

Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	Industrial Estate, Juno Way, London, SE14 5RW	
Ward	New Cross	
Contributors	Patrycja Ploch	
Class	PART 1	13 July 2021

<u>Reg. Nos.</u>	DC/20/119156
<u>Application dated</u>	11 November 2020
<u>Applicant</u>	Shrimplin Planning & Development on behalf of Howard Lewisham Ltd
<u>Proposal</u>	Outline planning application for demolition of the buildings and construction of multi-level industrial/commercial building (flexible Use Class E(g)(ii)/E(g)(iii) /B2/B8) and a café (Use Class E) at Juno Way, SE14.
<u>Background Papers</u>	(1) Submission drawings (2) Submission technical reports and documents (3) Internal consultee responses (4) Statutory consultee responses
<u>Designation</u>	(1) Strategic Industrial Land (2) Area of Archaeological Priority (3) Air Quality Area (4) Flood Zone 2 and 3 (5) Local Open Space Deficiency (6) PTAL 1a
<u>Screening</u>	N/A

1 SUMMARY

1 This report sets out the officer's recommendation concerning the above proposal. The report has been brought before members for a decision as

- Application relates to a site of strategic importance in policy terms.

2 SITE AND CONTEXT

2.1 SITE DESCRIPTION AND CURRENT USE

2 The red line application site with an area of 0.37ha, is located on the corner of Surrey Canal Road and Juno Way. The buildings are mainly orientated to address Juno Way.

3 The site comprises a number of buildings. At the front of the site (northern end) and facing the Surrey Canal Road there is a one storey industrial/commercial building and a café (Block D). Behind it is the three-storey building known as Juno Enterprise Centre (Block C). There is a small and enclosed service yard in front of the building. This building is divided into a number of different units and is almost fully occupied with a range of occupiers including ceramicist, food distributor, storage, mail order cocktails. At

the rear is a terrace of five (5) units (Block B, units 1b, 2b, 3b, 4b and 5b), the first two of which (4b and 5b) fall within the application site. The terrace of units is one storey, and it is measuring 5.9m to eaves and 7.5m to ridge. There is a service yard directly in front of Juno Way.

- 4 The application site is outlined in red in the Photograph 1 below.

Photograph 1: Aerial photograph of the application site



2.2 CHARACTER OF AREA

- 5 The site is part of the larger Juno Way Industrial Estate, which is at the heart of the Surrey Canal Road Strategic Industrial Locations (SIL).
- 6 To the south of the application site is the rear part of the larger Juno Way Industrial Estate (Block B units 1b, 2b, 3b and Block D units 1a, 2a, 3a, 4a, 5a, 6a) which is also controlled by Howard Lewisham Ltd (the applicant). Beyond this, at the southern end of Juno Way is an open yard used for skip storage that is in separate ownership.
- 7 The Elizabeth Industrial Estate located to the east is in an ownership of the applicant and it was recently redeveloped. The estate comprises a series of Trade Counter units facing Surrey Canal Road, known as the Surrey Canal Trade Park, with a large DHL unit behind that is 12m tall to top of parapet and 52m wide. The rear part of the Elizabeth Way Industrial Estate remains undeveloped.
- 8 Further east, on the other side of the Elizabeth Industrial Estate, is the newly extended train maintenance building approved on 23 September 2013 under planning application reference DC/13/083664.

2.3 HERITAGE/ARCHAEOLOGY

- 9 The application site is located in an Area of Archaeological Priority.
- 10 The Site does not fall within a Conservation Area However, nor is it subject to an Article 4 Direction. Furthermore, there are no statutorily or locally listed building on or within close proximity to the site.

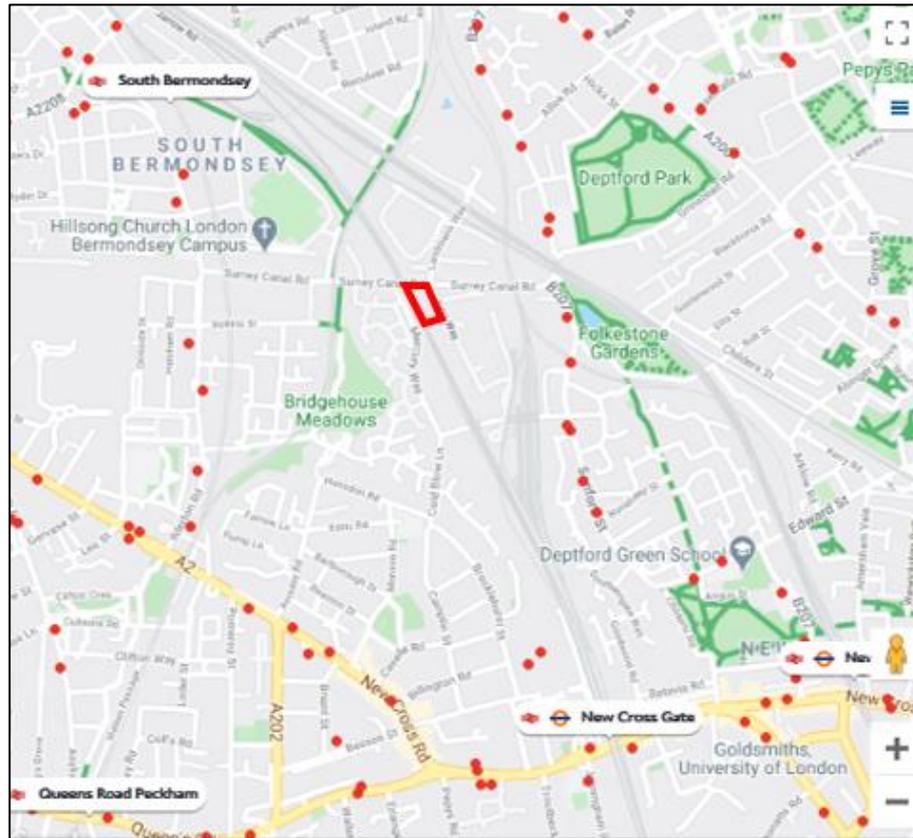
2.4 LOCAL ENVIRONMENT

- 11 The application site is located within Flood Risk Zone 3 (high probability of flooding) but benefit from flood protection as demonstrated on Environmental Agency flood map.
- 12 The application site is also located in Air Quality Area, Local Open Space Deficiency.

2.5 TRANSPORT

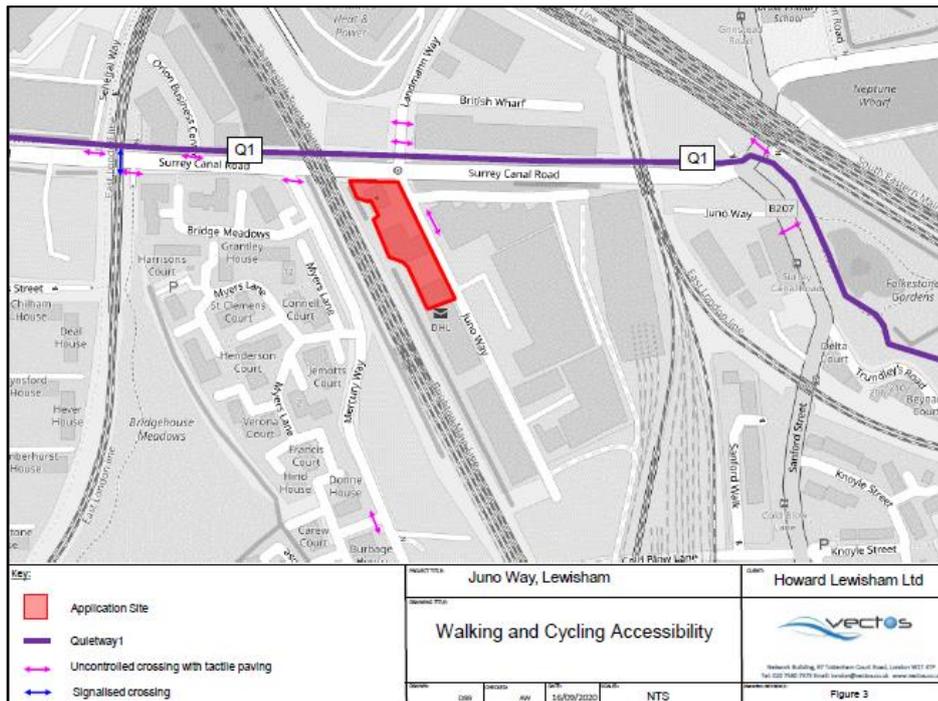
- 13 Surrey Canal Road is a single carriageway road running west-east between Ilderton Road and Trundleys Road/ Grinstead Road. It is subject to a 20-mph speed limit. Juno Way is a private road controlled by Howard Lewisham Ltd. It is a single carriageway road, approximately 270m long, providing two-way access to the Juno Way Industrial Estate. There is no footway along the west side of Juno Way but there is a new footway along the east side, around 2m wide, which was built as part of the recent redevelopment of the Elizabeth Way Industrial Estate. The application site does not fall within Controlled Parking Zone (CPZ).
- 14 The Public Transport Accessibility Level (PTAL) of a site is a measure of its relative accessibility to public transport taking into account factors such as distance, type and frequency of service. PTAL is categorised into eight categories, 1a to 6b, where 6b represents an excellent level of accessibility and 1a a very poor level of accessibility. The application site has a PTAL of 1a, which is very poor.
- 15 The nearest bus stop to the site is the New Cross, Surrey Canal Road (Stop C), located on the northbound side of the B207 Trundleys Road to the east of the site. A bus shelter, seating and timetable information are provided at the bus stop. A southbound bus stop, the New Cross, Cold Blow Lane (Stop K), located on the B207 Sanford Street approximately 500m to the east of the site. No bus shelter is provided, just a bus stop flag and route number information. Bus route 225 that serves both stops provided a frequent service linking the site to New Cross Gate station, Canada Water station and Hither Green station and the surrounding residential areas.
- 16 The nearest rail station to the site is South Bermondsey rail station, located approximately 980m from the site. Rail services are operation by Southern with train frequencies of every 5 to 10 minutes during the daytime and is one stop to London Bridge. New Cross rail station is located just over 1.2km to the south east of the site and Deptford rail station is located approximately 2km also to the south east of the site. Rail services are operated by Southeastern, Southern and Thameslink with train frequencies of every 5 to 10 minutes during the daytime. New Cross Gate rail station is located on the London Overground line, along which trains run between Highbury and Islington to the north and West Croydon to the south. The line is also provides a link to the rest of the London Underground system.
- 17 In the medium to long term, a new station at Surrey Canal Road on the London Overground is due to open circa 2024 as part of the Surrey Canal Triangle development, that scheme will also long term provide additional bus routes along Surrey Canal Road which will provide services into Central London and Lewisham.

Map 1: Public transport in the local area



18 The site is located adjacent to 'Quietway 1' cycle route, which extends from Waterloo Station toward Greenwich. The site is also in close proximity to the proposed cycle 'Superhighway 4' which would be located to the north. It is noted that roads around the site are generally flat and wide enough to comfortably accommodate cyclist within the carriageway without resulting in undue safety concerns.

Map 2: Cycle routes in the surrounding area



3 RELEVANT PLANNING HISTORY

3.1 PLANNING HISTORY

19 There is no relevant planning history to the application site and proposed development. However, the development on the adjacent site in the Elizabeth Way Industrial Estate is on interest.

3.2 RELEVANT PLANNING HISTORY ON ADJACENT LAND

20 On 29 August 2013, a planning application (reference DC/12/081950) was approved for redevelopment of the Elizabeth Industrial Estate. All of the existing buildings were cleared from the site and replaced with two new buildings providing total gross floor area was 7,325sqm. The development also provided 36 bicycles spaces, 10 disabled car parking spaces and 42 car parking spaces and re-landscaped the pavement along Surrey Canal Road.

21 On 28 November 2014, a new planning permission at the same site (reference DC/14/088567) was approved for construction of two buildings comprising six industrial units to provide B1, B2, B8 and/or sui generis trade counter floorspace (approx. total gross floor area of 7,000sqm) together with associated landscaping, hardstanding and provision of 26 bicycles spaces, 6 disabled car parking spaces and 33 car parking spaces

22 In 2015, an application (reference DC/15/090522) was made under section 73 of the Town and Country Act 1990 (as amended) to amend the design of planning application reference DC/14/088567 in order to allow additional storey of officers for the DHL units. This permission was approved in March 2015. All planning conditions were subsequently discharged and the scheme has now been completed.

3.3 LEWISHAM PLANNING PRE-APPLICATION ADVICE

23 The applicant carried out a concept and full pre-application meetings with the Council's Planning Service between December 2019 and submission in November 2020.

24 The response to concept pre-application (reference PRE/19/114397) was issued on 13th December 2019 and it confirmed that the Council has no objection to the intensification of the employment uses within the application red boundary line. This is provided that those spaces are well designed, functioning and can be shown to be sustainable.

25 The response to full pre-application (PRE/20/118143) was issues on 8th October 2020 and it identified a number of issues that need to be worked on to make the proposal acceptable. These included use, internal and external design, urban greening, transport and highway, energy and sustainability.

4 PLANNING APPLICATION

4.1 THE PROPOSAL

26 This is an outline application for the demolition of the existing buildings and construction of a new industrial/commercial floorspace in flexible uses class E(g)(ii)/E(g)(iii)/B2/B8 and a café is E use class in a multi-level building with maximum floorspace of 14,500sqm within the application site.

27 The only specific detail for which consent is sought is scale (the height, width and length) of the building and principle of this maximum amount and type of uses. Matters of access, appearance, landscaping and layout are all reserved for subsequent approval (“Reserved Matters Application”).

28 The scale of the proposed building would be as follow:

- Height - The maximum height of the building to top of the cores would be 24m. The building would be would be five (5) storeys with a ground floor (including mezzanine) and four (4) upper floors.
- Width - The width of the building would vary as the side widens out at various point. The building width would range from 22 and 29.5m.
- Length -The length of the building would also vary due to front elevation being at an angle. The length would range from 105m to 116m.

29 In addition, illustrative drawings have been provided showing indicative access, appearance, landscaping and layout (as is commonplace for these type of applications). These are not for detailed consideration. Therefore, to re-iterate, the detailed access, appearance, landscaping and layout is not being considered at this stage and the submitted plan in this regards are illustrative. It will be for future reserved matters application(s) to determine the final access, appearance, landscaping and layout.

4.2 REVISIONS

30 Revisions have been made to the application and additional / revised information was submitted as set out below.

- Inclusion of pavement on the western side of Juno Way
- Clarification on the requirement to provide urban greening.
- Additional soft landscaping to the front of the building.
- Submission of surface and foul water drainage strategy plan (drawing no 0100 Rev)
- Revised Car Parking Provision
- A drawing illustrating proposed improvements to the crossing facilities (including dropped kerbs / tactile paving) on Surrey Canal Road / Juno Way / Landman Way junction (drawing no 205255/PD04)

5 CONSULTATION

5.1 APPLICATION PUBLICITY

31 Site notices were displayed and 747 letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 25 November 2020.

32 At the end of the statutory consultation period, two (2) responses were received.

5.2 COMMENTS IN OBJECTION

33 The representations objecting to the proposed development, received as a result of the public consultation are summarised as follow:

Table 1: Summary of objections

Material planning consideration	Para(s) where addressed
The proposed development including café should not be used as a night venue which holds noisy events	See para. 75
Condition should be added preventing the buildings to be used as a nightclub	See para. 75
Existing tenants are affordable workspace tenants and there is worry that the affordable units would be lost as part of this re-development	See para. 81-84

5.3 INTERNAL CONSULTATION

- 34 Environmental Protection (Air Quality): No objection subject to adding condition.
- 35 Environmental Protection (Noise): No objection subject to condition.
- 36 Environmental Protection (Contamination): No objection subject to adding condition.
- 37 Environmental Sustainability (Energy): No objection subject to adding condition.
- 38 Ecology: No objection subject to adding condition.
- 39 SuDS: Initially raised objection to the application. However, following submission of additional information by the applicant, the objection was removed and proposal is supported subject to including of condition.
- 40 Tree: no response received.
- 41 Urban design: Initially raised objection to the application. However, following submission of additional information by the applicant, the objection was removed and proposal is supported subject to including of conditions.
- 42 Highway: Initially raised objection to the application. However, following submission of additional information by the applicant, the objection was removed and proposal is supported subject to including of condition.

5.4 EXTERNAL CONSULTATION

- 43 Ward Councillors: no response received.
- 44 Environmental Agency: No objection subject to adding condition.
- 45 London Fire Brigade: No objection to the proposed development.
- 46 TfL: No objection subject to CLP/CMP, DSP and Travel Plan being secured along side cycle parking as proposed including compliance with LCDS.
- 47 Thames Water: Raises the following (summarised) points: No objection subject to adding condition and informative.

48 The Greater London Archaeological Advisory Service: No objection subject to adding condition.

49 Greater London Authority: no response received.

6 POLICY CONTEXT

6.1 LEGISLATION

50 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

51 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.

52 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.

53 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

54 The National Policy & Guidance comprises:

- National Planning Policy Framework 2019 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

6.4 DEVELOPMENT PLAN

55 The Development Plan comprises:

- London Plan (March 2021) (LP)
- Core Strategy (June 2011) (CS)
- Development Management Local Plan (November 2014) (DMLP)
- Site Allocations Local Plan (June 2013) (SALP)
- Lewisham Town Centre Local Plan (February 2014) (LTCP)

6.5 SUPPLEMENTARY PLANNING GUIDANCE

56 Lewisham SPD:

- Alterations and Extensions Supplementary Planning Document (April 2019)
- Planning Obligations Supplementary Planning Document (February 2015)

57 London Plan SPG/SPD:

- Planning for Equality and Diversity in London (October 2007)
- 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)

7 PLANNING CONSIDERATIONS

58 The main issues are:

- Principle of development
- Urban Design
- Heritage
- Transport
- Neighbour amenity
- Environment and sustainability
- Planning Obligations

7.1 PRINCIPLE OF DEVELOPMENT

59 The main issues in terms of the principle of development are considered to be the designation of the site as a Strategic Industrial Location (SIL), the redevelopment of the existing site for a mix of industrial uses and a café use, employment and affordable workspace.

7.1.1 Principle of industrial use

Policy

National Planning Policy Framework (NPPF)

60 Paragraph 11 states that there is a presumption in favour of sustainable development and that proposal should be approved without any undue delay, so long as they accord with all relevant policies contained within the development plan.

61 Paragraph 80 states that “planning policies and decision to help create the condition in which business can invest, expand and adapt. Significant weight in the decision making process should be placed on the need to support economic growth and productivity taking into account both local business needs and wider opportunities for development.”

London Plan

62 Policy GG5 supports the objectives of the NPPF. Part C states that planning and development must “plan for sufficient employment and industrial space in the right locations to support economic development and regeneration”.

- 63 Policy E4, Part A seek to ensure that there is “a sufficient supply of land and premises in different parts of London to meet current and future demand for industrial and related functions should be provided and maintained, taking into account strategic and local employment land reviews, industrial land audits and the protection for intensification, co-location and substitution.” Part B breaks down London’s land and premises for industry, logistics and services into three categories (1) Strategic Industrial Locations (SIL); (2) Locally Significant Industrial Sites (LSIS) and (3) non-Designated Industrial Sites. Part C mentions, “the retention and provision of additional industrial capacity across the three categories of industrial land set out in Part B should be planned, monitored and managed”.
- 64 Policy E5 focuses on Strategic Industrial Locations (SIL) and it Table 6.2 identifies Bermondsey/ Old Kent Road/ Surrey Canal Road as SIL. This policy state that SIL locations should be managed proactively through a plan-led process. The plan seeks to ensure that there must be no net less through the intensification of SIL. Efficiency and opening hours must not be compromised. What this means for Lewisham is that the borough should promote intensification where possible to ensure that the identified demand is met.
- 65 Policy E8, Part A, reads that “employment opportunities for Londoners across a diverse range of sectors should be supported along with support for the development of business growth and sector-specifies opportunities.”

Local Plan (Core Strategy (CS), Development Management Local Plan (DMLP) and other)

- 66 Paragraph 6.21 of the CS mentions that “the designation of the Surrey Canal Road as SIL meets the requirements of the London Plan for the retention of and that can maintain the industrial and commercial functioning of London as a whole, as well as providing land to meet infrastructure requirements such as transport depots ad garages and for the public services”.
- 67 CS Policy 3, Part 1, states that “the Council will protect SILs for uses within the B Use Class (B1c, B8 and where appropriate B2 industry), and also appropriate sui generis uses, to provide land for activities that support the continued functioning of London as a whole”.
- 68 DMLP Policy 10 supports the implementation of CS Policy 3.
- 69 The Council is preparing a Draft Lewisham Local Plan (Regulation 18 stage “Preferred Approach” document) to replace the CS (June 2011) and DMLP (November 2014). To inform the preparation of a new Local Plan, the council commissioned an Employment Land Study update, which has now been published (March 2019). The study provides that the borough should seek to ensure no further net loss of employment land and floorspace, and identifies a future need for circa 1,000sqm net additional floorspace over the next 15 to 20 years. This is principally for B1 uses classes. The study details that the entire employment area of the Surrey Canal SIL should be protected given the strategic importance of the site and strong demand for industrial space in the borough. Officers also note that the review identified the application site to have good compatibility with surrounding uses, good transport access to Central London, docklands and other strategic routes.
- 70 Creative Enterprise Zone (CEZ) are Mayoral initiative to designate areas of London where artists and creative businesses can find permanent affordable space to work; are supported to start-up and grow; and where local people are helped to learn creative sector skills and find new jobs. The Lewisham Creative Enterprise Zone focuses on New Cross and Deptford in the north of the borough where local people are helped to learn creative sector skills and find new jobs. The application site falls within the establish CEZ,

Proposed development - assessment

- 71 The application site is within the Surrey Canal Road SIL. The above policy position sets out that there is a strong support for protection and retention of industrial and employment uses within SIL.
- 72 At present the site comprises the following, Juno Enterprise Centre (Block C), two additional units (Block B – Unit 4b and 5b), and a café at the front of the site (Block D). The total floor area of the existing site is 2,966sqm. The split is 2,756sqm of commercial/industrial floor area (Blocks C and B) and 210sqm of café floor area (Block D).
- 73 The proposal would seek to demolish the existing buildings on site and construct a multi-level building that would provide circa 14,500sqm of flexible commercial, industrial and café floor area. The total proposed floor area (14,500sqm) would comprise of 480sqm café, 2,451sqm of car parking and service yard area provided at ground and mezzanine level, and 11,569sqm of B2/B8/E(g)(ii)/E(g)(iii) use. This is an uplift of 320% on the existing floor area (going from 2,756sqm to 11,569sqm). The layout of the building has been designed around a ground floor with parking and servicing, and the café, with the first-second floor being catered for heavy industry and the third-fourth floor being designed for lighter industrial spaces. Creation of employment floorspace is strongly supported and officers are satisfied that the proposed development would fully accord with the principles and objectives for SIL given that it will retain and uplift the employment offer at the site. The proposed development could support the CEZ by providing high quality facilities, and contributing to an uplift of employment space.

7.1.2 Principle of a café use

- 74 The proposed provision of a replacement small café would activate Surrey Canal Road and provide a walk-to service for the site's end-users and surrounding industrial occupiers, providing a social gathering and meeting space. The proposed café is supported and welcomed.
- 75 Concern was raised about the use of the café as a nightclub and hours of use. The proposed café would fall under Use Class E(b) Use. A condition is recommended to secure this use and prevent change of use under permitted development.

7.1.3 Employment

- 76 The socio-economic issues to consider are the potential employment benefits for the local population that may arise during the construction and operational phases.
- 77 The proposed building would be multi-storey commercial and industrial building. This is an innovative employment product, which has proven to be an effective model in the more developed markets of Germany, Japan, South Korea, Singapore and Hong Kong, where dense populations and limited land availability made them a necessity.
- 78 In the UK, there are currently not many examples of true multi-storey industrial buildings. Typically, industrial buildings are single level with mezzanine floors. The applicant, an industrial developer, has sought to maximise the industrial and employment capacity of this site by providing a multi-level industrial space that is more typically seen in Europe and Asia. This is a product that is now being developed in other authorities such as Barking and Dagenham scheme 'Industrial' and is a model that the GLA view as positive for uplifting density of employment. It is considered that this style of workspace is would maximise land opportunities and employment in the borough.
- 79 The site currently could provide up to 78 jobs. This is based on existing occupied floor area 2,756sqm and density of one (1) full time equivalent job per 36sqm (this is taken

from p 86 and p109 of the London Industrial Land Demand: Final Report (October 2017)). Given the outline nature of the application, the number of jobs will vary considerably between the quantum of development and the end users. However, based on typical employment densities as described earlier, it is estimated that the final development could deliver up to 322 full time jobs once the building is operational.

80 The construction jobs created directly onsite would be recommended to target employing local labour during construction period. It is recommended that a target for employing local labour during construction be secured, alongside a requirement for reasonable endeavours to encouraged local sub-contracting and a quantum of apprenticeships that pay the London Living Wage, within any Local Labour Skills and Employment Strategy and Management Plan to be secured in the s106 agreement.

7.1.4 Affordable workspace

81 LP Policy E3 seeks to ensure that new developments provide affordable workspace for some economic, social and cultural uses that cannot afford to operate at open market rents and to support start-up or early stage businesses. There are defining circumstance where planning obligation may be used to secure affordable workspace.

82 The defining circumstance are listed in LP Policy E3, Part B, and they include:

1. Where there is affordable workspace on site currently, or has been at any time since 1 December 2017, expect where it is demonstrated that the affordable workspace has been provided on a temporary basis pending redevelopment of the site
2. In areas identified in a local Development Plan Documents where cost pressures could lead to the loss of affordable or low-cost workspace for micro, small and medium-sized enterprises (such as in the City Fringe around the CAZ and in Creative Enterprise Zones)
3. In locations identified in a Local Development Plan Documents where the provision of affordable workspace would be necessary or desirable to sustain a mix of business or cultural uses which contribute to the character of an area.

83 The applicant has confirmed that the existing building does not provide affordable workspace. Officers note that there is no adopted Local Plan or London Plan policy identifying cost pressures in specific areas.

84 The existing various leases all come to an end to allow redevelopment of the building and so no leases will need to be terminated. Given the circumstances and the fact that the applicant and site owner is not obliged to renew leases with the existing tenants. Officers are of the view that a relocation strategy will not be necessary in this instance. Where possible, the applicant has confirmed that they will seek to accommodate the occupiers in the rest of the Juno Way Industrial Estate and, upon completion of the redevelopment, they could be accommodated in the new building.

7.1.5 Principle of development summary

85 The proposed development would be an efficient and effective use of land that is in accordance with the policy designation for the site. The proposal would provide a significant uplift (320%) of industrial and commercial floor area and a number of jobs that would be created on site. The proposal is fully supported and considered acceptable in policy terms.

7.2 URBAN DESIGN

86 This is an outline application seeking approval for scale of the proposed building (the height, width and length). Matters of access, appearance, landscaping and layout are all reserved for subsequent approved ("Reserved Matters Application").

Policy

87 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. Paragraph 127 states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

88 LP Policy D3 requires all development to make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach require consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planning supporting infrastructure capacity. This policy provides further information about form, layout, experience, quality and character. LP Policy D4 required that development deliver good design.

89 Core Strategy Policy 15 repeats the necessity to achieve high quality design but also confirms a requirement for new developments to minimise crime and the fear of crime.

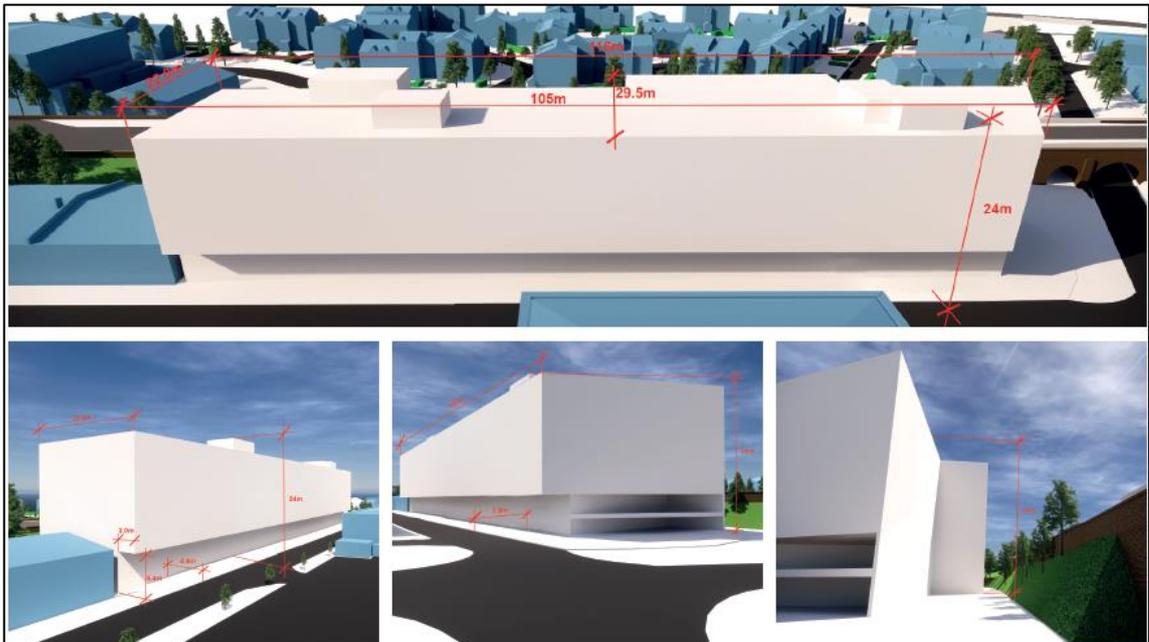
90 DMLP DM30 states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity. DM Policy 33 seek to protect and enhance the Borough's character and street frontages through appropriate and high-quality design.

7.2.1 Scale

91 The scale of the proposed building would be as follow:

- Height - The maximum height of the building to top of the cores would be 24m. The building would be five (5) storeys with a ground floor (including mezzanine) and four (4) upper floors.
- Width - The width of the building would vary as the side widens out at various point. The building width would range from 22 and 29.5m.
- Length -The length of the building would also vary due to front elevation being at an angle. The length would range from 105m to 116m.

Image 1: Scale of the proposed building



92 The applicant confirmed that the proposed scale of the development has derived from their understanding of the surrounding context, the building type and the needs of the end-users.

93 The surrounding area to the application site contains a number of large buildings of a similar scale. The opposite site of Juno Way there is the main DHL unit. This building is 12m tall, 52m wide and 95m long. Further to the east, there is newly extended train maintenance building that is similarly wide and tall but longer than the DHL unit. The Surrey Canal Road SIL contains a number of other tall buildings, including the South East London Combined Heat and Power Plant measuring 45m plus a tower of 100m and two tall industrial units occupied by Hinkcroft Transport (one is 21m and one is 11.5m to the ridge). Whilst the proposed building would be one of the largest that the immediate neighbours, the building would not appear incongruous with its neighbours given the site location. Officer are therefore satisfied that the proposed scale of the building would fit comfortably with the surrounding area.

7.2.2 Appearance

94 The detailed appearance and materials of the building will be the subject of future planning application (“Reserved Matters”). The submitted elevations drawings and CGI images can only be considered as indicative.

95 The Design and Access Statement (DAS) outlines that the design aims to provide a clear understanding of the industrial functions and use of the building. The building would combine contemporary materials using profiled metal casing with modern and simple detailing with the use of a considered palette. The glazing in the building will create active frontage and express the internal use of the building.

96 The ground floor will be designed to be light and open and create active frontage. The colour palette and materials would use glazing and louvers allowing the passers by to look in and see the function of the building. The ground floor louvers would also be practical, as they will allow natural ventilation of the areas behind (carking and refuse areas). The upper floors of the building are proposed to be split into two different activity types. First and Second floor would be set up to cater for ‘heavy’ industrial spaces and Third and Fourth floor being less formal and lighter industrial spaces. The distinctions

between the floors and uses would be translate in the elevation treatment for these floors.

- 97 The image below demonstrated the proposed split of the building into the described sections.

Image 2: Proposed materials



- 98 The proposed design approach would help to break up the mass, create contrast and identify specific location and uses. A planning condition can be used to set parameters on the appearance of the building.

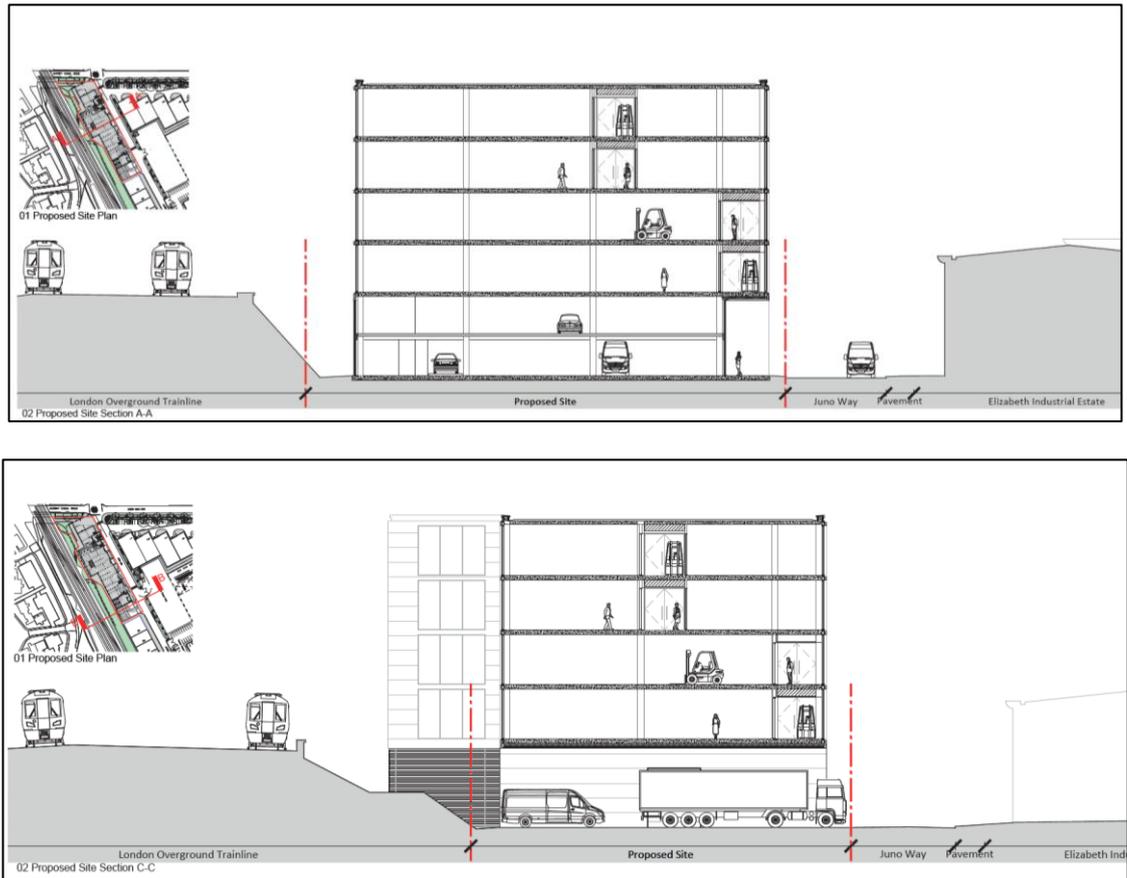
7.2.3 Layout and landscape

- 99 The layout of the site and the building (within acceptable set parameters) will be the subject of future planning application (“Reserved Matters”). The submitted site and floor plan drawings can only be considered as indicative of what could potentially be delivered on the site.

- 100 The proposed site plan shows that the building to be set back from Surrey Canal Road at ground floor by approximately 17m and Juno Way between 3.9 and 4.6m. The ground floor would have recessed area and upper floors would project slightly forward towards Juno Way. The front of the building would extrude out from the building main volume to create an entrance to the building that can be easily seen and identified from Surrey Canal Road helping to orientate visitors and create sense of place to the industrial estate.

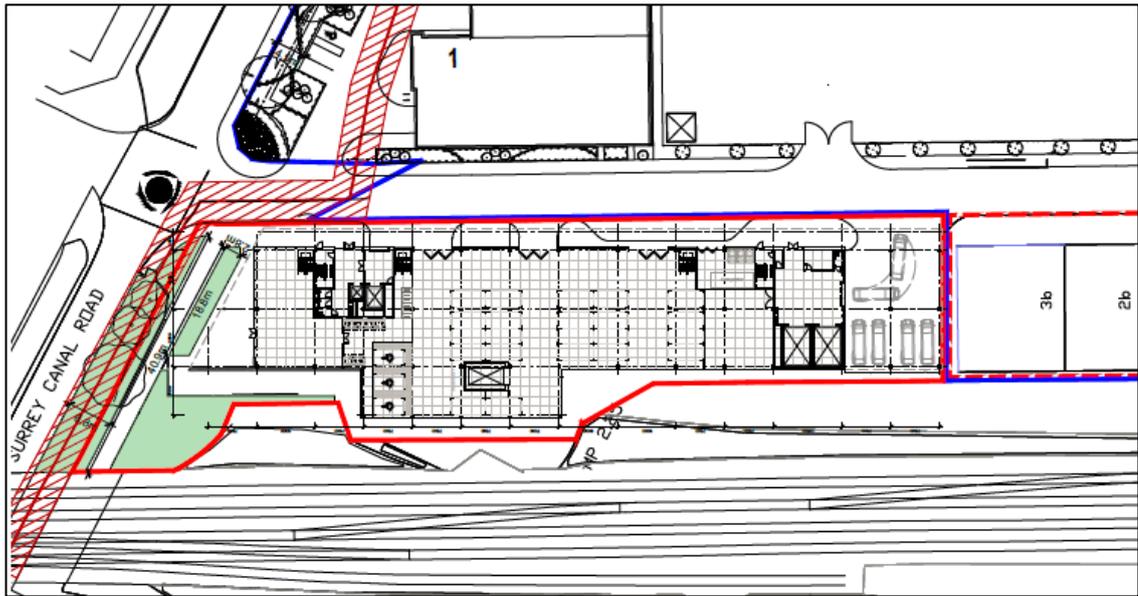
- 101 The applicant has demonstrated on the indicative section drawings that the floor to ceiling heights would be sufficient to allow a forklift truck to operation and allow for wall racking (the measurements is approximately 3.6m). The internal height of proposed building would be comparable to that of a traditional industrial unit that has been subdivided vertically through the introduction of a mezzanine. Officers are therefore satisfied that the proposed building would be able to retain its industrial capacity and attract tenants that are appropriate for SIL location.

Image 3: Proposed sections AA (top) and BB (bottom)



- 102 Along Surrey Canal Road, a 6.8m landscaped buffer is proposed which will extend the existing landscaped belt facing and stretching along Surrey Canal Road. The plan shows further public realm zone to the front of the building. The café use will be in this area on the ground floor on the building.
- 103 Whilst commercial development (B2 and B8 uses) is excluded from providing Urban Greening (as mentioned in LP Policy G5). The application has provided calculation for Urban Greening Factor and the Application Proposal is above the target score of 0.3 for predominately commercial development.

Image 4: Proposed site layout (including landscaping)



7.2.4 Urban design summary

104 The proposed scale of the building (height, width and length) is considered to be acceptable and in accordance with after mentioned policies, subject to further consideration of materials, detailing and landscaping at reserved matters stage.

7.3 HERITAGE

105 LP HC1; CS Policies 16; DMLP 36 seek to protect designated heritage assets.

106 The archaeological desk-based assessment report has identified the potential for archaeology to occur in relation to the earlier now buried topography. Given the nature of the site and its current use, the Greater London Archaeological Advisory Service (GLAAS) advised that it is recommended that archaeological potential at the site can be secured by a condition. The proposed development could cause harm to archaeological remain. The GLASS officer confirmed that the significance of the asset (archaeological remains) and the potential scale of harm to it is such that the effect can be managed using planning conditions which will be added to any permission.

7.4 TRANSPORT

107 The transport issues to consider are access, the provision of car and cycling parking, and the servicing arrangements for the proposed uses at the site.

7.4.1 Access

108 Whilst exact access details would be confirmed at future planning application ("Reserved Matters"). The indicative layout shows three access points to the proposed building. The exact position of them will be determined once the internal layout of the building are decided.

109 The access point would be from either Surrey Canal Road and Juno Way. The applicant would be required to demonstrate that a road safety would be achieved for pedestrians, cycling and vehicles.

7.4.2 Healthy streets

- 110 The application site is located on the western side of Juno Way, and is part of the larger Juno Way Industrial Estate. Juno Way provides access to a variety of industrial uses including the application site, a TfL Overground Depot car park and an open yard used for skip storage.
- 111 Juno Way is a private road, it has a footway along the east side (approx. 2 m wide), but currently has no footway along the west side of Juno Way. Following the initial comments, the proposed application has been adjusted and a continuous footway along the west side of Juno Way is now proposed. The proposed hardstanding arrangement would be an improvement on the existing situation on the western side of Juno Way. The additional pavement would also provide level access to the building entrances from the west without vulnerable road users having to share the carriageway with vehicles on Juno Way. Details of the design of footway (including materials and lighting) are recommended to be secured by condition.
- 112 In addition officers note that the application would provide a crossing between west and east side of Juno Way, close to the Surrey Canal Road. The crossing will be levelled. This is a welcome addition and a benefit to the scheme and the wider Juno Way industrial estate

7.4.3 Travel plan

- 113 The site has a public transport accessibility level (PTAL) of 1a, which is considered a very poor level of accessibility, meaning that a greater number of vehicle trips would be generated, when compared to a location with a good PTAL. To encourage modal shift to sustainable modes a Travel Plan Framework was prepared. The framework sets a range of measures that will encourage future residents, employees and visitors to the site to make use of sustainable travel choices. The plan aims to reduce staff and visitor single occupancy car travel by 5% in the 5 years after the implementation of the development. The reduction would be spread across other sustainable modal shares. The approach to travel planning is acceptable given the location of the site on SIL land and the commercial nature of the scheme. Officers are content that the scheme comprises a range of interventions that will facilitate more sustainable travel to and from the site. The submitted travel plans, these would be condition and monitored by officers. It is also noted that PTAL will improve in the area from 1 to 4 with the new over-ground station and buses which will run past the site that will be provided via the adjacent Surrey Canal Triangle scheme. Walking and cycling will also be improved with improvements to the Quietway and links under railway bridges again part of the Surrey Canal Triangle development.

7.4.4 Car parking and blue badge parking

Café

- 114 The existing café has two car parking spaces located immediately adjacent which sit within the public highway. Those car parking spaces will be removed as part of the proposal and will be replaced by new section of footway that would provide improved pedestrian route into the site from Surrey Canal Road.

Industrial use

- 115 Paragraph 10.6.18 of the LP states that “for industrial sites, the role of parking –both for workers and operations vehicles – varies considerably depending on location and the type of development proposed. Provisions should therefore be determined on a case-by-case basis, with the starting point for commutes parking being the standards in Table

10.4 with difference in employment densities taken into account. Flexibility may then be applied in light of site-specific circumstances”.

116 The applicant estimates that development should provide three (3) blue badge and 28 operational parking spaces. 20% of the car parking spaces will have electric vehicle charging point from the outset. Further details of the proposed parking including layout / design and electronic changing will be secured by condition.

117 The site is not located within a Controlled Parking Zone. To mitigate the impact of overspill parking generated by the development, a contribution is required towards parking controls in the vicinity of the site, secured by obligation (including the Landman Way). In additional, a further condition will be added requesting submission of a Parking Management Plan (PMP). The PMP should include details of the allocation and enforcement t of the off-street parking within the site, it should also include measures to enforce informal parking on the Juno Way frontage and in the proposed service yard at the rear of the site.

7.4.5 Cycle parking

118 LP Policy T5 states that for A2-A5, B1 (light industry and research and development), B2 and B8 development at a minimum should provide

Table 2: Required minimum cycle parking standards

Use Class	Required Long-stay	Required Short-stay
A2-A5	1 space per 175sqm (GEA)	Areas with higher cycle parking standards: <ul style="list-style-type: none"> ▪ space per 20sqm (GEA) Rest of London: <ul style="list-style-type: none"> ▪ 1 space per 40sqm (GEA)
B1 (light industry)	1 space per 250sqm (GEA)	1 space per 1000sqm (GEA)
B2-B8	1 space per 500sqm (GEA)	1 space per 1000sqm (GEA)

119 Based on the cycle standards provided in Table 2, the cycle parking for the proposed development based on the proposed floor area of 11,569sqm should be as follow, please see Table 3 below.

Table 3: Proposed cycle parking in the development

Use Class	Required Long-stay	Required Short-stay	Total
A2-A5	3	12	15
B1 (light industry)	46	12	58
B2-B8	23	12	35

120 The table above demonstrates that the development would provide the required number of long and short stay cycle parking spaces.

121 Full details of cycle parking provision and facilities (showers and lockers) will be secured by condition.

7.4.6 Delivery and servicing

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

123 LP Policy T6(G) and T7(B)(3) state that rapid electric vehicle charging points should be provided for servicing vehicles.

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

125 The proposed development would be serviced through a combination of on street servicing and loading bays and covered service yard. There would be loading bays that are located along Juno Way. In addition the proposal includes the provision of a covered service yard to the rear of the site adjacent to the proposed large capacity service elevators. The yard would be used for larger deliveries to site.

126 The applicant have assessed servicing requirements by basing their trip generation figures. The forecast daily servicing and delivery vehicles suggests that the development would generate 35 AM two-way trips and 14 PM two-way trips every day.

127 Further details for the Delivery and servicing Plan include details of the waste storage and management and the layout and management of the yard will be secured by condition.

7.4.7 Construction Management Plan

128 A Construction management / Logistics Plan would be secured by condition.

7.4.8 Transport summary

129 The proposed development would not result in harm to the local highway network or pedestrian or highway safety subject to suitably worded conditions and planning obligations.

7.5 NEIGHBOUR AMENITY

130 The key amenity issues to consider are the impact of the proposed intensified industrial uses on adjoining uses (including residential), noise (including construction) and vibration, daylight and sunlight, air quality.

7.5.1 Intensified industrial use, noise and vibration

131 LP Policy D13 places responsibility for mitigating impact of noise and other nuisance firmly on the new development.

132 DMLP 26, Part A, states that the Council requires noise and/or vibration generating development or equipment to be located in the SIL. Part C required a submission of a Noise and Vibration Assessment for noise and/or vibration generating development.

133 The Council's Environmental Protection Officer (Noise) reviewed the application and advised that they have no objection to the proposal at this stage given that it is an outline application. They have required that a condition be added securing submitting of a Noise and Vibration Assessment that would include mitigation methods for the dust and noise for the demolition and build.

7.5.2 Daylight and sunlight

134 Although the proposed building would be taller than the existing. Officers are satisfied that the proposal would not negatively affect amenity of neighbouring properties. To the north of the site there is a Surrey Canal Road. To the east and south, there are existing industrial buildings with service yards. To the west, there is a raised railway line bank behind which the nearest residential property is located on Mercury Way approx. 66.5m away.

7.5.3 Overbearing and Outlook

135 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.

136 The nearest residential property is located on Mercury Way approx. 66.5m away. Over the elevated railway line, this is considered to be sufficient distance to prevent overbearing impact and impact on outlook. Officers are satisfied that the proposed building would not affect other industrial building in the SIL.

7.5.4 Privacy and overlooking

137 The nearest residential property is located on Mercury Way approx. 66.5m away. This is considered to be sufficient distance to prevent overbearing impact and impact on outlook. Officers are satisfied that the proposed building would not affect other industrial building in the SIL.

7.5.5 Impact on neighbours conclusion

138 Overall, it is considered that the proposal would not have negative impact on neighbour amenity.

7.6 ENVIRONMENT AND SUSTAINABILITY

7.6.1 Energy efficiency and climate change

139 LP Policies SI 2 and SI 3 covers the mitigation of and adaptation to climate change and the management of natural resources.

140 LP approach is reflected in CS Policies 7 and 8 (which also requires BREEAM 'Excellent' for non-residential development) and DMP 22.

141 An Energy Assessment has been submitted which addressed the energy hierarchy and sets out that the scheme could achieve a reduction in CO2 emission of 35% relative to Part L of the Building Regulations 2013. The following measures are proposed.

- Be Lean – the application proposed a range of active and passive design measures in order to reduce energy demand. This includes low air tightness level, efficient lighting along with energy saving controls.
- Be Clean - the application proposed to use Air Source Heat Pumps (ASHP) solution until the development can be connected to SELCHP once the pipe towards the river is installed and operational.
- Be Green – the proposal includes ASHP.
- Be Seen – the building would be metered in line with the requirements of BREEAM.

- 142 As this is an outline planning application, further information and an improved Energy Statement would be requested by planning condition.
- 143 The applicant has contacted Veolia at SELCHP. The Veolia confirmed that the pipe from SELCHP towards the river has yet to be installed but is in development (following the grant of planning permission). Officers would expect the applicant to remain in contact with Veolia to ensure that the site is connected to their pipe to be the assumed solution. This would be secured by a planning condition.

7.6.2 Overheating

- 144 The applicant has outlined a series of passive and active design measures that would be used. However the full assessment would be prepared at reserved matters stage as the design progresses. This detail will be secured by condition.

7.6.3 Flood risk, drainage and water management

- 145 The NPPF at para 165 expects major development to incorporate sustainable urban drainage systems (SUDS) unless there is clear evidence it is inappropriate.
- 146 LP Policy SI 12 and CS Policy 10 and seeks to help reduce flood risk.
- 147 The Environmental Agency flood map identified that site within Flood Zone 3 (high fluvial and tidal floor risk). Using Technical Guidance of the NPPF Table 2 the use of the site is classified as 'less vulnerable'.
- 148 Mitigation measures are proposed including filter drain and permeable paving with open graded granular sub base and below ground geo-cellular storage. The surface water drainage system should be capable of managing runoff from all rainfall events up to and including 1% AEP storm event plus 40% allowable for climate change. This would be secured by a planning condition. The Environmental Agency have reviewed the application and confirmed that they have no objection.
- 149 With regards to SUDS the Council Flood Management Officer initially objected to the proposal. The application has revised the proposal. The revised documents were reviewed by the same officer who advised that the information submitted addressed previous comments. A condition would be added to ensure that the scheme is developed in accordance with the revised drainage strategy.

7.6.4 Waste management

- 150 The applicant has not submitted Waste Management Plan that would detail how waste during the construction and operational phases would be dealt with. This will be secured by a planning condition.

7.6.5 Contaminated land

- 151 DMLP 28 aims to ensure that any land known or suspected of being contaminated or where a sensitive use is proposed, is dealt with before the development commences.
- 152 Phase 1, Desk Study Report, prepared by AOC Archaeology group, have been submitted in supports of this application. Officers note that the site would be continued to be used for industrial and commercial use. As such, the site is considered to be of low risk in terms of contamination potential based on current historical uses and the environmental setting. Council's Environmental Protection Office (Contamination) have reviewed the submitted report advising that although the Phase 1 does not include a conceptual site model, the principle is accepted. Further condition should be added to any permission.

7.6.6 Air pollution

- 153 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.
- 154 CS Policies 7 and 9 and DM Policy 23 provide the local plan policy basis for assessing development proposals.
- 155 The site is located in the London Borough of Lewisham (LBL) Air Quality Management Area (AQMA) which consists of four large AQMAs and a series of ribbon roads, declared in July 2011. The site is currently occupied by commercial units in Use Class B and a café at the end of the site in Use Class E. The proposals is for the demolition of the existing buildings and construction of new industrial/commercial floorspace and a café in an innovative, multi-level building.
- 156 An Air Quality Assessment (AQA) has been submitted in support of the application. The AQA included an assessment of potential air quality impacts arising from the construction and operation of the proposed development.
- 157 The existing buildings are to be demolished, and that the new energy strategy will make use of the high performance building fabric and energy efficient lighting, services and controls to reduce demand for space heating, cooling, ventilation and lighting. It will also use passive design measures and ASHP for hot water heating. However, given that the application is an outline and the energy strategy will be modelled further at a later date once the design of the building is worked-up. The source of emission from the development include the boilers, traffic and emissions from the operation of the café. The applicant will be expected to utilise sustainable technologies for their energy strategy with ultra low NOx gas boilers only permitted once demonstrated that no other technology is feasible. A condition as recommended by Environmental Protection is recommended to this effect.
- 158 The potential air quality impacts of the development have been assessed on the basis of the findings of detailed dispersion modelling using Breeze Roads GIS Pro Version 5.1.8, which has been undertaken in the context of relevant NAQOs, emission limit values and relevant guidance. Breeze Roads does not predict the concentration of PM2.5 as part of the methodology, therefore, the future concentration of PM2.5 was calculated using the typical ratio between the background concentrations of PM10 and PM2.5 for the opening year of development. The air pollutant concentration modelling has identified that there will be negligible increases in nitrogen dioxide concentrations and negligible increases in particulate matter concentrations at existing sensitive receptors. There are no existing sensitive locations, which will exceed the AQO.
- 159 Council's Environmental Protection Office (Air Quality) reviewed the submitted information and advised that a number of conditions they include:
- Air Quality Assessment
 - Air Quality Neutral
 - Dust Management Plan
 - Air pollution mitigation measures
 - Ventilation system
 - Gas Boilers
- 160 The applicant has revised the proposed condition and considered that some of them are not necessary. They have prepared a revised of the conditions, which was re-assessed by the Council Environmental Protection Office (Air Quality) who confirmed that all of the

conditions are pertinent. It is noted that the dust management plan will be requested as part of Construction Management and Logistics Plan condition.

7.6.7 Ecology and biodiversity

- 161 LP Policy G6 states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
- 162 CS Policy 12 seeks to protect the natural environment and to help mitigated against climate change through conserving nature, green the public realm and provide opportunities for sport, recreation, leisure and well-being.
- 163 DMLP Policy 24 required all new development to take full account of biodiversity in development design ensuring the delivery of benefits and minimising of potential impact on biodiversity.
- 164 An Ecological Appraisal has been submitted in support of the application. The application site and wider surrounding area were tested and checked for their ecological value. The assessment identified that with the expectation of the hard landscaping and sycamore tree which will be removed to facilitate the building construction all habitats with the site and adjacent to the application site will be retained and protected.
- 165 The soft landscaping proposal are a reserved matter that is not included within this application. However, the applicant has sufficiently demonstrated that biodiversity gain will be possible and it has been planned in the design of the proposed building. The existing amenity grassland with scattered trees and the tall vegetation in the north (facing Surrey Canal Road) will be retained and enhances thought planting of a range of native species of benefit to wildlife.
- 166 The proposal would create new habitat, by a way of introducing a roof garden with a range of plant species. The current indicative proposals would provide 242sqm of shrub planting within the roof terrace. This represents a considerable increase in natural habitats within the application site and surrounding area.
- 167 In addition, it is proposed that three (3) bird boxes and three (3) bat boxes are installed around the building.
- 168 Council's Ecological Regeneration Manager reviewed the application documents and advise that the proposed mitigation measures and enhancement are acceptable and they will result in significant uplift and biodiversity net gain, this is afforded significant weight. The detailed landscaped detail will be secured at reserved matters and the finding and mitigation proposed would all be secured by planning conditions.

7.6.8 Conclusion

- 169 The proposed development on balance contributes to sustainable development, providing an improvement beyond the present performance of the site. Future occupiers would not be exposed to unacceptable risk associated with flooding.

8 LOCAL FINANCE CONSIDERATIONS

- 170 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).

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

172 The CIL is therefore a material consideration.

9 EQUALITIES

173 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.

174 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.

175 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.

176 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>

177 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

178 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>

179 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 on equality.

10 HUMAN RIGHTS IMPLICATIONS

180 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

181 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.

182 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.

183 This application has the legitimate aim of providing a new building for employment purposes. 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

184 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

185 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.

186 Draft Heads of Terms:

Transport

- CPZ consultation and implementation - £15,000 payable upon commencement

Energy and Carbon off-set

- A revised energy strategy shall be submitted for consideration at reserved matters application is submitted for later determination. The energy strategy should seek to use innovative and sustainable technology. In the event, that the energy strategy fails to demonstrate that the scheme will reduce its carbon emissions to zero, the applicant will be required to pay a financial contribution in line with the Lewisham's Planning Obligation SPD. The estimated amount that would need to be paid will be calculated at that stage.
- Submission of evidence of continued discussions with Veolia about progress for connection of the application site to be connected to SELCHP
- Future connection to SELCHP heat network line. At a minimum the Council would accept ductwork to the boundary edge

Employment

- Submission of Local Labour Skills and Employment Strategy as well as Management Plan Strategy (to be agreed with Lewisham's Economic Development Team). The strategy should to support local people into work by providing employment opportunity linked training during both the construction phase and operation phase within the building with commercial use.
- An agreement to allow the existing tenants to return to the finished building (if the tenants wish)

12 CONCLUSION

187 The application is made in outline to approve the scale of development only. The proposed development would fulfil an allocation policy within the adopted development plan and employment policies allowing the area to sustain economic growth.

188 The economic benefit will be extensive and proposal would create between up to 322 full time jobs once the building is operational. Officers attribute significant weight to these benefits. Conditions would ensure appropriate mitigation of any outward impacts of the development.

189 In line with the requirements of the NPPF, the council has applied the presumption in favour of sustainable development. The proposed development would accord with sustainable principles and would make efficient use of the land to deliver a high quality

development that is in accordance with the council's aspirations for the area. It is therefore recommended that planning permission is granted.

13 RECOMMENDATION

190 To authorise officers to negotiate and complete a legal agreement under Section 106 and of the 1990 Act to cover the principal matters set out in this report, linking such other amendments as considered appropriate to ensure the acceptable implementation of the development.

191 Subject to completion of a satisfactory legal agreement, authorise the Director 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:

13.1.1 CONDITIONS

1) RESERVED MATTERS

(a) The development shall not commence until approval of the following reserved matters has been obtained in writing from the Local Planning Authority: -

1. Access
2. Appearance
3. Landscaping
4. Layout (including internal layout)

(b) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

(c) The development hereby permitted shall be begun before the expiration of three years from the date of approval of the last of the reserved matters to be approved.

Reason: No such detail have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

2) LIST OF APPROVED PLANS

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

SK148; SK149 Rev E; 7900/1; 7900/2; 7900/3; 7900/4; 7900/5 received on 12 November 2020.

Design and Access Statement including drawings (prepared by Hale, dated May 2021) received on 21 May 2021.

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) SCALE

The detail submitted pursuant to condition 1 shall not exceed the following measurements (unless made subject to further assessment):

- Height - the maximum height of the building to top of the cores is 24m.
- Width - the width of the building can vary between 22 and 29.5m due to site shape in accordance with the approved plans.
- Length -the length of the building can vary between 105m to 116m in accordance with the approved plans.

Reason: To comply with the scale of the development assessed under this application.

4) **SITE AREA**

The detail submitted pursuant to condition 1 shall not exceed the following floorspaces (unless made subject to further assessment):

- Flexible E(g)(iii) / B2 / B8 Uses – 13,980sqm
- E(b) Use – 480sqm

Reason: To comply with the floorspace amount assessed under this application.

5) **APPERANCE DETAIL**

The details of appearance submitted pursuant to condition 1 shall follow the principles of the Design and Access Statement and include: -

- High quality external materials
- Non-reflective materials and sensitive colouring
- Glazed frontage to building and active frontage addressing Surrey Canal Road
- High quality surfacing material
- Detailed scheduled and specification/samples of all external materials and finishes to be used on the buildings

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 Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

6) **SOFT LANDSCAPING**

(a) The detailed design of soft landscaping submitting pursuant to condition 1 shall include the following:

1. location, number, species, size for the proposed plants
2. information on how the proposed trees would be planted
3. details of tree street to be planted in the northern part of the site

(b) All planting, seeding or turfing all shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). If any trees or plants including those in the living wall following the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species. Replacement planting as necessary shall be carried out in perpetuity including the living wall to the commercial building.

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).

7) **HARD LANDSCAPING**

- (a) The details submitted pursuant to condition 1 for hard landscaping shall include details of the permeability of proposed hard surfaces for any part of the site not occupied by buildings and soft landscaping shall be submitted and approved in writing by the local planning authority.
- (b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies SI 12 Flood risk management in the London Plan (March 2021), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

8) **IMPLEMENTATION OF LANDSCAPING SCHEME**

All planting, seeding or turfing comprised in the landscaping scheme hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

9) **SECURE BY DESIGN**

The detail submitted pursuant to condition 1 shall incorporate measures to minimise the risk of crime according to the principles and standards set out by Secure by Design. The security measures shall be implemented prior to occupation in accordance with the approved detail.

Reason: To ensure that the development has been designed in the interest of the safety and security of persons using the area and to meet Secure By Design as required by the Metropolitan Police.

10) **CONSTRUCTION MANAGEMENT PLAN**

No development shall take place until a Construction Management Plan including:-

- (a) An indicative programme for carrying out the works

- (b) Measures to minimise the production of dust on the site(s)
- (c) Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s)
- (d) Maximum noise level expected 1 metre from the affected façade of any residential units in close proximity to the site
- (e) Design and provision of site hoardings
- (f) Provision of off road parking for all site operatives
- (g) Measures to prevent the transfer of waste and to maximise the re-use of materials
- (h) Measured to minimise the potential for pollution of groundwater and surface water
- (i) The location and design of site office(s) and storage compounds
- (j) The location of temporary vehicle access points to the site during the construction works
- (k) The arrangement for public consultation and liaison during the construction works. Security Management (to minimise risks to unauthorised personnel).
- (l) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy S11 Improving air quality and Policy T7 Deliveries, servicing and construction of the London Plan (March 2021).

11) **CONSTRUCTION LOGISTICS PLAN**

- (a) 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:-
 - (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 vehicle activity.
 - (iii) Measures to deal with safe pedestrian movement.
- (b) 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 T7 Deliveries, servicing and construction of the London Plan (March 2021).

12) **DELIVERY AND SERVICING**

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

13) **WASTE MANAGEMENT**

Before the first occupation of the building hereby permitted, a waste management plan shall be submitted to and approved in writing by Local Planning Authority.

Reason: To ensure that the refuse will be appropriately stored and collected from the site in the interest of protection amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance.

14) **REFUSE AND RECYCLING FACILITIES**

The refuse and waste storage shall be provided within the development as indicated on the plans hereby approved and it shall be retain in accordance with the approved plan in perpetuity.

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 (June 2011).

15) **TRAVEL PLAN**

- (a) 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 Core Strategy (June 2011).

16) **ELECTRIC VEHICLE CHARGING POINTS**

- (a) Details of electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in

writing by the local planning authority prior to construction of the above ground works.

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

Reason: To reduce pollution emissions in an Area Quality Management Area in accordance with Policies T6 Car Parking and SI1 Improving air quality of the London Plan (March 2021), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

17) **CAR PARKING**

The detail submitted pursuant to condition 1 shall not exceed 3 blue badge vehicle parking spaces and 28 operational vehicle parking spaces (unless made subject to further assessment).

Reason: In the interest of highway safety and to promote sustainability.

18) **PARKING MANAGMENT PLAN**

Prior to first occupation of the development, a Car Park Management Plan shall be submitted to and approved in writing by Local Planning Authority. The plan must describe how parking will be distributed and managed on the site and the location of the electric charging points.

Reason: To ensure suitable arrangements for car parking as part of the development in accordance with TfL and London Plan requirement.

19) **CYCLE PARKING PROVISION**

The detail submitted pursuant to condition 1 shall include a minimum 72 long stay and 36 short stay cycle parking spaces (including stand specification, lighting, provision for mobility scooter and cargo bike storage, entrances, specification for storage). The submitted detail must demonstrate in the plan form that the development complies with the principles set out in the London Cycling Design Standards, and details of access and shower facilities for the commercial units, shall be submitted and agreed in writing by the Local Planning Authority (in consultation with Transport for London) and shall be provided prior to occupation as specified and retained thereafter for the lifetime of the development.

Reason: In order to ensure adequate provision for cycle parking and to comply with the Policy T5 Cycling of the London Plan (March 2021) and London Cycling Design Standards, and Policy 14: Sustainable movement and transport of the Lewisham Core Strategy (2011).

20) **WEALFARE/CHANGING FACILTIES**

- (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 Use Class E/B2/B8 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 Policy T5 Cycling of the London Plan (March 2021) and London Cycling Design Standards, and Policy 14: Sustainable movement and transport of the Lewisham Core Strategy (2011).

21) **HIGHWAY IMPROVEMENT**

No development shall take place until the specific detail of the off-site highway improvement to the Juno Way including the site access junction crossing footway enhancement to the west side of Juno Way have been submitted to and approved in writing by the London Planning Authority in consultation with the Highway Authority.

The subsequently approved detail shall be carried out in full prior to the occupation of the development.

Reason: In the interest of highway safety and to promote sustainability.

22) **SURFACE WATER DRAINAGE**

Surface water drainage on site shall be implemented in accordance with the submitted Flood Risk Assessment (prepared by Smith and Wallwork engineers, Job no:000276); Addendum letter in response to comments (prepared by Smith and Wallwork engineers, dated 5 February 2021); and Surface and Foul Water Drainage Strategy (drawing number 0100 Status S2)

Reason: In order to ensure that the development surface water drainage system is implemented correctly and that it complies with paragraph 165 of the NPPF (February 2019), Policies SI 12 Flood Risk management and SI 13 Sustainable drainage of the London Plan (March 2021), and Policy 10 of the Core Strategy (June 2011).

23) **SITE CONTAMINATION**

(a) No development or phase of development (including demolition of existing buildings and structures, except where prior agreement with the Council for site investigation enabling works has been received) shall commence until :-

- (i) A desk top study and site assessment in accordance with the Phase 1 Environmental Assessment (SLR) (October 2020) 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, (including subsequent correspondences as being necessary or desirable for the remediation of the site) to and approved in writing by the Council.

(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 or phase of development shall not be occupied until a closure report for the development or phase of development 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).

24) **LANDSCAPE AND ECOLOGICAL MANAGEMENT PLANS**

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To comply with Policy G6 Biodiversity and access to nature of the London Plan (March 2021), 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).

25) **DRANAGE STARTEGY**

No development shall take place until the following details have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details:

- (a) Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall maximise the use of infiltration and shall demonstrate that both the rate of volume of run-off leaving the site post-development will be restricted to the existing site, with the rate of runoff exceeding 80.1l/s for any rainfall event (up to and including the climate change adjusted 100 year critical storm).
- (b) Development shall not begin until it has been appropriately demonstrate that the existing on-site surface water flow-routes and accumulation points will not be altered in such a way that the development places adjacent properties at risk of flooding during any rainfall event, up to and including the climate change adjusted critical 100 year storm.
- (c) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - (i) a timetable for its implementation; and
 - (ii) a management and maintenance plan for the lifetime of the development which shall include for adoption by ant public body or statutory undertaker, or any other arrangement to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principle of sustainable drainage are incorporate into this proposal and to ensure ongoing efficiency of the drainage provisions.

26) **NOISE**

Prior to first use of any units within the building, in respect to noise, details of the anticipated operation of the various units shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of residential amenity.

27) **LIGHTING STRATGY**

- (a) Prior to first occupation of the development a detailed lighting strategy for any external lighting, that is to be installed at the site, including measures to prevent light spillage, shall be submitted to and approved in writing by the local planning authority. The lighting strategy shall be devised in conjunction with the ecologist to ensure that any spillage of artificial light is minimised in relation to the location of SINC. Applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposed minimises pollution from glare and spillage.
- (b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with Policy

G6 Biodiversity and access to nature of the London Plan (March 2021) and DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

28) **BREEAM**

- (a) The buildings hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) Prior to any works above ground level of the superstructure a Design Stage Certificate for each building (prepared by a Building Research Establishment qualified Assessor) shall be submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the buildings, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

Reason: To comply with Policy SI 2 Minimising greenhouse gas emissions of the London Plan (March 2021).

29) **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) No development above ground level shall 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).

30) **PERMITTED DEVELOPMENT**

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other revoking and re-enacting that Order with or within modification), no extension to the building hereby approved shall be carried out without the permission of the Local Planning Authority.

Reason: To safeguard the character, appearance and functioning of the surrounding area.

31) **EXTERNAL PLUMBING**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (as amended or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes including rainwater pipes shall be fixed on the external faces of the buildings, unless otherwise agreed in writing with the local planning authority.

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).

32) **SATELLITE DISHES AND ANTENNAE**

(a) Notwithstanding the provision of Article 4(1) and part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended or any Order revoking, re-enacting or modifying that Order),, no satellite antenna shall be erected or installed on the building hereby approved.

(b) The proposed development shall have central dish or aerial system (for each relevant bloc) for receiving all broadcast to the residential units, and detail of such a scheme shall be submitted to and approved in writing by the local planning authority prior to first occupation of the development.

(c) The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

Reason: In order that the local planning authority may be satisfied with the detail of the proposal and to accord with Policy 15 High quality of 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).

33) **BIRD AND BAT BOXES**

Detail of three bird nesting boxes and three bat rooting boxes shall be submitted to and approved in writing by the London Planning Authority no later than 6 months prior to occupation of the development. Detail shall include the exact location, specification and design of the habitats.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with

34) **VENTILATION/KITCHEN EXTRACT**

Prior to commencement of café use on the site (Use Class E(b)) full particulars and details of a scheme for the ventilation of the premises to and appropriate outlet level, including details of sound attenuation for any necessary plan and the standard of dilution expected shall be submitted to and approved by the London Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

Reason: To ensure that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interest of amenity.

35) **FUTURE CONNECTION TO DISTRICT COMINED 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 Combined Cooling, Heat and Power (CCHP) or Combined Heat and Power Scheme CHP 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 Policy SI 3 Energy infrastructure of the London Plan (March 2021) 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).

35) **ARCHEAOLOGICAL ASSESSMENT**

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 in accordance with the Historic Environment Desk-Based Assessment (prepared by AOC Archaeology, dated August 2020). 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 objective, and

- a. A programme and methodology of site investigation and recording and the nomination of a competent person(s) or organization 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 HC1 Heritage conservation and growth of the London Plan (March 2021)

36) **AIR QUALITY NEUTRAL**

Prior to the commencement of development, an Air Quality Neutral assessment shall be submitted to and approved in writing, by the local planning authority.

Reason: To manage and prevent further deterioration of existing low quality air across London in accordance with London Plan policy 5.3 and 7.14, and NPPF 181.

37) **DUST MANAGEMENT PLAN CONDITION**

Prior to the commencement of development, a Dust Management Plan (DMP), based on an AQDRA (Air Quality and Dust Risk Assessment), shall be submitted to and approved, in writing, by the local planning authority. The DMP shall be in accordance with The Control of Dust and Emissions during Construction and Demolition SPG 2014. The DMP will need to detail the measures to reduce the impacts during the construction phase. The development shall be undertaken in accordance with the approved plan.

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 T7 Deliveries, servicing and construction of the London Plan (March 2021).

38) **GAS BOLIER**

If demonstrated in writing that no other sustainable technology is feasibly, prior to occupation of the development, details of any Ultra-Low NOx Gas fired boilers proposed to be installed shall be submitted to and agreed in writing by the council. The Ultra-Low NOx Gas fired boilers to be provided for space heating and hot water shall have dry NOx emissions not exceeding 30 mg/kWh (at 0% O2). Where any installations do not meet this emissions standard, they should not be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. Following installation, emissions certificates will need to be provided to the council to verify boiler emissions. The approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

Reason: To manage and prevent further deterioration of existing low quality air across London in accordance with paragraph 181 of the NPPF (February 2019) and Policies SI 1, SI 2 and SI3 of the London Plan (March 2021).

13.2 **INFORMATIVES**

A) **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.

B) **Community Infrastructure Levy**

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>

C) **Thames Water**

The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Should you require further information please contact be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk

D) **Prior to Commencement Conditions**

The applicant is advised that conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 require details to be submitted prior to the commencement of works. This is to ensure that development is managed to ensure safety with construction, flood risk management and potential site contamination. Conditions 17, 18, 19, 20 need to be discharged prior to occupation of the development.

E) **Broadband Internet connection**

The applicant is advised that Approved Document R of the Building Regulations has a requirement for in-building physical infrastructure which enables copper or fibre-optic cables or wireless devices capable of delivering broadband speeds greater than 30Mbps to be installed.