

Committee	PLANNING COMMITTEE C	
Report Title	Trophy House, Blackhorse Road, SE8	
Ward	Evelyn	
Contributors	Colm Harte	
Class	PART 1	19th May 2016

Reg. Nos. DC/16/095258

Application dated 25 January 2016

Applicant CgMs Ltd

Proposal The demolition of the existing buildings at Trophy House, Blackhorse Road, SE8 and the construction of a part single/ part double/ part triple height self storage warehouse (Use Class B8) with basement and business centre (Use B1) and reception area together with the provision of 7 car parking spaces, cycle parking, landscaping and boundary treatment works.

Applicant's Plan Nos. Figure 1 Rev 02 (Topographic Survey and Roof Heights); Figure 1 Rev 02 (Elevations); 300 Rev 2; 301 Rev \$; 500 Rev 2; 212 Rev \$; 215 Rev \$; 211 Rev \$; 210 Rev \$; 100 Rev \$; 111 Rev 1; Design & Access Statement; CIL Form; Geo-Environmental Desk Study Preliminary Risk Assessment; Daylight & Sunlight Assessment; Construction Managers Method Statement; Energy & Sustainability Statement; Transport Statement; Planning Statement; Preliminary Ecological Appraisal; Flood Risk Assessment; Tree Survey and Arboricultural Implications Assessment; Air Quality Report

Background Papers

- (1) Case File DE/151/148/TP
- (2) Local Development Framework Documents
- (3) The London Plan

Designation Area of Archaeological Priority, Public Transport Accessibility Level 2 (PTAL 2), Flood Risk Zone 2/3, Strategic Industrial Location

## **1.0 Property/Site Description**

- 1.1 The site is an 'L' shape, has an area of around 0.39ha and is located to the west of Evelyn Street/Blackhorse Bridge, to the north of Blackhorse Road and to the south of Canal Approach. The site is currently occupied by two buildings, one of which is used as a 'cash and carry' while the second, located adjacent Blackhorse Road, is in use as a vehicle repair workshop. Both buildings are served by a parking area which take access from Blackhorse Road. There is a mature tree belt on part of the north-western property boundary of the site.
- 1.2 To the west, within the existing industrial estate, are a number of buildings in commercial uses. To the north are residential buildings accessed from Grinstead Road and a commercial building fronting Evelyn Street, while to the south, on the other side of Blackhorse Road are a 'fast-food' restaurant and gardens serving houses that are accessed from Gosterwood Street. On the opposite side of Evelyn Street are commercial buildings that form part of the Oxestalls Road Strategic site allocation.
- 1.3 Historically the subject site would have been used as a wharf (Blackhorse Wharf). The path of the Surrey Canal would have run along the northern site boundary adjacent to Canal Approach, which was the former canal tow path. Blackhorse Bridge, which adjoins the eastern site boundary would have transversed the former canal. The subject site does not however contain and buildings which have heritage interest or value.
- 1.4 It is noted that the majority of objections to the current application, which are discussed in detail below, related to a vacant strip of land that adjoins the northern site boundary know as Canal Approach which is currently in under private ownership. Officers understand that a limited Right of Way, across the eastern portion of Canal Approach currently exists but does not extend along the entire path.
- 1.5 The site is identified as falling within a Strategic Industrial Location, an Area of Archaeological Priority and is within Flood Zone 3 (high risk). It is also noted that a portion of the southern end of the site, currently occupied by the 'Cash and Carry' warehouse falls within the designated protected vista from Blackheath Point.
- 1.6 The application site has a Public Transport Accessibility Level (PTAL) of 2. Evelyn Street is a classified road, whilst Blackhorse Road is unclassified.

## **2.0 Planning History**

- 2.1 DC/15/92693- Demolition of the existing buildings at Trophy House, Blackhorse Road SE8, and redevelopment of the site comprising the construction of a two storey building plus basement to provide

5,961sq.m GIA floorspace for self-storage use (Use Class B8) with ancillary office space and associated car and cycle parking and landscaping. The application was refused on the 16 September 2015 for the following reason:

The proposal, by virtue of its layout, scale, design and lack of acceptable landscaping would result in an incongruous and inappropriate form of development that would cause significant harm to the appearance of the site and the character of the area. As such, the development would be in conflict with policies 7.2, 7.4 and 7.6 of the London Plan (consolidated with alterations since 2011), policy CS15 of the Lewisham Core Strategy (2011) and policies DM25 and DM30 of the Lewisham Development Management Local Plan (2014) and the National Planning Policy Framework (2012).

- 2.2 This application is currently the subject of an appeal which is being considered by the Planning Inspectorate under Ref. APP/C5690/W/15/3140782.
- 2.3 DC/09/71568/FT – Display of an internally illuminated free standing hoarding – refused on 14<sup>th</sup> July 2009 – appeal subsequently dismissed.
- 2.4 DC/08/67921/X - The alteration and change of use of the buildings at Trophy House, Blackhorse Road SE8 from warehouses (Use Class B8) to provide a business centre, incorporating offices (Use Class B1) and a conference centre (Sui Generis), with use at weekends as a place of worship (Use Class D1), together with the construction of an extension to the rear of the building fronting Blackhorse Road, alterations to the elevations and provision of a refuse store, 11 cycle spaces, 5 motor cycle and 50 car parking spaces, with access onto Blackhorse Road – withdrawn on 4<sup>th</sup> June 2008.
- 2.5 DC/07/654455/X - The alteration and change of use of the buildings at Trophy House, Blackhorse Road SE8 from warehouses (Use Class B8) to provide a business centre, incorporating offices (Use Class B1) and a conference centre (Sui Generis), with use at weekends as a place of worship (Use Class D1), together with the construction of an extension to the rear of the building fronting Blackhorse Road, alterations to the elevations and provision of a refuse store, 11 cycle spaces, 5 motor cycle and 50 car parking spaces, with access onto Blackhorse. Refused on 18<sup>th</sup> June 2007.
- 2.6 04/57658/FT - The display of a 48 sheet, internally illuminated advertisement display hoarding at the south-eastern corner of Lester John Foods Ltd, Trophy House, Blackhorse Road SE8 – refused on 12<sup>th</sup> October 2004 – appeal subsequently dismissed.

Relevant planning history on adjoining sites:

- 2.7 DC/ 15/ 92295 – On 23 March 2016, the Council approved an application for outline planning permission (Phases 1-3) for the demolition of the majority of the existing buildings on the site for the provision of 10,413 square meters (GEA) non-residential floorspace and up to 1132 residential units in buildings ranging from 3 to 24 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works and provision of open space.
- 2.8 Detailed planning permission for Phase 1 for up to 562 residential units and up to 5,692 square metres (GEA) of non-residential floor space in buildings ranging from 3 to 24 storeys in height also form part of this application.
- 2.9 DC/09/73189- Outline planning permission was granted on 15<sup>th</sup> September 2011, for the comprehensive redevelopment of Oxestalls road allocated site over three phases. Detailed planning consent was also granted for redevelopment of land fronting onto Evelyn Street, Dragoon Road and Grove Street for 591 residential units and 9,424 sqm of non-residential floorspace in buildings ranging from 4 to 18 storeys in height.

### **3.0 Current Planning Application**

- 3.1 The current application would seek full planning permission for the construction of a self-storage facility including an ancillary 'business centre'. The plan for the building would have a 'L' shape and would consist of a total floorspace of 4, 569 sqm.
- 3.2 The proposed building would be between 6.8 metres and 16.9 meters in height and comprise of three attached but distinct elements. At its deepest point, along the northern site boundary, the proposal would be around 106m deep. The elevation fronting Evelyn Street would be around 46.7m wide and would be designed to appear as three individual building elements, with pitched gable ends facing onto Evelyn Street. The proposed development would have a staggered setback from Evelyn Street, varying from 5.1 meters- 12.8 metres in depth, which is proposed to be landscaped.
- 3.3 Access and egress would be taken from Blackhorse Road. Seven car parking spaces (including one for disabled drivers) and 12 cycle spaces would be provided at the site.
- 3.4 The siting of the proposed building, in particular the front setback has been designed to facilitate a potential future pedestrian and cycle link under the heavily trafficked Evelyn Street via Blackhorse Bridge. As part of the Design and Access Statement, the applicant has demonstrated how this link could be provided from Blackhorse Road and would required the diversion of two water main pipes. This is detailed in the relevant section below

### Pre-Application Consultation

- 3.5 Following the refusal of DC/15/92693, council officers and the applicant team, engaged in further pre application discussions which aimed at resolving concerns regarding the previous design, which was refused. Three meetings took place which has led to the current design being submitted.

### **Supporting Documents**

#### 3.6 Design & Access Statement

This document provides a comprehensive description of the site, outlines the site conditions that have influenced the scheme, sets out to describe the design principles behind the proposed development and explains the rationale for the scheme. The document covers site context, opportunities, design principles, connectivity, layout, scale, appearance, access, landscape and sustainability. The submitted D&A includes a detailed design for the front landscaped area which illustrates how a cycle path could be provided.

#### 3.7 Air Quality Assessment

An Air Quality Assessment was undertaken to determine baseline conditions, consider site suitability for the proposed end-use and identify suitable mitigation measures as required.

Based on the assessment results, air quality issues are not considered a constraint to planning consent for the proposed development, subject to the inclusion of relevant mitigation measures.

#### 3.8 Preliminary Ecological Appraisal

This report provides an initial assessment of the ecological importance of the habitats in the areas relevant to the redevelopment of the site, and the potential for these areas to support protected ecological features and species. The report concludes that the proposed development poses no significant risk to ecological receptors.

#### 3.9 Construction Method Statement

The Construction Method Statement details the construction proposals for the redevelopment of the site.

The Construction Method Statement sets out logistics with regard to organisation of the site, such as site management, site hours, site establishment, fire procedures, notification of neighbours in relation to specific works, advance notification of road closures, pavement stopping-up, movement and hoisting of materials, delivery and

storage, waste disposal, scaffolding and hoardings. It also sets out the scope of works and methodologies for demolition and construction, including risk and resource management, as well as dust, noise and vibration mitigation measures.

### 3.10 Daylight and Sunlight Report

The accompanying Daylight and Sunlight Report has assessed the impact of the proposed development on the neighbouring residential properties. The main criteria used in this analysis to show compliance are the Annual Probable Sunlight Hours and Vertical Sky Component tests.

The report concludes that the proposed development would meet the recommend levels of change within the BRE guidance and is therefore considered acceptable in daylight and sunlight terms.

### 3.11 Energy and Sustainability Statement

This Energy and Sustainability Statement submitted in support of the application demonstrates that the proposed Shurgard Deptford self-storage unit details the proposed measures to bring about compliance with Policy 5.2 of the London Plan and the requirements of Core Strategy Policy 8 of the Lewisham Local Development Framework (June 2011). The report concludes that a 106.9% improvement on Part L2A 2013 compliance can be achieved and therefore the development could achieve Zero Carbon status.

### 3.12 Flood Risk Assessment

The report concluded that, whilst the proposed development will be located within Flood Zone 3, the site and immediate surrounding area is afforded protection from local flood defences. The actual risk of fluvial flooding to the proposed development will therefore be residual in nature, being restricted to a breach of the defences, so can therefore be considered to be low.

Overall, based on the information available, this Flood Risk Assessment found that the risk of flooding to the proposed development from all other sources is considered to be low.

### 3.13 Desk Study and Preliminary Investigation Report

This report assesses the ground conditions at the site for use in the design and construction of the proposed development, as well as to assess the potential risk to human health and the environment.

The report makes recommendations with regard to a deep ground investigation being required if piled foundations are proposed, the undertaking of further gas monitoring visits, and the development of a Remediation Method Statement to detail the proposed remediation

strategy to be submitted and approved by the Local Planning Authority.

### 3.14 Planning Statement

This statement describes the relevant planning policies and an assessment of planning considerations is provided

### 3.15 Transport Statement

The Transport Statement reviews the current and proposed sustainable travel options available for staff and customers.

The Transport Statement concludes that the forecast additional trips resulting from the proposed use are not anticipated to be detrimental to the safety or operation of the local highway network

### 3.16 Archeologically Desk Based Assessment:

The application was accompanied by an assessment of the archeological potential of the site. The report concludes that it is not anticipated that the site would have significant archaeological potential, it is recommended that suitable mitigation with programmes of relevant archaeological monitoring during relevant construction groundworks be implemented.

## 4.0 Consultation

4.1 Letters were sent to neighbours of the site and press notices were displayed because the proposal would constitute 'major' development by virtue of the amount of floorspace created. At the time of writing the report, a total of 67 responses were received by the Council, which included 65 objections. The objections related to the following relevant planning issues;

- The proposed development would prohibit the provision of a potential pedestrian and cycle path along Canal Approach and under Blackhorse Bridge and would not comply with the North Lewisham Links Study;
- The proposed development is unacceptable as it would involve the demolition of a historic building;
- The proposed development is unacceptable as it would not provide for sufficient job creation;
- The site should be reallocated from Strategic Industrial Location to a Mixed Use Employment Location (MEL) to provide for both residential and commercial development;
- Potential disturbance of the residential amenity of adjoining properties by way of late night use by customers.

## 4.2 Local Amenity Societies

The following local amenity societies objected to the proposed development;

### Deptford Society

An objection to the current application has been received from the Deptford Society. This objection relates to the impact of the scheme on the potential future provision of a pedestrian and cycle path. An objection is also raised to the scale and massing of the development and the loss of the employment floor space.

### Lewisham Cyclists

An objection to the proposed development, from Lewisham Cyclists, has been raised on the basis that the current application would prevent a “potential strategic, traffic-free cycling and walking route under Blackhorse Bridge and along Canal Approach to Folkestone Gardens”. The amenity society references the “North Lewisham Links (NLL) study” which identifies potential upgrades to pedestrian and cycling routes within the Deptford and New Cross areas. The objection from Lewisham Cyclists makes specific reference to a route from Surrey Canal through Folkestone Gardens and Deptford Park across Evelyn Street. This route is indicated as linking into the recently approved Oxestalls Road scheme. Officers note however that this route is identified as running along Grinstead Road, to the north of the subject site, not along Canal Approach as suggested by Lewisham Cyclists.

### Deptford Folk

An objection to the current application has been received from the Deptford Folk community group. This objection is based on the following grounds:

- The proposal would prevent the reopening of canal approach as a cycle and pedestrian path and would further prevent wider improvements to sustainable movements within the area;
- The development would result in two self storage facilities in the area, for which there is not enough demand;
- The application site should be reallocated from Strategic Industrial Location to a Mixed Use Employment Location (MEL);
- The proposed scheme would involve negative impacts on daylight and sunlight to the wider public realm;

- The proposed development would not involve sufficient job creation;

#### 4.3 Ecology

Condition to be attached to secure the provision of a bio diverse living roof that is plug planted and over seeded

#### 4.4 Highways

No objection is raised to the proposed development. However, should the application be recommended for approval, officers would seek to secure the following:

A Construction Logistics Management Plan, to be submitted and approved in writing prior to the commencement of development;

Requirement to enter into a Section 278 agreement for the making good of redundant vehicle crossing

#### 4.5 Environmental Health

The application has been reviewed by the Council's Environmental Health officer. The application is considered to be acceptable subject to the inclusion of conditions in relation to construction management and land contamination

#### 4.6 Environment Agency

The Environment Agency did not raise any objection to the proposed development subject to condition being imposed in regard to Land Contamination .

#### 4.7 Transport for London

TfL have no objections in principle to the development but there were some detailed matters which would should be secured via condition by LB Lewisham. These are as follows:

Construction Management/ Logistics

Deliveries and Servicing

Provision of Electric Vehicle charging points

#### 4.8 Historic England

There is a discernible on-going archaeological potential with the site in respect of the former canal that can be addressed through a suitable programme of pro-active Observation and Recording and that it can therefore be secured by condition as follows:

- A) No development other than demolition to existing ground level shall take

place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological observation and recording in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.

- B) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological investigation in accordance with a Written Scheme of Investigation.

- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

**Reason:** Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF.

## **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.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
  - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

#### National Planning Policy Framework

- 5.3 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 in paragraph 211, that 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. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.
- 5.4 Officers have reviewed the Core Strategy 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, and 215 of the NPPF.

#### Other National Guidance

- 5.5 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

#### London Plan (March 2015) incorporating March 2016 Minor Alterations

- 5.6 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. In March 2016 the Minor Alterations to the

London Plan were adopted. The policies relevant to this application are:

- Policy 2.17 Strategic industrial locations
- Policy 4.1 Developing London's economy
- Policy 4.4 Managing industrial land and premises
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable energy
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.18 Construction, excavation and demolition waste
- Policy 5.21 Contaminated land
- 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 London View Management Framework
- 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 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.19 Biodiversity and access to nature
- Policy 7.21 Trees and woodlands
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

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

- Accessible London: Achieving an Inclusive Environment (2004)
- Industrial Capacity (2008)
- Sustainable Design and Construction (2006)
- Planning for Equality and Diversity in London (2007)
- London Plan Supplementary Planning Guidance View Management Framework (March 2012)

London Plan Best Practice Guidance

- 5.8 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)

Core Strategy (2011)

- 5.9 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London 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  
Core Strategy Policy 3 Strategic Industrial Locations and Local Employment Locations  
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 14 Sustainable movement and transport  
Core Strategy Policy 15 High quality design for Lewisham  
Core Strategy Policy 17 The protected vistas, the London panorama and local views, landmarks and panoramas  
Core Strategy Policy 21 Planning obligations  
Strategic Site Allocation 4 Oxestalls Road

Development Management Local Plan (November 2014)

- 5.10 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

DM Policy 1 Presumption in favour of sustainable development  
DM Policy 10 Local Employment Locations  
DM Policy 22 Sustainable design and construction  
DM Policy 23 Air quality  
DM Policy 24 Biodiversity, living roofs and artificial playing pitches  
DM Policy 25 Landscaping and trees

DM Policy 26 Noise and vibration  
DM Policy 27 Lighting  
DM Policy 28 Contaminated land  
DM Policy 29 Car parking  
DM Policy 30 Urban design and local character  
DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest

Planning Obligations Supplementary Planning Document (2015)

5.11 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.

**6.0 Planning Considerations**

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

- a) Principle of development
- b) Layout, Scale and Design
- c) Impact on adjoining properties
- d) Highways and Traffic Issues
- e) Air Quality
- f) Land Quality
- g) Sustainability and Energy
- h) Ecology and flood risk
- i) Planning Obligations

Principle of Development

6.2 Paragraph 18 of the NPPF states that the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

6.3 Paragraph 19 sets out that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

6.4 London Plan Policy 2.17 states that development proposals in Strategic Industrial Locations should be refused unless they fall within the broad industrial type activities outlined, which include storage and distribution uses.

- 6.5 Core Strategy Policy 3 states that the Council will protect the Strategic Industrial Locations (SILs) for uses within the B Use Class (B1c, B8 and where appropriate B2 industry), and also appropriate sui generis uses, to provide land for activities that support the continued functioning of London as a whole such as waste management, transport and utilities, and uses that require 24-hour functioning.
- 6.6 The proposed use for a self storage facility (use B8) and business centre for Small and Medium Enterprises (use B1) would be appropriate in this Strategic Industrial Location and the principle of the development would be acceptable.
- 6.7 Officers also note that while the subject site is not located within a Local Employment Location, DM Policy 10 provides useful guidance in the provision of space for SME's within self storage (B8 uses) facilities. The proposed use would generate 4 full time equivalent jobs while the existing site currently supports 1 full time and one part time job. The proposed scheme would further seek to support employment diversification through the introduction of a 'business centre' which would be provided at first floor within the proposed building. The proposed business centre would provide an area of approximately 107sqm which would facilitate B1 uses. The proposed business centre would provide 14 workstations and include WIFI, hot desking areas, breakout spaces and a meeting room.
- 6.8 The subject scheme has been reviewed by the manager of economic development who accepted that the proposed business centre could provide support for small and medium enterprises, however concern was raised as to how the proposed floor space would operate. In this regard, should the application be recommended for approval, conditions have been recommended to secure a plan of management and marketing strategy to ensure the proposed area is utilised effectively.
- 6.9 In regard to the protected vista from Blackheath Point to Central London, the proposed development would maintain the building height of the existing building located to the rear, eastern portion of the site. The development therefore would not interrupt the protected view which partially transverses the application site.

### Design

- 6.10 Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 6.11 Paragraph 57 sets out that it is important to plan positively for the achievement of high quality and inclusive design for all development,

including individual buildings, public and private spaces and wider area development schemes.

- 6.12 Paragraph 64 is clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.13 London Plan Policy 7.4 B states that buildings, streets and open spaces should provide a high quality design response that (amongst other criteria):
- a. has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass
  - b. contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area
  - c. is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings
  - d. allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area
- 6.14 Policy 7.6 B sets out that buildings and structures should (amongst other criteria):
- a. be of the highest architectural quality
  - b. be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- 6.15 Core Strategy Policy 15 states that for all development, the Council will (amongst other criteria) apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 6.16 Policy DM30 sets out that the Council will require all development proposals to attain a high standard of design. This applies to new buildings and for alterations and extensions to existing buildings. The requirements of Core Strategy Policy 15 which sets out the aims for each Core Strategy spatial area will need to be met.
- 6.17 An adequate response to the following detailed matters will be required in planning applications to demonstrate the required site specific design response:

- a. the creation of a positive relationship to the existing townscape, natural landscape, open spaces and topography to preserve and / or create an urban form which contributes to local distinctiveness such as plot widths, building features and uses, roofscape, open space and views, panoramas and vistas including those identified in the London Plan, taking all available opportunities for enhancement
  - b. height, scale and mass which should relate to the urban typology of the area
  - c. layout and access arrangements. Large areas of parking and servicing must be avoided
  - d. how the scheme relates to the scale and alignment of the existing street including its building frontages
  - e. the clear delineation of public routes by new building frontages, with convenient, safe and welcoming pedestrian routes to local facilities and the public transport network, including meeting the needs of less mobile people and people with young children
  - f. the quality and durability of building materials and their sensitive use in relation to the context of the development. Materials used should be high quality and either match or complement existing development, and the reasons for the choice of materials should be clearly justified in relation to the existing built context
  - g. details of the degree of ornamentation, use of materials, brick walls and fences, or other boundary treatment which should reflect the context by using high quality matching or complementary materials
  - h. how the development at ground floor level will provide activity and visual interest for the public including the pedestrian environment, and provide passive surveillance with the incorporation of doors and windows to provide physical and visual links between buildings and the public domain
  - i. new development must be sustainably designed and constructed in compliance with Core Strategy Policies 7 and 8
  - j. where there is an impact on a heritage asset a statement will be required that describes the significance of the asset, including its setting, and an assessment of the impact of the proposals upon that significance.
- 6.18 Officers acknowledge that, in order for a design response to be acceptable, a positive relationship between any new development and the primary frontages of Evelyn street/ Blackhorse bridge and Blackhorse Road are of the utmost importance. The proposed

principle of setting the building back from the front property boundary is supported, especially considering the difference in level between the subject site and Evelyn Street/ Blackhorse bridge. This is deemed to be vital in establishing a positive relationship between the proposed development and the adjoining street. Officers further welcome the proposed use of a setback area to enable the provision of an eventual connection under the vehicular dominated Blackhorse Bridge/ Evelyn Street for cyclists and pedestrians. Should this be implemented, the route would emerge directly opposite the subject site and could potentially connect to the approved open space and commercial areas at Deptford Wharves and to the wider area including to Convoy's Wharf and the River Thames.

- 6.19 The current scheme would propose a setback from the Evelyn Street/ Blackhorse bridge frontage between 5.1 meters- 12.8 metres, with deeper setbacks responding to the taller elements of the proposal. Officers considered that the site layout, as now proposed, would suitably respond to its context and would create a positive relationship with the adjoining streets.
- 6.20 As part of this proposal, the applicant would seek to provide a hard paved and landscaped area between the proposed development and the public highway. The proposed works would involve a paved front entrance which would create a circulation area to the corner of Blackhorse Road and Evelyn Street. Officers would also note that the proposed front landscaped setback would be gated to restrict unintended access until such time as the cycle and pedestrian link can be implemented. This design response is supported and the detailed design of this area would be secured via condition.
- 6.21 Both the pedestrian and vehicular entrances would be via the Blackhorse Road frontage with the main pedestrian entrance being accessed directly via the street. This building would have large areas of fenestration, and provide a clearly legible entrance. A secondary entrance would also be provided from the car park/loading bay area, set behind vehicular and pedestrian gates and perimeter fencing. The proposed fencing would be paladin fencing, would be 2.4 metres in height and would replace the existing Palisade fencing which has a similar height. It is noted that the applicant has proposed that the front setback area, adjoining Evelyn Street/ Blackhorse bridge, would also include fencing to prevent unintended access until such time as a pedestrian and cycleway could be implemented. Due to the prominent location of this area, officers would seek to impose a condition requiring the applicant submit details of the landscaping and fencing within this area prior to commencement of above ground works .

### *Scale and Massing*

- 6.22 When considering the building's scale and massing, reference should be made to the existing commercial and industrial buildings that

adjoin the subject site, located along Blackhorse Road. The proposed scheme has been developed in association with council officers and would seek to break up the massing through the introduction of three similar, distinctive and attached building elements, that would vary in height, width and treatment to articulate the proposed massing.

- 6.23 The proposed introduction of three pitched roof forms upon the Evelyn Street frontage which run front to back along the site is considered to be acceptable and would create the appearance of a family of three building elements further reducing the massing of the proposed development. The apex of the proposed tallest building element, located adjacent to the northern boundary, would be between 4.9 and 7.4 metres above nearest adjoining buildings which are between 9.4 and 10.4 metres in height, located along the western site boundary, situated within the Blackhorse Business Park. Officers acknowledge that the height of the proposed development would involve a step change from the surrounding, largely continuous, roofscape. It is also noted however that the development which would be located directly opposite the subject site within the Oxestalls Road Strategic Site, would be of a similar height as that proposed as part of the this application.
- 6.24 It is considered however that the proposed building height, is in this instance acceptable as the proposed design would involve a distinct industrial vernacular that would relate to the immediate surroundings. Furthermore the tallest element would be set back from the street by 12.8 metres and its impact would be further mitigated due to the variation in site levels as the subject site is 2.7 metres below the level of the Evelyn Street/ Blackhorse bridge.

#### *Materials and finishes*

- 6.25 The proposed development would be clad in composite metal cladding, with each of the three proposed building elements being treated separately to further articulate and reduce the massing of the proposal.
- 6.26 The lowest building element, adjacent to Blackhorse Road, would be predominantly clad in standard 'Shurgard Red' and would include large areas of glazing which would serve to distinguish the primary pedestrian entrance. The second building would be finished in a mixture of white composite and grey profiled panels which would be repeated on the largest building adjacent to Canal Approach. Areas of fenestration would also be included on the front elevation of each façade which would add further visual interest to the development.
- 6.27 The design and finishing of the proposed development is considered to be appropriate to the function. Given the nature of the use of the site the design of the proposed building is considered to be acceptable and in accordance with CS Policy 15 High Quality for Lewisham and DM policy 30.

## Impact on Adjoining Properties

- 6.28 One of the Core Planning Principles identified at paragraph 17 of the NPPF is that planning should always seek to secure...a good standard of amenity for all existing and future occupants of land and buildings.
- 6.29 London Plan Policy 7.6 requires that development does not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing.
- 6.30 The applicant has submitted a Sunlight/Daylight Assessment which satisfactorily demonstrates that those impacts on neighbours to the north on Grinstead Road and those on the other side of Evelyn Street would not be unacceptable impacted in the context of the BRE guidelines. The accompanying report details an assessment of the Vertical Sky Component for 18 adjoining residential windows under both current and proposed conditions. The report details that the windows associated with the adjoining residential development would continue to meet the relevant criteria for daylight and the scheme is therefore compliant with the BRE guidance for daylight.
- 6.31 While the primary outlook of the adjoining residential properties, located within Evelyn Court, is within the development itself and not across the application site a building of this scale, which would have a height of between 8.7 and 13.2 metres immediately adjoining the shared property boundary, would undoubtedly impact on outlook from nearby residential properties. It is noted that at the nearest point, the proposed development would be located between 8.7 and 9.3 metres from the nearest flank elevation of the adjoining residential building. It is considered however, that when compared with the existing impacts of buildings at the site and when taking into account the distance between the site and the neighbouring properties and the allocation of the site for industrial uses, the scale of those impacts would be acceptable.
- 6.32 Policy 7.15 B states that development proposals should seek to manage noise by avoiding significant adverse noise impacts on health and quality of life as a result of new development. It is considered that the proposed use would not involve intensive noise generating uses and would be considerably less intensive than both the current uses on site and the surrounding industrial uses.
- 6.33 It is noted that once operational the proposed development would be accessible, via controlled gated access, 24 hrs a day. This is typical of self storage facility uses however the number of movements as part of the proposed use, (5 per hour), would be considerably below the peak P.M . movements of the existing uses as detailed in the Transport Statement.

- 6.34 Officers note that Core Strategy Policy 3 states that the Council will protect the Strategic Industrial Locations (SILs) uses that require 24-hour functioning. The proposed development is not considered likely to involve a high intensity of use, especially when compared to the surrounding uses. It is further noted that the entrance and exit, where vehicle movement would be focused, is proposed to be located away from the nearest residential properties, situated at Evelyn Court, and accordingly is not considered likely to impact the residential amenity of the adjoining residential properties.

#### Highways and Traffic Issues

- 6.35 Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
  - safe and suitable access to the site can be achieved for all people; and
  - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 6.36 Policy 6.3 sets out that development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Development should not adversely affect safety on the transport network.
- 6.37 The accompanying Transport Statement details that the proposed development would result in a considerable reduction in the number of vehicle movements when compared to the existing land uses on site. In this regard, the Transport Statement details the proposed development would be expected to attract 89 vehicle movements per day compared to 466 movements associated with the existing uses on site.
- 6.38 In terms of deliveries to the proposed use, when operational, the applicant has detailed that the maximum likely delivery and servicing vehicle would be a 10 metre refuse vehicle which can enter and exit the site in a forward movement, via Blackhorse Road.
- 6.39 The application has been reviewed by both Councils' Highways Officer and Transport for London, both of whom have not raised any objection to the proposed development. The Council's Highways

Officer is satisfied that subject to conditions requiring the submission and approval of a Construction Logistics Plan, an undertaking to make good the redundant vehicle crossing, there would be no harm caused to the safe and free flow of traffic.

- 6.40 Core Strategy Policy 14 and Policy DM29 states that a managed and restrained approach to car parking provision will be adopted to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities. The car parking standards contained within the London Plan will be used as a basis for assessment.
- 6.41 London Plan Policy 6.13 states that a maximum one car parking space should be provided for each 500m<sup>2</sup> of B8 floorspace at the site, while a maximum of 1 space per 600- 100 sqm for the proposed B1 use. Based upon a proposed floor area of 4,569sqm (including the proposed business centre use) there would be a requirement for 9 car parking spaces. It is noted that 7 car parking spaces are proposed (including one accessible space) which would be provided for both customers and staff. The accompanying Transport Statement however includes a parking accumulation assessment, which demonstrates that the level of parking is sufficient to meet the expected demand.
- 6.42 The application has been reviewed by the Council's Highways officer as well as Transport for London, neither of which have raised any objection to proposed development.
- 6.43 London Plan Policy 6.9 states that 1 long-stay cycle parking space should be provided for every 500m<sup>2</sup> of B8 floorspace at the site and 1 short-stay space should be provided for every 1000m<sup>2</sup> of floorspace.
- 6.44 Cycle parking would be provided in line with those standards and would be acceptable and would be secured by condition.

#### Air Quality

- 6.45 London Plan Policy 7.14 B states that development proposals should (amongst other criteria):
- a. minimise increased exposure to existing poor air quality and make provision to address local problems of air quality
  - b. promote sustainable design and construction to reduce emissions from the demolition and construction of buildings following best practice guidance
  - c. be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality

- 6.46 Core Strategy Policy 9 and Policy DM23 reinforce these objectives and the applicant has submitted an Air Quality Assessment that satisfactorily demonstrates that the impacts of the development would be acceptable in this regard.

#### Land Quality

- 6.47 London Plan Policy 5.21 sets out that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination.
- 6.48 Policy DM28 sets out the steps that should be taken to ensure that contaminated land is fully investigated and remediated, to minimise and mitigate any harmful effects to human health and the environment.
- 6.49 The Environment Agency has been consulted and has raised no objection, subject to the imposition of planning conditions. This opinion is reinforced by the Council's Environmental Health Officer. Officers have therefore recommended that, should the application be approved, a land contamination assessment and remediation strategy be provided to the Council, prior to the commencement of development.
- 6.50 The subject application is therefore considered to be acceptable, subject to suitable conditions being imposed.

#### Sustainability, Energy and Sustainable Construction

- 6.51 Paragraph 96 of the NPPF states that in determining planning applications, local planning authorities should expect new development to:
- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
  - take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 6.52 London Plan Policy 5.2 requires that a development like that proposed achieves a minimum of a 40% reduction in carbon dioxide emissions against the 2010 Building Regulation standards. It is now established that a 35% reduction against 2013 standards should be sought.
- 6.53 Policy 5.7 requires that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.

- 6.54 Policy 5.3 states that development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process.
- 6.55 Core Strategy Policies 7 and 8 reinforce these objectives and Policy DM22 states that in addition to those policies in the London Plan and Core Strategy the Council will require all developments to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling.
- 6.56 The applicant has submitted an Energy and Sustainability Assessment that demonstrates that a 106% CO<sub>2</sub> emission reduction target beyond Part L 2013 of the Building Regulations could be achieved at this site. The proposed level of CO<sub>2</sub> reductions are welcomed and a condition is recommended to secure the energy improvements in line with relevant policies.

### Ecology

- 6.57 NPPF paragraph 118 states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity.
- 6.58 London Plan Policy 7.19 sets out that development Proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 6.59 DM24 states that the Council will require all new development to take full account of biodiversity and geodiversity in development design, ensuring the delivery of benefits and minimising of potential impacts on biodiversity.
- 6.60 New living roofs are required to be designed and fitted by a qualified and accredited installer and include an extensive substrate base, except where it can be demonstrated that such a base is not feasible and achievable. Developers should enter into an agreement with an installer that guarantees 80% coverage in 5 years.
- 6.61 The Council's Ecologist has been consulted. Whilst no objection has been raised in principle, concerns have been raised as to the level of detail provided relating to the proposed green roof at the rear of the site. Accordingly, a planning condition has been recommended which would require additional green roof details to be provided prior to the commencement of above ground works.

### Flood Risk and Sustainable Drainage

- 6.62 Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in

areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

6.63 This objective is reinforced by London Plan Policy 5.12 and Core Strategy Policy 10.

6.64 A storage and distribution use is considered less vulnerable by the NPPF and appropriate in high flood risk area, subject to an acceptable Flood Risk Assessment.

6.65 The applicant has submitted a Flood Risk Assessment to support the application. It demonstrates a range of construction and evacuation measures that could be introduced to mitigate the risk of flooding at the site. A condition to ensure that these measures were put in place could be used in the event of an approval.

6.66 London Plan Policy 5.13 states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

6.67 Very limited information has been provided to demonstrate that an acceptable SUDS and measures to reduce surface water run-off would be provided at the site. A condition has been recommended, requiring the provision of these details prior to commencement of development.

### Heritage

6.68 It is noted that the subject site is located within an Area of Archaeological Priority. The subject application was supported by a desk based assessment of the presence of potential archaeological remains. This assessment was reviewed by Historic England who agree with recommendations contained within the submitted report that the potential for archaeological features of significance is low and can be appropriately mitigated by the implementation of a monitoring process throughout the excavation phase of the development. A condition to ensure that the proposed development is carried out in

accordance with the submitted desk based assessment has been proposed, should the application be approved.

- 6.69 It is noted that several objections make reference to the demolition of an unspecified 'historic building'. As previously stated, the subject site does not contain any historic buildings which would be demolished as part of this application. This has been confirmed by the Council's Conservation Officer.

#### Planning Obligations

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

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

- 6.87 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.

- 6.88 The obligations sought are as follows:

- Securing the right to pass and re pass across the front setback area, to ensure the eventual implementation of a pedestrian and cycle connection.
- Contributions:
  - Employment & Training: £40,000 to be paid on commencement (including demolition)
  - Open Space Contribution: £12,000.00 to be paid on commencement (including demolition)
- Monitoring, legal and professional costs

- 6.89 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).

## **7.0 Local Finance Considerations**

7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.

7.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

## **8.0 Equalities Considerations**

8.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.3 The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.

8.4 Equality issues have been duly considered as part of the assessment of this application. It is not considered that the application would have any direct or indirect impact on the protected characteristics.

## **9.0 Conclusion**

9.1 This application has been considered in the light of policies set out in the Local Development Plan and other material considerations.

9.2 The assessment above has demonstrated that, with the imposition of appropriate conditions to mitigate any potential effects, there will be no significant impacts in relation to design, air quality, ecology, crime prevention, access to daylight, sustainability and energy, flood risk, land contamination, highways and traffic, waste and construction management.

9.3 Officers consider that, with the recommended mitigation and planning conditions in place, the proposed development is of sufficient quality and would deliver a much needed school space. As such the development should be approved.

## **10.0 RECOMMENDATIONS**

### **10.1 RECOMMENDATION (A)**

To agree the proposals and authorise the Head of Law to agree planning obligations under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters:-

- Securing the right to pass and re pass across the front setback area, to ensure the eventual implementation of a pedestrian and cycle connection.
- Contributions:
  - Employment & Training: £40,000 to be paid on commencement (including demolition)
  - Open Space Contribution: £12,000.00 to be paid on commencement (including demolition)
- Monitoring, legal and professional costs

### **10.2 RECOMMENDATION (B)**

Upon completion of a deed securing planning obligations pursuant to S106 of the Town and Country Planning Act 1990, which in the opinion of the Head of Law satisfactorily secures the matters set out above, authorise the Head of Planning to grant planning permission subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

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

2. The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

Figure 1 Rev 02 (Topographic Survey and Roof Heights); Figure 1 Rev 02

(Elevations); 300 Rev 2; 301 Rev \$; 500 Rev 2; 212 Rev \$; 215 Rev \$; 211 Rev \$; 210 Rev \$; 100 Rev \$; 111 Rev 1; Design & Access Statement; Daylight & Sunlight Assessment; Construction Managers Method Statement; Energy & Sustainability Statement; Transport Statement; Preliminary Ecological Appraisal; Flood Risk Assessment; Tree Survey and Arboricultural Implications Assessment; Air Quality Report

**Reason:** To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

- 3.(A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological observation and recording in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.
- B) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological investigation in accordance with a Written Scheme of Investigation.
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

**Reason:** To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 7.8 of the London Plan (2015)

4.No development shall commence on site until a Construction Logistics Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall demonstrate the following:-

- (a) Rationalise travel and traffic routes to and from the site.
- (b) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction vehicle activity.
- (c) Measures to deal with safe pedestrian movement.

The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to during the period of construction.

**Reason:** In order to ensure satisfactory vehicle management and to comply

with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

- 5.(a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-
- (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
  - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, 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.
  - (iii) The required remediation scheme implemented in full.
- (b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

This shall include verification of all measures, or treatments as required in (Section (a) i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

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

Plan (November 2014).

- 6.(a) The buildings hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) No development shall commence until a Design Stage Certificate for each building (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the buildings, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

- 7.(a) Notwithstanding the details hereby approved, no above ground development shall commence until detailed plans at a scale of 1:10 showing the typical details of the guttering and roof eaves along with details of window reveals have been submitted to and approved in writing by the local planning authority.
- (b) The development shall be carried out in accordance with the approved details.

**Reason:** In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

- 8.(a) No development shall commence on site until a scheme for surface water management, including specifications of the surface treatments and sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority.
- (b) The development shall be carried out in accordance with the approved scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

**Reason:** To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (2015) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10:Managing and reducing the risk of flooding (2011).

9.No development shall commence on site until a detailed schedule and specifications and samples of all external materials and finishes, windows and external doors, roof coverings to be used on the building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

10.(a) The use of the development hereby approved shall not commence until details of proposals for the storage of refuse and recycling facilities for the development, have been submitted to and approved in writing by the local planning authority.

(b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

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

11.(a) No development shall commence on site until drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) have been submitted and approved in writing by the local planning authority.

(b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

12.(a) A scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction

of the above ground works.

- (b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

- 13.(a) Notwithstanding the drawings approved, details of the proposed boundary treatments including any gates, walls or fences shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) The approved boundary treatments shall be implemented prior to occupation of the buildings and retained in perpetuity.

**Reason:** To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- 14.(a) The development shall be constructed with a bio diverse living roof living roof that is plug planted and over seeded laid out across the flat roof area as identified in drawing no: 215 Rev \$
- (b) Details of the living roofs (including roof plans to a scale of 1:50, cross-sections to a scale of 1:20, specification and details of a substrate base and details of management) shall be submitted to and approved in writing by the local planning authority prior to the commencement of development above ground level.
- (c) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (d) Evidence that the roof has been installed in accordance with (b) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved and maintained thereafter.

**Reason:** To comply with Policies 5.10 Urban greening, 5.11 Green roofs and

development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2015) , Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

- 15.(a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.
- (b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.
- (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

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

16. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the building.

**Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- 17.(a) No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.
- (b) 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:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development

Management Local Plan (November 2014).

18 The development shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.

(a) The plan shall demonstrate the following:

- expected number and time of delivery and servicing trips to the site (with the aim of reducing the impact of servicing activity.)
- measures to ensure larger HGV's do not attempt to access the site and create conflicts with vehicular traffic using the SRN.

(b) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

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

19 (a) Details of the number and/or location of electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.

(b) The electric vehicle charging points as approved shall be installed prior to occupation of the Development and shall thereafter be retained and maintained in accordance with the details approved under (a).

**Reason:** To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (2015), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014)

20 (a) Prior to occupation of the development a strategy for marketing and management for the Business Centre shall be submitted to and approved in writing by the local planning authority.

(b) The strategy for marketing and management shall include the following;

- the potential occupiers identified for the Commercial Units which the strategy relates to;

- the steps intended to be taken in marketing and letting the Commercial Units referred to in the strategy;
  - the timescale over which such marketing is intended to occur;
21. (a) A minimum of **12** secure cycle parking spaces shall be provided within the development
- (b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

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

22. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the Business Centre located at first floor level and indicated on drawing 212 Rev \$ shall be used for **(B1 Use)** and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

**Reason:** In order to protect the Business Centre falling within B1 Use Class in the interests of retaining the maximum amount of employment provision possible on the site, to reflect the policy designation of the site as a Strategic Industrial Location in accordance with Core Strategy Policy 3: Strategic Industrial Locations and Local Employment Locations.

23. Prior to the commencement of development an agreement pursuant to Section 278 of the Highways Act 1980 shall be entered into with the Highways Authority to secure the closure of the existing crossovers on Blackhorse Road and associated works.

**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) and Development Management Policy 26 (Noise and vibration) of the development Management Local Plan

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

**Reason:** To ensure foundation works, particularly piling, are carried out with due regard to potential impacts on groundwater quality in relation to historic contamination of soils.

25. No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
  - (i) Rationalise travel and traffic routes to and from the site.
  - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction relates activity.
  - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance

and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

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No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors;
  - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:** To ensure that the development is carried out in accordance with the aims of the National Planning Policy Framework with regard to sustainable development and historic contamination. To protect groundwater within the underlying Secondary Aquifers.

