



## Strategic Planning Committee

**Report title: Addendum Report: Land bounded by Oxestalls Road, Evelyn Street, Dragoon Road and Grove Street SE8 – Plot 5 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 4 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, Stage 2 approval by the GLA, and a s96a application associated with a Deed of Variation of the original s106 dated 23 March 2016 to delete reference to Plot 5.

### Application details

<b>Application reference number:</b>	DC/22/127966
<b>Application Date:</b>	2 August 2022
<b>Applicant:</b>	Lendlease Deptford Limited
<b>Proposal:</b>	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 – <b>Plot 5</b> .
<b>Background Papers:</b>	<ol style="list-style-type: none"><li>(1) Submission drawings</li><li>(2) Submission technical reports and documents</li><li>(3) Internal consultee responses</li><li>(4) Statutory consultee responses</li><li>(5) Design Review Panel and Temple responses</li></ol>
<b>Designation:</b>	Deptford Neighbourhood Forum PTAL 2 Flood Risk Zone 2/ 3 Area of Archaeological Priority Air Quality Management Area
<b>Screening:</b>	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.

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# PLOT 5 ADDENDUM REPORT

## 1.0 INTRODUCTION

- 1.1 This report has been prepared to provide minor updates to the Main Report with regard to sunlight/ daylight and overshadowing matters; Highways; Heads of Terms; and river wall service charges; a covenant; an amendment to a planning condition; Noise, a Secured by Design planning Condition, and Recommendation C. This addendum also addresses late representations made by Transport for London and NHS London Healthy Urban Development Unit (HUDU).

## 2.0 Daylight

- 2.1 Paragraphs 609 and 610 are amended to read;

Overall, the assessment has considered the effects of the proposed development on 1143 windows serving neighbouring residential and non-residential properties. Three scenarios have been considered:

- With Plot 5 development only.
- 'Scenario 1' includes the Plot 5 Development and the Amended Consented Scheme for the Deptford Landings Site;
- 'Scenario 2' includes the Plot 5 Development, Amended Consented Scheme and other Cumulative schemes including Scott House and Convoys Wharf.

For the benefit of the following assessment, 'with development' and 'Scenario 1' will be considered, with a comparison with Scenario 2 advised later in the report.

- 2.2 Paragraph 635 in regard to Eddystone Tower is amended to read:

A first floor window would see a VSC reduction from 28.3% to 19.4% in the 'with development' scenario (18.4% in Scenario 1), thereby falling below BRE and being 'Minor Adverse', however it does not appear to serve a flat, rather a meeting room. It is also noted that the VSC would fall just below the 20% value which is considered appropriate in an urban area.

In 'Scenario 1', a second floor window serving a lounge would incur a significant VSC reduction from 36% to 18%, however this would remain an acceptable level in this urban setting, whilst the room is served by another opening which exceeds BRE.

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- 2.3 Paragraph 680 confirms the 'with development' daylight results. This is updated to also refer to the higher BRE reductions to Plot 2 in the cumulative scenario.

**Block 2A:** 15no. LKD windows within the 7-storey block were tested, with low baselines on most floors. Whilst there would be reductions in VSC levels in the 'with development' scenario, they would largely accord with the 0.8 BRE threshold, with the exception being no less than 0.77 VSC. The reductions are therefore acceptable.

When considering Scenario 1, LKD W12 openings serving dual aspect units at 2<sup>nd</sup>-5<sup>th</sup> floors would incur major adverse impacts, including a reduction from 19.8 VSC to 4.25. It must be acknowledged that these openings form part of three panes that serve the LKDs, whereby the other two panes for each floor would incur minor/moderate reductions. Considering Block 2A lies close to Plot 4, daylight impacts are greater from there than Plot 5.

**Block 2B:** With Scenario 1 'cumulative', the building would incur greater VSC reductions (major adverse) on ground to 5<sup>th</sup> floors. When compared to the Plot 5 development only, LKD window R11 'with development' would have a VSC of 17.5%, however in Scenario 1, it would be 6.2%. This would be a significant difference which reflects the close proximity to the developed Plot 4 and the wider cumulative impacts.

**Block 2C:** With Scenario 1 'cumulative', 2C would incur major adverse reductions on all floors, mostly to bedrooms. An LKD at ground floor would see reductions for its two windows from baseline 34% to 10/11%. The baseline reading is high due to the cleared nature of the surrounding Plots, and the lower VSCs again reflect the cumulative impacts that includes the Plot 6 development. When considering Plot 5 only 'with development', the VSC for the 2C LKD is 29%, which demonstrates the additional impacts the other Plots would result in.

- 2.4 Paragraph 687 is amended to refer to the Scenario 1 'cumulative' impact.

Overall, officers are satisfied that the extent of daylight and sunlight impacts upon the existing Plot 2 would be acceptable in the 'with development' scenario. Plot 2 forms part of the consented masterplan for the wider Deptford Landings site, and therefore it has always been envisaged there would be a degree of visual impact upon future occupiers from the development of other Plots, as demonstrated in Scenario 1 'cumulative'. In this case, Plot 2 was the first to be completed and occupied, therefore residents have had an opportunity to enjoy the unrestricted views across the wider site, and no day/ sunlight impacts. Now that other Plots are coming forward, this scenario is changing in accordance with the consented scheme.

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### 3.0 Highways

#### 3.1 Paragraph 76 is amended to insert 13no. parking spaces, and to delete reference to Plot 4:

The scheme would be largely car-free, other than for the provision of 13no. blue badge bays shared within locations on Henry Street (9 spaces) and within the parking area of Plot 2 (4 spaces). The application advises the Plot 2 spaces are underutilised and so have been allocated to Plot 5 occupiers.

#### 3.2 Paragraph 529 is amended as follows:

- 13no.spaces (3%) provided for the residential occupiers, including one student bay.
- 9 of the 13 bays would be located on Henry Street for the Affordable Rent Wheelchair units and student bay – the other 4 bays for the Shared Ownership/ Market units would be located within Plot 2.
- 2no. non-residential loading bays.

#### 3.3 Paragraph 532 to read:

The Applicant has confirmed that the provision of four bays to Plot 2 would not compromise existing occupiers as the parking area is currently underutilised.

#### 3.4 TfL raised comments on 2 June 2023 in regard to the following:

- Insufficient student parking bays;
- Location of additional 7% blue badge provision unsatisfactory;
- Size/ length of loading bays;
- Access and security concerns relating the cycle stores.

#### 3.5 The Applicants provided a written response on 9 June 2023, which has been forwarded to TfL for review, and may be viewed online. The points raised by TfL have been referred to in the Committee report, which officers consider may be addressed by suitably worded planning conditions.

#### 3.6 In regard to security measures relating to the cycle stores, TfL have advised they will work with the applicants to agree upon appropriate solutions that will inform their submission to satisfy the planning condition. Officers are satisfied with this approach.

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## 4.0 Heads of Terms: Highways and Transport

### *Transport and Public Realm*

- No access of future residents to permits and CPZ consultation and implementation contribution - £60,000 (index linked).
- Parking Management Plan outlining how any off-street parking will be allocated / managed.
- Car Club Strategy including details for membership for all residents for 3 years including review of existing car club infrastructure.
- **Bus service contribution – TfL to confirm**
- Legible London wayfinding contribution - £10,000
- Walking and Cycling infrastructure contribution - £40,000

Enter into a Section 278 agreement to secure the following:

#### 278 highways works:

- Improvement works (adjacent to Plot 5) along the frontages of the site, including Evelyn Street and Oxestalls Road:
  - including the provision of dropped kerbs/tactile information at the vehicular entrances to the site;
  - improved footways on both sides Oxestalls Road from Evelyn Street to Grove Street;
  - intermittent street planting along both sides of Oxestalls Road (while maintaining a minimum footway width of 1.5m);
  - improved/installation of dropped kerbs and tactile paving at the junction of Grove Street Oxestalls Road.
- The creation of the proposed loading bay (lay-by), and the associated Traffic Regulation Orders
- Design options should be presented to improve/install a cycle route from the junction of Evelyn Street / Oxestalls Road to Grove Street. Once the design options have been reviewed and approved by Highways as part of the section 278 the proposed design will need to be implemented.
- Stage 1/2 Road Safety Audit.

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## 5.0 Secured by Design

5.1 Following discussions with the Secure by Design officer, Condition (18) will be amended to:

- 1) Prior to any above ground work hereby authorised, 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 of the relevant building in accordance with the approved details which shall be in line with the standards set out by 'Secured by Design'.
- 2) Within 3 months of Practical Completion of the relevant building hereby approved, confirmation that the development has achieved Secured by Design accreditation shall be submitted to and approved in writing by the local planning authority. The approved standards set out and approved shall be maintained in perpetuity thereafter.

**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).

## 6.0 s96a Non-Material planning application

6.1 Members are advised that a s96a Non-Material planning application has been submitted to the LPA (DC/23/130911) which seeks to amend the planning conditions relating to the original consent (DC/15/92295). The purpose of this is to delete all references to Plot 5, and to insert a new planning condition that will restrict any development on Plot 5 that relates to the original planning application only.

6.2 Formal consultation is not required for the s96a application, whilst officers consider that it is not necessary to present the proposed amendments to Committee. Should the s96a application be considered acceptable following an officer assessment, it will be determined at the same time as the current Plot 5 planning application.

## 7.0 NHS: HUDU

7.1 The applicant has set out health and socio-economic matters in the Environmental Statement. The NHS London Healthy Urban Development Unit (HUDU) have made representations for the development and requested a financial contribution to mitigate the impacts of the development, and to ensure appropriate sums would be allocated to health. HUDU run a planning obligations model to calculate developer contributions necessary to mitigate the impact of specific developments on health infrastructure and a figure of £955k is stated in this case.

7.2 Officers consider that health is a form of infrastructure which should be secured within the Community Infrastructure Levy. The delivery of public health care facilities was on the Council's CIL Regulation 123 (Infrastructure provisions) list and remains as a matter that can be delivered by CIL. The Council's Infrastructure Funding Statement

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(2021-2022) states that the Council will prioritise the spending of S106 contributions and CIL in line with the Infrastructure Delivery Plan.

- 7.3 Officers have considered the matter with CIL and S106 officers. CIL collected from this scheme can be used for health and this will be undertaken in consultation with the NHS. The NHS and CCG are a consultee and officers continue to engage with them on work and projects. As such it is reasonable to consider health contributions to be secured via CIL.

## 8.0 RECOMMENDATION (C)

Subject to determination of the s96a Non-Material Planning Application (DC/23/130911) and completion of a satisfactory legal agreement, authorise the Head of Planning to **GRANT PLANNING PERMISSION** subject to conditions including those set out below and such amendments as considered appropriate to ensure the acceptable implementation of the development.

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