

Committee	PLANNING COMMITTEE C	
Report Title	Phase 4 Kender Triangle, SE14	
Ward	New Cross	
Contributors	Monique Wallace	
Class	PART 1	27 September 2012

Reg. Nos.	DC/12/79828
Application dated	28.03.12 as revised on 03.09.12
Applicant	Miss J Richardson of BPTW Partnership on behalf of Hyde Housing Association
Proposal	The development of Phase 4 of the Kender Triangle, bounded by New Cross Road, Avonley Road, Barlbrough Street and Monson Road, SE14 including the construction of a part 6/part 9 storey building and two, 4 storey buildings comprising 164 residential flats together with 40, two and three storey houses to provide a residential development total of 204 new dwellings with 70 car parking spaces, cycle and refuse storage, private and communal amenity space and associated hard and soft landscaping.
Applicant's Plan Nos.	KEN AL (P) 001 Rev A, KEN AL (P) 002 Rev A, KEN AL (P) 010 Rev A, KEN AL (P) 030 Rev A, KEN AL (P) 031 Rev A, KEN AL (P) 032 Rev A, KEN AL (P) 033 Rev A, KEN AL (P) 034 Rev A, KEN AL (P) 039 Rev B, KEN AL (P) 040 Rev B, KEN AL (P) 041 Rev A, KEN AL (P) 042 Rev A, KEN AL (P) 043 Rev A, KEN AL (P) 044 Rev A, KEN AL (P) 045 Rev A, KEN AL (P) 046 Rev A, KEN AL (P) 047 Rev A, KEN AL (P) 048 Rev A, KEN AL (P) 049 Rev A, KEN AL (P) 050 Rev A, KEN AL (P) 051 Rev A, KEN AL (P) 052 Rev A, KEN AL (P) 053 Rev A, KEN AL (P) 054 Rev A, KEN AL (P) 060 Rev A, KEN AL (P) 061 Rev A, KEN AL (P) 070 Rev A, KEN AL (P) 071 Rev A, KEN AL (P) 072 Rev A, KEN AL (P) 073 Rev A, KEN AL (P) 074 Rev A, KEN AL (P) 080 Rev A, KEN AL (P) 081 Rev A, KEN AL (P) 090, KEN AL (P) 091, KEN AL (P) 092, KEN AL 9100 Rev F, KEN AL 9200 Rev C, KEN AL (P) 100 Rev A, KEN AL (P) 101 Rev A, KEN AL (P) 102 Rev A, KEN AL (P) 103 Rev A, KEN AL (P) 104 Rev A, KEN AL (P) 105 Rev A, KEN AL (P) 106 Rev A, KEN AL (P) 107 Rev A, KEN AL (P) 108 Rev A, KEN AL (P) 109 Rev A, KEN AL (P) 110 Rev A, KEN AL (P) 111 Rev A, KEN AL (P) 112 Rev A, KEN AL (P) 113 Rev A, KEN AL (P) 114 Rev A,

	<p>KEN AL (P) 115 Rev A, KEN AL (P) 116 Rev A, KEN AL (P) 117 Rev A, KEN AL (P) 118 Rev A, KEN AL (P) 119 Rev A, KEN AL (P) 120 Rev A, KEN AL (P) 121 Rev A, KEN AL (P) 122 Rev A, KEN AL (P) 123 Rev A, KEN AL (P) 124 Rev A, KEN AL (P) 125 Rev A, KEN AL (P) 126 Rev A, KEN AL (P) 127 Rev A, KEN AL (P) 128 Rev A, KEN AL (P) 129 Rev A, KEN AL (P) 130 Rev A, KEN AL (P) 131 Rev A, KEN AL (P) 132 Rev A, KEN AL (P) 133 Rev A, 9437/420, 9437/490, 9437/491, 9437/492, Air Quality Assessment Rev2 (RPS), Arboricultural Implication Study & Tree Protection Strategy, (Honey Tree Specialists Ltd), Code for Sustainable Homes Report (Issue 2), (Focus), CfSH Ecology Report (Middlemarch Environmental Ltd), Contamination Report Desk Study & Discovery Strategy (Southern Testing), Daylight and Sunlight Report, (Waterslades), Design and Access Statement Issue 21/03/12 (HTA Architects), Energy Assessment (Issue G), (Max Fordham Consulting Engineers), Flood Risk Assessment (Tully De'Ath), Historic Environment Assessment Issue 1 (Museum of London Archaeology), Noise and Vibration Report Rev 3 (RPS), Planning Statement (bptw partnership), Statement of Community Involvement (bptw partnership), Transport Statement, (Tully De'Ath), Travel Plan, (Tully De'Ath), PERS Audit Report (JMP), Disabled Parking and Car Club Parking Space Response Note and Plan (HTA Architects), Energy Response Notes (x2) Max Fordham, Urban Design Response Notes (x2) HTA Architects, Playspace Response Notes x2 (HTA Architects), Addendum to Noise and Vibration Assessment report August 2012 (RPS)</p>
Background Papers	<p>(1) Case File DE/H30/TP (2) Adopted Unitary Development Plan (July 2004) (3) Local Development Framework Documents (4) The London Plan</p>
Designation	Core Strategy - Existing Use
Screening	<p>A Screening Opinion was issued on 7 October 2011 in respect of 214 residential units at the application site. Officers consider the outcome of the Screening Opinion is still valid as the difference in 10 less units as proposed in the current application is non-material given the scale of the development. The application</p>

	reference for the Screening Opinion is DC/11/78384.
Zoning	PTAL 3 PTAL 2 PTAL 6a PTAL 5 PTAL 4 Hatcham Conservation Area Article 4(2) Direction Hatcham Conservation Area Flood Risk Zone 3 Flood Risk Zone 2 Area of Archaeological Priority

1.0 Property/Site Description

- 1.1 The application site is the land bounded by New Cross Road to the southwest, Avonley Road to the west, Barlborough Street to the northeast and Monson Road to the north. The site measures 1.504 hectares and previously comprised 144 residential dwellings which have been demolished to make way for continued regeneration of the area.
- 1.2 The Hatcham Conservation Area, which is also subject to an Article 4 Direction, is adjacent to the eastern and northwestern boundaries of the site, but the site itself is not within the Conservation Area.
- 1.3 The western side of Avonley Road comprises a series of two to four storey residential developments derived from the redevelopment of the New Cross Hospital site. The boundary treatment between the public footpath and the residential estates is the retained 2m high boundary wall which previously enclosed the hospital grounds. The buildings behind are a mixture of converted traditional hospital buildings, whilst the remainder are modern in appearance.
- 1.4 The eastern side of Avonley Road provides a mixture of property styles. To the south, at the junction with New Cross Road is Hong Kong City which is a white painted rendered, part one/part three storey restaurant building which fronts New Cross Road. Further north along Avonley Road is Reaston Street of which the northern side comprises newly built, yellow brick and clad three and four storey flats and houses.
- 1.5 From Barlborough Street northwards along Avonley Road and the roads running easterly therefrom are the two storey 19th Century houses which are located within the Hatcham Conservation Area. Development on the Hatcham Park estate started with Hatcham Park Road and therefore the roads at the northern end of the conservation area were developed some 20-30 years later with Edric Road (to the north west of the application site) being laid out in 1884.
- 1.6 New Cross Road comprises a mixture of commercial and residential properties, mainly traditional in appearance, but with modern alterations and infills.
- 1.7 The application site is known as Phase 4, the last of 4 phases involving the redevelopment of the Kender Triangle which is the complete redevelopment of the housing estates both north and south of New Cross Road.

1.8 Strategically, the application forms part of the opportunity routes for the North Lewisham Links project. The project notes a potential to provide better cycling and walking access to Eckington Gardens to the east and Bridge House Meadows (also known as 'The Fields') to the north west of the application site.

1.9 The application site also falls within the Lewisham, Catford, Deptford Opportunity Area as defined by policy 2.13 of the London Plan.

2.0 Planning History

2.1 Planning permission was granted in the 1960's for the development of the application site to provide residential flats in a series of blocks with associated parking and landscaping.

2.2 The blocks comprised a mixture of three and four storey flats and maisonettes known as Edward Robinson House, Palm Tree House, Fir Tree House and Anthony House which were surrounded by vast expanses of grassed areas and hard surface which accommodated car parking and walkways.

2.3 The subsequent planning history for the site refers to minor ancillary developments such as the erection of fences and advertising boards.

2.4 In June 2001, outline planning permission was granted for the demolition of properties forming part of the 'Kender' estate and for a phased redevelopment of 434 new dwellings.

2.5 A Screening Opinion was issued on the 7 October 2011 in accordance with the provisions of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 in respect of 214 residential units at the application site. The Screening Opinion confirmed that the development would not have significant environmental effects, and would not necessitate Environmental Impact Assessment. Officers consider the outcome of the Screening Opinion is still valid as the difference in 10 less units as proposed in the current application is non-material given the overall scale of the development. The application reference for the Screening Opinion is DC/11/78384.

2.6 Also of relevance to the current proposal is the chronology of planning applications for and surrounding the Kender Triangle;

2.7 Conditional planning permission was granted on the 21 December 2001 for the construction of 12 three storey, three bedroom and 6 three storey four bedroom houses and 15 one-bedroom and 15 two-bedroom self-contained flats in four and five storey blocks on part of the Kender 'Triangle Site', Queens Road SE14, together with associated landscaping and provision of refuse stores and 38 car parking spaces with the formation of vehicular access onto Queens Road. This scheme has been developed and is known as Phase 1, referenced DC/01/49771.

2.8 Conditional planning permission was granted on the 15 February 2002 for the construction of a two storey terrace of 6, two bedroom houses, together with the provision of 5 car parking spaces, to the rear of the Coach & Horses PH, Pomeroy Street (south of the application site), SE14, and the construction of a three storey terrace of 6, three bedroom houses adjacent, fronting Pomeroy Street. These properties are now in place and are known as Kender Phase 1b, planning reference DC/01/50332.

- 2.9 Conditional planning permission was granted on 5 March 2003 for the construction of 12 three storey, three bedroom and 6 three storey, four bedroom houses and 15 one bedroom and 15 two bedroom self-contained flats in three to five storey blocks on part of the Kender Triangle Site, Queens Road SE14 (to the far south west of the application site), together with associated landscaping, the provision of refuse stores and up to 38 car parking spaces with the formation of vehicular access onto Queens Road. The properties have been built and this scheme is referred to as Phase 1a referenced DC/01/50319.
- 2.10 Conditional planning permission was granted on 15 February 2002 for the construction of a four storey block comprising 8, one bedroom self-contained flats and a three storey terrace of 5, three bedroom houses on the site of existing garages fronting Kender Street SE14 (to the south of the application site), together with associated landscaping and the provision of 10 car parking spaces with access onto Kender Street. This development has been built and is referred to as Phase 1c referenced DC/01/50333.
- 2.11 Conditional planning permission was granted on 20 January 2003 for the construction of a two storey plus roof space terrace comprising 6 three bedroom and 4 four bedroom houses on the site of the existing garages adjacent to Palm Tree House, Barlborough Street SE14, together with associated landscaping. This development is known as Phase 2, has since been built and is referenced DC/02/52359.
- 2.12 Conditional planning permission was granted on 18 April 2007 for the construction of a part single/part four/part five storey building at Kender Triangle Development, Queens Road SE14, to provide a residents' facility and 2 commercial units (Use Class A1/A2/B1) on the ground floor and 4 one bedroom and 8 two bedroom self-contained flats above, together with associated landscaping, provision of refuse stores, 4 car parking and 18 bicycle spaces. This permission was not constructed and was referenced DC/06/64420.
- 2.13 Conditional planning permission was granted on 14 November 2007 for the construction of a part single/part four/part five storey building at Kender Triangle Development, Queens Road SE14, to provide a residents' facility and 2 commercial units (Use Class B1) on the ground floor and 4 one bedroom and 8 two bedroom self-contained flats above, together with associated landscaping, provision of refuse stores, 4 car parking and 18 bicycle spaces. This application is referenced DC/06/66614 and was constructed.
- 2.14 In 2009, conditional planning permission was approved for the redevelopment of the Kender Triangle, comprising the demolition of Antony House and Edward Robinson House and the construction of 67 new dwellings, comprising 11 three and four bedroom houses, 28 one-bed flats and 28 two-bed flats. It is intended that 30 of the proposed dwellings would comprise affordable housing. The houses are proposed on the north side of Reaston Street and would be three storeys, with the second floor set back on the street elevation. The flats would be in part three/part four storey blocks. The blocks would be aligned with main frontages to the street, maintaining the existing street pattern. These buildings are now in place, known as Phase 3 of the Kender Triangle and has a planning reference of DC/07/65684.
- 2.15 In February 2011, conditional planning permission was granted for the construction of two residential blocks comprising one with part two/part three,/part

four/part five and part six storeys and the second with part three/part four/part five and part six storeys both blocks incorporating balconies at former New Cross Hospital Site, Wardalls Grove, Avonley Road SE14 to provide 35 one bedroom, 64 two bedroom self-contained flats, 11 three bedroom and 14 four bedroom houses, together with associated landscaping, provision of refuse stores, 127 cycle spaces and 43 car parking spaces with access onto Avonley Road (to the immediate west of the application site). At the time of writing this report, the development was near completion. The planning reference is DC/10/70536.

3.0 Current Planning Application

The Proposals

- 3.1 The proposal is for the development of Phase 4 of the Kender Triangle, bounded by New Cross Road, Avonley Road, Barlborough Street and Monson Road, SE14 including the construction of a part 6/part 9 storey building and two, 4 storey buildings comprising 164 residential flats together with 40, two and three storey houses to provide a residential development totalling of 204 new dwellings with 70 car parking spaces, cycle and refuse storage, private and communal amenity space and associated hard and soft landscaping.

Buildings

- 3.2 Block 1: At the north western corner of the Avonley Road and Barlborough Street there is to be a two to three storey block of flats (Block 1). This block would comprise 11 x 1 bed, 27 x 2 bed, 9 x 3 bed and 2 x 4 bed flats resulting in 49 units in total.
- 3.3 Block 2: To the east of that block would be a further pair of three storey blocks of terraced houses, (cumulatively known as Block 2). This set of buildings would comprise 16, 3 bed houses.
- 3.4 Block 3: To the south of Block 1, fronting Avonley Road to the western boundary of the site would be a four-storey block (Block 3). This block would comprise 15 x 1 bed, 11 x 2 bed and 19 x 3 bed flats totalling 45 flats.
- 3.5 Block 4: In the centre of the site, south of Block 2 is a horizontal row of part two/part single storey houses, fronting Reaston Street to the north and Hatfield Close to the south. The dwelling mix thereof would be formed of 9 x 3 bed houses.
- 3.6 Block 5: Continues the horizontal row of houses of Block 4, running eastwards towards Monson Road, which is then capped by a four-storey block of flats running along the eastern boundary of the site. This row of properties would comprise 16 x 3 bed flats, 6 x 3 bed houses and 6 x 4 bed houses totalling 28 units all together.
- 3.7 Block 6: Being the largest building on the site, Block 6 is to be located at the south eastern corner of the site, comprising a segregated three storey block, then an 'L' shaped, stepped, part four/part 6/part 9 storey block, largely fronting New Cross Road. This block would comprise 18 x 1 bed and 36 x 2 bed flats creating 54 units in total.

- 3.8 Page 31 of the Design and Access Statement provides a massing drawing, depicting the various heights of the proposed building in the context of the application site's surrounds. This diagram is especially useful for demonstrating the stepped design of Block 6.
- 3.9 The new development would be modern in appearance, but the scale and massing of the proposed buildings have been articulated to compliment their immediate surrounds, resulting in the lower buildings generally being to the north and centre of the site, and the taller buildings being on the western and southern boundaries.

New streets

- 3.10 To the north, the development would complete the southern side of Barlborough Street. A gap between the flats of Block 1 and houses in Block 2 creates a new one way street (Robinson Way), connecting Barlborough Street from the north and Reaston Street in a southerly direction. Reaston Street would run horizontally through the centre of the site, from west to east.
- 3.11 Juxtaposed between Blocks 4 & 5 and Hatfield Close to the south would be Hatfield Lane which would provide vehicular access to the houses.
- 3.12 To the east of Block 6, a pedestrian link is proposed from New Cross Road from the south of the site, running in a northerly direction to a central square. East from this point would guide pedestrians to Avonley Road, north would lead to Reaston Street, then Barlborough Street at its junction with Wigglesworth Street. A westerly walk from the central square would lead pedestrians to Monson Road.
- 3.13 The northern elevations of Blocks 3, 4 & 5 would necessitate the reduction (eating into/stopping up some of the public highway) of Reaston Street and relocating the southern public highway boundary northwards.

Amenity

- 3.14 The houses will all benefit from their own private gardens or semi-private courtyards (shared and accessed by the occupiers of the blocks only), while some of the houses will also benefit from enclosed first floor terraces. The scheme is designed around a central square which would also provide amenity space and thus, the development as a whole would cumulatively provide 3,467.2m² of amenity space.
- 3.15 The flats will benefit from either their own private balconies or will have access to secured communal gardens and courtyards. Block 6 in particular will have three communal roof terraces on the 1st, 4th and 6th floors. These terraces would be for the use of the occupiers of Block 6 only.
- 3.16 A Central Square would be located in the centre of the application site, providing a thoroughfare from New Cross Road to the south and Reaston Street further north in the site would be a hard surfaced area with planting and benches which connect the blocks within the development. Blocks 1 & 3 will benefit from a residents only accessible internal courtyard.

Car Parking

- 3.17 On site, 70 (18 under croft, and the remainder on street, within the site or on driveways) parking spaces will be provided for proposed occupiers. Block 6 will accommodate under croft parking, while the remainder of the spaces will be located either on the drives for the houses, or on the access roads within the site.
- 3.18 All (20) wheelchair accessible, South East London Housing Partnership compliant units will have access to a nearby or on site parking provision.
- 3.19 On street parking spaces will be provided on Reaston Street for users of the proposed development or the surrounding roads to use.
- 3.20 At present, neither Reaston Street, Avonley Road or Barlborough Street have any parking restrictions. The relevant section of New Cross Road is a double red line route which prohibits parking at any time.
- 3.21 The parking ratio for the site is 30% provision in relation to the amount of units proposed.

Cycle Parking

- 3.22 A total of 384 cycle spaces are being provided as part of the development. All houses will be provided with storage shelters which are capable of accommodating at least two bicycles within the front garden, while all of the flatted units will have access to one or two cycle spaces located in secure stores wither within or adjacent to the relevant block.

Supporting Documents

Design and access statement

- 3.23 This document summarises the scheme and the ideas which formed the final proposal.
- 3.24 The document is introduced by an assessment of the site and its surrounds, and describes how the site was evaluated which resulted in the design concept for the development.
- 3.25 Details of the development including unit amounts and types, the design, scale and layout of buildings and proposed parking, amenity provision and sustainability measures are also summarised within this document.

Statement of community involvement

- 3.26 This document outlines the consultation processes (not verified) undertaken with the local community prior to the submission of the formal planning application.

Transport Statement

- 3.27 The Transport statement considers the effect of the development upon the local transport infrastructure including public and private means of transport. The report also provides guidance as to how the effect of the scheme can be minimised.

- 3.28 The report draws from public transport publications appended thereto. The excerpts comprise public transport information including destinations and frequencies, and maps comprising road classifications and access routes. Reference is also made to other modes of transport such as walking and cycling.
- 3.29 The document concludes by stating that the existing facilities for walking and cycling within the area are already good.
- 3.30 A parking survey carried out concluded that there is capacity on the immediately surrounding roads, while the provision of 70 additional spaces from the scheme would exceed policy requirements.
- 3.31 This document also states that the implementation and promotion of a car club space would also help reduce car ownership, and thus any stress on street parking.
- 3.32 With regard to the additional traffic derived from the site, it concludes that any potential impact to the Avonley Road/New Cross Road junction would be minor.

Travel Plan

- 3.33 Travel plans are intended to be guidance for future occupiers, encouraging them to use more sustainable modes of travel, thus relying less on private vehicles.
- 3.34 The document outlines the site, its environs and current accessibility modes and frequencies thereof.
- 3.35 The report states that a Travel Plan is an ever-evolving document, changing with the requirements and availability of sustainable modes of transport as they emerge and/or improve. The Travel Plan also identifies the need for a Travel Plan Co-ordinator to actively promote the contents and benefits of using the Travel Plan.
- 3.36 Reference is also made to the benefits of car club provision and that the Travel Plan and Travel Plan Co-ordinator will be promoting its use.

Daylight and sunlight report

- 3.37 This document confirms why the development proposal warranted the consideration of daylight and sunlight due to its relatively dense urban location... Further, given that the proposal includes a 9-storey block, it is imperative that the scheme minimises any impact to current levels of sunlight and daylight currently afforded to nearby properties.
- 3.38 Appended to this report, are 3D angled drawings of the application site in its previous form (prior to demolition of the previous residential blocks) and the environs.
- 3.39 The assessment of these drawings against BRE (Building Research Establishment) guidance lead to conclusions that the impact of the application proposal upon the sunlight and daylight levels of the existing surrounding buildings is small. The conclusion acknowledges that there are isolated instances where strict compliance to the guidance is not adhered to (4% of units do not fully comply with the BRE standards); however in each case the shortfall is considered to be minimal.

- 3.40 Overall, the future occupiers of the development would have 'good' levels of access to daylight and sunlight.

Flood Risk Assessment

- 3.41 The application site is not within a flood risk zone. However, due to the plot size exceeding more than 0.5 hectares, a flood risk assessment was necessary.
- 3.42 This document describes the application site in the context of its land use and topography and that of its immediate surrounds. The document also makes reference to the River Thames being approximately 2 kilometres southwest of the application site in Deptford.
- 3.43 The report identifies a 5,000m² increase of impermeable area within the site, compared to the buildings prior to their demolition.
- 3.44 Mitigation measures proposed include impermeable areas which will be drained to infiltration soak aways, green roofs located on the three blocks of flats will also reduce water run-off. Water butts for the houses from the rain pipes and permeable paving for the parking areas will ensure that the water from the site entering the public sewers would be less than that derived from the previous development.

Air Quality Assessment

- 3.45 This document considered the impact to the air quality during the construction works of the development, and then the impact of the development once it is in use.
- 3.46 During the construction of the development, the greatest consequential nuisance is dust. Once the site is in full operation, the greatest impact from the development is then derived from the increase/change in traffic to and from the site.
- 3.47 With regard to pollution potentially affecting future occupiers of the development, a study of receptors states that all new buildings, except for the façade which fronts New Cross Road of Building 6, would not be exposed to unacceptable levels of pollutants.
- 3.48 Chapter 7 (Page 35) of this document, provides proposed mitigation measures to minimise the creation and concentration of pollutants during the course of works and for future occupiers. Measures include, amongst other things, solid barriers to surround the site, all waiting vehicles to switch off their engines, watering down loose materials and air sealed windows with whole house ventilation for future occupiers.

Noise and vibration assessment report

- 3.49 This report considers the impact of any existing noise and vibrations on or immediately around the application site and how it might affect the quiet enjoyment of future occupiers.
- 3.50 The report identifies New Cross Road as being the main source of noise heard from the site, but also confirms that the site is not in close proximity to a railway line which can be a source of noise and vibrations.

- 3.51 The conclusion is that there are unlikely to be any noise impacts derived from the site itself and with appropriate noise mitigation glazing units and ventilation systems, internal noise levels would be acceptable. External amenity areas can also benefit from good design.

Code for Sustainable Homes prediction report

- 3.52 Predictions of how the proposed development would achieve a minimum of 68 points (Level 4) are set out in this report.
- 3.53 It is confirmed that much of the information within the report is based on assumptions and that evidence of the ability of the scheme to achieve Level 4 will have to be provided.
- 3.54 The conclusions section of the report states that some of the units within Block 5 and some of the units within Block 6 may not achieve Code Level 4.

Code for Sustainable Homes – Ecological assessment

- 3.55 This report was undertaken when the previous residential dwellings had already been demolished. The assessment therefore confirms that there was little ecology to protect or enhance as upon site visit, the site comprised rubble and sparse vegetation.
- 3.56 Using a credit system, the document concludes by calculating the credits available to differing elements of the scheme given the current ecological value of the site and the predicted capabilities of the proposed development.
- 3.57 The document also provides a comprehensive list of suggested measures which could optimise the ecological credits for the development.
- 3.58 Energy Assessment – This document still refers to individual boilers within the flats and was not revised to incorporate the change to communal boilers which is now proposed.

Historic environment assessment

- 3.59 This report is based on the findings of a desk-based study which assessed the impact of the scheme on buried heritage assets.
- 3.60 The findings conclude that the site does not contain any nationally designated (protected) heritage assets, but that it lies across the boundary of two areas of archaeological priority as designated by Lewisham. The document also identifies the adjacent Hatcham Conservation Area.
- 3.61 The report also concludes that a site investigation prior to granting planning permission is unnecessary, but that investigative works should be carried out prior to the commencement of works.

Arboricultural implication study and tree protection strategy

- 3.62 This report assesses all trees currently on site and adjacent thereto in terms of their health and safety, amenity value and future potential. A schedule of the trees is appended to the report. The report also considers any potential impact on the trees from the application proposal.

3.63 The report concludes that there are no trees of high amenity value on the site. Eighteen trees of modest amenity value will be removed in order to facilitate the redevelopment of the site.

3.64 Two trees adjacent to the site will have their root protection areas breached by less than 5% and this is concluded to be acceptable.

Desk study, site investigation and risk assessment report.

3.65 This study considers the potential contaminants which might be on the site and provides suggestions for remedial measures. Part of the conclusions is that site investigative works should be carried out by an engineer and any remedial works should be discussed with the Local Authority, prior to implementation.

3.66 This document erroneously refers to the application site as being 1.77ha. The site area is 1.509ha.

Planning Statement

3.67 This document has been compiled by the agent for the applicant and considers the policy context of the application.

3.68 The document is introduced by describing the application site and proposed development including policy required attainments such as achieving Code for Sustainable Homes, Level 4, adequate amenity space, cycle provision and such.

3.69 The relevant national and local policy base is then listed and then application attributes are listed to demonstrate how the scheme is policy compliant.

3.70 The document concludes by stating that the proposed development would result in a sustainable, high quality designed scheme which maximises the development potential of the site, whilst sitting well with the scale and mass of the sites environs.

3.71 A draft heads of terms is also appended to this document, stating that the scheme would contribute financial compensation in accordance with the Council's Planning Obligations SPD amounting to £956,547.54.

3.72 The document also confirms that the proposed development is CIL (Community Infrastructure Levy) liable and calculates its net liability to be £186,312.

4.0 Consultation

4.1 This section outlines the consultation carried out by the applicant prior to submission and the Council, following the submission of the application and summarises the responses received.

Pre-Application Consultation

4.2 The Statement of Community Involvement submitted with the application introduces the document stating that this application is the 4th Phase of the redevelopment of the wider Kender Triangle proposals.

- 4.3 Discussions about the redevelopment between Lewisham Council and Hyde Housing Association, to whom the redeveloped site will be transferred, began in 2007.
- 4.4 Paragraph 2.2 states that forum meetings were held with the [then in residence] tenants and local residents to ensure detailed feedback and comment on the proposals were picked up to help influence the design of the current application proposal. A public exhibition event took place in July 2011, of which 9 people attended.
- 4.5 The document reports initial comments raised by neighbours, Lewisham Planners and Housing Officers to be as follows;
- Create new, attractive and well overlooked streets
 - Create safe pedestrian routes to local Amenities like Eckington Gardens and New Cross Road
 - Create a mix of homes of different types and sizes for rent, shared ownership and private sale
 - Improve public and private spaces with gardens, balconies, good landscaping and trees
 - Create a new landmark building on New Cross Road
 - Reflect Kender 2 & 3 phases in terms of materials, window sizes and enhance landscaping and internal streets.
- 4.6 Once the crux of the design of the scheme had been finalised and shown the residents, paragraph 4.5 of the submitted Statement of Community Involvement states that 'on the whole, the development was welcomed.'

Application consultation

- 4.7 The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.8 Site notices were displayed and letters were sent to residents and business in the surrounding area. Together with local ward Councillors, the following external agencies and departments were also notified and provided with a minimum 21 days to reply to the consultation exercise;
- Lewisham Cyclists
 - Environment Agency
 - English Heritage - CAC
 - London Fire & Emergency Authority
 - TfL's Land Use Planning Team (Refer to GLA)
 - Lewisham Primary Care Trust
 - Thames Water
 - Metropolitan Police Crime Prevention Unit

- London Cycling Network
- Greater London Authority

Written Responses received from Statutory Agencies

The Environment Agency

- 4.9 The Environment Agency considered that 'planning permission could be granted to the proposed development if the conditions stated in their consultation reply letter were applied to the decision notice.'
- 4.10 The conditions related to the development being carried out in accordance with the details within the Flood Risk assessment submitted in the application documents, the provision of a surface water drainage scheme and site contamination.

Transport for London (TfL)

- 4.11 The comments from TfL were provided together with the Stage 1 Response from the Greater London Authority (GLA).
- 4.12 In a letter dated 11 June 2012, from Transport for London it was confirmed that 'impact of the expected trip rate from this development on the TLRN is considered acceptable to TfL and further junction analysis is not needed at this stage.'
- 4.13 With regard to parking, the letter states that 'The proposed level of parking provision is in accordance with London Plan policy 6.13 and well below the maximum standards detailed in Table 6.2. Given the moderate public transport accessibility of much of the site, it is considered that a reasonable balance has been struck between encouraging use of more sustainable modes and avoiding on street parking stress. Consideration should be given to a further reduction of the overall availability of parking as the Travel Plan takes effect by preventing residents from applying for residential parking permits should a Controlled Parking Zone be introduced.'
- 4.14 The letter goes on to encourage the provision of further disabled car parking spaces, the creation of a car club space either on the site or adjoining it and 20% of spaces should be fitted with Electronic Vehicle Charging Points (EVCP).
- 4.15 Contributions towards improving the walking and cycling routes through the site should be secured via S.278 or S.106 agreements.
- 4.16 The letter is concluded by stating that 'Overall, TfL has no significant objections to the principle of the proposed development. However, to comply with the transport policies of the London Plan, further work is required with respect to electric vehicle charging points, car club, disabled and cycle parking provision, the Travel Plan, and in auditing the accessibility of the site to the surrounding area, public transport and local facilities.'
- 4.17 In the transport section of the Stage 1 report, objections were raised to the following;
- 4.18 The applicant has assessed the gross (i.e. without allowance for the 144 units previously on the site) effect of the additional levels of traffic generated by the

development upon the Avonley Road/New Cross Road junction. However, the impact of the expected trip rate from this development on the TLRN is considered acceptable to TfL and further junction analysis is not needed at this stage.

- 4.19 The proposed level of parking provision is in accordance with London Plan policy 6.13 and well below the maximum standards detailed in Table 6.2. Given the moderate public transport accessibility of much of the site, it is considered that a reasonable balance has been struck between encouraging use of more sustainable modes and avoiding on street parking stress. Consideration should be given to a further reduction of the overall availability of parking as the Travel Plan takes effect by preventing residents from applying for residential parking permits should a Controlled Parking Zone be introduced.
- 4.20 It is proposed that each of the wheelchair adaptable homes included in the scheme would have a disabled parking space. TfL would recommend additional disabled parking is provided to support disabled visitors.
- 4.21 The applicant has stated that should demand for car club use dictate, a parking bay (or bays) could be allocated closer to the site than the nearest existing space about 400m away. In line with London Plan policy 6.13, consideration should be given to such provision being made from the outset either on site or adjoining it.
- 4.22 Also in line with London Plan policy 6.13, 20 per cent of all car parking spaces should be fitted with electric vehicle charging points, with an additional 20 per cent having passive provision. The car club, disabled and EVCP parking should be secured by condition.

Thames Water

- 4.23 No objections were raised to the proposal, but conditions and informatives were provided to be put on the decision notice.
- 4.24 The conditions and informatives related to waste, in terms of surface water drainage, impact piling, discharging into a ground water sewer.
- 4.25 With regard to the provision of water, the letter states that the existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water required a condition pertaining to the provision of an impact study which would provide details of how much water demand would be required from the future occupiers.

Greater London Authority – Stage 1 response

- 4.26 In addition to the TfL comments noted above regarding transport, the Stage 1 reply from the GLA is summarised to be an objection to the proposal, confirming that the proposal as initially submitted did not comply with the London Plan.
- 4.27 The summary section of the document states that the principle of the residential development and the overall regeneration to be gained from the proposed development is acceptable and that the percentage of affordable housing exceeds London Plan targets. The family housing proposed is also welcomed.
- 4.28 Further information was requested with regard to play space provision and type, inclusive design, energy and transport. Without further information and

justifications supporting what had already been proposed, the scheme would not be compliant with the London Plan and if the matters were not remedied, the London Mayor could exercise his powers withdraw Lewisham's ability to grant planning permission and determine the application himself.

- 4.29 Revisions were then submitted to the GLA to address the queries raised. In response to the revisions the GLA provided the following comments on 30 August 2012;
- 4.30 Housing: - The applicant has provided verification from the Council to justify the proposed tenure split. However, whilst a high amount of affordable housing is being proposed, this does not exclude the need for an independent assessment/verification of the viability assessment. These matters should be addressed before a stage 2 referral can be made. However, in response to this point, an email was received from the applicant dated 3 September 2012, which comprised confirmation from the GLA that an independent viability assessment was no longer required.
- 4.31 Play space: - the applicant is proposing to provide 3467.4m² of amenity space, which exceeds the results of the GLA child yield standards, which calculated the requirement/provision to be 2059.5m² for this development proposal. The applicant is proposing to include playable landscape features in the central square, which is welcomed. It is recommended that the applicant consider the provision of interesting play features in addition to the landscaping proposed in the semi private courtyards (blocks 1 and 3) as well, so that there is a dedicated safe and personal area for 0-5 year olds to play in closer proximity to their home.
- 4.32 Design: - The applicant has explained the rationale for the walk through route between New Cross Road and Balborough Street which is acceptable. The response also explains the geometry behind the proposed building line for block 6.
- 4.33 The GLA would like clarification of how the triangular space left vacant by this building's position, in front of block 6 will be used.
- 4.34 It is essential that designers ensure that where two entrances to individual units are provided, the entrance facing the public realm/entrance is designed as the primary entrance to the unit-including post boxes and utility meters.
- 4.35 It is also very important for block 6 that the address of the property, and front entrances should be facing New Cross Road. The clarification provided by the applicant for this paragraph suggests that all the entrances to houses are made directly from the street, however, street elevation B, drawing KEN AL (P) 090 suggests otherwise. The block has no visible front entrance doors.
- 4.36 Noise: - All the noise and vibration related comments appear to have been addressed adequately.
- 4.37 Energy: - The scheme has clearly been revised to drop the proposal for adopting individual gas boilers for the flats and reverted to communal heating from an energy centre. The revisions now meet the future proofing requirements for later connection to area wide district heating. If the system costs and carbon are reasonable, this proposal could be a useful case study for future proofing.

- 4.38 Transport: - The revised assessment has been reviewed and the TfL officer has initially responded suggesting that she would have hoped that the assessment would include the existing and proposed routes directly between the application site and New Cross Road and the bus stops since this is of most importance to future residents of the scheme. It is recommended that this is undertaken. The stage 1 report did raise this as an issue.
- 4.39 It can be confirmed that TfL would be happy with the Travel Plan being secured and submitted by way of a planning condition or better still, as a clause in the S106 agreement, as suggested in the Stage 1 report.
- 4.40 Once the additional work is undertaken, it is likely to meet the ATTrBuTE assessment. The revised framework Travel Plan needs to be viewed however, before a stage 2 referral is made. Transport matters are therefore still pending.

Written Responses received from Local Residents and Organisations

- 4.41 Hong Kong City – Objection: The proposed parking and access arrangement against the north side of HKC Restaurant, as well as the narrow width of the new access road would make it very difficult for delivery and refuse vehicles to operate. Although the proposal shows a space for bins and service access, no parking or turning space for delivery or staff vehicles appears to have been allowed.
- 4.42 The restaurant has very limited parking space for customers at the front of the building. Customers rely mainly on the surrounding streets for on-street parking. This will no longer be possible as the proposed scheme will take over most of the surrounding streets and will provide parking presumably for the sole use of residents. This problem, which threatens the survival of the restaurant as a viable business, is further exacerbated by the use of double yellow and red lines along the main streets. If unregulated parking is a concern for the council, then perhaps the provision of on-street paying parking could be included, as this would certainly help businesses, both for customers and late night staff.
- 4.43 The proposed building (block 6) facing New Cross Road and immediately adjacent to the restaurant appears to be very close to the flank wall of the restaurant. This flank wall is currently propped up by a series of buttresses which project over 1m at their base. This would make the building very close indeed, considering that the previous building of the demolished scheme was around 14m away.
- 4.44 61 Edric Road x 2– objection: Seventy car parking spaces are not enough for 204 new dwellings. If they [the new residents] park on the surrounding streets, it will increase the amount of congestion that already occurs within the area at key times of the day.
- 4.45 58 Edric Road – Objection: Seventy car parking spaces is not enough for 204 new dwellings. The rainwater drains in the neighbourhood have been constantly blocked since I moved here around 5 years ago. I am concerned the additional load put on the draining systems from this new development is only going to make matters worse. Other than that, it looks like an interesting development. It is hoped the number of trees planted lives up to the artist impressions.

The letters are available to members.

Design Panel

- 4.46 The application, prior to submission, but in its current form, went to the design panel 15 May 2012.
- 4.47 The Panel were pleased with the progression that the design team have made with this proposal and commend the changes made in response to the Design Panel comments. It is felt that the new proportions and shape of the new buildings along New Cross Road are an improvement and that they relate much better to the existing tower blocks. The space to the back of Hong Kong City looks improved, but the detailed landscaping should be provided to ensure it would be delivered.
- 4.48 The Panel remain to be convinced on the choice of materials, especially that of 'buff' brick. It is thought that used in this location in such large expanses that it would look bland. Using more than one shade of brick is supported but work is necessary to establish the most appropriate locations and shades of different brick. Material samples are required including those proposed for the balconies.

Internal Consultation replies

- 4.49 The following internal departments were also notified and provided with a minimum 21 days to reply to the consultation exercise:
- Strategic Housing
 - Sustainability Manager
 - Education
 - Environmental Health
 - Environmental Sustainability
 - Highways & Transportation
 - Parks Manager
 - Disability & Domiciliary Services
 - Leisure
 - District Surveyor

Strategic Housing

- 4.50 With regard to the level of affordable housing proposed by the scheme, the planning policy requirement is 50% and the scheme would provide 74% affordable homes.
- 4.51 144 units were previously on the site, but were demolished under the Kender Regeneration scheme. The majority were rented homes but at least 12 had been sold under the Right to Buy.
- 4.52 The proposed Hyde Scheme has been worked up in close consultation with Strategic Housing Scheme is one of a number of sites comprising the Kender Regeneration Scheme which started in 2000. One of the aims of the regeneration scheme was to diversify tenure in the area, which was then predominantly social

rented housing. We believe this proposal by Hyde strikes the right tenure balance.

- 4.53 The tenure splits, rent levels and the quality of the units (all achieving Lifetime Homes) are acceptable.

Sustainability Manager

- 4.54 Favourable Comments were provided in response to the scheme as originally submitted as the scheme adhered to Core Strategy requirements. Given the development is not in an area that officers could reasonably expect a decentralised energy network to come forward, there is no policy justification for requiring a communal system if it cannot be shown to be the most effective technological solution. In this instance, and particularly because they are compliant with Lewisham's policy requirements in terms of overall CO₂ reductions, officers are content with the proposals.

- 4.55 Post the revisions as requested by the GLA, including the provision of communal boilers to the flats in lieu of individual boilers, the scheme remains to be policy compliant and therefore, no objections are raised to the proposed development.

Highways and Transportation

- 4.56 Based on the level of car ownership in the surrounding area and the availability of on-street parking in streets adjacent to the application site, the level of off-street car parking proposed for the Kender 4 scheme is considered acceptable, subject to the provision of a car club scheme at the site (i.e. the provision of car club membership), as a sustainable alternative to car ownership.

- 4.57 The site is well located in terms of access to public transport facilities and has a moderate PTAL of 3-4. The nearest rail stations are Queens Road Peckham to the southwest of the site and New Cross Gate to the east of the site. Both are approximately 1.2km from the site (15 minutes walk). With the provision of the new rail Station on Surrey Canal Road, the site will be within 700m (10 minutes walk) of the new Surrey Canal rail station, via a link through Bridge House Meadows. So, if the application were granted planning permission, the applicant would be required to provide a S106 contribution towards improving the cycle and pedestrian routes/links to the new station.

- 4.58 A Construction and Logistics Plan (CLP) is required, it should be submitted prior to commencement of the development and should specify how the impacts of construction activities and associated traffic will be managed. The Plan should include details of access arrangement and safe routes for existing residents, particularly those requiring access to Hatfield Close.

- 4.59 A Waste Management Plan (WMP) is required, which should include details of refuse and re-cycling collection points which should be accessible from within 10m of kerb line. The plan should illustrate how bins will be brought out to collection points on collection days and returned.

- 4.60 A Parking Management Plan is required. The plan should include details of how the parking on the private roads/areas will be allocated and managed. The plan should also provide details of measures to prevent vehicles parking on the hard landscaped areas, to ensure routes through the site are not obstructed.

- 4.61 A detail of Cycle Storage is required, which should be covered and secure.
- 4.62 A condition is required to ensure the Travel Plan is taken forward and delivered. The Travel Plan should include measures to encourage the use of more sustainable forms of transport
- 4.63 The applicant will be required to enter into a S278 agreement with the Highway Authority. The S278 Highways Agreement is required to secure the highways works on the public highway within and adjacent to the site and shall include highways reinstatement/improvement works to Reaston Street, Avonley Road, Barlborough Street and Monson Road, including amendments to the carriageways/footways, junctions, and measures to regulate vehicle speeds as the site is within a 20mph zone. The highway authority will also require a financial contribution for maintenance of any trees or landscaped verges (soft landscaping) on the public highway.
- 4.64 The development proposal includes reducing the width of Reaston Street and relocating the southern public highway boundary northwards. So, the applicant will be required to make a Stopping Up application under Sections 247 Town & Country Planning Act 1990.
- 4.65 The Highway Authority will require details of the Sustainable Urban Drainage Systems (SuDs) proposed on the public highway and details of the proposed drainage systems on the private hard landscaped areas.
- 4.66 The Highway Authority will also require details of lighting proposals on the public highway.

Environmental Health

- 4.67 With regard to noise considerations, the proposal is acceptable subject to conditions pertaining to sound insulation details being attached to the decision notice.
- 4.68 For air quality, according to the criteria in the London-wide BPG for controlling emissions from construction/demolition, the site is categorised as high risk. The developer proposes to implement mitigation measures commensurate with the risk, which is welcomed. I would recommend securing this commitment to put in place all appropriate mitigation measures from the BPG which could be through a condition requiring a CEMP to be submitted and approved beforehand.

5.0 Policy Context

Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

- 5.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.
- 5.3 The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), those saved policies in the adopted Lewisham UDP (July 2004) that have not been replaced by the Core Strategy and policies in the London Plan (July 2011). The National Planning Policy Framework does not change the legal status of the development plan.
- 5.4 National Planning Policy Framework (NPPF)

The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14 a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states that (paragraph 211), policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. In summary, this states, that for a period of 12 months from publication of the NPPF, decision takers can give full weight to policies adopted since 2004 even if there is limited conflict with the NPPF. Following this period, weight should be given to existing policies according to their consistency with the NPPF.

- 5.5 Officers have reviewed the Core Strategy and saved UDP policies for consistency with the NPPF and consider there is no issue of significant conflict, as such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, 214 and 215 of the NPPF.

Ministerial Statement: Planning for Growth (23 March 2011)

- 5.6 The statement sets out that the planning system has a key role to play in rebuilding Britain's economy by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. The Government's expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.
- 5.7 The statement further sets out that local authorities should reconsider at the developer's request, existing Section 106 agreements that currently render schemes unviable, and where possible modify those obligations to allow development to proceed, provided this continues to ensure that the development remains acceptable in planning terms.

- 5.8 Other National Guidance

The other relevant national guidance is:

By Design: Urban Design in the Planning System - Towards Better Practice (CABE/DETR 2000)

Planning and Access for Disabled People: A Good Practice Guide (ODPM, March 2003)

Safer Places: The Planning System and Crime Prevention (ODPM, April 2004)

Guidance on Tall Buildings (English Heritage/CABE, July 2007)

Code for Sustainable Homes Technical Guide (DCLG/BRE, November 2010)

South East London Partnership Wheelchair homes design guidelines (2011)

Accessible London: Achieving an Inclusive Environment (2004)

Housing (2005)

Sustainable Design and Construction (2006)

Planning for Equality and Diversity in London (2007)

Providing for Children and Young People's Play and Informal Recreation (2008)

5.9 London Plan Best Practice Guidance

The London Plan Best Practice Guidance's relevant to this application are:

Development Plan Policies for Biodiversity (2005)

Control of dust and emissions from construction and demolition (2006)

Wheelchair Accessible Housing (2007)

Health Issues in Planning (2007)

London Housing Design Guide (Interim Edition, 2010)

5.10 The London Plan SPG's relevant to this application are:

Draft Housing Supplementary Planning Guidance 2 DECEMBER 2011

London Plan Supplementary Planning Guidance (SPG)

5.11 London Plan (July 2011)

The London Plan policies relevant to this application are:

Policy 1.1 Delivering the strategic vision and objectives for London

Policy 2.2 London and the wider metropolitan area

Policy 2.5 Sub-regions

Policy 2.9 Inner London

Policy 2.13 Opportunity Areas and Intensification Areas

Policy 2.14 Areas for regeneration

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 3.13 Affordable housing thresholds

Policy 3.14 Existing housing

Policy 3.15 Co-ordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.17 Health and social care facilities

Policy 3.18 Education facilities

Policy 4.12 Improving opportunities for all

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater Infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

Policy 5.21 Contaminated land

Policy 5.22 Hazardous substances and installations

Policy 6.1 Strategic approach

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.7 Location and design of tall and large buildings
Policy 7.8 Heritage assets and archaeology
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.18 Protecting local open space and addressing local deficiency
Policy 7.19 Biodiversity and access to nature
Policy 7.20 Geological conservation
Policy 7.21 Trees and woodlands
Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy
Policy 8.4 Monitoring and review

5.12 Core Strategy

The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the London Plan and the saved policies of the Unitary Development Plan, is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1 Lewisham spatial strategy
Spatial Policy 2 Regeneration and growth areas
Spatial Policy 5 Areas of stability and managed change
Core Strategy Policy 1 Housing Provision, mix and affordability
Core Strategy Policy 7 Climate change and adapting to the effects
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 9 Improving local air quality
Core Strategy Policy 10 Managing and reducing the risk of flooding
Core Strategy Policy 12 Open space and environmental assets
Core Strategy Policy 13 Addressing Lewisham's waste management requirements
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham

Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment
Core Strategy Policy 18 The location and design of tall buildings
Core Strategy Policy 19 Provision and maintenance of community and recreational facilities
Core Strategy Policy 20 Delivering educational achievements, healthcare provision and promoting healthy lifestyles
Core Strategy Policy 21 Planning obligations
Strategic Site Allocation 1 Requirements for strategic site allocations

5.13 Unitary Development Plan (2004)

The saved policies of the UDP relevant to this application are:

STR URB 1 The Built Environment
STR URB 4 Regeneration Areas
STR ENV PRO 3 Energy and Natural Resource Conservation
URB 1 Development Sites and Key Development Sites
URB 3 Urban Design
URB 12 Landscape and Development
URB 13 Trees
URB 14 Street Furniture and Paving
URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas
ENV.PRO 5 Waste Management Facilities
ENV.PRO 9 Potentially Polluting Uses
ENV.PRO 10 Contaminated Land
ENV.PRO 11 Noise Generating Development
ENV.PRO 12 Light Generating Development
ENV PRO 17 Management of the Water Supply
HSG 1 Prevention of Loss of Housing
HSG 4 Residential Amenity
HSG 5 Layout and Design of New Residential Development
HSG 7 Gardens
HSG 18 Special Needs Housing

5.14 Local Supplementary Documents relevant to the proposal include;
Residential Standards Supplementary Planning Document (August 2006)

5.15 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment,

noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

Planning Obligations Supplementary Planning Document (January 2011)

- 5.16 This document sets out guidance and standards relating to the provision of affordable housing within the Borough and provides detailed guidance on the likely type and quantum of financial obligations necessary to mitigate the impacts of different types of development.

Hatcham Conservation Area Supplementary Planning Document (2006)

- 5.17 This document advises on the content of planning applications, and gives advice on external alterations to properties within the Hatcham Conservation Area. The document provides advice on repairs and maintenance and specifically advises on windows, satellite dishes, chimneystacks, doors, porches, canopies, walls, front gardens, development in rear gardens, shop fronts and architectural and other details.

Housing Implementation Strategy Including statement of five year housing land supply at 1 April 2011

- 5.18 This statement is introduced by stating the supply of housing within the London Borough of Lewisham is monitored on an annual basis to ensure there is adequate provision to meet the Government's housing requirements for the borough. This statement explains how the Council has updated the housing supply forecasts from a new base of 1 April 2011.

Lewisham Borough Wide Character Study 2010 and the Lewisham Tall Buildings Study 2010

- 5.19 This study provides a definition of tall buildings and considers they might be suitably located within the Lewisham borough.

6.0 Planning Considerations

- 6.1 The main issues to be considered in respect of this application are:

- (1) Principle of Development
- (2) Scale & Layout and Design & Conservation
- (3) Housing
 - a. Size and Tenure of Residential Accommodation
 - b. Mixed and balance Communities
 - c. Standard of Residential Accommodation
 - d. Density
- (4) Amenity
- (5) Parking Highways and Traffic Issues
 - a. Car parking
 - b. Cycle parking

- c. Access & Servicing
 - d. Refuse
 - e. Gardens and Play space
- (6) Sustainability and Energy
 - (7) Ecology and Landscaping
 - (8) Planning Obligations

Principle of Development

- 6.2 The application site now comprises cleared land which has resulted from the demolition of the previous 144 dwellings which were part of the wider Kender housing estate. The site was cleared for the purpose of providing a better standard of homes, whilst optimising the density potential of the site and contributing to the regeneration of the area generally.
- 6.3 Policy 2.13 Opportunity and Intensification Areas in the London Plan refers to Lewisham, Catford and New Cross as being such areas. The annexe to this policy states that the principles in Policy 2.13 should be applied to specific Opportunity and Intensification Areas including indicative estimates of employment capacity and minimum guidelines for new homes to 2031. The annexe goes further to specifically mention the Kender Triangle and confirms that such areas 'contain a series of centres with scope for intensification, regeneration and renewal...Projects such as the Kender Triangle gyratory removal and Lewisham Gateway will provide development opportunities, improve the public realm and raise design quality in the area.
- 6.4 Lewisham's Core Strategy confirms that the Kender Estate is within a Regeneration and Growth Area. Core Strategy Spatial Policy 2 states that 'this strategy area will capitalise on public transport accessibility and the availability of deliverable and developable land, particularly through intensification of land uses. In the supporting text to this policy, Kender is again specifically referred to by confirming that 'Estate renewal will continue for the Kender and Pepys estates'.
- 6.5 Table 9.2 in the Core Strategy shows the housing predictions for Lewisham up to 2026. The supporting text to the table at paragraph 9.29 confirms that the regeneration of the Kender Estate has been included in the housing aspirations of the policy.
- 6.6 Lewisham's Housing Implementation Strategy (2011) refers to the current application and its ability to contribute approximately 200 new homes to the Council's housing requirements and that the risk of the homes not being delivered is low.
- 6.7 Regional and local plan policies all concur that the application site should be developed for residential purposes to help the regeneration of the immediate area. The Implementation strategy goes further to propose that the application site (Phase 4) provides approximately 200 new homes. Given that the application is for the redevelopment of the site for 204 residential new homes, the principle of the housing on the application site is acceptable in planning terms.
- 6.8 In order to address the needs of the increased population proposed for the site, which includes an increase in family sized units, officers consider it necessary to

secure obligations via a S106 agreement in respect of Health and Education to ensure that the impact of the Council's resources is minimised.

- 6.9 The obligations proposed as set out in the submitted Planning Statement offer contributions that were calculated using the Obligations Calculator which forms part of the Obligations SPD (2011), therefore, the contributions offered are considered to be acceptable.

Scale, Layout and Design & Conservation

- 6.10 National and local planning policies place considerable emphasis on the importance of achieving high quality design that complements existing development, established townscape and character. All new developments should contribute towards improved safety and security and new buildings must be fully accessible.
- 6.11 London Plan Policy 3.4 Optimising Housing Potential, states that planning considerations should take into account '...local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Development proposals which compromise this policy should be resisted'.
- 6.12 To the southeast of the application site are two, 13 storey tower blocks, to the south are three and four storey buildings to the southwest are three and four storey Listed buildings, to the west, when completed the Wardall's Grove development would have a six storey block fronting the application site and to the north are newly built three and four storey residential flats and houses. To the northeast is Eckington Gardens which is a park, and to the east is a traditionally built church which is single storey, but has tall steeples and gables. Both the Church and park are within the Hatcham Conservation Area.
- 6.13 Of particular note, is the part single, part three storey building (Hong Kong City) located in the immediate south west of the application site. The southernmost element of the application site is narrowed by, and juxtaposed between the position of both the existing part single, part three storey and the 13 storey blocks.
- 6.14 Block 6 would be the tallest of the proposed buildings, being 9 storeys at its highest point. To the west of the proposed 9 storeys would be the part single, part three storey building (Hong Kong City) which sits at the junction of Avonley Road and New Cross Road. Block 6 is not considered to be a 'Tall building.' Lewisham's Tall Buildings Study states that 'Tall buildings are, almost by definition, prominent buildings in their immediate context and their design.' As Block 6 at its highest point is 4 storeys shorter than the adjacent 13 storey Block, officers consider the scale of this building to be an appropriate transitional height considering the 13 storey Block to the east and the part 1/part 3 storey block to the west.
- 6.15 The remainder of the blocks within the proposed scheme are lower than their immediate surrounds, providing a transition between the existing and proposed taller buildings which front New Cross Road to the south of the application site and the lower level 2 to 4 storey buildings to the west and north of the application site.

- 6.16 Given the above, officers conclude the scale of the proposed buildings are fitting to their immediate surrounds, whilst also accommodating an optimum density for the site.
- 6.17 London Plan Policy 3.5 Quality and design of Housing Developments, states that '(A) Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment; (B) The design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces...'
- 6.18 Core Strategy Policy 15 High quality design for Lewisham, states that (d) 'In the Deptford and New Cross area, urban design policy will aim to establish visual links with the Thames, increase the connectivity of the street network, improve the streetscape, and create a sense of place with radical improvements to the social and physical environment. Tall buildings may be appropriate in certain locations....' And (e) 'The New Cross/New Cross Gate Town Centre has a number of development opportunities which need to preserve and respect the character of the adjacent conservation areas and the setting of listed buildings.
- 6.19 Saved UDP policy URB 3 Urban Design states that the Council will expect a high standard of design in new development or buildings and in extensions or alterations to existing buildings, whilst ensuring that schemes are compatible with, or complement the scale and character of existing development and its setting (including any open space).
- 6.20 The design concept for the site has evolved as a result of pre-application discussions that have been ongoing since 2007 between the applicants, neighbours and Council Officers. The design concept has been formulated through a detailed assessment of the opportunities and constraints of the existing site, and the functional requirements of the applicant.
- 6.21 The applicant has described the main factors guiding the design proposals for the site were the need to establish a strong feature building along New Cross Road to create an iconic building. Following that ambition, but not secondary to, a legible site which would be easy to navigate to and through, and which articulates the built form to respond to the scale of the surrounding townscape. To this regard, pedestrian and cycle routes would be created through the site, with access points to and from New Cross Road, Avonley Road, Barlborough Street, Reaston Street and Monson Road. Vehicular access into the site would be Barlborough Street and Reaston Street onto Avonley Road.
- 6.22 A further guide to the resultant design was the ambition to protect neighbouring amenity maximising the potential for variety of good external space while providing sufficient parking and manoeuvring to establish good links between internal and external space and to provide natural surveillance in the area.
- 6.23 The application site is irregularly shaped, surrounded by a myriad of building types and sizes. To reflect and respect this varied built form, the application site also comprises differing scales and designs.
- 6.24 However, as a starting point, the underlying theme of the development was to be calm and simplicity. This has resulted in a contemporary appearance comprising rhythmic and logical fenestration arrangements and large punctuations which can

be seen throughout all of the building types; the flats benefit from large floor to ceiling windows and deep recessed balconies, while the houses commonly have larger single windows per floor. A more traditional design approach would have seen smaller, individual windows.

- 6.25 The Design Panel were pleased with how the design of the scheme evolved. The application scheme effectively responded to initial Design Panel comments. The conclusions of the application scheme is that the new proportions and shape of the new buildings along New Cross Road are an improvement and that they relate much better to the existing tower blocks and that the space to the back of Hong Kong City looks improved.
- 6.26 However, the Panel 'remain to be convinced on the choice of materials, especially that of 'buff' brick. It is thought that used in this location in such large expanses that it would look bland...Material samples are required including those proposed for the balconies.'
- 6.27 While the Design Panel were broadly satisfied with the final version of the scheme, save the use of the proposed materials, officers are satisfied that the materials can be secured by way of apply an appropriate condition to the decision notice. That said, the condition regarding the choice of materials to be used has to be detailed enough to ensure that the definition and distinction between the varying buildings as requested by the Design Panel is achieved whilst also retaining the robustness and quality of materials as envisaged for the site. Further, to ensure that the development remains neighbourly to existing and proposed nearby dwellings, officers deem it necessary to remove all permitted development rights for the houses to ensure that further development on the site is appropriate in terms of their form and design and their potential impact upon neighbouring amenity. The withdrawal of permitted development in relation to alterations and extensions to houses will be secured by way of a condition on the decision notice. Flats do not have any permitted development rights with regard to extensions and alterations and thus will not be referred to in the condition.
- 6.28 The proposed scheme falls outside of the Hatcham Conservation Area. In considering the scale and massing of the proposed development, officers acknowledge that the site is now clear and accept that the previous buildings comprised groups of 1960's 4 storey residential blocks.
- 6.29 The application site abuts Barlborough Street to the north and Monson Road to the east which are both within the Hatcham Conservation Area. Views into the site from Eckington Gardens, Wrigglesworth Street and Avonley Road will be impacted by the development. However, they are considered to have a natural impact being of no greater mass than the former buildings and are proposed to be of good quality.
- 6.30 In light of the latter considerations, officers find the design of the scheme and its impact to the Hatcham Conservation Area to be acceptable.

Housing

a) Size and Tenure of Residential Accommodation

- 6.31 The proposal is for 204 residential units (723 habitable rooms), an increase of 60 dwellings upon what was on site prior demolition.

6.32 Blocks 1, 3 & 6 comprise flats and Blocks 2, 4 & 5 comprise flats and houses.

Table 1 Residential Tenure and Size Mix*

	1 Bed	2 Bed	3 Bed	4 Bed +	Total
Private	18(6)	36	0	0	54 (6)
Affordable Rent	22(1)	32(8)	47(2)	19(1)	120(12)
Shared Ownership	4(1)	22	4(1)	0	30(2)
Total	44(8)	90 (8)	51 (3)	19 (1)	204 (20)

*Wheelchair accessible units shown in brackets ()

b) Mixed and balance Communities

6.33 Blocks 1, 3 & 6 comprise flats and Blocks 2, 4 & 5 comprise flats and houses.

6.34 London Plan Policy 3.9 Mixed and balanced communities, states Communities mixed and balanced by tenure and household income should be promoted across London through incremental small scale as well as larger scale developments which foster social diversity, redress social exclusion and strengthen communities' sense of responsibility for, and identity with their neighbourhoods. They must be supported by effective and attractive design, adequate infrastructure and an enhanced environment.'

6.35 The dwelling mix for the scheme is derived from negotiations with the Council's Strategic Housing Officers. The dwelling and tenure mix has started with a need to replace the dwellings previously on site, to redress the high levels of social rent properties and to ensure that the resultant dwelling and tenure mix results in a mixed and balanced community.

6.36 The scheme is proposing 34% family sized (3 & 4 bed) units. These units are within Blocks 1, 2, 4 and 5 and Block 2, which are to be located at the north of the development.

6.37 The layout of the site proposes the higher density flats to be located on the peripheral of the site, being mainly located adjacent to New Cross Road and Avonley Road, while the lower density flats and houses are to be located mainly in the centre of the site. However, a row of 4 bed houses is proposed to front Barlborough Street.

6.38 The proposed dispersion of density on the application complements the existing pattern of development in terms of appearance and dwelling types. For instance, the row of 4 bed houses proposed to front Barlborough Street, complement the existing traditional housing typologies which are within the Hatcham Conservation Area, whilst completing the existing row of modern, recently built houses located on the southern side of Barlborough Street.

6.39 Core Strategy Policy 1 Housing provision, mix and affordability, requires the maximum provision of affordable housing with 'the starting point for negotiations

being a contribution of 50% affordable housing. Anything less than this provision would be subject to a financial viability assessment. The policy goes further to require the affordable housing component to be 70% social rented and 30% intermediate housing. Part 6 of the policy states that provision of family housing (3+ bedrooms) will be expected as part of any new development with 10 or more dwellings.

6.40 The affordable housing provision is 74% which is comfortably in excess of Lewisham’s requirement to achieve 50%.

6.41 To gain a clearer perspective of how the affordable units are dispersed across the tenures, Table 2 below shows the affordable housing reflected in percentages;

Table 2: Tenure mix

Dwelling Size	Affordable Housing Provision (By Unit)					
	Social Rented		Intermediate		Total Affordable Units	
	Number of Units	Percentage	Number of Units	Percentage	Number of Units	Percentage
1-bedroom	22	18%	4	13%	26	17%
2-bedroom	32	27%	22	74%	54	36%
3-bedroom	47	39%	4	13%	51	34%
4-bedroom	19	16%	0	0%	19	13%
Total	120 (80%)	100%	30 (20%)	100%	150 (100%)	100%

6.42 The Stage one response from the London Mayor criticised the omission of a viability statement with the application, as this would demonstrate that the scheme is providing the maximum amount of affordable housing whilst still achieving a financially viable scheme.

6.43 However, Core Strategy Policy 1 Housing provision, mix and affordability, states that a viability statement would be required if the scheme failed to provide at least 50% affordable housing, notwithstanding however much more could be provided within the financial viability parameters of the development.

6.44 The last column in Table 2 demonstrates that the social rented and intermediate units have been dispersed relatively evenly throughout the dwelling types and sizes with the only point being that 74% of 2 bed units are proposed to be intermediate (shared ownership).

6.45 It is also noted that most of the 3 bed and all of the 4 bed units are to be social rent. However, in line with the mixed and balance communities policies, in this instance, creating larger units for social rent helps to redress the high levels of affordable smaller units within the immediate vicinity. Therefore, while there are a few disproportionate allocations between the dwelling and tenure mixes in the scheme, officers consider that an overall provision of 74% affordable housing is policy compliant.

6.46 Further, as the proposal has been conceived in conjunction with the Council's housing team, officers are satisfied that the optimum amount of affordable housing is being proposed and would help contribute to a mixed and balanced community, given the levels of social rented accommodation within the immediate vicinity of the application site.

6.47 Away from the submitted case documents, the applicant provided further financial information pertaining to the development to the GLA to address the viability concerns raised in the Stage 1 report. Justin Carr, the Strategic Planning Manager at the GLA (Development Decisions), confirmed in an email dated 3 September 2012 that it was agreed that given the nature of the scheme, an independent assessment of viability to be commissioned is not necessary in this instance.

c) Standard of Residential Accommodation

6.48 All of the dwellings generously exceed the Council's minimum room sizes standards as set out in Lewisham's Residential Design Standards Supplementary Planning Document (August 2006), and as a minimum, the scheme matches the minimum room sizes as set out in the London Plan (2011). The Draft Housing SPG (December 2011) is yet to be adopted, but is still a material planning consideration with considerable weight apportioned thereto in the planning considerations of this application.

6.49 The Housing SPG repeats the minimum floor areas required as set out in the London Plan, but also provides guidance for necessary furniture, light levels and amenity space and for rooms and circulation spaces to be flexible enough to have alternative room layouts. The guidance provides 'Baseline' requirements, which are prerequisite, and 'Good practice', which are not essential, but would make the unit a better home for future occupiers.

6.50 Point c of London Plan Policy 3.8 Housing Choice, requires that all new homes be built to Lifetime Homes standards, while Part 7 of Lewisham's Core Strategy Policy 1 repeats the requirement.

6.51 All housing proposed with the application scheme are to be built to Lifetime Homes and the drawings submitted with the application, showing each unit type demonstrate how the 16 Criteria of Lifetime Homes would be achieved.

6.52 Drawings labelled 'typical unit layout' showing how each of the unit types are laid out internally, annotating how the 16 Lifetime Homes criteria is achieved but in doing so, also demonstrates that all of the units achieve all of the baseline requirements as set out SPG, partly by virtue of the scheme compliance with Lifetime Homes and Code for Sustainable Homes, Level 4 (discussed later on in this report). Given the above, officers are satisfied with the standard of accommodation proposed for future occupiers.

d) Density

6.53 Table 3.2 in the London Plan provides density guidelines using the urban typology and the Public Transport Accessibility Level (PTAL) of an area. The PTAL level for the application site is 3, where 6 is excellent and 1 is poor. The building typologies in the immediate vicinity however, are extremely varied in terms of the differing heights, massing and their design. While the typologies in the vicinity

differ, there is a clear urban identity due to the mixture of uses and the higher density buildings.

- 6.54 In light of the latter, with a PTAL level of 3 in an urban environment, table 3.2 suggests a density optimum of between 200 and 700 habitable rooms per hectare. The application proposes a density of 479 habitable rooms per hectare, and therefore is comfortably within density range. That said, the density range is vast so if the surroundings of the application site permit scales of buildings which can accommodate a higher or lesser density, then these figures have immediate flexibility to accommodate the environs of a site.

Amenity

- 6.55 The proposed residential development would sit aptly within a mainly residential environment. Any noise and disturbance caused by the additional dwellings proposed for the site upon the nearby residential occupiers would be only what is to be expected from a residential development.
- 6.56 Noise is defined as unwanted sound. In terms of the protection from road noise from New Cross Road, the Council's Environmental Health Officer has requested that details of the acoustic properties of the windows and doors proposed for New Cross Road be secured by way of an appropriate condition to ensure that the amenities of future occupiers are protected.
- 6.57 A noise and vibration report was submitted with the application and this report confirms that the main source of noise would be derived from the vehicular traffic on New Cross Road. Paragraph 4.18 of the report states 'Although in some cases it may not be practical to locate all balconies in areas screened from the nearby roads by buildings, it is recommended that balconies will not be located on facades overlooking New Cross Road and Avonley Road. This concern was reiterated by the Council's Environmental Health Officer.
- 6.58 Blocks 1, 3 & 6 all have façades with balconies fronting onto either Avonley Road or New Cross Road. For the properties fronting Avonley Road, all of the units with balconies are dual aspect. Therefore, if occupiers require ventilation but retreat from the road noise of Avonley Road, then the layout of the units provides an alternative source of ventilation.
- 6.59 Block 6, which fronts both New Cross Road and Avonley Road, does comprise some single aspect units. These units would be exposed to the road noise of New Cross Road should windows and or doors be opened. Any use of the balconies would also be subject to the noise derived from New Cross Road.
- 6.60 Further, Block 6 comprises the private sale units. Unlike the social rent units of which the tenants occupying usually do not have a choice in where they live, occupiers of Block 6 are there by choice.
- 6.61 Given the small proportion of the single aspect units fronting onto New Cross Road and the fact that the units are to be private sale, officers are satisfied that the single aspect units within Block 6, fronting onto New Cross Road would be acceptable.
- 6.62 Notwithstanding the latter, officers will still include a condition ensuring the acoustic properties of the glazing for all units is sufficient enough to reduce

internal ambient noise to an acceptable level whilst also ensuring that the occupiers of the single aspect units fronting New Cross Road benefit from an air source derived away from the busyness of New Cross Road.

- 6.63 In terms of overlooking and any subsequent loss of privacy, officers consider the proposed building to be sufficiently far away from neighbouring dwellings (existing and proposed), that any impact would be of an acceptable level in planning terms.

Sunlight and overshadowing

- 6.64 The Sunlight and daylight impact study studied the impact of the proposal on the surrounding streets. Each street and section thereof as impacted by the proposed development was considered. The report considers the levels of sunlight comparable between the previous buildings on the site, to those proposed.
- 6.65 The conclusion drawn is that many of the properties to the north and west of the site would benefit from additional access to sunlight given the locations and heights of the proposed buildings.
- 6.66 The greatest levels of impact of the development would come from the height of Block 6 to the south. Even though Block 6 is to be 9 storeys tall, 4 less than the adjacent tower blocks, the eastern façade of the block nearest to Block 6 would be overshadowed. Further, given the proposed 9 storeys, overshadowing would also occur into New Cross Road.
- 6.67 Block 6 is located to the south of the site which means that the shadow of the 9 storey element of the building will fall westerly onto itself and the taller section of Hong Kong City in the mornings, then into the vehicular access and communal square in the centre of the site and onto the adjacent 13 storey block to the east during the afternoons and evenings.
- 6.68 The overshadowing report concludes that the impact of the proposed development upon the amenities of nearby occupiers is acceptable, and officers agree because any loss of sunlight derived from the proposed buildings would be for short periods throughout the day.

Parking, Highways and Traffic Issues

a) Parking

- 6.69 Seventy Parking spaces are proposed for the entire development. This results in a parking ratio of 1:3 or 30%, (1 parking space to every 3 dwellings). Page 27 of the Design and Access Statement provides a summary of the parking distribution around the site. The houses in Blocks 4 & 5 benefit from off street parking on their driveways, while on street parking and disabled bays are provided surrounding Blocks 1 and 3. Block 6 would comprise 18 undercroft parking spaces.
- 6.70 Of the four objection letters received to the proposal, all objected to the lack of proposed parking for the scheme. Page 27 of the Design and Access Statement provides a summary diagram of where the 70 car parking spaces are to be located on the site. Given the proposed 204 dwellings, it is argued that the development would result in an increase in on street parking to the surrounding roads. The owner of Hong Kong City has also argued that his customers would

not have anywhere to park should the development go ahead with the proposed 70 car parking spaces.

- 6.71 Officers consider the proposed parking ratio to be acceptable in terms of striking a balance between the provision of sufficient parking provision both on and off site, while also discouraging car use and thus encouraging more sustainable modes of future occupiers.
- 6.72 The Highways Officer has agreed with the level of parking, advising that there is capacity on the surrounding roads for additional parking requirements derived from the proposal. Nor was an objection raised to the proposed new streets. However, it was noted that a new rail station is proposed to the north west of the site, (Surrey Canal overground railway station) and that when finished, would be the closest station to the new development. For that reason, the Highways Officer requested that a financial contribution be sought to encourage proposed occupiers to walk to that station.
- 6.73 To further mitigate the impact of additional dwellings combined with fewer parking spaces, officers deem it necessary to secure a car club parking space for the proposal.
- 6.74 The adjacent Wardalls Grove development proposed 124 residential units and incorporates a car club space within the development site. Three years free car club membership to first occupiers of the development was secured within the S.106.
- 6.75 The application proposal is for 204 residential units, so 2 car club spaces as indicatively shown in superseded drawing KEN AL 9200 REV A to address concerns raised by the GLA in their Stage 1 response, would be appropriate to the scale of the proposed development. Further, the applicant has been in discussion with car club providers and officers are advised that car club spaces should be provided on street so that other members of the public are aware of the facility. In light of the latter, officers will secure at least one of the car club spaces outside the application site (the indicative drawing shows one to be on Avonley Road), and/or one within the development site. Officers will also secure the three-year membership for first occupiers as secured for Wardalls Grove.
- 6.76 With regard to disabled car parking, 10% of the dwellings will be designed for wheelchair users. These units would also require disabled parking spaces very near to or on the dwelling plot. The GLA in their Stage 1 report raised objections to the lack of provision of parking spaces for disabled visitors. To that regard, the same indicative drawing (KEN AL 9200 REV A as referred to above) provided locations which might be suitable to accommodate 2 additional disabled parking spaces. While the indicative drawing does not form part of the planning documents, officers are satisfied that the extra two disabled parking spaces required for visitors can be provided on site and thus the spaces will be secured in the S.106 agreement.

Electronic Vehicle Charging Points (EVCP)

- 6.77 To reduce pollution emissions in accordance with London Plan Policy 6.13 Parking and Core Strategy Policy 9 Improving local air quality and in order to encourage sustainable modes of transport, the use of electric cars should be promoted. Such vehicles produce less emissions than traditional petrol and diesel

vehicles and thus, to encourage wider use of electric cars, officers will ensure that a minimum of 20% of parking spaces on site are provided with EVCPs by way of an appropriate condition.

b) Cycle Parking

- 6.78 The scheme proposes 384 cycle spaces at a ratio of one storage space for 1 and 2 bed units and two storage spaces for 3+ bed units. In terms of cycle parking, all cycle storage is located in covered and secured ground and basement cores of the buildings. The Stage 1 report from the GLA advised that it would be better if additional cycle parking were provided for visitors.
- 6.79 To the latter regard, the North Lewisham Links project has identified a walking and potentially cycling link from the Kender regeneration area to the new station, via Avonley Road and Bridge House Meadows to the north east of the application site. The current route to the station from the application site requires access from a narrow, gated path from the north of Avonley Road, through a housing estate. To further encourage walking and cycling and to reduce the demand for car use, this route requires significant improvement in terms of legibility, lighting, and visual splays to make it a more desirable place to walk and cycle through. Officers conclude that a feasibility study should be carried out to ensure that improvement works to the area are optimised while also ensuring that the funds are available to execute the delivery of those recommendations. The aforementioned ambitions will be secured by way of a S.106 contribution.

Access & Servicing

- 6.80 New roads, Hatfield Lane, which is adjacent to Hatfield Close to the south east of the application site and Robinson Way which would run in a southerly direction into the site from Barlborough Street, are proposed, to ensure adequate entry into the new development and ease of access for refuse and deliveries. A new access road would be created from Avonley Road which provides vehicular access to the undercroft parking of Block 6.
- 6.81 The southern side of the highway in Reaston Street would have to be given up as part of the development proposal, and to compensate, the southern public highway boundary on Reaston Street would move northwards. The latter would necessitate a Stopping Up application under Sections 247 Town & Country Planning Act 1990 with the Council's Highways Department. Without this Stopping Up Order, Blocks 4 & 5 which comprises 3 and 4 bed houses could not be built out. These larger units are integral in the balance of the dwelling mix of the scheme and thus in order for the development to accord with the provisions of London Plan Policy 3.9 Mixed and Balanced Communities, and Core Strategy Policy 1 Housing provision, mix and affordability, it is imperative that the Stopping Up Order is agreed prior to the commencement of development. This requirement will be an obligation set out in the S.106.

d) Refuse

- 6.82 The refuse collection would be from the bin store cores in the flats, while both Robinson Way and Hatfield Lane have been designed so that they are accessible to refuse vehicles for collection from the houses.

6.83 To conclude, officers consider that the proposed new roads satisfactorily address the functional requirements of the proposed development such as refuse management and accessibility, while it integrates well with the surrounding road network.

Highway visual amenity

6.84 The Highways Officer requested that the applicant enter into a S.278 agreement to ensure that highways work necessary to complete, and that any damage of the nearby roads caused by the construction works are remedied at the cost of the developer. A financial contribution was also sought in respect of maintenance of any trees or landscaped verges (soft landscaping) on the public highway. These costs are separate from the Transport and Environmental contributions deemed necessary to minimise the impact of the proposed development, and will form part of the negotiation process between the applicant and Lewisham's Highways department when agreeing the Section 278 agreement. Therefore, officers are satisfied that the contributions offered and subsequently secured during the planning application process will be directed to the benefit of future occupiers and the area generally, and not consumed by reinstatement works caused during the construction process.

e) Gardens and Play space

6.85 London Plan Policy 3.6 Children and young people's play and informal recreation facilities (B), states that 'Development proposals that include housing should make provision for play and informal recreation based on the expected child population generated by the scheme and an assessment of future needs.'

6.86 Core Strategy Policy 12 Open space and environmental assets, provides that the Council will be '(h) seeking new on-site provision of public and private open space as part of new development.'

6.87 Both policies require the provision of play space on site in relation to the amount of children forecast to be using the site, while contributions should also be sought from developers to ensure that the communal spaces adjacent to the development site are also attractive for use by the future occupiers of the development.

6.88 In the Stage 1 report, the London Mayor requested further details regarding the play space strategy. In response to this, the applicant submitted further information (HHA KEN 052 15 August 2012) which confirmed the forecast level of children (child yield) based on the current GLA standards is 206 children. This results in a required provision of 2059.5m².

6.89 The amount of amenity space proposed for the site is 3467.4m² which is derived from rear gardens, semi-private courtyards and the proposed central square.

6.90 Provision of amenity space would also be derived from the nearby Eckington Gardens which has recently been refurbished as a result of local regeneration. Eckington Gardens comprises a mixture of open space, sports facilities and under 5's play equipment. The amount of amenity space available for future occupiers in Eckington Gardens is 12,298.4m².

- 6.91 Through the provision of on site gardens, terraces and central spaces, combined with the close proximity of the recently upgraded Eckington Gardens to the immediate northeast of the application site, the soon to be re-opened Bridge House Meadows to the far northwest of the application site, together with the contributions to be secured for Community and Leisure Facilities, officers are satisfied that the level and quality of the amenity space to be made available to future occupiers of the application development is acceptable.
- 6.92 Further, the planning obligations statement offers financial contributions towards both open space and public realm improvements, which would further negate the impact of the proposed development upon the local environment.

Sustainability and Energy

- 6.93 London Plan Policy 5.2 Minimising carbon dioxide emissions, requires all new developments to 'make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy of 1 Be lean: use less energy; 2 Be clean: supply energy efficiently and; 3 Be green: use renewable energy.
- 6.94 Lewisham Core Strategy Policy 7 Climate change and adapting to the effects, point c, states [officers will] apply the London Plan policies relevant to climate change including those related to air quality, energy efficiency, sustainable design and construction, retrofitting, decentralised energy works, renewable energy, innovative energy technologies, overheating and cooling, urban greening, and living roofs and walls. Core Strategy Policy 8 Sustainable design and construction and energy efficiency, states that all new developments are expected to 'a) submit a Sustainability Statement and Energy Statement that show how the requirements of London Plan policy and the London Plan SPG Sustainable Design and Construction, or any subsequent document, are met...b). Maximise the energy and water efficiency measures of the building and c) connect to an existing or approved decentralised energy network, safeguard potential network routes, and make provision to allow future connection to a network or contribute to its development, where possible within the Regeneration and Growth Areas.
- 6.95 The Code for Sustainable Homes prediction report submitted with the application predicts that some of the units within Block 5 and some of the units within Block 6 may not achieve Code Level 4. However, achieving a minimum Level 4 Code for Sustainable Homes is necessary in order to comply with both London Plan Policy 5.2 Minimising carbon dioxide emissions, Core Strategy Policy 7 Climate change and adapting to the effects, and Policy 8 Sustainable design and construction and energy efficiency (June 2011).
- 6.96 The Code Levels are achieved by developers choosing which and how many standards they implement to obtain 'points' under the Code in order to achieve a higher sustainability rating. Therefore, while the prediction report states that Block 5 and 6 may not achieve the code, there maybe elements of those blocks which can be improved in order to gain further points to make the overall score reach Level 4. The onus however, is upon the developer to ensure that the development is policy compliant and this requirement will be secured by way of a condition added to the decision notice.
- 6.97 Also, in accordance with Core Strategy Policy 1 Housing provision, mix and affordability, 10% (20) of the dwellings proposed in the scheme are to be wheelchair accessible to the South East London Housing Partnership (2011).

- 6.98 The energy statement initially submitted with the application was challenged by the Stage 1 response from the London Mayor. While the scheme achieved a 29% reduction in CO₂ using individual gas boilers and Photovoltaic (PV) panels, the objection was that the development could future proof the ability to upgrade to more energy saving technologies as they evolve if the flats benefitted from communal heating systems.
- 6.99 As a result, the scheme now only proposes a 20% reduction in CO₂ through the use of PV panels, but the flats all now benefit from communal heating. Whilst the immediate CO₂ savings have been reduced, the longevity of the renewable energy proposals results in a more pragmatic approach to sustainable design.

Ecology and Landscaping

- 6.100 Core Strategy Objective 5: Climate change, (e) confirms that developments should support environmental protection and enhancement including establishing ecological networks.
- 6.101 The ecological report confirms that post the site clearance, there were minimal ecological characteristics left on the site. 'At the time of the survey the site predominantly consisted of bare ground and rubble and a few trees, some of which were mature, but which had moderate ecological value.
- 6.102 In order to aid the attainment of Level 4, Code for Sustainable Homes, the proposed development needs to provide protection to the trees which overhang and/or have root spread into the site while also proposing planting on the site.
- 6.103 As a recommendation, the report also suggests that 15 bird boxes and 10 bat boxes should be installed within the completed development. This will be secured by way of a condition to the decision notice. Further suggestions were to plant recommended species of shrubs and trees on the site; however, these recommendations will be reviewed again for suitability as captured in the overall landscaping condition which is to be applied to the decision notice.
- 6.104 The Arboricultural Implication Study and Tree Protection Strategy (Arboricultural Study) submitted with the application confirms that the trees on site will be removed and that the trees on the peripheral of the application site would be protected using the appropriate BS standards.
- 6.105 The tree protection measures will be secured by way of condition, to ensure that the protection works are carried out in accordance with the provisions of the submitted Arboricultural Study
- 6.106 A Landscape masterplan has been submitted, reference KEN AL 9200, depicting where the soft landscaping would be located on the site. Pages 34 to 38 in the Design and Access Statement also provide indicative drawings of that the green spaces would look like and provides suggestions as to what planting would be used. While officers are broadly satisfied with the proposed planting scheme, the details thereof will be confirmed by way of condition once planning permission is granted.

Employment, Training and Local Labour

- 6.107 The Council's Obligations SPD (2006) states that 'Planning contributions will support both capital and revenue costs of a range of services provided by the Local Labour and Business Scheme for residents and small and medium sized businesses in the borough. The contribution sought reflects the current training and operation costs of running the programme to the end date of this document (2025). It is estimated that the combined cost of operating the programme will be £15,000,000 (based upon an estimate of £1,000,000 per year).
- 6.108 To ensure that Lewisham residents have the opportunity to live and work within the borough, residential schemes such as the current proposal, which result in an increase in occupiers, should also contribute to employment and training opportunities which keep residents in the borough and thus reduce the necessity for commuting while encouraging economic growth in the borough.
- 6.109 In the Planning statement, the applicant has agreed to contribute £20,455 which is to be secured in the S.106.
- 6.110 With regard to local labour, paragraph C.1.9 in the Obligations SPD states that 'The Council will use planning obligations to secure the commitment of developers to using local labour and also financial contributions towards the training, support and recruitment of local people.'
- 6.111 The redevelopment of the application site would necessitate a plethora of employment opportunities. In accordance with the provisions of the adopted SPD, officers will request, via an obligation secured via the S.106 agreement that the applicant uses all reasonable endeavours to employ residents and businesses from Lewisham for and during the construction of the development.

7.0 Planning Obligations

- 7.1 The National Planning Policy Framework (NPPF March 2012) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:
- (a) Necessary to make the development acceptable
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development
- 7.2 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.

7.3 The applicant has provided a planning obligations statement outlining the obligations that they consider necessary to mitigate the impacts of the development.

- Provision of 73% affordable housing (Units)
- The applicant is required to provide two Car Club spaces either on and/or off site and to pay for three years free membership for all first occupants of the development to promote sustainable modes of transport.
- The development proposal includes reducing the width of Reaston Street and relocating the southern public highway boundary northwards. So, the applicant will be required to make a Stopping Up application under Sections 247 Town & Country Planning Act 1990
- Wheelchair housing: the developer shall meet the SELHP standard for 20 units on the site
- 2 Visitor disabled parking bays to be provided on site.
- An Education contribution of £732,548 for additional school places.
- An Employment and Training contribution of £20,455
- A Health services and facilities contribution of £78,000
- Open space: contribution of £57,896
- A Leisure contribution of £48,807.
- A Community Facilities contribution of £18,844 including Community space and libraries
- A Transport and Environmental Improvement Contribution of £125,675
- Meeting the Council's costs in assessing the application including implementation and monitoring costs
- Local Labour to be used for and during the construction of the development

7.4 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).

8.0 Conclusion

8.1 The application is for the redevelopment of Phase 4, the final piece of the wider regeneration of the Kender housing estate.

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

8.3 On balance, officers consider that the proposed density, design, scale and layout of the scheme is proportionate to the sites immediate environ, while also creating a sustainable form of development for future occupier and the longevity for the scheme overall. The scheme is therefore considered acceptable.

9.0 Summary of Reasons for Grant of Planning Permission

9.1 The decision to recommend the grant of planning permission has been taken, having regard to the policies and proposals in the London Plan (July 2011), the adopted Local Development Framework (June 2011) and Unitary Development Plan (July 2004) as set out below, and all relevant material considerations, including comments received in response to third party consultation.

9.2 The local planning authority has further had regard to the local planning authority's Adopted Residential Standards Supplementary Planning Document (August 2006, updated) and Planning Obligations Supplementary Planning Document (January 2011), Government Planning Policy Guidance and Statements, and all other material considerations as well as the obligations that are to be entered into in the planning agreement in connection with the development and the conditions to be imposed on the permission. The local planning authority considers that:

1. The redevelopment of the application site for residential purposes is in accordance with London Plan Policy 2.13 Opportunity and Intensification Areas, and Core Strategy Spatial Policy 2 which aspires to achieve 1500 new homes by 2016.
2. The site is an appropriate location for a development of the density proposed in accordance with London Plan Policy 3.4 Optimising Housing Potential, which seeks to ensure that development proposals achieve the highest possible intensity of use compatible with local context and Core Strategy Policy 15 which identifies the site as suitable for higher density development.
3. On balance, the layout of the site, the design of the development, and the provision of housing is in accordance with London Plan Policy 3.4 which seeks to achieve a range of housing choice, and with Lewisham UDP Policy HSG 5, which requires that all new residential development is attractive, neighbourly and meets the functional requirements of its future inhabitants.
4. The proposed dwelling mix and provision of affordable housing, which is controlled by planning obligations agreed as part of the permission, is considered to be the maximum reasonable that can be achieved on this site taking account of targets and scheme viability and the need to encourage rather than restrain residential development in accordance with London Plan Policy 3.9 Mixed and Balanced Communities regarding the provision of affordable housing, with Core Strategy Policy 1 regarding housing provision, mix and affordability, and also seeks a mix of dwelling sizes determined by reference to the housing needs of the area, the nature of the development and its proposed relationship to the surrounding area.
5. The energy demand of the proposed development has been assessed in accordance with London Plan Policy 5.2 Minimising carbon dioxide emissions, Lewisham Core Strategy Policy 7 Climate change and adapting to the effects, and Policy 8 Sustainable design and construction and energy efficiency, regarding energy and carbon dioxide savings.
6. The proposed highway works including provisions for pedestrians, cyclists and other road users and the overall traffic impact of the development have been assessed in accordance with Core Strategy Policy 14 Sustainable

movement and transport, and the identified highway impacts and proposed mitigation measures secured by planning conditions and obligations are considered acceptable in accordance with Lewisham Core Strategy Policy 14 and London Plan policies regarding public transport as well as improvements to facilities for cyclists and pedestrians.

7. The proposed level of cycle parking and associated measures to reduce car use are in accordance with Core Strategy Policy 14 Sustainable movement and transport. Measures to submit a Travel Plan are proposed to be secured by planning obligations agreed as part of the permission and by condition.
8. On balance, the benefits inherent in the scheme and the financial contributions towards achieving other planning policy objectives are in accordance with London Plan Policy 8.2 Planning obligations and Core Strategy Policy 21 regarding planning obligations.

RECOMMENDATIONS

10.0 RECOMMENDATION (A)

- 10.1 Agree the proposals and refer the application and this report and any other required documents to the Mayor for London (Greater London Authority) under Article 5 of the Town and Country Planning (Mayor of London) Order 2008 (Categories 1A and 1C of the Schedule of the Order).

11.0 RECOMMENDATION (B)

- 11.1 Agree the proposals and authorise the Head of Law to complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters:-

- Provision of 73% affordable housing (Units)
- The applicant is required to provide two Car Club spaces either on and/or off site and to pay for three years free membership for all first occupants of the development to promote sustainable modes of transport.
- The development proposal includes reducing the width of Reaston Street and relocating the southern public highway boundary northwards. So, the applicant will be required to make a Stopping Up application under Sections 247 Town & Country Planning Act 1990
- Wheelchair housing: the developer shall meet the SELHP standard for 20 units on the site
- 2 Visitor disabled parking bays to be provided on site.
- An Education contribution of £732,548 for additional school places.
- An Employment and Training contribution of £20,455
- A Health services and facilities contribution of £78,000
- Open space: contribution of £57,896
- A Leisure contribution of £48,807.
- A Community Facilities contribution of £18,844 including Community space and libraries

- A Transport and Environmental Improvement Contribution of £125,675
- Meeting the Council's costs in assessing the application including implementation and monitoring costs
- Local Labour to be used for and during the construction of the development.

12.0 RECOMMENDATION (B)

12.1 Upon the completion of a satisfactory Section 106 Agreement, in relation to the matters set out above, authorise the Head of Planning to Grant Permission subject to the following conditions:

- (1) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority

Reason

AR1R

- (2) Notwithstanding the proposal to provide a buff London stock brick, no development shall commence on site until samples of the proposed brick colouring and contrasting materials to be attached to all faces of the individual buildings (including their colour and texture), together with details of reveals have been submitted to and approved in writing by the local planning authority. The brick and materials submitted shall provide contrast and individual distinction to the buildings. The development shall be carried out in accordance with the approved samples, unless the local planning authority agrees in writing to any variation.

Reason

B01R

- (3) No works shall be carried out in respect of the development hereby approved until a Section 278 Agreement has been entered into in respect of highways works detailed in the Landscape Masterplan (drwg. no. KEN_AL_9200_Rev C), which include junction works to Barlborough Street, Avonley Road and Monson Road, works to Reaston Street including traffic calming measures and pedestrian friendly treatments/features, and any necessary associated reinstatement works to roads and pavements including the blocking up of any redundant crossovers.

Reason

In the interests of highway safety and to ensure a satisfactory standard of development, in accordance with Policies Objective 9 and Policy 15 High quality design for Lewisham in the adopted Core Strategy (June 2011).

- (4) Notwithstanding the details hereby approved, full details including any walls, planters, bollards and schedules of planting in and on the peripheral of the application site of the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of any above ground works. Any trees or plants which within a period of 5 years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the local planning authority has given written consent to any variation.

Reason

L01R

- (5) (i) No works shall commence until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the local planning authority. The CLP shall be in accordance with the Environment and Construction Management Plan required by Condition (16).
- (ii) No works shall be carried out other than in accordance with the relevant approved CLP.

Reason

To ensure that the demolition and construction processes are carried out in a manner which will minimise possible disturbance from road traffic and safeguards road safety in accordance with Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004) and that all reasonable measures have been taken to improve construction freight efficiency by reducing Co2 emissions, congestion and collisions in accordance with Policy 14 Sustainable movement and transport and Policy 21 Planning obligations of the adopted Core Strategy (June 2011). And Policy 3C.25 Freight Strategy in the London Plan (February 2008) Consolidated with Alterations since 2004.

(6) Waste Management

- (i) A detailed Waste Management Plan (WMP) (to include details for the disposal, processing, recycling and storage of waste and for the provision of composting facilities) for each building shall be submitted to and approved in writing by the local planning authority prior to the commencement of works.
- (ii) The development of each building shall be carried out and operated in accordance with the approved WMP relating to that building in perpetuity unless minor variations are otherwise approved in writing by the local planning authority.

Reason

To ensure that waste is minimised as far as practicable and managed in an environmentally sustainable way and to comply with Policy 5.3 Sustainable design and construction in the London Plan (July 2011).

(7) No development shall commence on site until such time as an Environmental Management Plan has been submitted to and approved in writing by the local planning authority, which shall include, but is not limited to the following items: -

- Dust mitigation measures in accordance with section 6 of the Air Quality Assessment (March 2010) hereby approved.
- Measures to mitigate against noise and air quality impacts associated with site preparation, demolition, earthworks, materials, handling and storage, haul routes, vehicles and plant, construction and fabrication and waste.
- Methods of monitoring construction impacts (noise and air quality).
- Training of Site Operatives and ensuring the chosen contractor subscribes to the 'Considerate Contractors' scheme.
- The location of plant and wheel washing facilities and the operation of such facilities.
- Details of measures to be employed to mitigate against noise and vibration arising out of the construction process.
- Construction traffic details (volume of vehicle movements likely to be generated during the construction phase including routes and times).
- A risk management assessment of any flood events that might occur during the construction phase, registered with the Environment Agency's "Floodline Warning Direct" service.
- Security Management (to minimise risks to unauthorised personnel).
- Hours of working

Works on site shall only take place in accordance with the approved Environment and Construction 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 that recognises the locational characteristics of the site and minimises nuisance to neighbouring residential occupiers, and to comply with Policies ENV.PRO 10 Contaminated Land and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).

(8) Fixed Plant

- (i) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997.
- (ii) Development shall not commence until details of a scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority.

- (iii) The development shall not be occupied until the scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the scheme shall be maintained in perpetuity

Reason

N07 R

(9) External Noise protection

- (i) Each Block shall be constructed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAm_{ax} (measured with F time-weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with windows shut and other means of ventilation provided.
- (ii) No Block shall commence construction until details of a sound insulation scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority.
- (iii) No Block shall be occupied until the sound insulation scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity.

Reason

To safeguard the amenities of residents and to comply with Policy HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004), and to ensure any impacts arising from the proposed development (and any measures required to mitigate those impacts) are consistent with the Noise and Vibration Assessment Report Revision 3 accompanying the application.

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

- a) (i) A desktop study and site assessment has been carried out to survey and characterise the nature and extent of contamination, and its effect (whether on, or off-site) to the Council for approval.
- (ii) A site investigation report to characterise and risk assess the site, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council. No development shall commence until the gas, hydrological and contamination status has been characterised and risk assessed; and the required remediation scheme implemented.
- b) If during any works on the site contamination is encountered which has not previously been identified (“the new contamination”) the Council

shall be notified immediately thereof; then the terms of paragraph (a) above, shall apply to the new contamination; and no further works shall take place on that part of the site and adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.

- c) No individual block (including the houses in Blocks 4 & 5) shall be occupied until a closure report for each thereof has been submitted to and approved in writing by the Council which shall include verification of all measures, or treatments as required in (Section (a) i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason

To ensure that the Council 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 Policy ENV.PRO 10 Contaminated Land in the adopted Unitary Development Plan (July 2004) and to meet the requirements of PPS23 and the Environment Agency GP3 policy on protecting groundwater as the site is in an Inner Source Protection Zone (SPZ1) and over a principle aquifer.

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

Reason

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

- (12) 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 (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason

To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

- (13) Full details including any walls, planters, bollards and schedules of planting to the area to the front of Block 6, between the application site and New Cross Road, shall be submitted to and approved in writing by the local planning authority prior to occupation of Block 6. Any trees or plants which within a period of 5 years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the local planning authority has given written consent to any variation.

Reason

L01R

- (14) Details of any external lighting to be installed at the site, including measures to prevent light spillage onto existing nearby properties, shall be submitted to and approved in writing by the local planning authority before any works on site are commenced. Any such external lighting shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently. The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason

In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to neighbouring properties and to comply with Policies ENV.PRO 12 Light Generating Development; HSG 4 Residential Amenity and OS17 Protected Species in the adopted Unitary Development Plan (July 2004).

- (15) Notwithstanding the details hereby approved, plans showing the treatment and layout of the roof top amenity space shall be submitted to and approved in writing by the local planning within 3 months of the commencement of the above ground works. The approved details shall be implemented in full prior to the occupation of Block 6.

Reason

In order that the local planning authority may be satisfied as to the details of the proposal and the provision of amenity space and to comply with Policy 12 within the Core Strategy (June 2011).

- (16) Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan for contamination on site shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme, a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

Reason

To meet the requirements of and the Environment Agency GP3 policy on protecting groundwater as the site is in an Inner Source Protection Zone

(SPZ1) and over a principle aquifer.

- (17) No occupation of development hereby approved shall take place until 15 bird and 10 bat boxes have been placed in various locations on the site, details of which shall be submitted to and approved in writing by the local planning authority. Once in place, the bat boxes shall be permanently maintained.

Reason

To ensure that the development provides opportunities to increase biodiversity in and around the site in accordance with Policy 12 Open space and environmental assets of the adopted Core Strategy (June 2011).

- (18) A Parking Management Plan shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any Block hereby approved. The plan shall include details of how the parking on the private roads/areas will be allocated and managed and details of measures to prevent vehicles parking on the hard and soft landscaped areas, to ensure routes through the site are not obstructed or visual amenity is not compromised.

Reason

In order to comply with the requirements of Section 76 of the Town and Country Planning Act 1990 which relates to the provision of satisfactory access to buildings for people with disabilities and to comply with Policies 14 Sustainable movement and transport and 15 High quality design for Lewisham of the adopted Core Strategy (June 2011) and Table 6.1 of the London Plan (July 2011).

- (19) No deliveries in connection with construction works shall be taken at or despatched from the site and no work shall take place on 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

C11 R

- (20) Delivery and Service Plan

- (i) The building shall not be occupied until a Delivery and Servicing Plan (DSP) has been submitted to and approved in writing by the local planning authority.
- (ii) The uses in the building shall be carried out in accordance with the approved DSP.

Reason

To ensure that the operation of the site after construction is undertaken efficiently and sustainably in a manner which will minimise possible disturbance from road traffic and safeguards road safety in accordance with

Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004) and that all reasonable measures have been taken to improve construction freight efficiently by reducing Co2 emissions, congestion and collisions in accordance with Policy 14 Sustainable movement and transport and Policy 21 Planning obligations of the adopted Core Strategy (June 2011) and Policy 6.14 Freight in the London Plan (July 2011).

- (21) A minimum of 12 active electrical charging points and 12 passive charging points of the car parking spaces hereby approved shall be installed in accordance with drawing 9437 492 as submitted with this application and retained permanently thereafter.

Reason

To reduce pollution emissions in an Air Quality Management Area in accordance with London Plan Policy 6.13 Parking (July 2011) and Policy 9 Improving local air quality of the adopted Core Strategy (June 2011).

- (22) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment by Tully De'Ath, referenced 9437, dated December 2011.

Reason

To prevent the increased risk of flooding, both on and off site.

- (23) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority.

The scheme shall demonstrate that :

- (i) surface water run-off generated by the site will be limited to Greenfield run off rates for critical storms up and including the 1 in 100 year plus climate change event;
- (ii) the use of sustainable drainage systems will be maximised in line with the London plan policy 5.13 drainage hierarchy including maximising the use of rainwater harvesting, green roofs, the use of permeable paving and infiltration.
- (iii) above ground flooding will be limited to critical storm events greater than 1 in 30 and that any flooding from critical storm events up and including the 1 in 100 year plus climate change event will be satisfactorily contained on site without increasing flood risk.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason

- (i) To prevent flooding by ensuring the satisfactory disposal / storage of surface water from the site.
 - (ii) To meet the requirements of London Plan policy
 - (iii) To prevent flooding by ensuring the satisfactory disposal / storage of surface water from the site.
- (24) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved and reported to the satisfaction of the Local Planning Authority.

Reason

There is always a potential for unexpected contamination to be identified during redevelopment groundworks. The Environment Agency should be consulted should any significant contamination be identified that could present an unacceptable risk to Controlled Waters. (The site is located over a Secondary Aquifer).Surface Water Drainage.

(25) Sustainable Buildings

- (i) The buildings hereby approved shall achieve a Code for Sustainable Homes Rating Level 4.
- (ii) No development (including works of demolition) shall commence on site until a Design Stage Certificate for each Block (prepared by an independent, qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (i).
- (iii) Within 3 months of occupation of each Block, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a qualified Assessor) to demonstrate full compliance with part (i) for that specific Block.

Reason

To ensure that the development achieves the maximum possible in respect of energy and carbon emissions and to comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 renewable energy, 5.15 Water use and supplies in the London Plan (2011) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- (26) All units hereby approved shall strictly be built in accordance with the plans as listed in Condition 2 of this decision notice (including the internal layout),

in order to comply with the 16 Criteria of Lifetime Homes. Any deviation therefrom should be approved by an independent, accredited assessor to ensure compliance.

Reason

In order to comply with the requirements of Section 76 of the Town and Country Planning Act 1990 which relates to the provision of satisfactory access to buildings for people with disabilities and to comply with Policy HSG 5 Layout and Design of New Residential Development in the adopted Unitary Development Plan (July 2004) and Core Strategy Policy 1 Housing provision, mix and affordability (June 2011).

- (27) No extensions or alterations to the houses hereby approved, whether or not permitted under Article 3 and Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment thereof, shall be carried out without the prior written permission of the local planning authority.

Reason

In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development in accordance with HSG 4 Residential Amenity and HSG 12 Residential Extensions in the adopted Unitary Development Plan (July 2004).

- (28) No flues, plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the buildings.

Reason

It is considered that such flues, plumbing and pipes would seriously detract from the appearance of the buildings and to comply with Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).

- (29) Communal heating shall be provided in accordance with drawings KEN AL (P) 039 B and KEN AL (P) 040 B and shall be maintained as such in perpetuity.

Reason

In order to comply with London Plan Policy 5.2 Minimising carbon dioxide emissions (July 2011).

- (30) Any building ventilation systems shall be designed and operated so that air is not drawn from the ground level on the New Cross Road elevations of Block 6.

Reason

To ensure adequate air quality for the future occupiers of these Buildings and comply with Policy 7.14 Improving air quality in the London Plan (July 2011).

- (31) With regard to surface water drainage, it is the responsibility of a developer to make proper provision for drainage to ground, watercourses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Reason

To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

(32) Travel Plan

- (i) Notwithstanding the Tully De'ATH Travel Plan for Kender Phase 4 Development (December 2011), no occupation of the development hereby approved shall take place until such time as a revised Travel Plan, has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.
- (ii) The Travel Plan shall specify initiatives to be adopted by the new development to encourage access to the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.
- (iii) Within the timeframe specified by (i) and (ii), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (i) and (ii).

Reason

In order that both the local planning authority and highway authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with Policy 14 Sustainable movement and transport of the adopted Core Strategy (June 2011).

Informatives

- (1) Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via

www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

- (2) The applicant be advised to read 'Contaminated Land Guide for Developers' (London Borough's Publication 2003), on the Lewisham web page, prior to submitting information pursuant to Condition 10. The Applicant should also be aware of their responsibilities under Part IIA of the Environmental Protection Act 1990 to ensure that human health, controlled waters and ecological systems are protected from significant harm arising from contaminated land. Guidance therefore relating to their activities on site, should be obtained primarily by reference to DEFRA (and its successor bodies) and EA publications.
- (3) Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site operations is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays...
- (4) In preparing the Environmental and Construction Management Plan, the applicant will be expected to carry out a Risk Assessment including the following: -
 - The description of the site layout and access routes;
 - A summary of the work to be carried out on site;
 - An inventory of all dust generating activities;
 - An inventory of all non-road mobile machinery to be used on site and the location of such machinery;
 - Details of all dust and emission control methods to be used;
 - Summary of the monitoring protocol and agreed procedure of notification to the Council and;
 - Identification of sensitive receptors in the locality.
- (5) The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with appropriate English Heritage guidelines.
- (6) Assessment of the sound insulation scheme should be carried out by a suitably qualified acoustic consultant, and should comply with the standards given in the current BS8233 for internal noise design levels.