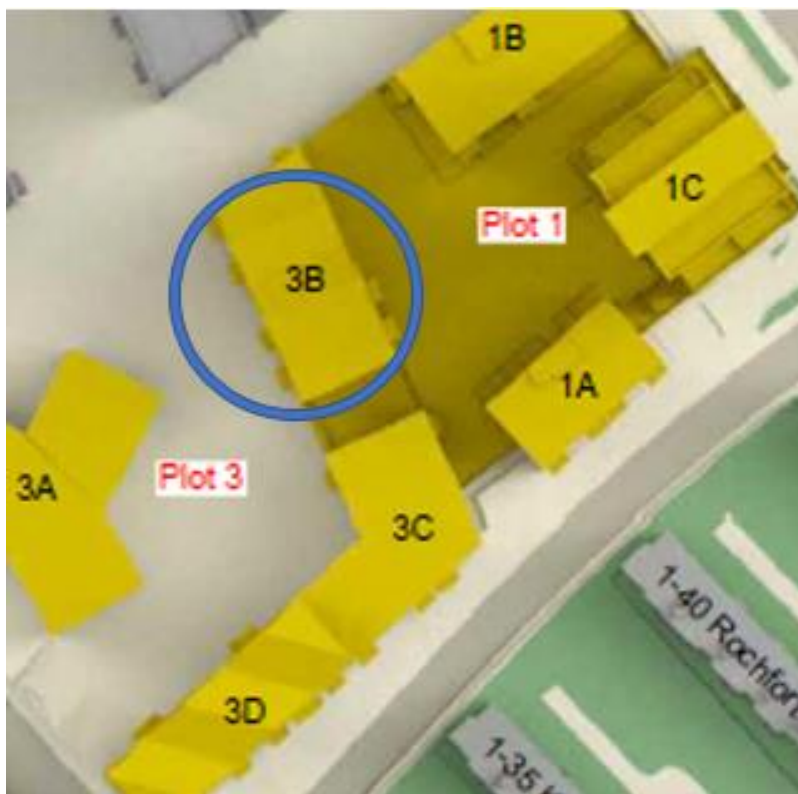


Figure 4: Building 3B

Highways

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- 72 Plots 1 and 3 would be effectively car-free, other than for the provision of up to 15no. blue badge residential parking bays, including 10 spaces within Plot 1 accessed from Dragoon Road; and a maximum of five on-street bays on Timberyard Street, in compliance with the GLA's requirement of 3% provision. Subject to future demand, further bays could be accommodated on-street, in accordance with the GLA policy requirement to identify an additional 7% provision.
- 73 The provision would mean that the consented 340 spaces for the wider Deptford Landings site would not be exceeded.
- 74 610 residential cycle spaces would be provided to Plot 1, of which 601 would be long stay. 44no. non-residential spaces would also be provided.
- 75 Plot 3 would accommodate 292 residential cycle spaces, together with 34 commercial spaces.
- 76 Overall, 980 residential and commercial cycle spaces would be provided within the two Plots – 654 in Plot 1, and 326 in Plot 3.
- 77 The consented underpass between 3C and 3D that will provide access for pedestrians and cyclists would be increased in height by a storey, with a minor reduction in width.

Conditions

- 78 Planning Conditions attached to the original consent DC/15/92295 that will require amending subsequent to the s73 proposal includes:
- (1) (Approved plans/ documents);
 - (8) (Total Built Non-Residential Floorspace);
 - (9) (Total Residential Units);
 - (19) (Accessibility);
 - (36) (Landscaping); and
 - (50) (Motorcycle Parking Spaces).
- 79 These changes will be addressed later in the report. In addition, a Deed of Variation of the s106 Agreement dated 23 March 2016 will be undertaken to remove reference to Plot 5, which is currently subject to a standalone planning application.
- 80 The proposal represents EIA development, which requires an assessment of the environmental effects of the proposed changes to the building heights. Given the site-specific and wider development impacts in terms of townscape and visual effects and micro-climate (wind environment and daylight and sunlight) these are considered within this report, in addition to impacts upon designated and undesignated heritage assets in the vicinity of the site and protected views. The submission details have been independently reviewed on behalf of the LPA by Temple.

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Supporting Documents

81 The following supporting documents have been submitted:

Planning Statement (Lichfields, June 2021)
Design and Access Statement Addendum (Hawkins\Brown, May 2021)
Transport Technical Note (vectos, June 2021)
Technical Note: Flood Risk and Drainage Statement (Stantec, May 2021)
Stage 2 Fire Strategy – Plot 1 (Buro Happold, 29 April 2021)
Stage 2 Fire Strategy – Plot 3 (Buro Happold, 28 April 2021)
Energy Statement Addendum (Aecom, May 2021)
Health Impact Assessment Addendum (Quod, June 2021)
Detailed Circular Economy Statement (Aecom, May 2021)

Environmental Impact Assessment

- 82 An EIA was undertaken for the original 2015 application, which set out the likely significant effects the development would have upon the environment, and included measures to mitigate any identified adverse effects.
- 83 The current scheme has been the subject of a further formal Environmental Impact Assessment (EIA) process. The EIA and resultant Environmental Statement (ES) have been progressed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations).
- 84 This submitted Environmental Statement (ES) and subsequent ES Addendum includes a range of topics, including:
- i) Air quality;
 - ii) Daylight, Sunlight and Overshadowing;
 - iii) Wind microclimate;
 - iv) Noise;
 - v) Socio-Economics;
 - vi) Townscape and visual impact;
 - vii) Transport.
- 85 The ES has been subject to detailed review by independent specialist consultants (Temple) appointed by the Council. Overall, officers agree with the findings of the ES, and have recommended the use of planning conditions or obligations to secure the identified supplementary mitigation and other measures considered necessary.
- 86 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.
- 87 Officers are satisfied that the ES and subsequent clarifications and further information provide a full and appropriate assessment of the likely significant effects of the development.

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4 CONSULTATION

PRE-APPLICATION ENGAGEMENT

- 88 The applicant coordinated public consultation between 4th - 15th December 2020, and a website provided information on the proposals whilst allowing for neighbour comments.
- 89 Leaflets summarising the development were posted to 2753 local properties within 500m of the application site. The events were attended by approximately 32 households.
- 90 Full details of the pre-application consultation are set out within the Statement of Community Involvement.
- 91 The applicant commenced the first of a number of pre-application discussions with the LPA in 2020 to discuss the development proposals.

APPLICATION PUBLICITY

- 92 Upon submission of the planning application in June 2021, publicity was carried out in accordance with the statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 93 Site notices were displayed in June 2021, and a press notice was published on the same date.
- 94 Letters were sent to residents and businesses in the surrounding area and the relevant ward Councillors.
- 95 Following a period of inactivity of more than a year; the submission of a Non-Technical Summary; and the submission of a development proposal at Deptford Landings Plot 5, 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 on 14 December 2022. All neighbours who were previously notified of the application (including those who had previously objected) were renotified, with site notices displayed around the site, and a press notice was published in the local newspaper.
- 96 In relation to the two stages of publicity on this application, a total of 22 responses were received, comprising 21 objections, and 1 expression of support.
- 97 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 virtual local meeting which took place from 7 – 8.15pm on 30 November 2022. The meeting was chaired by Cllr Rudi Schmidt, ward Cllr for Evelyn, and was attended by representatives from the applicant team together and the planning officer. The minutes of the local meeting are attached at **Appendix 3**.

4.11 Comments in objection

- 98 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.

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Comment	Section where addressed
<i>Principle of development</i>	
Proposed development represents over-development of the site.	202
<i>Design</i>	
Poor design	136, 312-351, 417-424
Excessive height Increased height is unnecessary Obscene height Height is not in keeping with the original architectural designs and masterplan Unsympathetic	136, 174-181, 320
<i>Residential amenity</i>	
Proposed development will severely impact on the amount of daylight and sunlight to surrounding properties.	511-570, 580-591
The proposed development will result in reduced outlook together with overlooking and a loss of privacy for neighbouring occupiers.	465-489
Oppressive impact.	465-489
Will be detrimental to Plot 2 occupiers.	
Overshadowing concerns Casts shadow on Pepys Park	572-579, 580-591
Pocket park would not be accessible to non-residents	412
<i>Environmental impacts</i>	

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Comment	Section where addressed
Proposed development will increase the funnelling of wind resulting in wind tunnels.	706-734
Proposed development will add to air pollution within the surrounding area.	694-701
Fire safety concerns	450-453
<i>Highways and transport</i>	
No parking spaces provided.	437-443
Pressures on public transport	441
Surrounding road network cannot cope with the additional pressure from this number of apartments.	442-443
<i>Social infrastructure</i>	
Local services (GPs, hospitals, dentists, other NHS services, schools, nurseries, public transport, policing, and other local services) are already under considerable pressure and the proposed development will further exacerbate this.	748-769
No increase to affordable or socially rented units	171

4.1.2 Comment in support

99 One expression of support from a local resident.

Comment
Strongly support more residential units.
More homes should be proposed

1.4 INTERNAL CONSULTATION

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- 100 Copies of all representations are available on the electronic case file.
- 101 The following internal consultees were notified, and their responses are summarised below:
- 102 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.
- 103 Design - supportive of the proposal, subject to conditions.
- 104 Environmental Protection (Site Contamination) - no objections raised.
- 105 Environmental Protection (Air quality) - no objections raised.
- 106 Environmental Protection (Noise) - no objections raised.
- 107 Environmental Sustainability - subject to a planning condition, no objections.
- 108 Sustainable construction and energy efficiency - the Council's Sustainability Manager raises no objections, subject to appropriate conditions.
- 109 Strategic Housing - no objections raised.
- 110 Economic Development - no response.

1.5 EXTERNAL CONSULTATION

- 111 The following External Consultees were notified, and their responses are summarised below:
- 112 Environment Agency – raise no objections.
- 113 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.
- 114 Civil Aviation Authority – no response.
- 115 Greater London Authority
- 116 The GLA Stage 1 response (23 August 2021) made the following comments:
- Land Use Principles* – The proposed land use is acceptable in view of the contribution towards the strategic functions of the Opportunity Area in line with London Plan Policy SD1 and Good Growth Objective GG2.
- Affordable Housing* – In keeping with the consented scheme, no affordable housing is proposed on these plots, and the provision of 16.4% affordable housing by unit (32% affordable rent and 68% shared ownership) agreed in the s106 remains valid. The amendments, which do not change the overall total of approved units or affordable

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provision would not materially alter the economic circumstances of the scheme and in accordance with London Plan Policy H5(I) viability information is not required.

Heritage, Strategic views and Urban design – No harm to nearby listed assets or strategic views; the proposed design amendments are supported, as the changes to the site layout would improve the active frontage along Dragoon Road, reduce overlooking and create a new public park; and the height/ massing is consistent with the existing and emerging context and is acceptable subject to any matters raised by the Council in relation to impacts being satisfactorily addressed.

Transport – Motorcycle parking spaces should be removed; information on how additional disabled persons' parking spaces would be provided should be submitted; and further details of the cycle parking provided as highlighted.

Sustainable development and Environment – Further information is required on the energy strategy, including an overheating assessment, the GLA carbon spreadsheet and a whole life-cycle carbon assessment. A circular economy statement is required.

- 117 Historic England – no response.
- 118 Heathrow Airport – no objections.
- 119 HSE – no response
- 120 London City Airport – no objections
- 121 London Wildlife Trust – no response received.
- 122 Maritime Greenwich World Heritage Site – no response.
- 123 Metropolitan Police – no objection, and recommend a Secured by Design condition.
- 124 National Air Traffic Services (NATS) – no objections raised.
- 125 Natural England – no comments.
- 126 Network Rail – no comments raised.
- 127 Port of London Authority – matters raised in regard to 'Agent of Change' and need for consideration of potential impacts arising from a reactivated Convoys Wharf – waterbourne freight cargo handling.
- 128 Royal Borough of Greenwich – no objections raised
- 129 LB Tower Hamlets – no objections raised
- 130 Thames Tideway Tunnel – no response
- 131 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.

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1.6 DESIGN REVIEW PANEL

- 132 The scheme was presented to the Lewisham Design Review Panel on 9 December 2020.
- 133 In their summary, the Panel advised they were appreciative of the quality of the team’s presentation and welcomed the improvements to the project in general. The increased height to Block 1C was acknowledged to be ‘substantial’, however the Panel considered that a building of the proposed height may be acceptable subject to appropriate high quality of architectural and urban realm design.
- 134 The Panel strongly supported the removal of Block A and welcomed the addition of the pocket park adjacent to Dragoon Road as an important new amenity space, noting the potential for its to improve the eventual route from Convoys Wharf and along Surrey Canal Way.
- 135 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
The Panel felt that a building of the height proposed might be acceptable if the appropriate high quality of architectural and urban realm design can be achieved.	The current proposal provides a detailed account of materiality that will support the increased height.
The Panel agreed that the moves to make the tower facades and cruciform plan form less “front and back” and more akin to a design which is intended to appear as a landmark when viewed from any direction, were a positive move. The Panel also agreed with the applicant team that the tower was proportionally more elegant with the increase in height.	The current submission follows the approach supported by the Panel.
The Panel was concerned over the evident impact on the impact on local and strategic views. Whilst some images were presented of local views there has yet to be a rigorous townscape assessment testing which	An assessment has been undertaken by the applicants of 23 viewpoints that includes London View Management Framework viewpoints.

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Design Review Panel comments	Officer response
<p>should be used to inform the design development. Further testing therefore needs to be undertaken.</p>	<p>These form part of the current submission, and have been reviewed by consultants on behalf of the LPA, and the GLA. The assessments are considered acceptable.</p>
<p>The Panel felt that much more work need to be undertaken on the design of the crown (upper three storeys of the project). The Panel suggested that it may need to span 4 storeys or more in order to be successful. There needs to be more integration with the middle and lower sections of the building and needs to be more powerfully expressed.</p>	<p>Officers consider that the 3-storey crown is acceptable, subject to appropriate materiality and fenestration that will enliven it.</p> <p>Facing materials will accord with the lower floors to ensure a consistent approach throughout.</p>
<p>The Panel were generally supportive of amendments to height and mass for Plot 3 and revised architectural strategy. Whilst the Panel accepted the loss of the saw-tooth roofs from Block 3D, it felt that further work was needed to enrich the skyline on this key building and suggested that the faceted plant screen to block 3B could also be applied to the rooftop on building 3D.</p> <p>The Panel felt that the designs for this section of the project had progressed very positively and were close to final form.</p>	<p>The omission of the sawtooth roofs are regrettable as they were originally proposed to reflect the industrial history of the site. The justification for their removal is acknowledged, being due to the placement of rooftop air source heat pumps.</p> <p>The plant screens are subject to further review in terms of design quality and proposed locations.</p>

136 In conclusion, the Panel advised they were ‘pleased to add its voice of support to the project.’ The scheme has been presented to DRP on several occasions during the pre-application and full application periods, and therefore the Panel have extensive knowledge of the application site and surrounds.

137 Officers are satisfied the applicants have addressed many of the points raised by DRP, there remains outstanding matters that can be suitably addressed by conditions.

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5 POLICY CONTEXT

5.1 LEGISLATION

- 138 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).
- 139 Planning (Listed Buildings and Conservation Areas) Act 1990: S.66/S.72 gives the LPA special duties in respect of heritage assets.
- 140 Section 73 enables an applicant to remove or vary a condition, provided that the S73 Application does not conflict with the operative part of the permission. Guidance for determining Section 73 of the Town and Country Planning Act 1990 (as amended) applications is set out in the NPPG which states that a minor material amendment is one 'whose scale and nature results in a development which is not substantially different from the one which has been approved'. This is not a statutory definition and case law has established that there is nothing in the legislation that limits a S73 Application to "minor material amendments", or to amendments which do not involve a "fundamental" variation where there is no conflict with the operative part of the permission .
- 141 It is further stated that the development which the application under s73 seeks to amend will by definition have been judged to be acceptable in principle at an earlier date. Consequently the extent of the material planning considerations are somewhat restricted and only the amendments being applied for should be considered at this stage. Having said that, when determining the application the LPA will have to consider the application in the light of current policy. The LPA therefore has to make a decision focussing on national or local policies which may have changed significantly since the original grant of planning permission as well as the merits of the changes sought.
- 142 It is important to note that when considering whether development proposals accord with the development plan, it is necessary to consider the question with regard to the development plan as a whole. Officers consider that the nature of the proposed changes set out constitute minor material amendments by virtue of the following:
- The redline boundary has not changed and remains as per the original permission;
 - The application plots fall within the wider masterplanned Deptford Landings site;
 - The land use of the plots would not change.
 - The quantum of buildings would be reduced.
 - The south-east corner of Plot 1 has already been consented permission for a building of significant height.
 - The proposed amendments will not have a detrimental impact on the visual quality or aesthetic of the scheme.
 - Consented Affordable housing would not be affected by the proposal.

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- The overall number of residential units within the wider Deptford Landings (Plots 1, 2, 3, 4 & 6) would be maintained at the approved 1,132.

5.2 MATERIAL CONSIDERATIONS

143 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.

144 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.

145 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.

5.3 NATIONAL POLICY & GUIDANCE

- National Planning Policy Framework 2021 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

5.4 DEVELOPMENT PLAN

146 The Development Plan comprises:

- London Plan (March 2021) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013) (SALP)
- Lewisham Town Centre Local Plan (February 2014) (LTCP)

5.5 SUPPLEMENTARY PLANNING GUIDANCE

147 Lewisham SPG/SPD:

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

148 London Plan SPG/SPD:

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- 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)
- 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)

PLANNING CONSIDERATIONS

149 The main issues are:

- Principle of Development
- Housing
- Employment
- Layout, scale and urban design
- Transport Impact
- Living Conditions of Neighbours
- Energy and Sustainability
- Natural Environment
- Public Health, Well-being and Safety
- Environmental Impact Assessment
- Planning Condition amendments
- Planning Obligations

6.1 PRINCIPLE OF DEVELOPMENT

General policy

150 The National Planning Policy Framework (NPPF, 2021) 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.

151 Lewisham is defined as an Inner London borough in the London Plan, and 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;

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ensuring the availability of appropriate workspaces for the area's changing economy; and improving quality of life and health.

- 152 LPP SD1 sets out the policy approach in relation to opportunity areas, and seeks to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and where appropriate, contain a mix of uses.
- 153 The application site is allocated for mixed use redevelopment in Strategic Site Allocation 4 of the Core Strategy.
- 154 Core Strategy Policy 4 sets out the objectives for Mixed Use Employment Locations, which are existing industrial sites identified for redevelopment for mixed-use purposes. The Core Strategy notes that collectively redevelopment of Mixed Use Employment Locations will provide major regeneration benefits by making the best use of available land, attracting further investment, by providing a sense of place, by addressing severance issues and by increasing connectivity by visual and physical links.
- 155 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. Table 2.1 in LPP SD1 sets the indicative capacity for new homes in Deptford Creek/ Greenwich Riverside at 5,500, and 3,000 indicative jobs.
- 156 The substantial development of the Plot 1 and 3 sites has already been granted as part of application ref. DC/15/92295, however as set out earlier in this report, changes to the consented scheme are proposed which must be assessed in accordance with current national, regional and local policies which may have been adopted since the original grant of planning permission.
- 157 In regard to the Development Plan, in the time since permission was granted, in 2021 the National Planning Policy Framework was amended, and the new London Plan adopted.

Mixed-Use Residential and Employment

- 158 LPP SD1 states that Opportunity Areas are identified as significant locations with development capacity to accommodate new housing, commercial development and infrastructure (of all types), linked to existing or potential improvements in public transport connectivity and capacity.
- 159 The application site lies within the Deptford Creek / Greenwich Riverside Opportunity Area. LPP SD1 identifies that this opportunity area has an indicative employment capacity of 3,000 jobs and should provide a minimum of 5,500 new homes.
- 160 The principle of a mixed use residential and employment redevelopment at Plots 1 and 3 was determined to be appropriate as part of the wider Masterplan within the consented scheme DC/15/92295. The current proposal would maintain provision of the approved uses, in accordance with the extant permission, and relevant London Plan and local policies.

Additional Residential Units

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- 161 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.
- 162 The NPPF encourages the efficient use of land subject to several criteria set out in para 124. Para 125 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.
- 163 The current 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.
- 164 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.
- 165 NPPF para 62 expects planning policies to reflect the need for housing size, type and tenure for different groups in the community.
- 166 LPP H12 sets out that an appropriate mix of unit sizes should be informed by several criteria set out in the policy.

Discussion

- 167 The current application seeks an uplift in residential units at Plots 1 and 3 from the consented 377 to 489, an increase of 112. As addressed earlier, the 112 units are to be relocated from Plots 4, 5 and 6, meaning the approved 1,132 units for the whole site would not be exceeded.
- 168 The principle of an intensification of Plots 1 and 3 for the provision of housing beyond the consented parameters would accord with Policy D3 of The London Plan, which requires all development to make the best use of land by following a design-led approach that optimises the capacity of site.
- 169 LPP H1 supports the most efficient use of land and development at the optimum density. Defining optimum is particular to each site and is the result of the design-led approach. It states that 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.
- 170 Subject to the acceptability of the proposed changes to enable the accommodation of the increased number of units, officers do not object to the principle of an uplift within the two Plots in this case. It is advised that whilst Plots 1 and 3 would not accommodate any affordable housing, the level of provision of 16% agreed in the consented scheme would be maintained within other Plots.

Additional Scale and Height

- 171 London Plan Policy D9 'Tall buildings' advises that tall buildings can form part of a planned approach to facilitating regeneration opportunities and managing future growth, contributing to new homes and economic growth, particularly in order to make optimal use of the capacity of sites which are well connected by public transport.

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- 172 To facilitate the uplift in residential units, there would be a requirement for additional building heights within Plots 1 and 3, the most notable being Building 1C increasing in height by 11 storeys to 35; 1B increasing by 1 storey to 8; and 3B rising from 10 to 14 storeys.



Image 1: Consented 24-storey Building 1C, and proposed 35-storeys

- 173 The principle of a tall building on the south-eastern corner of Plot 1 was approved in the extant 2016 consent, with 1C being a height of 24 storeys. The current proposal to increase the height to 35 storeys means the building would be one of the tallest in the Borough, and the most prominent within the immediate surrounds. Whilst building heights within the vicinity of the Plots are generally low rise, there are existing buildings of height interspersed around the application site, including Eddystone Tower, Daubeney and Aragon Tower, and taller buildings are located within Cannon Wharf further to the north. It is also acknowledged that Convoys Wharf to the south-east of the site has extant consent to develop buildings of a greater height than being proposed in this case, including two 38-storey towers, and a 48-storey tower.
- 174 Additionally, Deptford Landings accommodates buildings of up to 12-storeys, with taller buildings being proposed upon Plot 5 of 29 storeys. Scott House to the east of Plot 6 has extant permission for a building ranging in height from 23 to 27 storeys.
- 175 Block 1C would therefore not appear out of context when considering the existing and emerging tall buildings, whilst it must be acknowledged that this is an Opportunity site whereby there is greater flexibility with regard to scale and height of development, subject to resulting impacts upon its surroundings and the amenities of neighbouring occupiers, in addition to heritage assets. Such matters will be assessed within this report to establish whether the 35-storey building would be appropriate for this prominent corner site.

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- 176 In the officer report for the extant scheme, it was acknowledged that the 24-storey building would have a significant townscape impact, whilst setting out the need for the tall building to be considered in the context of the varied building heights and scales already existing in the area and planned as part of the redevelopment of other key sites. This principle remains applicable for the current proposal.
- 177 The proposal has been subject to pre-application meetings between the LPA and applicant team, in addition to DRP reviews where the Panel required robust justification for the increased height. As advised, the need arises from the reallocation of the remaining 112 units to Plots 1 and 3, and the subsequent removal of the consented Block 1A. This report will address the benefits of 1A being removed, including the visual respite to neighbouring occupiers, and the provision of increased soft landscaping to the public realm in the form of a publicly accessible pocket park.
- 178 In regard to 1C, officers support the principle of increased height, however this is dependent upon the impacts that would arise, and an assurance that exemplary design would be achieved.
- 179 This is applicable also to the other proposed increases, albeit the additional heights to 1B and 3B would not be as significant as Building 1C.
- 180 In their Stage 1 review, the GLA concluded that the 'proposed height and massing is similar to the consented scheme and reflects the existing and emerging context in the Opportunity Area and around Oxestalls Road and is supported, subject to the satisfactory resolution of any impacts raised by the Council.'



Image 2: View from Evelyn Street: The red and yellow outlines denote the approved heights of 1C, 3B and 3D

External Changes

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- 181 The s73 proposes significant changes to the elevational treatments of most buildings.
- 182 Other than the proposed height changes, a notable change being proposed is the replacement of the consented sawtooth roofs on Blocks 3C and 3D with a flat roof, with facing brick replacing grey coloured cladding.
- 183 The principle of redesigning elements of the consented scheme is acceptable, subject to an approach that will ensure excellent design, and that considers the relationship with other buildings within the development site, and existing properties that surround Deptford Landings.

Principle of Development Summary

- 184 The principle of mixed-use development at Plots 1 and 3 remain acceptable, being in accordance with the approved Masterplan for the wider Deptford Landings site. The intensification of the two plots to accommodate an additional 112 units is supported, subject to a proposal that achieves exemplary design. It must be acknowledged that the consented 1,132 residential units would be maintained across all Masterplan Plots, apart from Plot 5 which is currently subject to a standalone planning application.
- 185 Officers agree with the GLA position that the location of the site within an Opportunity Area allows for a development of greater scale and height, subject to excellent design.
- 186 The design, scale, height, massing and impact upon neighbour amenity and the surrounds arising from the proposed amendments to the consented scheme will be addressed in detail in this report.

7.2 HOUSING

- 187 This section covers: (i) the contribution to housing supply, including density; (ii) the dwelling size mix; and (iii) the standard of accommodation.

Contribution to housing supply

Policy

- 188 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.
- 189 The NPPF encourages the efficient use of land subject to several criteria set out in para 124. Para 125 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.
- 190 The current 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.
- 191 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.

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- 192 NPPF para 62 expects planning policies to reflect the need for housing size, type and tenure for different groups in the community.
- 193 LPP H12 sets out that an appropriate mix of unit sizes should be informed by several criteria set out in the policy.
- Discussion*
- 194 The current s73 application seeks to provide an uplift in the number of residential units on Plots 1 and 3 by an additional 112no, resulting in an overall provision of 489. This would represent 29% of the Borough's current annual housing target for the two Plots alone. As advised in this report, the consented provision of 1,132 residential units across Plots 1-4 and 6 within Deptford Landings would not be exceeded as part of the current application.
- 195 Plot 5 is currently subject to a separate planning application for mixed use residential (405 units), student accommodation (382 bedspaces) and employment/ commercial floorspace.
- 196 The application site has an area of 0.9 hectares and a PTAL of 2/3, and is located within an area which accords with the urban typology given the development density on surrounding sites and the mix of residential and commercial uses.
- 197 Policy GG2 seeks to create high density, mixed use places that make the best use of land. The development of Opportunity Areas, brownfield land, sites which are well connected by existing or planned tube and rail stations, small sites, and sites within and on the edge of town centres must be prioritised. Higher density development is promoted, particularly on sites that are well-connected by public transport, applying a design-led approach.
- 198 In relation to the issue of density, it must be acknowledged that the current London Plan (2021) has replaced the matrix approach that featured in former Plan documents, with a design-led approach. This is reflected in LPP D3, which advises that all development must make the best use of land by following a design-led approach, whilst higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 199 Nevertheless, for the purpose of this application, officers have undertaken a density assessment to compare the consented scheme and the current proposal, in Table 3 below. Table 3.2 of the former London Plan set out residential density ranges related to its location, existing building form and massing, and public transport accessibility (PTAL). In this case, for the entire Deptford Landings site, considering the 'urban setting', the density range was 45 – 170 dwellings per hectare.
- 200 Based on this, the provision of the consented 377 dwellings on Plots 1 and 3 alone amounted to 418 units per hectare, which significantly exceeded the density range of 45 – 170 dwellings per hectare. In respect of the whole Deptford Landings site, the provision of 1,132 units equated to 240 units per hectare, which also exceeded the prescribed density range.
- 201 In comparison, an uplift of 112 units as proposed in the current s73 would result in an increased density of 543 units per hectare for Plots 1 and 3.

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Plots 1 & 3	UNITS	UNITS per HECTARE (London Plan – 45-170)
Consented	377 Units	418
S73 proposal	489 Units	543

Table 3: Comparison between consented and s73 schemes on Plots 1&3 only

202 Whilst acknowledging that the consented scheme would exceed the density range, officers considered that the masterplanning of the site, layout of buildings, internal space planning and provision of open space would serve to mitigate the high density of the scheme and in the circumstances a high housing density on this site would be acceptable. Off-site impacts on social infrastructure and transport would be suitably mitigated through CIL and s106 obligations.

203 This position is maintained by officers for the current s73 proposal. Given the site is located within an Opportunity Area, an appropriate uplift in residential units on Plots 1 and 3 can be supported subject to the scheme delivering high design quality, in accordance with the design-led approach required by the London Plan Policy D3.

Summary

204 The proposed changes to the extant permission does not include the provision of additional units to the approved 1,132 across the entire Masterplan.

205 Having regard to the context of the application site, a development proposal for high scale and density has already been consented for Plots 1 and 3, as part of the Masterplan for the wider Deptford Landings site. The proposed intensification of the two Plots to integrate the 112 residential units accords with London Plan Policy D3 which requires development to make the best use of land by following a design-led approach that optimises the capacity of site, including site allocations, subject to form and layout; experience; and quality and character.

Dwelling mix and tenure

Policy

206 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.

207 NPPF para 62 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.

208 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

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person dwellings will not be supported other than in exceptional circumstances where they are of exceptional design quality and in highly accessible locations.

- 209 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

- 210 The consented and proposed tenure mixes within Plots 1 and 3 are summarised in Tables 4 and 5. The main uplift in both Plots would be the provision of 1 bed 2 person units:- in Plot 1, there would be an increase of 52no. 1b2p flats, whilst in Plot 3 there would be a reduction by 13no. (Note this is attributed in part to the provision of second staircores for the purpose of increased fire safety and compliance with the proposed changes to Building Regulations Part B.)

- 211 In percentage terms, this would represent relatively small increases of 6% in Plot 1, and a 13% reduction in Plot 3 when compared with the consented tenure.

Unit Type	Consented		Proposed	
	Number	Percentage	Number	Percentage
1 Bed	88	40%	140	46%
2Bed	120	55%	158	52%
3 Bed	11	5%	7	2%
Total	219	100%	305	100%

Table 4: Plot 1 - Comparison between consented and s73 schemes: Housing Mix.

Unit Type	Consented		Proposed	
	Number	Percentage	Number	Percentage
1 Bed	77	48%	64	35%
2 Bed	69	44%	110	60%
3 Bed	6	4%	10	5%
4 Bed	6	4%	0	0%
Total	158	100%	184	100%

Table 5: Plot 3 - Comparison between consented and s73 schemes: Housing Mix.

- 212 The provision of 2 bed units in both Plots would increase in numbers in the current proposal. Plot 1 would see a small overall reduction in percentage terms of 2 beds by 3%; whilst there would be a 16% increase within Plot 2 from the consented scheme.
- 213 The 3-bed provision in Plot 1 would fall from the consented 11 (5%) to 7 (2%). A reduction in family units is regrettable, however the provision represents only a small loss in percentage terms of the overall unit provision, therefore officers raise no objections.
- 214 Plot 3 would see 4no. additional 3 bed family sized units, however the six consented 4 bed units have been removed following the requirement to provide a second staircore

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for fire safety reasons. This would result in two fewer family dwellings within Plot 3, reduced from 12 units to 10.

215 Officers are satisfied that the proposed tenure mix within Plots 1 and 3 (Market units only) would be broadly similar in percentage terms with the consented scheme, and would not result in an overprovision of smaller sized units.

216 As such, the proposed development would maintain a substantive contribution to Lewisham's housing needs by providing a range of dwelling sizes, equating to 29.3% of the Borough's housing target, which officers attach significant weight in planning terms.

Residential Quality

General Policy

217 NPPF para 130 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 D6), the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).

218 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

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

Aspect, Outlook & Privacy

Policy

220 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.

221 London Plan Policy D6 seeks high quality internal and external design of housing development. Development is required to achieve 'appropriate outlook, privacy and amenity', and should seek to maximise the provision of dual-aspect dwellings (i.e. with two openable windows).

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

223 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

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- 224 In terms of outlook, 284 residential units (93%) within Plot 1 would be at least dual aspect, with the remaining 7% being single aspect (21 units). Of those single aspect units, 14 would be north facing.
- 225 In regard to Plot 3, 107 units (58%) are dual aspect. 77no (42%) are single aspect, of which 23 (12.5%) are north facing. These units are 65 degrees from due north so not technically north facing.
- 226 In terms of separation distances, the proposed arrangement of buildings would be broadly the same as the consented scheme, the only change being the repositioning of Block 1C further southwards away from Block 1B, which is the nearest building. Block 1B would also benefit from improved outlook from the removal of the consented 1A.
- 227 All residential units would remain located above ground level, thereby avoiding any privacy issues arising from users of the publicly accessible areas.
- 228 The first floor units within Blocks 1B and 1C that would lie adjacent to the podium garden would benefit from sufficient defensible space that will serve to restrict amenity concerns.
- 229 Having regard to the site's location within an Opportunity Area and the urban density of surrounding development, the separation distances and levels of outlook and privacy are considered to be acceptable in this context.

Daylight and Sunlight (Future residential occupiers within Plots 1 and 3)

Policy

- 230 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its future residents.
- 231 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.
- 232 In new dwellings, the BRE minimum recommended average daylight factor (ADF) is 1% for bedrooms, 1.5% for living rooms and 2% for kitchens.
- 233 Sunlight is measured as follows: (i) Annual Probable Sunlight Hours (APSH); and (ii) Area of Permanent Shadow (APS).
- 234 The APSH relates to sunlight to windows. BRE guidance states that a window is considered to receive adequate sunlight if it receives 25% of APSH including at least 5% of annual probable hours during the winter months.

Discussion

- 235 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, Consil Limited.

Daylight and Sunlight

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- 236 In terms of levels of daylight, the assessment demonstrates that of the overall 1,304 habitable room windows within both Plots, 1,277 (98%) would meet the minimum BRE recommendation. Of the 490 LKDs overall, 467 (95%) would achieve 1.5% ADF; whilst of the 814 bedrooms, 810 (99%) would achieve 1% ADF.
- 237 The habitable rooms that would fall below the BRE recommended level (under 1% ADF) due to overhead balconies that would restrict daylight.
- 238 In regard to sunlight, of the overall 1,304 habitable windows tested, 552 (42%) would achieve the 25% APSH, attributed to a high proportion of north facing openings, and overhead balconies.
- 239 The daylight and sunlight outcomes of the s73 proposal generally accords with the assessment undertaken in the consented scheme for the Plots submitted in detail, ie Plots 1, 2 and 3. In that case, the submission concluded that the majority of new flats would fully comply with BRE, and where this was not achieved, it was limited due to rooms that were restricted by projecting balconies, however good daylight penetration would generally be achieved to the main living spaces.
- 240 It must however be acknowledged that the BRE recommended levels are based on a suburban context, and in urban areas comprising tall buildings the recommended levels will be challenging to achieve.
- 241 Having regard to these issues, and the fact that in the context of high density 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 all habitable rooms. In this case, the number of rooms that would meet the criteria is significant, therefore officers are satisfied that an acceptable standard of amenity for future occupiers within the proposed development would be provided in relation to daylight and sunlight.

Overshadowing

- 242 In terms of overshadowing of amenity spaces, BRE guidance recommends that at least half of the amenity space should receive at least two hours of sunlight on 21st March.
- 243 The main areas of public realm that would be created includes the pocket park, first floor podium, and the central area within Plot 3. The assessment concludes that 84% of those areas would achieve the BRE recommended 2 hours of direct sunlight on March 21st, and 98% on June 21st. This is comparable with the consented scheme.
- 244 Overall it is considered that the proposed reconfiguration of the development would have potential to deliver an excellent quality of public realm and communal amenity space that would be afforded high levels of sunlight throughout much of the day.

Noise & Disturbance

Policy

- 245 The NPPF at para 174 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.

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- 246 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.
- 247 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).
- 248 Policy D13 'Agent of Change' of the London Plan places the responsibility for mitigating impacts from existing noise generating activities or uses on the proposed new noise-sensitive development. The Policy 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

- 249 Environmental Statement Chapter 11.1: Noise and Vibration (updated version) presents the findings of an assessment of the potential impacts of traffic and other noise/vibration sources on future occupiers of the proposed development.
- 250 The principal sources of noise within the immediate surrounding area includes road traffic, construction works (Convoys Wharf; Scott House; ongoing works within Deptford Landings). Measures to address these will include use of appropriate external building fabric, and the installation of suitable fenestration and balcony enclosures.
- 251 An assessment has not been undertaken by the Applicant to understand a worst case scenario arising from the intended use of part of the development site at nearby Convoys as an operational wharf that would enable waterbourne freight cargo handling, with access to the site lying close to the south-eastern corner of Plot 1. This has subsequently raised concerns by the Port of London Authority toward possible conflict with future residential occupiers.
- 252 LPP D13 advises that the Agent of Change principle places the responsibility for mitigating the impact of noise and other nuisances firmly on the new development. This means that where new developments are proposed close to existing noise-generating uses, the applicants will be expected to design their scheme accordingly to ensure the new residential occupiers are protected, rather than the burden falling upon the existing business to change their operation.
- 253 It must be acknowledged that in this case, the safeguarded Wharf lies within Phase 3 of the Convoys development which had not commenced at the time of writing this report, neither had the freight cargo handling use, therefore it cannot be considered as 'existing'.
- 254 Nevertheless, the applicant will be required to submit details to the LPA setting out how future occupiers would be made aware of the neighbouring uses at an early stage, for example by producing a welcome pack that informs them of the nature of the Convoys operation.
- 255 The pack should also include the potential uses of the commercial units within the development site and their hours of operation. The submission will be assessed by officers to ensure the information is accurate, and thereafter, the Applicant would be expected to demonstrate that the approved details have been suitably implemented

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prior to first residential occupation of Plots 1 and 3. This may be secured by planning Condition.

- 256 Extant planning Conditions (29) and (30) will seek the submission of glazing and soundproofing details to ensure future residential occupiers would be safeguarded from any noise and disturbance arising from the ground floor commercial uses.

Accessibility and inclusivity

Policy

- 257 LPP D7 requires 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% being M4(2) 'accessible and adaptable dwellings'.

Discussion

- 258 The proposed development would comprise a total of 31no. wheelchair accessible M4(3) Market units, representing 10% of the total number of units in Plots 1 and 3.
- 259 All remaining units would be M4(2) compliant accessible and adaptable dwellings.
- 260 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.
- 261 Condition (19) of the extant permission secures the provision of market wheelchair units in Plots 1 and 3; as does Schedule 2 of the s106 Agreement dated 23 March 2016 which also requires the submission of a marketing strategy at least 1 month, but no more than 6 months, prior to commencement of any Plot.

Inclusivity

- 262 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.

Internal and private amenity space standards

Policy

- 263 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).

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- 264 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.
- 265 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’.
- 266 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.
- 267 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

- 268 All 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.
- 269 All 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 size.
- 270 A first floor level landscaped podium is proposed to Plot 1, with access for all occupiers in 1B and 1C, in addition to direct access for Plot 3 buildings B and C occupiers.
- 271 Other than the podium, there would be no other rooftop areas of communal amenity space for residents. The consented scheme had originally proposed amenity space/ children’s play equipment (0-4 years old) on the roof terrace of Block 3C.

Children’s play space

- 272 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 6: Play space requirement and provision

	No. of children	Play space requirement (sqm)	Proposal (sqm)
Under 5	40.7	407	670
5 to 11	26.3	263	

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12+	8	80	80
Total	75	750	750

- 273 The proposed development of Plots 1 and 3 would generate an estimated child yield of approximately 75 children and the associated play space requirement would be 750sqm.
- 274 The scheme would provide a total of 670sqm of playable space for children to the podium level courtyard at Plot 1, comprising an area of play for infants and children up to 11 years. Plot 3 children would have access to the playspace. Indicative plans show play equipment such as climbing frames and stepping logs for younger children.
- 275 The applicant has confirmed that provisions for 12 and overs would be provided 'off-site' to an 80sqm space within Waterline Way that lies between Plots 2 and 4.
- 276 Further details of the equipment will be requested by Condition, and to ensure that the Plot 1 space will be accessible to Plot 3 residents. Details of the space for 12 and overs will also be subject to a Condition.
- 277 The provision would therefore achieve the minimum requirement, whilst the Applicant advises there are further opportunities for additional informal play spaces within the nearest public open spaces, including Deptford Park and Pepys Park.
- 278 The playspace would have good levels of natural surveillance, and would provide areas of seating for parents to sit whilst supervising their child's play. The siting at podium level would remove any potential conflict with vehicles.

Summary of Residential Quality

- 279 Overall the proposed development would have potential to provide a high quality environment for future occupiers. Appropriate provisions would be secured by Condition.

Housing conclusion

- 280 The proposed development would deliver 489 new dwellings, which represents an uplift of 112 from the consented scheme for Plots 1 and 3. The development would maintain a good range of dwelling sizes, including a mix of 1, 2 and 3 bedroom units that would contribute towards the creation of a balanced community. As such, the development would accord with the extant permission, making a substantive contribution to Lewisham's housing needs for which officers attach significant weight in planning terms.
- 281 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

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designed with no more than seven units per core, and a high percentage of residential units would be dual aspect.

282 All units would be provided with private outdoor amenity space in the form of balconies and 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 and children's playspace within the level 1 podium and Waterline Way.

283 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.

7.3 EMPLOYMENT

Policy

284 Para 81 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"

285 LPP SD1 sets out the Mayor of London's approach to the continued growth and economic development of all parts of London.

286 Policy SA11 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

287 The application site lies within the Deptford Creek / Greenwich Riverside Opportunity Area. LPP SD1 identifies that this opportunity area has an indicative employment capacity of 3,000 jobs.

288 The consented scheme for Plots 1 and 3 proposed 1235sqm of employment floorspace (excluding the 'Y' building) –

Plot 1: 765 sqm; and

Plot 3: 470sqm.

289 In comparison, the provision would be increased by 274sqm to 1509sqm;

Plot 1: 880 sqm; and

Plot 3: 629sqm.

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- 290 Regarding Plot 1, the extant permission proposed ground floor employment floorspace fronting Grove Street and Victoria Street. This is repeated for the current s73 scheme, with the provision of an additional unit facing toward Dagoon Road.
- 291 In Plot 3, the consented layout of employment units is broadly the same as the current proposal, with an additional unit located to the ground level of Block 3D at the corner of Dagoon Road / Evelyn Street.
- 292 The increase in employment floorspace within Plots 1 and 3 would be acceptable in principle, with no resulting impact that would harm layout, accessibility or residential amenity within the development.
- 293 The size and layouts of the additional commercial units appear reasonable and in accordance with the consented units, however no indicative layouts have been provided as part of this application to demonstrate that facilities such as a wc, and storage area can be suitably provided. Ultimately, it will be for the end users to arrange the internal layouts as the Applicant intends only to deliver shell and core, however it would be of benefit for officers and prospective occupiers to have view of indicative layouts – this will be secured by Condition.
- 294 It is understood that the Applicant has not engaged in initial procedures to secure an end provider/s at this stage. A Marketing Strategy was secured in the s106 Agreement to demonstrate that robust measures would be undertaken to ensure the commercial units are an attractive and viable proposition to potential occupiers, and to minimise any periods of vacancy following completion of the development. The commercial units are an important element of the proposal, with the intended employment activity having potential to contribute to a vibrant setting that will meet with the wider aspirations of Deptford Landings.
- 295 Hours of operation will be subject to the times stated in the approved Condition of the extant permission – 6am to 12pm.
- 296 Any use that would include cooking on the premises will be required by Condition relating to the extant scheme to provide ventilation measures to the LPA to ensure any smells arising from the cooking of food are dispersed appropriately.
- 297 In accordance with DMP 9 and the Planning Obligations SPD, the completion of shell and core of the commercial floorspace, including the fitting of commercial frontages would be secured via the s106 agreement.

Employment conclusion

- 298 The provision of additional employment floorspace within Plots 1 and 3 would represent a small increase of 274sqm over the extant scheme and is therefore supported. The overall provision of employment uses accords with the wider Masterplan, and is supported by policy, serving to provide a valuable contribution towards employment and local labour in accordance with the aims and objectives of the NPPF and the Development Plan.

URBAN DESIGN AND IMPACT ON HERITAGE ASSETS

General Policy

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- 299 The NPPF at para 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 300 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 D9 sets 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.
- 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 Historic England and CABI state in 'Building in Context' that where new development affects heritage assets, design should be of the highest standard and new buildings 'recognisably of our age, while understanding and reflecting history and context'. In order to achieve a complementary relationship between the historic and new built forms, reference should be made to locally distinctive models, materials and key elements of design, which lend themselves to modern interpretation and assimilation.

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 130). At para 134, the NPPF states significant 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 D3 Optimising site capacity through the design-led approach states that development proposals must enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

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- 308 LPP D4 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.
- 309 LPP E8 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.
- 310 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.

Discussion

- 311 The current s73 application seeks to amend the extant permission by undertaking changes to the heights of Blocks 1B, 1C and 3B, in addition to elevational treatment and roof appearances.
- 312 The proposals have been subject to a number of PPA meetings with LPA officers, and the current scheme accords with those discussions. The proposal was also presented to a Design Review Panel, whose comments are addressed in this report.

Block 1C

- 313 In principle, officers support an increase in height to Block 1C considering this is a designated Opportunity Site, however it is acknowledged that the addition of 11-storeys to the consented 24-storey building would be considerable, resulting in a highly visible form of development. It is therefore of significant importance that it's design and elevational treatment is exemplary.
- 314 In terms of its scale and form, the proposed tower would respond to the established and emerging character of the surrounding area where an increased number of tall buildings will become an established feature of the townscape. The surrounding developments, both existing and proposed, provide a different approach in terms of architectural form, materiality and detailing, which brings interest to the townscape.
- 315 The footprint of the building is similar in size to the consented and will be moved 4m in the direction toward Dragoon Road. The ground floor will provide the main entrance from Grove Street, whilst accommodating commercial units on either side, and 256 residential units on the upper floors - an uplift of 90no from the consented scheme.

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Image 3: CGI of Buildings 1C and 1B, and the adjacent Plot 2

- 316 The form of the consented 24-storey building was described as ‘creating a sandwich of vertical slabs, which step towards the top and centre of the building.’
- 317 In comparison, the revised form of the building is strongly supported. The southwestern and northeastern elevations of the tower are narrower than the consented scheme and the subsequent reduction of bulk is supported as it reduces the imposing impact of the development and the width of overshadowing at any one time of the tower.
- 318 The symmetry within the form and architectural expression of the tower is acceptable and ensures a coherence to the tower that will be highly prominent on the skyline.
- 319 The crown has been subject to amendments during the course of the application. Whilst its height and set-back from the edges is appropriate, the appearance of the windows did not accord with the fenestration on the lower floors. This has since been addressed, and officers are satisfied with the response.
- 320 In regard to scale and form, officers consider that the proposed tower would respond well to the established character and appearance of the surrounding area, and represents an improved design approach to the consented scheme.

Detailing and Materials

Policy

- 321 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

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features. Materials should be practical, durable, affordable and attractive. The colour, texture, grain and reflectivity of materials can all support harmony (NPPG).

- 322 The consented building utilised various materials, including metal and GRC body to the tower, with glass balconies.
- 323 The amended building in comparison would be of a more simplified material palette, with use of facing brick, metal and glass, with removal of all GRC.
- 324 At its base, there will be predominant use of facing brick that would form a series of piers across the width of the building, which would be replicated to some extent to the adjacent 1B to ensure a consistent approach when viewed from Grove Street. Extensive use of glazing within the brick piers to the residential entrance would provide an appropriate contrast.
- 325 The upper floors from Level 2 upwards would be formed of horizontal textured metal banding, with dark bronze metal panelling in between that will match the proposed window frames. The 3-storey crown of the building would be of a similar appearance but would incorporate profiled metal side panels in addition to the bronzed panels.



Image 4: CGI of Building 1C

- 326 Officers consider that the simplicity of the design and variation in facing materials are appropriate, with the contrasting metal panelling adding design interest whilst serving to break up the overall massing.
- 327 In accordance with Condition (15), further details of materials and an inspection of sample panels will be necessary.
- 328 Overall, officers are satisfied that the proposed architecture and detailing is well considered, being responsive to its environment and appropriate for the site, and delivering high quality buildings. The tower therefore meets the objectives of design

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policies, Core Strategy Policy 15 (high quality design), Policy 17 (Protecting Views), and Policy 18 (Tall building) and Development Management Policy 20 (Urban Design and local Character).

- 329 Officers acknowledge the less than substantial harm on the protected view at Blackheath Point, which will be considered in greater detail in the Heritage section of this report. Subject to the submission of further details relating to facing materials of Block 1C, the principle of a development of the height proposed would be acceptable, whilst optimising the quantum of development upon the site.
- 330 Notwithstanding the acceptance of a taller building in this case, it is important to consider its impact upon townscape, heritage assets and views. The impact of the proposed development is shown via a Townscape and Visual Impact assessment (TVIA), which will be addressed later in this report.

Block 1B

- 331 'Mansion House' was consented as a 7-storey brick faced building that would front Grove Street and the existing Plot 2 development. The current proposal seeks to move the footprint by a small distance toward Grove Street to align with 1C, and to increase the height to 8-storeys to accommodate 49 residential units from Level 1 upwards, an uplift of 19 units. At ground floor are two commercial units, plant and cycle stores.
- 332 The current proposal broadly accords with the scale and form of the extant scheme, however its north facing elevation would appear noticeably different due to the provision of additional windows to all floors, whilst 21 no balconies are proposed to the elevation, whereas none were previously shown.
- 333 Blank wall elements would be largely replaced with new fenestration and vertical brick columns, which officers consider would serve to enhance the appearance of the building, as seen in the comparison Image 7.
- 334 The building would be of facing dark brown buff brickwork, use of dark and light mortar, and bronze metal window frames. Facing materials are subject to a planning Condition.

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Image 5: Building 1B – 1C in background

- 335 The screening of plant at rooftop would have potential to be visible from within the public realm due to its close proximity to the front edge. Details of the appearance will be subject to Condition.
- 336 Officers consider that the amended Block 1B would be improved in its overall appearance, and would reflect the nature of adjacent development within the wider site.



Image 6: Comparison – consented Building 1B (left) and current scheme

Plot 3: Blocks 1B, C and D Amendments

- 337 A key difference with the consented scheme would be the removal of the distinctive sawtooth roofs to 3B and 3D, which provided an industrial appearance with grey

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cladding to the upper floors and facing brick below, to be replaced by flat roofs. (Image 9)

- 338 Their omission is regrettable as they would have served to provide an interesting variation in roof styles, however the need for flat roofs relates to the siting of air source heat pumps on the rooftops that will provide heating and hot water to the Plot 3 residential and commercial units.



Image 7: Plot 3: consented Buildings 3B, and flat roofed 3C

- 339 In addition, the consented roof terrace to the flat roof of the adjoining 3C will be removed so that it can accommodate heat pumps also.
- 340 Officers raise no objections to the proposed changes to the roofs of the Plot 3 buildings.

Plot 3: Block 3B

- 341 It is proposed that the linear Block 3B will be increased in height from the consented 10-stories to 14, and will accommodate an additional 28 units.
- 342 3B is located away from existing highways and considering that proposed buildings within Plots 1 and 3 would surround it, they would serve to reduce the impacts of the height increase upon the wider public realm.
- 343 As advised, the distinctive sawtooth roof will be removed, and replaced by a flat roof, with plant screening set back from the edges. The predominant use of facing brick is supported in principle and will reflect such provision within the neighbouring Plots. Details of the brick type and appearance will be subject to further assessment by Condition.
- 344 The appearance and size of the fenestration on the upper floors would be acceptable.
- 345 Overall, officers support the principle of height increase to 3B, and are satisfied that it would have a positive impact upon the wider area in townscape terms, subject to an

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appropriate choice of facing materials, and an assessment of the resulting impact upon neighbour amenity arising from the additional 4 storeys.



Image 8: Plot 2 with Block 3B in background. (Note: balconies will be provided to the north elevation.)

Blocks 1B, C and D

346 Other elevation changes to the Plot 3 buildings would include the following:

- Plant screen to rooftop of 3B;
- White vertical and horizontal banding to each block;
- Solid panels to all balconies;
- Level 01 Raised by 675mm to provide increased ceiling heights to the commercial units;
- Brick detailing;
- Removal of rooftop terrace and protective railing to 3C;
- Underpass increased in height, and narrowed in width.

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Image 9: Buildings 3B, C and D - Plot 3

- 347 Officers raise no objections to the proposed changes, however details relating to the screens and facing materials will be subject to further assessments by Condition.
- 348 In regard to the underpass, this will form an important access point from Dagoon Road into the public space, whilst forming back of the route through the central spine of the wider Masterplan. The reduction in width would be minimal and would not harm the visual presence of the entrance. Together with the height increase and implementation of an effective lighting strategy, the entrance would remain an integral feature of the southern half of the wider site, providing sufficient space for pedestrians and cyclists.

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Image 10: Buildings 3C underpass from Dragoon Road

Summary

- 349 It is considered that the proposed changes to the development on Plots 1 and 3 would achieve an excellent design quality befitting its prominent setting within the wider Masterplanned site. The design was evolved at pre-application stage with the input of the Council's Urban Design officers, and the Lewisham Design Review Panel.
- 350 The materiality and detailed treatment of the buildings would be of a high standard, as would the public realm treatment, providing substantive public benefit for local residents and visitors to the area. Facing materials will be subject to further officer assessment following the submission of details by Condition.

Impact on Heritage Assets

Policy

- 351 Heritage assets may be designated, including Conservation Areas, Listed Buildings, Scheduled Monuments, Registered Parks and Gardens, archaeological remains, or non-designated.
- 352 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.
- 353 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 clearly and convincingly justified, and weighed against the public benefits of the proposal.

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- 354 In regard to public benefits, paragraphs 8 and 9 of the NPPF state that economic, social and environmental gains are to be sought jointly and simultaneously in order to deliver positive improvements in the quality of the built, natural and historic environment. This may involve the examination of alternative designs or schemes that might be more sustainable because they can deliver public benefits alongside positive improvement in the local environment. If a tall building is harmful to the historic environment, then without a careful examination of the worth of any public benefits that the proposed tall building is said to deliver and of the alternative means of delivering them, the planning authority is unlikely to be able to find a clear and convincing justification for the cumulative harm.
- 355 NPPF Para. 199 - requires great weight to be given to the conservation of designated heritage assets and notes that significance can be harmed or lost through unsympathetic development.
- 356 NPPF 200 – Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.
- 357 NPPF 202 – Less than substantial harm to designated heritage assets should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (OVU). (It should be noted that as the application site is not a designated heritage asset, an OVU is not a consideration in this case.)
- 358 NPPF 203 – Effect of proposal on non-designated heritage asset should be taken into account; a balanced judgement should have regard to scale of harm or loss and the significance of the heritage asset.
- 359 London Plan Policy HC1: Heritage Conservation and growth states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
- 360 LP HC4 advises that new development should not harm, and should seek to make a positive contribution to the characteristics and composition of Strategic Views and their landmark elements. Development in the foreground, middle ground and background of a designated view should not be intrusive, unsightly or prominent to the detriment of the view.
- 361 CSP 16 ensures the value and significance of the borough's heritage assets are enhanced and conserved in line with national and regional policy.
- 362 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.
- 363 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

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- 364 The application site does not fall within, nor does it lie adjacent to a conservation area. The Plot has been cleared in its entirety, and so is not occupied by any designated heritage assets. Within a 500m distance, there are Grade II listed buildings close to the River Thames, whilst the existing Scott House is a non-designated heritage asset.
- 365 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 14 viewpoints, as set out in Table 7.

Table 7: Viewpoints

Ref	Viewpoint Description	Plots 1/ 3 Impact
1	Junction of Evelyn Street and Rolt Street	moderate - beneficial
2	Sayes Court Rose Garden (public park)	minor/ moderate - beneficial
3	Trinity Estate	moderate - adverse
4	Pepys Park	moderate - beneficial
5	Grove Street/ Longshore	minor to moderate - beneficial
6	Deptford Park west corner	minor to moderate - beneficial
7	Grinstead Road	minor to moderate - beneficial
8	Slipway opposite Old Bellgate Wharf	minor to moderate - beneficial
9	LVMF 5A.2 Greenwich Park	negligible - neutral
10	LVMF 6A.1 Blackheath Point	minor to moderate - beneficial
11	Canal Approach	minor to moderate - beneficial
12	Pointers Close	minor to moderate - beneficial
13	LVMF 4A.1 Primrose Hill	negligible to minor - neutral
14	LVMF 23A.1 Bridge over the Serpentine to Westminster	negligible - neutral

- 366 Adverse harm has been identified to the setting of the Trinity Estate (View 3), which is comprised of low-rise residential buildings. The estate is not listed, neither does it form part of a protected view. The existing openness towards the northern end of the site between North House and Rochfort House would be affected due to the proximity with the proposed siting of Block 1C, however it is acknowledged that adverse harm was also identified with the consented 24-storey building.
- 367 In terms of London View Management Framework (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: Blackheath Point' (Assessment Point 6A.1 to St. Paul's Cathedral).

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- 368 In regard to LVMF 4A.1 (Primrose Hill to St. Paul's Cathedral), The tallest block 1C would not be visible in this view, being obscured in its entirety by the dome of St. Paul's.
- 369 In regard to 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 mature vegetation.
- 370 London Bridge view: 11B.1 has not been assessed for this application to determine whether the development may be visible in the backdrop of Tower Bridge. An assessment was undertaken for the current Plot 5 application, and it is clear that the wider Deptford Landings site would not be visible from London Bridge due to the heights of existing river front buildings. Officers are satisfied there would be no harm upon the setting and significance of Tower Bridge.
- 371 Within LVMF 6A.1 (Blackheath Point to St Paul's Cathedral), the proposed development would be clearly visible within this view. The submission considers that the completed development as proposed would have a minor to moderate - beneficial impact. (see Image 11)
- 372 Officers consider that the proposal will cause a degree of harm to this view, with the proposed 1C being in the middle ground of the view, which is recognised by the LVMF as merging with the foreground of the view. It is described as being 'largely made up of late eighteenth century and early nineteenth century houses and terraces, generally consistent in their materials, colour, roof and chimneys amid a rich treescape. St Paul's Church in Deptford and the Laban Centre are two existing examples of contrasting buildings in the middle ground. They add interest to the view by virtue of high quality design.'



Image 11: LVMF 6A.1 (Blackheath Point to St Paul's Cathedral)

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- 373 LVMF guidance (para 59) on development within Panoramas states that ‘Development, as seen from above or obliquely in the front and middle ground, should fit within the prevailing pattern of buildings and spaces and should not detract from the Panorama as a whole.’ LLP HC4 D1 (Panoramas) states London Panoramas should be managed so that development fits within the prevailing pattern of buildings and spaces, and should not detract from the panorama as a whole. The management of views containing Strategically Important Landmarks should afford them an appropriate setting and prevent a canyon effect from new buildings crowding in too close to the Strategically Important Landmark in the foreground, middle ground or background where appropriate.
- 374 The applicants consider that the elevational treatment would reduce the apparent bulk of the building in these views, whilst it is acknowledged that the emerging context, including the tall towers of Convoys Wharf, will bring a greater number of tall buildings into the panorama, although this will not change the prevailing pattern of buildings in the middle ground of the view, which will remain as described in the LVMF.
- 375 The development would impact the wider view by entirely obscuring ‘The Gherkin’ building, thereby contributing to the cumulative impact caused by already consented schemes that result in the diminishing view of the City Cluster. The cluster are buildings of interest within the panorama, however these are not identified as strategically important landmarks, whilst crucially, St Paul’s Cathedral and other parts of the City would remain visible. Whilst there are other sites coming forward both within and outside of the Borough that will also result in cumulative harm upon views of the City, landmarks including St Paul’s, Tower Bridge and The Shard would remain visible. The magnitude of the impact is therefore considered to be moderate and acceptable in this instance.
- 376 It must be acknowledged that the protected view is not a heritage asset, therefore a balancing exercise in accordance with the NPPF is not required. Nevertheless, officers consider that any harm upon the existing panorama is outweighed by the public benefits of the development, which will deliver new homes that will contribute towards the Borough’s housing requirement. In addition, the development would deliver substantive new areas of high quality public realm, and the provision of commercial floorspace that would support job creation.

Impact on Maritime Greenwich World Heritage Site (WHS)

- 377 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.
- 378 The submitted Heritage, Townscape and Visual Impact Assessment (HTVIA) includes an assessment of the verified view from within the World Heritage Site from Greenwich Park (LVMF 5A.2 - Greenwich Park to St. Paul’s Cathedral).
- 379 The assessment demonstrates that 1C would be visible behind existing park trees when not in leaf. The view of St. Pauls however would not be affected by the building, therefore officers agree that the impact would be negligible – neutral.
- 380 The Local views within Greenwich relates to View 5: Eltham Park (North), and View 10: King John’s Walk, with both benefitting from panoramic views toward Central London.

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- 381 Officers have undertaken an assessment of the two views. With regard to View 5, this lies approximately 5 miles away from the application site, with the highest point having obscured views due to existing trees within the park. The siting of the development is therefore unlikely to result in any significant harm upon the view.
- 382 In regard to View 10, it is considered that the existing cluster of tall buildings within Lewisham town centre would serve to minimise the impact of the proposal which would be sited behind the cluster; as would the distance of the development from the viewpoint.
- 383 It is noted that neighbouring Boroughs Southwark and RB Greenwich have raised no objections to the proposal.

Impact on Listed Buildings

- 384 There are a number of Listed buildings that lie within 500m of the site, and an assessment has been undertaken for each one in regard to the completed development. These include:

Gate Piers to Former Naval Dockyard (G2)

- 385 The early 19th century piers forms a part of the Convoys Wharf site to the south-east. There are already a range of development within the background of the piers, including the completed Plot 2. The impact has been assessed to be minor to moderate – beneficial, which is the same as the extant scheme.

Deptford Fire Station (G2)

- 386 The building is located to the south on Evelyn Street, and dates back to 1903. The development would be consistent with the wider context in which the Fire Station is located and would be seen in the middle distance in some views looking north which include the Fire Station. The impact would be minor to moderate – beneficial.

Olympia Convoy's Wharf (G2)

- 387 The 1847 structure once formed a cover to the slipways when Convoys Wharf was in use as a dockyard. Considering the distance from the application site and the nature of the surrounding area, the impact would be minor to moderate – beneficial.

River Wall to Former Royal Dockyard (G2)

- 388 Whilst the development would be visible from the 18th century wall, the impact would be minor to moderate – beneficial.

- 389 The same minor to moderate – beneficial conclusions have been reached for other listed structures within 500m of the site including The Terrace; Colonnade Building; The Royal Victoria Yard Entrance; and Cannon Posts.

- 390 Officers are satisfied with the outcomes, whilst the GLA agree the proposal would have a low level of impact to the setting of the heritage assets, or upon their significance. The impacts arising from the current scheme are the same as the extant permission.

Impact on Conservation Areas

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391 The Deptford High Street and St Paul's Church CA lies to the south-east 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

392 The assessment has concluded that the Plot 1 and 3 development would not have any significant impact on other heritage assets beyond the 500m study area, including the Deptford High Street and St. Paul's Church Conservation Area, and the Maritime Greenwich World Heritage Site, and therefore they were scoped out of any further consideration.

393 Officers are satisfied with the conclusion, and the GLA in their Stage 1 response advised they agree with the findings that there would be no harm to the heritage assets.

Impact on Locally Listed Buildings

394 Three locally listed buildings are located near Plots 1 and 3, these being 192 Evelyn Street (19th century house); The Black Horse (Victorian public house) also on Evelyn Street; and Scott House (1914, former manufacturing building) on Grove Street.

395 The identified impacts would range between moderate – beneficial; and minor to moderate – beneficial. The impacts arising from the development, in particular 1C, upon the locally listed buildings would be low, and officers and the GLA agree with the outcomes.

Summary

396 As set out above, in accordance with Para.199 of the NPPF, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. In this case, there is no identified harm upon heritage assets in terms of their setting or significance that would result from the proposed development.

397 A degree of harm has been identified upon the LVMF Blackheath Point protected view, with the development affecting the historic pattern of development in the mid ground and partially obscuring the City of London cluster. However as addressed in this report, the majority of the panoramic view would be retained, including the view of St. Paul's Cathedral.

398 The public benefits of the proposed development would include:

- The delivery of 489 new homes that would contribute significantly towards the Borough's housing requirement;
- Completion of the southern half of the consented Deptford Landings Masterplan;
- The creation of new areas of public realm, including the pocket park;
- Job creation of up to 400 full-time posts;
- Biodiversity and sustainability benefits.

399 As such, the proposal would deliver substantive public benefits.

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- 400 The assessments undertaken by the applicant have been reviewed by Temple on behalf of the LPA, and they advise the methodologies used by Quod in reaching their conclusions are acceptable.
- 401 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 the London Plan, the NPPF and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Public Realm

Policy

- 402 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.
- 403 LPP D3 Optimising site capacity through the design-led approach states that new development should provide active frontages and positive reciprocal relationships between what happens inside the buildings and outside in the public realm to generate liveliness and interest.
- 404 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.
- 405 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.

Discussion

- 406 The extant scheme will introduce east-west and north-south routes connecting beyond the application site allow for significantly greater permeability and connections with the surrounding area.
- 407 The extant scheme addressed the line of the old canal by transforming it into a public linear park that will provide access and amenity space through the site once completed. A water feature running along most of the length of this space to reference the old canal is intended. To the north of the site will be a landscaped connection under the Oxestalls Road bridge to connect with the route of the former canal to the north, which will allow for a continuous pedestrian/cycle route through to Plough Way. Two tree lined streets will cross the site providing an east-west connection across the site, but with no through vehicle access onto Evelyn Street, contributing to the areas of amenity space within the development.

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408 The proposed layout of streets is a strong element of the scheme and Surrey Canal Way, with a north-south central spine that will be accessed from Dragoon Road via the underpass on Plot 3.

409 This leads into 'The Yard' (between 3A and 3B/C), which will provide a public space that may be utilised by commercial occupiers, and also space for people to congregate. It is within the Yard area that public art will be situated, with the intention that the art would reference the industrial past of the site.



Image 12: Public realm Plots 1 and 3

410 The consented landscaping proposals remain an integral part of the masterplanned site, and are subject to planning Conditions and s106 obligations to ensure the high quality of the public realm works are delivered.

411 The current s73 scheme seeks to improve the landscaping approach with the provision of the pocket park, which would provide a publicly accessible space adjacent to Block 1C fronting Dragoon Road. Planting measures would be undertaken within the pocket park, including medium scale trees (growth of up to 7m height); ornamental shrubs; hedging; and lawned areas. The proposals are supported in principle by the Council's Tree and Ecology officers, subject to the submission of further details which will be required by Condition.

412 This would serve to make a significant contribution towards the quality of the evolving public realm and is therefore a major benefit of the scheme to which significant weight is attached in planning terms.

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- 413 As part of the extant permission, tree planting and shrubs will be undertaken to areas around the perimeter of the Plots.



Image13: Pocket Park, Plot 1

Public realm lighting scheme

- 414 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.
- 415 The extant scheme includes a planning Condition that requires the submission of a lighting strategy that will safeguard wildlife whilst providing a suitable level of lighting to ensure a safe environment beyond of daylight hours.

Urban design conclusion

- 416 The proposed changes to the consented development of Plots 1 and 3 would achieve an excellent design quality befitting its prominent location.
- 417 The principle of increasing the building height of Block 1C to the south-eastern corner is supported, and whilst there remains neighbour impacts to assess, the form of the tower would be appropriate for this setting.
- 418 The intended materiality and detailed treatment of the buildings would be of a high standard, which will be secured by Condition.

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- 419 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 protected Blackheath Point view.
- 420 The public benefits of the development include the delivery of 489 new homes on Plots 1 and 3, which is an uplift of 112 from the extant permission, contributing towards the Borough's housing requirement.
- 421 The amended scheme would provide an uplift in green space and ecology benefits with the inclusion of the pocket park on Plot 1, which would make a significant contribution towards the quality of the public realm. This is a major benefit of the scheme to which significant weight is attached in planning terms.
- 422 The creation of additional commercial floorspace at ground floor level would support job creation.
- 423 The proposed development would deliver substantive public benefits, and as such, it is considered that the proposal is acceptable with regard to urban design and accords with the aims and objectives of the London Plan and Development Plan.

7.4 TRANSPORT IMPACT

General policy

- 424 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, safe and suitable access to the site can be achieved for all people. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 425 Policy T1 of the London Plan (2021) sets out the Mayor's strategic approach to transport which aims to encourage the closer integration of transport and development. This is to be achieved by encouraging patterns and nodes of development that reduce the need to travel, especially by car; seeking to improve the capacity and accessibility of public transport, walking and cycling; supporting measures that encourage shifts to more sustainable modes and appropriate demand management; and promoting walking by ensuring an improved urban realm.
- 426 London Plan Policy T6.1 Residential parking sets out in Table 10.3. that new residential development should not exceed the maximum parking standard to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use. Through the use of travel plans, it aims to reduce reliance on private means of transport.
- 427 Core Strategy Policy 14 'Sustainable movement and transport' promotes more sustainable transport choices through walking, cycling and public transport. It adopts a restricted approach on parking to aid the promotion of sustainable transport and ensuring all new and existing developments of a certain size have travel plans.

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- 428 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.
- 429 LPP 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.
- 430 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised.
- 431 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.

Access

Discussion

- 432 The streets surrounding the site are local roads, although the A200 Evelyn Street forms part of the Strategic Road Network.
- 433 The PTAL across the plot is currently 2-3 but is forecast to rise to 3-4 with the current planned improvements to local tube lines in stations within the vicinity of the site. It is acknowledged that the site is well served by the existing bus network within a short walk of the site along Evelyn Street and Oxestalls Road. All bus services provide a regular service from the site to Central London and other key locations around the Borough.
- 434 The site is located within close proximity to a network of cycle routes including national, local and Quietway routes, including Quietway Cycle Route 4 along Evelyn Street, which will link Tower Bridge and Greenwich when completed.
- 435 In addition, Quietway Cycle Route 1 which passes along nearby Childers Street to the south will link Waterloo Station with Greenwich Station, as identified within TfL London Cycling Guide No 7.

Car Parking

- 436 The development would essentially be car-free (apart from the provision of 15no blue badge bays), which is supported in accordance with Policy T6 of the London Plan. The Policy states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. In this case, the PTAL for the local area is expected to rise to 4 which represents good access to public transport.
- 437 The consented scheme was amended by NMA in 2017 to reduce the parking provision within Plot 1, and to provide blue badge bays only (DC/17/099912).

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- 438 The surrounding roads are not located within a CPZ. LB Lewisham is currently reviewing on-street parking in the area with a view to establishing a Controlled Parking Zone (CPZ) or Restricted Parking Zone (RPZ). A financial contribution from the developer was secured in the s106 towards the establishment of a CPZ.
- 439 The s106 Agreement dated 23 March 2016 ensures the site would be permit free whereby any future residents 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.
- 440 A £620k financial contribution was secured in the Agreement to fund bus improvement measures; in addition to £56k to fund bus infrastructure including bus stops, shelters and real time information equipment.
- 441 The submission of plot specific Framework Travel Plans for the commercial and residential elements to encourage the use of sustainable modes of transport to and from the site have been secured in the legal agreement.
- 442 The legal agreement also secured car club membership for a minimum period of 12 months for all residents. Additionally, there are three other car clubs currently in operation within a 15 minute walk of the site.
- 443 For these reasons, TfL and the Council's Highways officer have raised no objections to Plots 1 and 3 being car free and consider that the proposal aligns with the requirements of Policy T6 of the London Plan (2021).

Blue Badge Parking

- 444 The application proposes the following:
- 15no. spaces (3%) provided for the residential units, of which all would have potential to have access to electric vehicle charging;
 - 10 of the 15 bays would be located within the ground floor level of Plot 1, with 5 off-street bays provided on Timberyard Street.
- 445 The proposal also sets out that an additional 7% provision of blue badge bays could be accommodated should there be future demand, with potential locations being along Dragoon Road and within Timberyard Street. The submission of further details would be required by extant planning Condition (51) 'Parking Management Plan', however in principle, TfL are satisfied that the proposal would accord with LP Policy T6.1.

Cycle Parking

- 446 Table 10.2 of the London Plan requires the provision of 1.5 cycle spaces per 1b2p unit, and 2 spaces for larger units. In this case the development would deliver 980 dry and secure cycle spaces across Plots 1 and 3.
- 447 LB Lewisham are satisfied that the quantum of cycle parking would accord with the London Cycle Design Standards (LCDS). The TA states that 5% of the total number of cycle parking spaces will accommodate larger cycles which is welcomed. The ground floor plan shows the provision of cycles across the plot including accessible cycle bays.

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The proposed provision is considered acceptable. Further details will be required by planning Condition.

Emergency Vehicle Access

- 448 The extant permission provided vehicle tracking and swept path analysis for emergency vehicles which demonstrated sufficient space for vehicles to turn and leave the site in a forward gear.
- 449 The accompanying Fire Statement in this case demonstrates how access to the proposed development would be provided, whilst showing areas where a fire appliance would be able to park and the distances to firefighting shafts and escape routes within each block.
- 450 The submission advises there are existing hydrants 'in the vicinity' but does not specify where. A Condition will request this information.
- 451 In commenting on this application, HSE were consulted but did not formally respond, whilst the London Fire Brigade have raised no objections, and advised that the development must accord with the Building Regulations, including B5 'Access and facilities for the fire service', which stipulates that new development must be designed and constructed to provide reasonable facilities to assist firefighters, and reasonable provision within the site to enable fire appliances to gain access. An informative has been added to this effect.

Transport impact conclusion

- 452 The current submission for Plots 1 and 3 proposes a car free development, and a reduction in blue badge parking provision from 33 to 15 bays. TfL and Highways officers have confirmed this is in accordance with Policy T6 of the London Plan (2021), and therefore raise no objections.
- 453 It is acknowledged that the s106 legal agreement secures car club membership for all residential occupiers, and a CPZ financial contribution towards provision within the immediate area.
- 454 Cycle provision would accord with policy, providing dry and secure storage, whilst walking would be promoted.
- 455 Subject to appropriate planning conditions, the proposal would not result in significant harm to the local highway network or pedestrian or highway safety.

7.5 LIVING CONDITIONS OF NEIGHBOURS

General Policy

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- 456 NPPF para 130 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.
- 457 This is reflected in relevant policies of the London Plan (LPP D3, D4, D5, D6), the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2016, GLA; Alterations and Extensions SPD 2019, LBL).
- 458 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 459 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.

Overview

- 460 The relationship between the proposed development and surrounding buildings is illustrated in Figures 14 and 15.
- 461 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.



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Figure 5: Relationship between the proposed development and neighbouring buildings (plan form)

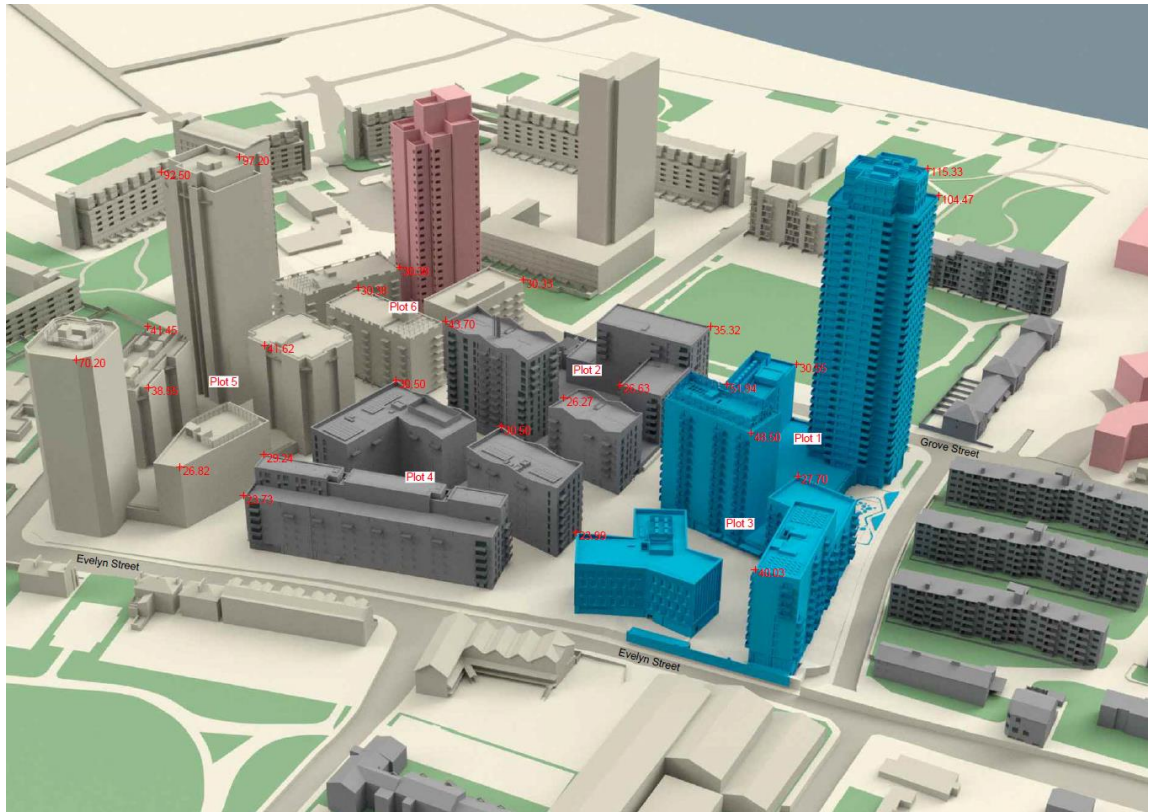


Figure 6: Relationship between the proposed development and neighbouring buildings

Enclosure and Outlook

Policy

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

Discussion

463 The application site is surrounded by differing building types. On the opposite side of Dragoon Road to the south are 3no, 5-storey blocks of flats, and a 3-storey block that comprise the Trinity Estate, with associated landscaping between each block.

464 Plot 2 lies adjacent to Plot 1 and was the first consented Plot within the Masterplan to be developed and occupied. The site provides a mix of residential and commercial uses that includes 203 dwellings within buildings of up to 12-storeys.

465 On the opposite side of Grove Street is Lower Pepys which is open space that includes a playground area. Adjacent to Lower Pepys are 2 and 3-storey dwellings comprised of flats and houses.

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- 466 On the western side of Evelyn Street are industrial units, with an adjacent office building. To the north of the wider Deptford Landings site is Deptford Primary School, residential blocks of up to 8-storeys, and the 25-storey Eddystone Tower.
- 467 The general layout of Plots 1 and 3 would accord with the consented scheme. The tallest proposed element is the 35-storey 1C located within Plot 1 at the corner of Grove Street and Dragoon Road, which would be shifted a small distance of 4 metres south-eastwards from the approved siting. A tall building of 24-storeys has already been consented for this prominent corner, and it was expected there would be a degree of resulting harm upon neighbouring occupiers with regard to increased enclosure and reduced outlook arising from the development.
- 468 The distance between the proposed Block 1C and the nearest surrounding residential properties is approximately 20 metres. North House lies within the Trinity Estate on the opposite side of Dragoon Road and is a 5-storey block of flats. The flank wall of the block that faces the development accommodates one habitable room window on each floor, with the majority of openings being the east and west elevations that would not have direct views of 1C.
- 469 A higher number of flats within the adjacent Rochfort House would have views of 1C, albeit most openings to the north-east facing elevation are set back by external deck accesses.
- 470 The Trinity Estate occupiers are currently afforded an unobstructed outlook across the undeveloped application site. Given this existing baseline, any development of an urban scale on the site will be expected to impact on the outlook from surrounding developments. In this case, whilst the height of 1C will be greater than the consented, the proposal maintains a tall building located within the same location. It must also be considered that the removal of the consented 7 storey 1A building will serve to reduce any sense of enclosure, with the replacement pocket park providing an increased level of respite when viewed from within the Trinity Estate. For these reasons, officers are satisfied that 1C would not significantly harm the outlook of existing occupiers to a extent worse than the extant scheme.
- 471 On the opposite side of Grove Street is a 3-storey building accommodating flats (1-6 Leeway), with associated rear garden, which is partially screened by existing large canopy trees. Two small windows are located to the flank wall of the building, which are assumed to serve bathrooms. Given the orientation of the building and the adjoining terrace, the properties would have an oblique view of 1C, and therefore the increased height would not be so significant with regard to outlook and overbearing harm.
- 472 Plot 2 lies within the Deptford Landings Masterplan adjacent to Plot 1, being separated by Timberyard Street which is a pedestrian and vehicular route. 7-10 storey residential buildings directly face Plot 1, lying opposite Block 1B where an additional storey is proposed, whilst having views of Plot 3 including the proposed addition of 4-storeys to Block 3B. The increased height to 1C would also be visible.
- 473 The Plot 2 elevations contain a number of habitable room windows and balconies, which currently have a clear view over the undeveloped Plots 1 and 3, therefore the proposed increases in height would have significant impacts upon their existing outlook.
- 474 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 the site which has 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 result in a

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reduction in outlook where there are currently unobstructed views over the undeveloped site. It would be unreasonable that the development of the application site is constrained simply because of the timings in developing the wider Masterplan.

- 475 Nevertheless, it is acknowledged that the Plots 1 and 3 proposals represent a significant change to the consented scheme with regard to height, and cumulative overbearing impact.
- 476 The Mansion Block 1B would retain a similar footprint as the consent scheme lying a small distance closer to Grove Street, whilst the approved height of 7 storeys would increase to 8 storeys. 1B will lie approximately 19m from the building line of Plot 2 and would be of a height similar to the existing block. The provision of an additional storey in this case is considered acceptable, and would not serve to result in significant outlook or overbearing concerns.
- 477 Block 1C would lie approximately 50m from Plot 2, and whilst it would be highly visible within the background of 1B, given the intervening distance it is not considered that this would result in any unacceptable impact.
- 478 Block 3B within Plot 3 would also maintain the consented footprint, being broadly aligned with the adjacent 2A within Plot 2, which contains habitable room windows and inset balconies to the flank elevation facing south toward Plot 3. It appears that the affected units are dual aspect, with openings to the east and west facing elevations.
- 479 The increased height by an additional 4-storeys would be noticeable to the nearest occupiers, however a relatively tall 10-storey building was consented for this area of the Plot, which itself would have impacted upon outlook and enclosure. The current proposal would have a greater impact, however not to the extent whereby the harm would be unreasonable. Officers are also satisfied there would be no unacceptable harm to the other buildings within Plot 2, whilst 3B would lie a sufficient distance away from the Trinity Estate.
- 480 Considering that development of a substantial scale and massing was envisaged on this Plot as part of the wider masterplan for the wider Deptford Landings site, occupiers of surrounding developments would have had a reasonable expectation that the site would be developed in due course, and that this will result in a reduction in outlook where there are currently unobstructed views over the existing site. Nevertheless, officers must ensure that the proposal is appropriate in scale and siting, and respects the amenities of existing occupiers.

Privacy

Policy

- 481 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.
- 482 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.

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Discussion

- 483 As recognised within the Housing SPG, development within a dense urban context is unlikely to be able to achieve separation distances of 18 – 21m which are based on a more suburban form of development.
- 484 In terms of privacy, Block 1C would lie 20-25m from the flats within Trinity Estate on the opposite side of Dragoon Road, and 20m to 1-6 Millard Road, which exceeds the minimum distance stated in the SPG. The proposed building would have habitable room windows fronting Dragoon Road and Grove Street, in addition to balconies - as did the consented building. The balconies would be screened to some extent, which would serve to reduce overlooking. Considering the intervening distances set out, officers are satisfied 1C would not result in unacceptable privacy concerns.
- 485 The provision of an additional storey to 1B would result in further north facing habitable room windows directed toward the existing Plot 2. There would also be additional openings to the lower floors of the north elevation, with a former blank vertical element being changed to patio doors leading out onto balconies. It is acknowledged the consented elevation was afforded no balconies to the elevation facing Plot 2 – in comparison, 21no. balconies are being proposed. This will clearly be a noticeable change for the existing occupiers, however considering Plot 2 benefits from south facing balconies, and the 19m distance between the existing and proposed buildings, officers consider the provision of balconies to 1B to be reasonable and would not result in any unacceptable loss of privacy.
- 486 A similar reasoning applies to 3B, which would also lie approximately 19m from the nearest Plot 2 building. Whilst its north facing elevation would contain additional habitable room windows and a balcony on each floor, due to the distance officers are satisfied there would be no unreasonable privacy issues arising from the proposal.
- 487 Having regard to the urban context, which has been established by the surrounding development, it is considered that acceptable levels of privacy would be maintained for occupiers of surrounding properties, and future occupiers within the adjacent Plot 4 development which was being constructed at the time of this report.

Daylight, Sunlight and Overshadowing

Policy

- 488 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards.
- 489 The NPPF does not express particular standards for daylight and sunlight. Para 125 (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.
- 490 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

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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, 2016, Housing SPG, para 1.3.45).

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

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

493 On 9 June 2022, BRE issued a 3rd edition of their guidance. The BRE guidance on daylight and sunlight provision within new dwellings is similar to the previous edition, however some of the tests have changed in order to bring the document in line with BS EN 17037:2019, 'Daylight in buildings'.

494 The new daylight test is based on achieving a target median illuminance for half the annual daylight hours over 50% of the reference plane, or a target median daylight factor over 50% of the reference plane.

495 The new sunlight test for buildings is based on receiving at least 1.5 hours of sunlight on 21 March to at least one habitable room in each dwelling, preferably a main living room. The sunlight test to amenity spaces remains unchanged.

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

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

Daylight guidance

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

499 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 by 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.

500 NSL is a further measure of average illuminance at the working plane within a room, compared with that outdoors. 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.

501 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

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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.

- 502 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:
- a. 0-20% reduction – Negligible / No Effect
 - b. 21-30% reduction – Minor Adverse
 - c. 31-40% reduction – Moderate Adverse
 - d. Above 40% reduction – Major Adverse

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

- 504 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, it 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.

- 505 BRE guidelines advise that a supplementary test is undertaken where existing windows are overhung by balconies/ terraces. This would include an assessment that removes such features to establish the effect they have upon existing daylight levels.

Sunlight guidance

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

- 507 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.

- 508 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

- 509 Chapter 8 of the Environmental Statement assesses the impact of the proposed development in relation to daylight, sunlight, overshadowing and solar glare. 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.

- 510 The assessment considers the impact of the proposed development on a number of identified sensitive receptors, including the following:

- 50 - 108 Millard Road

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- 1 - 6 Leeway
- 110 Grove Street
- North House;
- Rochfort House;
- Keppel House;
- Norris House;
- Strafford House;
- Berkeley House;
- Sanderson House;
- Camden House;
- The Black Horse, 195 Evelyn Street;
- 1, 3, 5, 6 and 10 Gosterwood Street;
- 166 Evelyn Street;
- Inwen Court;
- Plot 2 (Deptford Landings); and
- Plot 4 (Deptford Landings).

- 511 The locations of the analysed properties in relation to the application site are shown in Figures 14 and 15 above.
- 512 The assessment has considered the effects of the proposed development on habitable windows and rooms serving neighbouring residential and non-residential properties. A 'future' baseline condition has been assessed which considers the resulting impacts of the consented Plots 1 and 3 scheme, instead of the current baseline of the undeveloped site. This approach is supported by officers, and the consultants Temple who have reviewed the submission on behalf of the LPA.
- 513 A 'cumulative' assessment has been undertaken to demonstrate a worst case scenario which includes the proposed Plots 1 and 3, the wider Deptford consented Plots, Convoys Wharf and Scott House.
- 514 A 'proposed' assessment with Plots 1 and 3 only has also been undertaken.

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Daylight Impact

- 515 Table 8.3 (see **Appendix 1**) sets out a summary of VSC (daylight) and APSH (sunlight) with the proposed development in place. Aside from Plots 2 and 4, all windows and rooms assessed within the receptor properties listed would remain compliant with BRE, with the increased heights resulting in 'negligible' effects.
- 516 This is broadly replicated in Table 8.9 (see **Appendix 2**) in the 'cumulative' assessment.
- 517 This would mean that the current proposal of increased height would result in no significant level of harm upon daylight when compared to the 'future' baseline of the consented scheme in place. Whilst there would be VSC reductions incurred to some windows (negligible effect), none would be more than by 20%, and therefore would not be noticeable.
- 518 North House that lies opposite 1C, and the adjacent Rochfort House (Trinity Estate) would incur only minor reductions, the majority being less than 5% loss when compared to the 'future' baseline. In some cases, the VSC would be improved following the removal of the consented Block 1A. The impact upon VSC would therefore be 'negligible' and unnoticeable.
- 519 In the assessment of the extant scheme, officers advised given that the flats within the Trinity Estate are dual aspect, it was considered that the reduction in daylight to selected rooms was, on balance, acceptable.

Plot 2 – Daylight (VSC)

- 520 This is the first Plot within the Masterplan to be developed and occupied, and provides a mix of residential and commercial uses. The Plot is comprised of 5 buildings, ranging in heights up to 12-storeys, with Blocks 2A, 2D and 2E lying directly opposite Plot 1 and part of Plot 3.

Proposed baseline – s73 scheme/ cumulative (VSC)

- 521 Of 260 Plot 2 windows tested, 199 would be compliant with BRE, and 61 non-compliant. VSC losses would range in significance of;
- 2 **Major** Adverse effects,
 - 13 **Moderate** Adverse effects, and
 - 46 **Minor** Adverse effects.
- 522 **Block 2A** lies opposite Block 3B which will be extended by 4-storeys. There would be no VSC reductions between the ground and third floors.
- 523 At fourth floor, a bedroom would incur a VSC reduction of 21%, slightly more than BRE. The future baseline of 20.6 VSC would reduce to 16.3, which for a bedroom in an urban area is acceptable.

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- 524 Similar minor reductions would occur at two 5th floor bedrooms of 22% and 23%, with the result VSCs being 18 and 17.4 respectively. This is acceptable for bedrooms in an urban setting.
- 525 At 6th floor, a LKD benefits from three windows, with a south facing opening reducing from 24.9 to 19.1 VSC. This would exceed the 0.8 threshold, however considering the other two windows would retain the same VSC, the resulting level would be acceptable.
- 526 Another 6th floor LKD would also fall by 0.77, however the VSC would remain more than 20 VSC, whilst served by a second window of 29.1 VSC.
- 527 Two 6th floor bedrooms would reduce by 0.75, exceeding the 0.8 threshold, however the VSCs of 18.5 to 19.03%, would be acceptable.
- 528 All Block 2A VSC reductions would fall within 'minor', and whilst noticeable, would not be significant.
- 529 **Block 2B** is a 12-storey block with residential units from first floor upwards. The building is located approximately 60m from Plots 1 and 3, and would incur 'negligible' VSC reductions when compared to the consented scheme.
- 530 **Block 2C** is a 4-storey block with residential units and is located approximately 60m from Plots 1 and 3, and would incur only 'negligible' VSC reductions when compared to the consented scheme.
- 531 **Block 2D** is a 10-storey corner building fronting Grove Street and Plot 1, with residential units on all floors. All VSC reductions would be 'negligible' and unnoticeable.
- 532 **Block 2E** is a 7-storey residential building located opposite Plot 1, and would be the most affected Plot 2 block with regard to VSC reductions. A high proportion of windows would experience 'minor' reductions, the majority being around 0.75, and some being 0.6.
- 533 The 'major' adverse would occur to two windows in the 'cumulative' assessment, the first being a 5th floor LKD within a single aspect 1b2p unit, which has a 'future' baseline of 11.5 VSC that would reduce to 6.71 with the current scheme in place. It is acknowledged that the 'future' baseline is already low, which is attributed in part to an existing overhanging balcony. The reduction in this case would be noticeable.
- 534 The second 'major adverse' window in the 'cumulative' assessment would be the equivalent 4th floor window (1b2p, single aspect unit – LKD), with a 41% reduction from 'future' baseline of 8.5 to 5.06. The further reduction would result in a low VSC, however the difference between the two assessments would not be significant as the room would already be subject to a low level of daylight.
- 535 The consented plots within the wider Masterplan would all serve to have adverse impacts upon daylights to neighbouring Plots to some extent due to proximity, and height and scale of development, which was a consideration during the assessment of that application. Whilst it is regrettable that a single window would experience a major adverse effect in the 'proposed' assessment, considering the extent of height increases to 1B, 1C and 3B, being located within an Opportunity Area whereby greater visual impacts are to be expected due to the dense form of urban development, and the wider public benefits of the proposal, officers are minded that the identified harm would be acceptable.

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Plot 2 – Daylight Distribution (NSL)

- 536 NSL is a measure of average illuminance at the working plane within a room, compared with that outdoors. 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.
- 537 In both the ‘cumulative’ and ‘proposed’ assessments, the impacts upon the relevant receptors listed in **para (513)**, other than Plot 2, would receive ‘negligible’ effects when compared to the consented ‘future’ scheme.
- 538 The ‘cumulative’ assessment, which includes Convoys Wharf and Scott House developments, concludes that Plot 2 would incur;
- ‘minor’ effects,
 - 14 ‘moderate, and
 - 22 ‘major’.
- 539 The ‘proposed’ assessment identifies 15 ‘moderate’, and 21 ‘major’ effects over the ‘future’ baseline. In both assessments, 131 of the 174 Plot 2 habitable rooms would comply with BRE.
- 540 **Blocks 2A, 2B and 2C** would experience only small NSL reductions when compared to the ‘future’ baseline, with effects being ‘negligible’.
- 541 **Block 2D** would mostly incur ‘negligible’ effects, with the only ‘minor’ effect being to a first floor bedroom of a 0.79 reduction – slightly exceeding the 0.8 threshold.
- 542 **Block 2E** would incur the higher levels of effect, as was the case with the VSC assessment. At ground floor, 3 of the 4 LKDs would experience reductions when compared to the ‘future’ assessment. The ‘major’ adverse would be a 0.58 reduction, being 43% of the floor area being lit compared to the consented 74%. Whilst this would be a noticeable change, the lit area of 13.9sqm would remain acceptable for the urban setting.
- 543 The other two LKDs would experience ‘minor’ and ‘moderate’ effects, reducing from the ‘future’ baseline of 12.39sqm and 13.50sqm lit, to 9.59sqm and 9.09sqm lit respectively. The changes would be noticeable, however it is acknowledged that the rooms were already darkened when considering the ‘future’ baseline, attributed to the Plot 1 development and overhanging balconies on the upper floors.
- 544 At **first floor**, 8 of the 9 bedrooms would incur reductions when compared to the consented scheme, including 2 ‘major’ adverse; 4 ‘minor’ and 2 ‘moderate’. For all affected bedrooms, the ‘future’ baselines are very low in terms of lit floor areas. For example, Bedroom R5 which measures 15.1sqm has a ‘future’ baseline of 5.61sqm lit. The ‘cumulative’ assessment would see a lit area of 3.28sqm, or a 0.59 reduction – ‘major’ effect.
- 545 Bedroom R9 has a floor area of 18.4sqm, with a ‘future’ baseline of 4.16sqm lit, compared to the 2.6sqm in the ‘cumulative’ assessment, or a 0.63 reduction – ‘moderate’ effect.
- 546 At **second floor**, 5 bedrooms and 2 LKDs would incur reductions when compared to the consented scheme, including 4 ‘major’ adverse, 2 ‘minor’, and 1 ‘moderate’ effect.

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This would be similar to the first floor assessment, where the 'future' baselines are low. The largest reduction would be 0.46, where Bedroom R5 of 12.6sqm would have a 'cumulative' 2.18sqm lit area, compared to the 'future' 4.71sqm.

- 547 LKD R4 has a floor area of 27.2sqm, and a 'future' lit area of 11.4sqm. The 'cumulative' area would be 5.8sqm lit, a reduction of 0.51 – 'major' adverse.
- 548 The smallest reduction would be 0.71, whereby Bedroom R2 (10.75sqm) would see a lit reduction from the 'future' 6.1sqm to 4.3sqm.
- 549 There would be similar outcomes at 3rd, 4th and 5th floors, whilst on floor 6, two LKDs (R4 and R6) would experience reductions of 0.48 – 'major' adverse, with 48% reductions in lit floor areas. Most habitable rooms on this floor however would remain BRE compliant.
- 550 Overall, the submission considers the residual effect upon Plot 2 would be '**minor adverse for daylight amenity**'.

Sunlight Impact

- 551 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.
- 552 Excluding Plot 2, all listed receptors that have been assessed in the 'cumulative' scenario would experience only 'negligible' sunlight impacts when compared to the consented scheme.
- 553 In regard to Plot 2, 194 of the 217 windows remain compliant with BRE ('Annual') when compared to the 'future' scenario. Of the 23 that would not be compliant, the effects are as follows:
- 8 'minor' effects,
 - 12 'moderate, and
 - 3 'major'.
- 554 **Block 2A** would experience 'negligible' reductions on ground, first and second floors. 'Minor' reductions on the remaining floors would be incurred to LKDs and bedrooms, however they would retain sunlight of greater than the BRE 25% threshold. In regard to 'Winter', there would only be 'negligible' reductions.
- 555 **Block 2B** would experience 'negligible' reductions on all floors. In regard to 'Winter', there would only be 'negligible' reductions when compared to the 'future' baseline.
- 556 **Block 2C** would experience only small reductions when compared to the 'future' baseline, with effects being 'negligible'.
- 557 In regard to 'Winter', there would be a 'moderate' reduction of 0.6 to secondary first floor living room window R1 when compared to the 'future' baseline, reducing from 5%

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to 3%. This is one of two windows that serve the room – the other window would also incur a loss, but of 0.8 which is in accordance with BRE and ‘unnoticeable’.

- 558 **Block 2D** would incur ‘minor’ reductions to a secondary ground floor LKD window only, however the value would still exceed the BRE 25% threshold.
- 559 In regard to Winter, there would be a ‘major’ adverse effect upon a secondary ground floor LKD window, with the ‘future’ baseline reducing from 7% to 4%, contrary to BRE by falling below the prescribed 5%, and a value of 0.57 compared to the 0.8 threshold. It is acknowledged that the ‘future’ baseline is already low, whilst the reduction to the primary window would not be noticeable.
- 560 A first floor bedroom (R3) would incur ‘major’ adverse in regard to Winter, with a loss of 0.5, whereby the ‘future’ baseline of 6% would reduce to 3%.
- 561 **Block 2E** would experience ‘minor’ and ‘moderate’ reductions in Annual from the ‘future’ baseline on ground to first floors. The majority would retain high Annual levels in excess of the prescribed 25%, whilst those that fall below the threshold would generally be in the mid to upper teens, which is acceptable for an urban area. Those that are low (e.g 10%) were already low in the ‘future’ assessment.
- 562 ‘Major’ adverse would be incurred to a second floor LKD (R4 – 1b2p single aspect unit) where a 13% Annual would reduce to 5% - 0.38 value. The ‘future’ baseline falls below 25%, and the effect would be noticeable.
- 563 ‘Major’ adverse would also be experienced by a third floor LKD (R4 – 1b2p single aspect) where a 16% ‘future’ Annual would reduce to 9% - 0.56 value. The ‘future’ baseline is already low, and the effect would be noticeable.
- 564 The final Annual ‘Major’ adverse would be incurred by a fourth floor bedroom (R5) where a 36% ‘future’ would reduce to 21% - 0.58 value. The 21% provision falls below the 25% threshold, however it would remain acceptable in an urban setting.
- 565 In regard to Winter, there would be reductions upon ‘future’ baselines as follows:

Ground:

- 2 ‘minor’ Two LKDs with two windows, 0.75 of ‘future’ value. Acceptable
- 1 ‘moderate’ LKD 0.63 of ‘future’ value, therefore noticeable reduction, but meets BRE threshold of 5%.

First:

- 1 ‘minor’ Bedroom 0.78 of ‘future’ value, noticeable reduction but acceptable.
- 2 ‘moderate’ Bedroom (R3) 0.63 of ‘future’ value, therefore noticeable, but meets BRE threshold 5%.
Bedroom (R4) 0.67 of ‘future’ value - noticeable, and falls below BRE threshold 5% - (4%). Acceptable.
- 3 ‘major’ Bedroom R1 0.46 of ‘future’ value, therefore noticeable reduction, but exceeds BRE threshold of 5%.

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Bedroom (R6) 0.33 of 'future' value - noticeable, and falls below BRE threshold 5% - (1%). 'Future' baseline also fails – 3%.

Bedroom (R9) 0.33 of 'future' value - noticeable, and falls below BRE threshold 5% - (1%). 'Future' baseline also fails – 3%.

Second:

4 'minor' LKD (R1) 0.7/ 0.73 of 'future' value, noticeable reductions but exceeds BRE threshold 5%.

LKD (R4) 0.75 of 'future' value, noticeable reduction and falls below BRE threshold 5% (3%). The 'future' baseline is 4%. Acceptable.

Bedroom (R3) 0.71 of 'future' value, noticeable reduction but meets BRE threshold 5%.

LKD (R10) 0.70 of 'future' value, noticeable reduction but exceeds BRE threshold 5%.

2 'moderate' Bedroom (R2) 0.60 of 'future' value, therefore noticeable, but exceeds BRE threshold 5%.

LKD (R10) 0.67 of 'future' value, noticeable reduction but exceeds BRE threshold 5%.

4 'major' LKD (R1) 0.57 of 'future' value but exceeds BRE threshold 5%.

Bedroom (R5) 0.20 of 'future' value and falls below BRE threshold 5% - (1%). 'Future' baseline was BRE compliant – 5%.

Bedroom (R7) 0.20 of 'future' value and falls below BRE threshold 5% - (1%). 'Future' baseline was BRE compliant – 5%.

Bedroom (R9) 0.40 of 'future' value and falls below BRE threshold 5% - (2%). 'Future' baseline was BRE compliant – 5%.

Third:

2 'minor' LKD (R1) 0.73/ 0.75 of 'future' values, noticeable reductions but both windows exceed BRE threshold 5%.

2 'moderate' LKD (R1) 0.64 of 'future' value, noticeable reduction but exceeds BRE threshold 5%, and is one of three windows.

LKD (R4) 0.60 of 'future' value and falls below BRE threshold 5% - (3%). 'Future' baseline was BRE compliant – 5%.

8 'major' Bedroom (R2) 0.50 of 'future' value but exceeds BRE threshold 5%.

Bedroom (R3) 0.45 of 'future' value but meets BRE threshold 5%.

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Bedroom (R5) 0.29 of 'future' value and falls below BRE threshold 5% - (2%). 'Future' baseline was BRE compliant – 7%.

LKD (R6) 0.50 of 'future' value and falls below BRE threshold 5% - (1%). 'Future' baseline was not BRE compliant – 2%.

Bedroom (R7) 0.25 of 'future' value and falls below BRE threshold 5% - (2%). 'Future' baseline was BRE compliant – 8%.

Bedroom (R9) 0.38 of 'future' value and falls below BRE threshold 5% - (3%). 'Future' baseline was BRE compliant – 8%.

LKD (R10) 0.54(x2) of 'future' value but exceeds BRE threshold 5%.

LKD (R10) 0.54(x2) of 'future' value but exceeds BRE threshold 5%.

Fourth:

1 '*minor*' LKD (R1) 0.60 of 'future' value, noticeable reduction but exceeds BRE threshold 5%, and is one of three existing windows.

3 '*moderate*' LKD (R4) 0.60 of 'future' value and falls below BRE threshold 5% - (3%). 'Future' baseline was BRE compliant – 5%.

LKD (R10) 0.64(x2) of 'future' value but exceeds BRE threshold 5%.

9 '*major*' LKD (R1) 0.53 of 'future' value, noticeable reduction but exceeds BRE threshold 5%, and is one of three existing windows.

Bedroom (R2) 0.44 of 'future' value but exceeds BRE threshold 5%.

Bedroom (R3) 0.33 of 'future' value but meets BRE threshold 5%.

LKD (R4) 0.43 of 'future' value and falls below BRE threshold 5% - (3%). 'Future' baseline was BRE compliant – 7%.

Bedroom (R5) 0.18 of 'future' value and falls below BRE threshold 5% - (2%). 'Future' baseline was BRE compliant – 11%.

LKD (R6) 0.33 of 'future' value and falls below BRE threshold 5% - (1%). 'Future' baseline was not BRE compliant – 1%.

Bedroom (R7) 0.33 of 'future' value and falls below BRE threshold 5% - (3%). 'Future' baseline was BRE compliant – 9%.

LKD (R8) 0.50 of 'future' value and falls below BRE threshold 5% - (2%). 'Future' baseline was not BRE compliant – 4%.

Bedroom (R9) 0.36 of 'future' value and falls below BRE threshold 5% - (4%). 'Future' baseline was BRE compliant – 11%.

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- 566 The outcomes on the 5th and 6th floors are similar to the lower floors, with a range of 'minor', 'moderate' and 'major' effects, however most Winters would exceed the 5% threshold.
- 567 It is acknowledged that the Winter readings are showing to be low within areas of Plot 2. In some cases, the 'future' baseline is already low, whilst bedrooms appear to be most affected where perhaps there is less demand for natural light than for living rooms.
- 568 Overall, the submission considers the residual effect upon Plot 2 would be 'moderate adverse for sunlight amenity'.

Overshadowing

Policy

- 569 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

- 570 In the extant scheme, the ES included an assessment of overshadowing of the site and adjoining properties resulting from the proposed development, in addition to an assessment of daylight and sunlight to adjoining properties using the BRE's guidance.
- 571 Within the site it was acknowledged that the tall buildings and mid-rise blocks would cast a shadow over the routes and open spaces at different times of the day, but no parts of the site would be in permanent shadow. The officer report stated, 'Whilst it is evident that the tall buildings (and some mid-rise blocks) will have an effect on adjoining properties and spaces, these impacts will be transitory with the buildings to the north being over-shadowed in the earlier part of the day only, and to a limited extent during the summer months. Given this situation, it is considered that the overshadowing impacts from the tall buildings will not give rise to an unacceptable impact on the amenity of adjoining residential properties or open space.'
- 572 As part of the current s73 application, the applicant's daylight and sunlight consultants have carried out a sun-on-ground overshadowing assessment in relation to external amenity areas beyond the curtilage of the application site, including:
- Pepys Park;
 - Amenity spaces adjacent to Gransden House;
 - Gardens to 1 to 12 Leeway;
 - Amenity Space adjacent to 114 Evelyn Street;
 - Communal amenity areas to Plots 2, 4, 5 and 6 of the Site; and
 - Surrey Canal Way.

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- 573 The assessment concludes that the tested areas would be BRE compliant following the Plot 1 and 3 development on March 21st, with a 'negligible' impact upon the majority of amenity spaces, including all areas within Deptford Landings.
- 574 The one area that would not accord relates to 1 to 6 Leeway (3-storey residential building located opposite 1C tower) where the impact would be 'minor' adverse, which was similarly the case in the original 2016 proposal.
- 575 As acknowledged earlier, the western boundary of the property is subject to a dense provision of trees which serve to restrict natural light to the rear garden area.
- 576 In regard to Pepys Park, it is acknowledged that the development would cast a shadow at different times of the day, however there would be no area that would be permanently in shadow.
- 577 Having reviewed the submission details, officers are satisfied with the conclusions reached, and that no residential gardens would be impacted due to the position and orientation of the proposal. Overall, the submission considers the residual effect upon Plot 2 would be negligible to minor significance on amenity spaces.

Independent review on behalf of the LPA

- 578 The LPA appointed Temple to act as an independent consultation to review the EIA work undertaken by the Applicants, and to provide a detailed analysis of the methodology and conclusions reached. In regard to sun/ daylight and overshadowing, reviews have been undertaken by Temple upon all submissions received to date.
- 579 Temple have advised the LPA that the Applicants have undertaken the correct BRE assessment methodology with regard to VSC and APSH, stating the conclusions of sunlight, daylight and overshadowing to be 'accurate', with the changes to the consented scheme 'being minor' and would have little impact on the surrounding area when compared to the consented scheme. 'The conclusion of the ES is still considered valid.'

Daylight, sunlight and overshadowing conclusion

- 580 The submission has been accompanied by a daylight and sunlight assessment undertaken as part of the Environmental Statement.
- 581 The independent consultants appointed by the Council (Temple) 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 acceptable. Temple conclude that the submitted overshadowing, daylight and sunlight assessments provide sufficient information and reasoning to support the overall conclusion that the results may be considered acceptable.
- 582 It is clear from the assessment that the proposed development will result in some significant reductions in daylight and sunlight levels for surrounding properties, in particular to the adjacent Plot 2.
- 583 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, particularly in dense urban environments, and particularly where neighbouring properties have existing

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architectural features (such as balconies) which impose restrictions on levels of daylight and sunlight.

- 584 It should also be considered that many surrounding dwellings currently benefit from unobstructed outlook over the application site, which was only to be for a temporary period, with development of a high density approved for Plots 1 and 3 within the consented Masterplan.
- 585 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.
- 586 In conclusion, as addressed in this report, it is recognised that some occupiers would experience noticeable reductions in sunlight and daylight, however for the reasons set out, the impacts must be considered in the context of the existing/ future baseline context; and the need to apply BRE guidelines flexibly in the context of urban development within a designated Opportunity area. This impact must also be weighed against the public benefits of the scheme.
- 587 The proposed development would deliver new homes in accordance with the extant permission, thereby contributing towards the Borough's identified housing need. The site has been long identified for development through its site allocation of which Plot 2 has already been delivered, and Plot 4 development has commenced.
- 588 In addition, the development would deliver new areas of high quality public realm, and the provision of employment floorspace.
- 589 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 dwellings that would experience reductions in levels of daylight and sunlight.

Noise and disturbance

Policy

- 590 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.
- 591 A range of other legislation provides environmental protection, principally the Control of Pollution Act 1974 and the Environmental Protection Act 1990. It is established planning practice to avoid duplicating the control given by other legislation.
- 592 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

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guidance is given in the Mayor of London's The Control of Dust and Emissions during Construction and Demolition SPG (2014).

Discussion

- 593 The residential element of the proposed development is not considered to result in unacceptable levels of noise pollution.
- 594 In relation to the noise impacts associated with the construction phase, relevant Conditions were imposed in the extant scheme which remain of relevance, including 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.
- 595 The extant permission includes planning Conditions that will secure an appropriate level of soundproofing to the development, and restrictions on operating hours for the employment units and delivery times, which would ensure no unacceptable impact either for occupiers of surrounding properties.
- 596 An assessment of potential external noise from the proposed rooftop air source heat pumps was undertaken in accordance with Condition (31), and it was determined noise levels would be acceptable and would not harm neighbour amenity.

Impact on neighbours conclusion

- 597 The application site is currently unoccupied, with former buildings having been demolished. As such the surrounding residential developments, in particular Plot 2 have a largely open outlook and unobstructed views across Plots 1 and 3. Given this existing baseline, any development of an urban scale on the site would be expected to result in impacts to neighbouring development in terms of enclosure, outlook, privacy, daylight, sunlight and overshadowing.
- 598 The development of this designated Opportunity Area site as envisioned as part of the wider masterplan for the surrounding area was consented to accommodate buildings of considerable scale and height. The current s73 application seeks to add additional height to Blocks 1B, 1C and 3B, whilst removing the consented 7-storey Block 1A.
- 599 Occupiers of surrounding developments that have been developed ahead of the application site would have a reasonable expectation that the site will be developed in due course, and that this will inevitably 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 is constrained due to the timing of the proposal.
- 600 It is acknowledged that the proposed development would result in varying degrees of harm to occupiers of neighbouring apartments through reductions in daylight and sunlight, in particular to elements of the Plot 2 development. Residents of some units facing the application site would experience major adverse harm, with a significant reduction in daylight and sunlight levels.
- 601 All Applicant submissions have been reviewed on behalf of the LPA by Temple, who have advised that the methodology and conclusions reached are acceptable.

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- 602 The construction of large development in an urban environment will generally result in unavoidable impacts upon daylight and sunlight to neighbouring properties. As addressed in this report, the numerical guidance given in the BRE document should be treated flexibly, particularly within urban environments.
- 603 The degree of harm to particular units with regard to sunlight and daylight will be significant, as this report has set out, however in weighing this harm against the public benefits of the scheme, it is considered that the substantive benefits that the scheme would deliver outweigh the harm identified.

7.6 SUSTAINABLE DEVELOPMENT

General Policy

- 604 NPPF para 156 sets an expectation that planning will support transition to a low carbon future.
- 605 This is reflected in relevant policies of the London Plan and the Local Plan.
- 606 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.
- 607 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.
- 608 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.
- 609 Core Strategy Policy 8 requires non-residential development to achieve a minimum of Building Research Establishment Environmental Assessment Method 'Excellent' standard.
- 610 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.

Energy and carbon emissions reduction

Policy

- 611 LPP SI 2 seeks an overall reduction in carbon dioxide (CO2) emissions, and 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.

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612 In addition, LPP SI 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, prior to which the target is as per building regulations (35%). LPP advocates the need for sustainable development.

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

614 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

615 The consented energy approach calculated an overall carbon reduction target of 35% over Part L of the Building Regulations 2013 baseline. The approach adopted followed the energy hierarchy of "Be Lean, Be Clean and Be Green". In terms of the energy hierarchy this comprised a 6% reduction from energy demand reduction, 30% from gas powered CHP, and 2% from renewables, providing a cumulative savings of 38% - total target savings was 35%.

616 The approach was later amended in a s96a application to the LPA (DC/18/110246). Whilst the new strategy followed the same overall approach as the original approved energy strategy, including a fabric first approach; efficient heat network infrastructure; and the use of photovoltaics.

617 A change was made however to the heating system serving Plots 1, 3, 4, 5 and 6, which would use an ambient loop heat pump system instead of the approved CHP-led heating system which is used in Plot 2 only. The identified benefits of the heat pump system includes:

- The carbon savings achieved over the lifetime of the development will be improved as a result of the efficiency of the heat pumps coupled with the decline in the carbon emissions associated with electricity from the grid;
- The use of heat pumps will reduce the combustion of natural gas on the site, providing benefits to the local air quality;
- The use of heat pump technology, which are classified as a renewable energy source, will increase the amount of onsite renewable energy generation; and
- The lower distribution temperatures associated with the ambient loop will reduce the overheating risks in the properties and communal spaces

618 The ambient loop heat pump system would comprise of centralised heat pumps that would serve an ambient temperature distribution loop that will serve individual water to water heat pumps within each dwelling, and in turn serve the demand for space heating and domestic hot water for domestic and commercial uses. The ambient loop will be located within risers and corridors, with centralised air source heat pumps located on roof areas.

619 The 2018 submission confirmed that the proposal would provide a 37% saving over Part L (2013) Building Regulations targets, thereby meeting the London Plan target of

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a 35% reduction in regulated CO2 emissions compared to the calculated *Part L Building Regulations* emissions.

620 It was also established that the proposed ambient loop system specification would be compatible with a future connection to the SELCHP network without significant upgrade to the equipment within the development, therefore officers considered the amended energy strategy to be technically compatible with the potential district heating network.

621 Subsequently, the following Conditions relating to the extant consent were amended accordingly:

(22) (Energy Savings)

(23) (District Heating)

(24) (Performance of the Energy Centre and future connection to an OSCHP)

622 The current s73 application is accompanied by an energy statement prepared by Aecom, dated May 2021), which updates the consented report, and confirms that the consented energy approach is maintained for the current s73 application.

Be Lean

623 A range of enhanced energy efficiency measures are proposed for the development, including high levels of insulation within the proposed building fabric to reduce heat loss; low energy lighting; and efficient glazing.

Be Clean

624 The application maintains the ambient loop heat pump system and installation of an air source heat pumps.

625 ASHP extract thermal energy (heat) from the outside air and converts this into heating and hot water. Electricity is needed for ASHP to operate, however this amounts to approximately 25% overall.

Be Green

626 In terms of renewable technologies, PV panels are proposed to the flat roofs of Plots 1 and 3 blocks.

Be Seen

627 In accordance with the GLA 'Be Seen' guidance, metering will be provided to align with the requirements.

628 Officers remain satisfied with the consented energy strategy, and existing planning Conditions will ensure the approach is undertaken in full accordance prior to first occupation. The GLA have reviewed the strategy and raise no objections.

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Whole Life-Cycle Carbon

Policy

- 629 LPP SI 2 'Minimising greenhouse gas emissions' states that development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions. The GLA has released draft guidance and a reporting template.

Discussion

- 630 In accordance with LPP SI 2, a Whole Life-Cycle Carbon Assessment has been submitted to set out how the proposal will reduce life-cycle carbon emissions. The assessment covers a range of 'life-cycle modules' relating to different stages of a project over an assessment period of 60 years. The modules includes the construction process (Module A1 – A5); in use (Module B1 – B7); end of life (Module C1 – C4); and benefits and loads beyond the system (Module D).
- 631 The Modules capture a development's operational carbon emissions from regulated and unregulated energy use (the energy used to power and heat a building); and embodied carbon emissions, which is carbon released from raw material extraction, manufacture and transport of building materials, construction, and material disposal.
- 632 The assessment shows that the embodied carbon performance of the development for Modules A, B and C is expected to be 1855kgCO₂/m² over the 60 years, which is below the GLA 'benchmark' and GLA 'aspirational'. The submission advises this is 'subject to change' as future assessments provide updated performance figures. A planning condition will ensure this is further explored, and submitted to the LPA for review.

Overheating

Policy

- 633 LPP SI4 states that proposals should reduce potential overheating beyond Part L 2013 of the Building Regulations, reduce reliance on air conditioning systems and demonstrate this in accordance with the Mayor's cooling hierarchy. Policy D6(c) states new development should avoid overheating.
- 634 DMP 22 reflects regional policy, requiring all developments to maximise the incorporation of design measures to manage heat gain.
- 635 Further guidance is given in the Sustainable Design and Construction SPG (GLA) and Chapter 5 of the London Climate Change Adaptation Strategy.

Discussion

- 636 The application includes a Dynamic Overheating Assessment undertaken by Aecom. The development includes the provision of inset balconies on the residential blocks to maximise shading. Dwellings will primarily utilise openable windows for ventilation purposes.
- 637 Blinds will be provided that would allow individual occupants control of solar gain. Blinds would be either fixed to windows or a slotted blind design, such as venetian or vertical

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blinds, to allow air flow, and to avoid interfering with the effective opening area, whilst allow effective ventilation. Details of this will be required by condition.

- 638 As addressed earlier, in order to mitigate overheating, individual Mechanical Ventilation with Heat Recovery (MVHR) units are proposed to provide fresh air and extract ventilation for all apartments that would provide an effective means of ventilation to mitigate against overheating when the apartment windows are closed.
- 639 On the basis of the information submitted, 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.

Urban Greening

Policy

- 640 LPP G5 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.
- 641 CSP 7 expects urban greening and living roofs as part of tackling and adapting to climate change. DMP 24 requires all new development to take full account of biodiversity and sets standards for living roofs.

Discussion

- 642 The 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 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.
- 643 In this case, despite the provision of the pocket park, biodiverse roofs and podium landscaping, the submission states a UGF of 0.33 would be achieved. During the application period however, the applicant has reviewed this and since advised the UGF may be increased up to 0.37 by incorporating permeable podium and roof paving, and flower-rich perennial planting tree pits within Plot 3.
- 644 Most Plot 1 and 3 blocks will be afforded biodiverse living roofs, which are subject to existing planning Condition (25). It is noted that landscaping plans dating back to 2016 form part of the current submission and refers to 'sedum', which would not be supported. The applicant is aware of the need to construct biodiverse roofs that accord with the requirements of Condition (25).
- 645 External green walls had been considered by the applicant at the time of the submission in 2021, however concerns have since been raised toward them due to fire safety concerns generally, therefore green walls will not be provided as part of the proposal.
- 646 Officers welcome the potential increase in UGF to 0.37 and will seek to secure the uplift by Condition. The existing landscaping Conditions will require details of the proposed

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tree pits and paving that would assist in the uplift. The GLA have raised no objections to the original UGF of 0.33, stating that given the highly urbanised location and the significant improvement on the existing baseline, the greening strategy is acceptable.

Flood Risk

Policy

- 647 The NPPF expects inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. Development should only be allowed in areas at risk of flooding where mitigation measure can be included.
- 648 LPP SI 12 requires development proposals to ensure that flood risk is minimised and mitigated.
- 649 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.
- 650 Further guidance is given in the NPPG and the GLA Sustainable Design and Construction SPG.

Discussion

- 651 The 2015 officer Committee report advised that existing river defences provide protection against flooding which makes the site suitable for the proposed development. All sleeping accommodation will be 300mm above the predicted flood level and a flood evacuation plan and flood resilient construction is also proposed. As a consequence, the operational impact on tidal flood risk is considered to be minor adverse and a Condition will be attached to ensure the development is implemented in accordance with the Flood Risk Assessment.
- 652 The Environment Agency have been formally consulted with regard to the current proposal and have raised no objections, subject to Plots 1 and 3 adhering to the existing Condition (42) requiring the development to accord with the approved Flood Risk Assessment to ensure bedrooms are located 300mm above the predicted flood level, and to provide a flood warning evacuation plan.

Sustainable Urban Drainage

Policy

- 653 The NPPF at para 168 expects major development to incorporate sustainable urban drainage systems (SUDS) unless there is clear evidence it is inappropriate.
- 654 LPP SI 13 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. The LP expects development to contribute to safety, security and resilience to emergency, including flooding.

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- 655 Policy G4 requires SUDS unless there are practical reasons for not doing so. In addition, development should aim to achieve greenfield run-off rates and ensure surface water is managed in accordance with the policy's drainage hierarchy. The supporting text to the policy recognises the contribution 'green' roofs can make to SUDS. The hierarchy within the policy establishes that development proposals should include 'green' roofs and that Boroughs may wish to develop their own green roof policies. To this end, CSP 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which in effect, comprise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity for bio-diversity.
- 656 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.
- 657 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

- 658 The consented Flood Risk Assessment sets out proposals for surface water management, including a surface water drainage strategy providing an assessment of existing runoff rates, greenfield runoff rates, and required attenuation storage for a range of post-development discharge rates.
- 659 The officer Committee report stated, 'the application includes 4,130m² of living roofs across the site as part of the sustainable urban drainage strategy for the site as well as to increase biodiversity. Subject to detailed design and specification this is welcome and implementation of the living roofs (to a specification agreed by the Council) will be secured by condition. Overall these measures form an integral part of the proposed development and will improve the efficiency of water use, increase the sustainability of the proposed development, and attenuate run-off from the site. The measures are welcomed with details to be secured by condition.'
- 660 The submitted information has been reviewed by the Council's SuDS team and the GLA, who confirm they raise no objections to the s73 proposal, subject to complying with the existing planning Conditions.

Sustainable Infrastructure conclusion

- 661 Subject to adhering to existing planning Conditions as outlined above, the development remains 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 and biodiversity is a planning benefit of the scheme to which moderate weight is accorded.

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7.7 NATURAL ENVIRONMENT

General Policy

- 662 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 663 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 664 The NPPF at para 185 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.
- 665 LPP G1 sets out the Mayor of London's vision for Green Infrastructure as a multifunctional network that brings a wide range of benefits including among other things biodiversity, adapting to climate change, water management and individual and community health and well-being.

Ecology and biodiversity

Policy

- 666 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.
- 667 NPPF para 179 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 180 sets out principles which LPAs should apply when determining applications in respect of biodiversity.
- 668 LPP G5 seeks wherever possible to ensure that development makes a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 669 LPP G7 protects trees of value and replacements. New development should include additional trees wherever appropriate, particularly large-canopied species.
- 670 CSP 12 seeks to preserve or enhance local biodiversity.
- 671 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

- 672 Ecology and biodiversity matters were assessed in the extant scheme, and it was established that the existing site is of negligible ecological value and based on potential effects that may arise as a result of the proposed development, no adverse ecological impacts were anticipated. Based on surveys of the site and former buildings the ES concluded that the entire site had low potential for supporting bat roosts and habitat. In terms of birds, the only species of conservation importance found on the site was the

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Dunnock. The nesting site and foraging habitat will be lost as a consequence of the development however nesting habitat in the proposed amenity areas will provide alternative breeding territories.

- 673 Prior to commencement, details were submitted to the LPA in respect of Condition (37) of the extant scheme, which required a site-wide strategy for ecological enhancement and mitigation as outlined in Chapter 10 of the Environmental Statement, including a habitat management plan setting out details of monitoring arrangements. The approved site-wide ecological enhancement and mitigation strategy and habitat management plan was required to be implemented and fully complied with.
- 674 The current s73 application seeks to further enhance ecology and biodiversity within Plots 1 and 3 by way of the new pocket park that would replace Block 1A fronting Dragoon Road. The space would measure approximately 800sqm and would comprise a range of soft landscaping including tree planting and shrubs that will encourage bird roosting opportunities and habitats for other wildlife species. This will be applicable also to the adjacent first floor podium where hard and soft landscaping measures will be undertaken. Details will be subject to the relevant landscaping Condition.
- 675 The extant scheme proposed biodiverse roof areas within the two Plots, and planting measures in around and around the site. The submission identifies that the development of the site represents an opportunity to enhance biodiversity post-development. These include the provision of living roofs, native plantings at ground level and the installation of bird and bat boxes into the walls of buildings.
- 676 The Council's Ecology manager agrees with the findings in regard to the low ecological value, and the measures proposed, and seeks to ensure that proposed trees are appropriate species for this location.
- 677 Officers are therefore satisfied that the development on Plots 1 and 3 will ensure net biodiversity gain, in accordance with the extant scheme.

Impact of lighting

- 678 The NPPF at para 185 states that development should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 679 DM Policy 27 'Lighting' requires development to provide sensitive lighting schemes with particular consideration of the potential adverse impact on biodiversity.
- 680 Condition (17) of the extant scheme requires the submission of external lighting details, which will provide the mechanism to ensure that the lighting scheme minimises light spillage and any resulting impacts on neighbouring amenity and habitats.

Summary

- 681 The submitted information has been reviewed by the Council's Ecological Regeneration Manager who raises no objections to the findings or principle of measures proposed, subject to appropriate planning Conditions.

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Ground pollution

Policy

- 682 Failing to deal adequately with contamination could cause harm to human health, property and the wider environment (NPPG, 2014). The NPPF at para 174 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.
- 683 The NPPF states decisions should contribute to and enhance the natural and local environment by remediating and mitigating contaminated land, where appropriate (para 174). Further, the NPPF at para 183 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.
- 684 DMP 28 'Contaminated land' provides the policy basis for assessing development proposals in terms of site contamination.
- 685 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.
- 686 The test is that after remediation, land should not be capable of being determined as "contaminated land" under Part 2A of the EPA.

Discussion

- 687 Site contamination details, including a Closure Report were submitted to the LPA in accordance with Condition (44) for Plots 1 and 3. The submission details were reviewed by the Council's Environmental Protection (EP) officers, who raised no objections to the discharge of the Conditions.
- 688 No further site contamination details have therefore been provided as part of the current submission.

Air pollution

Policy

- 689 LPP SI1 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.
- 690 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.
- 691 Further guidance is given in the Mayor of London's Air Quality Strategy.

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Discussion

- 692 The application site lies within an Air Quality Management Area (AQMA). An AQMA is declared where it appears that any air quality standards or objectives are not being achieved, or are unlikely to be achieved within the relevant period. The local authority has to identify any parts of its area in which it appears that those standards or objectives are not likely to be achieved within the relevant period.
- 693 The Council's Air Quality Management Plan identifies AQMA3 Deptford to be an area where exceedances of vehicle emissions PM10 particles and NO2 have been modelled to be present. Air quality is actively monitored in the area as a whole.
- 694 The officer Committee report in 2015 advised that the assessment of the proposed (wider Deptford Landings) development concludes that total building NOx emissions are marginally above the benchmark level but that traffic emissions (NOx and PM10) are around 50% below the Transport Emission Benchmarks (TEB). Whilst the proposed development is considered to be air quality neutral in terms of transport emissions, a financial contribution towards existing air quality projects is considered necessary to ensure mitigation of the marginal exceedance of the building emissions benchmark. This was secured in the s106 Agreement.
- 695 An Air Quality Technical Note (Wood Consulting) has been submitted, which assesses the impact of the proposed amended development upon air quality during both the construction and operational phases.
- 696 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. Condition (41) requires the submission of dust mitigation measures prior to commencement.
- 697 In terms of the operational phase, the proposed development is assessed to be 'air quality neutral'. Despite the increase in heights and number of dwellings, due to the two plots essentially being car-free, apart from blue badge bays on Victoria Street, and the location of receptors 8-storeys above ground level, the current proposal would be result in no additional air quality impacts.
- 698 The submitted documents have been reviewed by the Council's Environmental Protection team, who raise no objections subject to Conditions. Temple reviewed the submission on behalf of the LPA and required additional information from the applicants. and independent consultants on behalf of the LPA (Temple), who raise no objection to the proposed development on air quality grounds.
- 699 Subject to appropriate planning conditions, it is considered that the proposed development would be acceptable with regard to air quality.

Water quality

Policy

- 700 The NPPF at para 174 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,

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wherever possible, help to improve local environmental conditions such as water quality, taking into account relevant information such as river basin management plans

Discussion

- 701 In terms of local water supply, Condition (14) of the extant permission requires the submission of impact studies of the existing water supply infrastructure prior to development, whilst surface water and foul water network infrastructure details are required in Condition (13).

Wind & Microclimate

Policy

- 702 LPP SI1 states tall buildings should not affect their surroundings adversely in terms of among other things microclimate and wind turbulence.
- 703 CSP 18(6) relates to microclimate and tall buildings.

Discussion

- 704 A Pedestrian Level Wind Microclimate Assessment (RWDI, May 2021) has been submitted as part of the application and provides a wind microclimate assessment based on a series of Wind Tunnel Testing (WTT) that informs whether the development would accord with the Lawson Comfort Criteria (LCC).
- 705 The LCC is comprised of five categories that include 'Sitting'; 'Standing', 'Strolling' and 'Walking'. 'Uncomfortable' addresses wind levels that are a nuisance for most activities. If the measured wind conditions exceed the threshold wind speed for more than 5% of the time, then they are unacceptable for the stated pedestrian activity and the expectation is that there may be complaints of nuisance or people will not use the area for its intended purpose.
- 706 The criteria for wind impacts are set out as follows:

Significance Criteria	Descriptor
Major adverse effect	Wind conditions are three categories windier than desired
Moderate adverse effect	Wind conditions are two categories windier than desired
Minor adverse effect	Wind conditions are one category windier than desired
Negligible	Wind conditions are similar to those desired
Minor beneficial effect	Wind conditions are one category calmer than desired
Moderate beneficial effect	Wind conditions are two categories calmer than desired
Major beneficial effect	Wind conditions are three categories calmer than desired

- 707 In this case, the impacts of the development have been assessed using four configurations and one Mitigation as part of the wind tunnel testing, which includes:

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Configuration 1: Existing Site with existing surrounding buildings and existing landscape (baseline).

Configuration 2: Plots 1, 2 and 3, existing surrounding buildings and proposed landscaping.

Mitigation 1: Plots 1, 2 and 3, existing surrounding buildings, proposed landscaping and wind mitigation measures.

Configuration 3: Plots 1, 2, 3, 4, 5, 6, existing surrounding buildings, mitigation on Plot 1 roof terrace, and proposed landscaping.

Configuration 4: All Plots with cumulative surrounding buildings, existing and proposed landscaping.

708 (Note that cumulative development includes Neptune Wharf - DC/10/75331, 350m to the south-west from the Site boundary; Scott House - DC/19/113332 to the immediate north-east of the Site boundary; and Convoys Wharf DC/13/83358, 100m to the south-east of the Site boundary.)

2015 Microclimate Assessment

709 The microclimate of locations assessed in the modelling work for the extant permission were identified as being suitable for 'sitting' to 'leisure walking', although a few locations were suitable for 'business walking' during construction in the windiest season. Mitigation during construction will include site hoardings around active parts of the site. Wind conditions in most locations were considered acceptable for their intended purpose several entrances, however Plot 1 observed windier than desired conditions. Entrances in Plots 2 and 3 achieved the required (or calmer) conditions. Mitigation of impacts within Plot 1 would be achieved through the proposed landscaping scheme which will reduce wind speeds to an acceptable level.

710 Amenity spaces on the podiums of Plots 1, 2 and 4-6 were considered likely to experience a mix of conditions but acceptable for a mixed-use amenity space. The proposed landscaping scheme would serve to reduce wind speeds further and have a beneficial effect. The amenity space close to Plot 3 observed the required conditions during the summer season. Several roof terraces observed conditions windier than desired and this will be mitigated by a 1.5m balustrade on Plot 1 and soft landscaping within the terraces.

711 With the implementation of the proposed landscaping scheme and identified mitigation measures, residual effects were considered to be negligible at worst.

Current s73 Assessment: Baseline

712 The current baseline for the site and surrounding area is 'sitting' to 'strolling' during the windiest season, which is the same as the 2015 assessment. In the Summer, wind conditions would be one category calmer - 'Sitting' to 'Standing'.

713 Entrances to Plot 2 are suitable for 'Sitting' and 'Standing'.

714 During the windiest season, conditions for nearby crossings on Evelyn Street and Oxestalls Road are suitable for 'Sitting' to 'Standing'.

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- 715 Bus-stops on Evelyn Street and Oxestalls Road are suitable for 'Sitting' in the windiest season. The Grove Street bus stop is assessed as 'Standing'.
- 716 Amenity spaces including Lower Pepys and the rear garden at 1-6 Leeway are suitable for 'Sitting' during the summer.
- 717 To areas around Eddystone Tower to the north of Deptford Landings, there are strong winds in the windiest season that presents a 'safety risk for pedestrians'.
- Current s73 Assessment: Configuration 4*
- 718 Wind conditions in and around the Development would range from suitable for 'Sitting' use to 'Strolling' use during the windiest season, which is the same as the baseline (Negligible effect).
- 719 Entrances to Plot 2 would remain suitable for 'Sitting' and 'Standing' (Negligible).
- 720 Crossings on Evelyn Street and Oxestalls Road would be suitable for 'Sitting' and 'Strolling', which is a change from 'Sitting' and 'Standing', however this is acceptable (Negligible).
- 721 Bus-stops on Evelyn Street, Oxestalls Road and Grove Street would be suitable for 'Standing' with the cumulative development in-situ. Whilst this would change from 'Sitting' at Evelyn St and Oxestalls Road, this would remain acceptable (Negligible).
- 722 Surrounding amenity spaces would retain 'Sitting' during the summer (Negligible).
- 723 The strong winds identified to areas around Eddystone Tower in the baseline would increase by 0.1 hours with the cumulative development in place. In Configuration 3 without the Scott House, Convoys Wharf and Neptune Wharf developments, the winds would be greater to the south-east of the Tower by 1.3 hours. Mitigation measures to maintain the baseline would include:
- Trees at least 3m high in planter boxes;
 - 1.5m wide and at least 1.5m high 50% closed porous screens scattered along the northern elevation of Oxestall Road; or
 - inclusion of 1.5m wide and 2m high at least 50% closed porous banners attached to the lampposts on Oxestall Road would be expected to provide beneficial shelter to the thoroughfare to the southeast of Eddystone Tower.
- 724 Whilst Temple have advised the principle of the measures may be acceptable, considering the occurrence of strong winds the effectiveness of the suggested mitigation must first be subject to wind tunnel testing. As such measures would fall outside the boundary of the application site, these would be secured in the amended s106 Agreement.
- 725 The landscaped Podium level in Plot 1 would be suitable for 'Sitting' and 'Standing', which would be a 'Negligible effect' if areas of seating are not located within 'Standing' areas.
- 726 Private terraces and balconies in Plots 1 and 3 would be suitable for 'Sitting' and 'Standing', which would be a 'Negligible effect' if seating is not located within 'Standing' areas.

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- 727 A terrace area at rooftop level of Block 1C would be ‘Strolling’, which is windier than suitable. A suggested measure to mitigate the harm is for the installation of 1.5m high solid screens at the north-west and south-east corner of the roof terrace. This would be detailed in the relevant planning Condition.
- 728 An area within the underpass entrance to Plot 3 would be suitable for ‘Strolling’ use, one category windier than required (Minor adverse). Mitigation would therefore be required, including;
- Appropriately located hedges at least 2m high, 1.5m wide;
 - at least 50% closed porous screens on either side of the entrance; or
 - recessing the entrance by 1.5m
- 729 Further details will be required by Condition.
- 730 The submission details have been considered by an independent consultant (Temple) on behalf of the LPA. They confirm that the Applicant’s baseline; proposed development; and cumulative development assessments were all based on wind tunnel testing, with use of meteorological data from Heathrow Airport adjusted for the effect of terrain roughness. Temple are satisfied with the methodology used to inform the outcomes, and confirm that assumptions are made on worst-case wind speeds between December and February.
- 731 Temple raise no objections to the principle of the proposed mitigation measure of landscaping; trees located in planters and lamp-post banners/ screens. Any removal of the implemented measures in the future would need full justification from a wind engineer.
- 732 Given the above, the proposed development is considered acceptable with regard to wind microclimate impacts, subject to appropriate measures of mitigation.

Waste and Circular Economy

Policy

- 733 LPP SI7 states resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to:
- 1) promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible;
 - 2) encourage waste minimisation and waste prevention through the reuse of materials and using fewer resources in the production and distribution of products;
 - 3) ensure that there is zero biodegradable or recyclable waste to landfill by 2026;
 - 4) meet or exceed the municipal waste recycling target of 65 per cent by 2030;
 - 5) meet or exceed the targets for each of the following waste and material streams:
 - a) construction and demolition – 95 per cent reuse/recycling/recovery

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b) excavation – 95 per cent beneficial use

6) design developments with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum,

Discussion

- 734 A 'Detailed Circular Economy Statement' Site Circular Economy Statement has been submitted, in accordance with LPPSI 7, and sets out the circular economy approach to resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal.
- 735 The Statement adopts the London Plan targets of 95% Excavation waste; 95% Demolition waste; 95% Construction waste; and 65% Municipal waste. The supplementary information also specifies that a minimum 20% target (by value) for recycled content in building materials should be considered, which the Statement confirms would be achieved, with the exception of demolition as the Plots have already been cleared.
- 736 It also details the anticipated waste arising from the residential and commercial units, estimating 505 tonnes per annum.
- 737 Condition (27) of the consented scheme will require prior to commencement of any Development Phase a plan containing the detailed strategy for the on/off-site disposal of contaminated waste (a 'Construction Waste Management Plan') which shall be submitted to and approved in writing by the local planning authority.
- 738 In addition, Condition (28) requires the submission of an Operational Waste Management Plan containing details for the disposal, processing, recycling and storage of operational waste and for the provision of composting facilities.
- 739 A Bill of Materials will be provided within a post construction report to confirm the 20% recycling target, and will be accompanied by an updated Circular Economy Statement when the proposed development is at full build out including reporting on the targets, commitments and outcomes that have been achieved, supported where necessary with evidence, including audits, correspondence, record drawings and images, specifications and product certifications. This would be secured via a planning condition.

Natural Environment conclusion

- 740 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 will deliver a net gain in terms of the provision of soft landscaping and trees, living roofs and wildlife boxes.

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7.8 PUBLIC HEALTH, WELL-BEING AND SAFETY

General Policy

- 741 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 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).
- 742 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.
- 743 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.
- 744 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.
- 745 LPP D1 Safety, Security and Resilience states that boroughs should work to maintain a safe and secure environment and reduce the fear of crime. Public health and well-being

Discussion

Consented scheme considerations

- 746 The officer Committee report in 2015 stated that the 'proposed development will give rise to additional demands on existing social infrastructure such as schools and health services. Funding of the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the borough is now secured through Community Infrastructure Levy (CIL) payments. As required by the CIL Regulations 2010 the Council has identified a list of types of the infrastructure that will be funded in whole or in part through CIL. These include state education facilities, public health care facilities, strategic transport enhancements, publicly accessible open space, allotments and biodiversity, strategic flood management infrastructure, publicly owned leisure facilities and local community facilities. Borough CIL payments arising from the proposed development amount to around £10m.'

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Current s73 considerations

- 747 It must be acknowledged that the development proposal is not seeking to increase the consented number of residential units within the wider Masterplan, but rather to incorporate the remaining 112no units that were originally allocated to Plots 4, 5 and 6. The resultant impacts upon infrastructure would therefore be similar to the extant permission as the overall provision of units across all Plots (excluding Plot 5 which is subject to a standalone application) would remain at 1,132 dwellings.
- 748 The conclusions set out in the 2015 officer report remain applicable with regard to the identified impacts arising upon local infrastructure that will be mitigated by the financial contributions agreed in the s106 and CIL contributions. Nevertheless, a further assessment of infrastructure impacts will be undertaken to consider changes that have occurred in the time since the extant scheme was granted.

Medical Facilities

- 749 Chapter 7 'Socio-Economic Effects' of the ES considers that the proposed Plots 1 and 3 proposal would be expected to generate a requirement for 0.5 FTE GPs (0.7 when including the occupied Plot 2.)
- 750 It identifies limited capacity in the three existing surgeries that lie within 1km of the application site, with the Grove Medical Centre being the nearest. Four pharmacies are located within 1km of Deptford Landings.
- 751 The three medical facilities have an overall average of 9.3 full-time GPs, and 32,781 registered patients, providing a GP to patient ratio of 1 per 3,525. This would exceed both the NHS SE London average of 1 GP per 2,403, and an average Lewisham ratio of 1 GP per 1,900.

Map Ref.	GP Practice Name	Patient List Size	FTE GPs excl trainees	FTE GPs excl trainees (rounded)	Average Patient List Size per FTE GP
1	Grove Medical Centre	12,390	3.8	3.8	3,261
2	Kingfisher Medical Centre	14,461	2.3	2.3	6,287
3	Park Medical Centre	5,930	3.2	3.2	1,853
Total		32,781	9.3	9.3	3,525

Table 8: Local GP centres

- 752 The scheme as consented would make a substantial financial contribution to the Borough Community Infrastructure Levy, which could potentially be directed towards additional public health and education facilities if these are considered to be a priority. The Lewisham Local Plan: Infrastructure Delivery Plan Framework Document will play an important role in assisting the Council to direct investment in line with the spatial strategy for the Borough, whilst ensuring there is appropriate provision of facilities, services and infrastructure to support sustainable development in Lewisham. Temple have raised no objections to the methodology undertaken in this case by the Applicants.

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Schools

- 753 In regard to schooling, the Plots 1 and 3 development would accommodate approximately 34 children - 27 primary; and 7 secondary school age.
- 754 When including Plot 2, the total number of children of school age would be 53no – 39 primary and 14 secondary.
- 755 Within 1km of the site are 5 primary schools, as shown in Table 10 below, (excluding Childeric which lies less than 0.25km beyond the catchment area.) The nearest is Deptford Park which lies directly opposite Plot 5. (Invicta is not included as it is comprised of separate sites in different Boroughs)

Map Ref.	School Name	Capacity	NOR	Surplus
1	Deptford Park Primary School	630	389	241 (38%)
2	Sir Francis Drake Primary School	330	226	104 (32%)
3	Grinling Gibbons Primary School	210	202	8 (4%)
4	Rotherhithe Primary School	420	336	84 (20%)
5	Childeric Primary School	420	383	37 (9%)
6	Invicta Primary School (Deptford Site)	-	-	-
Total		2,010	1,536	474 (24%)

Note: data from Annual School Census January 2022

Table 9: Local Primary schools

- 756 Table 9 sets out that all but one school has spare capacity that could accommodate the 39 primary aged children within Plots 1, 2 and 3. Deptford Park and Sir Francis Drake have high surplus levels of up to 38%. The overall surpluses for the four schools within the catchment area have increased by 4% since a 2020 survey.
- 757 In regard to secondary schools, 14 schools have been identified within the Borough, of which 10 have spare capacity, whilst the remaining 4no. are over subscribed. Whilst listed schools include those in the far south of the Borough, these lie within a reasonable distance from the site that can be reached by local bus routes or train. The nearest school is Deptford Green School, which is located within 1km of Deptford Landings, whilst Addey and Stanhope School lies just over 1km away.

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School Name	Capacity	NOR	Surplus
Deptford Green School	1,062	872	190 (18%)
Sydenham School	1,200	1,156	44 (4%)
Conisborough College	900	850	50 (6%)
Sedgehill Academy	1,530	570	960 (63%)
Forest Hill School	1,200	892	308 (26%)
Prendergast Ladywell School	1,020	871	149 (15%)
Addey and Stanhope School	600	594	6 (1%)
Trinity Church of England School, Lewisham	600	618	0 (0%)
Prendergast School	588	617	0 (0%)
Bonus Pastor Catholic College	875	920	0 (0%)
Haberdashers' Aske's Knights Academy	1,040	989	51 (5%)
Haberdashers' Aske's Hatcham College	1,064	1,086	0 (0%)
St Matthew Academy	900	787	113 (13%)
Prendergast Vale School	600	576	24 (4%)
	13,179	11,398	1,895 (14%)

Table 10: Secondary schools

- 758 Overall, it is clear that the application site lies within proximity of primary and secondary schools that have capacity to accommodate the increased need arising from the wider development. In the assessment undertaken for the extant scheme, it was identified that Plots 1, 2 and 3 would accommodate 72 children, 19 more than the updated assessment. The reduced demand is attributed to the reduction in family sized units, which has been addressed in this report.
- 759 When considering the wider Deptford Landings, the consented scheme for 1,132 units equated to 1,920 residents. It was estimated there would be demand for 66 primary school places; and 40 secondary school places.
- 760 In regard to nursery age, there would be approximately 60 children within Plots 1 and 3. There are 5no. nurseries that lie within a short walking distance located on Evelyn Street, and a further two on Grove Street. It is acknowledged that an assessment of nursery provision was not scoped into the ES as nursery and early years providers do not operate standardised capacities or hours as there is a wide range of provider types, whilst attendance is not mandatory.
- 761 In regard to employment the proposal would increase the provision of flexible commercial floorspace with an additional unit in Plot 1 from the consented 765 sqm (GIA) to 880 sqm (GIA), and Plot 3 from the consented 470 sqm (GIA) to 645 sqm (GIA).
- 762 The increased provision is supported, and would provide a 'Moderate beneficial' effect at local level. Based on employment densities from the Homes and Community Agency 'Employment Densities Guide 2015', the assessment forecasts that the floorspace would support an estimated 295-400 FTE jobs.
- 763 In terms of well-being, it is acknowledged that existing residents surrounding the site may be working from home, and so would experience construction works on a daily

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basis for a considerable period. The developers would be expected to adhere to the approved Construction and Environment Management Plan to ensure impacts arising from the works would be suitably managed, with a point of contact made known to occupiers to allow for communication during construction.

- 764 Post development, Plots 1 and 3 will provide high quality public realm spaces, including hard and soft landscaped areas. The development site lies within the wider Masterplan that will present 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. In addition, the site lies close to Pepys Park and Deptford Park, of which both provide play space and sports pitches.
- 765 Also within a 1km distance, there is one leisure centre; an adventure playground; two community centres; and two allotments.
- 766 Temple have reviewed the submission on behalf of the LPA, and they advise that the Applicant's methodology is considered appropriate and proportionate to the type and scale of the development proposed, whilst it is evident that the methodology and approach used for assessing economic and social effects are industry standard and clear.
- 767 Given the above, the proposed scheme is considered acceptable with regard to public health and wellbeing.

Public safety

Policy

- 768 Para 130 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.
- 769 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.
- 770 LLP 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.
- 771 CSP 15 requires development to minimise crime and the fear of crime.
- 772 LLP D12 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.

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Discussion

- 773 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.
- 774 As part of the design process, pre-application consultation took place with the Metropolitan Police Designing Out Crime Officer.
- 775 The Officer has reviewed the application submission and has commented there are many positives with this development, including the use of natural surveillance. It is requested 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.
- 776 In regard to fire safety, in accordance with LPPD12, and 'Planning Gateway One' (PGO), a Planning Statement forms part of the current submission, and the Health & Safety Executive was formally notified by the LPA of the application. The PGO was introduced in August 2021 following the Grenfell Tower fire Inquiry, and requires that fire safety is considered at an early stage of the development process.
- 777 The submission Statement was undertaken by a qualified Fire Safety Engineer, and outlines the minimum fire safety provisions for residential development. A general overview of the buildings comprising the scheme is provided, including means of escape; internal design features including sprinkler systems and smoke alarm installations; and access for fire service vehicles being in accordance with Part B5 regs.
- 778 A more detailed consideration of fire safety matters will be undertaken at Building Regulations stage.

8.0 LOCAL FINANCE CONSIDERATIONS

- 779 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).
- 780 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 781 The CIL is therefore a material consideration.
- 782 Approximately £10m was estimated to be payable on the extant permission, subject to indexation, and any valid applications for relief or exemptions. This would be confirmed at a later date in a Liability Notice.

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8.1 EQUALITIES CONSIDERATIONS

- 783 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.
- 784 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.
- 785 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.
- 786 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>
- 787 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
- 788 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>

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789 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.

8.2 HUMAN RIGHTS IMPLICATIONS

790 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

791 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.

792 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.

793 This application has the legitimate aim of providing new residential dwellings, commercial uses and public realm improvements. The rights potentially engaged by this application are not considered to be unlawfully interfered with by this proposal.

8.3 LEGAL AGREEMENT

794 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

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- b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development
- 795 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.
- 796 Officers have been in negotiations with the Applicant regarding a **Deed of Variation** of the Section 106 Agreement dated 23 March 2016 to address requirements arising from the redevelopment proposals that are considered necessary to make the development acceptable in planning terms.

Pocket Park

To be completed prior to first residential occupation, and ensure it is publicly accessible in perpetuity.

Submission of a Public Realm and Public Access Management Plan for approval, and detailing management and maintenance arrangements for the pocket garden.

Amenity Space & Children's Playspace

To ensure that equal access to the communal garden at podium level of Plot 1 is provided for residents of Plot 3 in perpetuity.

Provision of over 12s playspace within Waterline Way for children residing within Plots 1 and 3 prior to first occupation and retained in perpetuity.

Microclimate: Wind Mitigation

A financial contribution toward the provision of wind mitigation measures (eg tree pits or other design solutions as appropriate) to the identified area adjacent to Eddystone house to mitigate wind microclimate to the south-east corner. Details of the wind mitigation measures shall be submitted to and approved in writing by the LPA, and implemented in full prior to first occupation.

Safeguarding Provisions

The developer/ future land owners are required to inform all prospective future occupiers within the development of the nature and extent of commercial activities within Deptford Landings including days/ hours of operation; and

The potential for waterbourne freight cargo handling works at Convoys Wharf.

Details of how this will be undertaken will be submitted to the Council for approval and implemented in full accordance thereafter.

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Plot 5

Deletion of specific matters relating to Plot 5 in the Agreement dated 23 March 2016.

Monitoring Fee and Legal Costs

Meeting the Council's reasonable costs in preparing and monitoring the legal obligations. The monitoring costs in this instance would be payable on or prior to completion of the s106 agreement as per the Planning Obligations SPD.

797 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)

9.0 CONCLUSION

798 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.

799 The application site (Plots 1 and 3) lies within the Deptford Creek / Greenwich Riverside Opportunity Area, and the Masterplanned Deptford Landings site, and will deliver 489 of the consented 1,132 dwellings, an uplift upon the two Plots by 112 Market units. The Plots 1 and 3 provision alone represents a significant contribution to the Borough's current annual housing target of 29% on the basis of the London Plan. Significant weight is therefore afforded to this in planning terms.

800 The current minor material application proposes amendments to the consented scheme so that the 112 units can be suitably accommodated. The most notable change would be the provision of increased building heights, including an additional 11-storeys to the consented Building 1C (35-storeys), which officers consider would be appropriate for this location.

801 The proposed buildings 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 external communal amenity space and playspace.

802 The proposed development would achieve an excellent design quality befitting its prominent location. The materiality and detailed treatment of the buildings would be of a necessary high standard, which would be ensured by planning Conditions.

803 The proposals were developed in the context of extensive pre-application discussions with Council officers, the Greater London Authority and following a presentation to Lewisham's Design Review Panel. The applicant has also held pre-application consultation events to which local residents and stakeholders were invited.

804 The development would deliver high quality public realm including the provision of a pocket park, which did not form part of the extant scheme. The central spaces that would be publicly accessible within Plot 3 would be maintained, as would landscaping

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- measures around the perimeter of the site. The public realm is a major benefit of the scheme to which significant weight is attached in planning terms.
- 805 Other benefits of the proposed development include the provision of additional commercial floorspace, which would support job creation and economic benefits.
- 806 As detailed within this report, the proposed development would result in no significant harm upon designated heritage assets.
- 807 Whilst there would be some harm upon the protected view of Blackheath Point (London View Management Framework 6A.1), this report has set out the nature of the identified harm, and that the existing view of St Paul's Cathedral would not be affected by the development.
- 808 The proposed development would deliver substantive public benefits, including;
- Delivery of 489 new homes within the Borough, and the subsequent completion of the southern portion of the Masterplanned Deptford Landings;
 - Provision of employment and commercial units;
 - Up to 400 new full-time posts created within Plots 1 and 3;
 - Public realm improvements, including the new pocket park and soft landscaping to adjacent streets;
 - Ecological and biodiversity improvements arising from the landscaped pocket park and podium garden, and provision of bird/ bat habitats.
- 809 The proposed development would result in varying amenity harm to occupiers of neighbouring apartments through reductions in daylight and sunlight levels when compared to the consented scheme, in particular to the Plot 2 development. Some units/ habitable rooms would experience significant reductions (major adverse), which has been addressed in this report.
- 810 For the reasons set out above, it is considered that this impact must be considered in the context of the existing baseline context, and the need to apply BRE guidelines flexibly in the context of urban development within a designated opportunity area. 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 outweigh this harm.
- 811 In conclusion, the proposed development is considered to be in accordance with the relevant national planning policy guidance and development plan policies.
- 812 The proposed changes to the extant permission for Plots 1 and 3 are 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.

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10.0 RECOMMENDATION

RECOMMENDATION (A)

- 813 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)

- 814 Subject to no direction being received from the Mayor of London, authorise the Head of Law to complete a **Deed of Variation of the legal agreement under Section 106 (dated 23 March 2016)** of the 1990 Act (and other appropriate powers) to cover the principal matters as set out in Section 8 of this report, including other such amendments as considered appropriate to ensure the acceptable implementation of the development.

RECOMMENDATION (C)

- 815 Subject to completion of a satisfactory legal agreement, authorise the Head of Planning to **GRANT s73 PLANNING PERMISSION** subject to conditions including those set out below and such amendments as considered appropriate to ensure the acceptable implementation of the development.

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11.0 CONDITIONS

Definitions and Interpretation

AA1. Where in these Conditions the following terms of expressions are used, they shall have the meaning assigned:

Block: a building shown with a number and letter on Plan 2 annexed to the Section 106 Agreement (a copy of which plan is attached to this permission) and 'Blocks' shall be construed accordingly.

Development: The comprehensive redevelopment of land bounded by Oxestalls Road, Grove Street, Dragoon Road and Evelyn Street SE8, but excluding Scott House, 185 Grove Street (formerly known as Diploma Works) seeking outline planning permission (Phases 1-3) for the demolition of existing buildings on the site, excluding former Public House on Grove Street to facilitate the phased redevelopment of the site to provide up to 10,413 m² (GEA) non-residential floorspace comprising (A1) Shops, (A2) Financial & Professional Services, (A3) Restaurants & Cafés, (A4) Drinking Establishments, (A5) Hot Food Takeaways, (B1) Business, (D1) Non-Residential Institutions and (D2) Assembly & Leisure uses and an energy centre and up to 1132 residential units in buildings ranging from 3 to 24 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works and provision of open space and detailed planning permission (Phase 1) for up to 562 residential units and up to 5,692 m² (GEA) of non-residential floorspace comprising (A1) Shops, (A2) Financial & Professional Services, (A3) Restaurants & Cafés, (A4) Drinking Establishments, (A5) Hot Food Takeaways, (B1) Business, (D1) Non-Residential Institutions and (D2) Assembly & Leisure uses) in buildings ranging from 3 to 24 storeys in height, together with car and cycle parking, associated highway infrastructure, energy centre, public realm works and provision of open space.

Development Area One: means Plots 1, 2 and 3.

Development Phase: A phase of the Development as shown on the relevant Development Phase Plan submitted in accordance with condition 6(b). Each and every Development Phase shown on the respective Development Phase Plan submitted in accordance with condition 6 shall constitute a separate phase of the development authorised by this planning permission for the purposes of the Community Infrastructure Levy Regulations 2010 (as amended). A Development Phase may comprise any component works of the development and may either individually or collectively comprise infrastructure works; the Enabling Works; a Plot (or Plots), individual or multiple Blocks within Plots, and landscaping and infrastructure (including but not limited to drainage and utility infrastructure) or, in any case, part thereof.

Development Phase Plan: a plan identifying the set of works to be comprised within each Development Phase submitted in accordance with condition 6(b), and the relevant land on which those works are to be carried out.

Environmental Statement: means the Environmental Statement (ES) (submitted with the planning application in May 2015) together with the ES First Addendum (August 2015) and ES Second Addendum (September 2015).

Enabling Works: demolition, site clearance, decommissioning, laying and diversion of other services and service media (but not extending to the laying of foundations for the Development), construction of temporary access and/or highway works to enable the carrying out of the development, archaeological investigations and digs, exploratory boreholes, ecological surveys, investigations or assessments, remediation works, site preparation, construction of boundary fencing or hoardings for the purposes of site security including construction of boundary fencing

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between Plots or Blocks or part thereof, erection of temporary facilities for security personnel and site staff and the erection of security cameras and the Stage One Enabling Works.

Excluded Interest: any interest in the land in question which is held by the London Borough of Lewisham, or where the registered proprietor is the London County Council or the Greater London Council, or any interest which is unregistered at the date of this permission or any leasehold interest which has expired or been surrendered.

GIA: gross internal area as measured in accordance with the Royal Institution of Chartered Surveyors Code of Measuring Practice (6th edition).

Plot: all or any (as the context requires) of Plot 1, 2, 3, 4, 5 and/or 6.

Plot 1: Plot 1 within the Development as shown on Approved Drawing HKB-DEPT-PA-06-SIT-001 Rev 02.

Plot 2: Plot 2 within the Development as shown on Approved Drawing HKB-DEPT-PA-06-SIT-001 Rev 02.

Plot 3: Plot 3 within the Development as shown on Approved Drawing HKB-DEPT-PA-06-SIT-001 Rev 02.

Plot 4: Plot 4 within the Development as shown on Approved Drawing HKB-DEPT-PA-06-SIT-001 Rev 02.

Plot 5: Plot 5 within the Development as shown on Approved Drawing HKB-DEPT-PA-06-SIT-001 Rev 02.

Plot 6: Plot 6 within the Development as shown on Approved Drawing HKB-DEPT-PA-06-SIT-001 Rev 02.

Public Access Area: means the public access areas within the Development as shown on Plan 3 attached to the Section 106 Agreement (a copy of which plan is attached to this permission).

Section 106 Agreement: the agreement of even date with this permission and entered into between the Council (1) and Lend Lease Deptford Limited (2) pursuant to Section 106 of the Town and Country Planning Act 1990 (and other appropriate powers).

Stage One Enabling Works: means the works approved pursuant to;

(a) any works of demolition of the existing buildings shown shaded pink on drawing no. HKB-DEPT-S96A-SIT-001;

(b) site clearance and site remediation works within the blue line boundary shown edged in blue on the drawing no. HKB-DEPT-S96A-SIT-003;

(c) such other associated works necessitated by site clearance and remediation (including capping off, removal, laying or diversion of services) within the blue line boundary shown edged in blue on the drawing no. HKB-DEPT-S96A-SIT-003;

(d) an earthworks Mass Balance Assessment V2 and drawing no. KELT-6013-MBPA-001 Rev A (prepared by Keltbray remediation)

(e) a Preliminary Site Waste Management Plan dated June 2015 (Document Ref: 001 prepared by TRC Companies Ltd);

(f) a Written Scheme of Investigation for an Archaeological Evaluation (Version 1) dated March 2015 (prepared by CGMS);

(g) a Construction and Environmental Management Plan Revision 2 dated September 2015 (Document Ref: 0001 prepared by TRC Companies Ltd);

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- (h) a Detailed Quantitative Risk Assessment dated June 2015 (prepared by TRC Companies Ltd);
- (i) a Factual Intrusive Ground Investigation Report dated June 2015 (prepared by TRC Companies Ltd);
- (j) an Outline Remediation Strategy dated June 2015 (prepared by TRC Companies Ltd).

1. Approved Drawings and Documents – Detailed Components

Development of Plots 1, 2 and 3 shall be carried out in accordance with the drawings and other documents hereby approved and as detailed below:

Original Approved Drawings

Drawings: HKB-DEPT-EX-06-SIT-001 Rev 01; HKB-DEPT-EX-06-SIT-002 Rev 01; HKB-DEPT-EX-06-SIT-003 Rev 01; HKB-DEPT-EX-06-SIT-004 Rev 01; HKB-DEPT-PA-06-SIT-002 Rev 01; HKB-DEPT-PA-06-SIT-003 Rev 01; HKB-DEPT-PA-06-SIT-004 Rev 01; HKB-DEPT-PA-06-SIT-005 Rev 01; HKB-DEPT-PA-06-SIT-006 Rev 01; HKB-DEPT-PA-06-SIT-007 Rev 01; HKB-DEPT-PA-06-SIT-008 Rev 01; HKB-DEPT-02-06-GRD-001 REV 01; HKB-DEPT-02-06-L01-001 REV 01; HKB-DEPT-02-06-L07-001 REV 01; HKB-DEPT-02-06-L08-001 REV 01; HKB-DEPT-02-06-L09-001 REV 01; HKB-DEPT-02-06-L10-001 REV 01; HKB-DEPT-02-06-L11-001 REV 01; HKB-DEPT-02-06-RF-001 REV 01; HKB-DEPT-02-06-ELE-001 REV 01; HKB-DEPT-02-06-ELE-002 REV 01; HKB-DEPT-02-06-ELE-003 REV 01; HKB-DEPT-02-06-ELE-004 REV 01; HKB-DEPT-02-06-ELE-005 REV 01; HKB-DEPT-02-06-ELE-006 REV 01; HKB-DEPT-02-06-ELE-007 REV 01; HKB-DEPT-02-06-ELE-008 REV 01; HKB-DEPT-02-06-ELE-009 REV 01; HKB-DEPT-02-06-SEC-001 REV 01; HKB-DEPT-02-06-SEC-002 REV 01; HKB-DEPT-02-06-SEC-003 REV 01; HKB-DEPT-03-06-GRD-001 REV 01; HKB-DEPT-03-06-L01-001 REV 01; HKB-DEPT-03-06-L02-001 REV 01; HKB-DEPT-03-06-L03-001 REV 01; HKB-DEPT-03-06-L04-001 REV 01; HKB-DEPT-03-06-L05-001 REV 01; HKB-DEPT-03-06-L06-001 REV 01; HKB-DEPT-03-06-L07-001 REV 01; HKB-DEPT-03-06-L08-001 REV 01; HKB-DEPT-03-06-L09-001 REV 01; HKB-DEPT-03-06-L10-001 REV 01; HKB-DEPT-03-06-RF-001 REV 01; HKB-DEPT-03-06-ELE-001 REV 01; HKB-DEPT-03-06-ELE-002 REV 01; HKB-DEPT-03-06-ELE-003 REV 01; HKB-DEPT-03-06-ELE-004 REV 01; HKB-DEPT-03-06-ELE-005 REV 01; HKB-DEPT-03-06-ELE-006 REV 01; HKB-DEPT-03-06-ELE-007 REV 01; HKB-DEPT-03-06-ELE-008 REV 01; HKB-DEPT-03-06-ELE-009 REV 01; HKB-DEPT-03-06-ELE-010 REV 01; VGA-DEPT-02-90-LS-001 REV -; VGA-DEPT-02-94-LS-001 REV -; VGA-DEPT-02-94-LS-002 REV -; VGA-DEPT-02-97-LS-001 REV -; VGA-DEPT-02-97-LS-002 REV -; VGA-DEPT-03-90-LS-001 REV -; VGA-DEPT-03-94-LS-001 REV -; VGA-DEPT-03-94-LS-002 REV -; VGA-DEPT-03-97-LS-001 REV -; VGA-DEPT-03-97-LS-002 REV -; VGA-DEPT-01-90-SEC-001 REV -; VGA-DEPT-01-90-SEC-002 REV -; VGA-DEPT-02-90-SEC-001 REV 02; VGA-DEPT-02-90-SEC-002 REV 02; VGA-DEPT-02-90-SEC-003 REV -; VGA-DEPT-03-90-SEC-001 REV -; VGA-DEPT-03-90-SEC-002 REV -; VGA-DEPT-03-90-SEC-003 REV -; HOK-204829-01A-06-TYP-001 REV 1; HOK-204829-01A-06-TYP-002 REV 1; HOK-204829-01A-06-TYP-003 REV 1; HOK-204829-01B-06-TYP-004 REV 1; HOK-204829-01B-06-TYP-005 REV 1; HOK-204829-01B-06-TYP-006 REV 1; HKB-DEPT-02-06-TYP-000.1 REV 01; HKB-DEPT-02-06-TYP-000.2 REV 01; HKB-DEPT-02-06-TYP-001 REV 01; HKB-DEPT-02-06-TYP-002 REV 01; HKB-DEPT-02-06-TYP-003 REV 01; HKB-DEPT-02-06-TYP-004 REV 01; HKB-DEPT-02-06-TYP-005 REV 01; HKB-DEPT-02-06-TYP-006 REV 01; HKB-DEPT-02-06-TYP-007 REV 01; HKB-DEPT-02-06-TYP-008 REV 01; HKB-DEPT-02-06-TYP-009 REV 01; HKB-DEPT-02-06-TYP-010 REV 01; HKB-DEPT-02-06-TYP-011 REV 01; HKB-DEPT-02-06-TYP-012 REV 01; HKB-DEPT-02-06-TYP-013 REV 01; HKB-DEPT-02-06-TYP-014 REV 01; HKB-DEPT-02-06-TYP-015 REV 01; HKB-DEPT-02-06-TYP-016 REV 01; HKB-DEPT-02-06-TYP-017 REV 01; HKB-DEPT-02-06-TYP-018 REV 01; HKB-DEPT-02-06-TYP-019 REV 01; HKB-DEPT-02-06-TYP-020 REV 01; HKB-DEPT-02-06-TYP-021 REV 01; HKB-DEPT-02-06-TYP-022 REV 01; HKB-DEPT-02-06-TYP-023 REV 01; HKB-DEPT-02-06-TYP-024 REV 01;

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HKB-DEPT-02-06-TYP-025 REV 01; HKB-DEPT-02-06-TYP-026 REV 01; HKB-DEPT-02-06-TYP-027 REV 01; HKB-DEPT-02-06-TYP-028 REV 01; HKB-DEPT-02-06-TYP-029 REV 01; HKB-DEPT-02-06-TYP-030 REV 01; HKB-DEPT-02-06-TYP-031 REV 01; HKB-DEPT-02-06-TYP-032 REV 01; HKB-DEPT-02-06-TYP-033 REV 01; HKB-DEPT-02-06-TYP-034 REV 01; HKB-DEPT-02-06-TYP-035 REV 01; HKB-DEPT-02-06-TYP-036 REV 01; HKB-DEPT-02-06-TYP-037 REV 01; HKB-DEPT-02-06-TYP-038 REV 01; HKB-DEPT-02-06-TYP-039 REV 01; HKB-DEPT-02-06-TYP-040 REV 01; HKB-DEPT-03-06-TYP-000 REV 01; HKB-DEPT-03-06-TYP-001 REV 01; HKB-DEPT-03-06-TYP-002 REV 01; HKB-DEPT-03-06-TYP-003 REV 01; HKB-DEPT-03-06-TYP-004 REV 01; HKB-DEPT-03-06-TYP-005 REV 01; HKB-DEPT-03-06-TYP-006 REV 01; HKB-DEPT-03-06-TYP-007 REV 01; HKB-DEPT-03-06-TYP-008 REV 01; HKB-DEPT-03-06-TYP-009 REV 01; HKB-DEPT-03-06-TYP-010 REV 01; HKB-DEPT-03-06-TYP-011 REV 01; HKB-DEPT-03-06-TYP-012 REV 01; HKB-DEPT-03-06-TYP-013 REV 01; HKB-DEPT-03-06-TYP-014 REV 01; HKB-DEPT-03-06-TYP-015 REV 01; HKB-DEPT-03-06-TYP-016 REV 01; HKB-DEPT-03-06-TYP-017 REV 01; HKB-DEPT-03-06-TYP-018 REV 01; HKB-DEPT-03-06-TYP-019 REV 01; HKB-DEPT-03-06-TYP-020 REV 01; HKB-DEPT-03-06-TYP-021 REV 01; HKB-DEPT-03-06-TYP-022 REV 01

and documents; Development Specification (prepared by Quod); Lighting Assessment (prepared by AECOM); Statement of Community Involvement (May 2015); Planning Statement (prepared by Quod May 2015); Affordable Housing Statement (prepared by GL Hearn); Delivery Strategy (prepared by Lend Lease); Commercial Strategy (prepared by Lend Lease); Design Code (Volume 1. Architectural prepared by Hawkins/Brown and Volume 2. Landscape prepared by Vogt Landscape Ltd); Transport Assessment (prepared by Vectos); Framework Travel Plan (prepared by Vectos); Framework Delivery and Servicing Management Plan (prepared by Vectos); Parking Management Plan (prepared by Vectos); Draft Construction Environmental Management Plan (CEMP) (prepared by Lend Lease); Framework Construction Traffic Management Plan (prepared by Vectos); Energy Assessment (prepared by Peter Brett Associates LLP); Environmental Sustainability Statement (prepared by AECOM); Ventilation and Extraction Statement (prepared by AECOM); Health Impact Assessment (prepared by Quod); Tree Survey (prepared by CSa Environmental Planning); Environmental Statement (prepared by Quod) received 18th May 2015

Drawings: HKB-DEPT-EX-06-ELE-001 Rev 02; HKB-DEPT-EX-06-ELE-002 Rev 02; HKB-DEPT-EX-06-ELE-003 Rev 02; HKB-DEPT-EX-06-ELE-004 Rev 02; HKB-DEPT-EX-06-SIT-005 Rev 02; HKB-DEPT-EX-06-SIT-006 Rev 02; HKB-DEPT-PA-06-SIT-001 Rev 02; HOK-204829-01A-06-BAY-007 REV 2; HOK-204829-01AB-06-BAY-008 REV 2; HOK-204829-01B-06-BAY-009 REV 2; HOK-204829-01B-06-BAY-010 REV 2; HKB-DEPT-02-06-L02-001 REV 02; HKB-DEPT-02-06-L03-001 REV 02; HKB-DEPT-02-06-L04-001 REV 02; HKB-DEPT-02-06-L05-001 REV 02; HKB-DEPT-02-06-L06-001 REV 02; HKB-DEPT-02-06-BAY-001 REV 02; HKB-DEPT-02-06-BAY-002 REV 02; HKB-DEPT-02-06-BAY-003 REV 02; HKB-DEPT-02-06-BAY-004 REV 02; HKB-DEPT-02-06-BAY-005 REV 02; HKB-DEPT-03-06-BAY-001 REV 02; HKB-DEPT-03-06-BAY-002 REV 02; HKB-DEPT-03-06-BAY-003 REV 02; Received June 2015

HKB-DEPT-MP-06-SIT-001 Rev 02; HKB-DEPT-MP-06-SIT-002 Rev 02; HKB-DEPT-MP-06-SIT-003 Rev 02; HKB-DEPT-MP-06-SIT-004 Rev 02; HKB-DEPT-MP-06-ELE-001 Rev 03; HKB-DEPT-MP-06-ELE-002 Rev 03; HKB-DEPT-MP-06-ELE-003 Rev 03; HKB-DEPT-MP-06-ELE-004 Rev 03; HOK-204829-01-06-GRD-001 REV 2; HOK-204829-01-06-L01-002 REV 2; HOK-204829-01-06-L02-003 REV 2; HOK-204829-01-06-L03-004 REV 2; HOK-204829-01-06-L04-005 REV 2; HOK-204829-01-06-L05-006 REV 2; HOK-204829-01-06-L06-007 REV 2; HOK-204829-01-06-L07-008 REV 2; HOK-204829-01-06-L08-009 REV 2; HOK-204829-01-06-L09-010 REV 2; HOK-204829-01-06-L10-011 REV 2; HOK-204829-01-06-L11-012 REV 2; HOK-204829-01-06-L12-013 REV 2; HOK-204829-01-06-L13-014 REV 2; HOK-204829-01-06-L14-015 REV 2; HOK-204829-01-06-L15-016 REV 2; HOK-204829-01-06-L16-017 REV 2; HOK-204829-01-06-L17-018 REV 2; HOK-204829-01-06-L18-019 REV 2; HOK-204829-01-06-L19-020 REV 2; HOK-204829-01-06-L20-021 REV 2; HOK-204829-01-06-L21-022 REV 3; HOK-204829-01-06-L22-023 REV 3; HOK-204829-01-06-L23-024 REV 3; HOK-204829-01-06-RF-025

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REV 2; HOK-204829-01-06-ELE-001 REV 2; HOK-204829-01-06-ELE-002 REV 2; HOK-204829-01-06-ELE-003 REV 2; HOK-204829-01-06-ELE-004 REV 2; HOK-204829-01-06-ELE-005 REV 2; HOK-204829-01-06-ELE-006 REV 2; HOK-204829-01-06-ELE-007 REV 2; HOK-204829-01-06-ELE-008 REV 2; HOK-204829-01-06-SEC-001 REV 2; HOK-204829-01-06-SEC-002 REV 2; HOK-204829-01-06-SEC-003 REV 2; HOK-204829-01C-06-BAY-001 REV 3; HOK-204829-01C-06-BAY-002 REV 3; HOK-204829-01C-06-BAY-003 REV 3; HOK-204829-01C-06-BAY-004 REV 3; HOK-204829-01C-06-BAY-005 REV 3; HOK-204829-01C-06-BAY-006 REV 3; VGA-DEPT-XXX-90-LS-001 REV 01; VGA-DEPT-01-90-LS-001 REV 01; VGA-DEPT-01-94-LS-001 REV 01; VGA-DEPT-01-94-LS-002 REV 01; VGA-DEPT-01-97-LS-001 REV 01; VGA-DEPT-01-97-LS-002 REV 01; HOK-204829-01C-06-TYP-007 REV 2; HOK-204829-01C-06-TYP-008 REV 2; HOK-204829-01C-06-TYP-009 REV 2; HOK-204829-01C-06-TYP-010 REV 2; Environmental Statement Addendum (August 2015 prepared by Quod) Received 10th August 2015

Environmental Statement Non-Technical Summary (September 2015 prepared by Quod); Environmental Statement Second Addendum (September 2015 prepared by Quod) Received 22nd September 2015

Demolition and Remediation Information submission consisting of:

- (a) an earthworks Mass Balance Assessment V2 and drawing no. KELT-6013-MBPA-001 Rev A (prepared by Keltbray remediation);
- (b) a Preliminary Site Waste Management Plan dated June 2015 (Document Ref: 001 prepared by TRC Companies Ltd);
- (c) a Written Scheme of Investigation for an Archaeological Evaluation (Version 1) dated March 2015 (prepared by CGMS);
- (d) a Construction and Environmental Management Plan Revision 2 dated September 2015 (Document Ref: 0001 prepared by TRC Companies Ltd);
- (e) a Detailed Quantitative Risk Assessment dated June 2015 (prepared by TRC Companies Ltd);
- (f) a Factual Intrusive Ground Investigation Report dated June 2015 (prepared by TRC Companies Ltd);
- (g) an Outline Remediation Strategy dated June 2015 (prepared by TRC Companies Ltd)
- (h) drawing numbers HKB-DEPT-S96A-SIT-001; HKB-DEPT-S96A-SIT-003 Received 28th October 2015

Current s73 Plans (2023)

HOK-204829-01-06-GRD-001 Rev 7; HOK-204829-01-06-L01-002 Rev 7; HOK-204829-01-06-LXX-032 Rev 3; HOK-204829-01-06-LXX-033 Rev 3; HOK-204829-01-06-L32-034 Rev 3; HOK-204829-01-06-LXX-035 Rev 3; HOK-204829-01-06-RF-036 Rev 7; HOK-204829-01-06-ELE-001 Rev 8; HOK-204829-01-06-ELE-002 Rev 8; HOK-204829-01-06-ELE-003 Rev 8; HOK-204829-01-06-ELE-004 Rev 9; HOK-204829-01-06-ELE-006 Rev 8; HOK-204829-01-06-ELE-008 Rev 9; VGA-DEPT-01-90-SEC-001 Rev 03; VGA-DEPT-01-90-SEC-002 Rev 03; HOK-204829-01B-06-TYP-017 Rev 2; HOK-204829-01B-06-TYP-018 Rev 2; HOK-204829-01B-06-TYP-019 Rev 2; HOK-204829-01B-06-TYP-020 Rev 2; HOK-204829-01B-06-TYP-021 Rev 2; HOK-204829-01B-06-TYP-022 Rev 2; HOK-204829-01B-06-TYP-023 Rev 2; HOK-204829-01B-06-TYP-024 Rev 2; HOK-204829-01B-06-TYP-025 Rev 2; HOK-204829-01C-06-TYP-026 Rev 3; HOK-204829-01C-06-TYP-027 Rev 2; HOK-204829-01C-06-TYP-028 Rev 2; HOK-204829-01C-06-TYP-029 Rev 3; HOK-204829-01C-06-TYP-030 Rev 2; HOK-204829-01C-06-TYP-031 Rev 3; HOK-204829-01C-06-TYP-032 Rev 2; HOK-204829-01C-06-TYP-033 Rev 3; HOK-204829-01B-06-BAY-011 Rev 2; HOK-204829-01B-06-BAY-012 Rev 2; HOK-204829-01B-06-BAY-013 Rev 2; HOK-204829-01B-06-BAY-014 Rev 2; HOK-204829-01B-06-BAY-015 Rev 2; HOK-204829-01C-06-BAY-016 Rev 2; HOK-204829-01C-06-BAY-017 Rev 2; HOK-204829-01C-06-BAY-019 Rev 2; HOK-204829-01C-06-BAY-020 Rev 2; VGA-DEPT-01-90-LS-001 Rev 11; VGA-DEPT-01-97-LS-002 Rev 05; VGA-DEPT-01-94-LS-002 Rev 07; VGA-DEPT-01-94-LS-001 Rev 06; Site Location Plan; Plot 1 Landscape Strategy; Plot 1 Urban Greening; HKB-DEPT-03X-06-LXX-EL-0251 Rev P04; HKB-DEPT-03X-06-LXX-EL-0253 Rev P04; HKB-DEPT-03X-06-LXX-EL-0254 Rev P04;

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HKB-DEPT-03X-06-LXX-EL-0255 Rev P04; HKB-DEPT-03X-06-LXX-EL-0256 Rev P04;
HKB-DEPT-03X-06-LXX-EL-0257 Rev P04; HKB-DEPT-03X-06-LXX-EL-0258 Rev P04;
HKB-DEPT-03X-06-LXX-EL-0259 Rev P04; HKB-DEPT-03X-06-LXX-EL-0260 Rev P04;
HKB-DEPT-03X-06-LXX-EL-0261 Rev P04; HKB-DEPT-03X-06-LXX-EL-0262 Rev P03

HKB-DEPT-03X-06-L00-PL-0100 Rev P04; HKB-DEPT-03X-06-L01 -PL-0101 Rev P04;
HKB-DEPT-03X-06-L02-PL-0102 Rev P04; HKB-DEPT-03X-06-L03-PL-0103 Rev P04;
HKB-DEPT-03X-06-L04-PL-0104 Rev P04; HKB-DEPT-03X-06-L05-PL-0105 Rev P04;
HKB-DEPT-03X-06-L06-PL-0106 Rev P04; HKB-DEPT-03X-06-L07-PL-0107 Rev P04;
HKB-DEPT-03X-06-L08-PL-0108 Rev P04; HKB-DEPT-03X-06-L09-PL-0109 Rev P04;
HKB-DEPT-03X-06-L10-PL-0110 Rev P04; HKB-DEPT-03X-06-L11 -PL-0111 Rev P04;
6 HKB-DEPT-03X-06-L12-PL-0112 Rev P04; HKB-
DEPT-03X-06-L13-PL-0113 Rev P04;
HKB-DEPT-03X-06-LRF-PL-0114 Rev P04; HKB-DEPT-03B-06-LML-PL-0501 Rev P03;
HKB-DEPT-03D-06-LML-PL-0502 Rev P03; HKB-DEPT-03D-06-LML-PL-0504 Rev P03;
HKB-DEPT-03D-06-LML-PL-0505 Rev P03; HKB-DEPT-03B-06-LML-PL-0506 Rev P03;
HKB-DEPT-03B-06-LML-PL-0507 Rev P03; HKB-DEPT-03C-06-LML-PL-0508 Rev P03;
HKB-DEPT-03D-06-LML-PL-0509 Rev P03; HKB-DEPT-03D-06-LML-PL-0510 Rev P03;
HKB-DEPT-03D-06-LML-PL-0511 Rev P03; HKB-DEPT-03D-06-LML-PL-0512 Rev P03; HKB-
DEPT-03C-06-LML-PL-0514 Rev P03; HKB-DEPT-03D-06-LML-PL-0515 Rev P03; HKB-DEPT-
03D-06-LML-PL-0516 Rev P03; HKB-DEPT-03C-06-LML-PL-0517 Rev P03; HKB-DEPT-03C-
06-LML-PL-0518 Rev P03; HKB-DEPT-03D-06-LML-PL-0519 Rev P03; HKB-DEPT-03C-06-
LML-PL-0520 Rev P03; HKB-DEPT-03C-06-LML-PL-0523 Rev P03; HKB-DEPT-03B-06-LML-
PL-0524 Rev P03; HKB-DEPT-03B-06-LML-PL-0525 Rev P03; HKB-DEPT-03B-06-LML-PL-
0530 Rev P01; HKB-DEPT-03D-06-LML-PL-0541 Rev P02; HKB-DEPT-03D-06-LML-PL-0542
Rev P02; HKB-DEPT-03B-06-LML-PL-0543 Rev P02; HKB-DEPT-03B-06-LML-PL-0544 Rev
P01; VGA-DEPT-01-97-LS-001 Rev 07; VGA-DEPT-03-90-LS-001 Rev 13; VGA-DEPT-03-90-
SEC-001 Rev 07; VGA-DEPT-03-94-LS-001 Rev 07; VGA-DEPT-03-94-LS-002 Rev 09; VGA-
DEPT-03-97-LS-001 Rev 10; VGA-DEPT-03-97-LS-002 Rev 10; VGA-DEPT-03-90-SEC-002
Rev 05; VGA-DEPT-03-90-SEC-003 Rev 05

Reason: To ensure that the Development is carried out in accordance with the approved plans and drawings and other documents submitted with the application and to ensure that the Development is acceptable to the local planning authority and further the Development accords with the EIA undertaken.

2) Approved Drawings – Outline Components

All reserved matters applications shall include a statement to demonstrate compliance with the parameters, plans and principles set out in the Development Specification, the Parameter Plans (HKB-DEPT-PA-06-SIT-001 Rev 02; HKB-DEPT-PA-06-SIT-002 Rev 01; HKB-DEPT-PA-06-SIT-003 Rev 01; HKB-DEPT-PA-06-SIT-004 Rev 01; HKB-DEPT-PA-06-SIT-005 Rev 01; HKB-DEPT-PA-06-SIT-006 Rev 01; HKB-DEPT-PA-06-SIT-007 Rev 01; HKB-DEPT-PA-06-SIT-008 Rev 01), the Energy Strategy, the Design Code: Volume 1 Architectural and the Design Code: Volume 2 Landscape.

Reason: To ensure that the Development is carried out in accordance with the approved plans and drawings and other documents submitted with the application and to ensure that the Development is acceptable to the local planning authority and further the Development accords with the EIA undertaken.

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3) Time Limit – Outline Components

(a) No part of the Development (other than Enabling Works) shall be commenced on Plot 4, 5 or 6 unless and until an application for written approval of the matters reserved by this planning permission (the “Reserved Matters”) in respect of the relevant part of the Development has been made to and approved in writing by the local planning authority. The Reserved Matters application or applications shall include detailed plans, sections and elevations showing:

- (i) Layout
- (ii) Scale
- (iii) Appearance
- (iv) Landscaping
- (v) Means of access

(b) Application(s) for approval of the Reserved Matters for Plot 4, 5 or 6 must be made not later than the expiration of EIGHT YEARS from the date of the grant of this permission; and

(c) Development of any of Plot 4, 5 or 6 must be begun not later than the expiration of FIVE YEARS from the final approval of reserved matters for that Plot, or, in the case of approval on different dates, the approval of the last such matter to be approved for that Plot.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4) Time Limit – Detailed Components

The Development within Development Area One must be begun not later than THREE years from the date of the grant of this permission.

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

5) Restriction on commencement until interests bound

- a) Unless the local planning authority shall have first agreed in writing that it is not necessary to bind the particular interest or interests in question or the interest is an Excluded Interest, no works (other than the Enabling Works) shall be carried out under this permission on any land within Plot 3 unless and until all legal and equitable interests in the land comprised within Plot 3 have been bound by the provisions of the Section 106 Agreement and title in respect of such interests has been deduced to the local planning authority.
- b) Unless the local planning authority shall have first agreed in writing that it is not necessary to bind the particular interest or interests in question or the interest is an Excluded Interest, no works (other than Enabling Works) shall be carried out under this permission on any land within Plot 4 unless and until all legal and equitable interests in the land comprised within Plot 4 have been bound by the provisions of the Section 106 Agreement and title in respect of such interests has been deduced to the local planning authority.
- c) Unless the local planning authority shall have first agreed in writing that it is not necessary to bind the particular interest or interests in question, no works shall be carried out under this permission on any land within Plot 5 unless and until all legal and equitable interests in the land shown shaded blue and hatched black on Plan 9 attached

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to the Section 106 Agreement (a copy of which plan is attached to this permission) have been bound by the provisions of the Section 106 Agreement and title in respect of such interest or interests has been deduced to the local planning authority.

- d) Unless the local planning authority shall have first agreed in writing that it is not necessary to bind the particular interest or interests in question or the interest is an Excluded Interest, no works (other than Enabling Works) shall be carried out under this permission on any remaining land within Plot 5 (that is to say any land within Plot 5 other than the land referred to in part (c) of this condition) unless and until all legal and equitable interests in such remaining land within Plot 5 have been bound by the provisions of the Section 106 Agreement and title in respect of such interests has been deduced to the local planning authority.

Reason: To avoid piecemeal Development across the site and to ensure that the Development of EIA Phases 2 and 3 does not commence until comprehensive Development of the site can be delivered in accordance with Core Strategy Policy SSA4 and further to ensure that all parts of the Site are appropriately bound by the planning obligation requirements relating to the Development.

6) Phasing

- a) Unless otherwise approved in accordance with Condition 7, the Development shall be carried out in accordance with the following programme:

EIA Phase	Component works*
Stage One Enabling Works	
1A	Pub Refurbishment Blocks 2A, 2B, 2C, 2D and 2E Blocks 1A, 1B and 1C Any Enabling Works not carried out during the Stage One Enabling Works may be carried out within this EIA Phase
1B	Blocks 3A, 3B, 3C and 3D Blocks 1A, 1B and 1C Any Enabling Works not already carried out within the Stage One Enabling Works and Phase 1A may be carried out within this EIA Phase
2	Blocks 4A, 4B, 4C and 4D Any Enabling Works not already carried out within the Stage One Enabling Works, Phases 1A and 1B may be carried out within this EIA Phase
3	Blocks 5A, 5B, 5C, 5D and 5E Blocks 6A, 6B and 6C Any Enabling Works not already carried out within the Stage One Enabling Works, Phases 1A, 1B and 2 may be carried out within this EIA Phase

*works comprised within each EIA Phase are not required to be carried out in any sequence or order. Any Enabling Works (including demolition, site remediation and site preparation) may be carried out at various stages throughout the development and are not required to be carried out in any sequence or order.

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- b) Prior to the commencement of any Development Phase a Development Phase Plan in respect of that Development Phase must be submitted to the local planning authority;
- c) Subject to condition 7, the Development shall be carried out in accordance with the programme set out in part (a) of this condition.

Reason: To ensure that the Development is carried out with the sequencing/phasing in the approved delivery strategy; and accords with the EIA undertaken; and to ensure the comprehensive development of the Site; and that the development is implemented in accordance with the general and site specific policies set out in the Core Strategy Policy 4 and Strategic Site Allocations 1 and 4 and to assist with the identification of each chargeable development (being the Development Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in accordance with the Community Infrastructure Levy Regulations 2010 (as amended)

7) Revisions to phasing programme

- a) No departure shall be made from the approved phasing programme set out in Condition 6 (a) without the written approval of the local planning authority which shall be obtained prior to the commencement of the relevant EIA Phase and (without prejudice to the exercise of the Council's statutory discretion as local planning authority) no such approval shall be given unless it is demonstrated that any revision to the phasing programme:
 - i) is unlikely to give rise to any new or different significant environmental effects in comparison to the Development as approved in this permission and assessed through the Environmental Impact Assessment (EIA) process prior to the grant of this permission (unless and to the extent that such changes are validly approved by the local planning authority after being assessed by an environmental statement or further environmental information (as appropriate) and an appropriate EIA process in accordance with part (b) of this condition); and
 - ii) will secure the comprehensive phased development of the Site in accordance with Core Strategy Policy 4 and Core Strategy Strategic Allocation Policies 1 and 4.
- b) Any application for approval pursuant to part (a) (i) of this condition shall be accompanied by a written statement (together with other documents or information as necessary) which demonstrate that the revised phasing programme is unlikely to give rise to any new or different significant environmental effects in comparison to the Development as approved in this permission and assessed through the EIA process prior to the grant for this permission, provided that if the said written statement concludes that the revised phasing programme is likely to have such effects, then the application under this condition 7 shall be accompanied by further environmental information assessing those effects.

Reason: To ensure that the Development of EIA Phases 2 and 3 does not commence until comprehensive Development of the site can be delivered in accordance with Core Strategy Policy

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SSA4 and further to ensure that all parts of the Site are appropriately bound by the planning obligation requirements relating to the Development and in accordance with the EIA.

8) Total Built Non-Residential Floorspace

The total built floorspace for non-residential uses within the Development shall not exceed the following floorspace for individual land uses in respect of each Plot:

Plot	Use Class	M ² (GIA)*
1	A1/A2/A3/A4/A5/D1/D2/B1	963
2	A1/A2/A3/A4/A5/D1/D2/B1	453
	Energy Centre (Sui Generis)	153
3	A1/A2/A3/A4/A5/D1/D2/B1	1362
	B1	3969
4, 5 and 6	A1/A2/A3/A4/A5/D1/D2/B1	4 402
		5 391
		6 0
	B1	4 0
		5 1937
		6 0
Total	A1/A2/A3/A4/A5/D1/D2/B1	3,571
	B1	6,059
	Energy Centre	173

*All areas include ancillary uses

Reason: To ensure that the Development remains within the parameters assessed for EIA purposes.

9) Total Residential Units

The total built number of residential units within the Development shall not exceed the following unit numbers for each Plot:

Plot	Residential Units Dwellings
1	305
2	203
3	184

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4, 5 & 6	440
Total	1,132

Reason: In order that the local planning authority is satisfied with the details of the proposed Development.

10) Land Use Reconciliation

Each application for the approval of Reserved Matters shall be accompanied by a statement that sets out how the non-residential floorspace and residential unit numbers subject to the Reserved Matters submission relates to the overall limits of non-residential floorspace and residential unit numbers permitted pursuant to conditions 8 and 9.

Reason: In order that the local planning authority is satisfied with the details of the proposed Development.

11) A1 Floorspace

- a) Not more than 700m² (GIA) of the Class A1 floorspace shall be used for convenience retail purposes;
- b) Not more than 500m² (GIA) of the Class A1 floorspace (not including any such floorspace for convenience retail purposes falling within part (a) of this condition) shall be used for the sale of food;
- c) No retail unit (other than for Class A1 food retail floorspace) shall be greater than 250m² (GIA).

Reason: To ensure that the amount of A1 floorspace provided at the site does not adversely affect the viability and vitality of existing town and district centres, and to comply with Core Strategy Policy 6 (Retail hierarchy and location of retail Development), Development Management Policy DM 13 Location of Main town centre uses.

12) Detail for Outline Components

Prior to the commencement of the Development (other than Enabling Works) in Plots 4, 5 or 6, detailed drawings including general arrangement plans, elevations and sections (at 1:50 to 1:20 or at another scale considered appropriate) for that Plot shall be submitted to and approved in writing by the local planning authority. Development of the relevant Plot shall be carried out in accordance with the details approved under this condition.

Reason: To ensure that the Development is of a satisfactorily high design standard to ensure that it makes a positive contribution to the appearance of the locality and to comply with Core Strategy Policy 4 (Mixed use Employment Locations) 15 (High quality design for Lewisham), Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character, DM Policy 32 Housing design, layout and space standards.

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13) Waste Water

- a) Prior to the commencement of Development (other than Enabling Works), details of a strategy for the provision of foul water drainage works (including the timetable for those works) shall be submitted to and approved in writing by the local planning authority;
- b) The foul water drainage works shall be carried out and completed in accordance with the drainage strategy approved pursuant to part (a) of this condition;
- c) Prior to the occupation of any Block, the drainage works related to that Block (as specified in the drainage strategy approved pursuant to part (a) of this condition) shall be completed.

Reason: To comply with Core Strategy Policy 10 Managing and reducing the risk of flooding (2011) and Development Management Local Plan (November 2014) DM Policy 28 Contaminated Land.

14) Water Supply

With the exception of Enabling Works, the Development shall not commence until impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the local planning authority. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point installed.

Reason: To comply with Policy 8 Sustainability design and construction energy efficiency of the Core Strategy (June 2011).

15) External materials (Blocks)

- (a) Prior to the commencement of the above ground construction of any Block(s), details, including samples, of all facing materials (including their colour and texture) to be used on that Block(s) must be submitted to and approved in writing by the local planning authority and such details to be submitted for approval shall include:
 - For all Blocks (excluding Blocks 1C and 5A) facing material samples (including their colour and texture) at a minimum size of 1.0m x 1.0m and shall include window frames and surrounding cladding. For Blocks 1C and 5A mock up samples at a minimum size of 3.0m x 3.0m including window frames and surrounding cladding;
 - Façade design and detailing at 1:20 or 1:5 scale (or at another scale considered appropriate);
 - Cladding specification, setting-out and detailing around window cills, reveals, copings and flashing at 1:20 scale or 1:5 scale (or at another scale considered appropriate);
 - Window design and specification including window reveals, spandrels and glazing types at 1:20 or 1:5 scale (or at another scale considered appropriate);
 - Entrance details including residential and commercial entrances, refuse areas and sub-station doors and louvres;

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- Balcony guarding and balustrade at 1:20 or 1:5 scale (or at another scale considered appropriate).
- (b) The Development shall be carried out in accordance with the details approved under part (a) of this condition, unless the local planning authority agrees in writing to any variation.

Reason: To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

16) Public Realm Details/Public Access Areas

- a) Within 6 months of the commencement (excluding Enabling Works) of any Development Phase involving the construction of all or part of the Public Access Areas, detailed plans and specifications for all the Public Access Areas within that Development Phase including both hard and soft landscaping, street furniture, lighting, drainage and proposed levels shall be submitted to and approved in writing by the local planning authority;
- b) Construction of the Public Access Areas shall be carried out and completed in accordance with the details approved pursuant to part (a) of this condition.

Reason: To ensure that the Development is of a satisfactorily high design standard to ensure that it makes a positive contribution to the appearance of the locality and to comply with Core Strategy Strategic Site Allocation 4 (Oxestalls Road) 15 (High quality design for Lewisham), Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and DM Policy 35 Public Realm.

17) External lighting and CCTV

- a) Details of all external lighting and CCTV to be installed in relation to each Block including details of directional hoods and measures to prevent light spillage shall be submitted to the local planning authority and approved in writing before being installed;
- b) All such external lighting and CCTV in relation to each Block shall be installed in accordance with the details approved pursuant to part (a) of this condition before any dwelling and / or non-residential unit in such Block is occupied and thereafter the external lighting (including any directional hoods) and CCTV shall be retained in accordance with the approved details;
- c) The details submitted for approval pursuant to part (a) of this condition, shall be accompanied by a supporting statement which confirms that the details meet The Institution of Lighting Engineers, Guidance Notes For The Reduction Of Obtrusive Light, with post-curfew levels of 2 lux at any residential habitable room and demonstrates that the proposed lighting and CCTV is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

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- d) The details submitted for approval pursuant to part (a) of this condition shall avoid unnecessary illumination of the bat boxes to be installed pursuant to this permission and the foliage of the trees on the site.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with DM Policies 24 and 27 Lighting of the Development Management Local Plan (November 2014).

18) Shopfronts for non-residential floorspace

Not later than 12 months prior to the occupation of any Block which includes A1-A5 floorspace, elevational and sectional details (1:50 and 1:20 scale) of shopfronts to all A1-A5 uses within that Block shall be submitted to and approved in writing by the local planning authority. The said shopfronts shall be installed in accordance with the approved details.

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

19) Accessibility

- a) Not fewer than 66 residential units within Development Area One shall be wheelchair accessible or shall be easily adaptable for wheelchair users (Plot 2 designed to SELHP November 2012 standards and Plots 1 and 3 designed to Approved Document M to the Building Regulations 2010);
- b) Prior to the commencement of Plot 2 (other than Enabling Works) detailed design drawings for each dwelling type within that Plot demonstrating compliance with Lifetime Homes standards and identifying the wheelchair units referred to in part (a) of this condition shall be submitted to and approved in writing by the local planning authority;
- c) Prior to the commencement of Plot 2 (other than Enabling Works) detailed design drawings for each dwelling type within that Plot demonstrating compliance with part (a) of this condition must be submitted to and approved in writing by the local planning authority.

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

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20) **BREEAM**

- a) The non-residential units hereby approved shall achieve a minimum BREEAM rating of 'Very Good';
- b) No Development, other than Enabling Works, shall commence in any Block containing non-residential units until a Design Stage certificate (prepared by a Building Research Establishment qualified Assessor) in respect of that Block has been submitted to and approved in writing by the local planning authority demonstrating compliance with part (a) of this condition;
- c) Within 6 months of occupation of any non-residential unit, evidence shall be submitted to the local planning authority in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) of this condition in respect of that unit.

Reason: To comply with Policy SI 2 Minimising greenhouse gas emissions in the London Plan (2021) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

21) **Overheating**

- a) No later than 9 months from commencement of development of each Plot (excluding Enabling Works), a scoping assessment report shall be submitted to the local planning authority for approval, identifying the need for overheating analysis in respect to that Plot (including the assumptions used in the analysis);
- b) Where the scoping assessment report (based on SAP design stage outputs for a given dwelling type) identifies a risk of overheating above 'slight', the report shall be supplemented by an overheating analysis conducted for that dwelling type and any resultant necessary additional passive measures identified. The analysis shall be undertaken using dynamic simulation software to show compliance with the procedures described in CIBSE TM52: 2013 - The limits of thermal comfort: avoiding overheating in European buildings and use appropriate current weather data. The report should also include the results of the analysis and any required mitigation proposals;
- c) Any required mitigation proposals pursuant to part (b) of this condition shall be installed and retained accordingly.

Reason: To comply with SI 1 Improving air quality and SI 4 Managing heat risk London Plan (2021) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

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22) Energy savings

- a) All Blocks shall be constructed in accordance with the approved Environmental Sustainability Statement in order to:
- achieve a minimum of 35% improvement in the Target Emission Rate (TER) over the 2013 Building Regulations Part L1A minimum requirement to accord with current (April 2015) GLA requirements for carbon reduction; and
 - provide a whole house assessment of the efficiency of internal water fittings of a maximum of 105L per person per day (applicable to residential units only).
- b) Within 3 months of occupation of any of the residential units hereby approved, evidence (prepared by a suitably qualified assessor) to demonstrate full compliance with part (a) of this condition for each unit shall be submitted to and approved in writing by the local planning authority.

Reason: To comply with SI 2 Minimising greenhouse gas emissions and Policy SI 3 Energy infrastructure of the London Plan (2021) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

23) District Heating

- a) An on-site Combined Heat and Power (CHP) network supplying all residential and non-residential units in the Development shall be installed and shall be sized to the space heating and hot water requirements of the Development, unless evidence is provided to show full connection to an operational Off-Site Combined Heat and Power (OSCHP). The network shall have the following characteristics:
- (i) A minimum of 1 No. CHP engine shall be operational by no later than the date of first occupation of the 651st residential unit and shall thereafter serve all completed residential units and non-residential units within the Development;
- (ii) The CHP network shall be supplied with heat generating plant installed in a single energy centre or an OSCHP network; and
- (iii) By no later than the completion of the 1,100th residential unit combined heat and power capacity shall be installed in the single energy centre with an electrical output capacity of 756 kWe, serving all residential and non-residential units within the Development;

Reason: To comply with SI 2 Minimising greenhouse gas emissions and Policy SI 3 Energy infrastructure of the London Plan (2021) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

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24) Performance of the Energy Centre and future connection to an OSCHP

- a) Prior to the commencement of the Development (other than Enabling Works) a written specification for the Energy Centre demonstrating the carbon-dioxide emission reductions to be achieved together with written information, drawings and sections showing a scheme for the provision of conduits and/or ducting for future potential connection to an OSCHP scheme and network shall be submitted to and approved in writing by the local planning authority;
- b) No part of the Development shall be occupied until the Energy Centre (in so far as it relates to the completed units) has been constructed and conduits and/or ducting for future connection to an OSCHP installed in accordance with the scheme and written specification approved pursuant to part (a) of this condition;
- c) All residential units and non-residential uses shall be constructed so as to be connected to and to take their energy supply from the Energy Centre.

Reason: To comply with SI 2 Minimising greenhouse gas emissions and Policy SI 3 Energy infrastructure of the London Plan (2021) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

25) Living Roofs

- a) Living roofs shall be provided within the Development in accordance with drawings approved under conditions 1 and 2 (as relevant to the living roof in question), the Development Specification, Design and Access Statement: Volume 1 Architectural (May 2015) and Addendum (August 2015), Design and Access Statement: Volume 2 Landscape (May 2015) and Addendum (August 2015) the Design Code: Volume 1 Architectural and the Design Code: Volume 2 Landscape. The living roofs shall be maintained as such thereafter;
- b) The living roofs shall not be used for play or recreation and shall only be used in the case of essential maintenance or repair, or escape in case of emergency;
- c) Within 12 months of the commencement of any Block that is to have a living roof, details of living roofs (including roof plans to a scale of 1:50, cross-sections to a scale of 1:20, specification and details of a substrate base, species to be planted and details of management) for that Block shall be submitted to the local planning authority for approval;
- d) Living roofs for any Block that is to have a living roof shall be completed in accordance with the details approved under part (c) of this condition and no part of any Block containing living roofs shall be occupied until written evidence that the living roofs for that Block have been completed (subject only to planting) in accordance with the details approved pursuant to part (c) of this condition has been submitted to the local planning authority;
- e) Living roofs, for any Block which is to have a living roof, shall be planted or seeded during the first planting season following the practical completion of the Block in question in accordance with the details approved under part (c) of this condition.

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Reason: To comply with Policies G5 Urban greening, G6 Biodiversity and access to nature, SI 12 Flood risk management and SI 13 Sustainable drainage of the London Plan (March 2021), 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).

26) Electric Vehicle Charging Points

- a) Of the total car parking provision, the Development shall provide 20% active and 20% passive electric vehicle charging points;
- b) Within 12 months of commencement of each Plot (excluding Enabling Works) a parking plan showing the number, location and specification of the electric charging points relevant to each Plot along with a programme for their installation and maintenance in relation to that Plot shall be submitted to the local planning authority for approval;
- c) The electric vehicle charging points as approved pursuant to part (b) of this condition shall be installed prior to first occupation of any Plot in relation to which the electric vehicle charging points are to be provided;
- d) Once installed, the electric vehicle charging points shall be maintained thereafter in accordance with the details approved under part (b) of this condition.

Reason: To reduce pollution emissions in an Air Quality Management Area in accordance with Policies SI 1 Improving air quality and T6 Car-parking in the London Plan (March 2021), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

27) Construction Waste Management Plan

- a) The Stage One Enabling Works shall be carried out in accordance with the approved:
 - i) Earthworks Mass Balance Assessment V2 and drawing no. KELT-6013-MBPA-001 Rev A (prepared by Keltbray remediation); and
 - ii) Preliminary Site Waste Management Plan dated June 2015 (Document Ref: 001 prepared by TRC Companies Ltd).
- b) Prior to commencement of any Development Phase including any site remediation works (but excluding the Stage One Enabling Works and any Development Phase within the blue line boundary shown on drawing no. HKB-DEPT-S96A-SIT-003) an earthworks mass balance calculation shall be undertaken and submitted to and approved in writing by the local planning authority;
- c) Prior to commencement of any Development Phase (but excluding the Stage One Enabling Works) a plan containing the detailed strategy for the on/off-site disposal of contaminated waste (a 'Construction Waste Management Plan') for that Development Phase shall be submitted to and approved in writing by the local planning authority;
- d) Each Development Phase (excluding the Stage One Enabling Works) shall be carried out and operated in accordance with the approved Construction Waste Management Plan for that Development Phase.

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

28) Operational Waste Management Plan

- a) Prior to the occupation of any Plot, a plan containing details for the disposal, processing, recycling and storage of operational waste and for the provision of composting facilities (an 'Operational Waste Management Plan') for that Plot shall be submitted to and approved in writing by the local planning authority;
- b) Each Plot shall be operated in accordance with the Operational Waste Management Plan for that Plot as approved under part (a) of this condition.

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

29) Protecting Residential Properties from External Noise

- a) All Blocks containing residential units shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB L_{Amax} (measured with F time weighting) for bedrooms, 35dB LAeq (day) for all habitable rooms, with windows shut and other means of ventilation provided;
- b) External amenity areas associated with residential units shall be designed to achieve levels not exceeding 55 dB LAeq (day), unless written permission has been given by the local planning authority to allow exceedance of this;
- c) Prior to the commencement (other than Enabling Works) of any Block containing residential units, details of a sound insulation scheme for that Block complying with part (a) of this condition shall be submitted to and approved in writing by the local planning authority;
- d) Prior to the occupation of any residential Block, installation of the sound insulation scheme approved pursuant to part (c) of this condition in relation to that Block shall be completed. Thereafter, the sound insulation scheme shall be maintained 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).

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30) Soundproofing Mixed Use Blocks or Where Commercial Adjoins Residential

- a) Prior to commencement of any Block (other than Enabling Works) full written details, including relevant drawings and specifications of the proposed works of sound insulation against airborne noise to meet $D'nT,w + Ctr$ dB of not less than 55 dB for walls and/or ceilings where residential units adjoin non-residential use (excluding circulation space) for that Block shall be submitted to and approved in writing by the local planning authority;
- b) Each relevant Block shall only be occupied once the soundproofing works identified as to be installed in relation to that Block pursuant to the details approved under part (a) of this condition have been installed in accordance with the approved details;
- c) The soundproofing shall be retained permanently in accordance with the approved details.

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

31) Fixed Plant Noise Control

- a) The rating level of the noise emitted from fixed plant (including CHP) 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 neighbouring noise sensitive property. The measurements and assessments shall be made according to BS4142:1997;
- b) Prior to the commencement of any Development Phase incorporating a Block or Public Access Area (other than Enabling Works) details of a scheme containing measures to ensure compliance with part (a) of this condition in respect of that Development Phase shall be submitted to and approved in writing by the local planning authority;
- c) No Development Phase incorporating a Block shall be occupied until the scheme approved pursuant to part (b) of this condition in respect of that Development Phase has been completed in its entirety. Thereafter the measures required pursuant to part (b) of this condition shall be maintained for the duration 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).

32) Noise and vibration from construction works

- a) Where construction activities are identified which are predicted to result in levels in excess of the following values, then the local planning authority shall be informed and details of mitigation measures shall be submitted to and approved in writing by the local planning authority prior to any such work commencing:

- 1 mm/s Peak Particle Velocity (PPV) for occupied residential and educational buildings
- 3 mm/s PPV for occupied commercial premises where work is not of an especially vibration sensitive nature or for potentially vulnerable unoccupied buildings

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5 mm/s PPV for other unoccupied buildings

- b) In the event that construction activities are identified which are predicted to result in levels in excess of the values set out in part (a) of this condition those construction activities shall not proceed other than in accordance with the mitigation measures approved pursuant to part (a) of this condition.

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).

33) Class E and Sui Generis (formerly A4 and A5 uses) hours of use

No Class E or sui generis use within the Development shall be open for use other than between the hours of 6.00am and 12.00am on any day of the week.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with DM Policy 26 Noise and Vibration, DM Policy 32 Housing design, layout and space standards, DM Policy 14 District centres shopping frontages, DM Policy 15 Neighbourhood Local Centres, DM Policy 16 Local shopping parades and corner shops, DM Policy 17 Restaurants and cafes (A3 uses), and drinking establishments (A4 uses), DM Policy 18 Hot food take-away shops of the Development Management Local Plan (November 2014).

34) Ventilation

- a) No Class E or sui generis use shall be occupied until detailed plans and a specification of the equipment comprising a ventilation system which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s) and anti-vibration mountings where necessary for that use), have been submitted to and approved in writing by the local planning authority for that use;
- b) The ventilation system shall be installed in accordance with the plans and specification approved under part (a) of this condition before the Class E or sui generis use in question is occupied and shall thereafter be permanently maintained in accordance with the approved plans and specification.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with Policy 17 Restaurants and cafes (A3 uses) and drinking establishments (A4 uses) and DM Policy 18 Hot food take-away shops of the Development Management Local Plan (November 2014).

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35) Class E and Sui Generis (formerly A4 and A5 uses) delivery hours

No deliveries shall be made to any Class E or sui generis use within the Development other than between the hours of 7.00am and 11.00pm Monday to Friday, 7.00am to 7.00pm on Saturdays and 7.00am to 5.00pm on Sundays and Bank Holidays.

Reason: In order to safeguard the amenities of adjoining residents 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).

36) Landscaping details

- a) Within 12 months of commencement (excluding Enabling Works) of any Plot which includes landscaping works, landscaping details for that Plot including timescales for completion by reference to occupation of the Plot shall be submitted to the local planning authority for approval;
- b) The landscaping details to be submitted under part (a) of this condition shall include drawings showing hard and soft landscaping of any part of the site not occupied by Blocks including any retained features and the treatment thereof (including planting, tree species and location, paving, walls and fences, temporary and permanent site boundary treatments, seating and any other landscaping furniture, lighting, play areas and details of the permeability of hard surfaces and proposed levels) and shall further include details of the items to be retained and reused as referred to in condition 40;
- c) No Plot shall be occupied until the landscaping details to be submitted pursuant to by part (a) of this condition have been approved in writing by the local planning authority and all works required to be completed prior to occupation of such Plot in question have been completed in accordance with the approved details;
- d) All planting works which form part of the approved landscaping details in relation to a Plot shall be completed by the end of the first planting season following the completion of the Plot in question. Any trees or plants which within a period of 2 years from the completion of the Plot die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species;
- e) Prior to the occupation of any Plot, a Landscape Maintenance and Management Plan for the landscaping within that Plot shall be submitted to and approved in writing by the local planning authority. The landscaping shall be managed and maintained in accordance with the approved Landscape Maintenance and Management Plan.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies SI 12 Flood risk management in the London Plan (March 2021), Lewisham Core Strategy (June 2011) Policy 12 Open space and environmental assets and Policy 15 High quality design for Lewisham and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character

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37) Ecological Mitigation and Enhancement

- a) Prior to the commencement of the Development (other than Enabling Works) a site-wide strategy for ecological enhancement and mitigation (to demonstrate how the mitigation measures as outlined in Chapter 10 of the Environmental Statement), including a habitat management plan setting out details of monitoring arrangements shall be submitted to and approved in writing by the local planning authority. The site-wide ecological enhancement and mitigation strategy and habitat management plan shall be implemented and complied with, unless otherwise approved in writing by the local planning authority;
- b) No clearance works of existing habitats shall be carried out during March to August inclusive, when nesting birds are most likely to be present, unless a pre-commencement survey of nesting birds (to be undertaken by a qualified ecologist) has been submitted to and approved in writing by the local planning authority.

Reason: To comply with Policies G5 Urban greening and G6 Biodiversity and access to nature of the London Plan (March 2021), 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).

38) Building Recording

- a) No Development including demolition (excluding the Stage One Enabling Works) shall take place in any Development Phase until the implementation of a programme of a Level 1 building recording assessment site work has been secured in accordance with a Written Scheme of Investigation in respect of that Development Phase which has been submitted to and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing in respect of that Development Phase;
- b) Under part (a) of this condition a Level 1 programme of building recording assessment shall be undertaken in accordance with a Written Scheme of Investigation in respect of that Development Phase;
- c) Dependent upon the results of the programme of Level 1 building recording, no Development including demolition (but excluding the Stage One Enabling Works) shall take place in the respective Development Phase until the implementation of a mitigation programme of higher level recording site work in respect of that Development Phase has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved by the local planning authority in writing and a report on that recording has been submitted to and approved by the local planning authority in writing in respect of that Development Phase;
- d) Under part (c) of this condition, a mitigation programme of higher level recording in accordance with a Written Scheme of Investigation in respect of that Development Phase shall be implemented;
- e) The structural recording programme on site and post-recording report preparation will be completed prior to one year post the completion date of the respective Development Phase as defined by the borough building regulation officer, in accordance with the programme set out in the Written Scheme of Investigation approved under parts (a) and (c) of this condition, and the provision for analysis, publication and dissemination of the archaeological results and archive deposition has been secured in respect of that Development Phase.

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Reason: To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy HC1 Heritage conservation and growth of the London Plan (March 2021).

39) Archaeology

- a) The Stage One Enabling Works shall be carried out in accordance with the approved Written Scheme of Investigation for an Archaeological Evaluation (Version 1) dated March 2015 (prepared by CGMS);
- b) No development (other than demolition to existing ground level and the Stage One Enabling Works) shall take place in any Development Phase until the implementation of a programme of geo / archaeological evaluation site work in accordance with a Written Scheme of Investigation in respect of that Development Phase has been secured and has been submitted to and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing in respect of that Development Phase;
- c) Under part (b) of this condition, a programme of geo/archaeological investigation in accordance with a Written Scheme of Investigation in respect of that Development Phase shall be implemented;
- d) Dependent upon the results of part (c) of this condition, no Development (other than demolition to existing ground level and the Stage One Enabling Works) shall take place in any Development Phase until the implementation of a programme of archaeological mitigation site work has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved by the local planning authority in consultation with the Greater London Archaeology Advisory Service (GLAAS) in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing in respect of that Development Phase;
- e) Under part (d) of this condition, a programme of archaeological mitigation in accordance with a Written Scheme of Investigation in respect of that Development Phase shall be implemented;
- f) The site investigation and post-investigation assessment shall be completed prior to one year post the completion date of the respective Development Phase (other than the Stage One Enabling Works) as defined by the borough building regulation officer, in accordance with the programme set out in the Written Scheme of Investigation approved under parts (b) and (d) of this condition, and the provision for analysis, publication and dissemination of the archaeological results and archive deposition has been secured in respect of that Development Phase.

Reason: To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy HC1 Heritage conservation and growth of the London Plan (March 2021).

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40) On-site heritage assets

- a) Any stones, bricks and paving materials that formed part of the original Grand Surrey Canal towpath, canal edge and bridges that are intact and remain on site shall be assessed for their suitability to be retained and reused and how these may be reused in the landscaping of the Development;
- b) The landscaping details to be submitted for approval pursuant to condition 34 shall include details as to how the items referred to in part (a) of this condition have been assessed for their suitability for retention and reuse in the landscaping of the Development.

Reason: To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011).

41) Construction , Environmental and Transport Management Plan

- a) The Stage One Enabling Works shall be carried out in accordance with the approved Construction and Environmental Management Plan Revision 2 dated September 2015 (Document Ref: 0001 prepared by TRC Companies Ltd);
- b) No works including demolition and construction (but excluding the Stage One Enabling Works) shall commence in any Development Phase until a 'Construction, Environmental and Transport Management Plan' (CETMP) containing the following have been submitted to and approved in writing by the local planning authority in respect of those works in the relevant Development Phase:
 - i) details of hours of works;
 - ii) dust mitigation measures including details of the specification, methodology and location for noise and dust monitoring and how data will be used to manage work on site to minimise impacts on surrounding neighbours;
 - iii) the location and operation of plant and wheel washing facilities;
 - iv) details of best practical measures to be employed to mitigate noise (including noise mitigation relating to on-site crushing) and vibration arising out of the construction process;
 - v) Details of construction traffic movements including cumulative impacts which shall demonstrate the rationalisation of travel and traffic routes to and from the site; full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity; measures to deal with safe pedestrian movement; construction logistics and appropriate measures to control the potential effects of the construction process on the wider road network and environment;
 - vi) Security Management (to minimise risks to unauthorised personnel);
 - vii) an Emergency Evacuation Plan for construction workers at the site, in the event of on-site flooding;

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- viii) Details of the training of site operatives to follow the Construction Management Plan requirements;
- c) The details to be provided under part (b) of this condition shall also include detail of the site hoarding of approximately 2.5m in height (with reinforcement along Oxestalls Road) to be erected around the perimeter of a Development Phase or Development Phases (as applicable);
- d) Save for works that have first been agreed by the local planning authority in writing, no demolition or construction works shall be undertaken outside the following hours:
 - Monday to Friday - 08:00 to 18:00;
 - Saturday - 08:00 to 13:00;
 - Sundays and Bank Holiday - No Work.
- e) No works (including demolition and construction but excluding the Stage One Enabling Works) in the relevant Development Phase shall be carried out other than in accordance with the approved Construction, Environmental and Transport 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 SI1 Improving air quality and Policy t7 Deliveries, servicing and construction of the London Plan (March 2021).

42) Flood Risk

- a) The Development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Peter Brett Associates LLP, ref. 31351 Rev A, dated 8 May 2015, and in accordance with the mitigation measures as detailed in Table 2 on page 21 of the FRA which requires that sleeping accommodation within all Plots are to be set no lower than first floor levels;
- b) Prior to the occupation of any Block, a Flood Warning and Evacuation Plan (FWAP) to mitigate the residual flood risk for that Block shall be submitted to and approved in writing by the local planning authority;
- c) The mitigation measures required by part (b) of this condition prior to occupation of a Block shall be completed prior to the occupation of that Block and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority.

Reason: To prevent the increased risk of flooding and to improve water quality in accordance with Policy SI 12 Flood risk management in the London Plan (March 2021) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011).

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43) Surface water

- a) Within 6 months of commencement of any Development Phase (excluding Enabling Works) a scheme of surface water management for that Development Phase, including specifications of the surface treatments and sustainable urban drainage solutions, must be submitted to and approved in writing by the local planning authority;
- b) The scheme for surface water management to be submitted under part (a) of this condition shall accord with the approved Drainage Strategy (as contained within Appendix 9.2 of the Environmental Statement submitted with the planning application). Any proposed change to the Drainage Strategy must be submitted to and approved in writing by the local planning authority prior to a scheme for surface water management for that Development Phase being submitted under part (a) of this condition;
- c) Unless otherwise agreed in writing by the local planning authority, each Development Phase (excluding Enabling Works) shall be carried out in accordance with the approved scheme for that Development Phase and thereafter the approved scheme shall be retained in accordance with the details approved pursuant to part (a) of this condition.

Reason: To prevent the increased risk of flooding and to improve water quality in accordance with Policy SI 12 Flood risk management in the London Plan (March 2021) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011).

44) Contaminated land – details prior to commencement

- a) The Stage One Enabling Works shall be carried out in accordance with the approved:
 - i) Detailed Quantitative Risk Assessment dated June 2015 (prepared by TRC Companies Ltd);
 - ii) Factual Intrusive Ground Investigation Report dated June 2015 (prepared by TRC Companies Ltd);
 - iii) Outline Remediation Strategy dated June 2015 (prepared by TRC Companies Ltd).
- b) Prior to commencement of any Development Phase (including demolition of existing buildings and structures but excluding the Stage One Enabling Works) each of the following shall be complied with:-
 - i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model for that Development Phase have been submitted to and approved in writing by the local planning authority;
 - ii) A site investigation report to characterise and risk assess that Development Phase which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination

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- encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council;
- iii) An outline remediation strategy based on the findings of 44 (b)(i) and 44 (b)(ii) above will be submitted to and approved in writing by the local planning authority and
 - iv) All works within the respective Development Phase shall be undertaken in accordance with the approved strategy.
- c) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the local planning authority shall be notified immediately and the terms of part (b) of this condition 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 part (b) of this condition have been complied with in relation to the new contamination;
- d) No Development Phase of the Development shall be occupied until a closure report in respect of that Development Phase has been submitted to and approved in writing by the local planning authority;
- e) The closure report to be provided pursuant to part (d) of this condition shall include verification of all measures, or treatments as required in part (b) (i), (ii) & (iii) of this condition and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of that Development Phase have been completed;
- f) The closure report to be provided pursuant to part (d) of this condition 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 local planning authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

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

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45) Thames Tideway Tunnel

- a) No development below ground level (other than the Enabling Works) shall be commenced in any Development Phase until detailed design and method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent) in respect of that Development Phase, have been submitted to and approved in writing by the local planning authority, which:
- i) accommodate the proposed location of the Thames Tideway Tunnel project's structures and tunnels; and
 - ii) accommodate ground movement arising from the construction thereof.
- b) The method statements to be submitted under part (a) of this condition shall include arrangements to ensure that for any period when construction of the Development hereby permitted and the project works are concurrent:
- i) construction of the Thames Tideway Tunnel project works are not impeded;
 - ii) the Development shall be undertaken in accordance with the detailed design and method statements accepted by the local planning authority who will consult with Thames Water regarding their acceptability.

Reason: To ensure that no works undertaken adversely affect the safeguarded route of the Thames Tideway Tunnel.

46) Impact Piling

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

Reason: To ensure that no works undertaken adversely affect the safeguarded route of the Thames Tideway Tunnel.

47) Piling operations

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

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

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48) Car parking

- a) The Development shall provide not more than: -
 - (i) 340 car parking spaces (including 108 for Blue Badge holders) for use by occupiers of residential units within the Development and their visitors;
 - (ii) 40 car parking spaces (including 8 spaces for Blue Badge holders) for use by occupiers of non-residential floorspace within the Development and their visitors;
- b) All car parking spaces within the Development shall be reserved for and used only by vehicles of the occupiers or persons visiting premises at the Development;
- c) Within 12 months of commencement of each Plot containing car parking, details of the allocation of the car parking spaces to the uses within that Plot must be submitted to the local planning authority for approval;
- d) No Block shall be occupied until the car parking spaces associated with that Block have been provided in accordance with the details as approved by the local planning authority in writing pursuant to part (c) of this condition and made available for use;
- e) Once provided, all parking spaces shall be retained and used only as car parking as approved under this condition.

Reason: To ensure the permanent retention of the space(s) for parking purposes, to ensure that the use of the building(s) does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Table 10.3 of the London Plan (March 2021).

49) Cycle parking spaces

- a) At least 2,095 cycle parking spaces shall be provided within the Development, as follows:-
 - (i) 1961 cycle parking spaces solely for use by occupiers of dwellings within the Development and their visitors; and
 - (ii) 134 cycle parking spaces solely for use by occupiers of non-residential floorspace within the Development and their visitors.
- b) All cycle parking spaces within the Development shall be reserved for and used solely by cycles of the occupiers or persons visiting premises at the Development;
- c) No development beyond piling shall commence for the relevant Block until full details of the cycle parking facilities have been submitted to and approved in writing by the LPA.
- d) Within 12 months of commencement of any Plot, details of the allocation of cycle parking spaces to the uses within that Plot shall be submitted to the local planning authority for approval;
- e) No Block shall be occupied until the cycle parking spaces associated with that Block have been provided in accordance with the details as approved by the local planning authority in writing pursuant to part (c) of this condition and made available for use;

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- f) Once provided, all cycle parking spaces shall be retained and used only as cycle parking as approved under this condition.

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

50) Motorcycle parking spaces

- a) At least **26** motorcycle parking spaces shall be provided within the Development for use by occupiers of residential units within the Development and their visitors;
- b) All motorcycle parking spaces within the Development shall be reserved for and used solely by vehicles of the occupiers or persons visiting premises at the Development;
- c) Within 12 months of commencement of any Plot, details of the allocation of motor cycle parking spaces to the uses within that Plot must be submitted to the local planning authority for approval;
- d) No Block shall be occupied until the motorcycle parking spaces associated with that Block have been provided in accordance with the details as approved by the local planning authority in writing pursuant to part (c) of this condition and have been made available for use;
- e) Thereafter such spaces shall be retained and used only as motorcycle parking as approved under this condition.

Reason: To ensure the permanent retention of the space(s) for parking purposes, to ensure that the use of the building(s) does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014).

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51) Parking Management

No Block within the Development shall be occupied until a parking management plan which seeks to ensure that vehicles (including motorcycles) of those living or working at or visiting within that Block are parked within parking spaces provided within the Development and are not parked on non-designated parking areas within the Development has been submitted to and approved in writing by the local planning authority. The parking management plan shall provide for:

- a) The proposed regime for the operation and management of car, motorcycle and cycle parking within the Development;
- b) Monitoring and review of the operation of the parking management plan and for monitoring reports and reviews to be submitted to the Council on a regular basis; and
- c) Details of a scheme to prioritise the provision of Blue Badge Parking Spaces to registered disabled persons who reside at the Development.

Reason: To ensure the permanent retention of the space(s) for parking purposes and to ensure that the use of the building does not increase on-street parking in the vicinity and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 12 Hotels, DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

52) Non Road Mobile Machinery

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

Reason: In order that the local planning authority may be satisfied that the development is not going to result in significant health impacts to existing and future residents from a deterioration in local air quality and to comply with Development Management Local Plan (November 2014) Policy 23 Air quality.

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53) Construction Deliveries and Hours

No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

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

54) Delivery Service Plan

a) No Plot within the Development shall be occupied until a delivery service plan demonstrating how the number and time of delivery and servicing trips to that Plot (including refuse collections for the residential units and non-residential space) is to be rationalised with the aim of reducing the impact of servicing activity has been submitted to and approved in writing by the local planning authority;

b) Thereafter, all servicing in each Plot shall be carried out in accordance with the approved delivery service plan for that Plot.

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

55) Air Quality Assessment

a) 12 months prior to the installation of the CHP engines and boiler plant, an Air Quality Assessment (associated with the CHP engines and boiler plant) using the modelling approach outlined in Chapter 07 of the Environmental Statement and Addendum hereby approved shall be submitted to and approved in writing by the local planning authority. The assessment shall include full details of the abatement technology utilised to minimise emissions to air from the CHP engines and boiler plant;

b) The Air Quality Assessment to be submitted and approved under part (a) of this condition will need to utilise an appropriate air quality model and/or emissions assessment tool to predict air quality concentrations at agreed receptor locations. Within 18 months after the date of occupation, data will be submitted to the Local Planning Authority for the first year of occupation as 'with development' and 'without development';

c) The CHP and associated abatement (to be approved under part (a) of this condition) shall be installed in accordance with the approved details and shall thereafter be permanently maintained in accordance with the approved specification unless otherwise agreed in writing by the local planning authority;

d) A minimum of 1 no. CHP engine and associated abatement shall be installed not later than the date of first occupation of the 651st residential unit;

e) Whilst the CHP is running i.e. during winter months AND minimum of 3 months post practical completion of each CHP engine (commissioned and operational), a post monitoring report shall be submitted and approved in writing by the local planning authority confirming

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compliance with parts (a)-(c) within 15 months of the practical completion of the relevant CHP engine.

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

56) Cycle Welfare Facilities (Workspace)

a) Prior to completion of super-structure, details of the proposed showers, lockers, changing rooms and maintenance space to demonstrate the commercial units would be capable of accommodating such facilities shall be submitted for the approval of the planning authority;

b) The facilities approved in (a) shall be provided prior to first operation of the relevant commercial unit.

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

57) Urban Greening Factor

Details shall be submitted to and approved in writing by the LPA to demonstrate that the development hereby granted will achieve an Urban Greening Factor of a minimum 0.37. The approved details shall be implemented in full accordance prior to first residential occupation.

Reason: To comply with Policy G5 Urban greening of the London Plan (March 2021).

58) Details of Internal Blinds

Prior to completion of the building superstructure, full details of the proposed blinds and/or shutters required in compliance with the overheating assessment in Hodkinson October 2021 shall be submitted to the local planning authority for their approval, to include detailed drawings of venting locations on the elevations. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the development is adequately protected from overheating and to ensure a clean air supply in order to comply with DM Policy 23 Air Quality and London Plan Policies SI 1 Improving air quality and SI 4 Managing heat risk.

59) Children's Play Equipment

a) Prior to occupation of any Block hereby granted, details of the proposed children's play equipment, specifically for the following age groups – under 5's; 5 to 11s; and 12 & overs relating to that Block, shall be submitted to and approved in writing by the local planning authority.

b) All children's play equipment will be installed in accordance with the information approved under (a) and retained and maintained in perpetuity.

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Reason: In order to ensure adequate and appropriate children's play equipment is provided in accordance with the London Plan.

53) Fire Statement

No development above ground floor of any Block shall commence until;

- a) Detailed swept path analysis including proposed landscaping to demonstrate a fire engine can suitably access that Block; and
- b) an updated Fire Statement that shows appropriate locations of fire hydrants within and adjacent to that Block

have been submitted to and approved in writing by the LPA.

Reason: To ensure that the risk of fire is appropriately addressed in the proposed development, in accordance with the London Plan Policy D12.

54) Mechanical Ventilation with Heat Recovery Units

No development above ground floor level (excluding demolition works) shall take place until full details of the proposed mechanical ventilation with heat recovery (MVHR) units, including selected make, operational details and maintenance, 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 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).

55) Secure by Design

a) Before any above ground work hereby authorised begins on a Block, details of security measures shall be submitted to and approved in writing by the Local Planning Authority and any such security measures shall be implemented prior to occupation in accordance with the approved details which shall be in line with the standards set out by 'Secured by Design'.

b) Prior to the first occupation of the units hereby consented, confirmation that the standards recommended by Secure by Design for that building has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the development is safe, secure and appropriately accessible in accordance with London Plan Policy D11 Safety, security and resilience to emergency (March 2021).

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12.0 INFORMATIVES

- a) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- b) This decision notice includes original planning Conditions that have been formally discharged
- c) 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>
- d) You are advised that advertisements relating to the proposed commercial uses would require separate permission.
- e) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- f) The weighted standardised level difference (D'nT,W + Ctr) is quoted according to the relevant part of the BS EN ISO 717 series. To guarantee achieving this level of sound insulation, the applicant is advised to employ a reputable noise consultant details of which can be found on the Association of Noise Consultants website.
- g) Premises to comply within the provisions of the Workplace (Health, Safety and Welfare) Regulations 1992 and the Health and Safety at Work etc Act 1974 will apply.

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- h) The 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.
- i) 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.
- j) The developer is advised to 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.
- k) 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.

BACKGROUND PAPERS

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

REPORT AUTHOR AND CONTACT

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