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| Committee | STRATEGIC PLANNING COMMITTEE | |
| Report Title | Scott House, 185 Grove Street, London, SE8 3SH | |
| Ward | Evelyn Ward | |
| Contributors | Lewis Goodley | |
| Class | PART 1 | 30 JANUARY 2020 |

Reg. Nos. DC/19/113332

Application dated 24.07.2019

Applicant W&R Buxton Holdings Ltd

Proposal Redevelopment of existing building comprising partial facade retention and the construction of a building ranging in height from 23 to 27 storeys with two basement levels to provide 137 residential dwellings (C3 Use Class), 824sqm employment floor space (B1 Use Class), 120sqm cafe (A3 Use Class), together with associated landscaping, play space, refuse storage, cycle parking and public realm improvements at Scott House, 185 Grove Street, SE8.

Background Papers

- (1) Case File DE/152/185/TP
- (2) Local Development Framework Documents
- (3) The London Plan

Designation Core Strategy, Site Allocations Local Plan (SSA4), Lewisham, Catford and New Cross Opportunity Area, Area of Archaeological Priority, Flood Risk Zone 2, Flood Risk Zone 3, PTAL 2.

Screening N/A.

1 SUMMARY

1 This report sets out officer's recommendation in regard to the above proposal.

2 The report has been brought before members for a decision as:

- There are 3 or more valid planning objections; and
- There is 1 or more objection from a recognised residents' association or community/amenity group within their area.

2 SITE AND CONTEXT

Site description and current use

3 The site comprises Scott House, a former part three part four storey brick built industrial building which was converted into 19 live-work units (sui generis use) in the early 2000s (LBL DC/00/047238/X).

- 4 The site occupies a corner plot at the junction where Oxestalls Road and Grove Street meet. The site once formed part of a larger industrial site which is designed as a mixed-use employment location in the Core Strategy (Oxestalls Road Mixed Use Site Allocation SSA4) which comprises the Deptford Timberyard site to the south, owned by Lendlease and the application site.
- 5 The site was identified to be 'appropriate' for tall buildings in the Lewisham Tall Buildings Study (2010, updated 2012) and is located in the Lewisham, Catford and New Cross Opportunity Area.
- 6 The Site is located within the Wider Setting Consultation Area (Yellow Zone) of the London View Management Framework Protected Vista of St. Pauls from Assessment Point 4A.1 on Primrose Hill. The site is located in an Archaeological Priority Zone.

Character of area

- 7 The application building is one of the few remaining buildings associated with the industrial heritage of the immediate area. The site once formed a wider complex of industrial buildings and uses associated with the wider site which is presently under construction (hybrid permission consented March 2016 LBL reference DC/15/092295).
- 8 The building is considered a non-designated heritage asset given its locally historic importance and architectural quality. The building is not currently locally listed but is included in the updated local list, which was subject to public consultation between 07/11/2019 to the 23/12/2019.
- 9 The site is not within a Conservation Area, nor is it subject to an Article 4 Direction. There are no adjoining listed buildings or locally listed buildings.
- 10 Surrounding development is associated with comprehensive public sector-led post-war redevelopment. This includes three large residential towers built as part of the Pepys Estate with Eddystone Tower and Daubeney Tower being located within close proximity to the site. The immediate streetscene is varied and the wider character of the area fragmented.

Surrounding area

- 11 The site is located immediately opposite the Riverside Youth Club. Pepys Park is located to the east, Deptford Park to the west and the Surrey Canal Linear Park to the north-west. Deptford Park Primary School is located to the west of the site at the junction with Oxestalls Road and Evelyn Street.

Transport

- 12 The site has a Public Transport Accessibility Level (PTAL) rating of 2 which is considered to be low. The development of the neighbouring Deptford Timberyard site and nearby Convoys Wharf are likely to see an improvement to overall public transport accessibility.

Local environment

- 13 The site is located in Flood Zones 2 and 3 but benefit from flood protection. The site is located in an Air Quality Management Area.

3 RELEVANT PLANNING HISTORY

Application site

- 14 **DC/00/047238/X** - The change of use and conversion of Diploma Works, 185-195 Grove Street SE8 to provide 19 live/work units together with alterations to the side elevation. Approved 06/07/2001.

Adjacent Sites

- 15 **DC/15/092295** - The comprehensive redevelopment of land bounded by Oxestalls Road, Grove Street, Dragoon Road and Evelyn Street SE8, but excluding Scott House, 185 Grove Street (formerly known as Diploma Works) seeking outline planning permission (Phases 1-3) for the demolition of existing buildings on the site, excluding former Public House on Grove Street to facilitate the phased redevelopment of the site to provide up to 10,413 square meters (GEA) non-residential floorspace comprising (A1) Shops, (A2) Financial & Professional Services, (A3) Restaurants & Cafés, (A4) Drinking Establishments, (A5) Hot Food Takeaways, (B1) Business, (D1) Non-Residential Institutions and (D2) Assembly & Leisure uses and an energy centre and up to 1132 residential units in buildings ranging from 3 to 24 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works and provision of open space and detailed planning permission (Phase 1) for up to 562 residential units and up to in buildings ranging from 3 to 24 storeys in height, together with car and cycle parking, associated highway infrastructure, energy centre, public realm works and provision of open space. Approved 23/03/2016.

4 CURRENT PLANNING APPLICATION

4.1 THE PROPOSALS

- 16 Redevelopment of existing building comprising:

- partial facade retention, with the north and east elevations retained;
- the construction of a building ranging in height from 23 to 27 storeys with two basement levels to provide 137 residential dwellings (C3 Use Class);
- 824sqm employment floor space (B1 Use Class);
- 120sqm cafe (A3 Use Class);
- associated landscaping, play space, refuse storage, cycle parking and public realm improvements.

5 CONSULTATION

5.1 PRE-APPLICATION ENGAGEMENT

- 17 The applicant engaged with local residents prior to the submission of the planning application. The full details are provided in the Statement of Community Involvement (BPTW, July 2019).
- 18 Engagement included a community event held in January 2019, the distribution of a consultation flyer and an advert in the News Shopper newspaper.

5.2 APPLICATION PUBLICITY

19 Site notices were displayed on 28/08/2019 and a press notice was published on 28/08/2019.

20 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 23/08/2019.

21 25 number responses received, comprising 25 objections, 1 support and 12 comments and 1 petition with 44 signatures against the proposals.

Local Meeting

22 A local meeting was held on the 22/10/2019 between the hours of 16:00-20:00 at the 2000 Community Action Centre, an accessible venue that is located on Grove Street.

23 All objectors were invited by letter. An informal drop-in style meeting was held, allowing members of the public to view, plans, scale models and ask questions to the applicant team and case officer. In total 15 members of the public attended the drop in session, and minutes are provided as Appendix 1.

5.2.1 Comments in objection

| Comment | Para where addressed |
|---|-----------------------------|
| Increase in parking stress. | Section 7.4 |
| Lack of public transport infrastructure and the accessibility of the site by non-car based modes. | Section 7.4 and Section 8 |
| Scale of development and quality of design. | Section 7.3 |
| Impact on the special architectural character of Scott House | Section 7.3 |
| Loss of daylight and sunlight to nearby properties and areas of public open space. | Section 7.5 |
| Loss of privacy. | Section 7.5 |
| Impact on the character of the wider Pepys Estate. | Section 7.3 |
| Development not considered as part of the wider planned development in the immediate area and potential cumulative impacts. | Section 7 |
| Impact on local services and infrastructure. | Section 7 and Section 11 |
| Provision of affordable housing and affordability of affordable housing. | Section 7.2 |

5.2.2 Comments in support

| Comment | Para where addressed |
|----------------|-----------------------------|
|----------------|-----------------------------|

| | |
|---|-------------|
| Retaining Scott House facades considered appropriate. | Section 7.3 |
|---|-------------|

5.2.3 Neutral comments

24 One other comment was also raised as follows:

- Section 106 agreement should secure improvements to the Deptford DLR Station given the strategic nature and scale of the proposed development.

25 All comments received from member of the public are considered comprehensively in the report below within the relevant subsections.

5.3 INTERNAL CONSULTATION

26 The following internal consultees were notified.

Environmental Health – No objection subject to imposition of air quality monitoring condition. Request for contribution towards local air quality monitoring.

Climate resilience – No objections received.

Flooding and surface water control – objections received relating to lack of justification for the on-site provision of sustainable urban drainage.

Building Control – No comments received.

Highways – No objection subject to revisions being made to the proposed long-stay cycle parking and the imposition of conditions requiring a service, delivery and construction plans.

Environmental Protection – Request for contamination condition.

Strategic Housing – Objection. Proposed tenure mix and total amount of affordable housing noted as not meeting the targets outlined in the Development Plan.

Strategic Waste and Environment Manager – No comments received.

27 All internal comments received from within the planning team (conservation and urban design) are considered and incorporated within the body of the report below.

28 All comments received are considered comprehensively in the report below within the relevant subsections.

5.4 EXTERNAL CONSULTATION

29 The following External Consultees were notified on 28/08/2019:

Voice for Deptford – No comments received.

Bence House Tenants and Residents Association – Objection

Heathrow Airport – No objection

Deptford Folk – Objection

Environment Agency – No objection subject to imposition of conditions relating to finished floor levels and land contamination.

Government Office for London – No response received.

Greater London Authority – Stage 1 decision received. The decision supports the principle of development noting the optimisation of the brownfield site; that the proposed viability assessment will be scrutinised by GLA Officer's; the design is acceptable in strategic design terms subject to the submission of key facing materials; a request for further information relating to energy, flood risk, drainage and urban greening; and that matters relating to trip generation, electric vehicle charging and healthy streets, stating that the Council should secure details of cycle parking, construction logistic plan, delivery and servicing plans by condition.

Further comments were provided by GLA Viability Officers on 13th December. An Addendum to the Financial Viability Appraisal was produced by the Applicant in response to these comments. GL Hearn provided a formal response to this addendum, as detailed in the relevant section of the report below.

Historic England – Objection based on loss of pediment to eastern elevation.

Historic England Archaeology – No objection, subject to imposition of conditions

London Heliport – No response received.

Lewisham Cyclists – No comments received.

Lewisham Deptford CLP – Objection received stating generally that Lewisham in need of social housing, the character of the Pepys Estate should be preserved, development in the area should consider wider infrastructure requirements and that development in Evelyn requires a dedicated planner to work with residents on a masterplan.

London Borough of Tower Hamlets – No comments received.

London City Airport – No objection subject to the imposition of a condition relating to positioning and sizes of cranes during construction and consultation on any future application for discharge of that condition.

London Fire Brigade – No objection, noting relevant building regulations relating to water supplies for firefighting purposes.

London Transport Planning – No comments received.

Metropolitan Police – Comments received outlining secured by design. Note that each floor should only be able to be accessed by persons who live on that floor or legitimate visitors to that floor. The stair core should also be secured to allow egress from the building but preventing unrestricted access to each floor. Secure lift and stair core lobby on each individual floor should be provided with separate fob access for commercial units. Condition for secured by design or Secured by Design certification.

Bromley Police Station – No comments received.

Deptford Neighbourhood Action – Objection. Design approach and façade retention principles considered inappropriate and insensitive to the historic character of Scott House. Proposed development would with recently completed and planned development have a harmful impact on infrastructure. Note progress of the emerging Neighbourhood Plan.

National Planning Casework Unit – No comments received.

Network Rail – No objection.

Pepys Community Forum – Objection. Concerns raised relating to overlooking and privacy, quality of design, impact on local character, objection to the loss of the pediment to the eastern elevation of Scott House, impacts on microclimate, water stress, car/ vehicle parking provision, child playspace provision, affordable housing provision and accessible housing provision.

Royal Borough of Greenwich – No comments received.

Southeastern Railway – No comments received.

Southern Gas Network – No comments received.

Transport for London Spatial Planning – Comments received relating to trip generation figures and the proposed quality and design of the long-stay cycle parking relating to the accessibility of the space and the accessibility of cycle parking spaces.

Thames Water – comments received outlining legal requirements of applicant and relevant considerations

The Deptford Society – No comments received.

30 All comments received are considered comprehensively in the report below within the relevant subsections.

6 POLICY CONTEXT

6.1 LEGISLATION

31 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).

6.2 MATERIAL CONSIDERATIONS

32 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.

33 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.

34 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to the test of reasonableness.

6.3 NATIONAL POLICY & GUIDANCE

- National Planning Policy Framework 2019 (NPPF)
- National Planning Policy Guidance

6.4 DEVELOPMENT PLAN

35 The Development Plan comprises:

- London Plan Consolidated With Alterations Since 2011 (March 2016) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)
- Site Allocations Local Plan (June 2013) (SALP)
- Lewisham Town Centre Local Plan (February 2014) (LTCP)

6.5 SUPPLEMENTARY PLANNING GUIDANCE

36 Lewisham SPG/SPD:

- Planning Obligations Supplementary Planning Document (February 2015)

37 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- London View Management Framework (March 2012)
- Play and Informal Recreation (September 2012)
- Sustainable Design and Construction (April 2014)
- Character and Context (June 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- Housing (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)
- Energy Assessment Guidance (October 2018)

6.6 OTHER MATERIAL DOCUMENTS

- The Mayor of London published a draft London Plan on 29 November 2017. The Examination in Public was held between 15th January and 22nd May 2019. The Inspector's report and recommendations were published on 8 October 2019. The Mayor issued to the Secretary of State the Intend to Publish London Plan on 9th December 2019. This document now has some weight as a material consideration when determining planning applications. The relevant draft policies are discussed within the report (DLPP).

7 PLANNING CONSIDERATIONS

38 The main issues are:

- Principle of Development
- Housing and Affordable Housing
- Urban Design and Impact on Heritage
- Impact on Adjoining Properties
- Transport
- Sustainable Development
- Planning Obligations

7.1 PRINCIPLE OF DEVELOPMENT

General policy

39 The National Planning Policy Framework (NPPF) at Paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

40 Lewisham is defined as an Inner London borough in the London Plan. LPP 2.9 sets out the Mayor of London's vision for Inner London. This includes among other things sustaining and enhancing its recent economic and demographic growth; supporting and sustaining existing and new communities; addressing its unique concentrations of deprivation; ensuring the availability of appropriate workspaces for the area's changing economy; and improving quality of life and health.

Policy

41 Lewisham CS Policy 1 and the London Plan require no net loss of existing housing. There are currently 19no. occupied Live/Work Units on the Site (sui generis use). The proposal proposes 137no. residential (C3) units.

42 Core Strategy Spatial Policy (CSSP) 2 seeks to promote the successful regeneration of Deptford, accommodating new homes, supporting the redevelopment of underutilised employment sites and retention of viable employment sites. Development Management Policy (DMP) 1 states that the council will take a positive approach, working work proactively with applicants to find solutions, which mean that proposals secure development that improves the economic, social and environmental conditions in the borough.

43 The site is in the Oxestalls Strategic Site Allocation (SA4) and is an identified Mixed Use Employment Location (MEL), therefore Core Strategy Policy 4, Strategic Site Allocation 4 and Development Management Local Plan DM Policy 9 apply. These policies state that at least 20% of built floorspace in these areas should be in the B use classes.

44 Core Strategy Policy (CSS) 4 provides a framework for considering the redevelopment of these sites, including the accessibility, restrictions from adjacent land uses, building age, business viability and viability of redevelopment show the site should no longer be retained in employment use. Development Management Policy 11 aims to retain employment uses, where possible, in Town Centres, and Local Hubs where they are considered capable of continuing to contribute to and support clusters of business and retail uses, and where the use is compatible with the surrounding built context.

45 A revised Employment Land Survey (2019) ('the ELS') has been completed. Amongst other things, this flags a significant reduction in land for both general industry and for warehousing. This is evidenced by a 28.8% decline in Lewisham industrial land between 2006-15, with the biggest loss in non-designated sites (34.2% between 2010-15).

46 Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

47 The Council will support redevelopment where it is demonstrated there is no reasonable prospect of the site being used for employment purposes.

Discussion

- 48 The development proposals would provide a total 137 new homes, including onsite affordable housing provision. The proposed development would therefore result in no net loss of residential units.
- 49 824sqm of purpose built B1 use employment floorspace and a 120sqm A3 use café floor space is proposed. The development would secure the long-term presence of Scott House within the streetscene, a building that is noted locally for its architectural and historic significance but is offered no statutory protection against demolition. This is discussed in full within Section 7.3 of this report. In this instance, the entire building is not to be demolished, with the facades retained.
- 50 The Strategic Site Allocation requires that all development is carried out in a comprehensive manner in line with a masterplan. With the exception of the proposed site, the entire balance of the SA4 is within the Deptford Timberyard site and being delivered by Lendlease. This adjacent site is subject to a detailed and outline (hybrid) planning consent, LBL reference 'DC/15/92295' (as amended).
- 51 Lendlease developed a comprehensive master plan for the site that has addressed the key master planning principles identified within site allocation SA4, CS4 and DM9. The approved hybrid application was determined against the Development Plan and was considered to provide development which will contribute positively to the area.
- 52 The development at the Deptford Timberyard site does this by providing a mix of dwelling types, providing a range of community and leisure facilities and retail uses, creating new opens spaces, enhancing the connections and legibility with the surrounding public spaces and places and providing flexibility in the design of business units to ensure viability and compatibility with the residential uses on the site.
- 53 The proposals for Scott House have been developed autonomously from the adjacent Lendlease site. The site is not in the control of Lendlease. Scott House does not form part of the consented hybrid application.
- 54 Notwithstanding this, it is clear that the proposals would integrate with the wider design principles of the approved masterplan and principles for site allocation SA4, as specified in Core Strategy Policy 4. This is illustrated in the accompanying Design and Access Statement, which shows how the proposals would interact with the wider Lendlease site and contribute to the evolving townscape to this part of Deptford.
- 55 The proposed commercial B1 use floorspace represents 5-6% of total built floorspace. This does not meet the 20% of floorspace required by site allocation SA4 or Core Strategy Policy 4. Owing to the sites constrained footprint.
- 56 The inclusion and intensification of employment use is however supported and is considered to provide high quality new and flexible floor space that replaces live/work units (sui generis use). These live/work units are not believed to operate commercially at this time and are understood to be used primarily as residential homes.
- 57 The applicant has used the HCA Employment Densities Guide: 3rd Edition, 2015 to calculate employment/ job density. The provision of 824sqm (GIA) of B1 floorspace has the potential to accommodate business generating 64-103 full time jobs under B1(a) use, 14-21 full time jobs under B1(b) use, and 18no. full time jobs under B1(c) use. The A3 Café space has the potential to accommodate between 6-8 FTEs. This represents a significant increase in job numbers beyond the present, lawful use.
- 58 The site has also been brought forward separately of the wider site allocation. It is acknowledged that the application site is constrained and accommodating additional floors of commercial floorspace could impact upon the wider viability of the scheme as a

whole (and result in reduce quantum of homes). It is also acknowledged that the consented hybrid application does not achieve the requirements of both Core Strategy Policy 4 which requires at least 20% of commercial floor space amounting to at least 20% of built floor space and Site Allocation 4 'Oxestalls Road' which states that at least 20% of the built floorspace developed on the site for a mix of business space (B1(c), B2, B8 as appropriate to the site and its wider context). This was considered acceptable in planning terms given the quality of commercial floorspace and the net increase in jobs density across the wider Timberyard site.

- 59 The proposals would provide an uplift in employment floorspace and job density within the redline boundary. This would contribute to the commercial units which will operate across the adjacent Deptford Timberyard site and contribute to the local economy. The modern and flexible floorspace will also help to contribute to the aspirations of Lewisham's Creative Enterprise Zone, which encompasses the site.
- 60 The floorspace would be flexible, open plan and built to modern specifications. The commercial space would have strong street frontage onto Oxestalls Road and Grove Street. The proposals would provide attractive and adaptable space for commercial operators, in line with CS4 and DM9. Internal floor to ceiling heights would be 2.7m at ground floor, 2.5 at lower mezzanine, and 3.3m at upper mezzanine. The triple height lobby space would measure 9.3m floor to ceiling – providing generous spaces with sufficient room for ventilation and other services as required by business use.
- 61 The café A3 use would complement the proposed commercial B1 use and residential C3 use. This café use would provide 'spill-out' space for the commercial use and provide a space for nearby residents to meet and socialise. The mixed-use nature of the proposals, with commercial activity located to the ground and first floor and residential are considered to align with the wider principles outlined in CS4.
- 62 To ensure that the proposed commercial floor space meets the requirements of local commercial operators a planning obligation to provide a fit-out specification is recommended. It is also recommended that a clause is agreed as part of the S106 legal agreement that provides occupants with a three-month rent-free period. This would ensure that costs associated with fit-out and relocation are lessened, promoting the long-term viability of the commercial floorspace.
- 63 On balance it is considered the failure to provide 20% of total floor space, as required by CS4 is, permissible in this instance. The proposed development would still provide high quality and flexible commercial floorspace and contribute to the local economy and the aspirations of the Lewisham Creative Enterprise Zone, increasing job density at the site whilst overcoming the highly constrained nature of the site. The proposed development would also provide other public benefits, including the partial retention of Scott House and the provision of high-quality new homes, including affordable homes.

7.1.1 Principle of development conclusions

- 64 The proposal is judged to be in accordance with Policies CSS4 and DM9 and will deliver a higher quality and denser employment offer in addition to providing a significant number of new homes on an existing brownfield site.
- 65 The use of the site for mixed-use development is acceptable in principle, subject to the detailed planning considerations below.

7.2 HOUSING

66 This section covers: (i) the contribution to housing supply, including density; (ii) the dwelling size mix; (iii) the standard of accommodation; and (iv) total affordable housing proposed and its tenure split.

7.2.1 Density and Contribution to housing supply

Policy

67 National and regional policy promotes the most efficient use of land.

68 The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF sets out the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

69 The NPPF encourages the efficient use of land subject to several criteria set out in para 122. Para 123 applies where there is an existing or anticipated shortage of land for meeting identified housing needs and strongly encourages the optimal use of the potential of each site.

70 London Plan Policies seek to increase housing supply and optimise housing output within the density ranges set out in the sustainable residential quality matrix (Policy 3.4).

71 The London Plan is clear that it is not appropriate to apply the matrix mechanically and that this should be used as a starting point and a guide rather than an absolute rule. DM32 reflects this approach. The draft London Plan removes the density matrix and focuses on a design-led approach in accordance with Draft London Plan Policy D2.

72 The current London Plan sets an annual target of 1,385 new homes until 2025. The emerging draft London Plan, if unchanged, would increase this to 2,117.

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

74 NPPF para 61 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.

75 LPP 3.8 states Londoners should have a genuine choice of homes, including differing sizes and types. Emerging DLPP H12 sets out that an appropriate mix of unit sizes should be informed by several criteria set out in the policy.

76 CSP 1 echoes the above with several other criteria however expects the provision of family housing (3+ bedrooms) in major developments.

77 Determining an appropriate mix of dwelling sizes for a site depend on several criteria in CSP 1, relating to: (i) the site's character and context; (ii) previous or existing use of the site; (iii) access to amenity space for family dwellings; (iv) likely parking demand; (v) local housing mix and population density; and (vi) social and other infrastructure availability and requirements.

Discussion

78 The site has an area of 0.1 hectares and is in a PTAL of 2 and in an urban location. The density matrix in the London Plan sets an indicative range of 200-450 habitable rooms per hectare. The residential density of the proposed scheme is approximately 1412 units

per hectare or 3,886 habitable rooms per hectare. The proposal would have a density of which exceeds the indicative density ranges within table 3.2 of the London Plan.

- 79 Emerging policy in the draft London Plan (2017) signals a shift towards greater flexibility around housing density and a less mechanistic / numerical approach. Draft Policy D6 (Optimising housing potential) does not include the London Plan (2016) SRQ density matrix. Instead, a design-led approach to optimising density is being taken forward.
- 80 The current adopted London Plan sets an annual target of 1,385 new homes for Lewisham until 2025. The emerging Draft London Plan (if unchanged through the Intention to Publish) would increase this annual target to 1,667. The development proposes 118 net new homes (including affordable housing) and commercial floorspace. This attributes to 8% of the annual output for the adopted London Plan target or 7.08% of the annual output for the Draft London Plan. This would represent a significant contribution to the current annual target for Lewisham which officers attach considerable weight.
- 81 PTAL score is currently the key measure to determine the optimal residential density, and planned transport connections are also considered. The Council has previously acknowledged that the site is to benefit from transport improvements, associated with the Convoy's Wharf and Deptford Timberyard Site and wider planned infrastructure improvements such as Cycleway 4 (Tower Bridge to Greenwich). The use of PTAL within the assessment for density is therefore limited.
- 82 Due to the size of the application site relative to the building height and number of residential units, the proposed density is higher than the Deptford Timberyard development and Pepys Estate, despite residential towers within both locations being similar in height.
- 83 When these adjacent towers are considered in isolation relative to their respective plot sizes (Pepys Estate towers at 26 and 29 storeys and Timberyard towers at 24 storeys), the number of units per hectare is in a similar region to that proposed for the subject Site.
- 84 The proposals are also considered in this instance to form part of a Strategic Site Allocation which anticipates high density development, Strategic Site Allocation 4 – Oxestalls Road Mixed-Employment Location. The site is also identified as a site that is suitable for tall buildings within the Development Plan and its supporting evidence base. The density of the site and the contribution towards housing supply are therefore considered acceptable in this instance.

Summary

- 85 The proposals would exceed the density matrix outlined in Table 3.2 of the London Plan. The matrix can however be applied flexibly. The development proposals would optimise an existing brownfield site that form part of a Strategic Site Allocation and is located in an Opportunity Area.
- 86 The proposals would deliver a substantial number of new homes, totalling 137 as part of a wider strategic site allocation in a sympathetic and innovative manner. The proposals would provide a mix of tenure types and housing types, offering both affordable housing and family housing. Furthermore, the PTAL which is a factor in Table 3.2 of the London Plan Density Matrix, will improve as the nearby transport improvements associated with Convoy's Wharf and the adjacent Deptford Timberyard are delivered.
- 87 It is therefore considered that the site is able to accommodate a density which exceeds that provided in the London Plan, given the sustainable location of the application site.

7.2.2 Affordable housing

Table 1: Tenure Mix by Dwelling Size

| | 1 Bed | 2 Bed | 3 Bed | Total |
|---|-------|-------|-------|-------|
| Private (Market sale) | 31 | 70 | 0 | 101 |
| Social Rent (London Affordable Rent) | 10 | 4 | 4 | 18 |
| Affordable Rent (London Living Rent) | 10 | 4 | 4 | 18 |
| Total | 51 | 78 | 8 | 137 |

Table 2: Dwelling Size Mix

| | Units | | Habitable Rooms | |
|--------------|-------|------|-----------------|------|
| | Nos. | % | Nos. | % |
| 1-bed | 51 | 37% | 102 | 27% |
| 2-bed | 78 | 57% | 235 | 62% |
| 3-bed | 8 | 6% | 40 | 11% |
| TOTAL | 137 | 100% | 377 | 100% |

Tenure and size of affordable housing

Policy

- 88 Para 62 of the NPPF expects Local Planning Authorities (LPAs) to specify the type of affordable housing required.
- 89 LPP 3.10 defines affordable housing. LPP 3.12 states the maximum reasonable amount of affordable housing should be sought, having regard to several criteria in the policy.
- 90 CSP1 and DMP7 of the Lewisham Core Strategy commits the Council to negotiating for an element of affordable housing to be provided in any major residential development with the starting point for negotiations being a contribution of 50% affordable housing on qualifying sites across the Borough, subject to financial viability.
- 91 With regard to tenure mix, Core Strategy Policy 1 states that the affordable housing component is to be provided as 70% social rented and 30% intermediate housing although it also states that where a site falls within an area which has existing high concentrations of social rented housing, the Council will seek for any affordable housing contribution to be provided in a way which assists in securing a more balanced social mix. The London Plan has a 60%-40% split to allow a higher percentage of intermediate housing or other arrangements as considered appropriate.

92 In terms of dwelling sizes Core Strategy Policy 1 also states that the provision of family housing (3+ bedrooms) will be expected as part of any new development with 10 or more dwellings and, in the case of affordable housing, the Council will seek a mix of 42% as family dwellings (3+ bedrooms), having regard to criteria specified in the Policy relating to the physical character of the site, access to private gardens or communal areas, impact on car parking, the surrounding housing mix and the location of schools and other services.

Discussion

93 The level of affordable housing proposed falls short of the 50% target in Core Strategy Policy 1. As already noted, the 50% figure is a starting point for negotiations and is subject to viability. In line with guidance set out in the Council's Planning Obligations SPD the Applicant submitted a Financial Viability Assessment (FVA) (June 2019), prepared by the Buxton Group.

94 The proposed affordable housing, 8 out of 36 affordable units are 3-bed (22%), and within the Social rent accommodation 4no. of the units are 3-bed (18%). Officers consider the mix of housing to be appropriate for this urban location, the constrained nature of the site and the high-rise nature of the development proposals. The provision of 8, affordable 3 bedroom units, including the provision of four affordable social rented family units is supported.

95 Lewisham appointed GL Hearn to undertake an Independent Viability Review (IVR) of the FVA. The IVR now concludes that the affordable housing offer before Lewisham is the maximum reasonable affordable housing offer. A total maximum reasonable amount of 27.59% with a 50/50 split between London Affordable Rent and London Living Rent is confirmed as being the maximum amount that can be secured at the current time.

96 The GLA in their Stage 1 Review did not provide a detailed response on Viability, stating that the FVA submitted by the applicant would be reviewed by viability officers and the findings of a subsequent review made available.

97 The initial review was received by Officers on 14/12/2019 and is titled 'Response to financial viability information (GLA Viability Team, November 2019)'. The following points were raised by the GLA Viability Team:

- The majority of their assumptions are reasonable subject to the reduction in build costs identified by Johnson Associates.
- Two significant areas of concern being the BLV and the profit assumptions:
 - (1) The benchmark land value (BLV) is overstated, the Existing Use Value (EUV) relies on evidence from residential schemes and the valuation does not make sufficient adjustment for the nature of the live-work units; the adjustment for inflation is not appropriate; and the premium of 22.5% is considered to be excessive taking into account the condition of the property.
 - (2) The target profit which should be based on a blended rate of 17.5% on GDV for the market housing rather than the 20% proposed, with GLA Officers considering the proposed development being mid-range in terms of risk for projects coming forward across London.
- Concern that GL Hearn's independent review does not:

- (1) Carry out an appraisal based on the proposed level of affordable housing in either report and it is not clear what deficit, if any, they consider the proposed scheme generates;
- (2) The assumptions used on residential sales values, being lower than those used by the applicant and not taking into account the height of the proposed units and the increase in values associated with views from these properties.

- 98 GL Hearn reviewed the points raised by GL Hearn Officers, with their response forwarded to the GLA on 19/12/2019 for consideration. The GLA will again review viability as part of their Stage 2 review, post committee resolution.
- 99 The Applicant provided an Addendum to the FVA (Addendum in response to GL Hearn's and the GLA viability team's review of the applicants FVA – January 2020), remodelling their FVA. GL Hearn have in turn provided a formal response to this Addendum (Independent Viability Review Applicant's Addendum Review for London Borough of Lewisham – January 2020).
- 100 GL Hearn reiterate that the applicant states that the 36 affordable unit scheme returns a profit on GDV of 6.5%. This assumes sales figure will go up and costs will go down to attain a viable position. Even where tests are re-run using a lower Current Use Value GL Hearn confirm that costs would likely only be marginally reduced by £600k-£700k. Consequently GL Hearn confirm that this would not impact upon the 15% profit on GDV, or 17.5% suggested by the GLA and would thus not materially impact upon the conclusion of the Applicant's FVA or proposed affordable housing offer. GL Hearn identify that to achieve a 'fast-track' 35% affordable housing offer with a 70/30 split would require gap funding of £13.5million to achieve 15% profit on the GDV.
- 101 GL Hearn confirm that the Applicant's addendum proposes a range of £770sqft to £810sqft as an achievable sales rates for the open-market property sales (reflecting comments made by the GLA at Stage 1). GLH's viability review originally quoted a blended sales rate of £770sqft. GLH accept the wider regeneration of the area, as a result of the Timberyard development, has yet to be realised and reflected in comparable sales evidence. However, GLH are optimistic of sales rate growth and is supportive of the Applicant's revised range of values. GL Hearn confirm that the main difference relates to sales values. They confirmed that they found little comparative evidence for values above £800 per square foot (sqft) and identify that there are concerns regarding saturation of this type of product (1-3 bed apartments) at this location, given the size of the adjacent Timberyard development.
- 102 GL Hearn respect that the proposed height (27 storeys) will make for better views than many of the comparables but identify that the river is blocked to an extent by Daubeney Tower. Imperial Court, a comparable scheme located in nearby Surrey Quays/ Greenland Pier (SE16 7LU), and is considered by GL Hearn to be in a superior location with direct River Thames frontage, in comparison to Scott House and has properties under offer slightly above and below £800sqft.
- 103 GL Hearn confirm that the construction costs do not include a contingency. 5% was included for this reason.
- 104 In conclusion GL Hearn accept the figures, as outlined in the Applicant's addendum, and confirm that they are as fair assumptions for the proposed development.
- 105 Officers have considered the matters raised by the GLA and the response provided by GL Hearn. It is considered that the matters raised by the GLA are sufficiently addressed within the applicant's FVA Addendum, as confirmed by GL Hearn and that the maximum

affordable housing offer represents the maximum reasonable and deliverable amount of affordable housing, with a total of 27.59% with a 50/50 split between London Affordable Rent and London Living Rent.

- 106 The proposed development would give rise to additional demands on existing social infrastructure such as schools and health services. Funding of the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the Borough is secured through Community Infrastructure Levy (CIL) payments.
- 107 CIL liability has been assessed and the composite figure has been calculated at an estimated £1,648,477.36 for both Mayoral CIL and LB Lewisham CIL. The IVR takes account of the likely CIL payments and the site-specific mitigation measures that require financial contributions. These figures are estimates only and will be confirmed at a later date in a Liability Notice between the Council and the Applicant.
- 108 The reviews by GL Hearn are included in this agenda pack as Appendix 2.

Review mechanisms

- 109 Taking account of guidance in the Mayor of London's Affordable Housing and Viability SPG, officers recommend that s106 obligations require the proposed level of affordable housing is subject to review.
- 110 The reviews will follow the templates and structure as set out by the GLA and will secure an early stage review (upon substantial implementation if the planning permission has not been implemented within two years) and a late stage review (when 75% of homes are sold or occupied and where developer returns meet or exceed an agreed level). Such a review would include mechanisms to secure further on-site affordable housing provision or off-site payments in lieu where improvements in viability occur.

Location of Affordable Housing

- 111 The affordable homes would be located predominantly at lower levels, above the commercial floorspace. The development proposals would provide 'tenure blind' affordable housing. The affordable units accessed via the same residential core as the private sale units and being otherwise indistinguishable. Residents would have lift access from the same lobby and entrance from Grove Street with equal access to the café and ground floor level, the communal outdoor space and the cycle store at basement level.
- 112 The s.106 agreement will contain a series of detailed provisions relating to the affordable units, including the size mix of the units. This will ensure that any future changes to the specific location of the affordable units within the building will not undermine the principle of providing an appropriate mix of affordable unit sizes or alter the tenure blind nature of the proposed affordable housing offer.

Summary of Affordable housing

- 113 The proposed tenure split and size of units is considered appropriate for the urban location, the character of the site and the high-rise nature of the proposed development. The maximum affordable housing offer represents the maximum reasonable and deliverable amount of affordable housing, with a total of 27.59% with a 50/50 split between London Affordable Rent and London Living Rent.

- 114 The proposed affordable housing offer has been robustly and independently reviewed by the Council's consultants and is considered to be in accordance with Core Strategy Policy 1 and DM Policy 7.
- 115 Review mechanisms, including an early and late stage viability review, should be agreed as part of any Section 106 agreement to ensure that any changes to viability are captured.
- 116 The proposed development would provide tenure blind affordable housing with equal access to all entrances and areas of communal space, including the lobby, café and outdoor amenity area.

7.2.3 Residential Quality

General Policy

- 117 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LPP 3.5), the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).
- 118 The main components of residential quality are: (i) space standards; (ii) outlook and privacy; (iii) overheating; (iv) daylight and sunlight; (v) noise and disturbance; (vi) accessibility and inclusivity; and (vii) children's play space.

Internal Space Standards

Policy

- 119 Nationally Described Space Standards (NDSS) were released by the Department of Communities and Local Government in March 2015 to replace the existing different space standards used by local authorities. It is not a building regulation requirement, and remains solely within the planning system as a new form of technical planning standard. The national housing standards are roughly in compliance with the space standards of the London Plan and its Housing Supplementary Planning Guidance (2016).
- 120 In addition to this, DM Policy 32 seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. It also states that new housing should be provided with a readily accessible, secure, private and usable external space and includes space suitable for children's play.
- 121 With regard to private amenity space, Standard 4.10.1 of the Mayor's Housing SPG states that 'a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant'. All of the residential units have been designed to these standards and generally exceed them which is supported
- 122 Standard 31 of the London Plan Housing SPG states that "A minimum ceiling height of 2.5 metres for at least 75% of the gross internal area is strongly encouraged".
- 123 London Plan Policies require 10% of residential units to be designed to Building Regulation standard M4(3) 'wheelchair user dwellings' i.e. being designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% being designed to M4(2) 'accessible and adaptable'. The development has been designed to accommodate this and an appropriate condition is recommended to secure the details.

Discussion

- 124 All units have been designed to meet or exceed the National Technical Standards in terms of overall unit sizes and the internal space standards of individual rooms and storage space as set out in Policy 3.4 of the London Plan (2016) and DM Policy DM 32. All residential units would have a minimum ceiling height of 2.55metres.
- 125 All residential units would be dual aspect and would have access to private outdoor balconies or roof terraces in addition to an area of landscaped shared outdoor amenity space at the street/ ground floor level.
- 126 Each flat has been provided with a policy compliant provision of private outdoor space, in line with Standard 26 of the Housing SPG (2016). The proposed residential unit meet Standard 27 of the Housing SPG (2016), with private balconies and other private external spaces, all exceeding the 1500mm minimum width and depth.

Outlook, Daylight & Privacy

Policy

- 127 Standard 28 of the Housing SPG requires that design proposals demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces.
- 128 DM Policy 32 requires that new residential development provides a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours.

Discussion

The separation distances are in a similar range to those within the wider masterplan area for the adjacent Deptford Timberyard site. The proposals have regard to the detailed matters approved for Plot 6 of this site. Figure 1 below shows the relationship with the proposed development and Plot 6.

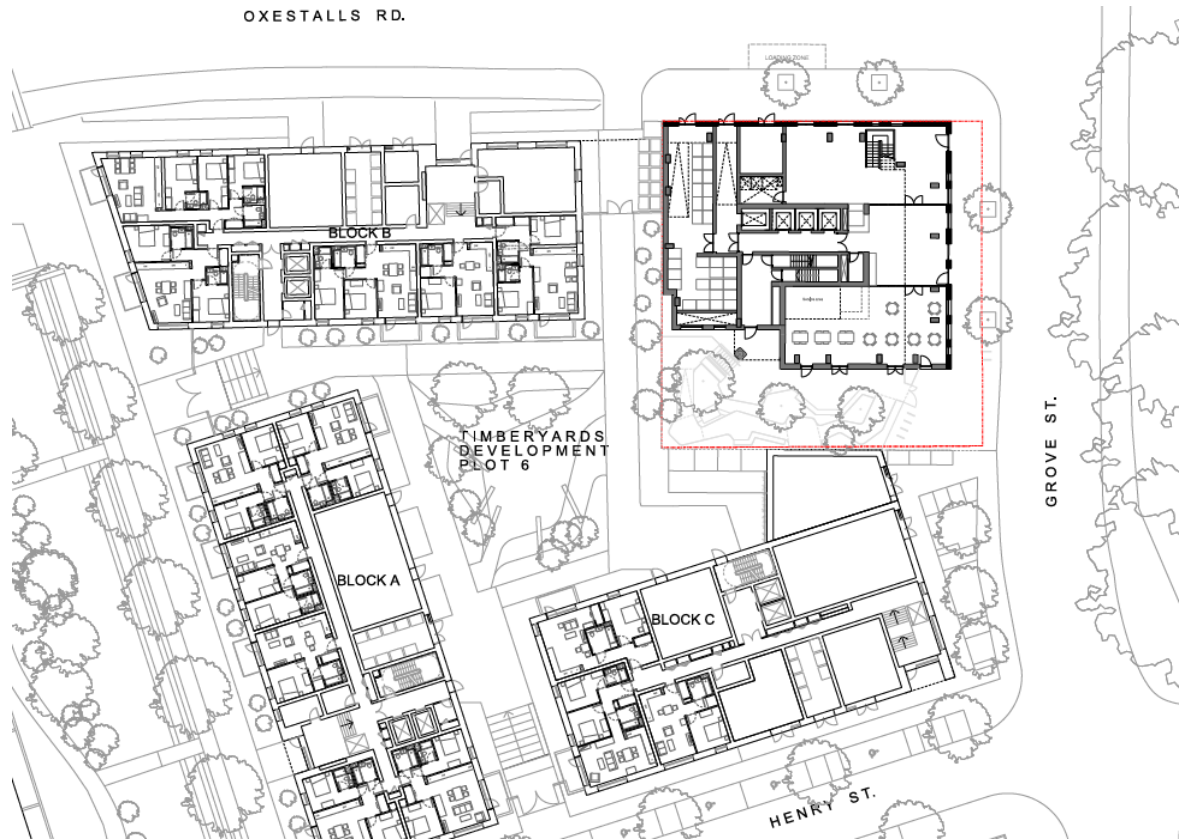


Figure 1 – Ground floor plan and context with Plot 6, Deptford Timberyard.

- 130 The separation between the western elevation of the proposed development and eastern elevation of Block B of Plot 6 of the Timberyard scheme is 7.8 metres. The minimum separation distance between the south elevation of the proposed development and Block C of the Plot 6 is also 7.8 metres.
- 131 These separation distances are similar to those approved on Plot 6 of the Timberyard scheme. Here the distance between the northern elevation of Block A and the southern elevation of Block B is 7.2m. The distance between Block A's eastern elevation and Block C's western elevation is 8.8m.
- 132 The approved plans for the adjacent block at Plot 6 orientate away from the site, with only secondary, smaller, windows facing toward the site. The primary aspect of the proposed dwellings adjacent block at Plot 6 of the Timberyard site are directed away from the windows of the adjacent blocks, to maximise privacy. The proposals are therefore considered to provide a good standard of privacy for potential future occupiers of the development.
- 133 The proposed development maximises outlook for all units, providing dual aspect for 100% of the units, according with DM Policy 32 and Standard 29 of the Housing SPG (2019). As outlined above the proposed separation distances broadly align with those of the adjacent plot and wider Timberyard site. This in conjunction with the provision of 100% dual aspect units and provision of private outdoor amenity space for all units.

- 134 The upper levels would not be impacted by the adjacent Timberyard scheme, with the floors rising above the adjacent consented development.
- 135 The impact of daylight and sunlight to surrounding properties is considered within section 7.5 below.
- 136 Internal daylight assessment on the two lowest levels of the proposed building have been tested by the applicant. Daylight and sunlight is generally measured against the *Building Research Establishment* (BRE) standards. This is not formal planning guidance and should be applied flexibly according to context, as outlined in Paragraph 123 of the NPPF. Paragraph 123 states when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site, provided that the resulting scheme would provide acceptable living standards.
- 137 The 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).
- 138 Whereas VSC assessments are influenced by the size of obstruction, ADF is more influenced by the room area, reflectance of surfaces and transmittance of the glazing. The extent, to which the effect of a proposal on surrounding properties is considered significant, is dependent on the use of the room to which the window relates. The significance of any impact of proposals on non-habitable or less well-used rooms such as bedrooms is therefore reduced. Internal daylight assessment on the two lowest levels of the proposed building have been tested. 84.4% of rooms assessed would satisfy the BRE guidelines for ADF. One of the rooms below guidelines is a bedroom. The remaining four rooms are Living / Kitchen / Dining rooms which are served by at least three windows, further, the recessed nature of the balcony spaces (to ensure privacy) is the primary reason for their transgressions. On balance, given the urban nature of the site these minor transgressions are considered acceptable and would not warrant a reason for refusal, given their good outlook and generous floor to ceiling heights.
- 139 The proposed development would therefore provide a good standard of accommodation for all potential future residential occupants.

Overheating

Policy

- 140 The Building Regulations Part F: Ventilation control the construction of buildings in England. Policy 5.9: Overheating and cooling of the London Plan provides the policy basis for considering development proposals, with a focus on energy efficient design, elevational design, passive ventilation, mechanical ventilation (where essential) and other measures. DM Policy 32 outlines a presumption against single aspect units to, amongst other factors, help prevent overheating.

Discussion

- 141 The application is accompanied by an Energy and Sustainability Report (Flatt, July 2019). The proposals seek to adopt a fabric first approach to prevent overheating.
- 142 Balconies with full height glazing are provided to each property, and the windows have deep recesses that provide a degree of shading reducing solar gains. The use of solar control glazing is proposed to minimise solar gains. All units are dual aspect and can be naturally ventilated.

- 143 The Energy and Sustainability Statement identifies that there is a slight to medium risk of overheating. In line with the GLA Energy Strategy and Part L1 et al, a TM:59 assessment of the overheating in risk in homes was required. This was undertaken.
- 144 The purpose of the analysis is to determine if any of the apartments suffer from overheating and to identify opportunities with which to limit or alleviate any potential issues. The assessment recognises the difference usages, e.g. living rooms and bedrooms, and the time of day that these spaces are normally occupied.
- 145 The dynamic simulation modelling and the TM:59 analysis demonstrate the proposed glazing specification is acceptable and the ventilation strategy required to meet these demands.
- 146 The testing results outlined in the Energy and Sustainability Report and results of the analysis indicated that, following development of building design with the Architect, all dwellings and communal areas passed the overheating tests described within the CIBSE Technical Memorandums.
- 147 It is confirmed that the proposals meet the criteria of TM:59 and passed the analysis. The development proposals will therefore prevent overheating in a passive manner and will provide a good standard of accommodation for future occupants.

Noise & Disturbance

Policy

- 148 With regard to internal noise levels of the residential units, Part E of the Building Regulations controls noise transmission between the same uses and is usually outside the scope of Planning.
- 149 Planning controls the effect of noise from external sources on residential uses and noise transmission between different uses. The relevant standard is BS: 8233:2014. This states the internal noise levels within living rooms must not exceed 35dB(A) during the daytime (0700-2300) and 30 dB(A) in bedrooms during the night –time (2300-0700).
- 150 With respect to external areas, BS 8233:2014 recommends that external noise level does not exceed 50dB LAeq,T with an upper guideline of value of 55dB LAeq,T.

Discussion

- 151 A Noise Assessment provided by KP Acoustics is submitted in support of this application. An Environmental Noise and Vibration Survey was undertaken at the Site to assess the day- and night-time levels likely to be experienced by the proposed development.
- 152 Glazing specification is proposed to provide internal noise levels for all residential dwellings to be within the relevant range set out within BS8233. Environmental Protection Officers raised no objections to this approach. It is therefore considered that the development proposals would safeguard residents from external noise and provide an appropriate internal standard of accommodation for future occupants.
- 153 The mitigation measures provided by the applicant should be conditioned to ensure that these measures are installed and maintained to safeguard amenity.

Accessibility and inclusivity

Policy

154 London Plan Policies require 10% of residential units to be designed to Building Regulation standard M4(3) 'wheelchair user dwellings' i.e. being designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% being designed to M4(2) 'accessible and adaptable'.

Discussion

155 The development has been designed to accommodate accessibility and inclusivity. An appropriate condition is recommended to secure the details.

156 There is level access from all Ground Floor entrance locations. 14no. Wheelchair (WCH) units are provided (10%), 12no. are within the market sale tenure, 1no. London Living Rent and 1no. London Affordable Rent. All remaining units (90%) would be adaptable.

157 In accordance with Standard 4 of the Housing SPG (2016) the communal outdoor space is accessible to disabled people including people who require level access and wheelchair users. In accordance with Standard 16, every wheelchair dwelling is served by more than one lift.

Children's play space

Policy

158 The Mayor's Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG recommends 10sqm of play space per child. The GLA divide the requirements of children's play space into three categories: (i) under 5s, described as doorstep play and generally considered as part of the plot; (ii) ages 5-11; and (iii) children 12 plus.

159 The child occupancy and play space requirement for the proposed dwelling and tenure has been calculated using the Mayor's Play Space Calculator Tool, as below.

| | No. of children | Play space requirement (sqm) | Proposals |
|------------|-----------------|------------------------------|--|
| Under 5s | 13 | 130.8 sqm | 170 sqm on-site provision |
| 5-11 years | 6 | 63 sqm | £19,110 in lieu of on site provision. |
| 12+ years | 4 | 39.7 sqm | |
| Total | 23 | 233.7sqm | |

160 Table 4.7 of the Mayor's Play and Informal Recreation SPG states that for new developments with a child yield of 10-29, on-site playable space is required as 'doorstep play'. For 5-11s it is permissible for facilities to be provided off-site, providing they are within 400m of the Site. For 12+years, facilities can be provided off-site, providing they are within 800m of the Site.

161 All off-site provision will be provided by the Council. A financial contribution will be sought for enhanced local provision which is not met on site. Contributions will be in accordance with the Council's Planning Obligations SPD (2015).

Discussion

162 The applicant has demonstrated that doorstep play has been provided on-site for under 5s, in accordance with the provisions of the Mayor's SPG. 170sqm of under 5s play space has been provided, which exceeds the requirement for under 5s provision (130.8sqm). The on-site provision is provided in a manner that overcomes other likely pressures, including use by residents and users of the café. The proposals provide an intuitive and integrated area of play that is set within formal landscaping.

163 In accordance with the requirements of the SPG, the doorstep play space is located within 15metres away from the frontage of the building and is well overlooked/adjacent to main routes through the open space. Such space is linked by an established footpath and is easily accessible.

164 For 5-11 years and 12+ years there are three nearby parks which provide suitable provision: Deptford Park, Lower Pepys Park and Upper Pepys Park. Deptford Park is 300m walking distance from the Site, Lower Pepys Park is 190m walking distance from the Site, and Upper Pepys Park is 350m walking distance from the Site. The Surrey Canal Linear Park is also close to the site.

165 Deptford Park includes a football pitch and play equipment in the northern section and a second children's play area to the south. Lower Pepys Park includes a basketball court and play equipment, and Upper Pepys Park provides an additional children's play area. Both the typologies are offered, and the play facilities are in accordance with the provisions of the Mayor's SPG.

166 The proposals will include a financial contribution of £94,000 to improve the public realm and provide junction improvements, further enhancing the accessibility and safety to these areas of play from the site for children and all users alike.

Summary of Residential Quality

167 The development proposals would secure a high-quality residential environment for all potential future occupants, meeting or exceeding all adopted policy and the relevant technical standards.

7.2.4 Housing conclusion

168 It has been demonstrated that the proposed development would provide a substantial uplift in housing at an appropriate density for a site that is located in a Strategic Site Allocation and Opportunity Area.

169 The proposals would utilise this brownfield site, providing an appropriate dwelling mix and tenure split with a high-quality standard of residential accommodation provided for all potential future occupiers providing a substantial number of high-quality new homes within the Borough. This material public benefit is afforded substantial weight by officers.

170 The applicant has robustly evidenced that the proposed quantum of affordable housing is the maximum and reasonable amount at this time, in accordance with Core Strategy Policy 1, the London Plan and the NPPF. This has been confirmed by the Council's independent viability consultants. Early and late stage viability reviews, secured as part of a Section 106 Agreement will ensure that any uplift is captured and further onsite or

financial contributions towards housing provision are secured for the residents of Lewisham.

7.3 URBAN DESIGN AND HERITAGE IMPACT

Design Review Panel

- 171 The application was taken to the Lewisham Design Review Panel a total of three times between October 2018 and June 2019. A full response to the comments of the Design Review Panel are provided in Section 3 of the Design and Access Statement (AHMM, July 2019).

General Policy

- 172 Urban design is a key consideration in the planning process. The NPPF makes it clear that Government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Paragraph 124 of the NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 173 London Plan Policy 7.6 Architecture requires development to positively contribute to its immediate environs in a coherent manner, using the highest quality materials and design.
- 174 Policy 7.7 of the London Plan (2016) sets out the requirements for tall building development.
- 175 DM Policy 33 seek to protect and enhance the Borough's character and street frontages through appropriate and high-quality design.
- 176 Core Strategy Policy 15 High quality design for Lewisham repeats the necessity to achieve high quality design but also confirms a requirement for new developments to minimise crime and the fear of crime.
- 177 CS Policy 18 provides parameters associated with the location and design of tall buildings. It identifies that the location of tall buildings should be informed by the Lewisham Tall Buildings Study (2012). It sets out a clear rationale for tall buildings in design terms, outlining where tall buildings might be considered as being inappropriate.
- 178 DMLP Policy 30, Urban design and local character states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity. The London Plan, Lewisham Core Strategy and Lewisham DMLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.

Discussion

Layout and detailed design

- 179 The detailed design and building form has been determined in the context of the existing building on the Site, and its relationship with the existing building. Scott House has an L-shaped footprint, with primary front elevations to the east and north and secondary elevations to the south.

- 180 It is proposed that the front facades to the east and north elevations and the secondary elevation to the south are to be retained and restored albeit with the removal of the pediment to the east elevation.
- 181 The residential entrance is located on Grove Street, and provides a single, tenure-blind entrance for both affordable and market tenures. The Employment / B1 Workspace entrance is also located on Grove Street, slightly further north, closer to the Oxestalls Road / Grove Street junction. The Café entrance is located at the southeast corner of the Site. The bin store and substation are accessed from Oxestalls Road.
- 182 The building footprint would remain the same however the internal layout of the building is proposed to be removed in its entirety, providing a part double height/ part two storey basement and a new building with a staggered roof rising from 23, 26 and 27 storeys.
- 183 It is clear that the design rationale for the development seeks to provide a high-quality building which responds contextually to the established and emerging townscape and character of the immediate area. The introduction of a tall building in this location helps contribute in a considered and contextual manner to the group of tall buildings within the Pepys Estate and the tall buildings consented as part of the Timberyard and Convoy's Wharf schemes.
- 184 The retention, restoration and re-animation of the two existing facades of Scott House provides a unique opportunity to provide high-quality, innovative development, strengthening the role this non-designated heritage asset plays within the immediate townscape.
- 185 The retention of the most visible front elevations is therefore considered an acceptable approach in this location where the immediate context of redevelopment includes tall buildings and higher density and where the building is offered no statutory protection or Article 4 Direction.
- 186 The proposed materials and detailing of the new parts of the building would be contextually sensitive and visually interesting. The use of high-quality brick, deep reveals, vertical pillars, chamfered edges and a stepped roof profile all contribute to the richness and visual quality of the building.
- 187 Further details, including fenestration which relates to and extrudes from Scott House ensures that the taller element of the building has a coherent and pleasing relationship with the retained elements of Scott House. The proposed materials of the taller element would contrast with Scott House. This approach is considered to help differentiate with the historic facades, maintaining the scale and appearance of the historic building. This in turn allows, at street level, for the building to be read as one, maintaining the role this building has within the streetscene, particularly with the Victoria Pub building which has been recently restored.
- 188 The proposed ground floor café use and residential use, with commercial at mezzanine and first floor level would help activate the two street elevations of Scott House at street level. This coupled with the proposed public realm improvements, junction improvements and street tree planting would animate this key corner site in a positive way. This approach is considered to contribute to the principles of the consented master plan at the adjacent Timberyard site. This approach would also help provide a key, legible, welcoming corner and entrance to the wider Strategic Site Allocation.

Form and Scale

- 189 The proposed building mass sits on top of the existing footprint of Scott House, and the extent of Scott House is maintained to form the base for the new building above. The majority of the two primary facades to the east
- 190 As outlined above the proposed residential tower design has been informed by the existing base of Scott House, and has taken cues from surrounding developments, such as the Pepys Estate and adjacent Timberyard employing elements materiality, articulation and fenestration.
- 191 As outlined in Section 7.1 of this report the principle of high density development in this location is supported. The Lewisham Tall Buildings Study (2012) also identifies the site as being suitable for a tall building. The site forms part of a Strategic Site Allocation and is located within an Opportunity Area.
- 192 Within the context of the tall buildings present within the Pepys Estate and those consented at the Timberyard and Convoy's Wharf it is considered that the provision of a contextually responsive and sensitive tall building is appropriate in this location.
- 193 As outlined above it is considered that the development proposals provide a high-quality and innovative approach that responds well to the context of the site and its wider setting. The proposed development is therefore considered to meet the requirements of CS 18, with no harm identified on the qualities of local character, heritage assets, landscape or open space.
- 194 The proposed residential tower reaches a maximum of 27-storeys (93.455m AOD), with a staggered roof structure. 6no. vertical stacks are set around a central core stack defined by a different material and tone. The building height ranges from 79.440m AOD to 93.455m AOD. Each stack is further defined with radius corners and a substantial gap between adjacent stacks.
- 195 The proposed detailing would be very successful and would give the right articulation to the tower. The balcony and window treatment are appropriate for a tower of this height and would assist in the overall success of the scheme as they would give a depth to the massing.
- 196 The proposed windows would also follow a similar pattern to the existing building and would be metal which is consistent with the industrial nature of Scott House.
- 197 The articulation of the top and the creation of different levels is considered successful and would provide an interesting appearance in the long views of the tower.
- 198 The proposed tall building on the site continues the existing loose grouping of tall buildings: Daubeney, Eddystone and Aragon towers and the emerging Timberyard tall buildings. Travelling north-south along Grove Street, a tall building marks the important junction of Oxestalls Road and Grove Street. Travelling east-west along Oxestalls Road, the proposal will complement the existing grouping of Daubeney, Eddystone and Aragon towers and those at Plough Way Strategic Site and Cannon Wharf.
- 199 The Tavernor Consultancy on behalf of the applicant have undertaken a Townscape, Heritage and Visual Impact Assessment (THVIA) which considers the appropriateness of the Site for the Proposed Development in the context of the legislative and policy framework.
- 200 The THVIA finds that at the proposed building height, testing of local views showed that the proposed development appears to be of a similar height to other tall buildings locally on the Pepys Estate and Timberyard site, creating a grouping of taller buildings in this area. In river views, the proposed development appeared slightly taller than the

Eddystone and Daubeney Pepys Estate towers, creating variation and interest in the skyline.

201 The GLA raise no concerns with the proposed scale or form of the proposed tower, or the approach to retaining Scott House in the Stage 1 response. Historic England make no comments regarding the height or scale of the proposed building.

202 An assessment relating to the impact on the London Views Management Framework and the impact on the setting of St Paul's Cathedral is made in the Heritage section below, at Section 7.3.1.

Detailing and Materials

203 Northcot Traditional bespoke blend brick is used as the main façade material, reflecting the Site's industrial heritage. The brick tone has been chosen for its colour, finish and overall effect. The existing Scott House acts as a base to the residential tower above. The existing Scott House façade is London Stock Brick, and the warm reddish buff of the proposed bricks refers to these elements. The overall effect of the brick provides variation which gives an industrial / warehouse appearance.

204 The existing building's primary facades to the east, facing Grove Street, and to the north, facing Oxestalls Road are being retained. The secondary facades to the south and west are not street facing and are considered to have less heritage merit with most of the brick rendered over. These two facades will be rebuilt with reclaimed brick stock.

205 The new windows match the style of the original Scott House fenestration, in that they are metal and small pane, reflecting the building's industrial past.

206 The restoration of the facades would see the restoration of the brickwork and historic detailing. The removal of uPVC windows and other non-original interventions is supported. Together these alterations would strengthen the historic character of the building.

207 The proposed brick details provided by the applicant are considered acceptable and appropriate for the execution of the design approach. Given the importance of securing these details it is recommended that a condition should be secured to ensure that the brick type / colour and finishes such as window frames are of a suitable type are high quality as portrayed by the applicant in the proposals.

208 It is recommended that the requirement to maintain the elements of Scott House and the design approach as a whole are secured as part of the legal agreement to ensure that the design proposals considered are secured and subject to greater scrutiny in the event amendments are sought by any future landowner at a later date.

7.3.1 Impact on Heritage Assets

Policy

209 Heritage assets may be designated—including Conservation Areas, Listed Buildings, Scheduled Monuments, Registered Parks and Gardens, archaeological remains—or non-designated assets.

210 Relevant paragraphs of Chapter 16 of the NPPF set out how LPAs should approach determining applications that relate to heritage assets. This includes giving great weight to the asset's conservation, when considering the impact of a proposed development on the significance of a designated heritage asset. Further, that where a development

proposal will lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against the public benefits of the proposal.

- 211 Paragraph 197 of the NPPF is clear that the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 212 Policy 7.11 of the London Plan (2016) sets out the provisions of the London View Management Framework (LVMF) and protected views that have been identified in London.
- 213 Core Strategy Policy 15 'High quality design for Lewisham' states that the Council will ensure that any development conserves and enhances the borough's heritage assets and the significance of their settings.
- 214 DM Policy 37 'Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest' seeks to ensure that the value and significance of the borough's non-designated heritage assets are protected so that they may continue to contribute to the richness of the borough's historic environment and inform the future development and regeneration of the borough.
- 215 Section a (1-3) of DM Policy 37 are of relevance to the proposed development. They read:

General principles

1. *The Council will protect the local distinctiveness of the borough by sustaining and enhancing the significance of non-designated heritage assets.*
2. *Development proposals affecting non-designated heritage assets should be accompanied by a heritage statement proportionate to the significance of the asset and which justifies the changes to the asset.*
3. *Non-designated heritage assets may be identified during the development management process.*

Discussion

- 216 The site is not statutory listed, it is not located in a conservation area and, at the time of writing this report, is not locally listed. Even where local listing occurs the building would be considered to be a non-designated heritage asset with its status unaffected by local listing.
- 217 The building is offered no statutory protection and is not subject to an Article 4 Direction. Within this context, and even if the building were included on an adopted version of Lewisham's local list the building is afforded no protection. The building could at this time, in planning terms, be demolished without the consent of the Local Planning Authority, subject to the method of control over the demolition.
- 218 The historic significance of the building is found in it being one of the few remaining industrial buildings, its historic use, and its group value with other buildings. The use of classical elements in the east elevation (giant order pilasters, the central pediment) implies an air of dignity and aspiration to the building, and the extent of colourful articulation of the elevations (including the name plaque of the original owner), as well as

its corner location, results in a prominent and imposing presence on the street, and is of historic significance.

- 219 There is a visual link of some significance between this and the Victoria Public House further south on Grove Street as a result of these two buildings being the last remaining historic buildings on the site.
- 220 The retention of the most visible front (east – Grove Street) and side (north – Oxestalls Road) elevations to effectively clad the base of a new tall building within and above, is considered to be an acceptable approach in this location, where the immediate context of redevelopment includes tall buildings and higher density, and where there is no Article 4 Direction in Place.
- 221 The façade retention approach retains the most significant elements of the building, help to retain the prominence of Scott House in the street scene and prevent the street scene from being overwhelmed by the scale of new development around it.
- 222 Both Conservation Officers and Historic England identify the loss of the building's pediment as being regrettable. It is noted that on the draft additions to the Local List the pediment is noted in the description of Scott House.
- 223 It is acknowledged that the pediment is a important part of the designed Classical elevation, which forms the giant order pilasters beneath which support it.
- 224 Previous design approaches have sought to retain the pediment. These are detailed within the Design and Access Statement. Pre-application discussions took place. It was considered that the removal of the pediment helped to provide better connection between old and new. Its removal allows for a simpler juncture between old and new, enabling the fenestration to extrude upward and reflect the historic elevations below.
- 225 The historic significance of the building also lies within the quality and architectural interest of its external elevations. The proposals would see these elevations retained with key features preserved and restored. The overall contribution these features have within the context of the streetscene would therefore be retained.
- 226 Both the NPPF and development plan are clear that the merits of an application for development which effects a non-designated heritage asset must be considered. Officers consider that the wider public benefits of the development outweigh the harm to the historic character of Scott House. These benefits include a substantial number of high-quality new homes and commercial floor space and the retention of Scott House which will secure its long-term presence within the streetscene and maintain the group value with the Victoria PH. Officer therefore consider that, on balance, the proposals accord with the NPPF and the Development Plan.
- 227 Officers recommended a scheme of restoration work of the retained facades of Scott House is approved prior to commencement of works and implemented to officers' satisfaction prior to occupation [of all or part of the residential units].
- 228 The proposals would see the loss of all the internal fabric of the building, including a staircase however, the special historic character of the building is identified in the external appearance of the building and the wider group value whilst the internal fabric of the building is afforded no protection. There is therefore no objection to interior demolition.

Impact on the Setting of St Paul's Cathedral and the LVMF

- 229 Policy 7.11 of the London Plan (2016) sets out the provisions of the London View Management Framework (LVMF) and protected views that have been identified in London.
- 230 The site is located within the 'Wider Setting Consultation Area' (Yellow Zone) of the LVMF Protected Vista from Assessment Point 4A.1 Primrose Hill – looking towards St. Paul's Cathedral. The Site is not located in the 'red zone' Viewing Corridor, which does not extend beyond the Strategically Important Landmark, St. Pauls. The Site is located 6.5 miles from the Viewpoint.
- 231 Officers agree with the findings of the applicant's THVIA that, in the LVMF view from Primrose Hill the tip of proposed development would only be visible through a telephoto lens. This occurs as only a small amount would be visible given the staggered proposed roof configuration. The site is also located a considerable distance from the LVMF Protected Vista from Assessment Point 4A.1 Primrose Hill, with the atmosphere and distance making the proposals indiscernible by eye.
- 232 The THVIA further confirms that the tip would be set to the left of St Paul's Cathedral and would not affect the silhouette of this Strategically Important Landmark on the skyline or the viewer's ability to recognise and appreciate it in the view.
- 233 Officers also note the impact in relation to the consented development at both Convoy's Wharf and Canada Water and the relative impact this would have in comparison to the proposed development of Scott House.
- 234 The GLA and Historic England have raised no objection in relation to the proposed development and LVMF Protected Vista from Assessment Point 4A.1 Primrose Hill in the comments submitted. The GLA recognising the collaborative discussions of the applicant through the pre-application process.
- 235 The THVIA considers the impacts the proposals could have the LVMF Protected Vista from Assessment Points at Greenwich Park (LVMF 5A.2) and Blackheath Point (LVMF 6A.1).
- 236 The Proposed Development would appear immediately right of the foreground bushes and in front of the lower half of The Shard and the Eddystone Tower on the Pepys Estate. It would be set well away from St Paul's Cathedral and would add to the existing cluster of tall development at London Bridge. The overall composition of the view would be preserved.
- 237 For Blackheath Point the LVMF designated this view as a London Panorama with a Protected Vista of St Paul's Cathedral. The top of the Proposed Development would appear on the skyline to the right of the more distant City cluster and would be set at a similar height to some of those distant forms. It would sit within the existing composition of the skyline and would be set well to the right of St Paul's in the view, the significance of which would be preserved.

Summary

- 238 Officers, having regard to the relevant paragraphs in the NPPF in relation to conserving the historic environment, are satisfied the proposal would, on balance, preserve the historic character and appearance of this non-designated heritage asset, securing the long-term presence of Scott House within the streetscene.
- 239 The proposals would not harmfully impact upon the LVMF Protected Vista from Assessment Point 4A.1 Primrose Hill, nor protected views from Greenwich Park (LVMF

5A.2) or Blackheath Point (LVMF 6A.1). and is not considered to have any harmful impact on any designated heritage assets.

240 The proposals have been tested, with the impact on views and setting of St Pauls Cathedral tested from Primrose Hill,

Archaeology

241 The site is located in an area of Archaeological Priority. In line with Historic England's consultation response, it is recommended that a condition is imposed for a written scheme of investigation to be approved in writing prior to the commencement of development. This will ensure that any in-situ remains are protected and recorded in line with the relevant guidelines and statutory rules.

Public Realm and Landscape

242 The public realm proposals for the proposed development are confined to the creation of a generous footway around the site, improved pedestrian crossing, street tree planting, the provision of a delivery/ service bay and the creation of on-street disabled parking.

243 These works would be secured through a S106 Obligation that requires a Highways Agreement. When the works have been completed then LB Lewisham, as Highways Authority, would adopt the area between the site boundary and the building line in accordance with the terms of the Highways Agreement under the Highways Act.

244 At this stage the proposals for the public realm design are indicative. Any works would align with those agreed for the Deptford Timberyard Site and would be designed to promote safe pedestrian movement, provide on-street disabled parking, in an attractive way that does not compromise efficient vehicle movement on the highway network.

245 The proposed landscaping would provide an area of seating for users of the café and commercial space in addition to playspace, as outlined in section 7.2.3 of this Report. The hard and soft landscaping is considered to provide high quality, versatile open space. The efficient us

7.3.2 Urban design and heritage impact conclusion

246 The overall design approach would result in a form of development which would not detract or appear at odds with the wider character and appearance of the immediate locality or the special historic character of the building. The proposals are considered to achieve a good quality design which would retain a significant façade that would maintain the historic significance of the non-designated heritage asset albeit with the loss of the pediment to the eastern elevation. The proposals would not harmfully impact upon the LVMF Protected Vista from Assessment Point 4A.1 Primrose Hill, nor protected views from Greenwich or Blackheath Point.

247 Therefore, it is considered on balance that the proposal would preserve the significance of the relevant heritage assets and accords with the Development Plan.

7.4 TRANSPORT IMPACT

General policy

- 248 Nationally, the NPPF requires the planning system to actively manage growth to support the objectives of para 102. This includes: (a) addressing impact on the transport network; (b) realise opportunities from existing or proposed transport infrastructure; (c) promoting walking, cycling and public transport use; (d) avoiding and mitigating adverse environmental impacts of traffic; and (e) ensuring the design of transport considerations contribute to high quality places. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and a choice of transport modes.
- 249 Para 109 states “Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 250 Regionally, the Mayor’s Transport Strategy (‘the MTS’, GLA, March 2018) sets out the vision for London to become a city where walking, cycling and green public transport become the most appealing and practical choices. The MTS recognises links between car dependency and public health concerns.
- 251 The Core Strategy, at Objective 9 and CSP14, reflects the national and regional priorities.

7.4.1 Access

Policy

- 252 The NPPF requires safe and suitable access for all users. Paragraph 108 states that in assessing applications for development it should be ensured that appropriate opportunities to promote sustainable transport modes can – or have been taken up and that amongst other things safe and suitable access to the site can be achieved for all users.
- 253 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised; that a restrained approach to parking provision will adopted; and that car-free status for new development can only be assured where on-street parking is managed so as to prevent parking demand being displaced from the development onto the street.
- 254 DMP 29 identifies that car limited major residential will be supported in areas with a PTAL of 4 or above and that amongst other factors development should not have a detrimental impact on on-street parking provision in the vicinity. It outlines that measures such as car-clubs and cycle storage will be expected to ensure that sustainable transport modes are encouraged.
- 255 It is noted that the PTAL of the site is 2. This, as outlined in Section 7, is expected to improve with planned infrastructure investment and investment in public transport associated with the Convoy’s Wharf and Deptford Timberyard developments.

Discussion

- 256 The proposed development would be car-free with on-street disabled parking provided as part of a contribution to highway improvement. Principal access to the building would be through a shared residential and commercial entrance on Grove Street. Servicing

would take place from Oxestalls Road from a purpose built loading bay delivered as part of the highways improvements.

257 A financial contributions would be secured to contribute to the implementation of a Controlled Parking Zone (CPZ). Where a CPZ is adopted residents would not be able to apply for permits. This would ensure that the development is truly car-free and that development does not result in detrimental impacts on local on-street parking provision.

258 Cycle parking is accessed from the main reception entrance on Grove Street, to ensure safety and convenience. This parking would be to the basement level with lift access.

7.4.2 Servicing, refuse and local transport network impact

Policy

259 The NPPF states development should allow for the efficient delivery of goods and access by service and emergency vehicles.

260 LPP 6.13 requires schemes to provide for the needs of businesses and residents for delivery and servicing and LPP 6.14 states that development proposals should promote the uptake of Delivery and Service Plans.

261 DMP 17 requires applications for A3 uses to provide acceptable arrangements for the collection, storage and disposal of bulk refuse.

262 Storage facilities for waste and recycling containers should meet at least BS5906:2005 Code of Practice for waste management in Buildings in accordance with London Plan Housing Supplementary Planning Guidance (2016) standard 23.

Discussion

263 The proposed development would not accommodate service vehicles associated with the proposed residential or commercial development. All servicing would take place from Oxestalls Road. This has been demonstrated by the applicant and confirmed by LBL Highways with no objection raised.

264 A servicing plan would need to be agreed via condition to ensure that the servicing of the site is undertaken in a controlled manner which minimises vehicle trips and does not obstruct the highway.

265 It has been demonstrated to Officers' satisfaction that refuse collection can be undertaken from Oxestalls Road in a dedicated service/ loading bay. This arrangement would replicate the way in which refuse is collected along this road in a manner that does not obstruct traffic and is thus considered acceptable.

266 The proposals show that refuse storage could be accommodated within the site, within 20metres of the highway. Commercial and residential waste will be kept separate for collection by a private contractor and the council.

267 BWB Consulting has provided a Site Waste Strategy for the construction and operational phases of the development. A framework has been set out for the format of a Site Waste Management Plan, which will be prepared by the Principal Contractor prior to commencement of the proposed development.

268 The proposed arrangements are therefore considered acceptable subject to the imposition of conditions.

7.4.3 Transport modes

Walking, cycling and public transport

Policy

- 269 Paragraph 110 of the NPPF states that development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring area. Development should create places that are safe, secure and attractive, minimising the scope for conflicts between pedestrians, cyclists and vehicles
- 270 LPP 6.9 sets out to bring a significant increase in cycling to at least 5% of modal share by 2026, supported by the implementation of Cycle Superhighways and the central London cycle hire scheme and provision of facilities for cyclists including secure cycle parking and on-site changing and shower facilities for cyclists.

Discussion

- 271 The car-free nature of the proposals coupled with the nearby good public transport links and planned investment in nearby rail infrastructure, bus transport, a nearby river ferry and Cycleway 4 will encourage the use of public transport. The adoption of a CPZ coupled with the provision of attractive and convenient cycle parking for residents, visitor and commercial users will help promote the use of active and sustainable travel.
- 272 Given the quantum of the proposed development and the car free nature, residents and users of the building will have a greater reliance on public transport. In addition to the proposed public realm and highway improvements. A contribution of £225,000 has been agreed towards the improvement of local bus services. This has been agreed with the applicant and will align with the contributions which have been agreed or are to be agreed with the nearby Convoy's Wharf and Deptford Timberyard developments.
- 273 In this instance it is not considered that contributions for station improvements at nearby rail or DLR stations would meet the three tests outlined in the CIL regulations. Specifically station improvements would, in this instance, not be necessary to make the development acceptable given the other transport benefits and proposed contributions considered in this section. Rail station improvements are also not considered proportionate in relation to the scale of the proposed development given the distance to the station and the context of surrounding planned development.
- 274 A policy compliant offer of Long and Short Stay cycling parking has been provided, in accordance with the Draft London Plan. Amendments were undertaken during the course of the application to ensure this. A range of storage types are proposed to the basement level. These include accessible spaces for those with reduced mobility, Sheffield stands and vertical racks.
- 275 The proposed lift would provide step-free and convenient access to the proposed long-stay cycle parking. The proposed lift would be of a sufficient size to accommodate cyclists and bikes. This cycle lift would be separate from the other three lifts which serve the floors above, reducing potential for conflict between cyclists and all other users of the building. To ensure that facilities are available for cyclists of the commercial elements a condition should be imposed requiring details of welfare/ changing facilities.

Car clubs

- 276 It is considered necessary and proportionate to require the applicant to provide the occupants of each new dwelling with a three year membership to a car-club. This is considered necessary given the car-free nature of the development. The provision of this

membership is considered to help discourage car ownership and in turn encourage the use of public transport and active transport modes.

- 277 Car club membership would be made free to each household for three years from first occupation.

Private cars (include disabled and electric charging points)

Policy

- 278 LPP 6.13 seeks to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use and through the use of well-considered travel, plans aim to reduce reliance on private means of transport.

- 279 CSP 14 states that the Council will take a restrained approach to parking provision. DMP 29 requires wheelchair parking to be provided in accordance with best practice standards and London Plan Standard 18 requires designated wheelchair accessible dwellings to have a designated disabled car parking space.

Discussion

- 280 It has been agreed by the applicant to provide a financial contribution of £30,000 toward the consultation exploring the implementation of a Controlled Parking Zone (CPZ). The applicant has agreed that any resident of the proposed development would be exempt from applying for a parking permit, save for those who qualify for blue disabled parking badges should a CPZ be adopted. This would see the proposed development being truly car-free. This would be secured via legal agreement.

- 281 A travel plan would be conditioned to help promote sustainable and active travel and discourage car-use. This will help further mitigate against increased on-street demand for parking.

- 282 On balance the planned improvements which will improve the PTAL rating of the site, the availability of good public transport and the proposed financial contributions warrants car free development in this instance.

Aviation and telecommunications

Policy

- 283 LPP7.7 states that for considering the impacts of tall buildings planning decisions should not adversely affect aviation, navigation or telecommunication.

Discussion

- 284 Heathrow Airport, London City Airport and London Heliport were consulted as part of this application. Heathrow Airport confirmed that they have no objections to the proposed development. No comments were received from London Heliport.

- 285 London City Airport confirmed that they have no objections relating to the proposed development but only where a condition is imposed relating to cranes. A construction methodology including details of the use of cranes in relation to location, maximum operating height of crane and start/finish dates during the development were requested as a condition of the development. Officers recommend that the condition is imposed where permission is granted to comply with Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction (2002).

7.4.4 Transport impact conclusion

286 The proposal would not result in harm to the local highway network or pedestrian or highway safety subject to the imposition of conditions and financial contributions. Officers consider this should be afforded considerable weight In light of the proposed public benefits of the development.

7.5 LIVING CONDITIONS OF NEIGHBOURS

General Policy

- 287 NPPF para 127 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. At para 180 it states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.
- 288 This is reflected in relevant policies of the London Plan (LP7.6), the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA).
- 289 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 290 Further guidance is given in Housing SPD 2017, GLA;

Discussion

- 291 The main impacts on amenity arise from: (i) overbearing enclosure/loss of outlook and privacy; (ii) loss of daylight within properties and loss of sunlight to amenity areas; and (iii) noise and disturbance.

7.5.1 Overbearing, Enclosure, Outlook and privacy

Policy

- 292 Overbearing impact arising from the scale and position of blocks is subject to local context. Outlook is quoted as a distance between habitable rooms and boundaries.
- 293 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.
- 294 LPP 3.5 focuses on standards in new development, with the Mayor of London's Housing SPG noting that former commonly used minimum separation distances between habitable rooms of 18 – 21 metres may be useful guides, but advocates a more flexible approach to managing privacy.

Discussion

- 295 As outlined in Section 7 of this Report measures have been undertaken in the design process to ensure that there are no unacceptable impacts relating to overbearing, enclosure, outlook and privacy.
- 296 The separation distances are in a similar range to those within the wider masterplan area for the adjacent Deptford Timberyard site. The proposals have regard to the detailed matters approved for Plot 6 of this site. The separation between the western elevation of the proposed development and eastern elevation of Block B of Plot 6 of the Timberyard scheme is 7.8 metres. The minimum separation distance between the south elevation of the proposed development and Block C of the Timberyard scheme is also 7.8 metres.
- 297 These separation distances are similar to those approved on Plot 6 of the Timberyard scheme. Here the distance between the northern elevation of Block A and the southern elevation of Block B.
- 298 It should be noted that these buildings are not built or currently under construction. The within built distances within the wider Strategic Site Allocation are therefore material, as

the Council as Local Planning Authority has assessed these as being acceptable, within the development.

299 The approved plans for the adjacent block at Plot 6 orientate away from the site, with only secondary, smaller, windows facing toward the site. The primary aspect of the proposed dwellings adjacent block at Plot 6 of the Timberyard site are directed away from the windows of the adjacent blocks, to maximise privacy. The proposals are therefore considered to provide a good standard of privacy for potential future occupiers of the development, and will not unacceptably reduce outlook or result in an overbearing form of development.

7.5.2 Daylight, Sunlight and Overshadowing

Policy

300 Paragraph 127 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

301 DMP 32 states that new development must be neighbourly, provide a satisfactory level of outlook and natural light for both its future residents and its neighbours. DMP 32(2) also states that new-build housing development, including the housing element of new build housing will need to respond positively to the site specific constraints and opportunities as well as to the existing and emerging context for the site and surrounding area.

302 The NPPF does not express particular standards for daylight and sunlight. Para 123 (c) states that, where there is an existing or anticipated shortage of land for meeting identified housing need, LPAs should take a flexible approach to policies or guidance relating to daylight and sunlight when considering applications for housing, where they would otherwise inhibit making efficient use of a site.

303 Standard 32 of the Housing SPG details that “All homes should provide for direct sunlight to enter at least one habitable room for part of the day.” The Housing SPG further states that where direct sunlight cannot be achieved in line with Standard 32, developers should demonstrate how the daylight standards proposed within a scheme and individual units will achieve good amenity for residents.

304 The GLA states that ‘An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.’ (GLA, 2017, Housing SPG, para 1.3.45).

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

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

Discussion

307 An assessment of daylight and sunlight has been carried out for the development 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 impact of the proposal on the extent of daylight/sunlight received in the windows of adjacent properties serving the rooms used most frequently. 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.

- 308 It is also important to note that the BRE guidance includes a level of flexibility within its application and for instance, developments in urban areas are treated differently to suburban areas because expectations of daylight and sunlight into properties differ in such locations. Consequently, it is often necessary to aim for different 'target values' of daylight and sunlight into rooms according to the location of the development.
- 309 This site is located within an urban area (designated as an opportunity area), appropriate for high density development. Whilst there are some medium rise developments in the area around the Pepys Estate, there are also examples of high rise, high density developments and this location is identified for redevelopment as a 'growth area' capable of accommodating a significant number of new dwellings. It is therefore important to acknowledge that residents could not expect to enjoy the same level of amenity as would be expected within a low/medium density, suburban location, where each dwelling would typically front have and rear gardens.
- 310 Furthermore, some properties that currently enjoy a higher than average level of daylight/sunlight because they are located close to an underdeveloped site, will experience a change in the level of daylight/sunlight received when sites are developed. Notwithstanding this there is a need for all new developments to demonstrate that any loss of light or increase in overshadowing would be within acceptable levels so as not to give rise a significant loss of amenity.
- 311 The 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).
- 312 Whereas VSC assessments are influenced by the size of obstruction, ADF is more influenced by the room area, the reflectance of room surfaces and transmittance of the glazing. The extent, to which the effect of a proposal on surrounding properties is considered significant, is dependent on the use of the room to which the window relates. The significance of any impact of proposals on non-habitable or less well-used rooms such as bedrooms is therefore reduced.
- 313 A third method for assessing daylight for residential accommodation which is the no skyline contour (NSC) which is a measure of the distribution of daylight at the 'working plane' within a room. In houses a 'working plane' means the horizontal desktop plane at 0.85m high. The NSC divides those areas of the working plane in a room which received direct sky line through the windows from those areas which cannot.
- 314 The application is accompanied by a Daylight & Sunlight Report (Delva Patman Redler, May 2019).
- 315 The assessment considers the impacts on the approved development at Plot 6 of Deptford Timberyard and the neighbouring buildings of Eddystone Tower, Argosy House, Lanyard House, Bembridge House, Harmon House, Pelican House, 1-21 Millard Road, Daubeney Tower, James Lind House and Gransden House.

Daylight

- 316 The Assessment also considered the impact of the proposed development on the emerging Timberyard Plot 6 Blocks A-C, for which Reserved Matters consent was granted on 20th March 2019 (LPA ref. DC/19/110414). As stated within the Assessment, the ADF test is primarily intended for neighbouring buildings that are consented but not yet built out. 48.8% of the rooms assessed comply with the BRE guidelines. That said, pre-development, 51.2% are already below the minimum guidelines set out in the BRE guide, due to the relationship with the existing three/ four storey building, Scott House.
- 317 An alternative hypothetical massing has been tested to further demonstrate the impacts in ADF terms to the consented Timberyard Plot 6 development, as recommended within BRE guidance. This alternative 'mirror image' analysis demonstrates the potential impacts Plot 6 would experience when compared to a massing of a similar height and proximity on the Scott House site. Based on this hypothetical massing, 63.4% of rooms will meet the guidelines in ADF terms.
- 318 This further testing demonstrates the impacts of the proposal against the hypothetical heritage massing results in a very comparable impact to the Timberyard Plot 6 Blocks, demonstrating that the design and layout of the internal configurations and blocks on Plot 6 is the main factor in why the ADF compliance rate to the consented units is relatively low.
- 319 Internal daylight assessment on the two lowest levels of the proposed building have been tested. 84.4% of rooms assessed would satisfy the BRE guidelines for ADF. One of the rooms below guidelines is a bedroom. The remaining four rooms are Living / Kitchen / Dining rooms which are served by at least three windows, further, the recessed nature of the balcony spaces (to ensure privacy) is the primary reason for their transgressions.
- 320 The neighbouring buildings of Eddystone Tower, Argosy House, Lanyard House, Bembridge House, Harmon House, Pelican House, 1-21 Millard Road, Daubeney Tower, James Lind House and Gransden House are tested within the accompanying Daylight and Sunlight Study.

Table 4 - Number of rooms experiencing VSC effects as a result of the proposed development

| Address | Total number of rooms tested | Number of rooms meeting VSC guidelines | Number of rooms with impacts beyond VSC guidelines |
|-------------------|------------------------------|--|--|
| Eddystone Tower | 49 | 49 | 0 |
| Argosy House | 128 | 123 | 5 |
| Lanyard House | 128 | 128 | 0 |
| Bembridge House | 128 | 128 | 0 |
| Harmon House | 128 | 128 | 0 |
| Pelican House | 128 | 123 | 5 |
| 1-21 Millard Road | 78 | 78 | 0 |
| Daubeney Tower | 48 | 48 | 0 |
| Gransden House | 63 | 17 | 46 |
| James Lind House | 24 | 24 | 0 |
| Total | 902 | 846 | 56 |

Table 5 - Number of rooms experiencing NSL effects as a result of the proposed development

| Address | Total number of rooms tested | Number of rooms meeting NSL guidelines | Number of rooms with impacts beyond NSL guidelines |
|-------------------|------------------------------|--|--|
| Eddystone Tower | 49 | 49 | 0 |
| Argosy House | 128 | 128 | 0 |
| Lanyard House | 128 | 128 | 0 |
| Bembridge House | 128 | 128 | 0 |
| Harmon House | 128 | 128 | 0 |
| Pelican House | 128 | 128 | 0 |
| 1-21 Millard Road | 78 | 78 | 0 |
| Daubeney Tower | 48 | 48 | 0 |
| Gransden House | 63 | 63 | 0 |
| James Lind House | 24 | 24 | 0 |
| Total | 902 | 902 | 0 |

Figure 2 – Extract from Daylight and Sunlight Study

- 321 An extract of the VSC and NSL are provided in Figure 2 from the Daylight and Sunlight Study.
- 322 Of the 902 habitable rooms assessed in neighbouring properties, Figure 2 shows that 846 (93.8%) would satisfy with the BRE guidelines for VSC and Table 5 shows that 902 (100%) would satisfy with the BRE guidelines for NSL (daylight distribution).
- 323 The VSC transgressions occur at Argosy House, Pelican House and Gransden House. It is noted that the 56 transgressions are considered to be minor adverse impacts of the BRE guide. However these rooms comfortably comply with NSL.
- 324 Overall the proposed scheme would have a minor adverse impact on daylight to the neighbouring residential properties. The daylight VSC transgressions are generally isolated and all impacts generally remain within 28.34% of the existing baseline condition and retain levels of visible sky that are consistent with an urban developed location.

Sunlight

- 325 The Daylight, Sunlight and Overshadowing Assessment records that of windows assessed in Eddystone Tower, Argosy House, Lanyard House, Bembridge House, Harmon House, Pelican House, 1-21 Millard Road, Daubeney Tower, Gransden House, James Lind House, Timberyard Plot 6, Block A, Timberyard Plot 6, Block B, Timberyard Plot 6, Block C.

326 99.6% would satisfy the BRE guidelines for annual and winter sunlight analyses (APSH). The three remaining windows (located within Timberyard Plot 6 Block B) are considered to the secondary to the living rooms, and lit by a primary window, which complies comfortably with APSH. The proposed development therefore does not result in adverse effects on sunlight levels experienced by neighbouring properties.

Overshadowing

327 The proposed development would have no impact to sunlight on the adjacent amenity space for Plot 6 of the Timberyard. When the two hour sun-on-ground test is applied this space already falls below the BRE guidelines for the two hour sun-on-ground.

328 The results of the two-hour-sun-on-ground analyses demonstrate that the communal amenity space serving the Timberyard Courtyard does not meet the guidelines in either the existing or proposed situation. The proposed development does not cause any more overshadowing to the adjacent courtyard.

329 Given the consented position any overshadowing to the proposed or adjacent courtyard are considered to be permissible as there would be no discernible impact.

330 Given the orientation and position of the building it is not considered that the proposed development would have a discernibly harmful impact on any nearby public open spaces. The location, size and open nature of nearby public parks would mean that the proposals would not have a harmful impact and result in harmful overshadowing.

7.5.3 Noise and disturbance

Policy

331 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Development should help to improve local environmental conditions. Para 180 states decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

332 The NPPG states LPAs should consider noise when new developments may create additional noise.

333 The objectives of the NPPF and NPPG are reflected in LPP 7.15, Draft LPP D1,D12 and D13, CS Objective 5 and DMP 26

Discussion

334 The proposed development would be predominantly residential. All elements of commercial development would be away from existing boundaries. Given the quantum of development and the lawful commercial use of the site it is considered that the proposals would not result in a materially harmful increase in noise or disturbance.

335 Any noise or dust associated with construction would be controlled by the relevant environmental health and building control statutory protections. To ensure that demolition and construction is undertaken in a manner that does not affect the wider highway and utilises best practice a condition requiring the submission to the LPA for approval of a demolition and construction management plan should be imposed were the application to be approved.

336 The mixed use nature of the proposals could cause exposure to levels of internal and noise and vibration transfer for future occupants. To ensure that the proposed homes offer a good standard of residential amenity for future occupiers it is suggested that conditions are applied to any permission to ensure that mitigation measures are built into the development.

7.5.4 Impact on neighbours conclusion

337 Officers consider that proposed development would result in an acceptable impact on the neighbouring amenity of surrounding properties and the amenities of the future occupiers of the approved at Plot 6 at the adjacent Timberyard site or the occupants of Eddystone Tower, Argosy House, Lanyard House, Bembridge House, Harmon House, Pelican House, 1-21 Millard Road, Daubeney Tower, Gransden House, James Lind House, Timberyard Plot 6, Block A, Timberyard Plot 6, Block B, Timberyard Plot 6, Block C.

7.6 SUSTAINABLE DEVELOPMENT

General Policy

338 NPPF para 148 sets an expectation that planning will support transition to a low carbon future.

339 This is reflected in relevant policies of the London Plan and the Local Plan.

7.6.1 Energy and carbon emissions reduction

Policy

340 LPP 5.1 seeks an overall reduction in carbon dioxide (CO₂) emissions whilst LPP 5.2 (Minimising Carbon Dioxide Emissions) states that major development proposals should make the fullest contribution to minimising CO₂ in accordance with the following hierarchy: (1) be lean: use less energy; (2) be clean: supply energy efficiently; and (3) be green: use renewable energy.

341 In addition, LPP 5.2 sets targets for CO₂ reduction in buildings, expressed as minimum improvements over the Target Emission Rate (TER) outlined in national building regulations. The target for residential buildings is zero carbon from 2016 and non-domestic buildings from 2019, prior to which the target is as per building regulations (35%). LPP 5.3 advocates the need for sustainable development.

342 LPP 5.7 presumes that all major development proposals will seek to reduce CO₂ by at least 20 per cent through the use of on-site renewable energy generation wherever feasible.

343 The London Plan approach is reflected in CSPs 7 and 8 (which also requires BREEAM 'Excellent' for non-residential development) and DMP 22.

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

Discussion

345 The application is accompanied by an Energy and Sustainability Assessment (Flatt, July 2019). This sets out the measures to be taken to reduce carbon emissions in compliance with the energy hierarchy.

Carbon reduction

346 The accompanying Energy Statement identifies that on-site measures will achieve the necessary carbon reductions, stating that a carbon reduction relative to the baseline energy performance of the building would be achieved. The Stage one GLA response highlights that the principle so of the energy strategy is supported but measures to improve the carbon reductions to the residential elements are explored further.

347 The applicant has undertaken additional work, responding to this. Photovoltaic (PV) solar panels are now proposed to the roof. Air source heat pumps have also been included to contribute to carbon reductions. Further clarification has been provided relating to glazing specifications and fabric performance. Officers note that the small area of roof space and the staggered roof configuration limits the ability of the building to provide on-site renewable energy generation. The Applicant has confirmed that the residential element would provide a 17 tonnes reduction (13%) compared to a 2013 Building Regulations compliant development.

348 The non-domestic element of the proposed development is estimated to achieve a reduction of 4 tonnes per annum (29%) in regulated CO2 emissions compared to a 2013 Building Regulations compliant development.

349 A carbon off-set financial contribution of £149,828 will therefore be required to achieve compliance with Policy 5.2 of the London Plan. This would be secured by Section 106 Agreement.

BREEAM

350 A BREEAM Pre-Assessment has been submitted by the Applicant. This demonstrates that the commercial unit could achieve BREEAM 'Excellent' as required by Core Strategy Policy 8 and DM Policy 22. It is therefore recommended that a condition is attached requiring that the commercial units achieve this standard.

District Heat Network

351 The applicant has provided plans which show how the building can, at a future date, be connected to the South East London Combined Heat and Power Heat Network (SELCHP). This is considered important as the ability to connect will help to use waste heat from this emerging heat network, further reducing on site carbon emissions. It is considered that this connection and ability to connect is secured by condition to ensure the connection is available for when the heat network is operational. This approach has been adopted with development elsewhere in the Borough, including the adjacent Timberyard site.

Summary

352 The proposal would contribute towards sustainable development and would provide on-site carbon reductions for both the commercial and residential element. Officer therefore consider that subject to an obligation securing a carbon off-set contribution the development accords with the Development Plan with respect to sustainability.

7.6.2 Overheating

Policy

353 LP5.9 states that proposals should reduce potential overheating beyond Part L 2013 of the Building Regulations reduce and reliance on air conditioning systems and demonstrate this in accordance with the Mayor's cooling hierarchy. Draft LPP SI14 echoes this.

354 DMP 22 reflects regional policy.

355 Further guidance is given in the Sustainable Design and Construction SPG (GLA) and Chapter 5 of the London Climate Change Adaptation Strategy.

Discussion

356 Section 7.2.3 of this report provides an assessment of overheating for the residential units and communal areas of the proposed development.

357 The proposed commercial units would be BREEAM 'Excellent', adopting measures in addition to the relevant Building Regulations which promote passive and fabric first approaches to preventing overheating.

7.6.3 Flood Risk

Policy

- 358 LPP 5.12 requires the mitigation of flooding, or in the case of managed flooding, the stability of buildings, the protection of essential utilities and the quick recovery from flooding. LPP 7.13 expects development to contribute to safety, security and resilience to emergency, including flooding.
- 359 CSP 10 requires developments to result in a positive reduction in flooding to the Borough.
- 360 Further guidance is given in the London Plan's Sustainable Design and Construction Supplementary Planning Guidance.

Discussion

- 361 The application is accompanied by a Flood Risk Assessment (Flood Risk Assessment and Drainage Strategy Report, Price & Myres, July 2019).
- 362 The site lies adjacent to Flood Zone 2 (medium probability of flooding) and within Flood Zone 3 (high risk of flooding) but benefits from flood defences.
- 363 A Flood Risk Assessment (FRA) was submitted and the Environment Agency made no objection to the proposed development, confirming the conclusions of the FRA.
- 364 The comments from the EA request the imposition of conditions which relate to preparing a remediation strategy for contamination and gaining approval prior to first occupation. Conditions of this nature are therefore recommended should the application be approved.
- 365 On the basis of the above, it is considered that the scheme is acceptable in terms of flood risk, subject to the appropriate information being secured by condition and planning obligation.

7.6.4 Sustainable Urban Drainage

Policy

- 366 The NPPF at para 165 expects major development to incorporate sustainable urban drainage systems (SUDS) unless there is clear evidence it is inappropriate.
- 367 LPP 5.13 requires SUDS unless there are practical reasons for not doing so. In addition, development should aim to achieve greenfield run-off rates and ensure surface water is managed in accordance with the policy's drainage hierarchy. The supporting text to the policy recognises the contribution 'green' roofs can make to SUDS. The hierarchy within LPP 5 establishes that development proposals should include 'green' roofs and that Boroughs may wish to develop their own green roof policies. To this end, CSP 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which in effect, comprise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity for bio-diversity.
- 368 Further guidance is given in the London Plan's Sustainable Design and Construction Supplementary Planning Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems.

Discussion

- 369 The application is accompanied by a Flood Risk Assessment (Flood Risk Assessment and Drainage Strategy Report, Price & Myres, July 2019).
- 370 The total hardstanding area for the development is expected to increase to cover the total site area due to the extent of the underlying basement. Despite this the site presently provides no meaningful landscaping or undeveloped or porous areas.
- 371 A brown roof is proposed at Level 27. The proposed surface water strategy permeable paving and a below ground attenuation tank to store approximately 41.6 m³ of surface water runoff for the 1 in 100 year plus 40% climate change storm event.
- 372 The surface water drainage system will be designed for the 1 in 100 year plus 40% allowance for climate change storm event. In accordance with the London Plan, EA guidelines, the SFRA, and CIRIA documents, surface water run-off should be managed as close to its source as possible. The London Plan states that all new developments should aim to reduce run-off to Greenfield rates “utilising SUDS unless there are practical reasons for not doing so”. This is in line with the Draft London Plan.
- 373 The Council’s sustainable drainage officer raised concerns relating to the proposed flow rates and the justification provided by the applicant relating to the inability of the development to provide on-site sustainable drainage and greenfield run-off rates.
- 374 Officers acknowledge the constraints of the site, the proposed retention of elements of the existing building and the site and the relatively small nature of the roof planes given the staggered roof profile, making attenuation tanks inefficient. Officers also note that the site is largely developed already and does not have any sustainable drainage measure in place or substantive areas of undeveloped or porous surfaces. It should also be noted that as part of the wider SSA4 site allocation the adjacent Timberyard development will provide improvements to surface water drainage. These include a new linear park, removal of warehouses and concrete hardstanding, provision of new streets and amenity areas and a holistic sustainable urban drainage system.
- 375 The conclusions of the Flood Risk Assessment and Drainage Strategy Report, are therefore accepted and is justified by “practical reasons” as required by the London Plan Policy 5.13. The measures outlined in the Report should be conditioned to ensure that all measures are agreed in writing prior to above ground works and installed and maintained for the lifetime of the development.

7.6.5 Sustainable Infrastructure conclusion

- 376 The proposed development on balance contributes to sustainable development, providing an improvement beyond the present performance of the site. It has been demonstrated that this can be achieved on-site with the retention of the façade of Scott House. Future occupiers would not be exposed to unacceptable risk associated with flooding.
- 377 Within the context of the retention of Scott House, the substantial increase in number homes and the provision of purpose built, high quality commercial floor space this is afforded significant weight by officers.

7.7 NATURAL ENVIRONMENT

General Policy

- 378 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 379 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 380 The NPPF at para 180 states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the sensitivity of the site or wider area to impacts that could arise from the development.
- 381 LPP 2.18 sets out the Mayor of London's vision for Green Infrastructure as a multifunctional network that brings a wide range of benefits including among other things biodiversity, adapting to climate change, water management and individual and community health and well-being.

7.7.1 Ecology and biodiversity

Policy

- 382 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard to the purpose of conserving biodiversity.
- 383 The NPPF at para 170 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. At para 175, it sets out principles which LPAs should apply when determining applications in respect of biodiversity.
- 384 LPP 7.19 seeks wherever possible to ensure that development makes a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 385 CSP 12 recognises the importance of the natural environment and environmental assets and requires the conservation and enhancement of these assets.

Discussion

- 386 A Preliminary Ecology Appraisal (MKA Ecology, May 2019) was submitted alongside the application. This report identifies that there were no protected species or habitats identified as having a negligible roosting potential for bats. For this reason it is not considered necessary to require further surveys to be undertaken. The Council's Ecologist has raised no comments objecting to the methodology of the Ecology Appraisal.
- 387 The appraisal identifies that the development of the site represents an opportunity to enhance biodiversity post-development. These include the provision of a living roof native plantings at ground level and the installation of bird and bat boxes. Such measures can be conditioned with details being agreed in writing prior to first occupation of the development.
- 388 The report identifies that because of the site's location in London and the height of the finished building opportunities exist to provide an additional nesting site for peregrine falcons, through the incorporation of appropriate perches and platforms. Such measures

can be conditioned with details being agreed in writing prior to first occupation of the development.

389 Given that the Site is currently of relatively low ecological value, these enhancements will also ensure that a net gain in biodiversity is achieved.

7.7.2 Ground pollution

Policy

390 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil pollution. Development should help to improve local environmental conditions.

391 The NPPF states decisions should contribute to and enhance the natural and local environment by remediating and mitigating contaminated land, where appropriate (para 170). Further, the NPPF at para 178 and NPPG states decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination.

392 The test is that after remediation, land should not be capable of being determined as “contaminated land” under Part 2A of the Environmental Protection Act 1990.

393 LPP 5.21 reflects national policy. DMP 28 further reflects national policy and seeks to ensure that future residents are protected from exposure to contaminants.

394 Further guidance is given in *Contaminated Land Statutory Guidance* (Defra, 2012)

Discussion

395 A condition requiring a land contamination report would need to be imposed to ascertain likely risks.

396 The recommended conditions would align with the consultation responses received from Environmental Protection and the Environmental Agency which have requested further information relating to land contamination.

7.7.3 Air pollution

Policy

397 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality.

398 Proposals should be designed and built to improve local air quality and reduce the extent to which the public are exposed to poor air quality.

399 LP7.14 states new development amongst other requirements must endeavour to maintain the best ambient air quality (air quality neutral) and not cause new exceedances of legal air quality standards. Draft LP S11 echoes this.

400 Further guidance is given in the Mayor of London’s Air Quality Strategy.

401 Core Strategy Policy 7: Climate change and adapting to the effects, Core Strategy Policy 9 and DM Policy 23 provide the local plan policy basis for assessing development proposals.

402 The Council's Air Quality Management Plan identifies AQMA3 Deptford to be an area where exceedances of vehicle emissions PM10 particles and NO2 have been modelled to be present. Air quality is actively monitored in the area as a whole.

Discussion

403 The application is accompanied by an Air Quality Assessment (Air Quality Consultants, July 2019). The assessment considers construction-related air quality, vehicle emission impacts and (building use) operational emission impacts.

404 The assessment has considered the impact of existing air quality on future residents of the proposed development. This has demonstrated that the proposed development will experience acceptable air quality. A confirmatory monitoring study was undertaken and submitted during the course of the application.

405 The proposed development will generate a degree of additional traffic on the local road network associated with deliveries and servicing. The Air Quality Assessment has shown that there will be no significant effects at any existing sensitive receptor

406 The proposed development will be provided with heat and hot water by a Combined Heat and Power (CHP) plant and boiler plant ("energy plant"). An assessment of the emissions from the proposed energy plant has demonstrated that the off-site impacts of these emissions will be negligible. On-site, the emissions from the plant are unlikely to lead to any properties experiencing unacceptable air quality.

407 The proposed development will also be heated by air source heat pumps and solar PV panels which will help lessen impacts which could otherwise occur with conventional heating sources. The development also provides future connection to the emerging district heat network from SELCHP. This would allow for emission free heat at the site further lessening impacts on air quality.

408 During the construction works, a range of best practice mitigation measures will be implemented to reduce dust emissions and the overall effect will be 'not significant'; appropriate measures have been set out in this report, to be included in the Dust Management Plan for the works. This will be secured by condition.

409 The proposed development has been shown to meet the London Plan's requirement that new developments are at least 'air quality neutral'. The Council's Environmental Protection team raise no objections to the proposals, seeking contributions for air quality monitoring in accordance with the adopted Planning Obligations SPD (2015). For this reason it is not considered appropriate to seek a contribution towards local air quality monitoring as such a contribution would not be necessary to make the development acceptable in planning terms.

7.7.4 Water quality

Policy

410 Policy 5.14 of the London Plan states that Development proposals must ensure that adequate wastewater infrastructure capacity is available in tandem with development. It states that proposals that would benefit water quality, the delivery of the policies in this Plan and of the Thames River Basin Management Plan should be supported while those with adverse impacts should be refused

Discussion

411 It is proposed that the foul water from the proposed development will discharge via the existing connection to the Thames Water public sewer in Grove Street. It is understood that capacity exists in the Thames Water sewer network to discharge the expected foul and surface water flows from the proposed development. Thames Water have not objected to the proposed development.

7.7.5 Noise pollution

Policy

412 The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Development should help to improve local environmental conditions. Para 180 states decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

413 The NPPG states LPAs should consider noise when new developments may create additional noise.

414 The objectives of the NPPF and NPPG are reflected in LPP 7.15, Draft LPP D1,D12 and D13, CS Objective 5 and DMP 26

415 With regard to internal noise levels of the residential units this is assessed in Section 7.5 of this Report.

Discussion

416 A Noise Assessment provided by KP Acoustics is submitted in support of this application. An Environmental Noise and Vibration Survey was undertaken at the Site to assess the day- and night-time levels likely to be experienced by the proposed development

417 The proposed development would be predominantly residential. All elements of commercial development would be away from existing boundaries. The proposed nature of the development would see A3 and B1 uses at ground, mezzanine and first floor level.

418 Given the quantum of development and the lawful commercial use of the site it is considered that the proposals would not result in a materially harmful increase in noise or disturbance.

419 Any noise or dust associated with construction would be controlled by the relevant environmental health and building control statutory protections. To ensure that demolition and construction is undertaken in a manner that does not affect the wider highway and utilises best practice a condition requiring the submission to the LPA for approval of a demolition and construction management plan should be imposed were the application to be approved.

420 The opening and operating hours of the café should be controlled by condition to prevent noise and disturbance occurring at times when background noise levels drop. It is proposed that operation would only occur between 07:00-23:00 seven days a week. These times are considered to allow for the flexible operation of the units in a way that safeguards nearby residential amenity.

421 The proposed office/ business use is considered to be compatible with residential uses. Building standards will ensure that any harm noise and vibration transfer does not occur between the first floor and second floor of residential use. The timing of the office space therefore does not need to be conditioned. Statutory noise protections for residents would not be impacted by the proposals.

7.7.6 Wind & Microclimate

Policy

422 London Plan Policy 7.7: Location and design of tall and large buildings provides the policy basis for assessing proposals for tall and large buildings. The Town and Country Planning (Mayor of London) Order 2008 specifies that buildings are referable to the Mayor of London (in Part 1: Large scale development / Category 1C) when a building is more than 25m high adjacent to the River Thames; more than 30m high outside the City of London and more than 150m high within the City of London. The Lewisham Tall Building Study (2012) identifies tall buildings as being over 30m in height.

Discussion

423 The proposed development would exceed 30metres in height and is therefore classified as a tall building.

424 The application is accompanied by a Wind Microclimate Assessment (Wilde – March 2019). This assesses the proposed development and the qualitative review concludes that the modelled wind speeds at pedestrian level are not anticipated to be significant on and around the vicinity of the site.

425 One significant exception exists, occurring when the wind is incident from the west and southwest, which drives a downdraught into the immediately adjacent region of the rest of the development, the central region of Plot 6 of the adjacent Timberyard site. Depending on the expected activity for this area this could constitute adverse effects.

426 Given the regularity with which the wind approaches from this direction, mitigation of these effects was thought likely to be required, perhaps taking the form of canopies placed on the development or the addition of foliage to the base and within the abovementioned region. A plan including such foliage has been introduced, both within the bounds of the Scott House development and in the surrounding Timberyard plot.

427 Wind speeds are mitigated by the massing of the building and also the presence of proposed landscaping, trees and street trees at street level. The development is therefore considered unobjectionable in this regard. A condition should be imposed requiring a full, quantitative assessment to confirm success of proposed mitigation.

7.7.7 Natural Environment conclusion

428 The applicant has demonstrated that the proposals will safeguard both the natural environment and the health of surrounding residents and future residents of the proposed development

8 LOCAL FINANCE CONSIDERATIONS

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

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

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

431 The CIL is therefore a material consideration.

432 £1,066,901.19 Lewisham CIL and £513,301.69 MCIL is estimated to be payable on this application, subject to any valid applications for relief or exemption, and the applicant has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

9 EQUALITIES

- 433 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 434 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - advance equality of opportunity between people who share a protected characteristic and those who do not;
 - foster good relations between people who share a protected characteristic and persons who do not share it.
- 435 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 436 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>
- 437 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
 - Meeting the equality duty in policy and decision-making
 - Engagement and the equality duty
 - Equality objectives and the equality duty
 - Equality information and the equality duty
- 438 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>
- 439 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

10 HUMAN RIGHTS IMPLICATIONS

- 440 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:
- Article 8: Respect for your private and family life, home and correspondence
 - Article 9: Freedom of thought, belief and religion
 - Protocol 1, Article 1: Right to peaceful enjoyment of your property
 - Protocol 1, Article 2: Right to education
- 441 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.
- 442 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.
- 443 This application has the legitimate aim of providing a new building with employment and residential uses. All occupiers are not owner occupiers and their ability to find rental accommodation elsewhere is not impacted by the development proposals. The rights potentially engaged by this application, including Respect for your private and family life, home and correspondence are not considered to be unlawfully interfered with by this proposal.

11 LEGAL AGREEMENT

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

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

445 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.

446 Draft Heads of Terms:

- **Highways/ junction and public realm improvements**

£20,000 per crossing (x3)

£4,000 for the loading bay (includes cost of amending the traffic regulation order)

£100 sqm for the footway improvement works.

Total = £94,000, payable prior to commencement.

- **Section 38/278 Highways works**

Realignment of bus stop markings and all other necessary highway works.

- **Local Greenspace and children's play improvement**

10 m² per child) minus any space delivered on-site. The undelivered play space will then be multiplied by £300 per m²

Total = £19,110 payable prior to commencement.

- **Public transport contribution for bus service improvement**

Total = £225,000 (£75,000 PA for 3 years) payable from substantial occupation

- **CPZ consultation**

Total = £30,000 payable upon commencement.

- **Car club membership**

Membership for each household (x3 years) from first occupation (Zipcar 'Smart' membership) or similar provider/ product

Total = £216.00 over 3 years £29,592 at 137 residential units = £29,592. Payable to occupant upon the occupation of each individual residential unit.

- **Carbon off-setting**

Total = £149,828 payable upon substantial completion

- **Local labour/ apprenticeship commitment**

Total = £72,610 – Financial contribution toward apprentice scheme, payable upon commencement.

- **Local labour commitment**

Written strategy and commitment.

- **Fit out specification and costs of commercial unit**

Minimum 3 month rent free clause for future occupiers.

- **Commitment to participation in the Evelyn Construction Forum**

- **Design Champion/ Retention Clause**

Allford Hall Monaghan Morris (AHMM) to be retained in a minimum design champion/guardian role overseeing the executive architect if another practice is appointed during construction to ensure exemplary design quality as promoted in the application.

- **Monitoring fees**

Total = £15,000 payable upon commencement.

- **Affordable housing** (including Definitions, early and late stage review, retention in Perpetuity, Affordability Thresholds and Service charge control.

447

Officers consider that the obligations outlined above are appropriate and necessary in order to mitigate the impacts of the development and make the development acceptable in planning terms. Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

12 CONCLUSION

- 448 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 449 The proposal is judged to be in accordance with Policies CSS4 and DM9 and would deliver a higher quality and denser employment offer in addition to providing a significant number of new homes on an existing brownfield site, meeting the requirements and aspirations of SSA4.
- 450 It has been demonstrated to the satisfaction of officers that the proposed development would provide a substantial uplift in housing at an appropriate density for a site that is located in a Strategic Site Allocation and Opportunity Area.
- 451 The proposals would utilise this brownfield site, providing an appropriate dwelling mix and tenure split with a high-quality standard of residential accommodation provided for all potential future occupiers providing a substantial number of high-quality new homes within the Borough. This public benefit is afforded substantial weight by officers.
- 452 The applicant has robustly evidenced that the proposed quantum of affordable housing is the maximum and reasonable amount at this time, in accordance with Core Strategy Policy 1, the London Plan and the NPPF, as confirmed by the Council's independent viability consultants. Early and late stage viability reviews will ensure that any uplift is captured and further onsite or financial contributions towards housing provision are secured for the residents of Lewisham.
- 453 The overall design approach would result in a form of development, which would not detract or appear at odds with the wider character and appearance of the immediate locality or the special historic character of the building. The proposals are considered to achieve a good quality design which would retain a significant façade that would maintain the historic significance of the non-designated heritage. The proposals would not harmfully impact upon the LVMF Protected Vista from Assessment Point 4A.1 Primrose Hill, nor protected views from Greenwich Park (LVMF 5A.2) or Blackheath Point (LVMF 6A.1).
- 454 It is therefore considered, on balance, that the proposal would preserve the significance of the relevant heritage assets and accords with the Development Plan.
- 455 The proposal would not result in harm to the local highway network or pedestrian or highway safety subject to the imposition of conditions and financial contributions. Officers consider this should be afforded considerable weight In light of the proposed public benefits of the development.
- 456 Officers consider that proposed development would result in an acceptable impact on the neighbouring amenity of surrounding properties and the amenities of the future occupiers of the approved at Plot 6 at the adjacent Timberyard site or the occupants of nearby and adjoining properties.
- 457 The proposed development would, on balance, contributes to sustainable development, providing an improvement beyond the present performance of the site. Within the context of the retention of Scott House, the substantial increase in number homes and the provision of purpose built, high quality commercial floor space this is afforded significant weight by officers. It has demonstrated that the proposals will safeguard both

the natural environment and the health of surrounding residents and future residents of the proposed development.

458 Subject to the imposition of conditions and the securing of relevant planning obligations, including financial contributions, the development is judged acceptable and in accordance with the Development Plan.

13 RECOMMENDATION A

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

14 RECOMMENDATION B

460 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 principal matters set out in Section 11 of this report, including such other amendments as considered appropriate to ensure the acceptable implementation of the development.

461 Subject to completion of a satisfactory legal agreement, authorise the Head of Planning to **GRANT PERMISSION** subject to conditions, including those set out below and with such amendments as are considered appropriate to ensure the acceptable implementation of the development:

14.1 CONDITIONS

1) **FULL PLANNING PERMISSION TIME LIMIT**

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

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

2) **DEVELOP ON ACCORDANCE WITH APPROVED DRAWINGS AND DOCUMENTS**

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

17146_(00)_0100 Rev P01; 17146_(00)_0110 Rev P01; 17146_(00)_200 Rev P01; 17146_(00)_1000 Rev P01; 17146_(00)_1100 Rev P01; 17146_(00)_1180 Rev P01; 17146_(00)_1205 Rev P01; 17146_(00)_1210 Rev P01; 17146_(00)_1500 Rev P01; 17146_(00)_1510 Rev P01; 17146_(00)_1520 Rev P01; 17146_(00)_1430 Rev P01; 17146_(00)_1440 Rev P01; 17146_(00)_1450 Rev P01; 17146_(00)_1460 Rev P01; 17146_(00)_1470 Rev P01; 17146_(00)_2000 Rev P01; 17146_(00)_2010 Rev P01; 17146_(00)_2020 Rev P01; 17146_(00)_3000 Rev P01; 17146_(00)_3200 Rev P01; 17146_(00)_3210 Rev P01; 17146_(21)_2000 Rev P01; 17146_(21)_2010 Rev P01; 17146_(21)_2030 Rev P01; 17146_(21)_4000 Rev P01; 17146_(21)_4010 Rev P01; 17146_(21)_4020 Rev P01 (received 21/08/2019);

17146_(00)_1190 Rev P01; 17146_(00)_1200 Rev P01; 2970-SK-10-A-REV P1; 2970-SK-11-A-REV P1; 2970-SK-12-A-REV P1 (received 12/12/2019);

2970.131219 '1 of 1 - Revised Roof Plan' (received 13/12/2019).

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

3) **CONSTRUCTION LOGISTICS PLAN**

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

- (a) Rationalise travel and traffic routes to and from the site.

- (b) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction vehicle activity.

- (c) Measures to deal with safe pedestrian movement.

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

Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2016).

4) **CONSTRUCTION / ENVIRONMENTAL MANAGEMENT**

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

- (a) risk assessment and appropriate mitigation measures to minimise dust and emissions based on the Mayor's Best Practice Guidance (The Control of Dust and Emissions from Construction and Demolition) of the London Plan 'Control of emissions from construction and demolition' SPG
- (b) An inventory and timetable of dust generating activities
- (c) Dust mitigation measures
- (d) Emission control measures
- (e) Air Quality Monitoring
- (f) The location and operation of plant and wheel washing facilities
- (g) Details of best practical measures to be employed to mitigate noise, vibration and air quality arising out of the construction process
- (h) Details of the training of site operatives to follow the Construction and Environmental Management Plan requirements
- (i) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

Security Management personnel).

2. The works shall only be carried out in accordance with the approved plan agreed under Part 1 (a – i) of this condition.

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2016), Policy 9 Improving local air quality of the Lewisham Core Strategy (June 2011) and DM Policy 23 Air Quality of the Development Management Local Plan (November 2014).

5) **SITE CONTAMINATION**

(a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-

(i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.

(ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.

(iii) The required remediation scheme implemented in full.

(b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.

(c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

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

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all

imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

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

6) **CRANE MANAGEMENT PLAN**

No cranes shall be constructed on the site unless and until a construction methodology including details of the use of cranes in relation to location, maximum operating height of crane and start/finish dates during the development has been submitted to and approved in writing by the Local Planning Authority for approval in consultation with London City Airport.

Reason: The use of cranes or tall equipment in this area has the potential to impact London City Airport operations, therefore they must be assessed before construction and to ensure that the lifting operations are carried out safely in compliance with BSI standards in accordance with Policy 7.7 'Location and design of tall and large buildings' of the London Plan (2016).

7) **FLOOD RISK FLOOR LEVELS**

- a) The development hereby approved shall be carried out in accordance with the Flood Risk Assessment 'Flood Risk Assessment and Drainage Strategy Report' (Price and Myers – July 2019).
- b) The second floor finished floor level must be set no lower than 11.6 metres above Ordnance Datum (mAOD).

Reason: To reduce the risk of flooding to the development and occupants, in line with the London Borough of Lewisham's Core Strategy (Policy 10). The second floor is the lowest floor level that will have sleeping accommodation, according to the submitted documentation, including the submitted Flood Risk Assessment (FRA) by Price & Myers (dated July 2019 with reference 27731) (Section 5.2 and so on).

8) **GROUND / UPPER GROUND LEVEL FACADE**

- (a) No development above first floor level shall commence on site until plans and sections details at a scale of 1:10 or 1:20 showing the proposed and retained frontages have been submitted to and approved in writing by the local planning authority; and
- (b) The building should be constructed in full accordance with the approved details and the frontages fitted before first occupation of any residential units.

Reason: To ensure that the development is designed and constructed to a high standard of design in accordance with DM Policy 30 : Urban design and local character of the Development Management Local Plan (2014).

9) **EXTERNAL MATERIALS / DESIGN QUALITY**

No development of the relevant part of the development above ground shall take place until a detailed schedule and samples have been submitted to and approved in writing by the local planning authority. The details should generally accord with the Design and Access Statement. The development shall be carried out in complete accordance with the approved details.

2m x 2m sample panel(s) to be constructed on site to detail the following:

- All brickwork
- Pre-cast concrete
- All windows and doors
- Details of balconies, soffits, and railings

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

10) **HARD LANDSCAPING DETAILS (EXCLUDING S278 WORKS)**

(a) No development above first floor level shall take place until detailed design proposals have been submitted to the local planning authority for their approval, to elaborate on that set out in the Design and Access Statement and Plan number (00)_1200 Revision P02.

(b) The development shall be implemented in accordance with the details approved by the local planning authority.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2016), Policy 15 High quality design for Lewisham of the Lewisham Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

11) **WHEELCHAIR UNITS**

(a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified below:

14 units shall meet M4 (3) 'wheelchair user dwellings'

123 units shall meet standard M4 (2) 'accessible and adaptable dwellings'

(b) No part of the development shall be occupied until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with paragraph (a) of this condition.

(c) The development shall be carried out in accordance with the requirements of paragraph (a) and (b) of this condition.

Reason: In order to ensure an adequate supply of accessible housing in the Borough in accordance with Policy 3.8 Housing choice of the London Plan (2016), Policy 1 Housing provision, mix and affordability and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

12) **TRAVEL PLAN**

(a) No part of the development hereby approved shall be occupied until such time as a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.

(b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.

(c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

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

13) **DELIVERY AND SERVICE PLAN**

(a) The relevant part of the building hereby approved shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.

(b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity along with details of site management for movement of refuse and storage of refuse buggies.

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

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

14) **CYCLE PARKING PROVISION**

(a) A minimum of 261 long-stay cycle parking spaces secure and dry cycle parking spaces shall be provided at basement level within the development as indicated on the plans hereby approved, and an additional 8 short stay parking spaces provided in accordance with the development as indicated in the plans.

(b) Prior to first occupation of the relevant part of the development full details of the cycle parking facilities must be submitted to and approved in writing by

the local planning authority. The distribution of the cycle parking spaces within the building between employment and residential to be compliant with the London Plan standards;

(c) All cycle parking spaces shall be provided and made available for use prior to occupation of the relevant part of the development and maintained thereafter.

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

15) CYCLE WELFARE FACILITIES (WORKSPACE)

(a) Prior to completion of super-structure details of the proposed cycle welfare facilities (showers, lockers, changing rooms and maintenance space) to provide for the needs of the B1 workspace within the development shall be submitted for the approval of the planning authority;

(b) The facilities shall be provided strictly in accordance with the approved details.

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

16) MECHANICAL VENTILATION SYSTEM

Prior to completion of the building shell full details of the proposed mechanical ventilation strategy shall be submitted to the local planning authority for their approval, to include detailed drawings of venting locations on the elevations.

Reason: To ensure that space below second floor level is adequately vented to ensure a clean air supply in order to comply with DM Policy 23: Air Quality and also to ensure that the visual impact of the venting system complies with Policy DM 30: Urban design and Local character of the Development Management Local Plan 2014.

17) FIXED PLANT NOISE CONTROL

(a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.

(b) Development shall not commence until details of a scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.

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

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

18) **BREEAM**

(a) The buildings hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.

(b) Prior to the completion of the super structure a Design Stage Certificate for each building (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).

(c) Within 6 months of occupation of any of the buildings, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2016) and Lewisham Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

19) **NO EXTERNAL PLUMBING OR PIPES**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, including rainwater pipes, shall be fixed on the external faces/front elevation of the building hereby approved, without the prior written consent from the Local Planning Authority(s).

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

20) **SATELLITE DISHES / ANTENNA**

Notwithstanding the Provisions of Article 4 (1) and part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, no satellite antenna shall be erected or installed on the building hereby approved. The proposed development shall have a central dish or aerial system (for each relevant block) for receiving all broadcasts for the residential units created: details of such a scheme shall be submitted to and approved by the local planning authority prior to first occupation of any block, and the approved scheme shall be implemented and permanently retained thereafter.

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

21) **RETENTION OF AMENITY SPACES**

The whole of the amenity space (including communal garden, roof terraces and balconies) shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

Reason: In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Lewisham Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards of the Development Management Local Plan (November 2014)

22) **RESTRICTION OF B1 COMMERCIAL USES**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the non-residential spaces labelled as B1 Employment Space on the hereby approved plan shall be used for uses falling within B1 (a-b-c) and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: In order to protect the proposed employment space and to accord with DM Policy 10 of the Development Management Local Plan (2014).

RESTRICTION OF A3 COMMERCIAL USES

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the non-residential spaces labelled as A3 Cafe on the hereby approved plan shall be used for uses falling within A3 and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: In order to protect the proposed employment space and to accord with DM Policy 10 of the Development Management Local Plan (2014).

23) **SOUNDPROOFING**

(a) No development shall commence until full written details, including relevant drawings and specifications of the proposed works of sound insulation against airborne noise to meet $D_{nT,w} + C_{tr}$ dB of not less than 55 for walls and/or ceilings where residential parties non-domestic use shall be submitted to and approved in writing by the local planning authority.

(b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.

(c) The soundproofing shall be retained permanently in accordance with the approved details.

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

24) **METHOD STATEMENT FOR THE RETENTION OF THE FACADES**

(a) Notwithstanding the details hereby approved, no development shall commence until a method statement which includes a structural assessment and detailed plans at a scale of 1:10 and 1:20 showing how the facades of the existing building known as Scott House hereby approved have been submitted to and approved in writing by the local planning authority

(b) The development shall be carried out in accordance with the approved details with all restoration works completed prior to first occupation of the development.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest.

25) **OPERATING AND OPENING HOURS**

The A3 cafe hereby approved shall only be open for business between the hours of 07:00-23:00 hours Monday-Sunday.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 127 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, DM Policy 11 other employment locations of the Development Management Local Plan (November 2014).

26) **ARCHAEOLOGY**

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

(a). The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

(b). The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 7.8 of the London Plan (2016).

27) **DISTRICT HEAT NETWORK**

- (a) No development **above ground level** shall commence until written information, drawings and sections showing a scheme for the provision of conduits and/or piping for future connection to a District Heat and Power or Combined Heat and Power Scheme and Network have been submitted to and approved in writing by the local planning authority.
- (b) No part of the development shall be occupied until the scheme has been carried out in accordance with the approved details.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.5 Decentralised energy networks and 5.7 Renewable energy in the London Plan (2016) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

28) **BIRD, BAT AND INSECT HABITAT CREATION**

Details of the number and location of the bird, bat and Insect boxes and other measure which facilitate a net gain in biodiversity to be provided as part of the development hereby approved shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works and shall be installed before occupation of the building and maintained in perpetuity.

Reason: To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

29) **REFUSE AND WASTE STORAGE**

- (a) Details for the on-site storage, disposal and collection of refuse and recycling facilities shall be submitted to and approved in writing by the local planning authority prior the completion of above ground works of the development hereby approved.
- (b) The approved details shall be carried out in full prior to occupation of the development hereby approved and retained thereafter.

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

30) **MICROCLIMATE**

Details of measures to diffuse down draughted winds to the hereby approved courtyard and the adjacent courtyard of Plot 6 Deptford Timberyard detailed in

the 'Wind and Microclimate Study: Scott House, Grove Street London' (Wilde – March 2019), shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works. The approved measures shall be implemented prior to first occupation of the affected units.

Reason: In order to comply with Policy 18 The location and design of tall buildings of the Core Strategy (2011).

14.2 INFORMATIVES

- 1) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through a pre-application discussion.
- 2) As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An 'assumption of liability form' must be completed and before development commences you must submit a 'CIL Commencement Notice form' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk>
- 3) The land contamination condition requirements apply to both whole site and phased developments. Where development is phased, no unit within a phase shall be occupied until a), b) and c) of the condition have been satisfied for that phase.

Applicants are advised to read 'Contaminated Land Guide for Developers' (London Borough's Publication 2003), on the Lewisham web page, before complying with the above condition. All of the above must be conducted in accordance with DEFRA and the Environment Agency's (EA) - Model Procedures for the Management of Land Contamination.

Applicants should also be aware of their responsibilities under Part IIA of the Environmental Protection Act 1990 to ensure that human health, controlled waters and ecological systems are protected from significant harm arising from contaminated land. Guidance therefore relating to their activities on site, should be obtained primarily by reference to DEFRA and EA publications.

- 4) You are advised that the approved development is subject to a Section 106 agreement. Please ensure that the obligations under the Section 106 agreement are addressed in accordance with the details and timeframes set out in the agreement. If you have any questions regarding the agreement or how to make a payment or submission required under the agreement, please contact the S106/CIL team on CIL@lewisham.gov.uk.

