

Committee	PLANNING COMMITTEE (A)	
Report Title	23-27 CLIFTON RISE & UNITS 1- 22 MARLOW BUSINESS CENTRE, BATAVIA ROAD SE14	
Ward	New Cross	
Contributors	Mark Furlonger	
Class	PART 1	Date: 20th September 2011

Reg. Nos.

DC/11/77530 & DC/11/77530A

Application dated

6.6.2011, revised 16.8.2011

Applicant

West and Partners on behalf of Batavia Road 1 Limited

Proposal

The demolition of the existing buildings and redevelopment of the site for mixed-use development at former Clifton Rise Medical Centre, 23-27 Clifton Rise & Marlowe Business Centre, Batavia Road SE14 to provide 3 blocks between 2-11 storeys comprising 114 residential units (25 x 1 bed, 66 x 2 bed & 23 x 3 bed flats), 1768sqm of Class B1 (Office Use), 116sqm of Class A3 (Café/Restaurant Use), together with the provision of 21 car parking spaces, 208 cycle spaces, landscaping and public realm improvements to Batavia Road and the Pocket Park.

Applicant's Plan Nos.

1072-00-00, 01, 02, 1072-02-001 Rev 01, 1072-02-00 Rev C01, 1072-02-01 Rev 01, 1072-02-02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 1072-04-01, 1072-04-02 Rev 01, 1072-04-03, 1072-04-04, 1072-04-Bay 01, 1072-04-Bay 02 Rev 01, 1072-04-Bay 03, 1072-04-Bay04, 1072-04-Bay05 Rev 01, 1072-05-01, 1072-05-02, 1072-09-01 Rev 01, 1072-09-02, 1072-09-03 rev 01, 1072-09-04, 1072-10-01, 1072-10-02, 1072-10-03, 08407-PA-001, Design & Access Statement June 2011, Energy & Sustainability Statement April 2011, Overshadowing Report July 2010, Daylight & Sunlight Amenity Study November 2010, Transport Statement May 2011, Phase 1 Habitat Survey & Daytime Bat Assessment Report July 2009, Phase 1 Desk Contamination Study (C11860), Flood Risk Assessment October 2009, Revised Air Quality Assessment August 2011, Desk -top Archaeological Assessment May 2008, Planning Noise Assessment 2009/2300/R1, Tree Condition Survey & Arboricultural Implications Assessment April 2008, Planning Statement June 2011, Town Planning Framework statement, Lifetime Homes Assessment July 2011, Addendum 1 Drainage Plans, Transport

Statement May 2011 and revised Travel Plan August 2011, Public Consultation Questionnaire and Summary of Responses June 2009, Supplementary Planning Statement June 2011 and August 2011, Employment Occupancy Rates October 2010, Supplementary Transport submission August 2011

Background Papers

- (1) Case File DE/297/B/TP
- (2) Local Development Framework Documents
- (3) The London Plan

Designation

UDP – District Centre
LDF – Other Employment Site, District Hub (New Cross)
Area of Archaeological Priority
PTAL 6a

EIA Screening

20th June 2011. No EIA required

Referral to the GLA

The application is referable to the Mayor of London as an application of Potential Strategic Importance

2.0 Site Description and Surroundings

- 2.1 The application site lies directly to the north of New Cross Road. New Cross and New Cross Gate stations are about 380m to the east and 220m to the west respectively. Goldsmiths College lies to the south and there are a broad range of building types, styles and uses within the wider vicinity of the site. The southern boundary of the site adjoins (but is not within) the Deptford Town Hall Conservation Area.
- 2.2 The site comprises two plots, located primarily on the north and south side of Batavia Road. The part of the site on the north side is 'L' shaped and has frontages to the west side of Clifton Rise, the south of Childeric Road and the north of Batavia Road. The plot to the south has frontages to the north side of Batavia Mews and the south side of Batavia Road and incorporates a small open space of about 400m² at its western end. The entire site is about 5,961m² (just over 0.5h) and includes a section of public highway on Batavia Road, Clifton Rise and Batavia Mews.
- 2.3 Batavia Road is a public highway that runs between Goodwood Road to the west and Clifton Rise to the east. There is a limited amount of uncontrolled on-street parking on both sides of the road.
- 2.4 The majority of the site is currently developed, with 22 single storey B1/B8 units erected in the mid-1980s, known as The Marlowe Business Estate. The size of the units range between 55m² and 83m² and provide a combined floor area of 1,723m² (gross external area). The units on the north side of Batavia Road are grouped into three blocks with shared service yards to the side of each block with

a terrace of four units at the east end of the site, backing onto Clifton Rise. The remainder of the northern plot is undeveloped following the demolition of the building formerly occupied by the Clifton Rise Medical Centre, which has relocated to the Waldron Health Centre. The six units located on the south side of Batavia Road form a terrace that is set back from the back edge of the pavement along Batavia Road and served by three service yards.

- 2.5 The buildings on the site fronting either side of Batavia Road and those to Clifton Rise are of no architectural merit whatsoever and have a detrimental affect on the street scene. In particular, long lengths of the Batavia Road frontages are behind palisade fencing which greatly diminish any perception of safety, security and quality in the street scene. The frontages to Clifton Rise are bland brick flank walls, with occasional fire escape doors from the units themselves.
- 2.6 There is a fall in level of approximately 1.5m between the southern and northern plots, either side of Batavia Road, and the arm (the northern part of the 'L' shaped block) along Clifton Rise falls a further 4m to its frontage on Childeric Road. To the south, the land rises to New Cross Road, which is approximately 3.5m above Batavia Road.
- 2.7 The public open space on the southwestern corner of the site is currently bounded by a 2m high brick wall along the back-edge of the footpath on Batavia Road, reflecting the change in ground level. There is a diagonal pedestrian path across the space between Batavia Road and Batavia Mews and a group of semi-mature Cherry trees. Overall, the quality of the space can be considered very poor and the contribution it makes to the street scene and amenity of the area is very limited.
- 2.8 There is a large block along New Cross Road to the south of the site of four storeys including a habitable roof storey. The ground floor units fronting New Cross Road are occupied as shops and related uses while the upper floors, which are accessed from Batavia Mews at the rear (opposite the application site), are predominantly occupied as student accommodation.
- 2.9 To the west of the southern section of the site and the open space is a link road connecting Batavia Mews and Batavia Road. To the east of Batavia Mews on the south side of Batavia Road is a pair of two-storey Victorian semi-detached residential properties. Adjacent, fronting Clifton Rise are retail related uses with some residential flats over.
- 2.10 To the west of the northern section of the site is Bond House, which is currently in use as artist's studios and as a 'cash and carry'. The frontage to Batavia Road is two and a half storeys with the main elevation set back from the pavement. A two-storey element returns along the east side of Goodwood Road with service bays and off-street parking provided to the side and front. The site is subject to a resolution to grant planning permission (referred to in section 4, below).
- 2.11 To the north of Bond House is Ewen Henderson Court. This is a five-storey building incorporating a medical clinic at ground floor level with student residential accommodation on the upper floors. On the west side of Goodwood Road is a wide mix of type and age of building with four storey flats to the south; a terrace of two storey 19th century houses; a part single part two storey commercial building and an open storage yard; and modern terraces of two storey dwelling houses

with rear gardens that back onto Goodwood Road. The site of the storage yard is subject to a current planning application (referred to in section 4, below).

- 2.12 To the north of the site is Childeric Primary School. The entrance to the school is from Childeric Road, immediately to the west of the application site and the former medical centre. The relationship of the proposals to the school is dealt with later on in this report.
- 2.13 Fordham Park, which is designated Metropolitan Open Land (MOL), is located directly to the north and east of Childeric Road and Clifton Rise. On the west side of Childeric Road, to the north of the entrance to the school and opposite Fordham Park, is a terrace of Victorian two storey houses. On the east side of Clifton Rise is a terrace of two storey shop and commercial units while a further mix of residential building styles and types exists along Achilles Street to the east of the application site and adjacent to the southern boundary of Fordham Park.

3.0 Planning History

- 3.1 There is no relevant planning history for the site

4.0 Current Planning Applications

Neighbouring Sites

- 4.1 There are two planning applications of particular relevance in the immediate vicinity of the application site:
- (1) Residential-led mixed use development to the west of the site, on land adjacent New Cross Gate Station for: *'Demolition of existing buildings and redevelopment of the site for mixed use comprising 148 private residential units (Use Class C3), 200sqm retail use (Class A1-A5), 39 parking spaces, 8 disabled spaces, 148 cycle spaces, electric car charging points, 5 motorcycle spaces and the provision of on site public realm, landscaping and pedestrian and cycle routes.'* (Application reference: DC/11/77418).
- 4.2 The application is still under consideration by Officers and has yet to be determined.
- (2) Residential mixed use development on Bond House, adjacent the western end of the site, for: *'Demolition of the existing part 2/3 storey building and the construction of a part 5/6/7 storey building to provide 16 artists studios, 4 artists live/work units, an artists gallery, office, cafe and 78 residential units, associated courtyard, landscaping, underground car parking and cycle storage.'* (Application reference: DC/10/73730).
- 4.3 The application was resolved to be approved by the Council in June 2011 and is subject to completion of a S106 Agreement.
- 4.4 **The Application Proposals**
- 4.5 The proposals comprise four main blocks of development, on the two plots described above. Taken as a whole, the block on the southern side (known as Block A) is rectangular and includes an open space on its western end while the

northern side blocks (comprising a commercial block and blocks B and C) extends down Clifton Rise, to form an 'L' shape.

- 4.6 Block A comprises 26 residential units, extending to 4 storeys. It contains 3-bed duplex (split level) units on the ground and first floors, with 1 and 2-bed flats above. The entrances to the duplex ground floor units are via steps up from Batavia Road, at the base of which are bin stores, incorporated into projections from the front elevation. The flats above, are accessed via two separate communal entrances, part way along the Batavia Road frontage. The communal areas also contain bike storage for all of the units and shared bin storage for the flats above.
- 4.7 The ground floor duplex units include ground floor terraces to Batavia Mews on the southern elevation with balconies on the first floor level, incorporated by set-backs in the corner of each unit. The flats above have either balconies to Batavia Road, Batavia Mews or to the western and eastern ends of the blocks. The western end of Block A includes all of the affordable housing units.
- 4.8 Block B includes commercial uses at its western end, adjacent the Bond House site with 37 residential units in the remainder. The commercial use would create 1,768sq.m Class B1 space within a 4-storey block, designed to be flexible according to letting opportunities and capable of subdivision by floor or into a number of units. It includes a glazed double height entrance on its westernmost end and a further entrance to the upper floors, further along the frontage of Batavia Road. The service core is at the rear, adjacent the boundary of Childeric School. A small electrical substation is required to be retained on the eastern edge of the block, near the Batavia Road frontage.
- 4.9 The remainder of Block B comprises 1-bed flats and 2 and 3-bed flats and duplex units, within a block that is principally 4 stories, rising to 6 storeys at its eastern end. The units generally have private terraces to the ground floor with balconies on upper floors to Batavia Road. A series of part soft/ part hard landscaped communal gardens are provided to the northern side of the units, adjacent the main building of Childeric School. No balconies are provided to that boundary. The mid part of the block is set back from the edge of the school, to facilitate the communal garden areas and the communal gardens have either planting to their edges at the rear opposite the school or 1.8m timber fencing.
- 4.10 Entrances to these units are provided via 3 communal cores, set at intervals along the frontage and are combined with internal cycle and refuse storage areas.
- 4.11 Between Block B and C at the eastern end of Batavia Road is an open area for a café (Class A3 use), set back from the main street frontage and forming a break in the blocks along Batavia Road. A pergola, planting and seating would be provided.
- 4.12 Within Block C, the Café unit itself has a glazed ground floor frontage, which rises to a two-storey glazed corner to Batavia Road/ Clifton Rise. Above the Café unit itself, running north down Clifton Rise are the remaining 51 residential units. As the block runs down Clifton Rise, a car park basement is formed towards the northern end, for 21 car parking spaces, with an entrance to Clifton Rise. 3-bed duplex units are provided at the northern tip of the block, fronting Fordham Park.

- 4.13 The residential units within the block have communal entrances to both Clifton Rise and at the back of the open area around the café. Block C rises to 12 storeys at its corner with Batavia Road and Clifton Rise. Otherwise, it is 3-4 storeys, along part of Clifton Rise, given the fall in the road, leading to a 4-storey element on the corner of Clifton Rise and Fordham Park.
- 4.14 A part private/ part communal roof garden is proposed on top of the 3-storey block to Clifton Rise and communal garden space is provided to the rear of the block adjacent Childeric School. Living Roofs and photovoltaic cells are provided on a significant part of the remaining roofs.
- 4.15 All of the proposed blocks are set back from Batavia Road so as to create a wider public realm than currently exists and the edges of the street on Batavia Road will include parking bays. The area around the café will comprise a wider area of public realm, created in part by a break in the blocks and part by the set back of the tall element at the junction of Clifton Rise. A continuation of the Council's Route 1 strategy (at this location, between Clifton Rise and most of Batavia Road) is also proposed, along with the refurbishment of the open space (known as the Pocket Park) to the west of Block A. A costed landscape scheme is proposed as part of the application.

4.16 Supporting Documents

Planning Statement (West and Partners)

- 4.17 The planning statement describes the development and sets out the extent to which, in the Applicant's view, the proposals comply with planning policy. It also describes the nature and extent of the proposed residential and employment uses and includes a number of appendices, dealing with other planning matters including transport, daylight and sunlight, overshadowing, energy and sustainability, trees, ecology, noise, archaeology, contamination, air quality, public consultation and flood risk. It also seeks to address pre-application comments made by the GLA and sets out suggested Heads of Terms for a S106 Agreement.

Design and Access Statement (HKR Architects)

- 4.18 The statement sets out the wider context in which the site lies, the relationship of the proposals to public transport facilities and the way in which the site context has informed the design. It details the location of each of the units within the site by type and layout and describes in detail, the elevational makeup of the scheme by breaking down each of the elements of the materials and design. It also describes the context in which the tower element has been designed and the detail of the public realm and proposed Pocket Park.

Transport Statement and Travel Plan (Royal Haskoning)

The statements consider the appropriateness of accesses, car parking and cycle parking within the scheme, in relation to its level of public transport accessibility (PTAL 6a). It also considers visibility splays of the highway given the siting of buildings within the scheme, anticipated modal shift away from the car and travel planning measures to be implemented as part of the development.

Daylight and Sunlight Amenity Study (Watts)

- 4.19 The study considers the impact of the proposals on the daylight and sunlight enjoyed by properties to the north and south of the application site, including residential properties and Childeric Primary School. It considers the proposals according to Building Research Establishment criteria of Average Daylight Factor and the Vertical Sky component (both explained in detail later in this report). The study concludes that the overall impact of the scheme on the daylight and sunlight amenity of surrounding properties is relatively minor, or low-grade.

Overshadowing Report (Watts)

- 4.20 The study considers the effects that the proposed development would have to the north and south of the application site, specifically in relation to the amount of direct sunlight enjoyed by external areas of land in the vicinity of the site, including areas forming part of the Childeric Primary School. The report indicates that the scheme seeks to minimise its impact on the daylight enjoyed by surrounding uses.

Energy and Sustainability Statement (Eng Design/ Low Carbon Consultants)

- 4.21 The statement principally sets out how the proposals meet Code 4 Sustainable Homes, BREEAM 'Excellent' (for the commercial uses) and the London Mayor's energy hierarchy. It confirms that the most suitable means of providing heat and power is by gas-fired CHP combined with photovoltaics and that the Mayor's total carbon savings can be met.

Tree Survey and Ecology Report (The Landscape Partnership)

- 4.22 The tree survey and assessment identifies that a number of existing trees (London Planes) should be managed as the development is close to them and that though some hornbeams and cherry trees would be felled by the proposed development, the replacement of trees through the proposed landscape works is appropriate.
- 4.23 The accompanying ecological report (Phase 1 Ecological Survey) considers whether any of the buildings on site are suitable for species of identified importance and the range of ecological species that currently exist on the site. It makes subsequent recommendations to maximise the ability of the site to support ecological species.

Public Consultation document (West and Partners)

- 4.24 The document sets out the questions that were asked as part of the Applicant's pre-application consultation work and summarises the responses

Noise Assessment (Cole Jarman)

- 4.26 The Applicant's noise assessment considers background noise levels around the site and makes recommendations for the suitability of noise levels within habitable rooms, through appropriate mitigation measures.

Contamination (Ground Engineering)

4.27 The Applicant's desk study contamination assessment considers the extent of contamination within the site, the affect of proposals on environmentally sensitive water resources and whether there are any other ground-environmental factors affecting the proposals.

4.28 Air Quality Assessment (Temple)

4.29 The Applicant's air quality assessment considers the existing air quality at the site and considers the impact of the proposals and whether any mitigation measures are required. It indicates that both the impact of the proposal and its construction would result in air quality standards within acceptable limits, in part through measures proposed as part of the proposed Travel Plan and the ability of controls to be put in place during the construction phase.

4.30 Archaeology Assessment (Isambard Archaeology)

4.31 The Applicant's desk-based assessment considers archaeological and cartographic evidence, for the potential of finding remains dating to the prehistoric, Roman and Saxon periods as well as post-Medieval and Medieval periods.

4.32 Flood Risk Assessment (Barton Engineers Limited)

4.33 Though the site is not in an area at risk from flooding, the applicant's assessment considers the site in the context of identified Flood Risk Zones and Flood Risk Vulnerability Classifications according to the type of use proposed.

4.34 Supplementary Planning Statement (West and Partners)

4.35 The Applicant's Supplementary Statement sets out the proposals relationship to sewerage, site waste management, lighting, utilities and ventilation and extraction in connection with the proposed A3 Café Use.

4.36 Consultation

4.37 This section outlines the consultation carried out by the Applicant prior to and following, the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

4.38 Site notices were displayed and letters were sent to 225 residents and business in the surrounding area and the relevant ward Councillors. The Environment Agency was consulted as were English Heritage, the GLA, Thames Water and TfL.

Pre-Application Consultation

4.39 Officers held extensive pre-application discussion with the Applicant in connection with the principle of the uses, design, the extent and type of housing within the scheme and its relationship with surrounding uses, including Childeric School. The application was also considered by the Design Panel at both pre-application stage and as part of the consultation on the application itself.

- 4.40 Specific changes to the application had been made before its submission in relation to its impact on Childeric School as well as several design iterations in discussion with Officers of the Council. The Applicant met the GLA to discuss the proposals and discussed the viability of the scheme with Officers of the Council, as well as the extent of the public realm proposals.

Written Responses received from Local Residents and Organisations

- 4.41 Local Residents at 275a New Cross Road, and 50-56 Batavia Road and 9a Clifton Rise have objected to the proposals saying that insufficient car parking is being provided and raising concerns about the impact of the built development on their properties.
- 4.42 Lewisham Cyclists have asked that a two-way cycle route be provided on Clifton Rise and questioned the extent to which the proposals fit in with wider cycling routes in the area. They also question whether the cycle facilities within the scheme are sufficient.
- 4.43 The Telegraph Hill Conservation Society has objected to the proposals, saying that the proposed tall building is inappropriate for reasons of its affect on the conservation area and that the proposed elevations of the buildings are bland. They also consider that insufficient amenity space is to be provided, that the proposed S106 mitigation should be redistributed and increased and that the level of affordable housing proposed is unacceptable. They also suggest that the level of employment floorspace proposed is insufficient, as is the level of car parking though they do recognise the potential of the development to regenerate the area.

Written Responses received from Statutory and other Agencies

- 4.44 Thames Water has confirmed it has no objection to the proposals, provided that where foundation pilings are proposed, a piling method statement is approved prior to works being undertaken.
- 4.45 English Heritage has confirmed it has no objection to the proposals (archaeology and conservation).

Lewisham Design Panel

- 4.46 At pre-application stage, the Panel had been generally supportive of the proposal. Whilst the Panel considered the tower somewhat chunky, they concluded that the massing and position of the tower seemed appropriate. Subsequently, they noted that the previously bland long façades were now much improved and the use of detailed devices such as the aluminium ventilation panels helped to effectively differentiate the commercial spaces from the residential element, whilst helping articulate the buildings. In this respect, the Panel welcomed the ambition of the project, but advised that the scheme would require great care in the detailing and choice of materials, and evidence of the intended execution would need to be provided as part of the detailed application.
- 4.47 The Panel has since confirmed its continued support for the application itself, saying that it supports the position of the tower and the elevational treatment overall, but reiterated that the success of the scheme would be dependant on securing the right choice of materials.

4.48 Strategic Housing

- 4.49 Housing Officers have questioned whether the proposals are able to meet the SELHP standard for Wheelchair accommodation and the extent to which the proposals meet the Lifetime Homes Standard.

Sustainability Manager

- 4.50 The Council's Sustainability Manager has confirmed her support for the proposals.

Highways and Transportation

- 4.51 No objections have been made by Transport Officers, though they requested that matters such as parking management be taken into account.

Mayor of London (GLA Stage 1 Report, 26th July 2011)

- 4.52 In its Stage 1 Referral letter, the GLA has confirmed that in its view, the principal of the development is acceptable. Though the GLA indicated that the scheme was unacceptable in viability terms, they had not seen the Applicant's viability assessment. The GLA made a number of comments on the design of the scheme and indicated that the proposals should be capable of connection to a wider heat network.

Transport for London

- 4.53 TfL considers that the proposed Travel Plan does not comply with the ATTrBuTe assessment and questioned the extent to which the scheme could contribute to 'Legible London', a way finding signage scheme. They also suggested other measures to enhance the Travel Plan, such as support for a car club and asked that measures such as a construction management plan be secured by condition.

5.0 EIA Screening

- 5.1 The Council has considered whether the application is EIA development under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (recently replaced by the 2011 Regulations).
- 5.2 As the application is an urban development project with a development area of more than 0.5 hectares, it falls within paragraph 10 of Schedule 2 of the Regulations.
- 5.3 In considering the likely environmental impact of the proposals, the Council concluded that the proposal was not likely to have significant effects on the environment and that an EIA was not therefore required for the development. An opinion, to that effect, was issued to the Applicant on 20th July 2011 (application reference DC/11/77654).

6.0 Policy Context

- 6.1 In considering and determining applications for planning permission the local planning authority must "have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations" (Section 70 (2) of the Town and Country Planning Act 1990). 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. This approach is reflected in PPS 1, where, at paragraph 8 (and again at paragraphs 28 and 31), it is confirmed that, where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise. The development plan for Lewisham currently comprises the Lewisham Local Development Framework 2011 and the London Plan 2011.

National Policy

- 6.2 A mixed-use development on a site such as this has a wide-ranging policy context covering many national policy statements. Those of particular significance are:

Planning Policy Statement 1: Delivering Sustainable Development (2005)
Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (2007)
Planning Policy Statement 3: Housing (2010)
Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009)
Planning Policy Statement 9: Biodiversity and Geological Conservation (2005)
Planning Policy Statement 12: Local Spatial Planning (2008)
Planning Policy Guidance 13: Transport (2011)
Planning Policy Statement 22: Renewable Energy (2004)
Planning Policy Statement 23: Planning and Pollution Control (2004)
Planning Policy Guidance 24: Planning and Noise (1994)

Ministerial Statement: Planning for Growth (23 March 2011)

- 6.3 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.
- 6.4 The statement further sets out that local authorities should reconsider at the developers 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.
- 6.5 Draft National Policy Framework (July 2011)
- 6.6 The Framework was issued in draft in July 2011 and gives an indication of the 'direction of travel' of the Government's approach, in particular, on its approach to the presumption in favour of sustainable development. As such, it is a material consideration in determining this planning application.
- 6.7 Insofar as it is relevant to this proposal, it sets out draft national planning policy on sustainable transport, biodiversity, noise and light pollution, climate change, sustainable growth, housing and design, though many of the issues it raises are dealt with by the adopted LDF.

6.8 Regional Policy

6.9 London Plan (2011)

6.10 The London Plan policies relevant to this application are:

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- 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 4.1 Developing London's economy
- Policy 4.3 Mixed use development and offices
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.6 Decentralised energy in development proposals
- Policy 5.7 Renewable energy
- Policy 5.11 Green roofs and development site environs
- 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 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- 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 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.19 Biodiversity and access to nature
- Policy 8.2 Planning obligations

6.11 London Plan Best Practice Guidance

Wheelchair Accessible Housing (2007)

6.12 Local Policy

Unitary Development Plan (2004)

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

- STR URB 1 The Built Environment
- URB 3 Urban Design

URB 12 Landscape and Development
URB 13 Trees
ENV.PRO 10 Contaminated Land
HSG 4 Residential Amenity
HSG 5 Layout and Design of New Residential Development
STC1 Shopping Hierarchy
STC 12 Mixed Use Development

Residential Standards Supplementary Planning Document (August 2006)

- 6.13 This document sets out guidance and standards relating to matters such as design, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, 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)

- 6.14 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.

Core Strategy

- 6.15 The Lewisham 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:

CSO1: Physical and Socio-economic benefits
CSO2: Housing provision and distribution
CSO:3 Local Housing Need
CSO4: Economic Activity and Local Businesses
CSO5: Climate Change
CSO10: Protect and Enhance Lewisham's Character
CSO11: Community well-being
SP1: Lewisham Spatial Strategy
SP2: Regeneration and Growth Areas
CSP1: Housing mix and affordability
CSP5: Other Employment Locations
CSP7: Climate change
CSP8: Sustainable design and construction and energy efficiency
CSP9: Improving Local Air Quality
CSP10: Managing Local Flood Risk
CSP12: Open Space and Environmental Assets
CSP14: Sustainable Movement and Transport
CSP15: High Quality Design
CSP18: The location and design of tall buildings
CSP21: Planning Obligations

7.0 **Planning Considerations**

Principle of mixed-use development

7.1 The site is allocated as one of the 'Other Employment Locations' under CSP5 of the adopted Core Strategy (where the Core Strategy confirms, within Figure A3, that the site is no longer identified as a Defined Employment Location as it was within the 2004 UDP. Policy CSP5 states that:

'1) The Council will protect the scattering of employment locations throughout the borough outside Strategic Industrial Locations, Local Employment Locations and Mixed Use Employment Locations,

2) Employment land within town centres, which has the potential to contribute to a Major Town Centre, District Hub, a Local Hub, or other cluster of commercial and business uses, should be recommended for retention in employment use,

3) Other uses including retail, community and residential will be supported if it can be demonstrated that site specific conditions including site accessibility, restrictions from adjacent land uses, building age, business viability, and viability of redevelopment show that the site should no longer be retained in employment use.'

7.2 Section 6 of the Applicant's planning statement deals with the mix of uses on the site and to the extent that the provision of employment floorspace is relevant to CSP5, Officers have considered the appropriateness of the proposed mix of uses, as set out below.

7.3 Under policy CSP5, the extent to which the Council will protect 'other employment locations' is considered according to criteria 2) and 3) of the policy. Therefore, rather than imposing a moratorium on uses other than employment, the policy allows for other uses, where the requirements of criteria 2) and 3) are met. Officer's assessment of the proposals against the policy is as follows:

2) Employment land within town centres, which has the potential to contribute to a Major Town Centre, District Hub, a Local Hub, or other cluster of commercial and business uses, should be recommended for retention in employment use

7.4 The site is currently in employment use, spread across 22 units single storey units dating from the 1980's, and totalling 1,723 sqm (GEA). The site is considered to be employment land and is within the District Hub of New Cross, as identified within the Core Strategy. Though the proposals are for a mixed-use development, it also includes employment uses of a floorspace greater than the existing use, at 1,768 sqm (GEA).

7.5 Though the proposed employment uses would be within a single unit on the site, the space would be better suited to modern business requirements and provide more employment floorspace than existing. Though it might be possible to redevelop the entire site for employment use, such a proposal is unlikely to be viable (as considered against criteria 3 of CSP5, below). Given therefore, the proposals increase the amount of employment space on the site, in modern accommodation, it is more likely to have the potential to contribute to the District Hub and the principle of retaining employment use on the site is considered to have been met.

3) Other uses including retail, community and residential will be supported if it can be demonstrated that site specific conditions including site accessibility, restrictions from adjacent land uses, building age, business viability, and viability of redevelopment show that the site should no longer be retained in employment use.

- 7.6 The site is highly accessible, being 220m from New Cross Gate Station, 380m from New Cross Station and very close to bus routes on New Cross Road. It benefits from a PTAL rating of 6a. The site is self-contained, that is, it is capable of redevelopment without restriction from adjacent land uses, albeit it has been designed with regard to its impact on them (as dealt with in detail later in this report).
- 7.7 The Council's 2008 Employment Land Study (ELS) (part of the evidence base to the LDF) indicates that demand for and take-up of the type of industrial units that currently occupy the site, has been declining at a significant rate.
- 7.8 The 22 existing single storey industrial and warehouse units date from the mid-1980s and comprise a combined floor area of c.1,723m² (GEA) with each unit ranging between c.55m² and c.83m² and when occupied, employing 2 people on average. The Applicant has analysed the extent of occupancy on the units as part of the planning statement to the application, which shows that only 7 of the 22 units are now occupied.
- 7.9 The businesses that previously occupied the 15 vacant units have either ceased trading or have relocated to alternative business premises. The Applicant states that the occupiers were given the option to extend the terms of their leases on a short-term or month-by-month basis. The remaining occupiers have short-term tenancies. The existing units have inactive frontages to Batavia Road, which make no contribution to the attractiveness of the site or area as a potential employment location and are significantly undermined by gated entrances and palisade fencing. These create a very poor environment along Batavia Road, which is exacerbated by the poor and out dated architectural approach and limited single storey heights of the buildings, contributing little to the street scene and restricting the range of potential occupiers. Though it might be possible to remove the entrances and palisade fencing, the security of the units would be significantly undermined and the outdated 1980's buildings would remain.
- 7.10 The Applicant states that they had considered the potential for the existing units to be retained and adapted for continued employment purposes. However, as they fail extensively to meet the needs and expectations of today's market, bringing them up to current standards (including their heights and design of the spaces), would require a complete transformation of the buildings and accommodation within. The Applicant considers that this is not a viable approach, as it would not allow the site to be fully utilised and make the best use of this previously developed and highly accessible site. Officers accept this and consider this approach to be reasonable.
- 7.11 The Council's ELS also found that demand for office accommodation had grown, partially offsetting the decline in the take up of industrial floorspace. The report indicates that vacancy rates in commercial and industrial accommodation has remained relatively high since 1998, but that this has been been "*caused by a mismatch between the stock that is available and the type of stock that is currently in demand.*"

- 7.12 The application includes new employment floorspace within the redevelopment of 1,768m² (GEA) of B1 office accommodation, within a four-storey building located in the northwest corner of the site next to Bond House. The proposed building is designed with a single core that will allow it to be used as either (i), a single unit, (ii) on a floor by floor basis or (iii), subdivided into two or three units, to suit the widest range of potential requirements of future tenants.
- 7.13 The application is such that the final internal configuration can be determined in response to market demand though the numbers of future employees in the building will to some extent depend on the final extent of sub-division. The Applicant anticipates that at an occupancy rate of 1 employee per 20m² (an average level of occupancy for such uses acknowledged by the Council), it could be occupied by 88 people. Officers consider that the accommodation would be more likely to achieve a far higher floorspace/employee ratio than the existing units, in a modern environment, increasing its attractiveness for potential occupiers and employees making the employment floorspace a viable part of the overall scheme.
- 7.14 The proposed employment floorspace, which is greater than the overall floorspace currently on the site, would be combined with residential uses and a café use. It would also be capable of delivering significant public realm improvements in the vicinity, which would help to ensure the success and underpin the viability of the scheme. The Council's consultants have independently assessed the Applicant's viability assessment and its assumptions have been found to be sound (dealt with later in this report). Under these circumstances and the extent to which the criteria of CSP5 (3) have been considered, Officers consider that the proposals meet the relevant policy test within CSP5 and are acceptable in this regard.

Housing

- 7.15 At national level, PPS 1 (paragraph 14 onwards) and PPS 3, recognise the need to develop socially inclusive communities, creating a suitable mix (both market and affordable) of housing. PPS 3 (paragraph 29 onwards) requires the Council to set a plan-wide target for affordable housing, and targets relating to the mix in terms of social and intermediate housing, size and type. In addition, PPS 3 requires the Council to set a threshold above which developments would be expected to achieve such targets and an approach for seeking developer contributions towards the provision of affordable housing.
- 7.16 At regional level, the 2011 London Plan seeks mixed and balanced communities (Policy 3.9). Communities should be mixed and balanced by tenure and household income, supported by effective and attractive design, adequate infrastructure and an enhanced environment. Policy 3.11 of the plan confirms that boroughs should maximise affordable housing provision. Though the Plan does not set percentage targets for provision at Borough Level, it sets a strategic target of 13,200 more affordable homes per year across London as a whole and confirms that Boroughs should set their own targets according to the Strategy of the London Plan. The policy also refers to a strong and diverse intermediate sector, where 60% of provision should be for social rent and 40% should be for intermediate rent or sale and priority should be accorded to the provision of affordable family housing.
- 7.17 SP2 of the 2011 Core Strategy requires that the Deptford, Deptford Creekside, New Cross/New Cross Gate area accommodates up to 2,300 additional new

homes by 2016 and a further additional 8,325 new homes by 2026. Though the Core Strategy envisages that the majority would be met by the Strategic Sites, this application would provide a small element of this housing supply, as affordable housing.

- 7.18 CSP1 of the 2011 Core Strategy confirms that the maximum level of affordable housing will be sought by the Council, with a strategic target of 50%, as a starting point for negotiations and subject to an assessment of viability. The policy also seeks provision at 70% social rented and 30% intermediate housing and family housing (three+ bedrooms) in development of more than 10 units. Different proportions are supported by the Lewisham Housing Market Assessment 2007-8 (HMA), published in December 2009 which states (paragraph 37) that affordable housing provision in Lewisham should comprise 85% social rented housing, and 15% intermediate housing, in order to meet the identified need.
- 7.19 The HMA states (at paragraph 35) that a net 6,777 dwellings should be provided over the current 5-year period to meet current identified need. This is equivalent to the provision of 1,345 dwellings per annum. Table 3A.1 of the London Plan sets out a target of 9,750 additional homes to be built in Lewisham in the 10 years from 2007/8 to 2016/17, which is reflected in a monitoring target of 975 additional homes per year. As part of the overall need for housing in Lewisham, there is a specific need for affordable housing. The HMA states (paragraph 36) that over 80% of all new housing built would need to be affordable in order to meet identified need.
- 7.20 All new housing is to be built to Lifetime Homes standards under CSP1 and 10% of all housing are to be wheelchair accessible or easily adapted for those using wheelchairs). The policy also indicates that where a site falls within an area which has existing high concentrations of social rented housing, the Council will seek an affordable housing contribution to be provided in a way which assists in securing a more balanced social mix. This may include a higher percentage of intermediate housing or other arrangements as considered appropriate.
- 7.21 In these circumstances the provision of housing is a relevant consideration in the determination of this application, as is the ongoing need for affordable housing in the borough.

a) Housing provision, size and tenure mix

- 7.22 The proposed development would provide 114 residential units including 13 affordable units, all of which are social rented units. The proposed unit sizes, habitable room numbers, and tenure breakdown of the proposed development are summarised in the table below.

Table 1 : Residential Tenure and Size Mix*

	1 Bed (1-2 people)	2Bed (3-4 people)	3Bed (5 people)	4 Bed +	Total
Private	21 (2)	62 (8)	18 (1)	0	101 (11)
Social Rent	4	4	5	0	13
Intermediate	0	0	0	0	0

Rent					
Shared Ownership	0	0	0	0	0
Total	25 (2)	66 (8)	23 (1)	0	114 (11)

*Wheelchair accessible units shown in ()

- 7.23 Based on this mix, the development would comprise 11.4% affordable units (11.8% by habitable room), all of which would be social rented accommodation and 88.6% private units (88.2% by habitable room).
- 7.24 The figures fall short of the affordable housing figure referred to in CS1 of the 2011 LDF and the extent to which it meets the strategic target of 13,200 units per year across London in policy 3.11 of the London Plan is limited.
- 7.25 The Applicant has submitted a confidential financial appraisal for the scheme which has enabled the Council, advised by specialist consultants, to assess the overall viability of the scheme and its ability, in financial terms, to meet policy in terms of affordable housing provision. Further consideration of financial viability is set out later in this report, however in summary, the financial appraisal demonstrates that, when taken with other policy requirements such as the provision of employment space and other site specific objectives, the proposed development provides the maximum viable amount of affordable housing at this time.
- 7.26 Whilst it is accepted by Officers that the provision of a larger proportion of affordable housing is not possible at this time, given the shortfall in affordable housing provision relative to the levels set out in planning policies, it is appropriate that this is kept under review. The GLA has noted in its Stage 1 response that the level of affordable housing provision is below target levels (and that the proposed tenure split does not reflect London Plan policy). This was however, without the benefit of seeing the Applicant's viability assessment though this has now been considered by the GLA. It should be noted that the financial viability appraisal assumes grant support for the social rented units. However, current indications by the HCA are that grant would only be provided in limited circumstances- and grant is unlikely to be provided in support of this proposal.
- 7.27 It is understood that the Applicant has yet to enter into discussions with a Registered Provider (RP) (Registered Social Landlord) that would purchase the scheme once completed and they cannot be compelled to do so under planning policy. This, combined with the lack of certainty as to whether funding can be achieved, compounds the problem of delivering the affordable units.
- 7.28 To this end, a mechanism can be incorporated as part of a Section 106 to secure additional affordable housing. This would be achieved where for instance, values increase to a level where it would be financially viable to revise the tenure and proportion of housing provided within the scheme (or to provide additional housing off-site if this is on-site provision is not possible). The Applicant has also agreed that the extent of affordable housing as currently proposed (13 units, 11%) would be the minimum delivered as part of the scheme, as a backstop for any development on the site. Set against the extent to which the scheme is able to

mitigate its impact on infrastructure (dealt with in sections 9 and 10), Officers are satisfied that this approach is acceptable.

- 7.29 It is also relevant to note that the provision of the 13 social rented units does not meet the 70% social rented / 30% intermediate split for housing set out in Core Strategy policy CS1 and the 60%/ 40% split in London Plan policy 3.11. However, in this case a balance has been struck between the mix of uses on the site, affordable housing, size and tenure mix. The proposals include a significant proportion of modern employment floorspace, as explained earlier and have been shown to include the maximum amount of affordable housing viable in a particular tenure. It is therefore recommended that this tenure mix be accepted.

b) Standard of Residential Accommodation

- 7.30 The proposed size mix includes 23 units (20% of the units) as family-sized accommodation (3+ bedrooms), 66 units (58% of the units) as 2-bed and 25 (22% of the units) as 1-bed. The mix includes family sized (3-bed plus) units in accordance with CS1 of the LDF and the Applicant has justified this level of provision on the basis of financial viability. In the circumstances, Officers consider the proposed unit size mix is acceptable.
- 7.31 The Council's Adopted Residential Standards SPD (2006) sets out minimum dwelling size space standards. The London Mayor's Interim Housing Design Guide 2010, which sought larger units and room sizes, was withdrawn on adoption of the 2011 London Plan. However, the 2011 Plan includes policy 3.5 on the quality and design of housing developments. This includes the minimum units size standards that formed part of the Interim Guide though there are currently no minimum room sizes in the Plan.
- 7.32 Insofar as the policy relates to the standard of residential accommodation, the policy states that housing developments should be of the highest quality and that new development should reflect the space standards of the London Plan. The Applicant has shown that the majority of the units either meet or comfortably exceed the London Plan unit size standards. While some fall below in Block A, this is generally a function of the constraints of the existing highway layout around the Block and the agreement between Officers and the Applicant that the units should maximise external amenity space and follow existing building lines, while providing sufficient space for communal entrance cores. Officers consider that the proposed unit sizes are acceptable and welcome the extent of units where they exceed the standards of the London Plan.
- 7.33 Retained policy HSG 5 of the UDP states that the Council will only permit new residential development which provides physical accessibility for all members of the community including people with disabilities. Where appropriate, the Council will seek the provision of new homes designed, or capable of adaptation, to housing for long term needs. The supporting text later confirms that the Council will encourage developers to provide facilities that improve upon those statutorily required and that the Council will encourage the provision of units that are designed to the Joseph Rowntree Foundation's Lifetime Homes Standards.
- 7.34 The Council's Residential Standards SPD (2006) reflects London Plan (pre-2008 version) policy 3A.4 Housing Choice. This stated that UDP policies should seek to ensure that all new housing is built to Lifetime Homes standards and to ensure that 10% of the new housing is designed to be wheelchair accessible or easily

adaptable for residents who are wheelchair users. These requirements are repeated in the 2011 London Plan, at policy 3.8 and CSP 1 in the Council's Core Strategy. The Council's Planning Obligations SPD sets out additional detailed guidance on the provision of wheelchair housing within the borough and states that the 10% requirements should be provided in equal proportions across each tenure (including affordable housing). The SPD also sets out that the units should be built in accordance with the 'South East London Housing Partnership (SELHP) Wheelchair Design Guide'.

- 7.35 The practical application of the Lifetime Homes Standard is to apply the criteria where relevant as many sites will not lend themselves to all of the criteria and some flexibility in their application is required. The Applicant has confirmed that the residential units have been designed to Lifetime Homes standards, where the 16 criteria of the standard are applicable. Of the applicable criteria, on-plot car parking is not provided as site specific parking is all provided within the basement of Block C. Further, the Applicant states that the slope of the site at Block A and in part, Block C, means that the potential for entrance level bed-spaces and shower facilities in some of the units cannot be met given the duplex entrance arrangements within the blocks. With regard to the buildings in Block A, the units do have entrances to the rear, on Batavia Mews which could accommodate bed-spaces and shower facilities are provided in these locations. However, with regard to Block C, one unit fails to provide a shower at entrance level and does so due to space constraints. It is not clear why this was not capable of being addressed though it is assumed this would have knock-on effect to other units. While Officers are satisfied that the criteria for on-plot parking does not apply, the units in Block A would seem to be capable of reflecting the spirit of the standard given the access from Batavia Mews though this cannot be said for the single unit Block C, as the Applicant simply states that there is insufficient room.
- 7.36 11 units (10%) are proposed as wheelchair accessible/adaptable, though none of the accessible units are provided within the affordable accommodation in accordance with the Council's SPD. The Applicant states that this is because the units within Block A do not lend themselves to being suitable for wheelchair users due to their split level arising from the topography of the site. Level access to the duplex units is provided from Batavia Mews and revised drawing (1072-09-01 rev 01) shows that a breakout floor section and inter-floor hoist could be provided between levels. The need for a hoist would arise from the Applicant's discussion with an RP. The Applicant also states that it has not been possible to provide two lifts within the building in accordance with the SELHP standard.
- 7.37 The Applicant has therefore sought to design the wheelchair units, which are contained within Blocks B and C, to the London Plan (Habinteg) standards and the introduction of a hoist in Block A would help the implementation of accessible units, were it required, in Block A. Officers accept that the topography and narrow width of of the site makes the provision of accessible units more difficult, particularly when addressing the step-up from Batavia Road. However, it seems likely that the affordable accommodation could have been provided elsewhere within the scheme.
- 7.38 While it is accepted, in this case, that the provision of the private wheelchair units is to the London Plan wheelchair standard, the 10% requirement in relation to the affordable housing units only equates to 1 unit and it is considered that this may be capable of inclusion. On this basis, it is considered that one of the units could

be capable of including a layout that complies with SELHP. It is therefore suggested that this is explored further and unless it is shown to be impossible, a contribution towards the provision of a SELHP compliant unit elsewhere in the borough could be sought.

c) Residential Amenity

- 7.39 The layout of the site means that the outlook of Blocks A and B are north-south and those of Block C, east-west. Four of the 1-bed units within Block A (the two top floors) are single-aspect north facing, reliant on daylight from north-facing windows. However, none of these flats are family units. While single-aspect north-facing units should be avoided wherever possible, the layout of the blocks, the space between them and the high quality public realm that would be delivered along Batavia Road would mean that outlook and light into these units would remain reasonable. The layout and orientation of the residential accommodation is therefore considered acceptable.
- 7.40 The dual-aspect layout of the vast majority of the residential units (some would be triple aspect) would also allow for natural cross-ventilation and thereby reduce the need for mechanical ventilation. Given the orientation of the flats and proposed position of windows it is considered that habitable rooms within the proposed development should receive adequate levels of natural light.
- 7.41 The Applicant proposes shared amenity space for residents around the site, either in the form of balconies, terraces, shared or private garden areas and a roof top garden. The units in Block A benefit from either ground floor terraces to Batavia Mews, or east/ west to the proposed Pocket Park or the eastern end of the Mews. The units in Block B have access to terraces to Batavia Road or communal garden areas to the rear (north side), through the communal entrances. Some of the units also have access, albeit through bedroom spaces, to private garden areas. The units on Block C, on Clifton Rise, also have either terraces or private gardens at the rear (west side) though the units at the northern end of the block also have access to a part communal/ part private roof garden at 3rd/ 4th floor level. The 3 bedroom duplex units at the tip of the northern block also has a triple aspect outlook (in part, across Fordham Park).
- 7.42 The Council's Residential Standards SPD does not specify minimum amenity space requirements for new residential development but does recommend gardens for houses are at least 9m in depth. The proposed terraces and gardens would be accessed from the living spaces, with some units having the possibility of a second access from a bedroom. The residential terraces are at least 1.5m deep and provide between 3sqm and 10sqm space, depending on their location and whether they are repeated in dual aspect units. The Communal gardens comprise a total of about 400sqm and the private garden spaces are between 20sqm and 65sqm (on the roof garden). About 130sqm of communal space is provided as part of the office accommodation.
- 7.43 The scheme also benefits from its close proximity to Fordham and Margaret McMillan Park and would deliver another small park (the Pocket Park) at the western end of Block A. Officers consider that the type, location and size of private and communal amenity space provided for the residential units is good for a development of this nature and density, particularly given the proximity of adjacent open spaces.

Design

a) *Layout and Access*

- 7.44 The layout of the blocks (A, B and C) follow the line of Batavia Road and Clifton Rise (following comments made by Officers in early negotiations, the Applicant amended the scheme) addressing the corner of those roads with a landmark building. The blocks are set back from the pavement edge, which provides a sense of openness and maximises views along the streets.
- 7.45 The Class B1 Office block on the northern side of Batavia Road is prominent in its position at the western end of the road to help maximise the attractiveness of the space as a business location. Its siting was agreed with Officers as being the most appropriate location given its proximity to New Cross Gate Station and being visible from Goodwood Road. The Bond House proposals also include commercial uses, supporting the further provision of offices in this location.
- 7.46 The siting of the office block was also revised as part of pre-application discussions with the Council, so that only the core/ servicing areas are adjacent the school boundary, while the windows to the office spaces are at more of an acute angle to the playground, minimising the extent of overlooking.
- 7.47 Blocks A and B are laid out so as to provide amenity space to each of the units and access to them would provide significant opportunity for natural surveillance, when combined with windows to Batavia Road and Batavia Mews. The entrances are provided in either communal cores (Block B) or as a combination of access directly to the units/ communally in Block A. Consequently, the sense of place and increase in the perceived safety of the immediate area, arising from the entrances will be considerable and is welcomed by Officers and particularly significant in the context of the proposed landscape works dealt with later on.
- 7.48 The siting of Block C, and the adjacent café, will provide a focal point of the development at the junction of Clifton Rise and Batavia Road. The change in scale of the buildings at this point is dealt with in b), below, but the layout and entrance arrangements mean that active frontages are provided on the ground floor level of the corner block, flanked by entrances from Batavia Road and Clifton Rise, going north. The café is located to occupy the corner position and would be visible (in part through a double-height glazed return) from Clifton Rise and New Cross Road. It would also provide additional surveillance to the scheme and the open area of the café would be visible, in long views, from Fordham Park, albeit the café is at a higher level than the park (being on Batavia Road).
- 7.49 The main entrance to Block C is located part way down Clifton Rise, at a point where it meets the ground level, and ahead of the natural basement car parking area created from the slope in Clifton Rise. Given the provision of the basement car parking and difficulty in otherwise utilising the slope of the site, entrances are limited on that frontage to the addition of the car park entrance. The extent to which that elevation is articulated and addresses the edge of the Block and the Park is dealt with in c), below. Officers had questioned whether the entrance arrangements to Block B could be simplified to increase the views through it to the area to the rear. The Applicant has since amended the layout to eliminate an intermediate/ internal set of doors to improve the arrangements.

7.50 Officers welcome the overall layout of the scheme and the siting of the commercial and café uses which are appropriately integrated into the scheme and maximise the prospect of their use. The Blocks are located to respect the existing street form and allow for amenity space to be provided, while seeking to minimise overlooking. The significant increase in entrances will also enhance the safety and security of Batavia Road/ Mews and Clifton Rise.

b) *Scale*

7.51 The scale of Blocks A and B broadly reflect the scale of buildings in the area. In particular, the height of Block A reflects that of buildings to the rear of New Cross Road. Though the Block would be approximately 1 storey higher than the two Victorian houses at the eastern end of Batavia Road (no.s 50 - 56), the Block is separated by Batavia Mews and those premises have no flank windows to the Mews or Block A. The separation from these premises was increased following discussion with Officers of the Council. The Block is about ½ storey higher than the buildings rising up Clifton Rise and about ½ storey lower than the 5 storey building on the corner of Batavia Road and Goodwood Road, which is separated by the proposed Pocket Park.

7.52 Block B varies in height and is between 4 and 6 storeys. This is accounted for by the slightly higher office element at the western end and the higher part of the block at 6 storeys on the eastern end, leading to the tall element of Block C. However, with the exception of the 6 storey element of block B, Blocks A and B are designed so as to be equal in height and distance apart. Overall, the Blocks create a more logical and well-resolved block structure in this location, when compared to the varying heights and poor form of existing buildings on the street. In the opinion of Officers, they sit comfortably in the street scene.

7.53 Insofar as Block B relates to Bond House (existing and proposed), neither the existing nor proposed buildings at Bond House would be harmed by the scale of the block, given the extent of existing and proposed buildings and the similar building lines they follow. As regards Childeric School, though the Block is larger than the existing buildings, the quality of the proposals is significantly greater than the existing buildings on the site and they would be set back from the edge of the school by 2.5m – 7.5m. The extent of their shadowing and affect on daylight and sunlight is considered in para 7.80.

7.54 The scale of Block C at the intersection of Batavia Road and Clifton Rise, means that it is visible from Fordham Park and New Cross Road. The building would be capable of acting as a marker and destination for the site, with the potential to draw people through the park and the wider area (where the proposed café would most benefit from the associated patronage). The building has been designed to respond to, but be lower than, the Ben Pimlott building and student accommodation at Goldsmiths. At its tallest point (the junction of Childeric Road and Clifton Rise), the building is 12 storeys high (35m).

7.55 The Applicant's drawings show that only the top two storeys of the building would be visible from the southern side of the site (Laurie Grove) but that from the southern side of New Cross Road it would be obscured by the buildings on the northern side.

7.56 The building is 22.5m wide to Clifton Rise though the smaller, 3-4 storey element of Block C, running north down Clifton Rise begins midway through the eastern

elevation of the tall element (and is designed to wrap-around the block). A 4-storey element is provided to the Park.

- 7.57 Officers support the scale of the buildings, given the sense of place and destination they would create in a well-used area of New Cross. The buildings will help enhance the block structure and street scene and it is considered appropriate that the buildings, particularly the tall element, should be visible from the wider area.
- 7.58 Though the tall element of Block C is near to the residential houses/ flats on Batavia Road (50 - 56 Batavia Road and 9a Clifton Rise), it is set back by some 19m and the café element will increase further the sense of openness that is created in this location. The 12-storey block on the site is considered to be a tall building for the purposes of Core Strategy Policy 18 (the Location and Design of tall buildings).
- 7.59 In so far as the policy relates to the location and specific characteristics of this site, it requires tall buildings in this location to be assessed against the aims of Core Strategy policies, for their impact on the character of, in this case, open space features, the setting of the conservation area and where they can regenerate the borough and attract further investment. It also requires consideration of the potential harm the building may have on open spaces, that they are of the highest quality and their potential for overshadowing and microclimate problems at street level. Officers are of the opinion that the proposal would not have an adverse affect on the matters identified above, given the sense of place and destination the building would help create and its ability to act as a 'marker' at an important point in the public realm and therefore attract further investment.
- 7.60 There is no suggestion of any problems of a microclimate being created given the openness of the site. The Applicant's assessment of the affect of the proposals on daylight and sunlight to these properties is considered in para 7.80 below and the affect of the proposal on the setting of the Conservation Area, in para 7.84, below.

c) Appearance and elevational treatment

- 7.61 The Applicant intends that all of the buildings within the development have a consistent design, though the design and treatment of each part of the development varies to reflect its role as part of the wider scheme. The materials reflect pre-application discussions with Officers and comments from the Design Panel and the main material proposed is a soft and light-coloured brick, in two tones.
- 7.62 In general, large openings and areas of glazing have been used to relieve the larger areas of brick, provide interest and articulation to the frontages and address long distance views of the taller element. This choice of brick responds to a concern raised by the Design Panel over an earlier design that showed a zinc cladding to, in particular, the taller element. The Applicant states that brick elevations have a robust appearance, are less susceptible at ground floor level to damage, and easier to repair. Officers accept this.
- 7.63 With regard to Blocks A and B, the buildings incorporate repeating elements, enhanced by the rhythm of the openings and position of the internal balconies. The proposed light-coloured brickwork to the upper elevations are intended to

reflect the tone of the Victorian and earlier developments of New Cross and provide a suitable backdrop to the enhanced public realm along Route 1.

- 7.64 Along Batavia Road, the south elevation of Block B has slightly recessed stair cores. This is intended to break down the scale of the building along the frontage into smaller elements. The slightly different approach to the treatment either side of Batavia Road is intended to reflect both the variation in ground level south to north, and in the type of accommodation being provided in the two Blocks. Within Block B, the ground storey is composed of full height glazing panels which helps lighten the appearance of the block. This should help maximise daylight levels in the ground floor rooms.
- 7.65 The Class B1 office building is also of brick so that it is a coherent part of the development. The tall fixed glazing panels are intended to provide a generous scale and internal level of daylight. Ventilation is arranged through louvers in the reveal of the projecting metal units. At the base on the west side, the building is set back at two levels to respond to its location and relationship to Bond House and to provide more generous pavement space for pedestrians. This should also help maximise its visibility and position within the street.
- 7.66 Block C is designed as a lower element that wraps into the taller one. The façade at the lower level on Clifton Rise follows the line of the street boundary but is set back from the street on the taller element to reduce the visual impact of the upper floors from New Cross Road and Childeric Road.
- 7.67 The tall element of Block C is of brick that is slightly lighter than the other buildings, with large recessed openings and a variation of long elements with opaque panels and windows. This composition is intended to enhance long-distance views of it. The car park frontage is also treated with opaque panelling and its relative prominence from views from the Park and Achilles Street would be treated by a simple perforated brick wall and subject to public artwork, that could be mounted on the elevation at street level in which Childeric School has expressed an interest.
- 7.68 The numerous glazed elements of the frontages would be complemented by the variations on opaque panelling around some balconies, terraces and entrances. The frequent use of full height or double height glazing should maximise light into the development and the extent to which natural surveillance of the street is achieved and the large glazing to the Clifton Rise/ Batavia Road junction is welcome. The various set backs on the edges of the tall element of Block C would successfully break up the edges of the building and provide interest and overall, provide a well resolved treatment to the tall element of Block C.
- 7.69 The Applicant's drawings show in detail that the various edges and treatment of the balconies/ terraces and window frames would be made up of coloured cladding panels (as above), dark timber framed windows and glass balustrades with stainless steel handrails. Material samples were submitted as part of the application and would comprise grey stock bricks to Blocks A, B and the office building and beige stock brick to Block C (in reality, both brown colours). Dark grey galvanised steel grating is provided with grey window reveals. Fibreglass reinforced gloss panelling is provided as various interjections on the elevations, in pinks, yellows and oranges and blue anodised aluminium panels are provided in the office block. These would add interest and colour to the elevations as small but consistent interventions to the brick facades and are considered by Officers to be

a good and well resolved approach to the facades of the buildings.

- 7.70 Officers thus consider that the layout, scale, elevational treatment and composition of the frontages would be particularly successful. The proposed elevational treatment and use of materials can be secured by a condition on a planning permission.

d) Landscaping and Route 1 proposals

- 7.71 The site lies along Route 1, as identified in the Council's Links Strategy. Members will be aware that the completion of the Fordham Park and Margaret McMillan Park improvements have delivered a significant part of the Route 1. In mitigation of its impact (dealt with in section 10) and so that the comprehensive development of the site and spaces in between the blocks can be achieved, the Applicant proposes the comprehensive redesign and the means for implementation of landscape improvements to Batavia Road and existing and poorly used open space.
- 7.72 Under these proposals, the layout of the street would reflect the character of a traditional streetscape (carriageway and pavement) but the Applicant intends that it would become a 'contemporary urban neighbourhood street' for people, through the careful proportioning of the road width and pavement together with the use of good quality materials and detailing. This approach, with a narrowed street width aims to reduce traffic speed. The scheme would join the existing improvements to Clifton Rise to the east and could be linked to improvements associated with the Bond House scheme and beyond. It may be possible to integrate the improvements with public realm proposals as part of the application adjacent New Cross Gate Station though the extent to which that may be possible has yet to be considered in detail by Officers.
- 7.73 Some on street parking together with seating, bollards and street trees could enliven the street scene and aid traffic calming. Parking spaces, set back from the carriageway edge at intervals, would be paved with porous concrete setts. Trees with light canopies and set in tree grilles would be planted in between, with the intention that this would create the character of a tree-lined street, providing shade and visual interest.
- 7.74 The ground floor street corner café will be visible from New Cross Road and the open space associated with it, will be visible from Fordham Park, helping to signal the importance of this corner site and encourage people to venture towards Batavia Road and the 'entrance' of Fordham Park.
- 7.75 At the western end of the Batavia Mews block (Block A), the existing small-grassed area (currently under the control of the Council) would be upgraded to become a Pocket Park, combining seating spaces with play equipment for young children. It is intended to be a small, multifunctional space, complimenting the neighbouring Fordham Park. It has been designed for various passive and recreational purposes throughout different parts of the day including recreation and play space, and a place of rest for people using Route 1 (though alternative uses of the space for recreational purposes may also be appropriate).
- 7.76 The Pocket Park is intended to be robust and easily maintainable, with a simple palette of plants and materials and a diagonal paved pathway addressing a natural desire line. The park would be surfaced mostly with porous self-binding

gravel and would contain small trees, seating and some play equipment for young children. The longevity of the existing cherry trees is considered limited and as such the proposals provide for new planting which, when mature, would allow the cherry trees to be removed without loss of amenity or damage to the scheme.

- 7.77 As far as the proposed Blocks are concerned, ground level gardens have been located on the north side of the Batavia Road Block, against the boundary to Childeric School. This approach allows for space to be created between the proposed buildings and the school. The boundaries between the gardens and the street would comprise a mix of walls and railings to provide semi-transparent, secure and visually interesting boundary to the street. The roof terrace, located on the second floor of Block C would contain four private gardens (enclosed with low galvanised steel mesh panel fencing) and a small communal space overlooking Fordham Park. The roof garden will be finished using a similar palette of materials to the private gardens on ground floor; smooth ground precast concrete paving flags, gravel edging, robust timber benches and low level herbaceous planting in raised metal planters. The size of these areas is set out in the section dealing with residential amenity.
- 7.78 The only trees that exist within the application site boundary are three semi-mature hornbeams located in the northwestern corner of the site, in the compound of Unit 1 of the existing industrial units and seven semi-mature cherry trees located within the pocket park (as mentioned above). There are 4 large London plane trees in the neighbouring site, on the south side of Batavia Mews, within the boundaries of the Deptford Town Hall conservation area. These trees provide a significant level of amenity to the wider area. The canopy and the Root Protection Area (RPA) of the largest of these trees over-sails the southern development site boundary. However, the Applicant's tree survey confirms that it is unlikely that the proposed development will have any significant impact on tree roots as there does not appear to be any root activity within the site boundaries. False Acacia trees (*Robina pseudoacacia*) and English Oak (*Quercus robur*) are proposed as part of the works to Route 1 and details of the tree guards and sizes could be secured via a condition.
- 7.79 Overall, Officers consider that the proposed general arrangement to landscaping and in particular, the Applicant's general approach to the improvement of Route 1 is well defined and of a high quality and would improve the quality of the street scene and area as a whole. The Applicant has costed the provision of these improvements in a confidential cost plan, though the final design would be subject to a full specification that could be secured by a planning condition. The means by which the Route 1 proposals would be delivered and secured through a S106/S278 Agreement along with the the provision of the Pocket Park, is discussed in later on.

Daylight, Sunlight and Overshadowing

- 7.80 An assessment of daylight and sunlight has been carried out for the scheme in accordance with the Building Research Establishment's good practice guide "Site Layout planning for daylight and sunlight". This allows the Council to consider the extent of daylight/sunlight received in the windows serving the habitable rooms of the development. This is useful in assessing the extent to which the site layout allows for natural lighting, but is only one factor in considering whether the

scheme is well designed and should be considered in the context of the overall approach to the design of the scheme.

- 7.81 The primary assessment of daylight is based on the calculation of the vertical sky component (VSC) to an affected window in both the existing and proposed condition. The VSC, simply put, is the amount of light received at the centre of a window. There is a further assessment that assesses the distribution of daylight within a room. This is called the average daylight factor (ADF). Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced by the room area, the area of room surfaces, the reflectance of room surfaces and the transmittance of the glazing with the size of the obstruction being a smaller influence. Where the scheme meets or exceeds the guideline levels of daylight for the VSC and ADF components, the scheme can be said to allow for the appropriate amount of daylight and sunlight.
- 7.82 The assessment considers the impact of the proposals on properties in Batavia Road (principally those to the east), Clifton Rise, the rear of New Cross Road and Childeric Primary School. The assessment shows that the scheme would affect one room in the block at the junction of Batavia Road and Clifton Rise, one room in the houses at the eastern end of Batavia Road and a small area of the school. However, the effect is minimal and the only noticeable change in sunlight would be on the school. That change would not be on any of the main classrooms and is small- affecting a small part of the playground, at its southern edge.
- 7.83 The Applicant's assessment of shadowing is useful in considering the impact of the scheme (taking into account block heights and proximity to one another) on sunlight in open spaces, but is more useful as a measure of sunlight in the summer months rather than during winter when spaces could be expected to be in shade for far longer periods. It shows that on Childeric School, the increase in the permanent overshadowing arising from the proposed development, when compared to the existing development on Batavia Road, is minimal, affecting only a small area on the southern boundary of the School. The study, which also considers temporary shadowing (i.e., as the sun moves through the sky), shows that the main effect is in the morning and to a limited extent by extension of existing shadows from existing buildings, including the School itself. Changes in shadowing in the afternoon are very minimal. Given the proximity of the development, being to the north of the nearby neighbouring properties, shadowing would be limited on these properties, given north lying of shadows through the day.

Impact on setting of the Conservation Area

- 7.84 Policy HE10 of PPS 5 (Planning for the Historical Environment), sets out policy guidance on the consideration of development affecting Heritage Assets, which in this case, is the Deptford Town Hall Conservation Area. The policy confirms that Local Authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset.
- 7.85 Officers consider that the application is capable of better revealing the significance of the asset (the Conservation Area). The site makes no contribution to the setting of the Area in its current form. The buildings, particularly the tall element as described previously, is of a sufficiently high quality to provide a marker and well designed backdrop to the Conservation Area. The proposals

would sit within significantly enhanced public realm, providing a high-quality streetscape on the edge of the Area and the tall element would provide a well resolved and interesting frontage, being capable of better revealing the asset as a marker and destination.

- 7.86 The buildings along Batavia Road would also provide a far greater quality 'frame' to the Area, while the view of the tall element would be blocked from the buildings on New Cross Road in front of the site and visible to only a limited extent i.e., the top two storeys from Laurie Grove. The buildings are also considered to provide quality architecture in long views (dealt with earlier) and the affect of the proposals on the setting of the Area is considered by Officers to be a positive one. The proposals would therefore comply with policy HE10 of PPS5, and CSP 16 of the LDF.

Residential Density

- 7.87 Policy 3.4 of the London Plan seeks to ensure that development proposals achieve the maximum intensity of use compatible with local context, design principles and with public transport capacity. Table 3.2 in the London Plan identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL).
- 7.88 The site is in an 'urban' setting and has a PTAL rating of 6 giving a London Plan indicative density range of 70-260 units per hectare, or, 200 to 700 habitable rooms per hectare (dependent on the unit size mix). The proposal is for 269 units/ 803 habitable rooms per hectare. Though this is more than the indicative density for the site under table 3.2, this is not unusual for schemes in London and can be considered appropriate where the proposals provide high quality residential units, amenity and public realm. In this case, it is also important to acknowledge the contribution the proposals would have on the extent and quality of public realm in the area and that the site benefits from a PTAL level 6 rating.
- 7.89 In summary, Officers welcome the general arrangement of the proposed blocks, their layout and the extent of accesses to them, which should enliven the street scene and enhance safety and security of the immediate area. The proportion of the blocks relate well to each other and the tall building is considered to be successful in its architectural approach as well as its overall scale to the surrounding area. The elevational arrangements overall are considered to be very good and would be capable of creating a high quality street, when combined with the Route 1 proposals and the commercial uses at either end.
- 7.90 Though there are some deficiencies in the extent to which the units are able to meet the accessibility standards sought by the Council, when considered in the context of the overall design approach and size of the units as well as their general arrangement, outlook and provision of amenity space, the design of the scheme is considered acceptable, being in accordance with policy 3.5 of the London plan and policy HSG5 of the adopted UDP.

Transport

- 7.91 The Applicant's Transport Assessment indicates that the proposals would not have a significant impact on the capacity of the highway network or public

transport and Officers of the Council and TfL have confirmed their support for this conclusion.

- 7.92 The proposal is for 21 car parking spaces to be provided within the basement area of Block C. Though the proposals for Route 1 on Batavia Road also include 20 parking spaces, these would form part of the public highways and are not considered as part of the extent of provision specific to the development. Of the total number of spaces that would be provided (41), 4 disabled spaces are included within the basement and 8 disabled spaces would be provided as part of the Route 1 proposals. Within this, the applicant has included a space to serve the B1 office use in response to a request by TfL.
- 7.93 In tandem with the low level of proposed parking and in consultation with the Council and TfL, the applicant proposes to fund membership of a car club for residents and 20% of spaces would include electric charging points with the ability of a further 20% of spaces to be connected in the future. This could be secured by a condition on a permission.
- 7.94 Insofar as the proposals would be capable of providing additional car parking on Batavia Road, this would be in recessed parking bays along the public highway, keeping the road and remaining public realm clear. The detail of that scheme would be considered in subsequent submissions against a condition on a planning permission but drawing 08407-PA-001 shows the general proposed arrangement and the works, secured by a S106/ S278 Agreement. Parking restrictions, on areas of public highway that are not identified as parking bays would also need to be delivered.
- 7.95 The Applicant's Travel Plan has been revised following an objection in which TfL stated that it did not conform to the ATTrBuTE assessment. It confirms the intention to promote the use of walking, cycling and public transport where the management company for the site would appoint co-ordinators to manage the scheme. The travel habits of occupiers over time would be monitored and combined with this approach and the funding of a car club, the Plan is considered to be likely to be capable of helping a 10% modal shift from reliance on the car to alternative modes of transport. The Applicant also proposes to fund membership of a local car club for residents of the scheme.
- 7.96 The Applicant's approach to travel planning is considered appropriate and at a ratio of 0.2 spaces per dwelling, the proposed level of parking would accord with London Plan Policy 6.13, which confirms that a balance should be struck between promoting new development and preventing excessive car parking provision which would undermine alternative modes of transport. Given that the site also benefits from excellent accessibility to the public transport network and, significantly, its location on Route 1, alternative modes of transport would be further enhanced and supported by the public realm improvements towards New Cross Gate Station, as an extension of the existing elements of Route 1 (Clifton Rise and Fordham Park).
- 7.97 The Applicant's approach to transport is considered to accord with policies 6.3, 9, 10 and 11 of the London Plan and CSP14 of the LDF and is therefore welcomed by Officers.

Noise

- 7.98 The Applicant's noise assessment sets out ambient noise levels and assesses the extent to which residential units should be designed to achieve suitable noise levels inside the units, in accordance with PPG24 (Noise). It concludes that the site falls within noise exposure category B and is thus suitable for residential development. Subject to mitigation measures including glazing, doors and ventilation that achieves a noise level appropriate to residential units, a condition can be imposed to achieve the required noise levels. The Council's Environmental Health Officer has confirmed that he has no objection on this basis, though the relevant condition would also include a condition dealing with maximum noise levels from fixed plant. The proposals are therefore considered to comply with policies 7.15 of the London Plan and HSG4 of the adopted UDP.

Air quality

- 7.99 The Applicant's Air Quality Strategy sets out the approach of the development to its affect on Nitrogen Dioxide and air particulates under the Air Quality Strategy for England, Wales, Scotland and Northern Ireland (AQS). The site is located within an Air Quality Management Area. The London Mayor's Air Quality Strategy broadly centres on travel demand and reducing the need to travel, the affect of proposals at construction stage and sustainable design and construction. Policy CSP9 of the LDF confirms that the Council will seek to improve local air quality and minimise negative impacts along similar lines.
- 7.100 The assessment shows that the operation of the development will have a neutral affect on air quality (the use of vehicles/ proportion of car parking, B1 Office use and absence of bio-mass technologies) and that though the most significant impacts would be through construction, these can be appropriately managed.
- 7.101 The Council's Air Quality Officer had raised a number of issues regarding the applicant's methodology for considering impacts though these were sufficiently addressed. The applicant's approach to transport related measures is set out in the Travel Plan and is considered to make a significant contribution in reducing the impact of the proposals on air quality. The proposals are therefore considered to comply with policies 7.14 of the London Plan and CSP9 of the LDF.

Ground Conditions

- 7.102 The desk study contamination assessment indicates that any contaminants within the site would be within made ground. It also indicates that it is unlikely the industrial units would have introduced contamination. Land gas is not likely to be present given the absence of landfills that would influence the site and it is not near environmentally receptive water sources. The Council's Environmental Health Officer has confirmed that the approach is acceptable and the Council's standard C10 condition can be imposed on a planning permission. The proposals are considered to comply with policies 5.21 of the London Plan and ENV.PRO 10 of the Adopted UDP.
- 7.103 The Applicant's supplementary planning statement sets out the relationship of the development in respect of matters on sewerage and utilities. Given that the site is served by Thames Water's 300mm diameter drainage network, the Applicant has considered the impact of the proposals on the network and included a payment to Thames Water to cover any increase on load on the existing system. An electricity

sub-station is also retained between the proposed Office Block and Block B. Costs for implementing the substation are also included within the Applicant's confidential cost plan.

Archaeology

- 7.104 Though the site is within an Archaeological Priority Zone, the Applicant's assessment shows that based on the archaeological and cartographic evidence, the archaeological potential for finding remains dating to the prehistoric, Roman and Saxon periods is low, although stray, un-stratified finds may turn up. Deposits for the Medieval and post-Medieval periods are thought to be low and moderate respectively. Development of the site would already have truncated any potentially surviving archaeological deposits.
- 7.105 English Heritage has confirmed that it has no objection to the proposals and the approach is considered acceptable, in accordance with policy 7.8 of the London Plan.

Flood Risk

- 7.106 Though the site is not within an area at risk of flooding, the EA's Indicative Flood Plain Map shows that Flood Zone 1 (low probability of flooding) is just north of the northern boundary of the site. Though the predominant use within the application (residential), is classified as 'more vulnerable', the risk of fluvial and tidal flooding is negligible as is overland flooding to the site given the surrounding topography. Furthermore, ground water flooding is unlikely to be an issue as this has not caused any problems to the existing site or the immediate vicinity
- 7.107 Notwithstanding that the site does not fall within an area identified as being at risk of flooding, the approach is considered acceptable by Officers.

Trees and Ecology

- 7.108 The Applicant's Phase 1 Habitat Survey indicates that neither the site nor buildings are suitable for bats, breeding birds and that reptiles are unlikely to be present. It therefore recommends limited ecological measures including the use of mixed planting within the landscape scheme, demolition of the existing building outside of the breeding season and that measures are taken to reduce dust during construction.
- 7.109 Though the proposal would involve the removal of semi-mature hornbeams and cherry trees, the report indicates and Officers accept, that the implementation of the proposed public realm landscape works would mitigate their loss. Though there are London Planes adjacent the site, the affect of building works on their routes can be assessed and managed and as part of the construction management strategy.
- 7.110 The proposals are therefore considered to be acceptable in this regard, in accordance with Policy 7.19 of the London Plan and CSP12 of the LDF.

Sustainability

a) Renewable Energy

- 7.111 London Plan Policy 5.2 requires developments to make the fullest contribution to the mitigation of and adaptation to climate change through a combination of using less energy (be lean) the efficient supply of energy (be clean) and using renewable energy sources (be green). It also requires a reduction of 25% carbon savings against 2010 Building Regulations, rising to 40% in 2013-16 and beyond that, developments are expected to be zero carbon. Policy 5.3 seeks to ensure that developments meet the highest standards of sustainable design and construction.
- 7.112 Policy 5.6 sets out the Mayor's energy hierarchy, where decentralised energy, in the form of Combined Heat and Power should be provided, if it is not possible to connect to an existing network. Policy 5.7 seeks a proportion of energy to be provided by renewables as part of total carbon savings, where feasible. The Local Development Framework Policies reflect the thrust of policies of the London Plan.
- 7.113 In addition to the minimum requirements, the development will be required to achieve under Part L of the 2010 Building Regulations, the Energy and Sustainability Statement accompanying the application confirm that a gas-fired CHP unit is feasible, accompanied by photovoltaics on the rooftops of the development. The development achieves carbon savings of 5.9% by using less energy (be lean), 15.2% by gas-fired CHP (be clean) and 5.9% by the use of PV cells (be green), totalling 27%. The PV cells cover 345 sqm of the roof space, spread across all the blocks and in order to ensure the percentage carbon savings by 'green' measures is maintained, a condition requiring this minimum level of coverage can be included on a planning permission.
- 7.114 The Applicant's Code for Sustainable Homes pre-assessment shows that the development would meet Code 4 Sustainable Homes (for which a 25% carbon saving against 2010 Building Regulations is a pre-requisite). Their BREEAM pre-assessment shows that the commercial space would achieve as BREEAM 'excellent rating'.
- 7.115 The scheme exceeds the London Plan target for carbon savings as well as the Council equivalent LDF criteria. It also meets London Plan policies with regard to sustainable design and construction. As such, the development complies with policies 5.2, 3, 6 and 7 of the London Plan and CSO5 and CSP7 (Climate Change) of the LDF and is supported by the Council's Sustainable Development Manager.
- 7.116 The GLA has questioned the extent to which the proposals would be capable of connecting to an existing community heating system and whether the scheme is capable of providing a single, decentralised plant to serve the whole development. The Applicant has responded that as the development may be implemented in phases, individual plants would be provided within each of the blocks but that connections to the edge of the site could be provided (in anticipation of wider future connections which could include Goldsmiths College). Nevertheless, the Applicant is also willing to consider a single energy centre, should the development be capable of implementation in a single phase and a condition can be included on a permission in this regard. Overall, the proposals are considered by Officers to be acceptable and the total anticipated carbon savings are welcomed.

b) Living Roofs

- 7.117 Policy 5.11 of the London Plan confirms that development proposals should include 'green' roofs and that Boroughs may wish to develop their own green roof policies. To this end, Policy CSP7 of the Core Strategy specifies a preference of Living Roofs (which includes bio-diverse roofs) which in effect, comprise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity for bio-diversity.
- 7.118 The application proposes living roofs on all of the Blocks across the site (on which the PV units also sited. As might be expected, there are no living roofs on the roof terrace area at the northern end of Block C and maintenance areas around the proposed roofs (and PVs) are retained. Plant areas above shared service/ entrance cores are also kept clear.
- 7.119 The extent of living the proposed living roofs are as follows:

Table 2: Living Roof Provision

Type of Living Roof / Building	Area of Living Roof (m2)	Total Roof Area (m2)	Area of Living Roof (as % of total roof area)
Biodiverse Roof (Block A)	279	685	40.8
Biodiverse Roof (Block B)	339	774	43.8
Biodiverse Roof (Block C)	232	838	27.7
Biodiverse Roof (Office)	232	467	49.7
Total	1082	2764	39.1

- 7.120 The proposed type and extent of living roofs complies with policies 5.11 of the London Plan and CSP7 of the LDF, is welcomed by Officers and can be secured by condition in a planning permission.

c) Sustainable Urban Drainage Systems

- 7.121 Policy 5.13 of the London Plan requires development to utilise SUDS, unless there are practical reasons for not doing so though supporting text to the policy also recognises the contribution 'green' roofs can make to SUDS. The Applicant states that though the hierarchy within that policy is for a preference for developments to store water for later use, the proposal is to adopt infiltration techniques, where much of the proposed landscaping comprises porous setts (including the Route 1 landscaping scheme). CSP 10 of the LDF also advocates the use of SUDS.
- 7.122 The re-use of stored rainwater tends to be either for flushing WC's, or for irrigation and the scheme does not incorporate grey water recycling. The applicants state that the nature and form of the layout makes storage for such uses a high cost.

Officers accept that where the viability of a scheme is fairly tightly balanced, the absence of such an approach is not detrimental to the scheme where other measures are proposed.

- 7.123 The nature of the layout means that there is limited demand for irrigation, though the provision of water butts in the individual gardens and communal areas to the rear of Building B would be possible and could be a condition on a permission. The 1082m² of living roof would significantly reduce rates of water flow and gardens and permeable paving around the café would also assist (areas which have been increased in size in the course of pre-application discussions). The scheme is considered by Officers to incorporate practical and reasonable measures to manage surface water in line with Policy 5.13 of the London Plan and CSP10 of the LDF.

Designing out Crime

- 7.124 The Applicant has discussed the proposals with Police Crime Prevention Advisor and have considered in the design, the criteria set out by the Advisor, in order to gain the Secured by Design Certification. Though no certification has been gained at this stage, the proposals would be capable of meeting the relevant tests and a condition can be imposed on a planning permission in this regard.

Viability and Delivery

- 7.125 As set out previously, the Applicant has submitted a confidential financial appraisal for the scheme, which has enabled the Council, advised by specialist consultants, to assess the overall viability of the scheme and its ability, in financial terms, to meet policy in terms of affordable housing provision. In summary, the Council's independent assessment of the financial appraisal demonstrates that, when taken with other policy requirements such as the provision of employment space and other site specific objectives, the proposed development provides the maximum viable amount of affordable housing at this time.
- 7.126 The Applicant's financial viability appraisal assumes grant support for the units as currently proposed (social rented). However, current indications by the HCA are that grant would only be provided in limited circumstances- and grant is unlikely to be provided in support of this proposal. It is understood that the Applicant has yet to enter into discussions with a Registered Provider (RP) (Registered Social Landlord) that would purchase the scheme once completed and they cannot be compelled to do so under planning policy. This, combined with the lack of certainty as to whether funding can be achieved, compounds the problem of delivering the affordable units.
- 7.127 To this end, a mechanism can be incorporated as part of a Section 106 to consider securing funding for additional affordable housing should for instance, values increase to a level where this would be financially viable, or to revise the tenure and proportion of housing provided within the scheme (or off-site should inclusion within the scheme not be possible). The Applicant has also agreed that the extent of affordable housing as currently proposed would be the minimum delivered as part of the scheme.
- 7.128 Though the detail of this mechanism would be set out in a S106 Agreement, Officers are satisfied that the Applicant's approach is appropriate and support the proposals in this regard.

7.129 Though the scheme includes proposals for the enhancement of Route 1 and the provision of the Pocket Park, this would be on Highway and land owned by the Council. It would be necessary therefore to secure the provision of these works, or their funding (should the Council carry out the works), through a S106 Agreement and/ or a S278 Agreement in respect of works to the Highway and as referenced in the proposed Heads of Terms, below. The proposals for the Route 1 works and the Pocket Park are the most significant works of mitigation proposed and as such, have a significant affect on the viability of the scheme and its ability to provide other mitigating measures. This is discussed in detail in section 10.

8.0 Consideration of Representations

8.1 The objections to the application have been summarised in section 4 of this report and are considered below.

8.2 Local residents have raised concerns about the impact of the buildings, particularly the tall element on the outlook and overshadowing/ light to their properties (50-56 Batavia Road and 9a Clifton Rise). Another local resident has questioned whether the level of proposed car parking is sufficient.

8.3 The Applicant's assessment shows that the affect of the proposals on daylight and sunlight to these properties is minimal and the only noticeable change in sunlight would in fact be on Childeric School (which was also assessed). It is also relevant to note that shadows would lie principally northwards given the path of the sun and so the proposed buildings would be unlikely to affect properties to the south. Though the tall element of the scheme is 12 storeys, it is some 19m away from the properties and officers consider that the high quality frontages and public realm proposals would help mitigate their impact on the dwellings to the south.

8.4 With regard to levels of car parking, the site is within the highest level of accessibility as identified within PTAL ratings. Relevant planning policies require a minimum (or no) provision in such locations though it is noted that the proposed level of car parking is within the maximum standard. The provision of double-yellow parking restrictions are also likely to be necessary to restrain parking outside of the proposed on-street spaces and any increase in the level of parking, beyond the provision within the scheme, would be capable of control insofar as it is possible to equate highway parking restrictions with the extent of the development.

8.5 The request from Lewisham Cyclists that changes are made to highway access on Clifton Rise (to provide a two-way cycle route) and that wider links are provided to Folkestone Gardens and New Cross, have been considered in the context of the Applicant's proposed mitigation. Though the benefits of such a suggestion are capable of exploration, the extent to which the proposals can mitigate its impact is limited and the Applicant's principle approach in the provision of the significant part of the Council's Links Strategy is considered the priority in improving public realm and transport links to the area. Further improvements would therefore be limited and it is considered that the suggested wider cycle provision improvements are not required to mitigate the impact of the scheme.

8.6 The scheme itself does also include provision for the storage of bicycles and the balance to be struck between other mitigating measures means that the associated improvements to Route 1 should in any event, help a modal shift

towards means of transport other than the car. There is no reason why this should not include cycling, particularly where the overall environment is improved.

- 8.7 The GLA raised a number of matters in relation to the design of the scheme. Principally, the question was raised whether the rear of Block A (Batavia Mews) should be publically accessible given the various opening to it at the rear of the residential uses and the possibility that this increases the risk of crime and undermines safety. However, in the view of Officers, the significant increase in natural surveillance to this area, the increase in residents and number of people should help secure the sense of security of this frontage and it would be better to keep this open rather than identify it as a separate, private space limiting the number of people using it legitimately. This may also provide an opportunity and impetus for the improvement of the rear of the block on New Cross Road. The extent of surveillance to the Pocket Park would also be enhanced by the upper floors of Block A and combined with the location of the office block and relative openness of the street in this location, the park should be well used. Equally, there needs to be some distance between the pocket park and its entrance to make the transition from public to private space a successful one and it would be difficult to design entrances from the units directly onto the park.
- 8.8 As far as entrances to Blocks B and C are concerned, Officers consider that when combined with entrances opposite (the northern side of Block A) and the arrangement of entrances being intrinsic to the design, the proposals are acceptable. Though the elevation of Block C could be more animated, it is proposed to be finished in art-works and does comprise some articulation in its design. The absence of entrances along the whole of that frontage are considered to be sufficiently balanced against the openness of the park in this location, the overlooking from numerous windows on that frontage the roof terrace and is considered acceptable.
- 8.9 Though the GLA did not accept the Applicant's approach to affordable housing at Stage 1, they had not seen the viability assessment. The Applicant has since been in discussion with the Council and the GLA on their approach, which is now supported by Officers of the Council as set out previously.
- 8.10 TfL confirmed that the Applicant's Travel Plan did not comply with the ATTrBuTe assessment though this has now been revised. To the extent that the scheme should contribute to 'Legible London', a way finding signage scheme, the Council has already implemented a number of monolith type signs in the adjacent parks and the Route 1 proposals could form a natural extension of that route – the existing signage already identifying wider links. Other measures such as a construction management plan can be secured by condition.

9.0 Planning Obligations

- 9.1 Circular 05/05 states that in dealing with planning applications, local planning authorities consider each on its merits and reach a decision based on whether the application accords with the relevant development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused. However, in some instances, it may be possible to make acceptable development proposals, which might otherwise be unacceptable, through the use of planning conditions or, where this is not possible, through planning obligations.

9.2 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) sets out that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (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

9.3 The applicant has provided a planning obligations statement, which outlines the obligations that they consider are necessary to mitigate the impacts of the development. London Plan policy 8.2 (Planning Obligations) and Core Strategy Policy CS21 (Planning Obligations) together with the Council's Adopted Planning Obligations SPD set out the policy context for considering planning obligations. Whether a development makes appropriate provision for, or contribution towards, requirements that are made necessary by, and are related to, the proposed development will be a material consideration relevant to the planning application being considered. Negotiations should seek a contribution towards the full cost of all such provision that is fairly and reasonably related in scale and in kind to the proposed development and its impact on the wider area. Planning obligations should reflect strategic and local needs. In accordance with the statutory and policy context, the proposed heads of terms for a Section 106 Agreement are set out below.

10.0 Planning Obligations (Section 106 Agreement)

10.1 The Heads of Terms for a Section 106 Agreement are:

1. Housing

- Provision of 114 units (25 x 1 bed, 66 x 2 bed, 23 x 3 bed) including 13 affordable housing units (4 x 1 bed, 4 x 2 bed, 5 x 3 bed)
- All affordable housing to be built with no discernible difference in quality of external appearance to private dwellings.
- Subject to further discussion with the Applicant, to consider providing 1 SELHP compliant affordable wheelchair unit if possible and the appropriateness of providing for a unit off site.
- Affordable housing to be provided as per submitted plans.
- Provision of a review mechanism to secure funding for additional affordable housing if financially viable, with minimum level of 13 units. Additional affordable units to be provided within the scheme, or off-site if inclusion within scheme shown to be not possible.

2. Public Realm and Highway Works

- The implementation of landscaping and highway works to Batavia Road (Route 1) and the refurbishment of the open space, subject to a method statement, specification and materials and programme for delivery.
- In the event that the Council implements the proposed works, a Financial Contribution of (£514,138) and indexation on an upwards basis from the date of committee.
- A financial contribution for maintenance and management of the open space, to be agreed.

3. Infrastructure

- Financial Contribution towards educational purposes within the Borough (£213,049), index linked on an upwards basis from the date of committee.

4. Public Artwork

- Provision of a public art strategy including but not limited to a specification and commission of a competition and details of how and by whom the competition would be judged for public artwork from local schools or colleges for provision on the Clifton Rise frontage of Block C.

5. Travel Plan

- The provision and implementation of a Travel Plan (ATTRiBuTE compliant).

6. Submission of a Local Labour Strategy

- Including but not limited to undertaking to use reasonable endeavours to achieve 50% local labour on-site.

7. Car Club

- Free membership for each residential unit (including the affordable housing) within the scheme for a minimum of 2 years.
- Fund the cost of providing on-street car club spaces if required.

8. Costs

- Meeting the cost of external financial viability consultants appointed by the Council to assess and advise on proposed development,
- Meeting the Council's legal, professional and monitoring costs associated with the drafting, finalising and monitoring of the Agreement.

10.2 Where the Applicant proposes to carry out works to the public highway, an agreement or agreements with LB Lewisham under Section 278 of the Highways Act 1980 will also be necessary.

10.3 The above planning obligations respond to the Council's Planning Obligations SPD. Given the foregoing, the proposal is capable of mitigating its impact on open space through the provision of the Route 1 works. Though this makes up a significant part of the Applicant's ability to mitigate the full range of matters set out in the Council Planning Obligations SPD, it would make a significant contribution to the extension of Route 1 and is considered to be a good solution, holding significant weight. Matters including transport and play space are also addressed by the proposals. The proposal is able to address the increased pressure on educational facilities, though the extent to which it would need to address health infrastructure provision is catered for by an anticipated improvement in the health and well being of residents and reduced emissions associated with the Route 1 proposals and the accessibility of Waldron Health which has additional capacity to accommodate growth.

10.4 The impact of the proposals on other infrastructure matters is considered limited. Officers consider that the obligations and financial contributions referred to above

are appropriate in order to mitigate the impacts of the proposed development, and are in accordance with CIL regulations, Circular 05/2005 and development plan policy, though the total package secured is below that using the amounts and calculations set out in the Council's Adopted Planning Obligations SPD. However, this needs to be seen in the context of advice from the government regarding the need for a pragmatic approach to Section 106 negotiations and the financial viability of the scheme.

- 10.5 Given the balance to be struck between the provision of affordable housing and the need for the scheme to mitigate its impact, Officers recognise the significant contribution required to deliver the Route 1 proposals. Confidential viability information, which has been independently reviewed, has accompanied the application and this has demonstrated that the level of affordable housing proposed and the other financial contributions that Officers have negotiated is commensurate with the overall viability of the scheme. The proposals are considered appropriate in this regard.

11.0 Conclusion

- 11.1 This application has been considered in the light of policies set out in the development plan and other material considerations including policies in the Core Strategy.
- 11.2 The proposals include the provision of 114 residential units, office space, a cafe and public realm improvements. They would result in the redevelopment of existing employment uses, currently comprising out-dated and poor quality buildings, which undermine the environmental quality of the area.
- 11.3 Though the proposed development does not comply with policy CSP1 of the LDF with respect to the level of affordable housing, this is due to accepted viability constraints. These constraints are however proposed to be reviewed prior to the commencement of development and additional affordable housing, above the minimum of 13 units, would be provided if shown to be viable. Given the site is identified as one of the identified 'other employment locations' within policy CSP5 the LDF, the appropriateness of the employment floorspace (1,768sqm) has been considered by Officers against policy in the LDF (and shown to be acceptable in this location given the increase in quality and quantity of floorspace, that the proposals would provide).
- 11.4 As far as the design of the scheme is concerned, it does not fully meet LDF policy (CSP1) on Lifetime Homes, as it is not capable of meeting all of the relevant criteria. It has been designed to meet London Plan standards on wheelchair accessibility. However, Officers consider that the urban design and architectural approach to the scheme, combined with the associated improvements to the public realm and the delivery of a significant part of Route 1, is very good and in general, the accommodation, including the office use, includes an appropriate level of amenity space, room sizes and outlook. The deficiencies of the scheme design are therefore considered to be outweighed by the general approach to design, which would be likely to make significant environmental improvements to the area and improve the setting of the adjacent Conservation Area.
- 11.5 The proposals take a sound approach to transport given the relative accessibility of the site. While some car parking is proposed, this is not excessive and the combination of the Applicant's approach to travel planning and the associated

improvements to the public realm (Route 1) would be capable of encouraging alternative modes of transport to the car.

- 11.6 The proposals would also exceed the Mayor's targets for carbon dioxide reduction and have been shown to incorporate sustainable design and construction measures. The scheme could also make provision for connection to community heating systems, should they become available. Matters such as contamination, air quality, archaeology, noise, and ecology have all been addressed appropriately.
- 11.7 Though some objections have been received, the Applicant has sought to address many of these in revisions to the scheme. The extent of impact on neighbouring properties has been shown to be limited (including residential properties and Childeric School) and detailed matters such as the travel plan and specifics on the design of the scheme have been satisfactorily addressed,
- 11.8 On balance, Officers support the quality of the scheme overall and the extent to which its benefits would deliver wider objectives for the area and the overall objectives of the LDF. The scheme is therefore considered acceptable.

12.0 Summary of Reasons for Grant of Planning Permission

- 12.1 The Recommendations to the Committee are set out below.

RECOMMENDATION (A)

- 12.2 To agree the proposals and refer the application, 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, 1B, 1C and 3E of the Schedule of the Order).

RECOMMENDATION (B)

- 12.3 Subject to no direction being received from the Mayor of London, authorise officers to negotiate and complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters (as set out in more detail in part 10 of this report), including such other amendments as considered appropriate to ensure the acceptable implementation of the development:

Housing

- Provision of 114 units (25 x 1 bed, 66 x 2 bed, 23 x 3 bed) including 13 affordable housing units (4 x 1 bed, 4 x 2 bed, 5 x 3 bed)
- All affordable housing to be built with no discernible difference in quality of external appearance to private dwellings.
- Subject to further discussion with the Applicant, to consider providing 1 SELHP compliant affordable wheelchair unit if possible and the appropriateness of providing for a unit off site.
- Affordable housing to be provided as per submitted plans.
- Provision of a review mechanism to secure funding for additional affordable housing if financially viable, with minimum level of 13 units. Additional affordable units to be provided within the scheme, or off-site if inclusion within scheme shown to be not possible.

Public Realm and Highway Works

- The implementation of landscaping and highway works to Batavia Road (Route 1) and the refurbishment of the open space, subject to a method statement, specification and materials and programme for delivery.
- In the event that the Council implements the proposed works, a Financial Contribution of (£514,138) and indexation on an upwards basis from the date of committee.
- A financial contribution for maintenance and management of the open space, to be agreed.

Infrastructure

- Financial Contribution towards educational purposes within the Borough (£213,049), index linked on an upwards basis from the date of committee.

Public Artwork

- Provision of a public art strategy including but not limited to a specification and commission of a competition and details of how and by whom the competition would be judged for public artwork from local schools or colleges for provision on the Clifton Rise frontage of Block C.

Travel Plan

- The provision and implementation of a Travel Plan (ATTriBuTE compliant).

Submission of a Local Labour Strategy

- Including but not limited to undertaking to use reasonable endeavours to achieve 50% local labour on-site.

Car Club

- Free membership for each residential unit (including the affordable housing) within the scheme for a minimum of 2 years.
- Fund the cost of providing on-street car club spaces if required.

Costs

- Meeting the cost of external financial viability consultants appointed by the Council to assess and advise on proposed development,
- Meeting the Council's legal, professional and monitoring costs associated with the drafting, finalising and monitoring of the Agreement.

RECOMMENDATION (C)

- 12.4 Subject to completion of a satisfactory legal agreement, authorise the Head of Planning to **GRANT PERMISSION** for the reasons set out in paragraph 12.5 below and subject to conditions including those set out below and such amendments as considered appropriate to ensure the acceptable implementation of the development.

Summary of Reasons for Grant of Planning Permission

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) and 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.

- 12.5 The Local Planning Authority has considered the particular circumstances of the application against relevant planning policy set out in The London Plan (July 2011), saved policies in the Council's adopted Unitary Development Plan (2004) and the adopted Local Development Framework (2011). The Local Planning Authority has further had regard to the Local Planning Authority's Adopted Residential Standards Supplementary Planning Document (August 2006) and Planning Obligations Supplementary Planning Document (January 2011), Government Planning Policy Guidance and Statements, and all other material considerations, 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 mixed-use development of the site for C3, B1 and A3 use is in accordance with Local Development Framework Policy CSP5 which supports mixed uses, including employment and London Plan policy 3.12 which identifies the need to encourage rather than restrain housing development.
 - (2) The site is an appropriate location for a development of the density proposed in accordance with London Plan policy 3.4, which seeks to maximise the potential of sites and ensure that development proposals achieve the highest possible intensity of use compatible with local context, identified design principles and public transport capacity.
 - (3) The layout of the site, the design of the development, and the provision of housing is in accordance with London Plan policy 3.5 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 3.12 regarding the provision of affordable housing, with CSP1 of the Local Development Framework, which seeks the provision of affordable housing in a way which assists in securing a more balanced social mix, having regard to the financial viability of the development.
 - (5) The provision of new public realm and publicly accessible open space, and mitigation secured through planning obligations, is appropriate and complies with London Plan policy 7.5 which seeks high quality and

accessible public realm, with adopted UDP policy URB 12 which requires the inclusion of landscape proposals for all areas not occupied by buildings and Local Development Framework Policy CSP15 which requires high quality design.

- (6) The energy demand of the proposed development has been assessed in accordance with London Plan policies 5.2, 5.6 and 5.7 and CSP 8 of the Local Development Framework regarding energy and carbon dioxide savings through a lean, clean and green strategy.
- (7) 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 Local development Framework Policy CSP14 of the which require major schemes to take account of the requirements of public transport providers as well improvements to public transport and facilities for cyclists and pedestrians.
- (8) The proposed level of cycle parking and associated measures to reduce car use are in accordance Local Development Framework Policy 14 regarding sustainable movement and transport.
- (9) The regeneration benefits inherent in the scheme and the financial contributions towards achieving other planning policy objectives are in accordance with Local Development Framework Policy CSP21 which seeks the inclusion of community benefits as part of development proposals, and with London Plan policy 8.2.

Consideration has also been given to the objections made to the proposed development. It is considered that none of the material objections outweigh the reasons for granting planning permission.

The Planning Conditions referred to in Recommendation C are as follows:

General

1. Approved drawings and documents

1072-00-00, 01, 02, 1072-02-001 Rev 01, 1072-02-00 Rev C01, 1072-02-01 Rev 01, 1072-02-02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 1072-04-01, 1072-04-02 Rev 01, 1072-04-03, 1072-04-04, 1072-04-Bay01, 1072-04-Bay02 Rev 01, 1072-04-Bay03, 1072-04-Bay04, 1072-04-Bay05 Rev 01, 1072-05-01, 1072-05-02, 1072-09-01 Rev 01, 1072-09-02, 1072-09-03 rev 01, 1072-09-04, 1072-10-01, 1072-10-02, 1072-10-03, 1072-02-13, 08407-PA-001, Design & Access Statement June 2011, Energy & Sustainability Statement April 2011, Overshadowing Report July 2010 , Daylight & Sunlight Amenity Study November 2010, Transport Statement May 2011, Phase 1 Habitat Survey & Daytime Bat Assessment Report July 2009, Phase 1 Desk Contamination Study (C11860), Flood Risk Assessment October 2009, Revised Air Quality Assessment August 2011, Desk -top Archaeological Assessment May 2008, Planning Noise Assessment 2009/2300/R1, Tree Condition Survey & Arboricultural Implications Assessment April 2008, Planning Statement June 2011, Town Planning Framework statement , Lifetime Homes Assessment July 2011, Addendum 1 Drainage Plans, Transport

Statement May 2011 and revised Travel Plan August 2011, Public Consultation Questionnaire and Summary of Responses June 2009, Supplementary Planning Statement June 2011 and August 2011, Employment Occupancy Rates October 2010, Supplementary Transport submission August 2011

Reason

To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application (or other documents, plans and drawings subsequently approved in writing by the local planning authority) and to ensure that the development is acceptable to the local planning authority.

2. Time limit

The development must be begun not later than three years from the date of the grant of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990.

3. Use of the A3 and B1 unit

(i) Unless otherwise approved in writing by the Council the ground floor café unit shall only be used for purposes within Use Class A3 notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 or any statutory instrument revoking and re-enacting that Order.

(ii) Unless otherwise approved in writing the Class B1 floor space hereby permitted shall be maintained in that use and for no other purpose notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 or any statutory instrument revoking and re-enacting that Order

Reason

To ensure that the development does not prejudice the enjoyment by neighbouring occupiers of their properties and to comply with Policies ENV.PRO 11 (Noise Generating Development) and HSG 4 (Residential Amenity) in the adopted Unitary Development Plan (July 2004)

Details

4. External materials (buildings)

No development shall commence until details, including samples, of all facing materials (including their colour and texture) to be used on the buildings and the private and public spaces, including the paved area of the café, 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, unless the local planning authority agrees in writing to any variation.

Reason

To ensure that the Development is of a satisfactorily high design standard to ensure that it makes a positive contribution to the appearance of the locality and to comply with Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).

5. External lighting

(i) Details of all external lighting to be installed, including details of directional hoods and measures to prevent light spillage, shall be submitted to and approved in writing by the local planning authority not later than six months following commencement of development.

(ii) Unless otherwise agreed in writing, all external lighting shall be installed in accordance with the approved details before any dwelling is occupied and thereafter any external lighting (including any directional hoods) shall be retained in accordance with the approved details.

(iii) Details submitted for approval pursuant to paragraph (i) of this condition, shall be accompanied by a supporting statement that demonstrates that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason

To ensure that the lighting is installed and maintained in a manner which will minimise possible light pollution to neighbouring properties and to comply with Policy HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).

6. External pipework

No external guttering, drainage downpipes or other conduits of any kind shall be attached to the external facades of the buildings other than those shown on the approved drawings

Reason

In order to ensure an acceptable external appearance and to comply with CSP15 High Quality Design of the Local Development Framework (June 2011).

7. Pergola

Full details of the proposed Pergola shall be submitted to and approved in writing by the local planning authority before commencement of the development of either Block B or C as shown in the approved drawings.

Reason

In reflect the design quality of the proposal and in order to ensure an acceptable external appearance and to comply with CSP15 High Quality Design of the Local Development Framework (June 2011).

8. Lifetime Homes and Wheelchair accessible/adaptable units

(i) No development shall commence on site until drawings for each dwelling type demonstrating compliance with Lifetime Homes standards (excluding criteria 1a) has been submitted to and approved in writing by the local planning authority. In the case of the duplex units in Block A as shown on the approved drawings, this shall exclude criteria 1a, 8 and 9. In the case of duplex unit C01.03 as shown on the approved drawings, this shall exclude criteria 1a and 10. The development shall be constructed in accordance with the approved drawings.

(ii) Not less than 11 of the dwellings shall be wheelchair accessible or shall be easily adaptable for wheelchair users in accordance with drawings to be submitted to and approved in writing by the local planning authority.

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 CS1 Housing Provision, mix and affordability (June 2011).

Sustainability

9. Code for Sustainable Homes

No dwelling hereby approved shall be occupied until a Code for Sustainable Homes Level 4 post-construction certificate and verified Code for Sustainable Homes report for that dwelling has been submitted to and approved in writing by the local planning authority.

Reason

To ensure the use of sustainably-sourced and recycled materials and aggregates and the sustainable use of water, and to meet the requirements of Policy 5.3 Sustainable Design and Construction in the adopted London Plan (July 2011).

10. BREEAM

The non-residential floorspace hereby approved shall not be occupied until a BREEAM 2008 Excellent design and procurement certificate and report has been submitted to and approved in writing by the local planning authority. A post construction certificate to demonstrate compliance with the design and procurement assessment shall be submitted to the local planning authority within 3 months of the occupation of the non-residential floorspace.

Reason

To meet the requirements of Policy 5.3 Sustainable Design and Construction in the adopted London Plan (July 2011).

11. Performance of the CHP and future connection to a district CCHP or CHP scheme

No development shall commence on site until drawings and sections showing a scheme for the provision of conduits and/or piping for future connection to a

district CCHP or CHP scheme and network have been submitted to and approved in writing by the local planning authority.

Reason

To ensure that the projected carbon-dioxide emission reductions are achieved and to enable the future connection of the development to a district CCHP or CHP scheme and network, and to comply with Policy 5.6 (Energy Hierarchy) in the London Plan (July 2011).

12. Carbon Savings

The development shall be constructed to achieve carbon savings of 27% in accordance with the submitted energy strategy and the necessary measures to achieve these savings shall be implemented prior to occupation of more than 100 of the residential units hereby approved and maintained thereafter for the lifetime of the development.

Reason

To make the fullest contribution to the mitigation of and adaption to climate changes and as set out by the proposed development and to meet the requirements of Policies 5.7 (Renewable Energy) of the London Plan.

13. Living Roofs

(i) The provision of living roofs shall be maximised and be no less than 1050sqm and the construction of each block shall not commence until details of living roofs (including roof plans to a scale of 1:50, cross-sections to a scale of 1:20, specification and details of a substrate base with a depth of 80-150mm, and details of management) have been submitted to and approved in writing by the local planning authority.

(ii) No part of the relevant Block shall be occupied until the living roofs forming part of the approved scheme have been implemented in full, and the living roofs shall be planted or seeded with the approved mix of species within the first planting season following the practical completion of building works.

(iii) The living roofs shall not be used for play or recreation and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The living roofs shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the local planning authority.

Reason

To ensure the development provides the maximum possible provision of living roofs to enable the creation of habitats and areas for biodiversity and to reduce the rate and volume at which rainwater reaches watercourses in times of heavy or prolonged rainfall, in accordance with Policies CFP7 of the Local Development Framework (June 2011), 5.3 of the London Plan (Jul7 2011) and Planning Policy Statement 9: Biodiversity and Geological Conservation (2005) and Planning Policy Statement 25: Development and Flood Risk (2006).

14. Electric Vehicle Charging Points

(i) 20% of the car parking spaces shall be installed with electric vehicle charging points and a further 20% shall have passive provision for the future.

(ii) Details 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 commencement of the phase within which they are to be located.

(iii) The electric vehicle charging points as approved shall be installed prior to first occupation of the relevant phase and maintained in accordance with the details approved under (i).

Reason

To reduce pollution emissions in an Area Quality Management Area in accordance with London Plan Policy 7.14 (Improving air quality).

Residential Amenity

15. Noise Insulation

(i) Details including relevant drawings and specifications of:

The construction of the ceilings and walls separating the residential and non-residential uses hereby permitted and

The proposed works of soundproofing against airborne and impact sound and vibration

shall be submitted to and approved in writing by the local planning authority prior to commencement of the relevant phase.

(ii) The uses hereby permitted shall not commence until the soundproofing works have been implemented in accordance with the approved details. The soundproofing shall be retained permanently in accordance with the approved details.

Reason

To ensure a satisfactory environment for the residential occupiers of the development and so as to comply with Policy ENV.PRO11 (Noise Generating Development) in the adopted Unitary Development Plan (July 2004).

16. Noise and vibration from fixed plant and machinery

(i) The rating level of the noise emitted from fixed plant and machinery on the development including the CHP plant shall be 5dB below the existing background level at any time, as measured at the façade of any noise sensitive receptor. The measurements and assessments shall be made according to BS4142:1997.

(ii) The design, operation and maintenance details of a scheme for compliance with paragraph (i) of this Condition shall be submitted to and approved in writing

by the local planning authority within three months of commencement of development.

(iii) The development shall be occupied until the approved scheme has been implemented in its entirety in relation to that phase.

(iv) Thereafter, the approved scheme shall be retained and maintained in accordance with the approved details.

Reason

To ensure a satisfactory environment for the occupiers of the development and so as to comply with Policy ENV.PRO11 (Noise Generating Development) in the adopted Unitary Development Plan (July 2004).

17. A3 hours of use

The A3 use within the site shall not be open to the public other than between the hours of 6.00am and 10.00pm on any day of the week.

Reason

To ensure that the development does not prejudice the enjoyment by neighbouring occupiers of their properties and to comply with Policies ENV.PRO 11 (Noise Generating Development) and HSG 4 (Residential Amenity) in the adopted Unitary Development Plan (July 2004).

18. Ventilation

The A3 use shall not be fitted out or commence on site until detailed plans and a specification of the equipment comprising a ventilation system which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s) and anti-vibration mountings where necessary), have been submitted to and approved in writing by the local planning authority. The ventilation system shall be installed in accordance with the approved plans and specification before the A3 use commences and shall thereafter be permanently maintained in accordance with the approved specification.

Reason

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to comply with Policies ENV.PRO 11 Noise Generating Development, HSG 4 Residential Amenity and STC 9 Restaurants, A3 Uses and Take Away Hot Food Shops in the adopted Unitary Development Plan (July 2004).

19. Commercial units Delivery Hours

No deliveries shall be made to the Commercial units within the site other than between the hours of 7.00am and 9pm Monday to Friday, 7.00am to 9pm on Saturdays and 7.00am to 5.00pm on Sundays and Bank Holidays.

Reason

To ensure that the development does not prejudice the enjoyment by neighbouring occupiers of their properties and to comply with Policies ENV.PRO 11 (Noise Generating Development) and HSG 4 (Residential Amenity) in the adopted Unitary Development Plan (July 2004).

Landscaping

20. Landscaping details

1. No development shall commence until:

(i) A specification and materials for the hard and soft landscaping of any part of the site not occupied by buildings including any retained features and the treatment thereof (including planting, tree species and location, paving, walls and fences, temporary and permanent site boundary treatments, details of the permeability of hard surfaces) have been submitted to and approved by the local planning authority.

(ii) Details of the management and maintenance of the landscaping has been submitted to and approved by the local planning authority.

2. All works and planting which form part of the on-site landscaping scheme shall be completed in the first planting season following the completion of any of the Blocks unless the local planning authority has given written consent to any variation. Any trees or plants which within a period of 5 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, unless the local planning authority has given written approval to any variation.

Reason

In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies URB 3 Urban Design, URB 12 Landscape and Development and URB 13 Trees in the adopted Unitary Development Plan (July 2004).

Archaeology and Heritage

21. Archaeology

No development shall take place on the site until the applicant, or any successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, observation and recording which has been submitted to and approved in writing by the local planning authority.

Reason

To ensure adequate access for archaeological investigations and to comply with CSP15 High Quality Design for Lewisham in the Local Development Framework (June 2011).

Construction Management

22. Construction and Environmental Management Plan

(i) No works (including demolition and construction) shall commence until a Construction and Environmental Management Plan, including but not limited to a tree root survey of adjacent trees and means of protection, details of hours of works, wheel washing, dust minimisation, noise mitigation relating to on-site crushing, and deliveries, details of compliance with the relevant Code of Construction Practice, and incorporating a Construction Traffic Management Plan and Construction Logistics Plan has been submitted to and approved in writing by the local planning authority.

(ii) No works (including demolition and construction) shall be carried out other than in accordance with the approved Construction Management Plan

Reason

To ensure that the demolition and construction processes are carried out in a manner which will minimise noise, vibration, dust and mud pollution and minimise disturbance from road traffic and safeguards road safety and the amenities of adjacent occupants 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 6.14 (Freight) in the approved London Plan (July 2011).

Contamination

23. Contaminated land

(a) No development shall take place until each of the following has occurred:

(i) a site investigation has been carried out to survey and assess the extent of potential contamination and its effect (whether on or off site);

(ii) a report comprising the results of that site investigation and recommendations for treatment of any contamination (whether by remedial works or not) has been submitted to and approved in writing by the local planning authority; and

(iii) all measures or treatments identified in that report as being necessary or desirable for the remediation of the site have been implemented in full.

If during any works at the site (whether pursuant to paragraph (a) of this condition or implementation of this planning permission generally), contamination is encountered which has not previously been identified ("the new contamination"), then paragraph (a) shall apply to the new contamination and no further development shall take place until the requirements of paragraph (a) have been complied with in relation to the new contamination.

(b) The development shall not be occupied until a closure report has been submitted to and approved in writing by the local planning authority. The closure report shall include details both of the remediation (including waste materials removed from the site, an audit trail demonstrating that all imported or reused soil material conforms to current soil quality requirements as approved by the local planning authority) and any post-remediation sampling that has been carried out.

Reason

To ensure that the local planning authority may be satisfied that potential site contamination is identified and to comply with Policy ENV.PRO 10 Contaminated Land in the adopted Unitary Development Plan (July 2004).

24. Piling operations

(i) Piling or any other foundation designs using penetrative methods shall not be permitted, other than with the prior written consent of the local planning authority. Any such application for consent shall be accompanied by details of the relevant penetrative methods.

(ii) The said piling shall be carried out only in accordance with the written consent of the local planning authority.

Reason

To prevent pollution of controlled waters and to comply with Policies ENV.PRO 10 Contaminated Land and ENV.PRO 17 Management of the Water Supply in the adopted Unitary Development (July 2004).

Transport

25. Use of car parking

i) All car parking spaces within the development shall be reserved for and used by vehicles of the occupiers or users of the development only.

ii) The disabled car parking spaces shall be provided in accordance with approved plan 1072 02-001 Rev 1 and retained thereafter

Reason

To ensure the permanent retention of the space(s) for parking purposes and to comply with Policy 6.3 (Assessing the effects of development on transport capacity) of the London Plan July 2011.

26. Cycle parking

(i) A minimum of 223 cycle parking spaces shall be provided within the development, as follows:

Residential – 208 spaces

Commercial – 15 spaces

(ii) No Block shall be occupied until the cycle parking spaces to be provided within that Block have been provided and made available for use. Thereafter, such spaces shall be retained and used only as cycle parking for use as provided for in paragraph (i) of this Condition.

Reason

In order to ensure adequate provision for cycle parking and to comply with Policies CSP 14 (Sustainable Movement and Transport) of the Local Development Framework (June 2011).

Informatives

1. Applicants should 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 EA publications.
2. Assessment of the scheme required by Condition 18 (Noise from fixed plant and machinery) must be carried out by a suitably qualified acoustic consultant.
3. With regard to Condition 25, the Construction Management Plan will be required to confirm that no deliveries to the site in connection with demolition or construction works shall take place outside the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and that no such deliveries shall take place at all on Sundays or public holidays.
4. With regard to condition 24, The relevant Code of Construction Practice can be viewed online at <http://www.lewisham.gov.uk/Environment/Pollution/PollutionNoiseDocument.htm>