

Town and Country Planning Act  
1990: Section 78 Appeal

21/57 Willow Way, London, SE26  
4AR

Proposed Demolition and  
Redevelopment to provide  
employment floorspace and  
residential units

Planning Inspectorate Ref:  
APP/C5690/W/23/3321935

Rebuttal to Proof of Evidence of  
Antigoni Gkiza, MSc & Beth Stevens  
BAS(hons), MArch, AssocRTPI

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Date: 17th October 2023





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- Appendix 1: Officer's Report and planning application documents relating to the Apollo Business Centre considered by Lewisham's Strategic Planning Committee on 12<sup>th</sup> October 2023, ref: DC/23/130258  
[https://planning.lewisham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= LEWIS\\_DCAPR\\_118180](https://planning.lewisham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= LEWIS_DCAPR_118180)
- Appendix 2: Sunlight / daylight comments by BLDA Consultancy, in relation to William Wood Care Home, dated 16th October 2023

Prepared by:	Paula Carney		
Checked by:	Rebecca Hall		
Issue Date:	17 <sup>th</sup> October 2023	Revision Number:	0



## 1.0 Introduction

1.0.1 This Rebuttal to the Proofs of Evidence of Antigoni Gkiza, Msc & Beth Stevens BAS(hons), MArch, AssocRTPI of the London Borough of Lewisham has been prepared in advance of the Public Inquiry to be held under Section 78 of the Town and Country Planning Act 1990 in to planning proposals (the Planning Application or the Proposals) into the planning appeal by Kitewood Estates Ltd (the Appellant) against the decision by the London Borough of Lewisham (LBL) to refuse an application for planning permission (LBL ref: 22/129789) for the following works (the Proposals) at 21-57 Willow Way, SE26 4AR (the Appeal Site), also referred to as “Plot A”, Willow Way:

*“Demolition of existing buildings and redevelopment of the site comprising a block rising to 5/6 stories accommodating 1,401 sqm of employment floorspace (Use Classes E(g)(i)(ii)(iii)) at ground and mezzanine floors and 60 residential units (Use Class C3) above, with associated landscaping, amenity areas, cycle, car parking and refuse/recycling stores at 27-57 Willow Way, London, SE26”.*

1.0.2 Firstly, it relates to comments raised by Antigoni Gkiza in relation to planning policy matters, affordable housing mix and the fit out of the proposed commercial units, drawing upon comments made by the London Borough of Lewisham in relation to the Apollo Business Centre planning application considered by Lewisham’s Strategic Planning Committee on 12<sup>th</sup> October 2023, ref: DC/23/130258 (documents at Appendix 1 to this rebuttal). This report was only made public after the submission of my main proof of evidence and so could not be referred to in my main proof of evidence. This planning application site is currently designated as SIL, where the existing industrial uses are protected.

1.0.3 Secondly, it relates to comments raised by Beth Stevens in relation to the impact of the Appeal Proposals on William Wood Care Home in daylight terms and is supported by a response from the BLDA Consultancy (Appendix 2 to this rebuttal).



## 2.0 Qualifications and Experience

- 2.1.1 My qualifications and experience are set out in my main planning proof of evidence.
- 2.1.1 I confirm that my rebuttal evidence complies with the requirements of RICS – Royal Institution of Chartered Surveyors as set down in the RICS practice statements (Surveyors acting as expert witnesses). I have made a Statement of Truth and Declaration at the end of my main Proof of Evidence.



### 3.0 Planning Policy Matters

- 3.0.1 In her proof of evidence, Antigoni Gkiza makes a variety of comments in relation to the application of planning policy in relation to employment matters. Such examples can be found of paragraphs 4.23, 4.52, 4.99 and 4.100 of Antigoni Gkiza's proof.
- 3.0.2 It is my evidence that this is not in accordance with the approach taken by the officers of the London Borough of Lewisham in their recent report to strategic planning committee in relation to the planning application at Apollo Business Centre (see Appendix 1 to this rebuttal). This planning application site is currently designated as SIL, where the existing industrial uses are protected. Indeed, there is very little *discussion* about the Appeal Proposals and the London Plan's employment policies in Antigoni Gkiza's proof of evidence, especially when compared to the officer's report in relation to the Apollo Business Centre.
- 3.0.3 I would like to specifically quote the following paragraphs in the aforementioned report to committee:

*"141 Notwithstanding the above, it is acknowledged that the Core Strategy recognises that SIL uses should be protected. However, the new London Plan provides an updated policy basis for SIL release and co-location of industrial and residential uses – this forms the basis of the draft new Local Plan on which the Council has recently consulted, and it is considered that the proposed scheme aligns with the Regulation 19 Consultation Document.*

*"160 Officers acknowledge the non-compliance of the proposed development from the CSP 3 which places strict protection over SIL sites. The applicant in this instance has sought to make optimal use of a site which is located in an area that is characterised by both employment and other uses including existing residential and in a location which borders a park and is near other civic features including a primary school and adjacent regeneration schemes. The scheme is a departure from the Core Strategy but has been designed to the principles of the new London Plan and is in accordance with the direction of travel of the draft Local Plan. The draft Local Plan has limited planning weight but it is a material consideration and officers consider the scheme is acceptable given the location of the site on the fringe of the SIL and adjacent to the features outlined above, and due to the uplift in overall internal commercial floorspace in terms of quantum and quality (which would be secured in perpetuity), and an increase of job provision. There would be no adverse conflict with the criteria of LPP E7 (d) in that the development would not compromise the provision of employment use on and adjacent to the site, and the employment units would be provided before the first occupation of the residential element, and the scheme is carefully designed to minimise impacts on future residential occupiers. Given those circumstances the proposals are in accordance with the direction of travel of the draft*



*Local Plan.*

*“161 Given the above, the principle of co-location of commercial use, and flexible retail/community use, and residential units is also considered acceptable and in accordance with the requirements of the adopted London Plan and is an acceptable departure from the Councils Core Strategy.*

*“743 In conclusion, the proposed development is considered to be in accordance with the relevant national planning policy guidance and development plan policies. The proposals are wholly sustainable development in accordance with the NPPF and will make an important contribution to the borough, in respect of housing supply and importantly retaining and increasing the employment capacity at the site. The proposals are therefore considered to be both appropriate and beneficial. Therefore, on balance, any harm arising from the proposed development is considered to be significantly outweighed by the benefits listed above”.*



## 4.0 Affordable Housing Mix

4.0.1 In her proof of evidence, Antigoni Gkiza states that she does not agree with the justification given for the proposed affordable housing mix in the Appeal Proposals and as such that the mix is not acceptable. Examples can be found of paragraphs 4.60 and 4.65 of Antigoni Gkiza's proof.

4.0.2 It is my evidence that this is not in accordance with the approach taken by the officers of the London Borough of Lewisham in their recent report to strategic planning committee in relation to the planning application at Apollo Business Centre (see Appendix 1 to this rebuttal). The planning application site is currently designated as SIL, where the existing industrial uses are protected.

4.0.3 At paragraph 221 of the aforementioned report to committee, it states:

*“For the C3 self-contained units the proposed mix of units is considered acceptable, with 90% of all units having two or more bedrooms. Family sized units (i.e. 3 beds) would amount to 33% of units, however together with 2b4p units which are considered to be appropriate for small families, the overall provision would be 90%”*

4.0.4 No justification for the acceptability of the mix other than this is given in the officer's report.

4.0.5 In my proof of evidence (paragraph 6.1.6) I also refer to the number of family sized units in the Appeal scheme as being 50%, which is over 42%.



## 5.0 Fit Out of Commercial Units

5.0.1 In her proof of evidence, Antigoni Gkiza states that it is not acceptable for the proposed commercial units only to be fitted out to shell and core. An example can be found of paragraph 4.30 of Antigoni Gkiza's proof.

5.0.2 It is my evidence that this is not in accordance with the approach taken by the officers of the London Borough of Lewisham in their recent report to strategic planning committee in relation to the planning application at Apollo Business Centre (see Appendix 1 to this rebuttal). The planning application site is currently designated as SIL, where the existing industrial uses are protected.

5.0.3 At paragraph 337 of the aforementioned report to committee, it states:

*"In accordance with DMP 9 and the Planning Obligations SPD, the completion of shell and core of the commercial floorspace, including the fitting of commercial frontages would be secured via the s106 agreement."*

5.0.4 The section of the report to committee on the S106 obligations then states:

*"Developer to undertake initial fit-out of the industrial unit prior to prior to occupation of more than 50% of the student and residential units to include:*

- *Service connections for gas, electricity, water and foul drainage;*
- *Provision for telecommunication services and broadband services.*
- *Wall and ceiling finishes;*
- *Wheelchair accessible entrances;*
- *Screed floors;*
- *Glazing solution.*



## 6.0 Daylight Matters

- 6.0.1 The proof of evidence of Beth Stevens states that the siting, scale and massing of the Proposals are inappropriate. At her paragraph 2.3.8 she explains that:

*“This is evidenced by the daylight impact of the proposal on the neighbouring William Wood Care Home. Contrary to statements made by the Appellant in their SoC para 9.2.6 I assess that the daylight impact of the proposal on the care home could be significant. The daylight and sunlight report, prepared by BLDA and submitted with the Appeal Scheme in December 2022 shows that 50% of the 38 rooms assessed would see a significant reduction in the view of the sky from their windows, with 25% having no visible view of the sky whatsoever. Given the sensitive use of this site as a care home, I would consider that the proposal to be overbearing as a result of its scale and mass, without appropriate mitigation measures introduces to overcome these concerns.”*

- 6.0.2 A response from BLDA Consultancy, who are the scheme’s specialist daylight assessors, is appended to this rebuttal as Appendix 2.



APPENDIX 1





## Planning Committee: Strategic

### Report title:

**APOLLO BUSINESS CENTRE, 158 TRUNDLEY'S ROAD, LONDON, SE8 5JE**

**Date:** 12 October 2023

**Key decision:** No.

See "[Legal Requirements](#)" in the guidance for more information.

**Class:** Part 1

See "[Legal Requirements](#)" in the guidance for more information.

**Ward affected:** Evelyn

**Contributors:** Dean Gibson

### Outline and recommendations

This report sets out Officer's recommendation for the above planning application. The report has been brought before Strategic Planning Committee for decision as there are 17 valid planning objections and the application pertains to a site of strategic importance.

The application is therefore recommended for approval subject to planning conditions, completion of a s106 agreement, and Stage 2 approval by the GLA.

## Application details

**Application reference number(s):** DC/23/130258

**Application Date:** 02 February 2023

**Applicant:** Fosfel Apollo Limited

**Proposal:** Mixed-use redevelopment of the site for a new building comprising part 10, part 26 storeys, including purpose built student accommodation and associated amenity space (Sui Generis), affordable residential (use class C3), light industrial use at ground and first floor levels (Use Class E(g)), and retail / community use (Use Class E(a) / F1 / F2) at ground floor level, together with associated landscaping, ancillary plant, servicing and associated enabling work at Apollo Business Centre, 158 Trundley's Road SE8.

**Background Papers:** (1) Case File DC/23/130258  
(2) National Planning Policy Framework  
(3) The London Plan  
(4) Local Development Framework Documents

**Designation:** Strategic Industrial Location - Surrey Canal Area/Old Kent Road.  
Archaeological Priority Area.  
Creative Enterprise Zone.  
Air Quality Management Area.  
Flood Zone 3.  
Within 30m of electricity cable.

**Screening:** Issued 14 December 2022 – EIA Not Required.

## 1 SITE AND CONTEXT

### *Site description and current use*

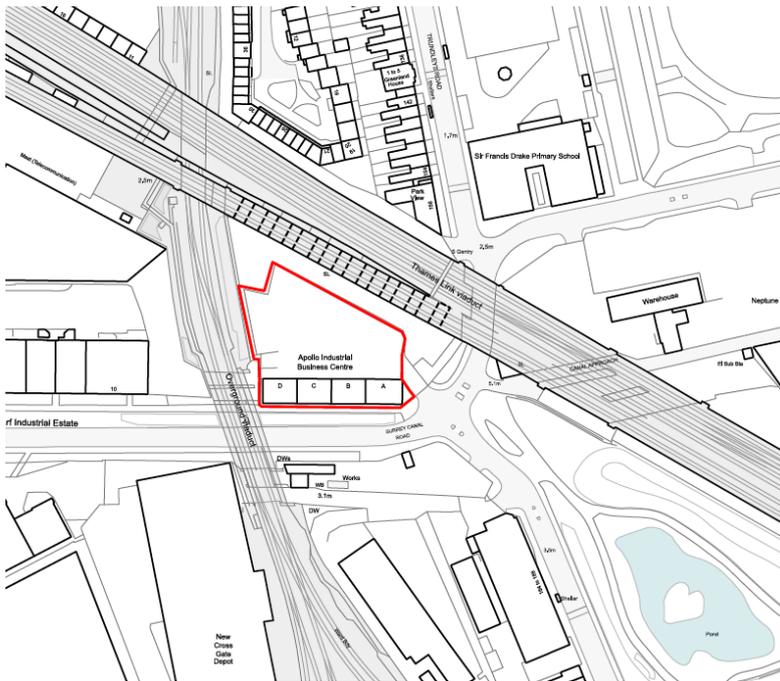
- 1 The Apollo Business Centre (0.26 hectares) is an industrial site with a broadly triangular plot. It has a single linear industrial type of structure (approx. 860sqm) sited on the south of the site and hard standing to the north. Adjacent to the north of the site are businesses within nine railway arches and railway lines above them. There are also railway lines directly to the west of the site. There is a single access to the site located at the intersection of Trundleys Road and Surrey Canal Road and it is shared with the businesses operating from the railway arches. The site has a slightly higher ground level than the highway. There are railway bridges to the west and east of the site.
- 2 The lawful established use is stated as being light industrial warehouse and storage uses (B8 use class), however, it is currently occupied by a waste processing business, Southwark Metal Ltd, on a temporary basis following re-location from the Ruby Triangle site on Old Kent Road in Southwark, ahead of their re-location to a permanent site in Thamesmead.

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**Figure 1: Site Location Plan**



***Character of area***

- 3 The area is characterised by industrial estates predominantly clustered adjacent to the railway lines on Trundley's Road. There are residential houses and low-rise flats in evidence and some new build residential development of up to 15 storeys in progress in the vicinity.

***Heritage/archaeology***

- 4 The site is not subject of any heritage designations related to the built environment, but it is within an archaeological priority area.

***Surrounding area***

- 5 There are three local parks in the vicinity: i) Folkestone Gardens (Trundleys Road), which has a playground, skatepark and café ; ii) Deptford Park (Deptford Road), which has a playground and play club building and informal sports pitches; and iii) Fordham Park (Achilles Street), which has a playground, community centre and Multi-Use Games Area. There are several schools in the local area, including Sir Francis Drake primary school, to the north-east of the site (beyond the railway lines), Deptford primary school further to the north-east, and Deptford Green secondary school, approximately ten minutes walk to the south-east.

***Local environment***

- 6 The site has a Flood Zone 3 designation. It is near to a Site of Important Nature Conservation (SINC) which covers Folkestone Gardens and the sides of nearby railway lines.

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## Transport

- 7 The site has Public Transport Access Level (PTAL) of 1b, on a scale of 0 to 6b, where 6b is highest. The site is served by the 225 bus route on Surrey Canal Road which provides connections to Hither Green, Lewisham town centre, Deptford Broadway, New Cross Gate, Surrey Quays, and Canada Water. The nearest rail and underground services are as follows:

**Figure 2: Nearest Rail Connections**

Station	Connection	Distance
Surrey Quays	London Overground	1.2km / 15-minute walk / 7-minute cycle
South Bermondsey Station	National Rail	1.2km / 15-minute walk / 4-minute cycle
New Cross Gate	London Overground/National Rail	1.3km / 16-minute walk / 6-minute cycle
New Cross Station	London Overground/National Rail	1.4km / 17-minute walk / 6-minute cycle

- 8 The highway outside the site is undulating and subject to local traffic and parking controls. The railway bridge to the east of the site has a low height restriction.

## 2 RELEVANT PLANNING HISTORY

- 9 DC/22/129387 – EIA screening – No Screening Required 14 December 2022.

## 3 CURRENT PLANNING APPLICATION

### THE PROPOSAL

- 10 The application proposes the demolition of the existing industrial structure on site and a re-development of the site for mixed employment and for 484 Purpose Built Student Accommodation (PBSA) units and for 42 self-contained residential units. Flexible retail and community use is also proposed. The development would involve the erection of two adjoining towers of twenty-six and ten storeys height respectively. The twenty-six-storey tower would comprise the PSBA and the ten storey tower would comprise the self-contained residential units and both towers would have roof level amenity areas. Both towers would have employment uses (1786 sqm flexible commercial floorspace (light industrial floorspace – Use Class E(g)) at ground and first floors, and the ten-storey tower would also have a flexible retail/community use (100 sqm) at ground floor. The employment use also includes some mezzanine floorspace. At ground level the development would also provide on-site disabled parking spaces and would provide vehicle delivery bays. Cycle storage for occupiers and visitors would be provided at ground level and in basement areas. New landscaping and tree planting is proposed at ground level together with other public realm improvements.

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## **Built Form**

- 11 The built form would be two towers of twenty-six and ten storeys respectively. It would be arranged in a bow-tie layout with the tallest tower to the rear of the site (nearest the railway arches) and the other tower nearest to Surrey Canal Road. The towers would be linked at basement and at first floor levels.
- 12 The 26 storey PBSA tower would occupy the north-western side of the site. It would have cycle and refuse storage at basement level, and a student lobby at ground floor, and employment use at ground and first floors with a mezzanine level in between, and the PBSA at floors two to twenty-five. It would have a rooftop amenity area for students.
- 13 The 10-storey residential tower would occupy the south-eastern side of the site. It would also have cycle and refuse storage at basement level and plant rooms. At ground floor level the tower would have a residential lobby, and flexible retail/community unit of 100sqm, and storage for larger adapted cycles. It would have employment use at first floor. The self-contained residential units would occupy floors two to nine.
- 14 The proposed form and appearance of the buildings are indicated in Figure 3 below:

**Figure 3: Proposed form and appearance**



## **Residential**

- 15 The proposal is for a total of 484 PBSA units and 42 self-contained units. The unit mix for the PBSA is 329 cluster units and 115 studio units. A cluster unit is accommodation where the occupier shares a communal living/dining/kitchen area. A studio unit has its own kitchenette area. All of the units have their own wc/shower rooms. A total of 81 (35%) units within the PBSA would be affordable student accommodation. The unit mix for the self-contained units is 4 x 1 bed units, 24 x 2 bed units, and 14 x 3 bed units. The self-contained units would be an 100% affordable housing offer with 70% for social rent and 30% for intermediate.

## **Employment**

- 16 The proposal also includes 1,786 sqm (GIA) of light industrial floorspace (Class E(g)) and this would be provided at ground floor, mezzanine, and first floor levels.

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## **Retail and Community Use**

- 17 The proposal also includes a ground floor flexible retail / community use unit of 100sqm (GIA) situated within the 10-storey block.

## **Vehicle and Cycle Parking**

- 18 The proposed scheme is essentially car-free with the exception of 3 disabled off-street parking spaces, and these would be served with electric vehicle charging points. A total of 4 loading bay spaces are also proposed and these would be designated for the light industrial / retail use; student accommodation; residential / retail use; and for refuse collections. The refuse collection bay would be for all uses and for shared use should there be any multiple deliveries to one particular use. The size of this bay means that 2 x vans can be accommodated.

A total of 443 cycle spaces would be provided comprising 11 for the employment use, 347 for the PBSA, and 85 for the self-contained residential accommodation. This includes both long-stay and short-stay cycle storage provision.

## **Access-term**

- 19 Three new pedestrian footpaths would serve the main entrances of both towers and would be formed from the existing highway directly outside the site.
- 20 The existing vehicular access into the site would be retained and lead to the proposed disabled parking spaces and covered delivery/servicing loading bays. It would also maintain the vehicular access to the adjacent railway arch businesses.
- 21 The existing footway area directly outside of the site is 2.4 metres in width and it would be widened by a further 1 metre. This is intended to assist pedestrian and cycle use. All works to widen the footpath will need to set out/applied via a section 278 agreement.

## **Other Proposals**

- 22 The proposals also include new landscape works as follows:
- 23 Soft landscaping areas within the site to the front of the PBSA tower and these would include lawn areas with tree planting, and patterned paved footways, and bench and slab seating areas, and visitor cycle storage. Defensible/buffer planting would be provided next to pavement, behind the disabled parking bays, and to the western boundary of the site.

# **4 CONSULTATION**

## **PRE-APPLICATION ENGAGEMENT**

### **Public**

- 24 The Applicant has undertaken pre-application consultation as set out in the submission and has stated that the wider programme of community involvement and consultation undertaken ensured that as many stakeholders as possible were aware of and understood the proposals. It focused on neighbouring residents, LBL Councillors as well

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as other local stakeholders and community groups and resulted in eight meetings and two days of public exhibition in two different local locations.

- 25 The consultation primarily involved:
- 26 June/July 2022 – Initial site meetings with three Evelyn ward councillors, Deptford Challenge Trust, and Councillor Brenda Dacres (Cabinet Member for Housing Development and Planning).
- 27 July 2022 – Respective meetings with Deptford Folk, Headteacher of Twin Oaks Primary school (formerly Sir Francis Drake primary school).
- 28 July 2022 - Two exhibitions/drop-in sessions inviting resident feedback in for local residents at a local school and local scout hall respectively which was pre-publicised by a letter drop to 5009 local residents.
- 29 July 2022 – A dedicated website [apollodeptford.co.uk](http://apollodeptford.co.uk) was instigated. It contained background on the Site and further information on the proposals and plans for the Site, as well as contact details for enquiries. The applicant advises it was visited 330 times and allowed people to access the exhibition information, pass feedback to the team online, and to reach out to the project team directly.
- 30 From these community conversations the Applicant secured a range of verbal conversations alongside 3 physical feedback forms and 3 online feedback forms.
- 31 August and Oct 2022 – Respective meetings were held with Goldsmiths University (Estates Division) and Lewisham College.
- 32 Sept and Oct 2022 – Respective meetings were held with Hawkeye Empire (local community group) and LBL's Regeneration and Public Realm team.
- 33 Jan 2023 - A newsletter was printed and delivered to the local community to provide an update on key changes made to the proposals in response to community comments and to inform them of the impending submission of the plans to LBL.
- 34 The applicant outlines that the following revisions were made to the proposals following feedback received as a result of public consultation, as well as feedback from Lewisham Planning and the Design Review Panel:
- 35 Building Heights – Reduced from 32 to 26 storeys and 13 to 10 storeys.
- 36 The location of the 10-storey building is moved further to the south-east of the site to provide views over Folkestone Gardens.
- 37 Flexible retail / community space provided.
- 38 Discussion with potential anchor employment use occupier, Space Studios, who are London's largest studio providers supporting artists and the creative community through the provision of affordable and flexible workspaces, and who have been requested to provide space for local-start-ups in the first instance. The applicant has also brought proposed space to the attention of local educational providers.
- 39 Further commitment to engage with LBL and other stakeholders on highway safety improvements to junction of Surrey Canal Road / Trundleys Road.

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40 Increased public realm around the building (through overall reduction in footprint of the built from).

### **Planning Pre-application Advice**

41 With regard to the proposal at hand, initial pre-application advice was sought in October 2019 and was followed by a further five pre-applications. LBL Planning Service issued its most recent response in June 2022 to a mixed-use employment/PBSA/residential scheme comprising towers of 32 and 13 storeys in height.

42 In addition to the above, and given the height of the proposed development, the Applicant sought pre-application advice from the Greater London Authority (GLA). The advice issued by the GLA in February 2023 on a 26 storey/10 storey scheme concluded:

43 *The proposed co-location of light industrial and student/residential uses could be supported, in light of the direction of travel for the Lewisham Local Plan which proposes to redesignate this site from SIL to LSIS. However, this is subject to the light industrial space being appropriately secured and demonstration that the function of the redesignated LSIS is not compromised by the co-location of uses and residential density proposed on what is a very constrained site. Adequate design mitigation must be achieved before the introduction of residential uses is accepted. It is also the expectation that the applicant would enter into a nomination agreement for a portion of the student units in line with London Plan Policy H15. However, GLA officers are open to further discussion on the total number of bedspaces included in this agreement given the hybrid housing approach taken. Subject to review of application stage details the blended approach to affordable housing, incorporating conventional affordable units could also be accepted to meet the Fast Track Route threshold. GLA officers continue to have concerns in relation to the density proposed on this site, given that this is a relatively isolated location. The proposal must continue to address the design and transport considerations set out in this report, and wider improvements to infrastructure beyond the site must be considered to support the level of development proposed.*

## **APPLICATION PUBLICITY**

44 Site notices were displayed on 01/03/2023 and a press notice was published on 01/03/2023.

45 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors in February 2023.

46 In total 20 number responses were received, comprising 17 objections, 2 support and 1 comment.

47 The responses are from individuals and no amenity group and/or councillor representations were received.

### **4.1.1 Comments in objection**

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

<b>Comments</b>	<b>Para where addressed</b>
<i>Design and Impact on Surrounding Area</i>	

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Overdevelopment	349 – 392
Inappropriate height (should be no more than 22 storeys).	369 – 392
Out of character.	349 – 392
Cumulative effects of development.	349 – 392
Residential use not appropriate next to railway lines/incinerator.	389
Mix of accommodation – not enough family units.	213 – 224
Already PBSA in area.	163 – 191
Inadequate affordable housing.	225 – 250
Loss of light.	511 – 555
Loss of privacy / overlooking.	496 – 510
Will lead to anti-social behaviour.	703 – 710
Quality of employment space and loss of existing type of employment use.	152 – 153, 326 – 348
<i>Impact on Local Facilities</i>	
Will GP's, nursery, community use be provided at ground floor.	417 - 418
<i>Impact on Transport and Road Network</i>	
Increased traffic. Impact on pedestrian safety. Inadequate parking provision. Inadequate cycle provision.	419 – 491
<i>Impact on Bio-Diversity</i>	
Impact on environment / what provision is made for Bio-Diversity Net Gain.	590 – 594, 619 – 648

#### 4.1.2 Comments in support

Comment	
Deptford needs more creative and maker spaces to help the local small businesses thrive. Too many have been lost and it needs rebalancing. Scheme would provide quality new space for small and micro businesses helping Deptford's important business and start-up clusters to expand again.	152 – 153, 326 – 348

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## INTERNAL CONSULTATION

49 The following internal consultees were notified on 28/02/2023.

50 **Environmental Health – Noise:** Raised no objection subject to conditions.

51 **Environmental Health – Air Pollution:** Raised no objection subject to conditions.

52 **Jobs and Partnerships:** Raised no objection subject to securing local employment opportunities during construction and post-construction through a S106.

53 **Local Lead Flood Authority** – Raised no objection following submission of additional information/clarifications during the course of the application.

54 **Transport (as below):**

### Vehicle Access

55 The proposals intend to maintain access to all vehicle movements to/from the site from the same location as the existing vehicle access directly to Surrey Canal Road. The access is a shared access with Apollo Business Centre to the north and will remain a shared access.

56 The shared access will result in intensification of the existing access and additional vehicle movements. It is welcomed that a junction assessment has been undertaken to model the new site access and its impacts prior and following the proposals. Should highways accept the proposals for a signalised roundabout. The proposals should be subject to a section 278 agreement. The applicant will need to ensure the signalised junction accommodated cycles through a Toucan Crossing in addition to pedestrians.

### Pedestrian Access

57 Pedestrian access will predominantly be along the site's interface / boundary with Surrey Canal Road. The landscaped area at the ground floor has been designed to allow for several pedestrian/ cycle connections to the existing pedestrian / cycle path on Surrey Canal Road. The pedestrian access proposals are considered acceptable. Figure 4.5 shows a setback from the existing cycle/pedestrian route along Surrey Canal Road to improve the space public realm which is welcomed. All works to widen the footpath will need to be set out/applied via section 278 agreement.

### Active Travel Zone Assessment

58 The assessment approach is considered acceptable however there are opportunities for improving crossing points along routes where there are no dropped kerbs which have not been identified. Most of the routes are narrow in nature so where small improvements can be made these should be identified which have not been. The applicant should re review the routes assessed and identify where dropped kerbs and tactile paving would be beneficial. Although resting points would be welcomed highways acknowledges that the routes provided may not always present the necessary opportunities for this.

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### Car Parking

- 59 Highways welcomes a car free development on first principles and should be the starting point for all development which is line with Policy T6 of the London Plan. However, the site is located in an area that is uncontrolled and therefore those wanting to arrive to the site by car and park in a local parking space are able to do so at present Highways would be pursuing a legal agreement that would restrict residents purchasing a parking permit (except disabled residents) should a controlled parking zone be implemented in the future.

### Disabled Parking

- 60 The level of disabled parking provided (three spaces) for all users is not necessarily acceptable if it is not evident how the full 10% of accessible spaces will be provided if demand arises. Taking consideration of the type of residential units 'affordable housing' which would/potentially attract a higher demand for accessible spaces the applicant will need to demonstrate how this can be accommodated within the site. Evidence should be provided that the proposals can accommodate this need should demand arise. Its provision should also be provided in accordance with the criteria set out in LLP T6. It is understood that at least 1 disabled bay should be provided as a minimum if no general parking is provided which has been provided for the student accommodation and light industrial uses. Please note all disabled parking should be EV enabled to provide rapid electric vehicle charging facilities for each bay provided.

### Other Matters

- 61 Highway Officers raised no objection to draft Construction Logistics Plan.
- 62 Further information/clarification is sought on trip analysis, cycle parking, servicing and deliveries, and refuse arrangements.
- 63 The Travel Plan is considered acceptable in principle however the public transport measures will need to be assessed further.
- 64 While the Student Management Plan is welcomed the main concerns are over moving in and moving out and the management of delivery and servicing as mentioned earlier within my comments. Whilst it is evident the applicant has experience in the management of such sites and has proposed an arrival and drop off system the potential for conflict with other delivery/servicing and other student arrivals/departures at the same time on the access road raises concerns.
- 65 At this (initial) stage there a several issues that need to be addressed from the comments provided above. Once these concerns have been adequately addressed and are accepted our proposed transport related conditions, recommended section 278 and 106 agreements will be set out clearly if planning are minded to approve the application. Officers can advise that the issues set out above has been satisfactorily addressed during the course of the application.

- 66 **Housing Growth Officer (as below):**

### Affordable Housing

- 67 Welcome 100 % affordable housing offering as part of the scheme, however, there is a low amount of housing in comparison to the amount of student accommodation being

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provided. There is a total of 484 student accommodation rooms proposed, and only 42 residential homes. We question the need for this high level of student accommodation in the borough. A total of 81 of the student accommodation rooms are affordable rooms which is 17 % of the overall number of rooms. The applicant should increase the affordable student accommodation to 35% to meet Policy H15 of the London Plan. See paragraphs 226-232 for further details.

#### Mix of Accommodation

- 68 There are no four-bedroom units proposed as part of the scheme. Policy H01 of the emerging local plan states that the target four-bedroom unit number is 13% social rent and 15% intermediate rent. There is also a higher percentage of 1 bed (intermediate units) in the proposed scheme and policy suggests 10% of intermediate rent units should be 1 bed. We welcome the high percentage of 3 bed social/LAR units in the scheme but overall, the figures should reflect the target mixes in H01. See paragraphs 240-242 for further details.
- 69 Lewisham policy states that of the proposed affordable dwellings, 42% should be family sized (3+ bedrooms). The proposed scheme indicates 41% of units are 3 bed family units (habitable room percentage). The strategic housing and growth team are supportive of the 41% 3 bed family units as there's only a marginal under provision of 1% family units in the scheme. See paragraphs 240 - 242 for further details.

#### Wheelchair Accessibility

- 70 The applicant refers to the proposed scheme having 10% wheelchair units (affordable housing) on page 52 of the Design and Access Statement: There is a total of 5 number M4(3) units proposed which is over the 10% required. All these units are 3 bed 5 person units which is welcomed by the strategic housing and growth team. There should also be 10% wheelchair accessible units for the affordable student bedrooms. See paragraphs 292 - 295 for further details.
- 71 The wheelchair accessible units are located on floors 2-7 of the affordable housing block and there is at least one wheelchair accessible unit per floor in the student accommodation block (up to floor 25). We would not recommend units to be on higher floors as these are unpopular with the client group due to the stay put policies in the event of a fire and are subsequently difficult to let. Clients do not like units on higher floor levels, and this was the case before Grenfell. We would not recommend wheelchair units to be higher than the 4th floor (future adaptable units could be located on higher floor levels). There are 38 number of wheelchair units above the 4<sup>th</sup> floor in the student accommodation block. However, preference would be to locate wheelchair units as close as possible to the ground floor. See paragraphs 292 - 295 for further details.

## EXTERNAL CONSULTATION

- 72 The following External Consultees were notified on 28/02/23:
- 73 **Met Police – Designing Out Crime Officer:** Raised concerns about unrestricted access to and layout of basement cycle storage. Request that the development uses Secured by Design principles and standards in respect of the security of each property alongside continued consultation throughout the design and build of this development with the South East Designing Out Crime Office to ensure that Secured by Design standards are implemented correctly.

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- 74 **Royal Borough of Greenwich - Adjoining Borough Consultation:** Raised no objection.
- 75 **London Borough of Tower Hamlets – Adjoining Borough Consultation:** Raised no objection.
- 76 **TfL London Underground/DLR Infrastructure Protection:** Raised no objection subject to conditions.
- 77 **Network Rail:** Developer will need to enter into Asset Protection Agreement to ensure rail assets are protected.
- 78 **Environment Agency:** Raised no objection subject to conditions.
- 79 **Thames Water:** Raised no objection subject to conditions.
- 80 **Greater London Authority (Stage 1 Response):**
- 81 In their Stage 1 response dated 17<sup>th</sup> April 2023, the GLA stated the following:

**Land use principles:** The proposed co-location of light industrial and residential uses on land that is planned to be released from SIL could be supported. However, the release of the SIL is subject to ongoing resolution with Lewisham on replacement industrial capacity and it must also be demonstrated that industrial uses are not compromised. The requirement to enter into a nomination agreement and an occupancy restriction for students must be secured.

**Affordable housing:** The blended affordable housing offer comprising a mix of conventional C3 accommodation and affordable student accommodation could follow the Fast Track Route in this instance (35% by habitable rooms and on an NIA basis). Further details set out within this report must be secured.

**Urban design:** The proposed development does not comply with the locational requirements of Policy D9(B) for tall buildings, however the emerging policy context for heights up to 25 storeys on the site is relevant. The development must also demonstrate acceptable impacts as required by Policy D9(C). The applicant should also address comments in relation to the development capacity and layout, evacuation lifts and Agent of Change. Further details must be secured.

**Transport:** Contributions to the active travel environment, bus service enhancements and Surrey Canal Station are required to address the poor pedestrian and cycling environment and impacts on the surrounding public transport network. The applicant must address comments in relation to healthy streets, the proposed junction improvements, delivery and servicing, student move-in and move-out, parking, construction and the travel plan.

**Sustainable development:** The applicant must address comments in relation to the energy strategy, circular economy, whole life-cycle carbon, flood risk and sustainable drainage and digital infrastructure.

**Environmental issues:** The UGF score of 0.4 meets the minimum target set by London Plan Policy G5 and should be secured. The applicant should demonstrate in the application how they will avoid direct or indirect impacts on the neighbouring SINC.

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82 **Transport for London(TfL):**

Cycle parking

83 Quantum of student and residential cycle storage compliant with minimum required by policy.

84 LPA should ensure cycle storage for the proposed employment and residential/community would meet minimum standards.

85 Cycle parking provision should be designed in line with London Cycle Design Standards (LCDS).

86 In line with LCDS, at least 5 per cent of long-stay cycle parking provision should be suitable to accommodate larger and adapted cycles. LCDS is also clear that two-tier racks are not suitable for all, and should be used in conjunction with accessible (i.e., Sheffield stands). For residential dwellings, at least twenty per cent of dwellings should take the form of Sheffield stands at standard spacing, and for student accommodation at least 5 per cent.

87 Lifts should have minimum dimensions of 1.2 by 2.3 metres, with a minimum door opening of 1000mm, to ensure that they accommodate all types of cycles.

88 Doors to cycle parking provision should be automated – push button or pressure pad operated.

Walking and Cycling

89 The current walking and cycling environment in this location is poor and enhancements beyond the red line boundary will be required to support the quantum of development coming forward.

90 An Active Travel Zone (ATZ) assessment has been undertaken, with only four routes assessed. Given the proposal is for student accommodation routes to potential higher education establishments should be assessed as part of the ATZ assessment and should include routes to the closest primary and secondary school and a night-time assessment. It is considered that a contribution of £300,000 should be secured within the S106 agreement towards active travel environment, additional to addressing the existing deficiencies and any issues identified in an updated ATZ assessment. As with the Trundleys development, a proportion of this contribution could be used towards delivering a cycle hire docking station within proximity of the site.

91 The applicant proposes improving the junction of the site access with Surrey Canal Road and Trundleys Road by signalling the proposed junctions, including the provision of signalised crossings for pedestrians and cyclists. The principle of improving this junction is welcomed subject to discussion and agreement by the local planning authority and TfL to ensure that any improvements are not delivered to the detriment of bus journey times and cyclist movement, and in order to fully support the Mayor's Healthy Streets approach and Vision Zero.

Pedestrian Access

92 The proposed development is to be set back 1.7m from the existing pedestrian and cycling route along Surrey Canal Road. It should be ensured that this is clear effective

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width for active travel increasing that shared by pedestrians and cyclists currently, with suitable management and maintenance arrangements agreed with Lewisham. Given the steep slope to the road, above which is the shared cycle way/footway, the widening of this route would be an appropriate use of the set back.

- 93 In line with the Mayor's Healthy Streets approach, the proposed vehicle access to this site should be designed to clearly prioritise cyclist and pedestrian movement into and out of the site and across the vehicle access. The applicant should provide further detail on how this is being achieved through both design and management at the proposed development site including arrangements for the adjacent arches which share the access.

#### Car Parking

- 94 Car-free development is supported in principle subject to a permit-free agreement and contribution towards reviewing local parking controls being secured.
- 95 Further work is needed to demonstrate that public and active travel necessary to support proposed car free development will exist. As noted above the site currently only has a PTAL of 1b and the walking and cycling environment is poor. These issues must be addressed if student and affordable housing residents and their visitors are not to be isolated.
- 96 One disabled person parking space is proposed for each land use (total of three spaces). The provision of one disabled parking space for the residential development is equivalent to 3% of dwellings having access to a disabled person parking spaces from the outset.
- 97 The applicant will need to demonstrate how a further 7% of dwellings – which for this development is equivalent to a further 3 spaces - can be provided with access to a disabled person parking space should demand arise. The provision of only one disabled person parking space, particularly for a student development in this inaccessible location raises concerns. Further thought should be given to the appropriate quantum of disabled person parking provision for the proposed student element and/or certainty through a nominations agreement that disabled students would be offered a choice of other accommodation with more car parking which they could use, better access to public transport and/or better located for active travel by disabled students to the establishment and other necessary places.
- 98 The provision of one disabled space for the employment use meets policy.
- 99 Should the provision of disabled person parking provision fall below the policy standard, be it at the outset or later then a contribution towards the aforementioned modes of transport will be sought, in addition to that justified in the Public Transport section above. On-street parking provision for disabled people suitably close to the site would seem unlikely to be possible to provide without disruption to bus services and general traffic. However, if it can be provided and is acceptable to the Council then a s106 contribution should be secured for the necessary orders, physical works and for electric vehicle charging.
- 100 A Parking Design and Management Plan (PDMP) should be secured through the appropriate mechanism, in line with Policy T6. This should detail the management of the disabled person parking spaces at this site. Noting the low level of parking provision, the

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applicant is strongly encouraged to provide active electric vehicle charging provision at all spaces from the outset (and for the service bays).

#### Trip Generation Assessment

- 101 A multi-modal trip generation assessment has been provided. There is a concern that this assessment is underestimating the impact that the proposed development is having on the surrounding transport network.
- 102 TfL question whether the walking mode share will be as high as what is currently being estimated and it is likely that residents from the proposed development will need to utilise other modes of transport (i.e., bus) which has not been taken into consideration in the submitted assessment. The site is served by a single bus service – the 225, which has a low service frequency. Improvements to the bus network within the vicinity of the site is not only needed in terms of capacity, but also accessibility and a contribution of £549,000 towards bus service enhancements is justified and should be secured in the S106 agreement.

The site is within 500 metres of the proposed London Overground station, known as 'Surrey Canal'. The new station will bring rail travel within reasonable walking distance of occupiers and visitors to this development, including those with mobility needs as it will have step free access (unlike South Bermondsey which is also beyond PTAL distance) and a contribution of £1,173,843.33 towards the delivery of this station should be secured in the S106 agreement.

#### Managing Freight and Travel

- 103 There is concern that the delivery and servicing demand of the proposed development is being underestimated, particularly noting the increase in online deliveries in recent years. A full Delivery and Servicing Plan (DSP) should be secured through the appropriate mechanism. The DSP should contain detail on the measures that will be implemented to reduce the impact of this activity on the surrounding transport network.
- 104 NB: Transport comments are considered in the consideration's sections below.

#### **LEWISHAM DESIGN REVIEW PANEL**

- 105 Earlier iterations on two occasions, the last being in November 2022. At the initial stage the proposal was for two separated blocks of 32 and 14 storeys height.
- 106 In summary the DRP were supportive of the aims of the development and appreciated the positive design changes undertaken in response to the initial DRP review. However, they considered further work/refinement was necessary on the building layouts and the location of affordable housing block, and that further improvement could be made to the public realm, and that the children's play space could be more practically provided at roof terrace level rather than at ground level given the mixed-use function of the site.
- 107 The main comments raised by the Panel are summarised in the Figure 4 table below:

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**Figure 4: Design Review Panel Comments**

<b>Design Review Panel Comments</b>	<b>Officer Response</b>
32 storey and 14 storey heights not supported.	Scheme reduced to 26 and 10 storey heights.
'Separated' tower blocks not supported.	Tower blocks joined in bow-tie arrangement to read as a single form.
Lower tower block (affordable housing) should front onto Folkestone Gardens instead of being sited to rear of site.	Lower tower block (affordable housing) moved to front of site to face towards Folkestone Gardens.
Public Realm could be improved.	Frontage soft-landscaping enhanced with entrance piazza, spill-out area for employment uses, more seating, more planting, and more tree planting. Play space moved from ground to roof terrace of affordable housing block.
Childrens Play Space would be better provided at roof terrace level to avoid mixed-use ground floor conflicts.	Childrens play area (for children up to 11 years of age) moved to roof terrace of affordable housing block. Financial contribution agreed through S106 agreement to enhance play facilities (for children up to 15 years of age) in Folkestone Gardens.

109 Officers consider that the applicant has satisfactorily addressed the main matters raised by the DRP.

## **5 POLICY CONTEXT**

### **LEGISLATION**

110 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).

### **MATERIAL CONSIDERATIONS**

111 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.

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- 112 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.
- 113 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 aforementioned directions and the test of reasonableness.

## **NATIONAL POLICY & GUIDANCE**

- National Planning Policy Framework 2023 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

## **DEVELOPMENT PLAN**

- 114 The Development Plan comprises:
- London Plan (March 2021) (LPP)
  - Core Strategy (June 2011) (CSP)
  - Development Management Local Plan (November 2014) (DMP)
  - Site Allocations Local Plan (June 2013) (SALP)
  - Lewisham Town Centre Local Plan (February 2014) (LTCP)

## **SUPPLEMENTARY PLANNING GUIDANCE**

- 115 Lewisham SPG/SPD:
- Planning Obligations Supplementary Planning Document (February 2015)
  - Surrey Canal Triangle Design Framework (February 2020)
- 116 London Plan SPG/SPD:
- Planning for Equality and Diversity in London (October 2007)
  - London's Foundations (2012)
  - London View Management Framework (March 2012)
  - All London Green Grid (March 2012)
  - Play and Informal Recreation (September 2012)
  - 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)
  - Social Infrastructure (May 2015)
  - Housing (March 2016)

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- Crossrail Funding (March 2016)
- Homes for Londoners: Affordable Housing & Viability (August 2017)
- Energy Assessment Guidance (October 2018)
- Be Seen Energy Monitoring (September 2021)
- Circular Economy Statements (March 2022)
- Whole Life-Cycle Carbon Assessments (March 2022)
- Sustainable Transport, Walking and Cycling (November 2022)
- Air Quality Positive (February 2023)
- Air Quality Neutral (February 2023)
- Urban Greening Factor (February 2023)
- Housing Design Standards (June 2023)
- Optimising Site Capacity – A Design-Led Approach (June 2023)

## OTHER MATERIAL DOCUMENTS

- Lewisham Local Plan: Proposed Submission Document January 2023 (hereafter in this Committee report referred to as the draft Local Plan).

## 6 PLANNING CONSIDERATIONS

117 The main issues are:

- Principle of Development
- Housing
- Employment
- Purpose Built Student Accommodation (PBSA)
- Urban Design
- Impact on Adjoining Properties
- Transport
- Sustainable Development
- Natural Environment
- Planning Obligations

### 6.1 PRINCIPLE OF DEVELOPMENT

#### *General policy*

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

119 The London Plan (LP) sets out a spatial approach to making the best use of land set out in LPP GG2 (Parts A to C) that should be followed.

#### *Policy*

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120 LPP SD1 Opportunity Areas and Intensification Areas seeks to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses.

#### Demolition of Existing Buildings

121 The Site is currently occupied by metal industrial buildings on either side of a yard.

122 The existing buildings on Site are not statutorily or locally listed, nor located within a Conservation Area, nor are there any national or local policies which would prevent the principle of their demolition.

123 The existing buildings at the application site are of little architectural value being of a functional industrial appearance and failing to positively contribute to the character and appearance of the area or the local context. Furthermore, the demolition of the buildings will enable the comprehensive re-development of the site to intensify the existing employment use allowing for the introduction of both residential units and student accommodation and a flexible retail/community use unit. The acceptability of these uses is discussed below.

124 Given the above, the demolition of the existing buildings on the application site is considered acceptable in principle.

#### Principle of Co-Location of Industrial Uses and Residential Uses

##### *Policy*

125 LPP E4 (Land for industry, logistics and services to support London's economic function) states that a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, taking into account strategic and local employment land reviews, industrial land audits and the potential for intensification, co-location and substitution. This should make provision for the varied operational requirements of:

1) light and general industry (Use Classes B1c and B2)

2) storage and logistics/distribution (Use Class B8) including 'last mile' distribution close to central London and the Northern Isle of Dogs, consolidation centres and collection points

3) secondary materials, waste management and aggregates

4) utilities infrastructure (such as energy and water)

5) land for sustainable transport functions including intermodal freight interchanges, rail and bus infrastructure

6) wholesale markets

7) emerging industrial-related sectors

8) flexible (B1c/B2/B8) hybrid space to accommodate services that support the wider London economy and population

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9) low-cost industrial and related space for micro, small and medium-sized enterprises (see also Policy E2 Providing suitable business space)

10) research and development of industrial and related products or processes (falling within Use Class B1b).

- 126 LPP E5 (Strategic Industrial Locations (SIL)) states that Strategic Industrial Locations should be managed proactively through a plan-led process to sustain them as London's largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London's economy and that Boroughs, in their Development Plans, should define the detailed boundary of SILs in policies maps having regard to the scope for intensification, co-location and substitution.
- 127 LPP E5 states that a sufficient supply of land and premises in different parts of London should be provided and maintained to meet current and future demands for industrial and related functions.
- 128 LPP E7 (Industrial intensification, co-location and substitution) states that Development Plans and planning frameworks should be proactive and consider, in collaboration with the Mayor, whether certain logistics, industrial and related functions in selected parts of SIL or LSIS could be intensified to provide additional industrial capacity. Intensification can also be used to facilitate the consolidation of an identified SIL or LSIS to support the delivery of residential and other uses, such as social infrastructure, or to contribute to town centre renewal. This approach should only be considered as part of a plan-led process of SIL or LSIS intensification and consolidation (and the areas affected clearly defined in Development Plan policies maps) or as part of a co-ordinated master planning process in collaboration with the GLA and relevant borough, and not through ad hoc planning applications. In LSIS (but not in SIL) the scope for co-locating industrial uses with residential and other uses may be considered. This should also be part of a plan-led or master planning process.
- 129 LPP E7 Part C states that mixed-use or residential development proposals on Non-Designated Industrial Sites should only be supported where:
- 130 1) there is no reasonable prospect of the site being used for the industrial and related purposes set out in Part A of Policy E4 Land for industry, logistics and services to support London's economic function; or
- 131 2) it has been allocated in an adopted local Development Plan Document for residential or mixed-use development; or
- 132 3) industrial, storage or distribution floorspace is provided as part of mixed-use intensification.
- 133 LPP E7 Part D states the processes outlined above must ensure that:
- 1) the industrial uses within the SIL or LSIS are intensified to deliver an increase (or at least no overall net loss) of capacity in terms of industrial, storage and warehousing floorspace with appropriate provision of yard space for servicing
- 2) the industrial and related activities on-site and in surrounding parts of the SIL, LSIS or Non-Designated Industrial Site are not compromised in terms of their continued efficient function, access, service arrangements and days/hours of operation noting that many businesses have 7-day/24-hour access and operational requirements

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3) the intensified industrial, storage and distribution uses are completed in advance of any residential component being occupied

4) appropriate design mitigation is provided in any residential element to ensure compliance with 1 and 2 above with particular consideration given to:

a) safety and security

b) the layout, orientation, access, servicing and delivery arrangements of the uses in order to minimise conflict

c) design quality, public realm, visual impact and amenity for residents

d) agent of change principles

e) vibration and noise

f) air quality, including dust, odour and emissions and potential contamination.

134 Draft Local Plan Policy EC2 (Protecting employment sites and delivering new workspace) indicates that proposals for the co-location of employment and other compatible uses will only be supported at selected SIL sites, and where it can be suitably demonstrated that the requirements of London Plan policies E5 (Strategic Industrial Locations) and E7 (Industrial intensification, co-location and substitution), and other relevant Local Plan policies, are satisfied. Further detailed requirements are set out in the corresponding site allocation policies for the following sites:

a) Apollo Business Centre (Surrey Canal Road SIL)

b) Trundleys Road (Surrey Canal Road SIL)

c) Evelyn Court (Surrey Canal Road SIL)

135 The Council has published and consulted on a Draft Lewisham Local Plan (Regulation 19 stage “Proposed Submission” document) to replace the 2011 Core Strategy, DMLP and other documents and states that the co-location of employment and other compatible uses will be supported on this site. The Local Plan was considered and approved by the Council on 25 November 2020. Consultation of the new Local Plan occurred from 15th March 2023 to 25th April 2023. This sets out the plan-led approach for the consolidation and intensification of the SIL uses in the borough, as well as the release of certain sites from SIL as per draft policy EC2 above. The Lewisham Local Plan is seen as material consideration, having been endorsed by Council. However, limited weight is afforded to the document as it is not been formally submitted for examination to date.

#### *Discussion*

136 As set out, the Site currently falls within the wider Surrey Canal Strategic Industrial Location (SIL) where the existing industrial uses are protected by adopted and emerging planning policy. Policy E5 of the London Plan details the types of uses appropriate to SILs.

137 The wider policy objective of the London Plan is to ensure there is no net loss of industrial floorspace capacity across London within designated SIL (Policy E4). As such,

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any release of industrial land should be facilitated through the processes of industrial intensification, co-location and substitution set out in Policy E7.

- 138 Accordingly, Policy E7 sets out that boroughs should identify parts of SIL that could be intensified to provide additional industrial capacity and to facilitate a process of consolidation of an identified SIL to support the delivery of residential and other uses. This approach should be undertaken as part of a plan-led process of SIL intensification and consolidation as identified by the borough.
- 139 The Lewisham Employment Land Study (2019) provides an up-to-date assessment of the future need for industrial land and floorspace in the borough plus a qualitative assessment of the currently designated employment locations and sites. This assessment recognises the constraints and deficiencies of the Apollo Business Centre Site and notes that this is of significantly poorer quality than the rest of the Surrey Canal SIL. Any intensification through mixed-use development should provide sufficient employment floorspace to ensure that there is not a net loss. As such, it recommends that the Site is designated for colocation of employment and other uses, including residential uses, through a plan-led process of intensification and co-location.
- 140 The draft Local Plan seeks to retain the employment generating function of the Apollo Business Centre site whilst allowing flexibility for a wider range of uses, including residential, to secure the long-term viability of commercial uses. This is reflected in the emerging Site Allocation for the site which proposes the site is allocated for comprehensive employment-led redevelopment and co-location of compatible commercial, residential and complementary main town centre uses. The draft Local Plan therefore seeks the release of the Apollo Business Centre site from SIL. This is part of a plan-led process where the Council has also identified additional areas of land to be designated as SIL including land at the Bermondsey Dive Under. In line with London Plan Policy E7 this provides a compensatory process to ensure there is no loss of SIL within the borough.
- 141 Notwithstanding the above, it is acknowledged that the Core Strategy recognises that SIL uses should be protected. However, the new London Plan provides an updated policy basis for SIL release and co-location of industrial and residential uses – this forms the basis of the draft new Local Plan on which the Council has recently consulted, and it is considered that the proposed scheme aligns with the Regulation 19 Consultation Document.
- 142 In relation to the criteria set out by LPP E7, the employment uses proposed would increase employment capacity and provide appropriate servicing areas (assessed below).
- 143 The existing employment uses are significantly intensified as part of the development proposals, the floorspace area would increase from 860 square metres to 1,786 square metres, which result in an increase in an employment floorspace capacity of 52% compared to the existing floorspace. The proposed development has been designed to provide flexible commercial floorspace with units that can accommodate a range of large, or small and micro businesses for industrial and warehouse uses, or light industrial and creative industrial workshop uses. Additionally, dedicated space is proposed that provides adequate space for servicing and deliveries.
- 144 The application site functions largely in isolation from other sites in the Surrey Canal SIL, separated by physical barriers including the railway line and railway line bridges.

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Notwithstanding this, the proposed development has been designed to ensure the continued function of the surrounding uses.

- 145 In addition to the above, the applicant has adopted a wider masterplan approach to the wider site demonstrating that the proposed development will not prejudice future development of neighbouring sites.
- 146 In relation to the relationship of residential and commercial uses co-existing, the proposed development has been designed with measures intended to mitigate and manage the potential impacts arising from the proposed on-site commercial use to the proposed residential receptors. The development proposals have been designed to physically separate the commercial units from the residential and student accommodation above, including the access and servicing arrangements. More detail is included within the Agent of Change section of this report.
- 147 With regard to safety, the proposals have been designed in accordance with the principles of Secured by Design, including with regard to fire and emergency egress. If the application were to be approved, it is recommended that a Secured by Design condition is imposed.
- 148 The layout, orientation, access, servicing and delivery arrangements for the four proposed uses (commercial, flexible retail/community student and residential) have been designed to minimise conflict between the uses. This is discussed in further detail in the Transport section of this report.
- 149 The proposed residential accommodation has been designed to meet residential design standards in terms of space standards, amenity space and play provision. The student accommodation and residential accommodation have also been designed to a high quality and to ensure a good level of amenity for future occupants. This is discussed further in the quality of accommodation section of this report below.
- 150 Additionally, in relation to the final requirements of LPP E7, the Agent of Change principle, impacts in terms of noise and vibration, air quality is all assessed in the relevant parts of this report below and are found to be acceptable.
- 151 The application site is not a conventional SIL site in terms of its existing land use, location and context. For this reason, the evidence base for the emerging Lewisham Local Plan recommends that the site is designated for co-location of employment residential use. Accordingly, the draft Local Plan seeks the release of the Site from SIL as part of a plan-led approach to intensification and co-location which includes identifying other areas of land within the borough to be designated as SIL to ensure there is no net loss. However, the Council will seek to ensure through a planning Condition that the employment use units are provided prior to the first occupation of the PBSA and C3 residential accommodation to accord with LPP E7 (d).
- 152 In addition, the proposed development represents an increase in employment use floorspace on the site of 52% compared to existing and therefore there is no net loss of industrial capacity on the Site. The proposed scheme has also been sensitively designed in order to maintain the functionality of the surrounding uses and work compatibly with the residential and student accommodation uses also proposed on-site. Officers consider that the proposed development is in compliance with LPP E5 and E7 and the criteria set out in those policies to protect and promote employment use.

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153 The proposed commercial floorspace will generate between 38 FTE jobs on site based on the Homes and Communities Agency Employment Density Guide 3rd edition (November 2015). A further 6FTE could result from the proposed flexible retail/community use. The site currently provides between 12 and 24 FTE jobs and therefore the proposed development represents a significant uplift in the employment provision and optimises the use of the Site. The overall uplift in floorspace and jobs creation is outlined in Figure 5 below:

**Figure 5: Existing and Proposed Floorspace and Jobs**

	<b>Existing</b>	<b>Proposed</b>
Industrial (internal) Floor Space	860 Square Metres	1786 Square Metres
Jobs	Between 12 and 24	38 (employment use) 2 (flexible retail/community use)

154 The Site falls within the Lewisham, Catford and New Cross Opportunity Area, for which the London Plan sets a target for 13,500 new homes. The London Plan also sets a target of 3,500 student bedspaces to be delivered annually. The 484 student accommodation units (equating to 193 conventional residential dwellings) and 42 residential dwellings proposed will contribute towards meeting these targets, equating to a contribution towards 1.75% of the annual London Plan target in relation to housing, and the 484 student bedspaces would provide 14% of the student bedspaces which the London Plan seeks to provide annually.

155 As outlined above, the draft Local Plan identifies the site at the Apollo Business Centre as one of three sites that will be released from SIL to provide mixed use development (the adjacent Surrey Canal Road/Trundleys Road and Evelyn Court sites being the other two sites). The draft site allocation associated with the Apollo Business Centre site confirms that the site will be released from SIL and envisages that the site will support “comprehensive employment-led re-development” with “co-location of compatible commercial, residential and complementary town centre uses”.

156 In conjunction with this strategy to release SIL, the draft Local Plan confirms that a new area of SIL will be designated as part of the Surrey Canal SIL in compensation for the released sites, at the “Bermondsey Dive Under” site, approximately 500 metres north-west of the application site. The new SIL boundaries have been outlined on the Council’s draft Policies Map.

157 It has now been demonstrated that the Council has begun a plan-led process of SIL release and consolidation, in accordance with Policies E5 and E7 of the London Plan.

158 Further to the above, the GLA have noted that notwithstanding the current SIL designation, it is acknowledged that the site is potentially a suitable location for a mixed-use employment and residential development as it would contribute to the consolidating the urban form in this part of Lewisham. The site is on the eastern edge of the designated SIL area to the north and west and is close to the established residential

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neighbourhoods to the south, north and east. There is a large park at Folkstone Gardens opposite that would provide good outlook and amenity space for residential occupiers. The site could also be released in isolation without compromising the integrity of other SIL's in the locality, and the release of the site for residential uses would not result in a residential development surrounded by industrial use.

- 159 As required by the GLA and LPP, the Council has published its local plan documents for consultation and provided evidence with regard to the proposed approach to SIL consolidation.
- 160 Officers acknowledge the non-compliance of the proposed development from the CSP 3 which places strict protection over SIL sites. The applicant in this instance has sought to make optimal use of a site which is located in an area that is characterised by both employment and other uses including existing residential and in a location which borders a park and is near other civic features including a primary school and adjacent regeneration schemes. The scheme is a departure from the Core Strategy but has been designed to the principles of the new London Plan and is in accordance with the direction of travel of the draft Local Plan. The draft Local Plan has limited planning weight but it is a material consideration and officers consider the scheme is acceptable given the location of the site on the fringe of the SIL and adjacent to the features outlined above, and due to the uplift in overall internal commercial floorspace in terms of quantum and quality (which would be secured in perpetuity), and an increase of job provision. There would be no adverse conflict with the criteria of LPP E7 (d) in that the development would not compromise the provision of employment use on and adjacent to the site, and the employment units would be provided before the first occupation of the residential element, and the scheme is carefully designed to minimise impacts on future residential occupiers. Given those circumstances the proposals are in accordance with the direction of travel of the draft Local Plan.
- 161 Given the above, the principle of co-location of commercial use, and flexible retail/community use, and residential units is also considered acceptable and in accordance with the requirements of the adopted London Plan and is an acceptable departure from the Councils Core Strategy.
- 162 The proposed uses are considered acceptable giving the nature of the area, and location on the fringe of the existing SIL designation. The surrounding area is subject to several emerging developments which would have a positive employment impact on the character of the area, and the proposed development sits comfortably within that context.

#### Principle of Student Accommodation

##### *Policy*

- 163 LPP Policy H15 Purpose-built student accommodation states that Boroughs should seek to ensure that local and strategic need for purpose-built student accommodation is addressed, provided that:
- 1) at the neighbourhood level, the development contributes to a mixed and inclusive neighbourhood
  - 2) the use of the accommodation is secured for students

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3) the majority of the bedrooms in the development including all of the affordable student accommodation bedrooms are secured through a nomination agreement for occupation by students of one or more higher education provider

4) the maximum level of accommodation is secured as affordable student accommodation as defined through the London Plan and associated guidance:

a. to follow the Fast Track Route, at least 35 per cent of the accommodation must be secured as affordable student accommodation or 50 per cent where the development is on public land or industrial land appropriate for residential uses in accordance with Policy E7 Industrial intensification, co-location and substitution.

b. where the requirements of 4a above are not met, applications must follow the Viability Tested Route set out in Policy H5 Threshold approach to applications, Part E.

c. the affordable student accommodation bedrooms should be allocated by the higher education provider(s) that operates the accommodation, or has the nomination right to it, to students it considers most in need of the accommodation.

5) the accommodation provides adequate functional living space and layout.

164 DMP Policy 8 (Student Housing) states that The Council will support proposals for student housing provided that the development:

a. will not involve the loss of permanent self-contained homes.

b. will not involve the loss of designated employment land.

c. will not involve the loss of leisure or community space.

d. will not prejudice the Council's ability to meet its annual London Plan housing target for additional self-contained homes.

e. has an identified end user affiliated with an educational institution or student housing management company.

f. is well served by public transport and is accessible to a range of town centre, leisure and community services.

g. provides a high-quality living environment and includes a range of unit sizes and layouts, with and without shared facilities, to meet the requirements of the educational institutions it will serve.

h. complies with part 1 of DM Policy 6 Houses in multiple occupation (HMO) in all cases where the proposal involves the creation of an HMO.

i. demonstrates that it is suitable for year-round occupation and that it has long term adaptability and sustainability, including adequate and suitable cycle parking.

j. contributes to creating a mixed and inclusive community.

k. does not cause unreasonable harm to residential amenity or the surrounding area.

l. provides 10% wheelchair accessible rooms fully fitted from occupation.

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- 165 As above, the draft Local Plan is offered limited weight at present but is a material consideration. As such, draft Policy HO7 is outlined below for reference.
- 166 Draft Local Plan Policy HO7 states that Development proposals for Purpose Built Student Accommodation (PBSA) will only be supported where they:
- a. They help to meet an identified need for this type of housing (giving priority to the local student population), will not compromise delivery against the Borough's strategic housing target and principal need for conventional housing, and will not result in a harmful overconcentration of PBSA taking into account:
    - i) The amount of PBSA within the Borough and the area within which the development is proposed, having regard to past delivery and consented but undelivered PBSA; and ii. The proportion of PBSA provided in relation to the overall mix of housing within the development, and where relevant a masterplan or site allocation.
  - b. The accommodation is secured for use by students, as demonstrated by an agreement with one or more specific higher education provider(s); and
  - c. The maximum level of accommodation is secured as affordable student accommodation, in line with the London Plan.
- 167 Part B goes on to state that's development proposals for PBSA must be appropriately located:
- a. At well-connected sites that have good levels of public transport accessibility and are easy to access by walking and cycling;
  - b. Within or at the edge of town centres, or other locations that benefit from good provision of shops, services, leisure and community facilities appropriate to the student population; and
  - c. Giving priority to sites located in proximity to the education facility the development is intended to serve, or other higher education institutions in the Borough.
- 168 Also, PBSA must be of a high-quality design, giving particular consideration to:
- a. Adequate functional living space and layout with good-sized bedrooms and well-integrated communal areas and facilities, with a recommended benchmark of 1 square metre of internal and 1 square metre of external communal amenity space per student bed;
  - b. Inclusive and safe design, including provision for wheelchair accessible accommodation, spaces and facilities;

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c. Amenity of occupiers and neighbouring properties including consideration for outlook, daylight and sunlight, noise and ventilation; d. Adequate on-site cycle parking facilities; and e. Accommodation that is suitable for year-round occupation.

- 169 Draft Policy HO7 also outlines requirements for the proposed design of PBSA and outlines that all development proposals must be accompanied by a site management maintenance plan which would be secured by condition.

*Discussion*

- 170 The adopted and emerging policy position supports the principle of PBSA providing it does not undermine the ability of the borough to meet its London Plan housing target for additional self-contained homes. The latest LBL Annual Monitoring Report (January 2021) shows that the Council can demonstrate a five-year housing land supply (with a 5% buffer).
- 171 The London Plan sets out there is a need to provide 3,500 new PBSA bedspaces annually. The proposal comprises 484 bedspaces and therefore would contribute to achieving the London-wide target for PBSA. Moreover, paragraph 4.15.1 of the London Plan states that whilst London's overall housing need in the 2017 London SHMA is expressed in terms of the number of conventional self-contained housing units, the completion of new PBSA contributes to meeting London's overall housing need and is not in addition to this need.
- 172 In addition, as acknowledged by the Council through its consultation on the draft Local Plan, the provision of PBSA has the added benefit of relieving pressure on the private rented market, enabling opportunities for others to access housing that might not otherwise be available. It is therefore considered that the proposal for PBSA on the site would not undermine the ability of Lewisham to meet its housing target.
- 173 It is considered that to a degree the PBSA would free-up conventional housing stock for local people whilst contributing towards London-wide targets for PBSA bedspaces and overall housing need. PBSA is defined as non-conventional housing, which for purposes of delivery against the Borough's strategic housing target, is counted on a 2.5:1 basis (i.e. two and a half bedrooms/units is equivalent to one unit of housing). Compared with conventional housing, where units are counted on a 1:1 basis, As set out in the Applicant's submission, the provision of 484 PBSA bedrooms at the Site has the potential to release up to 193 single dwelling houses back to the private rented sector. This is in addition to the 42 conventional affordable dwellings that are also proposed as part of the development.
- 174 On this basis, the proposed development does not undermine the ability of Lewisham to meet its housing targets.
- 175 London Plan Policy H15 and adopted DM Policy 8 require new student accommodation to be located in accessible locations which are well served by public transport. The current PTAL rating of the Site is 1b but this is expected to improve to PTAL 3 upon completion of the new overground station at Surrey Canal Road, situated along Surrey Canal Road which is 400m north-west of the Site. At present, the nearest rail stations are at Surrey Quays which is located approximately 1.2km to the northwest of the site, and New Cross and New Cross Gate, located approximately 1.3-1.4km south of the Site. These provide access to London Overground and national rail services. Deptford and South Bermondsey stations are also located approximately 1.2 and 1.5km of the Site (east and west respectively) providing further access to national rail services. The

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nearest bus stops which provide access to Route 225 are located near to the Site on Trundleys Road.

- 176 There are a number of Higher Education Providers in proximity to the Site. Within a 1-mile radius (15 minutes or less travel time by public transport) are:
- Goldsmiths College, University of London; and
  - Coventry University International Study Centre.
- 177 Moreover, there are also a number of Higher Education Providers within a 2.5-mile radius of the Site (40 minutes or less travel time by public transport):
- The University of Greenwich (main campus);
  - Ravensbourne University London (main campus);
  - Trinity Laban Conservatoire of Music and Dance (main campus);
  - Kings College London (Guy's campus and Denmark Hill campus);
  - University of Sunderland (London campus);
  - University of Gloucestershire (London campus);
  - University of Cumbria (East India Dock Road campus); and
  - Queen Mary University of London (Whitechapel campus).
- 178 This planning application is accompanied by a Student Housing Demand Assessment prepared by Savills which concludes that the Site is a preferable location for students to live, especially those studying locally at Goldsmiths College, Greenwich University, East London University, and Kings College London.
- 179 The Applicant has been in discussions with these local Higher Education institutions, a number of whom have expressed interest in the proposals for PBSA in this location. As required by planning policy, a nomination agreement to secure the student accommodation for the students of one of more Higher Education institution(s) would be secured within the s106 agreement.
- 180 The applicant remains in negotiations with student housing management companies to take on the student housing development. In all cases these institutions are professional and commit to very high standards of management. A Student Management Plan has been submitted by the applicant as part of the planning application to demonstrate the high quality of student housing management that would be applied to the scheme.
- 181 Additionally, a Student Management Plan would be required by condition to take into account the requirements of individual operator, once confirmed.
- 182 Moreover, as demonstrated previously, the provision of PBSA in this location would not compromise the ability of Lewisham to meet its housing targets. Rather, it will help free up the conventional housing stock that is currently being used by students. The accompanying Student Housing Demand Assessment sets out that the provision of 484 PBSA bedrooms in this location will release up to 193 single dwelling houses back to the

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private rented sector. This is in addition to the 42 conventional affordable dwellings that are also proposed as part of the development.

- 183 As student accommodation is not a town centre use as defined by the NPPF, the Site does not have to pass a sequential test for the inclusion of PBSA. Draft Lewisham Policy HO7 states that it would support proposals for PBSA which, outside of town centres, are locations that benefit from good provisions of other shops, services, leisure and community facilities appropriate to the student population. Notwithstanding this, there are good walking, cycling and public transport links to nearby town and district centres which provide a good range of local services and amenities. Links to major and district centres are outlined in Figure 6 below :

**Figure 6: Links to Major and District Centres**

<b>Town Centre</b>	<b>Distance from Site (Approx)</b>	<b>Accessibility from Site</b>
Canada Water	1 Mile	23 Mins Walk / 12 Mins by 225 bus.
Lewisham (Major)	2 Miles	20 mins by 225 bus.
Deptford (District)	1.1 Miles	18 Min (walk) / 6 Min (cycle)
New Cross (District)	0.7 Miles	13 Min Walk / 5 Min (cycle)

- 184 Furthermore, the application site is situated in a location where a number of committed developments are coming forward, as shown in Figure 7 below, which include a significant amount of commercial floorspace at ground floor. Therefore, in the emerging context the Site will be in a location that benefits from good provisions of shops, services, leisure and community facilities appropriate to the student population.

**Figure 7: Emerging Developments in Vicinity of Site**

<b>Development (Planning Ref No)</b>	<b>Distance from Site (Approx)</b>	<b>Commercial Uses Approved</b>
164-196 Trundley's Rd / 1-9 Sanford Street	0.1 Miles	2220sqm – E(g)(iii), B2/B8 uses.
Neptune Wharf	0.2 Miles	274sqm - A1 and 99sqm of A3.

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Arklow Road Trading Estate	0.3 Miles	2974sqm – flexible A1/A2/A3/B1/D1/D2 uses
Deptford Timberyard	0.3 Miles	10,413sqm of non-residential floorspace (A1/A2/A3/A4/A5/B1/D1/D2)
Surrey Canal Triangle	0.4 Miles	Up to 6,300sqm retail floorspace (Class A1-A5) floorspace;  Up to 15,000sqm of business floorspace (Class B1).  Up to 10,000sqm of non-residential institution floorspace (Class D1).  Up to 15,800sqm of assembly and leisure floorspace (Class D2)
Conveys Wharf	0.8 Miles	Up to 5,810sqm of A1/A2, 4,520sqm A3/A4 and 13,000sqm of D1/D2

- 185 Therefore, the application site is considered to be in an accessible location in proximity to (a) the education institution(s) it is intended to serve, and (b) to local services and amenities both in the emerging context due to a number of mixed-use developments coming forward in the vicinity of the Site and at present due to the Site's proximity to a number of existing town and district centres.
- 186 The proposal contributes towards creating mixed and balanced communities. The PBSA will form part of a mixed-use development on the site comprising employment use, E(g), and flexible retail/community use (E(a) and F1 and F2, and residential dwellings (C3) and student accommodation (Sui Generis).
- 187 The proposals for the Site are therefore supported by London Plan Policy H15 which encourages student accommodation as part of mixed-use regeneration and re-development schemes.
- 188 The proposals are in accordance with the new London Plan with particular reference to the optimisation of the site and intensification of land use through the co-location of commercial, retail/community, and residential uses, creating a high-quality urban environment that is more compatible with the adjacent Folkestone Gardens and neighbouring residential areas.
- 189 The proposals to include PBSA in the 26 storey Block do not impact upon the capability of the Site to enhance the quality and quantity of employment floorspace, and therefore it is considered PBSA is a complementary use.
- 190 Officers note that the draft site allocation provides an indicative minimum capacity of 98 residential dwellings. The proposals include 42 residential dwellings and 484 PBSA

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bedspaces. Paragraph 4.1.9 of the London Plan sets out that net non-self contained accommodation for students should count towards meeting housing targets on the basis of a 2.5:1 ratio, with two and a half bedrooms/units being counted as a single home. On this basis, the 484 PBSA bedspaces equates to 193 C3 residential dwellings. The proposals therefore provide an equivalent 235 C3 dwellings, exceeding the requirement of the site allocation.

- 191 Given the above, the principle of student accommodation on the application site can be supported.

### **Principle of Development Conclusions**

- 192 The demolition of the existing buildings on the application site is considered acceptable in principle as discussed above.
- 193 The employment uses proposed would increase employment capacity and provide appropriate servicing areas for such. The existing site is not a typical SIL site. The proposed commercial floorspace would generate an estimated 38 FTE jobs and the flexible retail/community use would generate an estimated 2 FTE jobs, a significant uplift on the existing estimated 12 -24 FTE jobs provided on site. The existing employment use (internal floorspace) is intensified as part of the development proposals, which result in an increase in employment jobs capacity of 60% compared to the existing use.
- 194 The site is identified as a suitable location for a mixed-use employment, flexible retail/community, and residential development as it would contribute to consolidating the urban form in this part of Lewisham. The site is isolated on the eastern edge of the designated SIL area and is close to the residential neighbourhoods to the south, north and east; as well as Folkstone Gardens to the south-east that would provide good outlook and amenity space for residential occupiers.
- 195 Furthermore, the Council has begun a plan-led process of SIL release and consolidation, in accordance with Policies E4, E5 and E7 of the London Plan.
- 196 As required by the LPP, the Council has now published its local plan documents for consultation and provided evidence with regard to the proposed approach to SIL consolidation.
- 197 The London Plan sets out an overall target for London of 3,500 PBSA units per annum across all boroughs. In this context the proposal would make a significant contribution from Lewisham towards meeting London's need for PBSA.
- 198 Given the above, the principle of demolition of existing buildings on site, and redevelopment for mixed-use employment and residential development is considered acceptable.

## **6.2 HOUSING**

- 199 This section covers: (i) the contribution to housing supply, including density; (ii) the dwelling size mix; (iii) the standard of accommodation; and (iv) total affordable housing proposed and its tenure split.
- 200 National and regional policy promotes the most efficient use of land. The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF sets out the need to deliver a wide choice

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of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

- 201 The NPPF encourages the efficient use of land subject to several criteria set out in para 124. Para 125 applies where there is an existing or anticipated shortage of land for meeting identified housing needs and strongly encourages the optimal use of the potential of each site.
- 202 LPP H1 support the most efficient use of land and development at the optimum density. Defining optimum is particular to each site and is the result of the design-led approach. Consideration should be given to: (i) the site context; (ii) its connectivity and accessibility by walking and cycling and existing and planned public transport (including PTAL); and (iii) the capacity of surrounding infrastructure.
- 203 The current London Plan identifies a ten-year housing target for net housing completions (2019/20 – 2028/29) of 16,670 for Lewisham, which equates to an annualised average of 1,667 new homes per year.
- 204 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.
- 205 NPPF para 62 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.
- 206 LPP D3 advises that all development must make the best use of land by following a design-led approach, whilst higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 207 Policy GG2 seeks to create high-density, mixed-use places that make the best use of land. The development of Opportunity Areas, brownfield land, sites which are well connected by existing or planned tube and rail stations, small sites, and sites within and on the edge of town centres must be prioritised. Higher density development is promoted, particularly on sites that are well-connected by public transport, applying a design-led approach.

#### *Discussion*

- 208 The proposed development would deliver 42 new C3 dwellings, which represents 2.5% of the Borough's current annual housing target; If the 484 PBSA units are taken into account (equating to 193 conventional C3 dwellings) then the scheme would deliver the equivalent of 235 dwelling, which represents 14% of the Borough's current annual housing target. This would be a significant contribution to the annual target for Lewisham, therefore officers attach significant weight to this in planning terms.
- 209 The application site has an area of 0.9 hectares, a PTAL of 1b, and is located within an area which accords with the Urban typology given emerging development density on nearby sites and the mix of residential and commercial uses. In this context, it is recognised that the site is located within a District Centre, with good accessibility, and with potential future enhanced accessibility in relation to the proposed Surrey Canal overground station.
- 210 In terms of scale and design, the detailed design of the scheme has been independently reviewed by Lewisham's Design Review Panel and has also been subject to a series of

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pre-application meetings with the Council and the GLA. Issues of design are addressed later in the report.

- 211 In relation to the issue of density, the new London Plan (2021) has replaced the matrix with a design-led approach. This is reflected in LPP D3, which advises that all development must make the best use of land by following a design-led approach, whilst higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

#### *Summary*

- 212 Having regard to the context of the application site, it is considered that the principle of a development proposal for high scale and density is acceptable for this location. In delivering 42 new residential units (C3) and 484 PSBA units (equivalent to 193 C3 units), the proposed development would make a notable contribution to Lewisham's annual housing target and officers attach significant weight to this in planning terms.

#### **Dwelling mix and tenure**

##### *Policy*

- 213 National and regional policy avoids specifying prescriptive dwelling size mixes for market and intermediate homes.
- 214 NPPF para 62 expects planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community.
- 215 CSP 1 echoes the above with several other criteria however expects the provision of family housing (3+ bedrooms) in major developments and DMP 32 confirms that single person dwellings will not be supported other than in exceptional circumstances where they are of exceptional design quality and in highly accessible locations.
- 216 With regard tenure split CSP1 states that to ensure a mixed tenure and promote mixed and balanced communities, the affordable housing component is to be provided as 70% social rented and 30% intermediate housing.
- 217 Determining an appropriate mix of dwelling sizes for a site depend on several criteria in CSP 1, relating to: (i) the site's character and context; (ii) previous or existing use of the site; (iii) access to amenity space for family dwellings; (iv) likely parking demand; (v) local housing mix and population density; and (vi) social and other infrastructure availability and requirements.

##### *Discussion*

- 218 The proposed dwelling mix across the scheme as a whole is summarised in the figure 8 and 9 tables below:

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**Figure 8: 10 Storey Block (C3 Self-Contained Units)**

Unit Type		No. of Units	% of Total
Private		0	0
Affordable Housing		42	100
	London Affordable Rent	30	71
	Intermediate	12	29
Total		42	100

**Figure 9: 10 Storey Block (C3 Self-Contained Units) – Dwelling Mix**

Unit Size	No. of Units	% of Total	No. of Hab Rooms	% of Total
1 bed / 2 person	4	10	8	6
2 bed / 4 person	24	57	72	53
3 bed / 5 person	14	33	56	41
Total	42	100	136	100

- 221 For the C3 self-contained units the proposed mix of units is considered acceptable, with 90% of all units having two or more bedrooms. Family sized units (i.e. 3 beds) would amount to 33% of units, however together with 2b4p units which are considered to be appropriate for small families, the overall provision would be 90%.
- 222 The provision of single units (1 bed/2person) provided entirely within the 10 storey block would be low, equating to only 10% of the overall provision. No studio/single person units are proposed which is acceptable.
- 223 For an intensive development within an Opportunity Area this is considered to represent a positive mix that provides for a good range of dwelling sizes and would contribute towards the creation of a balanced community and the C3 affordable housing tenure split of 71% London Affordable Rent to 29% Shared Ownership would meet the tenure requirements of CSP1.

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224 As such, the proposed development would make a substantive contribution to Lewisham's housing needs by providing a range of dwelling sizes, and officers attach significant weight to this in planning terms.

### **Affordable housing**

#### ***Percentage of affordable housing***

##### *Policy*

225 The NPPF expects LPAs to specify the type of affordable housing required (para 63).

226 LPP H4 Delivering Affordable housing states that strategic target is for 50 per cent of all new homes delivered across London to be genuinely affordable. Specific measures to achieve this aim include requiring major developments which trigger affordable housing requirements to provide affordable housing through the threshold approach.

227 LPP H5 and the Mayor's Affordable Housing and Viability SPG sets out that schemes on industrial land, such as the application site, which provide 50% affordable housing on site without public subsidy and meet the preferred strategic tenure split, would not be required to submit viability information nor be subject to a late-stage review. CSP1 and DMP7 reflect the above, with an expectation of 50% affordable housing, subject to viability. However, the 50% threshold for fast-track consideration would reduce to 35% where the scheme results in no net loss of industrial capacity, as noted in the background text of LPP H5. The proposal would re-provide light industrial floorspace to meet the notional industrial capacity requirement of at least 65% of the site area. Therefore, the affordable housing threshold would be 35% in this instance.

##### *Discussion*

228 In this instance, the proposed scheme proposes a blended (hybrid) affordable housing offer comprising a blended mix of conventional C3 accommodation and affordable student accommodation.

229 For the C3 accommodation the scheme would be 100% affordable housing comprising of all 42 affordable homes (136 habitable rooms) in the form of 30 London Affordable Rent and 12 Intermediate units. The proposed PBSA would provide 81 affordable student bedrooms (81 habitable rooms).

230 The 217 affordable habitable rooms provided equates to 35% of the 620 habitable rooms provided overall within the development.

231 Given the blended affordable offer proposed which involves two different forms of housing, this would require an equitable approach to be established before determining that the scheme can follow the Fast Track Route. The background text of LPP H5 sets out that applicants should present affordable housing figures as a percentage of total residential provision in habitable rooms, units and floorspace to enable comparison. The scheme would deliver 35% affordable housing when calculated on both a habitable rooms and NIA basis. Officers consider that the development provides a level of affordable accommodation that can follow the Fast Track Route in this instance and GLA officers concur.

232 For the affordable student rooms the Council would seek to ensure the following is secured through a S106 legal agreement:

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- Minimum level of affordable student floorspace.
- Mechanisms to ensure that the affordable student accommodation is equivalent to the non-affordable rooms in the development in terms of room sizes and room occupancy level.
- That rents charged would include all services and utilities offered as part of the package (for an equivalent non-affordable room in the development).
- No additional charges specific to the affordable accommodation.
- That the affordable student accommodation bedrooms should be allocated by the higher education provider(s) that operates the accommodation, or has the nomination right to it, to students it considers most in need of the accommodation.

233 CSP1 and DMP7 set an expectation of 50% affordable housing; however, the figure is a starting point for negotiations and is subject to viability. The development meets the requirements for the fast-track route in London Plan Policy H5 as the affordable offer meets with the minimum 35% provision.

234 Should the development be consented and works not commence within a specific timeframe, an early-stage review would be secured in the s106 to establish whether the development could deliver any further affordable housing.

### **Affordable housing tenure and dwelling size mix**

#### *Policy*

235 CSP1 expects 70% to be Social Rent and 30% intermediate housing, however the Lewisham Planning Obligations SPD (2015) allows for some flexibility to reflect site context (para 3.1.52).

236 CSP1 also expects 42% of the affordable housing offer to be family dwellings (3+ bedrooms). DMP7 gives priority to providing family dwellings in the rented housing. The Lewisham Planning Obligations SPD (2015) states 16% of any intermediate housing is family-sized (para 3.1.47) with the remainder as socially rented. It also sets affordability thresholds for intermediate housing (para 3.1.64 and table 3.1).

#### *Discussion*

237 The affordable housing provision would be in the form of London Affordable Rent (71%) and Intermediate (29%) tenure units (calculated by unit). The distribution in favour of low-cost rent products is strongly supported given the level of need for this type of tenure across London. The intermediate product proposed will be confirmed as part of the legal agreement to ensure that the units meet the definition of genuinely affordable housing with London Living Rent and London Shared Ownership being preferred products.

238 The Council requires the provision of genuine affordable housing within major schemes, which is defined as 'housing with rent charged at the target rent or London affordable rent levels' (A new housing strategy for Lewisham – 2020-26), being genuinely affordable to those on low incomes. The provision of London Affordable Rent units is therefore welcomed.

239 Shared ownership is a recognised form of affordable housing, as an intermediate ownership product, which allows London households who would otherwise struggle to

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buy on the open market to purchase a share in a new home and pay a low rent on the remaining, unsold, share. The London Plan identifies that intermediate ownership products such as London Shared Ownership, should be affordable to households on incomes of up to £90,000.

- 240 The inclusion of 12 family-sized units within the low-cost rent component of the scheme is welcomed in response to strategic need, which is considered acceptable.
- 241 Provisions would be secured through the s106 agreement to secure the affordability of shared ownership units in accordance with qualifying income levels as set out in the London Plan, the Affordable Housing and Viability SPG and the Annual Monitoring Report, including a range of income thresholds for different sized units.
- 242 The overall provision within the affordable element of 3-bedroom family units would be 33%, which falls below the Core Strategy requirement of 42%. When including 2b4p units, which are capable of accommodating small families, this would amount to 90%, which exceeds 33% and is therefore supported by officers.
- 243 The provision of family units within the Shared Ownership element would be 17%, which would comply with the minimum requirement of 16%, as stated in the Lewisham Planning Obligations SPD (2015).

**Figure 10: Affordable Dwellings Size by Tenure**

Type	London Affordable Rent		Shared Ownership		Total	
	Units	% of Total	Units	% of Total	Units	% of Total
1b/2p	0	0	4	33	4	10
2b/4p	18	60	6	50	24	57
3b/5p	12	40	2	17	14	33
Total	30	100	12	100	42	100

- 244 Considering the development would benefit from an appropriate provision of family units within the overall affordable element, and the excellent standard of residential accommodation that would include 3b5p LAR units, officers consider the proposal would accord with policy.

#### **Location of affordable housing**

##### *Policy*

- 245 The MHCLG National Design Guide (October 2019) places an emphasis on social inclusivity in reference to the delivery of a mix of housing tenures. The guidance states that where different tenures are provided, that these should be well-integrated and designed to the same high quality to create tenure neutral homes and spaces, where no tenure is disadvantaged. The guidance goes on to define “Tenure Neutral” as “Housing where no group of residents is disadvantaged as a result of the tenure of their homes.

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There is no segregation or difference in quality between tenures by siting, accessibility, environmental conditions, external facade or materials. Homes of all tenures are represented in equally attractive and beneficial locations, and there is no differentiation in the positions of entrances. Shared open or play spaces are accessible to all residents around them, regardless of tenure.”

#### *Discussion*

- 246 The London Affordable Rent homes and Intermediate homes would all be located within the 10-storey block and the affordable student accommodation would all be located within the 26 storey PBSA block.

#### **Summary of affordable housing**

- 247 The proposed development would deliver 42 affordable homes as London Affordable Rent and Intermediate Shared Ownership tenure and a further 81 affordable student rooms. This represents 100% affordable housing provision in the C3 10 storey block and a blended offer of 35% across the site by number of habitable rooms. The provision of London Affordable Rent would meet the Council’s definition of genuinely affordable housing, whilst the provision of Shared Ownership/ Intermediate is a recognised form of affordable housing and would meet an identified need for this form of housing.
- 248 Planning Conditions will secure the submission of facing material details to ensure a consistency in high quality of design throughout the development.
- 249 All the C3 affordable units would be suitably sized, in compliance with room size guidance, and each would be afforded private external amenity. The provision of the 10-storey block as 100% affordable dwellings from floors 2 through to 9 is welcomed, ensuring high quality residential accommodation within a prominent and highly accessible part of the site. The provision of 81 affordable student bedrooms within the 26 storey PBSA block is also welcomed. Officers are therefore satisfied that the proposed affordable housing provision would comply with the aims of policies CSP1, DM7, and LPP H5.
- 250 For these reasons, officers raise no objections toward the affordable proposal and would give the affordable housing provision significant weight in meeting a key policy objective.

#### **Residential Quality General**

##### *Policy*

- 251 NPPF para 130 sets an expectation that new development will be designed to create places that amongst other things have a ‘high standard’ of amenity for existing and future users. This is reflected in relevant policies of the London Plan (LPP D6), the Core Strategy (CS P15), the Local Plan (DMP 32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).
- 252 The main components of residential quality are: (i) space standards; (ii) outlook and privacy; (iii) overheating; (iv) daylight and sunlight; (v) noise and disturbance; (vi) accessibility and inclusivity; and (vii) children’s play space.

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### Units per core

- 253 The 10 storey C3 residential block has been designed to provide no more than five residential units per floor on floors 2 to 7 and no more than six residential units per floor on floors 8 and 9 served, which accords with the best practice guidance set out within the Mayor's Housing SPG of generally no more than 8 units per core .
- 254 Officers therefore raise no objection to the number of units per core.

### **Aspect, Outlook & Privacy**

#### *Policy*

- 255 Standard 29 in the Mayor's Housing SPG identifies that developments should minimise the number of single aspect dwellings, and states that single aspect dwellings that are either north facing, exposed to significant noise levels, or contain three or more bedrooms should be avoided.
- 256 London Plan Policy D6 seeks high quality internal and external design of housing development. Development is required to achieve 'appropriate outlook, privacy and amenity', and should seek to maximise the provision of dual-aspect dwellings (i.e. with two openable windows).
- 257 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its future residents.
- 258 DMP 32 also identifies that there will be a presumption that residential units should be dual aspect and that north facing single aspect units will not be supported.

#### *Discussion*

- 259 In terms of outlook 100% of the C3 residential units would be dual aspect (42 units).
- 260 The pentagonal shape of the Blocks is such that it would ensure good levels of outlook for future occupiers of the units.
- 261 The shape and positioning of the proposed buildings in relation to each other would result in no significant overlooking between the residential units as any overlooking between windows would be at oblique angles.
- 262 Officers are satisfied that the habitable rooms would be afforded sufficient outlook in this case.
- 263 Having regard to the site's location and the urban density of surrounding development, the levels of outlook and privacy are considered to be acceptable in this context.

### **Overheating**

#### *Policy*

- 264 The Building Regulations Part F: Ventilation control the construction of buildings in England. Policy SI4Overheating and cooling of the London Plan provides the policy basis for considering development proposals, with a focus on energy efficient design,

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elevational design, passive ventilation, mechanical ventilation (where essential) and other measures.

265 DM Policy 32 outlines a presumption against single aspect units to, amongst other factors, help prevent overheating.

*Discussion*

266 The application has been submitted with an overheating analysis in accordance with TM59 requirements.

267 The results of the Dynamic Overheating Analysis, using the CIBSE TM59 methodology, demonstrate that 95% of the residential units comply with DSY1 assuming a g-value of 0.27, natural ventilation and boosted mechanical ventilation. However, Energy Assessment Guidance requires 100% of the residential units should comply with DSY1. Therefore, the applicant would be required to investigate and adopt further passive measures (in line with the Cooling Hierarchy) to avoid the risk of overheating now and under future climate scenarios as currently the strategy is not compliant with LPP S14.

268 With regard to cooling the applicant has confirmed that all non-domestic commercial spaces are to be mechanically ventilated/ cooled.

269 Through a condition the applicant would be required to:

- Demonstrate that the risk of overheating has been reduced further and maximise compliance as far as practical and that all passive measures have been explored, including reduced glazing and increased external shading.
- Confirm that the overheating assessment has taken account all the requirements and limits set out in Approved Document O. They should also confirm the window opening assumption is aligned with recommendations of any air quality and acoustic reports.
- Investigate and adopt further passive measures (in line with the Cooling Hierarchy) to avoid the risk of overheating now and in future climate.

270 Subject to the recommended condition, the proposed development is acceptable with regard to overheating.

**Daylight and Sunlight**

***(Future residential occupiers within the development)***

*Policy*

271 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its future residents.

272 Daylight and sunlight is generally measured against the Building Research Establishment (BRE) standards. This is not formal planning guidance and should be applied flexibly according to context. The BRE standards set out below are not a mandatory planning threshold.

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273 The internal daylight and sunlight assessment was updated in March 2023 to reflect the 3rd BRE edition of June 2022. The BRE guidance on daylight and sunlight provision within new dwellings is similar to the previous edition, however some of the tests have changed in order to bring the document in line with BS EN 17037:2019, 'Daylight in buildings'.

274 Whilst there are no specific target values for student accommodation, paragraph C17 of the 2022 BRE guidelines suggests that in a bed sitting room in student accommodation, the value for a living space should be used if students would often spend time in their rooms during the day (subject to the local authority's discretion).

#### *Discussion*

275 An assessment of daylight and sunlight levels within the proposed residential units and an assessment of overshadowing of the public realm and amenity space that would be provided as part of the development was undertaken by the applicant's daylight and sunlight consultants.

#### Daylight and Sunlight

276 The submitted assessment focussed principally on the lowest habitable units within the scheme as sky visibility and therefore daylight levels will only improve to the upper floors. Where the internal layouts alter slightly at the upper levels of building, the assessment extended the analysis to verify the amenity levels to a sample of larger rooms units at 3rd, 7th and 18th levels in the residential element and the student accommodation. The student bedrooms against the living room target.

277 For the residential development as a whole (i.e. C3 and PBSA), in terms of internal daylight the assessment demonstrates that 38 (97%) of the 39 habitable rooms tested would meet or exceed the minimum BRE target for daylight standards. It should be noted that all of the PBSA units, including communal living/kitchen/dining areas, would meet or exceed the minimum target.

278 The only room falling below the BRE target is a living/kitchen/dining room at second floor level within the residential (C3) ten storey block. However, it would be considered a minor failure from the target of 150 lux at 138 lux and would not significantly impact the amenity to the space. In addition, the unit benefits from an external balcony which will improve the overall quality of the unit.

#### Overshadowing

279 In terms of overshadowing of amenity space, BRE guidance recommends that at least half of the amenity space should receive at least two hours of sunlight on 21st March.

280 Four separate external areas within the development site have been assessed, all of which would achieve 2 hours of direct sunlight to at least 50% of the space.

281 Overall it is considered that the proposed development would have potential to deliver an excellent quality of public realm and communal amenity space that would be afforded high levels of sunlight throughout much of the day.

282 Officers are satisfied that the daylight/sunlight impacts for future occupiers would be acceptable given the outcomes of the submitted daylight/sunlight assessment.

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## Noise & Disturbance Policy

- 283 The NPPF at para 174 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Development should help to improve local environmental conditions.
- 284 DMP 26 requires :
- 285 a) noise and/or vibration generating development or equipment to be located in the Strategic Industrial Locations and Local Employment Locations as shown on the Local Plan Policies Map.
- 286 b. new noise sensitive developments are to be located away from existing or planned sources of noise pollution, except if it can be demonstrated through design or mitigation that: i. internal and external noise levels can be satisfactorily controlled and managed by the noise sensitive development; and ii. there will be no adverse impact on the continued operation of any existing or proposed business or operation.
- 287 With regard to internal noise levels, Part E of the Building Regulations controls noise transmission between the same uses and is usually outside the scope of Planning.
- 288 Planning controls the effect of noise from external sources on residential uses and noise transmission between different uses. The relevant standard is BS: 8233:2014. This states the internal noise levels within living rooms must not exceed 35dB(A) during the daytime (0700-2300) and 30 dB(A) in bedrooms during the night (2300-0700).
- 289 Policy D13 'Agent of Change' of the London Plan places the responsibility for mitigating impacts from existing noise generating activities or uses on the proposed new noise sensitive development. The Policy goes on to state that Boroughs should ensure that planning decisions reflect the Agent of Change principle and take account of existing noise generating uses in a sensitive manner when new development is proposed nearby.
- Discussion*
- 290 The submitted Environmental Noise Assessment (Idom Merebrook Ltd, Version 4, Jan 2023) report presents the findings of an assessment of the potential impacts of noise and vibration sources upon future occupiers of the proposed development.
- 291 The principal sources of noise within the immediate surrounding area include road traffic along Trundleys Road/Surrey Canal Road, railway noise from adjacent tracks, and existing commercial operations in the locality. With the exception of the on-site land use, industrial noise sources were not noted above the transportation noise.
- 292 Balconies are included in the proposals for the residential block and have been designed to incorporate mitigation measures to ensure noise levels are as low as practicably possible for a seated occupant using the space for relaxation. A solid balcony screen is being provided of sufficient height to break the line of sight of a seated balcony occupant to the source. As part of detailed design, balconies should also comprise a suitable absorptive lining to the balcony interior. The Council will seek the submission of glazing and soundproofing details to ensure future residential occupiers would be safeguarded from any noise and disturbance arising from existing and proposed commercial uses.

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The balcony and glazing noise mitigation matters would be secured by a planning condition.

293 LPP D13 advises that the Agent of Change principle places the responsibility for mitigating the impact of noise and other nuisances firmly on the new development. This means that where new developments are proposed close to existing noise-generating uses, the applicants will be expected to design their scheme accordingly to ensure the new residential occupiers are protected, rather than the burden falling upon the existing business to change their operation.

294 The applicant will be required to submit details to the LPA setting out how future commercial use occupiers would be made aware of the neighbouring uses at an early stage, for example by producing a welcome pack that informs them of the nature of operations, including the commercial units within the application site and surrounding area, and their hours of operation.

295 The submission will be assessed by officers to ensure the information is accurate, and thereafter, the Applicant would be expected to demonstrate that the approved details have been suitably implemented prior to first occupation.

296 Officers are satisfied that the proposed noise mitigations for future residential occupiers of the PBSA and C3 accommodation would meet the principles of Agent of Change.

### **Accessibility and inclusivity Policy**

297 LPP D7 requires 10% of residential units to be designed to Building Regulation standard M4(3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users, with the remaining 90% being M4(2) 'accessible and adaptable dwellings'.

#### *Discussion*

#### Accessibility

298 The development would comprise a total of 5 wheelchair accessible M4(3) units within the ten storey (C3) residential block, representing over 10% of the total number of residential units within that block. These would all be affordable housing units. All remaining units would be M4(2) compliant accessible and adaptable dwellings. In accordance with Standard 4 of the Mayor's Housing SPG the areas of communal amenity space would be accessible to disabled people including people who require level access and wheelchair users.

299 Within the 26 storey PBSA block a total of 48 (10%) of the units are proposed as wheelchair accessible units with at least one on each floor and across all room types (i.e. studio or cluster). Step-free access to all amenities would be provided across all students accessed areas within the building.

300 In accordance with Standard 16 of the Mayor's Housing SPG, all wheelchair dwellings would be served by more than one lift.

#### Inclusivity

301 With regard to inclusivity for residents of all tenures and access to broadband, this is now handled via Building Regulations under Approved Document R, which came into

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force in 2017. This introduced a new requirement for in-building physical infrastructure, which enables copper or fibre-optic cables or wireless devices capable of delivering broadband speeds greater than 30mps to be installed. It is recommended that an informative is added to a decision notice drawing the applicant's attention to this. Future residents would have access to this infrastructure regardless of tenure but would be responsible for taking out their own internet contracts with a provider.

### **Internal and private amenity space standards**

#### *Policy*

- 302 Nationally Described Space Standards (NDSS) were published by the Department of Communities and Local Government in March 2015. It is not a building regulation requirement and remains solely within the planning system as a new form of technical planning standard. The national housing standards are broadly in compliance with the space standards set out in the London Plan and its Housing Supplementary Planning Guidance (2016).
- 303 In addition to this, DM Policy 32 seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. It also states that new housing should be provided with a readily accessible, secure, private and usable external space and includes space suitable for children's play.
- 304 With regard to private amenity space, Standard 4.10.1 of the Mayor's Housing SPG states that 'a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant'.
- 305 Standard 4 within the Mayor's Housing SPG identifies that where communal open space is provided, it should be well overlooked, accessible to those who require level access and wheelchair users, designed to take advantage of direct sunlight, and have suitable management arrangements in place.
- 306 The Mayor's Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG recommends 10sqm of play space per child. The GLA divide the requirements of children's play space into three categories: (i) under 5s, described as doorstep play and generally considered as part of the plot; (ii) ages 5-11; and (iii) children 12 plus.

#### *Discussion*

- 307 All residential units within the ten storey (C3) residential block would either meet or exceed the internal space standards in accordance with the development plan requirements, including internal floor area, floor to ceiling heights, room sizes, and storage space. A significant proportion of units would exceed the minimum internal floor areas, providing generous and well-proportioned accommodation.
- 308 All units would be provided with private outdoor amenity space in the form of balconies which would either meet or exceed the London Plan requirements in terms of size.
- 309 All occupiers of the development would benefit from use of the communal amenity. The ten storey (C3) residential block would have communal roof-top amenity space. The 26 storey PBSA block would also have communal roof-top amenity space, and it would have further shared spaces within the ground floor lobby, second floor, and top (25<sup>th</sup>) floor, including potential flexible study areas, fitness areas, tv/cinema screens, and communal lounge, kitchen and dining areas.

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- 310 Both the C3 and PBSA accommodation occupiers would also have access to a ground level soft-landscaped amenity area, principally to the front of the PBSA block the site is also only a short distance from Folkestone Gardens.
- 311 The commercial units would not be afforded access to the private amenity area; however it is expected that the landscaped areas to the front of the towers would be informally by employees and again the site is also only a short distance from Folkestone Gardens.

### **Children's play space**

- 312 Using the calculator provided in the Mayor of London's Play and Informal Recreation SPG, the estimated child yield for the development is set out in Figure 11 below.

**Figure 11: Play space requirement and provision**

	<b>No. of Children</b>	<b>Playspace Requirement (sqm)</b>	<b>Proposal (sqm)</b>
C3 (42 Units)	44.9	448.6	193
PBSA	0	0	0

- 313 The proposed development would generate an estimated child yield of approximately 44.9 children (5 to 17 years old) and the associated play space requirement would be 448.6sqm.
- 314 The scheme would provide a total of 193sqm of playable space at roof-level for children of ages 5 to 11 years old within the ten storey (C3) block on the development site. Full details of play equipment/features would be secured by condition, but the Council would seek to ensure typical play equipment/features and seating and canopies are included, whilst avoiding any inappropriate forms of provision that would unacceptably disturb neighbouring residents. The area would provide opportunity for parents/carers to supervising their children's play. The s106 Agreement would ensure the play spaces are provided prior to first occupation of the relevant phase.
- 315 The remaining 255.6sqm of play space would be provided off-site for 12- to 17-year-olds. The Applicant has agreed to a financial contribution of £60,600 to allow for the provision of play equipment to nearby locations within a short distance of the site, including Folkestone Gardens and Deptford Park which are in close proximity to the site and which it is considered can accommodate demand. The Mayor's Play and Informal Recreation SPG states that for 12+ years, facilities can be provided off-site, providing they are within 800m of the site, which in this case it would be.
- 316 The s106 Agreement will secure an appropriate contribution, whilst ensuring that children within the development would have full access to the playspace. Therefore, the proposed scheme would be compliant with DMP 32 and the Mayor's Housing SPG.

### **Quality of Student Accommodation**

- 317 With regard to the proposed student accommodation, London Plan Policy H15 requires PBSA to be of a high-quality design and provide adequate functional living space and

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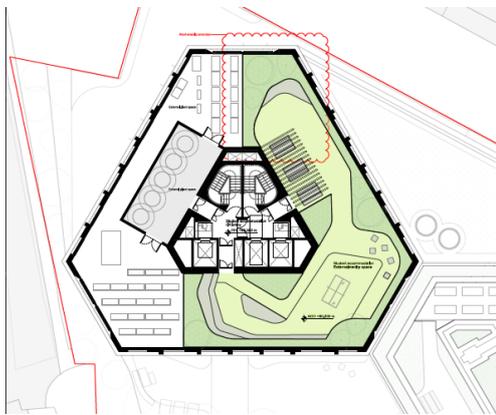
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layout for the occupants. The student accommodation has therefore been designed to ensure a good level of amenity for future occupiers.

318 For the proposed student accommodation, the majority of floors would have 21 units (floors 2 and 25 would have 14 and 8 rooms respectively). The layout would comprise standard rooms arranged in clustered groups of 6 to 8 units and a series of studio units which include a kitchenette. The student units, both cluster and studio, would be well proportioned and provide a good quality functional living space, complete with shower room, appropriate desk space and bed.

319 In addition, all students will have access to a large break out space at level 1 for study and leisure purposes. and a large roof-top communal amenity area of 291sqm as well as spill-out amenity space at ground level. An obligation would ensure that the amenity space would be made available for all students, regardless of tenure. The communal student roof-top amenity space is shown below:

**Figure 12: Student Communal Amenity Roof Space**



### **Summary of Residential Quality**

320 The proposed development would provide a high-quality environment for future occupiers, with appropriate provisions secured by planning Conditions and the s106 Agreement.

### **Housing conclusion**

321 The proposed development would deliver 42 new C3 dwellings and 484 PBSA units (which is equivalent to 193 C3 dwellings), so in total would deliver the equivalent of 235 dwellings, which represents 14% of the Borough's current annual housing target. The development would provide a good range of dwelling sizes contributing towards the creation of a balanced community, including a mix of 1, 2 and 3 bedrooms. As such, the proposed development would make a substantive contribution to Lewisham's housing needs, and officers attach significant weight to this in planning terms.

322 The proposed residential units would achieve a high standard of amenity for future occupiers. All units would meet the minimum internal space standards and a significant proportion of units would exceed the minimum standards, providing generous and well-proportioned living accommodation. The residential accommodation has been well designed, with unit sizes according with policy.

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- 323 All C3 units would be provided with private outdoor amenity space in the form of balconies which would either meet or exceed the minimum requirements in terms of private amenity space. The development would also be provided with generous communal amenity space provision and children's playspace.
- 324 In terms of outlook, privacy, daylight and sunlight, a suitable level of amenity would be provided for future occupiers, having regard to the urban context within which the development lies.
- 325 Notably the proposed development would deliver 42 affordable homes as London Affordable Rent and Intermediate Shared Ownership tenure and 81 affordable student rooms. This represents 35% affordable housing provision by habitable rooms and would meet an identified need for this form of housing. Moreover, the accommodation within the 10 storey C3 Block provides all 42 units as affordable housing, effectively a 100% affordable C3 housing block, and with a split of 71% London Affordable Rent and 29% shared ownership. Therefore, it would be comprised of genuinely affordable housing in the form of London Affordable Rent, and Intermediate housing. The 81 PBSA affordable units would be subject of rent controls as per London Plan Policy H15. As such, the proposed development would make a substantive contribution to Lewisham's affordable housing needs, and officers attach significant weight to this in planning terms.

## 6.3 EMPLOYMENT

### *Policy*

- 326 Para 81 of the NPPF states "Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development".
- 327 LPP SD1 sets out the Mayor of London's approach to the continued growth and economic development of all parts of London.
- 328 Development Management Policy (DMP) 1 states that the council will take a positive approach, working proactively with applicants to find solutions, which mean that proposals secure development that improves the economic, social and environmental conditions in the borough.
- 329 Core Strategy Policy (CSS) 4 provides a framework for considering the redevelopment of these sites, including the accessibility, restrictions from adjacent land uses, building age, business viability and viability of redevelopment show the site should no longer be retained in employment use. Development Management Policy 11 aims to retain employment uses, where possible, in Town Centres, and Local Hubs where they are considered capable of continuing to contribute to and support clusters of business and retail uses, and where the use is compatible with the surrounding built context.

### *Discussion*

- 330 The scheme would deliver 1,786sqm of non-residential employment use floorspace within the ground and first floors which would space for provide flexible commercial uses; a 100sqm retail/community use is also proposed.
- 331 The provision of flexible commercial floorspace proposed would be appropriate to serve the needs of the development and is important in the context of providing active ground floor uses to animate the public realm.

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- 332 In this case the proposal would lead to an increase of employment floorspace from the existing 860sqm to the proposed 1786sqm.
- 333 It is estimated that the employment floorspace can be expected to generate up to 38 full time jobs, which is based on the Homes and Communities Agency Employment Density Guide. The calculation uses a 'employment density' figure that relates specifically to a particular type of use. For example: the proposed light industrial floor space would measure 1786sqm, divided by its employment density number of 47 estimated number of jobs = 38.
- 334 The proposed development would generate up to 38 full time employment use jobs, which compares to 12 or 24 full time employment use jobs that could be provided on the site at present under a B8 or B2 use respectively. This represents an increase of between 14 and 26 full time jobs (subsequent to the offer of short-term leases below market rents since 2021). The proposed flexible retail/community use would also generate 2 FTE jobs.
- 335 It is understood that the Applicant has engaged in preliminary discussions to secure an end provider/s at this stage. A Marketing Strategy will be secured in the s106 Agreement to demonstrate that robust measures will be undertaken to ensure the commercial and employment units are an attractive and viable proposition to potential occupiers, and to minimise any periods of vacancy following completion of the development.
- 336 In regard to the quality of the commercial facilities, unit sizes would be generous and well proportioned, whilst internal head heights would be able to accommodate fork-lift trucks, even below the mezzanine areas. The employment and commercial unit sizes are acceptable and would be capable of providing sufficient space to accommodate facilities such as staff rooms, wc's, shower and storage areas.
- 337 In accordance with DMP 9 and the Planning Obligations SPD, the completion of shell and core of the commercial floorspace, including the fitting of commercial frontages would be secured via the s106 agreement.
- 338 The units are an important element of the proposal, with the intended employment activity having potential to contribute to a vibrant setting that will meet with the wider aspirations of the site and surroundings.

#### Local Labour

- 339 The Council's Planning Obligations SPD identifies that the Council will require both financial and non-financial obligations with regard to local labour.
- 340 Using the formula within the SPD, a financial contribution of £43,460 would be required towards local labour and business (based on a contribution of £530 per dwelling (x 42 C3 dwellings) and £530 per job (x 38 FTE employment use jobs and x 2FTE flexible retail/community use jobs).
- 341 The applicant has agreed to prepare and enter into a Local Labour and Business Strategy, which would be subject to agreement with the Council's Economic Development Team. The strategy would support local people into work by providing employment opportunity linked training during both the construction phase and operational phase. The Local Labour Business Strategy would be secured via the s106 agreement.

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## **Affordable Workspace**

### *Policy*

342 LPP E3 (affordable workspace) states that planning obligations may be used to secure affordable workspace (in the B Use Class) at rents maintained below the market rate for that space for a specific social, cultural or economic development purpose. The requirement is also set out in the Planning Obligations SPD. Policy E4 of the draft local plan requires development to provide at least 10% of the rentable floor space to be provided as affordable workspace at 50% of market rents.

### *Discussion*

343 The applicant has advised that they would commit to providing 10% of the overall workspace to be provided as affordable workspace which would be provided at a discounted rent. The affordable workspace could be provided either as:

- at least 10% of the overall commercial rental floorspace to be affordable workspace at 50% market rents (i.e. one of the units) at; or
- For a smaller, affordable unit to be created within one of the commercial units that comprises at least 10% of the commercial rental floorspace to be affordable workspace at 50% of market rents.

344 Discussions regarding the nature of the affordable workspace are ongoing with the Council's Economic Development team. However, the minimum 10% of the rentable floorspace would be secured as affordable workspace as a planning obligation. This would accord with LPP E3 and the direction of Lewisham's draft local plan.

### **Employment conclusion**

345 The nature of the proposed employment uses is supported by policy and the development is considered to provide a valuable contribution towards employment and local labour in accordance with the aims and objectives of the NPPF and the Development Plan.

346 To ensure that the proposed commercial floor space meets the requirements of local commercial operators a s106 obligation to provide a fit-out specification is recommended, in addition to a clause that provides future occupants with a minimum three-month rent-free period. This would serve to ensure that costs associated with fit-out and relocation are reduced, thereby promoting the long-term viability of the commercial floorspace.

347 Officers will also ensure that the measures listed earlier to provide appropriate assistance and advice to the existing traders are secured in the s106 Agreement.

348 The development proposal can only be supported if the measures are secured in full.

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## 6.4 URBAN DESIGN AND IMPACT ON HERITAGE ASSETS

### General Policy

- 349 The NPPF at para 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 350 The NPPG encourages decision takers to always secure high-quality design; this includes being visually attractive and functional, however other issues should be considered:
- local character (including landscape setting)
  - safe, connected and efficient streets
  - a network of greenspaces (including parks) and public places
  - crime prevention
  - security measures
  - access and inclusion
  - efficient use of natural resources
  - cohesive and vibrant neighbourhoods
- 351 LPP D9 sets out specific design requirements for tall buildings. CSP 18 provides parameters associated with the location and design of tall buildings. It identifies that the location of tall buildings should be informed by the Lewisham Tall Buildings Study (2012) and sets out a clear rationale for tall buildings in design terms.
- 352 CSP 15 repeats the necessity to achieve high quality design.
- 353 DMLP 30, Urban design and local character states that all new developments should provide a high standard of design and should respect the existing forms of development in the vicinity. The London Plan, Core Strategy and DMLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.
- 354 Historic England and CABI state in 'Building in Context' that where new development affects heritage assets, design should be of the highest standard and new buildings 'recognisably of our age, while understanding and reflecting history and context'. In order to achieve a complementary relationship between the historic and new built forms, reference should be made to locally distinctive models, materials and key elements of design, which lend themselves to modern interpretation and assimilation.

### **Appearance and character**

#### *Policy*

- 355 Planning should promote local character. The successful integration of all forms of new development with their surrounding context is an important design objective (NPPG).
- 356 In terms of architectural style, the NPPF encourages development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (para 130). At para 134, the NPPF states significant weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area.

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- 357 LPP D3 Optimising site capacity through the design-led approach states that development proposals must enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.
- 358 LPP D4 expects development to have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.

**Figure 13: Layout**



*Policy*

- 359 LPP D3 Optimising site capacity through the design-led approach states that development proposals must enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

*Discussion*

- 360 The application site is a 0.26 hectare industrial site with a broadly triangular plot. It has a single linear industrial type of structure (approx. 860sqm) sited on the south of the site and hard standing to the north. Adjacent to the north of the site are businesses within nine railway arches and railway lines above them. There are also railway lines directly to the west of the site. There is a single access to the site located at the intersection of Trundleys Road and Surrey Canal Road and it is shared with the businesses operating from the railway arches. The site has a slightly higher ground level than the highway. There are railway bridges to the west and east of the site.
- 361 The building footprint of the proposed blocks would define the extent of the public realm, introducing active frontages at ground floor level to animate the surrounding spaces and routes through the site. The layout of the proposed buildings seeks to make efficient use of the site by providing ground floor amenity space to the front of the twenty-six storey PBSA block and then roof-level amenity spaces for both the PBSA block and ten storey C3 Block and the roof-top amenity spaces would be accessed by the respective

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residential occupiers only. Parking and servicing for the site and the commercial uses would be located behind the ten storey C3 block.

- 362 The twenty-six storey PBSA block would be positioned towards the rear north-west of the site while the ten storey C3 block would sit in front of it towards the south-east of the site. The blocks would have pentagonal shapes and the space to the front of them and around them would allow sufficient space for pedestrian movement, soft landscaping including tree planting, and informal amenity areas. The employment units and flexible retail/community unit and residential entrances would activate the Trundleys Road frontage.
- 363 A key principle for the site has been to provide several pedestrian routes from the highway that would run separate from the vehicle access to the site. The pavement directly to the front extent of the site would also be widened by one metre to further assist pedestrian and cyclist movement.
- 364 The proposed permeability of the site is considered appropriate, with active frontages throughout that will provide overlooking and passive surveillance, and therefore a sense of safe spaces within the site. The proposal represents a significant enhancement of the existing built form which provides minimal active frontage or surveillance over Trundleys Road.
- 365 The scheme provides a positive response to Trundleys Road, creating a pleasant, landscaped frontage to it that would green the site and result in visual connection – green link – to Folkstone Gardens which is directly opposite the site.
- 366 The site currently has a functional industrial structure on its southern side which accommodates the waste use and to the north has stacked shipping containers. These structures are separated by hardstanding. Consequently, the site is unsightly and does not make a positive contribution to the visual amenity of Trundleys Road.
- 367 The proposed blocks would serve to activate the northern side of Trundleys Road, and it would provide a much improved route for pedestrian use. Whilst a vehicular route to the car-parking/servicing delivery area would be located close to the intersection of Trundleys Road, Surrey Canal Road, Folkestone Gardens, it would not compromise the much-improved environment.
- 368 The general arrangement of the building layout was well received at the Design Review Panel and the GLA's Stage 1, confirming it would be an appropriate response to the site and its immediate context. In conclusion, officers are satisfied that the proposed layout would make the most efficient use of the site and responds positively to the site context that would ensure an appropriate design solution with regard to internal and external layouts. The layout is logical and well-conceived, ensuring permeability through the site.

## **Form and Scale**

### *Policy*

- 369 LPP D9 recognises the role tall buildings have to play in helping accommodate growth as well as supporting legibility. The policy sets out an extended criteria for design rationale and assessment and also states that publicly accessible areas should be incorporated into tall buildings where appropriate, particularly more prominent tall buildings.

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- 370 LPP D9 (C)(1)(d) states proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area.
- 371 CSP 18 relates to tall buildings: these need to be of the highest design quality and appropriately located. Regard will be had to flight path safety and microclimate effects.
- 372 A tall building is defined by the Core Strategy as a building which is significantly taller than the predominant height of buildings in the surrounding area, have a noticeable impact upon the skyline of the borough and are more than 25m high adjacent to the river Thames or more than 30m elsewhere in the borough.
- 373 CSP 17 protects the LVMF vistas and the London panorama in line with regional policy. It also seeks to protect locally designated local views, landmarks and panoramas.
- Discussion*
- 374 The development proposes two building heights across the site. A twenty-six storey tower block and a ten storey tower block. The blocks would directly abut one-another, in a bow-tie layout and would have some physically connected internal floor areas within the basement and at first floor level. Figure 2 sets out the location of the proposed heights.
- 375 The tallest building would be the twenty-six storey PBSA block, reaching a height of 92.57 metres. The lower ten-storey C3 block would reach a height of 44.87 metres.
- 376 The proposed height of development, in particular the twenty-six storey PBSA building, proved to be the leading point of discussion at pre-application stage, and is also reflected in the nature of written responses received from neighbours.
- 377 Other than the part 11/part 15 storey mixed-use block at 164 – 196 Trundleys Road recently constructed to the south of the site, tall buildings do not form an established presence within the immediate surrounding townscape, instead being largely characterised by industrial type buildings. However, there are tall towers evident in the locality in the form of the 22 storey Anthology tower at the Deptford Foundry, 23 storey Hawke Tower, 12 storey Neptune Wharf tower, and towers have been approved at the New Bermondsey and Deptford Timberyard sites, so there is an emerging context of tall towers in the locality.
- 378 The scheme at initial pre-application stage proposed separated blocks of thirty-two and fourteen storeys height. The twenty-six storey/ten storey block proposal and the Applicant's reason for it emanates from comments by Officers at pre-application stage and the Design Review Panel. Also, the site allocation within the draft Local Plan which indicates the site would be suitable for a tall building of circa twenty-five storeys.
- 379 The Applicants were advised at an early stage by Officers that only a proposal which responded appropriately to the opportunities and the constraints of the site and that displayed exemplary design quality would be considered for a tall building.
- 380 The Applicants established that the twenty-six storey building would be the most appropriately positioned to the rear of the site, with the lower ten storey block being sited

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closer to the frontage rear block, and that the blocks should be located with the taller one to the rear and lower one to the front.

- 381 A scheme (thirty-two storeys/fourteen storeys) was presented to the Design Review Panel on two occasions with the most recent in November 2022, and the Panel's view was whilst there was justification for a tall building on site there were concerns about the overall height and the separate nature of the blocks. The Applicant's responded by reducing the overall height of the blocks to twenty-six storeys and ten storeys in height and through the bow-tie arrangement to reduce the separation of the blocks.
- 382 The emerging Local Plan (Reg 19 version) identifies the site as a suitable location for tall buildings due to its site allocation. Draft Policy QD4C(a) states that within locations identified as appropriate for tall buildings, the maximum height shall not normally be more than 25 storeys in Deptford.
- 383 The Lewisham Tall Buildings Study Addendum (2022) has been prepared to support the preparation of the new Local Plan and aligns with London Plan Policy D9 'Tall Buildings' which requires London Boroughs in their Local Plans to consider appropriate locations for tall buildings and to set parameters for building heights.
- 384 The Study considers the principle of taller buildings is already established in this location given recent tall buildings in the Arklow Road / Moulding Lane area.
- 385 The draft Local Plan Policy QD4 states that new development will be considered on a case-by-case basis, and where development proposals for building heights depart from the parameters, they will be considered having regard to relevant material considerations. In such circumstances a wider public benefit must be demonstrated to justify the design of the development.
- 386 The draft Local Plan is not adopted at this stage and is therefore not part of the local Development Plan. The draft policies have limited weight in the determination of this application, however principles set out in the document, and the conclusions reached in the Tall Buildings Study and Addendum will assist in informing officers' assessment. In the event that draft Policy QD4 is formally adopted, officers are satisfied that it would not necessarily preclude a well-designed scheme proposal that exceeds 25 storeys for the reasons stated.
- 387 As set out earlier, the justification for the proposed height is led by the Council's requirement to achieve a policy compliant provision of affordable housing on the site, which will be of public benefit; in addition to the significant overall contribution the scheme would deliver in regard to the Borough's housing targets. The re-development of the site and re-designation of the SIL to LSIS has evolved to reflect changing demand for employment use and the emerging context of the surroundings which has changed from industrial to more residential in character.
- 388 For these reasons, officers support the principle of twenty-six and ten storeys buildings on the site, subject to the development being of exceptional design quality.
- 389 From an Urban Design perspective, the north-western corner is considered to be a rational location for the twenty-six storey building as it marks the position furthest from the pavement and closest to the railway lines within the site. The relationship between it and the ten storey block works well in terms of the composition with the ten-storey building fronting the development providing a subservient built form to the taller element.

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There is no particular design policy that would preclude development next to railway lines or other industrial uses.

390 The most notable tall buildings near to the site are the 15 storeys building at 164-196 Trundleys Road, 12 storeys approved building at Neptune Wharf, the 22 storey tower at Anthology, Deptford Foundry and the 23 storey Hawke Tower to the southeast of the site. Further afield to the east is the Deptford Timberyard and the Surrey Canal Triangle Sites which would also exhibit a range of tall buildings, consented up to 30 - 40 storeys as illustrated in Figure 12 below.

391 The applicant has demonstrated how the scheme would relate to a wider area of tall buildings. This approach is welcomed and indicates the emerging character of tall buildings in the wider area. The views show the proposed scale and form of blocks respond positively to the character of future townscape in long and short-range views. The submitted verified views suggest that while the scheme will represent an uplift in scale in relation to the surrounding townscape, the massing and heights configuration responds successfully to the park edge and is consistent with the scale and proportions of emerging development in the wider area as per Figure 14 below:

**Figure 14: Wider Area of Tall Buildings**



392 The scale of the proposed development is generally larger and denser than that of the existing built context, however, the application has demonstrated how the proposal reflects the emerging context of the area. The design team have sought to reduce the buildings impact on the surrounding area by through careful articulation of the massing, combined with a very high quality of detail and materiality as outlined below. Overall, the proposals are considered to sit comfortably within the existing built context and would make a positive contribution to the character and appearance of the surrounding area whilst optimising the quantum of development on site. Officers are satisfied that the proposal meet the policy objectives for tall buildings of LPP D9 and CSP 17 and CSP 18.

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## Detailing and Materials

### *Policy*

- 393 Attention to detail is a necessary component for high quality design. Careful consideration should be given to items such as doors, windows, porches, lighting, flues and ventilation, gutters, pipes and other rainwater details, ironmongery and decorative features. Materials should be practical, durable, affordable and attractive. The colour, texture, grain and reflectivity of materials can all support harmony (NPPG).
- 394 LPP D3 Optimising site capacity through the design-led approach states that developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.
- 395 CSP 15 High quality design for Lewisham principally seeks to ensure new development achieves the highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.
- 396 DMP 32 states the Council expects all new residential development to: a. be attractive and neighbourly b. provide a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours and c. meet the functional requirements of future residents. It also requires the siting and layout of new build housing development, including the housing element of mixed use developments, to respond positively to the site specific constraints and opportunities as well as to the existing and emerging context for the site and surrounding area.
- 397 Development should also be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

### *Discussion*

- 398 The mixed-use nature of the scheme is reflected in the arrangement of the levels, it would comprise an employment and flexible retail/community use base with the PBSA and/or C3 accommodation above it. The industrial and flexible retail/community use base creates a strong anchor at lower level.
- 399 The scheme has a common architectural language, and the material palette facade design adapts subtly to the specific requirements of each of its function. This would result in a subtle variation across the building and sets out a 'logical structural rhythm' and a 'clear hierarchy of scale' (for instance, where floor to floor heights change or vertical piers land as columns).
- 400 The material palette takes cues from the materiality of the local contextual environment, such as the railway arches, bridges and Victorian terraced housing. The main materials are brick with warm and varied tones, and pre-cast concrete which will provide horizontal emphasis and articulation for depth, relief and shadow across the elevations, tying together the two massing elements of the scheme. Some glazed masonry elements will provide a contrasting and intricate infill with a green tone to reflect one of the nearby

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railway bridges. Windows would be formed of green metal to compliment the glazed masonry features.

- 401 At roof level the façades enclosing the residential rooftop amenity spaces would have robust brick piers and a continuous horizontal element to crown the building against the sky.
- 402 With regard to the PBSA block the windows are set out in a regular grid pattern. Each window is recessed as 'contrasting intricate infill' within punched openings. This would provide a strong sense of depth and variation while solid brick piers provide reference to an industrial architectural language. Horizontal emphasis would come from a continuous pre-cast concrete element, forming a base plane and datum for bricks to be stacked upon. A repeated overlapping detail between the vertical pier and horizontal components would create relief and shadow across the façade. The depth and articulation of the envelope would provide shading on vertical and horizontal planes to limit direct solar gain. To maximise this shading effect, vertical piers shift to either side of window openings in response to façade orientation. The zone of facade below desk height in each window bay would be expressed with a ceramic masonry element to bring colour and variation to the façade. The ceramic component is designed to catch the light with subtle nuances in response to time and season, reflecting against the sky and surroundings.
- 403 With regard to the C3 block, it has a repetitive window pattern albeit not to the same intensity as the PBSA block. The C3 block makes use of balconies to articulate the facades. Projecting balconies project out to Folkestone Gardens and Deptford Park respectively, maximising opportunities for views towards those local green spaces. On the south-east facing corner of the block the projecting balconies would provide a visual link to the south-east facing central spine of the PBSA block. On the south-west facing façade of the C3 block the balconies would be recessed and this would serve to provide a clear distinction from the PBSA within the bow-tie arrangement of the block.
- 404 The ground floor employment and flexible retail uses would be crowned with a horizontal precast concrete element, supported by the robust columns to define each bay. The supporting columns would touch the ground with concrete 'feet' at a lower datum to signal the building 'landing' and this is intended to reflect Victorian industrial details. Door kickplates would be and glazing would be raised off ground level. The ground level would also have a southern facing colonnade framed with columns which are intended to 'ground' the residential accommodation above and signpost the access to the main entrances. Canopies are proposed to the facades that would face Trundleys Road and would cantilever towards the public realm.
- 405 Overall, the design team has demonstrated a high quality of materiality and detailing. Exact specifications of all materials would be captured by condition to ensure that this design quality is carried through to construction of the proposals.

## **Public Realm**

### *Policy*

- 406 Streets are both transport routes and important local public spaces. Development should promote accessibility and safe local routes. Attractive and permeable streets encourage more people to walk and cycle.
- 407 LPP D3 Optimising site capacity through the design-led approach states that new development should provide active frontages and positive reciprocal relationships

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between what happens inside the buildings and outside in the public realm to generate liveliness and interest.

408 DMP 30 requires the design of new development to relate to the scale and alignment of the existing street including its building frontages. It must also provide a clear delineation of public routes by new building frontages, with convenient, safe and welcoming pedestrian routes to local facilities and the public transport network, including meeting the needs of less mobile people and people with young children.

409 LPP D8 Public realm states that development proposals should ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable. Lighting, including for advertisements, should be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution.

410 DMP 35 encourages the provision of public art resulting from new development.

#### *Discussion*

411 The proposed development would include an improved section of public realm along Trundleys Road, significantly widening the existing narrow pavement in this location from 2.4m width to 3.4m with for the Trundleys Road Frontage. This together with enhancements to the frontage in the provision of soft landscaping would create a much-improved environment.

412 Overall, given the soft landscaping to the frontage together with high quality hardstanding materials and the widening of the existing public realm to improve pedestrian and cycle through-flow and safety, the proposals are considered to present a material planning benefit in this regard, a benefit to which officers attach significant weight. It is noted that full details of all hard and soft landscaping would be secured by condition and the delivery of the public realm works would be secured by planning obligation.

413 The Applicant has agreed to submit a public art strategy to the Council for its approval and this would be secured by condition. This would further enhance the appearance of the development in the public realm.

#### **Urban Design Conclusion**

414 The overall design approach would result in a form of development which would not detract or appear at odds with the wider character and appearance of the immediate locality or heritage assets. The proposals are considered to be appropriate in terms of layout and scale and have been designed cognisant of the emerging context and in a manner that would not preclude the delivery of adjacent sites.

415 The proposals achieve a high-quality design in both the proposed building and public realm, and the scheme overall presents significant planning benefits as outlined in detail above. As such, it is considered that the proposal is acceptable with regard to urban design and accords with the aims and objectives of the existing and emerging Development Plan.

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## 6.5 OTHER USES

416 LPP S1 supports development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies.

## 6.6 SOCIAL INFRASTRUCTURE

### Community facilities

#### *Policy*

417 CSP 19 seeks to ensure a range of health, education, policing, community, leisure, arts, cultural, entertainment, sports and recreational facilities and services are provided, protected and enhanced across the borough in line with the London Plan. CSP 20 specifically promotes community facilities which would facilitate educational achievements, healthcare provision and promoting healthy lifestyles.

#### *Discussion*

418 The proposal would make potential provision for a flexible retail/community use of 100sqm at ground floor level. While the unit is relatively small it would play important role in developing strong and inclusive communities and provide an opportunity to bring different groups of people together, contributing to social integration and the desirability of a place. Social infrastructure covers a range of services and facilities that meet local and strategic needs and contribute towards a good quality of life. It includes health provision, education, community, play, youth, early years. Its provision would be particularly well aligned to the proposed development which includes a high amount of family accommodation, and it would also be a resource facility for the wider local community. Therefore, the function of a community use unit would make a significant contribution to the social cohesion of the site and its provision would be supported by policy.

## 6.7 TRANSPORT IMPACT

### *General policy*

419 Nationally, the NPPF requires the planning system to actively manage growth to support the objectives of para 104. This includes:

- (a) addressing impact on the transport network;
- (b) realise opportunities from existing or proposed transport infrastructure;
- (c) promoting walking, cycling and public transport use;
- (d) avoiding and mitigating adverse environmental impacts of traffic; and
- (e) ensuring the design of transport considerations contribute to high quality places. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and a choice of transport modes.

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- 420 Para 111 states “Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 421 Regionally, the Mayor’s Transport Strategy (‘the MTS’, GLA, March 2018) sets out the vision for London to become a city where walking, cycling and green public transport become the most appealing and practical choices. The MTS recognises links between car dependency and public health concerns. This is captured in the London Plan within transport policies at Chapter 10.
- 422 The Core Strategy, at Objective 9 and CSP14, reflects the national and regional priorities.
- 423 The NPPF states that ‘Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.
- 424 LPP T1 sets out the Mayor’s strategic approach to transport which aims to encourage the closer integration of transport development. This is to be achieved by encouraging patterns and nodes of development that reduce the need to travel, especially by car; seeking to improve the capacity and accessibility of public transport walking and cycling; supporting measures that encourage shifts to more sustainable modes and appropriate demand management; and promoting walking by ensuring an improved public realm.
- 425 LPP T6.1 (Table 10.3) sets out residential parking standards and seek to ensure that new development should not exceed the maximum parking standards to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use. Through the use of travel plans, it aims to reduce reliance on private means of transport. CSP14 on Sustainable Movement and Transport also seeks to ensure that all new development of a certain size have travel plans.
- 426 DMP 29 indicates that car limited major residential schemes will be supported in areas with a PTAL of 4 or above and that amongst other factors development should not have a detrimental impact on on-street parking provision in the vicinity. It outlines that measures such as car-clubs and cycle storage will be expected to ensure that sustainable transport modes are encouraged.
- 427 LPP T5 on cycling states that Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.
- 428 CSP 13 requires all major development to submit and implement a site refuse management plan, and to provide well designed refuse and recycling facilities for all proposed uses.

## **Access**

### *Policy*

- 429 The NPPF requires safe and suitable access for all users. Paragraph 110 states that in assessing applications for development it should be ensured that appropriate

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opportunities to promote sustainable transport modes can – or have been taken up and that amongst other things safe and suitable access to the site can be achieved for all users.

- 430 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised; that a restrained approach to parking provision will be adopted; and that car-free status for new development can only be assured where on-street parking is managed so as to prevent parking demand being displaced from the development onto the street.
- 431 There is currently one shared pedestrian and vehicle access serving the site from the south of the site from Trundleys Road. This access is also shared with the businesses operating in the railway arches adjacent to the north-east of the site.
- 432 The existing pedestrian/vehicle access into the site would be retained to serve the proposed three off-street parking disabled parking bays and the proposed delivery/servicing loading bays and it would also still operate as a vehicle access for the adjacent railway arch businesses. However, the vehicle access and rear service/delivery pathways would be separate from the residential pathways and three new pedestrian entrances would be formed from Trundleys Road, to serve the residential cores as per the Figure 15 below:

**Figure 15: Pedestrian Accesses into Site**



- 433 The proposals for access have been reviewed by officers, including the Council's Highways Officer and Transport for London and are considered to be safe and appropriate for the proposed development.

### **Local Transport Network**

#### *Policy*

- 434 The NPPF states that significant impacts on the transport network (in terms of capacity and congestion) should be mitigated to an acceptable degree. LPP T4 states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified. It also states that the cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated.

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435 CSP 14 states the Council will work with Transport for London...to ensure the delivery of necessary transport infrastructure...by enabling more effective management of traffic and improving the environment for all users, including pedestrians, cyclists and public transport users.

*Discussion*

436 The site has relatively low access to public transport with a Public Transport Accessibility Level (PTAL) of 1a to 2. However, this would increase to 3 with the delivery of the new overground station at Surrey Canal Road.

437 Trundleys Road is a single carriageway road which measures approximately 6.1m wide adjacent to the site. There is a 2.4m wide footway on the carriageway. Trundleys Road also benefits from being lit and is subject to a 20mph speed limit.

438 Bus route 225 serves the road and the nearest bus stop is located to the east on Trundleys Road, whilst three further bus routes (47, 188 and 199) run along Evelyn Street and serves a stop located around 750m (a 9-minute walk) from the application site. Additionally, the night service route N1 also calls at the bus stop along Evelyn Street and therefore the site benefits from 24/7 bus services.

439 The nearest railway stations are at New Cross Gate, New Cross, Surrey Keys, and South Bermondsey, which are between 1.2km and 1.4km distance from the site (equating to 15 minutes to 17 minutes walking time) and these stations would provide for access to both mainline rail services and London Overground services. The proposed new overground station at Surrey Canal Road is set to be constructed along Surrey Canal Road; which is 550m (7 minutes walking time) from the site, and will increase the site's PTAL, as above. Some of the enabling works for this station have already been completed.

440 The development will provide 3 disabled car parking spaces within the proposed site and 4 delivery/servicing loading bays. The disabled parking bays would be split between the proposed uses:

- One bay for C3 residential use.
- One bay for PBSA use.
- One bay for light industrial use.

441 The level of parking provision is consistent with policy guidance contained in the adopted the London Plan (March 2021), which advocates a restraint-based approach to car parking provision with maximum standards and supports car free development in appropriate locations. In addition to this, the accessible car parking provision meets and exceeds the 3% accessible car parking provision as outlined within the London Plan.

442 The road adjacent to the site and other roads near to the site are subject to local parking controls and this should prevent overspill parking from the proposed development.

443 The applicant has agreed that any resident of the proposed development would be exempt from applying for a parking permit, save for those who qualify for blue disabled parking badges should a CPZ be adopted. This would be secured via legal agreement.

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- 444 A Framework Travel Plan has been submitted with the application to accord with the requirements of TfL's Travel Planning Guidance. The Council would require its actionable measures to be implemented prior to the first occupation of the development and be retained thereafter. This matter would be secured through a condition.
- 445 At this stage, the occupier/s of the commercial use of the development are not known. Furthermore, the development has been designed as flexible commercial space, able to accommodate multiple occupiers or a single occupier.
- 446 The Travel Plan include further details of existing travel behaviour and sets out a range of measures and initiatives to encourage a reduction in car use. They also include details of the management and implementation of the Travel Plans as well as initial targets, monitoring and review programme.
- 447 A range of measures are proposed in the Travel Plan to seek to encourage the use of sustainable and actives modes of travel for trips associated with the employment element of this development, including:
- Measures to promote the Travel Plan and actively engage staff in the process.
  - Measures and events to promote the benefits of active travel.
  - Measures to encourage cycling, including ensuring secure cycle parking, and promotion of the Cycle to Work scheme.
- 448 In order to adequately manage parking on-site and on the surrounding transport network, a Parking Management Plan outlining the following would be secured by legal agreement:
- How the off-street parking will be allocated / managed.
  - How informal parking within the site will be enforced.
  - A full Residential Travel Plan and Workplace Travel Plan to help promote sustainable and active travel and discourage car-use. This will help further mitigate against increased on-street demand for parking.
- 449 An Outline Construction Traffic Management Plan (CTMP) was submitted with the application and provides an acceptable framework for managing construction traffic safely and securely. Provision of a full CTMP to be approved by the Council would be secured by condition.
- 450 Subject to the above, the proposed development is acceptable with regard to impacts on the Local Transport Network.

## **Healthy Streets**

### *Policy*

- 451 LPP T2 states that development proposals should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling.

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452 CSP 14 states the Council will work with Transport for London...to enable more effective management of traffic and improving the environment for all users, including pedestrians, cyclists and public transport users.

*Discussion*

453 A Healthy Streets Audit was included within the Transport Assessment and assesses the quality of the walking routes in the vicinity of the site against the 10 Healthy Streets Indicators (HSI), which includes ease of crossing roads, safety, places to stop and rest and clean air.

454 The ATZ assessment has been subject to amendments following initial TfL comments, which is considered to now be improved as it identifies a number of measures that could usefully support active and sustainable modes of travel. LPP T2(d) requires proposals to 'demonstrate how they will deliver improvements that support the ten HSIs in line with TfL guidance.

455 LPP T5(a) requires 'Development... proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This will be achieved through: 1) supporting the delivery of a London-wide network of cycle routes, with new routes and improved infrastructure'. LPP T9(c) advises Planning obligations (S106 agreements), including financial contributions, will be sought to mitigate impacts from development, which may be cumulative. Such obligations and contributions may include cycle infrastructure and making streets pleasant environments for walking, in line with the Healthy Streets Approach.

456 In their further review TfL consider that obligations should be sought to deliver some of the identified measures including:

- Widening of pavement outside of site by 1m (from 2.4m to 3.4m) to facilitate improved pedestrian and cycling environment.
- New toucan pedestrian/cycle traffic-signalled crossing outside of site.
- Copenhagen Crossing across vehicle access of site.
- Financial contribution of £300,000 towards active travel environment (with some of it used potentially to fund a nearby cycle docking station). The amount is disputed by the Applicant.
- Financial contribution of £1,173,843.33 towards implementation of proposed Surrey Canal London Overground station. The amount is disputed by the Applicant.
- Financial contribution of £549,000 towards bus service enhancements. The amount is disputed by the Applicant.

## **Servicing and refuse**

*Policy*

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

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

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

*Discussion*

460 Four loading bays would be provided on-site within one loading/deliveries zone towards the rear of the development. All deliveries and servicing activity will take place from this location with no deliveries taking place from on street. All delivery vehicles can access and exit the site in forward gear. The loading bays will be managed by on-site facilities management to ensure that deliveries are undertaken from the correct defined bay. These are proposed to be clearly marked and signposted so that incoming delivery drivers are directed to the correct bay. The loading bays are allocated as follows:

- Loading Bay 1 - light industrial/retail use;
- Loading Bay 2 - PBSA;
- Loading Bay 3 – C3 Residential and flexible retail/community use;
- Loading Bay 4 - For refuse collections from all uses and for shared use should there be any multiple deliveries to one particular use. The size of this bays means that 2 x vans can be accommodated.

461 The Figure below shows the four proposed loading bays:

**Figure 16: Proposed Loading Bays**



462 Transport for London and the Council's Highways Officer have reviewed the proposal and requested that a Delivery and Servicing Plan be secured by condition.

463 A detailed refuse management plan would also be secured by condition.

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464 Subject to securing a Delivery and Servicing Plan and a refuse management condition, the proposed development is acceptable in this regard.

## **Transport modes**

### ***Walking and cycling***

#### *Policy*

465 LPP T5 cycling states that Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.

466 Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.

467 CSP 14, amongst other things, states that the access and safety of pedestrians and cyclists will be promoted and prioritised.

#### *Discussion*

468 A footway runs along Trundleys Road directly outside of the site and measures approximately 2.4m wide. Regular street lighting present in the vicinity of the site. There is also an uncontrolled pedestrian crossing that incorporates dropped kerbs, pedestrian islands and tactile paving directly to the east of the vehicle access to the site.

469 The proposed development would have a positive impact on the walking environment around the application site through significantly widening the pavement along Trundleys Road, as well as a range of other wider public realm and highway improvements which would be secured by legal agreement, as follows:

- Widening of pavement by 1m directly outside of site (agreed by applicant).
- New pedestrian/cycle Toucan crossing facility on Trundleys Road in place of the existing uncontrolled pedestrian (traffic-island) crossing to east of existing vehicle access to east of the site (agreed by applicant).
- Copenhagen Crossing across vehicle access.

470 With regard to cycling infrastructure, Quietway 1 runs long the south of the site. Quietway 1 leads from Greenwich in the east to Waterloo bridge to the west and runs along Surrey Canal Road and through Folkestone Gardens in the vicinity of the site. National Cycle Route (NCR) 425 runs along Surrey Canal Road between Camberwell and Rotherhithe and intersects the NCR 4 near Greenland Dock. The NCR in turn runs between central London and Greenwich. London Cycle Network (LCN) Route 20 starts in Folkestone Gardens and leads to Sidcup.

471 Cycle Superhighway 4 will run from between Tower Bridge and Greenwich, via Evelyn Street which is approximately 700m east from the site or a 3-minute cycle and could be accessed via LCN Route 20.

472 With regard to proposed cycle parking, the applicant has had detailed discussions with Transport for London and the Council's Highways Officer and the Met Police's Design Out Crime Officer regarding cycle parking provision.

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- 473 The PBSA long stay parking has been amended during the course of the application to take into account comments and is comprised 347 cycle stands. This is over and above the minimum requirement cycle requirements.
- 474 A total of 85 cycle stands are proposed for the C3 Residential Use and 11 cycle stands are proposed for the employment use.
- 475 Cycle parking would be provided in line with the London Plan and guidance set out within Chapter 8 of LCDS.
- 476 The application is policy compliant with regard to cycle provision in terms of both quantity and meeting the requirements of the London Cycle Design Standards.
- 477 Subject to the above, the proposed development is acceptable with regard to walking and cycling.

### ***Public transport***

#### *Discussion*

- 478 To assist with the additional impact on the local and London bus network, a contribution of £549,000 is sought by TfL towards the provision of an additional 225 bus service.

### ***Car clubs***

- 479 To further discourage car ownership and promote more sustainable modes of transport, details of a Car Club Strategy for the site would be required. The strategy should include details of car club membership for all residents for 3 years and include a review of the existing car club infrastructure in the vicinity of the site to determine that there is sufficient car club vehicle provision / capacity to accommodate the demand generated by the development.
- 480 The Car Club Strategy sought would be secured by a planning obligation.

### ***Private cars (include disabled and electric charging points)***

#### *Policy*

- 481 LPP T6 states that 20% of parking spaces should be provided with Electric Vehicle Charging points with the remaining spaces providing passive provision.
- 482 CSP 14 states that the Council will take a restrained approach to parking provision. DMP 29 requires wheelchair parking to be provided in accordance with best practice standards and London Plan Standard 18 requires designated wheelchair accessible dwellings to have a designated disabled car parking space.

#### *Discussion*

- 483 Surrey Canal Road is an urban clearway and therefore restricting vehicles from stopping, parking and loading along the highway. Trundleys Road provides single yellow lines and double yellow lines along the majority of its length with unrestricted parking provided on both sides of the road at its southern extent.

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- 484 As outlined above, the development would provide 3 disabled car parking spaces at ground level: one for the PBSA use; one for the C3 residential use; and one for the employment use.
- 485 The level of parking provision is consistent with policy guidance contained in the adopted London Plan (2021), which advocates a restraint-based approach to car parking provision with maximum standards and supports car free development in appropriate locations. In addition to this, the accessible car parking provision meets 3% accessible car parking provision for C3 residential accommodation as outlined within the London Plan.
- 486 The applicant has demonstrated that the proposed development would not have an unreasonable impact on on-street parking. Additionally, the applicant has agreed (or will agree?) to an under-taking that residents could not access parking permits should a local Controlled Parking Zone (CPZ) be implemented.
- 487 Full details of Electric Vehicle Charging Points would be secured by condition.

### **Transport impact conclusion**

- 488 The proposal would not result in unreasonable harm to the local highway network or pedestrian or highway safety subject to the imposition of conditions and financial contributions. The planning obligations sought are summarised as follows:
- CPZ - undertaking for no permits for future residents.
  - Car Club Strategy including details for membership for all residents for 3 years including review of existing car club infrastructure.
  - Provision towards Surrey Canal Station contribution - £1,173,843.33.
  - Additional 225 service contribution - £549,000.
  - Active Travel Zone contribution - £300,000.
  - Travel plan for all uses.
- 489 Enter into a Section 278 agreement to secure the following:
- Widening of pavement adjacent to the site.
  - Copenhagen Crossing across entrance to site.
  - Priority junction with Toucan (i.e. pedestrian and cycle crossing).
- 490 A Parking Management Plan outlining how informal parking (i.e. in the public realm, and service yard) will be enforced.
- 491 Officers consider that these outcomes should be afforded significant weight due to the public benefits that would result from them in connection to the development.

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## 6.8 LIVING CONDITIONS OF NEIGHBOURS

### *General Policy*

- 492 NPPF para 130 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. At para 185 it states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.
- 493 This is reflected in relevant policies of the London Plan (LPP D3, D4, D5, D6), the Core Strategy (CP15), the Local Plan (DMP32) and associated guidance (Housing SPD 2017, GLA; Alterations and Extensions SPD 2019, LBL).
- 494 DMP 32(1)(b) expects new developments to provide a 'satisfactory level' of privacy, outlook and natural lighting for its neighbours.
- 495 Further guidance is given in Housing SPD 2017, GLA; Residential Standards SPD 2012, LBL. The Council has published the Alterations and Extensions SPD (2019) which establishes generally acceptable standards relating to these matters (see below), although site context will mean these standards could be tightened or relaxed accordingly.

### *Overview*

- 496 The nearest existing residential properties to the proposed development lie to the north and north-east of the application site, beyond the elevated railway lines, at Trundleys Road and Greenland Mews. The properties nearest are as follows:
- Flats at 156 Trundleys Road. Flats at Neptune Wharf – Trundleys Road (junction of Grinstead Road).
  - Houses at 19 – 20 Greenland Mews.
- 497 Further to the east/north-east of the site are houses at Scawen Road.
- 498 To the south of the site a new development, including residential use, is under construction at 164 – 196 Trundleys Road.
- 499 Further to south of the application site are residential houses in Sandford Walk.
- 500 The relationship of the proposed development with existing surrounding buildings and the site under construction at 164 – 196 Trundleys Road is indicated in figure 17 below.

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**Figure 17: Relationship of the proposed development with surrounding built context**



## **Enclosure and Outlook**

### *Policy*

- 501 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.
- 502 DMP 32 requires new housing development to provide a satisfactory level of outlook and both for its future residents and its neighbours.

### *Discussion*

- 503 The proposed development would be located some 40 metres to 42 metres, approximately, away from the residential buildings at 156 Trundleys Road and 19 and 20 Greenland Mews respectively, and 80 metres and 160 metres to Neptune Wharf and Scawen Road respectively. The proposed development would be separated from these residential dwellings by the existing elevated railway lines and the forecourt of the railway arches.
- 504 Given the generous separation distance and the existing railway between the application site and the buildings at 156 Trundleys Road, 19 and 20 Greenland Mews, and the residences in Neptune Wharf and Scawen Road, there would be no unreasonable impact on the occupants of these buildings by way of enclosure or loss of outlook.
- 505 The proposed relationship with the site under construction at 164 – 196 Trundleys Road directly opposite the site is typical of an urban environment and would not warrant refusal of the application, particularly given the planning merits of the scheme outlined elsewhere in this report.
- 506 The relationship between the proposed development and other properties further to the south would be more distance, with the development being located in excess of 50 metres from the nearest house in Sandford Walk.

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## Privacy

### *Policy*

- 507 Privacy standards are distances between directly facing existing and new habitable windows and from shared boundaries where overlooking of amenity space might arise.
- 508 DMP 32 states that new housing development should provide a satisfactory level of privacy both for its future residents and its neighbours. The background text of the policy advises unless it can be demonstrated that privacy can be maintained through design, there should be a minimum separation of 21 metres between directly facing habitable room windows on main rear elevations. This separation will be maintained as a general rule but will be applied flexibly dependent on the context of the development.

### *Discussion*

- 509 As above, the proposed development would be located some 40m and 42m approximately, away from the residential buildings at 156 Trundleys Road and 19 and 20 Greenland Mews and would be separated from the proposed development by the existing railway. This relationship is considered sufficient to mitigate any unreasonable loss of privacy to the occupants of these properties.
- 510 Officers consider the distance to properties in Scawen Road and Sandford Walk would be more than sufficient to prevent adverse overlooking from the new development.

## Daylight and Sunlight

### *Policy*

- 511 The NPPF does not express particular standards for daylight and sunlight. Para 125 (c) states that, where there is an existing or anticipated shortage of land for meeting identified housing need, LPAs should take a flexible approach to policies or guidance relating to daylight and sunlight when considering applications for housing, where they would otherwise inhibit making efficient use of a site.
- 512 The GLA states that 'An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.' (Housing SPG, para 1.3.45).
- 513 Alternatives may include 'drawing on broadly comparable residential typologies within the area and of a similar nature across London.' (ibid, para 1.3.46).
- 514 It is therefore clear that the BRE standards set out below are not a mandatory planning threshold.
- 515 In the first instance, if a proposed development falls beneath a 25-degree angle taken from a point two metres above ground level, then the BRE say that no further analysis is required as there will be adequate skylight (i.e. sky visibility) availability.

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516 Daylight is defined as being the volume of natural light that enters a building to provide satisfactory illumination of internal accommodation between sun rise and sunset. This can be known as ambient light. Sunlight refers to direct sunshine.

#### Daylight Guidance

517 The three methods for calculating daylight are as follows: (i) Vertical Sky Component (VSC); (ii) Average Daylight Factor (ADF); and (iii) No Sky Line (NSL).

518 The VSC is the amount of skylight received at the centre of a window from an overcast sky. The ADF assesses the distribution of daylight within a room. Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced factors including the size of the window relative to the room area and the transmittance of the glazing, with the size of the proposed obstruction being a smaller influence. NSL is a further measure of daylight distribution within a room. This divides those areas that can see direct daylight from those which cannot and helps to indicate how good the distribution of daylight is in a room.

519 In terms of material impacts, the maximum VSC for a completely unobstructed vertical window is 39.6%. If the VSC falls below 27% and would be less than 0.8 times the former value, occupants of the existing building would notice the reduction in the amount of skylight. The acceptable minimum ADF target value depends on the room use: 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. If the NSL would be less than 0.8 times its former value, this would also be noticeable.

520 While any reduction of more than 20% would be noticeable, the significance and therefore the potential harm of the loss of daylight is incremental. The following is a generally accepted measure of significance:

- 0-20% reduction – Negligible
- 21-30% reduction – Minor Significance
- 31-40% reduction – Moderate Significance
- Above 40% reduction – Substantial Significance

521 It is important to consider also the context and character of a site when relating the degree of significance to the degree of harm.

522 It is also noted that recent planning decisions (including appeal decisions made by the Planning Inspectorate) in London and Inner London have found retained VSC values in the mid-teens to be acceptable. An example is The Whitechapel Estate (PINS Ref: APP/E5900/W/17/3171437). It is also noted that given the cleared brownfield nature of the application site, proposals are likely to result in some change to daylight and sunlight amenity.

#### *Sunlight Guidance*

523 Sunlight is measured as follows: (i) Annual Probable Sunlight Hours (APSH); and (ii) Area of Permanent Shadow (APS)

524 The APSH relates to sunlight to windows. BRE guidance states that a window facing within 90 degrees due south (windows with other orientations do not need assessment)

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receives adequate sunlight if it receives 25% of APSH including at least 5% of annual probable hours during the winter months. If the reduction in APSH is greater than 4% and is less than 0.8 times its former value, then the impact is likely to be noticeable for the occupants. The APS relates to sunlight to open space: the guidance states that gardens or amenity areas will appear adequately sunlit throughout the year provided at least half of the garden or amenity area receives at least two hours of sunlight on 21st March.

### *Discussion*

#### 156 Trundley's Road

- 525 In respect of daylight, the Vertical Sky Component (VSC) results demonstrate the majority of windows meet or exceed the BRE target of 0.80. It was noted that nine windows fall below this level, but these are considered to be only minor deviations from the BRE targets, equating to between 0.68 – 0.79 of their former value. As the majority of deviations affect fewer sensitive rooms, there will be no material shift in the daylight penetration to the rooms.
- 526 Due to the arrangement of this building, a number of windows within the rear elevation are constrained by being situated close to the internal corner and affected by the projecting wing making them more sensitive. It is considered that the vast majority of the windows serve bedrooms which are less sensitive to daylight, non-habitable space such that they are not relevant for assessment or small kitchens below 10m<sup>2</sup>. Kitchens below 13-15m<sup>2</sup> are considered 'non-habitable' under the Mayor of London's Housing SPG and as such, these marginal effects are unlikely to significantly impact the pattern of use / amenity of the flats.
- 527 The limited impact upon this property is confirmed by the daylight distribution results (NSL). None of the rooms experience a material change in daylight penetration to the space and all comfortably satisfy the 0.80 BRE target. Overall, the effects are considered to be acceptable and in line with the BRE guidelines, particularly when an element of flexibility is applied to the urban context.
- 528 It is considered that a large portion of the rear windows will be non-living rooms such as bedrooms, kitchens or non-habitable spaces. However, all of the south facing rooms for potential sunlight effects for completeness. The APSH sunlight assessments demonstrate that the majority of the rooms either satisfy the BRE recommendations or are north facing such that they are not relevant for assessment under the BRE guidelines.
- 529 Of the nine rooms below the recommendations, eight of these are shown to be bedrooms or non-habitable space and therefore not applicable for sunlight under the BRE guidelines. The only living space below the targets is a living room at basement level (R1) and this is a very minor shift in total annual sunlight levels retaining 0.77 its former level with no alteration recorded in winter sunlight levels.
- 530 Given the use of the affected rooms and the effects being limited to 1 exceptionally minor deviation from the target in total annual levels, the effects are unlikely to significantly alter the amenity at these flats with the majority of main living spaces being located to the front elevation of the property.
- 531 Overall, whilst there are proportional reductions in amenity, the effects to this building are generally limited to very minor shifts in the VSC / APSH and to less sensitive rooms

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such as bedrooms or small 'non-habitable' kitchens. As such, they are unlikely to materially impact the amenity to the spaces and the effects are considered acceptable and in line with the intentions of the BRE guidelines.

#### 19 and 20 Greenland Mews

- 532 In respect of daylight, the Vertical Sky Component (VSC) results demonstrate the majority of windows meet or exceed the BRE target of 0.80. It was noted that nine windows fall below this level but these are considered to be only minor deviations from the BRE targets, equating to between 0.69 – 0.76 of their former value. As the majority of deviations affect less sensitive rooms, there will be no material shift in the daylight penetration to the rooms.
- 533 These changes are limited to the 3 windows at first floor level (first floor W1 / W2 / W3) and are somewhat more sensitive due to the smaller high level windows and the recessed position beneath the eaves.
- 534 The small high-level windows (W1 / W2) are unlikely to serve habitable space such that they are not relevant for assessment under the BRE criteria. The deviation from the BRE criteria is therefore limited to a minor change in respect of window (W3) which is likely to serve a bedroom. Bedrooms are considered 'less important' for daylight under the BRE guidelines and given the change is very minor at 0.74 its existing daylight level, this isolated impact will not materially impact the amenity / use of the space. This is confirmed by the No Sky Line test which shows no material change in daylight penetration to the space.
- 535 Given that the habitable rooms at ground floor are fully compliant with the BRE targets this minor effect to a single bedroom is considered acceptable and in line with the BRE guidelines.
- 536 For sunlight, the majority of the rooms facing south towards the site are understood to serve non-habitable space or bedrooms which the BRE guide notes as less relevant for the assessment of direct sunlight. The assessment was therefore limited to the ground level window (W2) which may be secondary glazing to the main living space with its principal outlook to the east.
- 537 The Annual Probable Sunlight Hours (APSH) results show that this window will maintain APSH levels in excess of the BRE recommendations of at least 25% for total annual levels and at least 5% for winter at 38% and 15% respectively.
- 538 The effect to this property is therefore considered to fully meet the BRE recommendations in respect of APSH levels.

#### 148 Trundley's Road

- 539 The VSC assessments show that all of windows meet or exceed the BRE targets of 0.80 times its former levels and therefore demonstrate full compliance for VSC daylighting.
- 540 In regard to the NSL to the rooms, all but 1 of the rooms will retain daylight distribution levels in accordance with the BRE guidelines. The room below this, R2 at ground level, retains 0.63 and understood to serve dining room within the rear extension. The sensitivity to this space is principally driven by the relationship with the neighbouring outrigger extension which limits the existing daylight distribution and subsequently exacerbates any further percentage change. As noted above the BRE recognise that

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flexibility may be applicable where windows are restricted between projecting extensions. Given the localised effects, the full compliance with the principal VSC metric and fact that the main living spaces are wholly unaffected this limited deviation is considered to be fully acceptable.

- 541 The main living space within this property is located within the front elevation and does not face towards the site, so it has not been necessary to consider the potential sunlight effects to this property under the BRE guidelines.

#### 154 Trundley's Road

- 542 The results from the VSC / NSL assessments show limited change from the existing position with all windows / rooms to these properties remaining within 0.80 times their former level and meeting the BRE recommendations.
- 543 The proposal is therefore fully compliant with the BRE guidelines in respect of VSC and NSL daylighting effects to this property.
- 544 The results show that 2 rooms experience changes below the guidelines for direct sunlight, however these serve either bedrooms or non-habitable space such that they are not considered relevant under the BRE criteria.

#### **Daylight and Sunlight Conclusion**

- 545 The submission has been accompanied by a comprehensive Daylight and Sunlight assessment in relation to the Proposed Development. The technical analysis has been undertaken in accordance with the BRE Guidelines.
- 546 Throughout the design process at a pre-application stage, the scheme has been subjected to testing to minimise the Daylight and Sunlight impacts to the surrounding residential properties. However, it is acknowledged that when constructing buildings in an urban environment particularly on low density sites, alterations in Daylight and Sunlight to adjoining properties are often unavoidable. As outlined above, the numerical guidance given in the BRE document should be treated flexibly, especially in urban environments.
- 547 The submitted technical analysis shows that following the implementation of the proposals, some windows to properties in Greenland Mews and Trundleys Road would experience changes outside of the BRE recommendations.
- 548 However, whilst some windows would experience a degree of loss of sunlight and daylight, these are all minor in nature, and based upon the existing context of the application site and the existing surrounding built environment, the proposed development would have impacts within a range that would be expected for a major development. Importantly, the majority of windows would retain BRE compliant levels of daylight and those most impacted tend to be secondary windows or non-habitable rooms.
- 549 It is not considered that the proposed development would give rise to an unreasonable degree of loss of light or such that would warrant refusal of the proposed development, particularly when considered against the proposed planning merits of the scheme outlined in detail elsewhere in this report.

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## **Overshadowing**

### *Policy*

- 550 Daylight and sunlight are generally measured against the Building Research Establishment (BRE) standards however this is not formal planning guidance and should be applied flexibly according to context.
- 551 The BRE Guidelines suggest that Sun Hours on Ground assessments should be undertaken on the equinox (21st March or 21st September). It is recommended that at least half of a garden or amenity area should receive at least two hours of sunlight on 21<sup>st</sup> March, or that the area which receives two hours of direct sunlight should not be reduced to less than 0.8 times its former value (i.e. there should be no more than a 20% reduction).
- 552 Again, it must be acknowledged that in urban areas the availability of sunlight on the ground is a factor which is significantly controlled by the existing urban fabric around the site in question and so may have very little to do with the form of the development itself.
- 553 Similarly, there may be many other urban design, planning and site constraints which determine and run contrary to the best form, siting and location of a proposed development in terms of availability of sun on the ground.

### *Discussion*

- 554 The submitted overshadowing assessment has identified and tested the rear gardens of 144 – 156 Trundleys Road, Greenland Mews shared amenity space, and Sir Francis Drake school in accordance with the BRE Sunlight Hours on Ground assessment.
- 555 The results show that almost all of Folkstone Gardens would receive at 2 hours of direct sunlight on 21st March after the proposed development, well in excess of the 50% recommended by the BRE guidelines. As such, there would be no discernible difference to this area with regard to overshadowing as a result of the proposed development.

## **Noise and disturbance**

### *Policy*

- 556 The PPG states LPAs should consider noise when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.
- 557 LPP D14 advises development proposals should reduce, manage and mitigate noise to improve health and quality of life.
- 558 DMP 26 recommends new noise sensitive developments are to be located away from existing or planned sources of noise pollution, except if it can be demonstrated through design or mitigation that:
- i. internal and external noise levels can be satisfactorily controlled and managed by the noise sensitive development; and
  - ii. there will be no adverse impact on the continued operation of any existing or proposed business or operation.

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559 Construction and demolition activity can result in disturbance from among things noise, vibration, dust and odour. This can harm living conditions for the duration of construction. Since some disturbance is inevitable, such impacts are usually not considered to be material planning considerations. In certain circumstances, particularly large or complex works may require specific control by planning.

560 A range of other legislation provides environmental protection, principally the Control of Pollution Act. It is established planning practice to avoid duplicating the control given by other legislation.

#### *Discussion*

561 Given the nature of the proposed development itself, being largely residential with re-provision of a higher quality employment floorspace and flexible retail/community use, it is unlikely that the proposals would result in unreasonable levels of noise pollution over and above the existing arrangement where neighbouring residential properties are located adjacent to Strategic Industrial Land and railway lines.

562 Officers are therefore satisfied that the development would not have adverse impacts on neighbour amenity in terms of noise.

#### **Impact on neighbours conclusion**

563 As above, it is acknowledged that when constructing buildings in an urban environment particularly on low density sites, alterations in Daylight and Sunlight to adjoining properties are often unavoidable. As outlined above, the numerical guidance given in the BRE document should be treated flexibly, especially in urban environments.

564 Overall, whilst some windows would experience a degree of loss of amenity, based upon the existing context of the application site and the existing surrounding built environment, the proposed development would have impacts within a range that would be expected for a major development. Officers consider this outcome to be acceptable.

## **6.9 SUSTAINABLE DEVELOPMENT**

#### *General Policy*

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

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

567 CS Objective 5 sets out Lewisham's approach to climate change and adapting to its effects. CSP 7, CSP 8 and DMP 22 support this Objective and sets out design measures which are expected to maximise energy efficiency, manage heat gain and deliver cooling using the following hierarchy:

a. passive solar design to optimise energy gain and reduce the need for heating.

b. passive cooling design and natural ventilation to slow heat transfer and remove unwanted heat.

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c. mixed-mode cooling, with local mechanical ventilation/cooling provided where required to supplement the above measures, using (in order of preference) low energy mechanical cooling followed by air conditioning, and

d. full-building mechanical ventilation/cooling systems using (in order of preference) low energy mechanical cooling followed by air conditioning.

### **Energy and carbon emissions reduction**

#### *Policy*

568 LPP SI 2 Minimising Greenhouse Gas Emissions states that major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

1) be lean: use less energy and manage demand during operation

2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly

3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site

4) be seen: monitor, verify and report on energy performance

569 LPP SI 2 also states that a minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

1) through a cash in lieu contribution to the borough's carbon offset fund, or

2) off-site provided that an alternative proposal is identified and delivery is certain.

570 CSP8 seeks to minimise the carbon dioxide (CO<sub>2</sub>) emissions of all new development and encourages sustainable design and construction to meet the highest feasible environmental standards.

571 DMP22 require all developments to maximise the incorporation of design measures to maximise energy efficiency, manage heat gain and deliver cooling using the published hierarchy.

#### *Discussion*

572 The application is accompanied by a (revised) Energy Assessment prepared by Applied Energy, which sets out the measures to be taken to reduce carbon emissions. These are outlined and assessed below.

#### **Be Lean**

573 For the domestic elements, the development is estimated to achieve an 87% reduction in CO<sub>2</sub> emissions compared to 2021 Building Regulations. For the non-domestic element,

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a 58% reduction is expected. The development falls short of the net zero-carbon target in Policy SI2, although it meets the minimum 35% reduction on site required by policy. As such, a carbon offset payment of £111,688 is required to be secured.

- 574 The applicant has outlined measures used to reduce the energy demand through passive measures, focusing on the building envelope and the services specified within the building which also impact energy used. These have been split to reflect the proposed measures within the domestic and non-domestic areas. Amongst other things passive measures include connections to a District Heating Network (DHN) for hot water and heating and 100% low energy lights.

### ***Be Clean***

- 575 The Applicant is proposing a communal heat network supplied by a centralised energy centre. It has been confirmed that all apartments and non-domestic building uses will be connected to the heat network.
- 576 The Applicant has provided a commitment that the development is designed to allow future connection to a DHN. The Council would expect this to include a single point of connection to the DHN. Drawings have been provided demonstrating space for heat exchangers in the energy centre, and a safe-guarded pipe route to the site boundary. These requirements would be secured by Condition.
- 577 The Applicant has provided a drawing showing the space for plate heat exchangers and a safeguarded pipe route to the boundary of the site however as the applicant is proposing connection to a DHN this should be coordinated and agreed with the network operator. The applicant would be expected to submit evidence that this has happened, and it would be secured by Condition.
- 578 The Applicant is prioritising a connection to the SELCHP network is operated by Veolia. Preliminary discussions have taken place with the operators about the potential to connect to this network. Some evidence of active two-way correspondence with the network operator has been provided. However, further correspondence would be required to include confirmation or otherwise from the network operator that the network has the capacity to serve the new development, together with supporting estimates of the CO<sub>2</sub> emission factor and primary energy factor to meet the limit set out in Part L 2021, installation cost and timescales for connection. The Council would use a Condition to ensure a draft connection agreement to the SELCHP prior to commencement of works on site to demonstrate that a connection will be established by the developments heat on date.
- 579 Heat pumps are proposed as a back-up strategy in event that connection to the DHN is not ready.

The applicant is proposing an external wall U-Value of 0.12 W/m<sup>2</sup>K which is considered low. Construction detail would be required that demonstrates that this performance is achievable, and confirmation will need to be coordinated with the design team.

### ***Be Green***

- 580 The applicant has identified solar PV as the most appropriate technology for the residential (including student) parts of the development, and air source heat pumps for the commercial.

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- 581 During the course of the application the extent of PV has been reviewed and an increased array size area of 49m<sup>2</sup> (from 19m<sup>2</sup>) is now proposed. This would provide a Carbon Offset: 1,861.85 kg/CO<sub>2</sub>e (based on Grid Electricity Carbon Factor - 0.207074).
- 582 The applicant would be expected to situate the PV on the roof areas using a bio solar arrangement and to indicate how the PV can be integrated with the amenity areas. This matter would be secured by Condition.
- 583 The total percentage improvement over the notional baseline levels for the development is detailed in the Figures below:

**Figure 18: Domestic CO<sub>2</sub> Performance Residential – C3 (Detailed)**

SAP 10.2	Regulated CO <sub>2</sub> Emissions Reductions		
	(tonnes per annum)	(tonnes per annum)	(percentage)
Baseline (i.e.2013 Building Regulations)	37.4		
Energy Efficiency	30.6	6.8	18%
CHP	2.6	28.0	75%
Renewable Energy	4.8	-2.3	-6%
<b>Total</b>		32.6	87%

**Figure 19: Non-Domestic (Detailed)**

SAP 10.2	Total Residual Regulated CO <sub>2</sub> Emissions	Regulated CO <sub>2</sub> Emissions Reductions	
	tonnes per annum	tonnes per annum	percentage
Baseline (i.e., 2013 Building Regulations)	81		

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Energy Efficiency	28.6	52.3	65%
CHP	28.6	0.0	0
Renewable Energy	34.4	-5.7	-7%
<b>Total</b>		46.6	58%

584 With regards to operational costs, the applicant has considered the cost to residents to run their homes as part of the energy strategy. All practical measures have been taken to reduce the energy demand through energy efficiency measures, assisting to keep long-term operational costs down. Within the building, the communal system would be designed to CIBSE standards to maximise efficiency and reduce waste heat.

585 Running costs for heat and hot water have been estimated to be an average of £160-170 per annum per unit. This is based on a predicted price per unit of heat, which incorporates maintenance and plant replacement, as well as overheads for running the system, billing etc. This price would be negotiated with the network operator as discussions continue regarding the details of the connection. Veolia, who operate the heat network, have Heat Trust accreditation, ensuring that their prices will be kept fair and transparent, with tariff options provided. The applicant has outlined that there would also be options for prepayment meters.

**Be Seen**

586 All major plant will be fitted with meters to allow remote monitoring of energy used by the communal heating systems and electrical distribution boards and commercial heat pumps. Additionally, a contract would be put in place to monitor the readings so that they could be compared with the predicted energy performance, and this information will be reported, in accordance with the details in the GLA 'Be Seen' guidance.

**Carbon Offset**

587 In accordance with the Council's Planning Obligations SPD, the applicant is required to make a payment of £111,688 towards carbon offsetting.

*Summary*

588 The development follows the energy hierarchy, heating hierarchy and cooling hierarchy. The development would connect to the SELCHP heat network as soon as it is available, which results in significant carbon reductions. Additionally, the PV system is the largest that the roof can accommodate. The development will further achieve 'zero carbon' through an offset payment in line with the London Plan guidance.

589 The proposal would meet the carbon reduction targets and would contribute towards sustainable development, subject to a condition securing the Photovoltaic Panels as well as and an obligation securing the carbon offset payment and as such is acceptable in this regard.

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## **Urban Greening**

### *Policy*

- 590 LPP G5 expects major development to incorporate measures such as high-quality landscaping (including trees), green roofs and green walls.
- 591 CSP 7 expects urban greening and living roofs as part of tackling and adapting to climate change. DMP 24 requires all new development to take full account of biodiversity and sets standards for living roofs.

### **Urban Greening Factor**

- 592 The applicant has submitted details indicating that the proposed development would achieve an Urban Greening Factor of 0.406 where London Plan Policy G5 recommends an UGF of at least 0.4 for residential development. As such, the proposed development is acceptable in this regard.

### **Living Roofs**

- 593 LPP G5 Urban greening states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.
- 594 The applicant has maximised the provision of living roof across the proposed development. Full details of the proposed intensive green roofs would be captured by condition.

## **Flood Risk**

### *Policy*

- 595 NPPF para 159 expects inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. Para 167 states development should only be allowed in areas at risk of flooding where mitigation measures can be included.
- 596 LPP SI12 expects development proposals to ensure that flood risk is minimised and mitigated.
- 597 LPP SI12 expects development proposals to ensure that flood risk is minimised and mitigated.
- 598 CSP 10 requires developments to result in a positive reduction in flooding to the Borough.
- 599 Further guidance is given in the NPPG and the GLA Sustainable Design and Construction SPG.

### *Discussion*

- 600 The Lead Local Flood Risk Authority (LLFRA) initially raised objections with regard to flood risk, requesting further clarification on source control calculations.

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- 601 The applicant subsequently provided the requested material and the LLFRA advised that the scheme was acceptable in this regard.
- 602 The GLA initially commented that the Flood Risk Assessment provided for the proposed development does not comply with London Plan policy SI12. Further information was required in relation to the breach data request to the Environment Agency and the assessment of fluvial risk at the site during a breach event with any required mitigation measures and emergency planning. The FRA identifies that there is a potential for groundwater flooding for properties situated below ground level. Given that there is a basement being proposed, mitigation measures need to be considered to prevent ground water flooding within the basement.
- 603 In response to this, the applicant subsequently provided further information and a supporting document to confirm the development would be safe in the unlikely event of a tidal breach.
- 604 The applicant has stated that it is not possible for the risk of groundwater flooding to be evaluated. In this case the worst-case scenario of the development being at high risk of groundwater flooding must be assumed for the protection of users and appropriate mitigation methods must be proposed. This should then be confirmed through site investigations.
- 605 In this instance the range of storm events presented is acceptable and no further action is required.
- 606 Cost and spatial constraints have been provided for not including rainwater harvesting in the proposed development.
- 607 The applicant has agreed that details of the building management company should be identified as a Condition of planning.
- 608 Given the above and subject to Conditions, the proposed development is considered acceptable with regard to flood risk.

## **Sustainable Urban Drainage**

### *Policy*

- 609 The NPPF at para 169 expects major development to incorporate sustainable urban drainage systems (SUDS) unless there is clear evidence it is inappropriate.
- 610 LPP SI13 expects development to achieve greenfield run-off rates in accordance with the sustainable drainage hierarchy.
- 611 CSP 10 requires applicants demonstrate that the most sustainable urban drainage system that is reasonably practical is incorporated to reduce flood risk, improve water quality and achieve amenity and habitat benefits.
- 612 Further guidance is given in the London Plan's Sustainable Design and Construction SPG, the London Sustainable Drainage Action Plan, the Non-Statutory Technical Standards for Sustainable Drainage Systems and CIRIA C753 The SuDS Manual.

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### *Discussion*

- 613 The application is accompanied by a Flood Risk Assessment which includes details of the proposed drainage strategy. This sets out the measures to be taken to reduce flood risk and to promote Sustainable Urban Drainage.
- 614 The submission has been reviewed by the Lead Local Flood Risk Authority who have not objected to the proposed development following the submission of additional information during the course of the application.
- 615 The GLA Stage 1 response outlined that the surface water drainage strategy for the proposed development does not comply with London Plan policy SI.13, as it does not give appropriate regard to the SuDS hierarchy and greenfield runoff rates. Further details on how SuDS measures at the top of the drainage hierarchy will be included in the development, a detailed micro-drainage scheme and further clarification on the green roofs will be secured by Condition.
- 616 Subject to the above detail being captured by condition, the proposed application is considered acceptable with regard to Sustainable Urban Drainage.

### **Sustainable Infrastructure conclusion**

- 617 Overall, the proposed development would achieve a reduction in carbon emissions in excess of those required over the 2013 Building Regulations; and subject to conditions is acceptable with regard to Energy and Carbon Emission reduction.
- 618 Furthermore, subject to conditions as outlined above, the proposed development is acceptable with regard to Flood Risk and Sustainable Urban Drainage.

## **6.10 NATURAL ENVIRONMENT**

### *General Policy*

- 619 Contributing to conserving and enhancing the natural environment and reducing pollution is a core principle for planning.
- 620 The NPPF and NPPG promote the conservation and enhancement of the natural environment (chapter 15) and set out several principles to support those objectives.
- 621 The NPPF at para 180 states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the sensitivity of the site or wider area to impacts that could arise from the development.
- 622 LPP G1 Green Infrastructure sets out the Mayor of London's vision for Green Infrastructure as a multifunctional network that brings a wide range of benefits including among other things biodiversity, adapting to climate change, water management and individual and community health and well-being.

### **Ecology and biodiversity**

#### *Policy*

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- 623 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard to the purpose of conserving biodiversity.
- 624 NPPF para 174 states decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 625 NPPF para 180 sets out principles which LPAs should apply when determining applications in respect of biodiversity.
- 626 CSP 12 seeks to preserve or enhance local biodiversity.
- 627 DMP 24 require all new development to take full account of biodiversity in development design, ensuring the delivery of benefits and minimising of potential impacts on biodiversity.

*Discussion*

- 628 The existing use of the site is industrial use comprising a single linear industrial structure and shipping containers. The unit occupies the southern area of the Site with the remainder covered in hard standing. The site does not fall within or adjacent to any statutory designated areas. The nearest designation is the Sue Godfrey Local Nature Reserve (LNR) approximately 1.4km southeast. There are no other statutory designations within 2km of the site.
- 629 In terms of non-statutory designations, there are nine Sites of Nature Conservation Importance (SINCs) within 2km of the site. Those closest to site are listed in the table below. The nearest SINC is located approximately 40m to the south of the site and effectively comprises railway embankments.

**Figure 20: SINC's in Proximity to Application Site**

<b>SINC</b>	<b>Distance from Site (Approx)</b>	<b>Designation Level</b>	<b>Reason for Designation</b>
New Cross / New Cross Gate rail sides	40m to south.	Site of Borough Importance (Grade II).	A wooded railway cutting linking two sites.
Folkestone Gardens	20m to south.	Site of local importance.	Landscaped park with large pond which supports a range of insect, and chaffinches (which are rare in Lewisham).
Senegal Railway Embankments	300m east of site	Site of Borough Importance (Grade II).	Railway embankments with significant woodland areas

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			and a vital green corridor.
Bridgehouse Meadows.	440m south of site.	Site of Local Importance.	A park with flowery meadows and areas of dense shrub.
Rainsborough Avenue Embankments.	510m north-west of site.	Site of Local Importance.	Former railway embankments with birch woodland, scrub and flower-rich acid grassland.
Sayes Court Park	750m east of site.	Site of Local Importance.	Park with fine trees including an ancient black mulberry and flower-rich acid grassland.

- 630 It is considered the application site has negligible ecological value due to it being dominated by industrial buildings and extensive hardstanding. The site only has four minor trees on it and no other significant vegetation. The trees are not considered to be significant in terms of ecological value. Previous surveys of the locality indicate the waste transfer function of the site and its existing buildings are considered to have negligible potential for roosting bats and the site location and habitats provide negligible bat foraging or commuting potential. Given the lack of suitable habitat and its location, the site is not considered to be constrained by other protected species that could feasibly occur, such as common reptiles and great crested newt.
- 631 Folkestone Gardens, is located to the south-east of the site but is separated from the site by a busy road and is not considered to be directly impacted. However, indirect impacts resulting on potential increase of residential use are possible – a financial obligation towards improvements to children’s play facilities would be secured by S106.
- 632 A range of ecological initiatives are proposed across the landscape scheme and would accord with the intentions of the Lewisham Biodiversity Action Plan (LBAP).
- 633 The key ecological features proposed in the scheme are:
- Wildlife-friendly landscaping, including native trees, native shrubs and herbaceous planting. Native tree and shrub planting would include species such as field maple, hornbeam, wild cherry, rowan, dog rose, hazel, elm Ulmus ‘New Horizon’, hawthorn, blackthorn, European pear, small-leaved lime and silver birch.
  - Provision of green and brown roofs. These would be enhanced with features such as log piles, rock piles, sandy piles and ephemeral wetlands.
  - Bird boxes targeting house sparrow, swift, and black redstart birds.

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- Bat boxes, targeting crevice dwelling species.
- Invertebrate habitat features in the form of habitat panels, bee bricks and bug hotels within landscaping areas and biodiverse roofs.

- 634 Full details of all ecological mitigation measures are proposed to be secured by condition.
- 635 Full details of landscaping and species selection is also recommended to be captured by condition to ensure native species are promoted (as proposed) and that species selection promotes biodiversity across the application site and wider area. Also relevant to promotion of biodiversity on site, it is recommended that a lighting strategy be captured by condition.
- 636 Given that Folkestone Gardens is to the south of the site and separated by the road then it is considered that no adverse impact would result to its ecological habitat as a consequence of the proposed development in terms of overshadowing.
- 637 Subject to the above, the application is acceptable with regard to ecology and biodiversity.

### **Green spaces and trees**

#### *Policy*

- 638 S.197 of the Town and Country Planning Act gives LPAs specific duties in respect of trees.
- 639 NPPF para 174 expects development to contribute to and enhance the natural and local environment.
- 640 LPP G7 expects development proposals to ensure that, wherever possible, existing trees of value are retained. Where it is necessary to remove trees, adequate replacement is expected based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or other appropriate valuation system.
- 641 CSP 12 seeks to protect trees and prevent the loss of trees of amenity value, with replacements where loss does occur.
- 642 DMP 25 states that development schemes should not result in an unacceptable loss of trees, especially those that make a significant contribution to the character or appearance of an area, unless they are considered dangerous to the public by an approved Arboriculture Survey. Where trees are removed as part of new development, replacement planting will normally be required. New or replacement species should be selected to avoid the risk of decline or death arising from increases in non-native pests and diseases.

#### *Discussion*

- 643 The application was submitted with an arboriculture Report prepared by Tim Moya Associates.
- 644 The report identifies a total of four trees within the application site and these would be removed to facilitate the proposed development. These are located near to the existing

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vehicle access to the site and are a Sycamore tree (T27), and three 'Buddleia' trees (G2-G4) in a group. The trees are all category 'C' trees.

- 645 There are several trees on the highway beyond the application site, but these are intended to be retained and would not be lopped or pruned to facilitate the development. Given the off-site location of the trees, and their location in relation to the proposed development, as well as the existing buildings and uses on the application site, it is unlikely that these trees would be unreasonably impacted by the proposed development. The submitted arboriculture Plan includes a Tree Protection Plan would assist to protect the trees during construction works and its implementation can be further secured by Condition.
- 646 With regard to new tree planting, a total of thirty-three trees are proposed, twenty-five at ground level and eight trees (indicatively) at roof level. Thereby, there would be a net gain of twenty-nine trees from the proposed development.
- 647 This would provide a significant improvement over the poor provision of the trees on the existing side and, in conjunction with other soft landscaping to the site, it would greatly enhance the overall visual amenity of the site at street level. Full details of all hard and soft landscaping would be secured by condition.
- 648 Subject to the above, the application is acceptable with regard to impact on trees.

## **Ground pollution**

### *Policy*

- 649 Failing to deal adequately with contamination could cause harm to human health, property and the wider environment (NPPG, 2014). The NPPF at para 170 states decisions should among other things prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil pollution. Development should help to improve local environmental conditions.
- 650 The NPPF states decisions should contribute to and enhance the natural and local environment by remediating and mitigating contaminated land, where appropriate (para 174). Further, the NPPF at para 183 and NPPG states decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination.
- 651 Contaminated land is statutorily defined under Part 2A of the Environmental Protection Act 1990 (EPA). The regime under Part 2A does not take into account future uses which need a specific grant of planning permission. To ensure a site is suitable for its new use and to prevent unacceptable risk from pollution, the implications of contamination for a new development is considered by the LPA.
- 652 The test is that after remediation, land should not be capable of being determined as "contaminated land" under Part 2A of the EPA.
- 653 If there is a reason to believe contamination could be an issue, developers should provide proportionate but sufficient site investigation information (a risk assessment) to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors') so that these risks can be assessed and satisfactorily reduced to an acceptable level. Defra has published a policy companion

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document considering the use of 'Category 4 Screening Levels' in providing a simple test for deciding when land is suitable for use and definitely not contaminated land. A risk assessment of land affected by contamination should inform an Environmental Impact Assessment if one is required.

- 654 The risk assessment should also identify the potential sources, pathways and receptors ('pollutant linkages') and evaluate the risks. This information will enable the local planning authority to determine whether furthermore detailed investigation is required, or whether any proposed remediation is satisfactory
- 655 At this stage, an applicant may be required to provide at least the report of a desk study and site walk-over. This may be sufficient to develop a conceptual model of the source of contamination, the pathways by which it might reach vulnerable receptors and options to show how the identified pollutant linkages can be broken.
- 656 Unless this initial assessment clearly demonstrates that the risk from contamination can be satisfactorily reduced to an acceptable level, further site investigations and risk assessment will be needed before the application can be determined. Further guidance can be found on the Environment Agency website.

#### *Discussion*

- 657 The application has been submitted with a Geo-Environmental & Geotechnical Assessment (Ground Investigation) by Jomas Associates Limited.
- 658 The Environment Agency and the Council's Environmental Protection Officer have reviewed the report as submitted by the applicant and have no objections to the proposed development subject to a planning condition securing a full desktop study and site assessment, site investigation report and closure report including verification details have been submitted to and approved by the local planning authority.
- 659 The Environment Agency have recommended Conditions in relation to remediation being agreed at each phase of the proposed development and for associated verification reports to be approved, and to restrict Piling being undertaken without the prior consent of the Council.
- 660 Subject to the above, the proposed development is acceptable with regard to ground pollution.

#### **Air pollution**

- 661 NPPF para 174 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. Proposals should be designed and built to improve local air quality and reduce the extent to which the public are exposed to poor air quality. Poor air quality affects people's living conditions in terms of health and well-being. People such as children or older people are particularly vulnerable.
- 662 LPP SI 1 Improving air quality states that 1 Development proposals should not:
- a) lead to further deterioration of existing poor air quality.

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b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits.

c) create unacceptable risk of high levels of exposure to poor air quality.

663 CSP 7 reflects the London Plan. CSP 9 seeks to improve local air quality.

664 DMP 23 sets out the required information to support application that might be affected by, or affect, air quality.

665 Further guidance is given in the Mayor of London's Air Quality Strategy.

#### *Discussion*

666 This development falls within an Air Quality Management Area (AQMA). An AQMA is declared where it appears that any air quality standards or objectives are not being achieved or are unlikely to be achieved within the relevant period, the local authority has to identify any parts of its area in which it appears that those standards or objectives are not likely to be achieved within the relevant period.

667 The application has been submitted with an Air Quality Assessment indicating that the proposed development would achieve the London Plan target of being 'Air Quality Neutral'.

668 There needs to therefore be a proportionate cost towards the management of air quality and where development increases the number of people being exposed to poor air quality and/or increases transport trips to and from the area then costs towards management is important.

669 The Council has an existing air quality monitoring network, which allows for verification and validation of air quality prediction models. This is important for assessing the affects and changes to transport schemes and other actions being introduced that are aimed to improve the air quality in the Borough and within the development area. It also is introducing air quality actions within the area, which need to be funded.

670 There are also construction management responsibilities that the Environmental Protection Team have, these consist of monitoring and on-site meetings with the Contractors in order to check compliance with the Council's 'Good Practice Guide – Control of pollution and noise from demolition and construction sites'.

671 In that respect the developer would be required to provide an Air Quality neutral contribution at £100/per residential unit and £100/per 100 sqm industrial. Therefore, there would need to be a £6,000 costs towards these expenses.

672 The Air Quality Assessment has also assessed the potential impact on local air quality from demolition and construction activities at the site and appropriate mitigation set out. The site is considered a "Medium Risk Site" overall, therefore, a Construction Management Plan and Dust Management Plan in relation to the proposed development should be submitted and all the measures recommended for Medium Risk Site contained in Appendix 7 of the Mayor's SPG.

673 Any plan should pay particular attention to measures to prevent deposition of mud on the highway; dust mitigation and suppression measures to control the spread of dust from

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demolition, disposal and construction, and measures to minimise the impact of construction activities.

- 674 Subject to the above being secured by condition and legal agreement, the proposed development would be acceptable with regard to air quality.

### **Water quality**

#### *Policy*

- 675 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 water pollution or. Development should, wherever possible, help to improve local environmental conditions such as water quality, taking into account relevant information such as river basin management plans.

#### *Discussion*

- 676 Given the nature of the proposed development, a residential led mixed-use scheme, the proposals are not considered to give rise to potential unacceptable impacts on water quality.
- 677 Thames Water have been consulted on the proposed application and have raised no objections with regard to water quality.

### **Wind & Microclimate**

#### *Policy*

- 678 LPP D3 Optimising site capacity through the design-led approach emphasises the importance of creating a comfortable pedestrian environment with regard to levels of sunlight, shade, wind, and shelter from precipitation.
- 679 LPP D8 Public Realm states that consideration should also be given to the local microclimate created by buildings, and the impact of service entrances and facades on the public realm.

#### *Discussion*

- 680 The application has been submitted with a Wind and Microclimate Analysis Report prepared by GIA chartered consultants.
- 681 This report assesses the likely effects of the proposed development on the local wind conditions. The analysis used Computational Fluid Dynamic (CFD) modelling to predict what effect the proposed development will have on wind conditions and relates the findings to industry standards on pedestrian comfort. The results are based on the local weather data details.
- 682 The Microclimate conditions were established using a high resolution CFD model, extending 400m radius from the Site and included a cumulative assessment.
- 683 The results of the microclimate assessment demonstrate that no wind safety risks are associated with the proposed development in the proposed and cumulative development scenarios at ground level and at the elevated levels.

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- 684 Wind conditions will be suitable for the level 10 and 26 terraces, and all proposed balconies of the proposed built form.
- 685 Within a 400m radius of the site wind conditions will also be suitable for use for all thoroughfares, existing building entrances, proposed entrances, bus stops, and Folkestone Gardens.
- 686 As such, the proposed development is considered acceptable with regard to wind and microclimate.

## **Waste and Circular Economy**

### *Policy*

- 687 LPP SI7 states resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to:
- 1) promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible.
  - 2) encourage waste minimisation and waste prevention through the reuse of materials and using fewer resources in the production and distribution of products
  - 3) ensure that there is zero biodegradable or recyclable waste to landfill by 2026
  - 4) meet or exceed the municipal waste recycling target of 65 per cent by 2030
  - 5) meet or exceed the targets for each of the following waste and material streams:
    - a) construction and demolition – 95 per cent reuse/recycling/recovery
    - b) excavation – 95 per cent beneficial use
  - 6) design developments with adequate, flexible, and easily accessible storage space and collection systems.
- 688 CSP 8 Sustainable Design and Construction states the Council is committed to prioritising the reduction of the environmental impact of all new developments, with a focus on minimising the overall carbon dioxide emissions of the development while improving sustainability aspects through sustainable design and construction, to meet the highest feasible environmental standards during design, construction and occupation.
- 689 The Policy requires the submission of a Sustainability Statement and Energy Statement that show how the requirements of London Plan policy and the London Plan SPG Sustainable Design and Construction, or any subsequent document, are met and demonstrate what steps have been taken to minimise the environmental impacts of the proposed development.

### *Discussion*

- 690 The application was submitted with a Circular Economy Statement which considers resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal.

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691 The statement sets the following strategic targets for the proposed development:

692 **Figure 21: Strategic Targets for Circular Economy**

Aspect	Phase / Building / Area	Steering Approach	Target
Circular Economy Approach for Existing Site	Existing building on site	Demolish and Recycle	95% diversion from landfill at end of life
Circular Economy Approach for the New Development.	Residential Development	Longevity	95% diversion from landfill at end of life
	Commercial Development	Adaptability	95% diversion from landfill at end of life
Circular Economy Approach to Municipal Waste during operation	Residential Municipal Waste	Recycle	65% diversion from land fill.

693 The strategic targets and key commitments as outlined within the Circular Economy Statement accord with the requirements of the London Plan. A condition would be imposed requiring details of performance and monitoring against these strategic targets and key commitments to be agreed with the Local Planning Authority prior to commencement.

694 Given the above, the proposed development is in accordance with the aims and objectives of the London and Local Plan, and acceptable with regard to waste and circular economy.

## 6.11 PUBLIC HEALTH, WELL-BEING AND SAFETY

### *General Policy*

695 The NPPF and NPPG promote healthy communities. Decisions should take into account and support the health and well-being of all sections of the community. The NPPG recognises the built and natural environments are major determinants of health and wellbeing. Further links to planning and health are found throughout the whole of the NPPF. Key areas include the core planning principles (para 15) and the policies on transport (chapter 9), high quality homes (chapter 5), good design (chapter 12), climate change (chapter 14) and the natural environment (chapter 15).

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- 696 The NPPG sets out a range of issues that could in respect of health and healthcare infrastructure, include how development proposals can support strong, vibrant and healthy communities. Development, where appropriate, should encourage active healthy lifestyles that are made easy through the pattern of development, good urban design, good access to local services and facilities; green open space and safe places for active play and food growing, and is accessible by walking and cycling and public transport. The creation of healthy living environments for people of all ages can support social interaction.
- 697 Para 126 Good design create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 698 LPP D1 Safety, Security and Resilience states that boroughs should work to maintain a safe and secure environment and reduce the fear of crime.

### **Public health and well-being**

#### *Discussion*

- 699 The application has been designed with outdoor amenity space to the roofs of both the 10 storey and 26 storey blocks and further outdoor amenity at ground level which would provide a multifunctional public realm facilitating opportunities for a range of activities from fitness, relaxation, to spaces for socialising which would be available for people of all age ranges.
- 700 The proposed development is considered to deliver a high quality of design, which is inclusive, promotes health and wellbeing as well as community cohesion with all communal amenity areas (both student and residential) being equally accessible to all tenures.
- 701 When considered in the emerging context of the area, the development presents good access to local services and facilities; green open space and safe places for active play and food growing, and is accessible by walking and cycling, with further improvements to walking and cycling connections planned. The public transport connections for the site are at the lower end of the accessibility scale but it is acknowledged that this would improve with the delivery of the nearby new overground station at Surrey Canal Road and improvements to local bus services.
- 702 Given the above, the proposed scheme is considered acceptable with regard to public health and wellbeing.

### **Public safety**

#### *Policy*

- 703 Para 130 Good design create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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- 704 Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.
- 705 LLP D10 states measures to design out crime should be integral to the proposals, taking into account the principles of the Secured by Design scheme. Development should maintain a safe and secure environment and reduce the fear of crime.
- 706 CSP 15 requires development to minimise crime and the fear of crime.

#### *Discussion*

- 707 The current proposal has been assessed by the Metropolitan Police Designing Out Crime Officer who has stated made the following comments with regard to the proposed development:
- 708 The Officer noted the scheme could be improved with regard to the layout of the basement areas which were initially laid out to allow access for all three functions, residential, student, and commercial use and had large bicycle storage areas. The applicant consequently amended the layout of the basement areas to separate the three functions, residents, students and those working within the commercial units and to provide smaller bicycle storage areas.
- 709 The Officer also requested that the development uses the Secured by Design principles and standards in respect of the security of each property. This is alongside continued consultation throughout the design and build of this development with the Southeast Designing Out Crime Office to ensure that Secured by Design standards are implemented correctly.
- 710 A planning Condition to that effect would ensure the development would incorporate security measures to minimise the risk of crime and anti-social behaviour and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design.

## **7 LOCAL FINANCE CONSIDERATIONS**

- 711 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).
- 712 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 713 The CIL is therefore a material consideration.
- 714 £1,802,260 Lewisham CIL and £1,392,900 MCIL is estimated to be payable on this application, subject to any valid applications for relief or exemption, and the applicant

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has completed the relevant form. This would be confirmed at a later date in a Liability Notice.

## 8 EQUALITIES CONSIDERATIONS

715 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.

716 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.

717 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.

718 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>

719 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

720 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

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at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>

721 The scheme would include residential and PBSA units suitable for use by disabled persons, level access thresholds, and provision for disabled parking. The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no impact on equality.

## 9 HUMAN RIGHTS IMPLICATIONS

722 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

723 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.

724 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.

725 This application has the legitimate aim of providing a new building with employment, and flexible retail/community, and residential uses. The rights potentially engaged by this application are not considered to be unlawfully interfered with by this proposal.

## 10 LEGAL AGREEMENT

726 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

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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.

727 Regulation 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.

728 The following obligations and / or contributions are sought:

- 42 C3 affordable housing units (30 London Affordable Rent Units; 12 Intermediate Units.
- 81 affordable student units.
- Wheelchair accessible homes to meet M4(3): 10% of C3 and 10% of PBSA. All remaining C3 and PBSA units to meet M4(2).
- Location – plot plans for the affordable units to be secured.
- Timing of delivery – 100% of affordable units (student and residential) shall be practicably completed and ready for occupation before occupation of more than 75% of the market student accommodation.
- Review mechanism – Early-stage review (Upon substantial implementation - completion of basement works - if the planning permission has not been implemented within two years).
- Access of occupiers of Affordable Housing to the communal roof terraces on Levels 10 and 26 in both Blocks shall be on equal terms.

#### *Student Housing*

- Nomination agreement with local higher education institution.
- Access of occupiers of affordable and market student accommodation to the study area, lounge / games area and communal roof terrace at level 02 shall be on equal terms.
- Student Management Plan.
- Require all reasonable endeavours to promote pepper potting of the affordable student rent units amongst the student rent units, following liaison with Educational Institutions/Student Housing Providers and submission made to the Council for approval.

729 *Transport and Public Realm*

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- Widening of pavement outside of site by 1m (from 2.4m to 3.4m) to facilitate improved pedestrian and cycling environment.
- New pedestrian/cycle toucan traffic-signals outside of site.
- Copenhagen Crossing across vehicle access of site.
- Financial contribution of £300,000 towards active travel environment (with some of it used potentially to fund a nearby cycle docking station). The amount is disputed by applicant.
- Financial contribution of £1,173,843.33 towards implementation of proposed Surrey Canal London Overground station. The amount is disputed by applicant.
- Financial contribution of £549,000 towards bus service enhancements. The amount is disputed by applicant.
- A Parking Management Plan outlining how informal parking (i.e. in the public realm, and service yard) will be enforced.
- Travel Plan for all uses.
- Car Club Strategy.
- Restriction of residential parking permits in CPZ.

#### *Employment & Training*

- Local labour and business contribution of £43,460 prior to commencement.
- A Local Labour and Business Strategy to be submitted to and agreed with the Council's Economic Development Officer prior to the commencement (including demolition) of development.

#### *Energy Strategy*

- Carbon offset contribution of £111,688.
- Connection to SELCHP.
- Alternative carbon offset contribution (amount to be confirmed) where connection to SELCHP is not established.

#### *Industrial Use*

- Ensure that the industrial units are retained within E(g)(iii)/B2/B8 use classes in perpetuity.
- Affordable workspace – 10% of commercial floorspace.
- Developer to undertake initial fit-out of the industrial unit prior to occupation of more than 50% of the student and residential units to include:
  - Service connections for gas, electricity, water and foul drainage;
  - Provision for telecommunication services and broadband services.
  - Wall and ceiling finishes;
  - Wheelchair accessible entrances;

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- Screed floors;
- Glazing solution.

#### *Playspace*

- Financial contribution towards off-site play facilities - £60,600.

#### *Air Quality*

- Air Quality neutral contribution - £6,000.

#### *Monitoring and Costs*

730 Meeting the Council's reasonable costs in preparing and monitoring the legal obligations.

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

## **11 CONCLUSION**

732 This application has been considered in the light of policies set out in the development plan and other material considerations as required by Section 38(6) of the Planning and Compulsory Purchase Act.

733 The proposals have been developed in the context of pre-application consultation with Council Officers, and the Greater London Authority. The applicant has also undertaken pre-application consultation in relation to the proposed development.

734 The proposals represent an opportunity to regenerate this underutilised part of New Cross, to provide a high-quality development on a sustainably located site, which benefits from a favourable location on the fringe of the SIL designation adjacent existing residential development and a large open space, as well a site allocation within the draft Local Plan for redevelopment.

735 The proposed development represents a significant uplift of employment floorspace and uses on the site.

736 The proposed scheme has also been sensitively designed in order to maintain the functionality of the surrounding uses and work compatibly with the residential and student accommodation uses also proposed on-site. It is also envisaged that the proposals would sustain the employment function of the site. The proposed employment floorspace will generate an estimated 38 full-time jobs, which is a 60% uplift in comparison to the estimated number of jobs on the existing site.

737 Whilst the land is currently designated as SIL, the proposed development has demonstrated that the employment use would be retained and intensified, as well as being compatible with the proposed residential use required by the agent of change principles, with compensatory SIL land having been identified by the draft new Local Plan.

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- 738 The proposal would provide a substantial quantum of residential units to help meet the Borough's housing needs. Notably, all 42 (100%) of the C3 residential units proposed would be within an affordable tenure with 30 London Affordable Rent (including 12no. 3-bedroom family units) and 12 Shared Ownership being proposed. This is a significant benefit to be weighed in the planning balance as the proposal would assist in addressing its housing need which is has substantially increased under the new London Plan housing targets.
- 739 The proposed development would assist in the delivery of 3,500 new PBSA bedspaces as required by the London Plan annually. The proposal comprises 484 bedspaces and therefore would contribute to achieving the London-wide target for PBSA. The student bedspaces would be provided at 35% affordable (81 units) presenting a significant planning benefit in this regard.
- 740 Overall, the proposed development would provide 35% affordable (by habitable rooms and on an NIA basis) and therefore qualifies the scheme for the GLA fast track viability route.
- 741 The proposal reflects the principles of the highest quality design, ensuring an exemplary built environment for visitors and residents. The favourable location and emerging built context surrounding the application site supports a high-density scheme. The officer assessment has identified some impacts upon occupants of neighbouring residential properties in relation to loss of light. However, on balance the benefits and planning merits of the scheme are considered to substantially outweigh any harm identified.
- 742 The proposed development would also result in the delivery of significant public realm enhancements, specifically through widening and improving the quality of the existing constrained footway in this location. The existing highway outside of the site would also benefit from a signal-controlled Toucan crossing to enhance pedestrian and cycle safety. Additionally, a financial contribution would be secured to improve existing play facilities in the area.
- 743 In conclusion, the proposed development is considered to be in accordance with the relevant national planning policy guidance and development plan policies. The proposals are wholly sustainable development in accordance with the NPPF and will make an important contribution to the borough, in respect of housing supply and importantly retaining and increasing the employment capacity at the site. The proposals are therefore considered to be both appropriate and beneficial. Therefore, on balance, any harm arising from the proposed development is considered to be significantly outweighed by the benefits listed above.

## 12 RECOMMENDATIONS

### RECOMMENDATION A

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

### RECOMMENDATION B

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- 2 Subject to no direction being received from the Mayor of London, to authorise officers to negotiate and complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the principal matters outlined in Section 11 above including such other amendments as considered appropriate to ensure the acceptable implementation of the development.

### **RECOMMENDATION C**

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

## **CONDITIONS**

- 1) Full Planning Permission Time Limit

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

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

- 2) Drawing Numbers

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

PL001 P01 ; PL010 P01 ; PL011 P01 ; PL012 P01 ; PL020 P00 ; PL070 P01 ; PL080 P02 ; PL099 P03 ; PL100 P02 ; PL101 P02 ; PL102 P02 ; PL103 P02 ; PL108 P02 ; PL110 P01 ; PL118 P01 ; PL125 P01 ; PL126 P01 ; PL140 P01 ; PL200 P04 ; PL201 P04 ; PL202 P04 ; PL203 P03 ; PL204 P04 ; PL205 P04 ; PL300 P01 ; PL301 P01 ; PL302 P01 ; PL400 P00 ; PL401 P00 ; PL402 P00 ; PL403 P01 ; PL404 P00 ; PL405 P00 ; PL406 P00 ; PL407 P00 ; PL408 P00 ; PL409 P00 ; PL410 P01 ; PL411 P00 ; PL450 P01 ; PL451 P00 ; PL452 P00 ; 100M P01.

**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) Approved Quantum

The development shall be implemented in accordance with the following approved details:

- 1786 sqm flexible commercial floorspace (light industrial floorspace – Use Class E(g));
- 100 sqm flexible retail/ community floorspace (Use Class E(a) / F1/ F2)
- 42 residential units (Use Class C3);
- 484 purpose-built student accommodation bedspaces (Use Class Sui Generis);
- 2no. buildings: 26 storeys and 10 storeys

**Reason:** To ensure that the development is implemented as approved and is acceptable to the local planning authority.

- 4) Materials

No development above ground level shall take place until a detailed schedule of external facing materials has been submitted to and approved in writing by the local planning authority. Once approved the development shall be carried out in complete accordance with the specified details and shall be retained as such for so long as the development remains in existence.

**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

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

5) Soft Landscaping and Boundary Treatment

a) A scheme of soft landscaping and boundary treatment at ground level (and to roof terraces), including details of proposed plant numbers, tree planting, species, location and size of trees and tree pits, and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to development above ground level.

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

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

6) Hard Landscaping (excluding Section 278 works)

a) No development above ground level shall take place until detailed design proposals for hard landscaping have been submitted to the local planning authority for their approval. Once approved the development shall be carried out in complete accordance with the specified details and shall be retained as such for so long as the development remains in existence.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policy 15 High quality design for Lewisham of the Lewisham Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character; and Policies SI 12 Flood risk management and SI 13 Sustainable drainage of the London Plan (March 2021).

7) Children's Play Equipment

(a) Prior to occupation of the development hereby granted, details of the proposed children's play equipment shall be submitted to and approved in writing by the local planning authority.

(b) All children's play equipment will be installed in accordance with the information approved under (a) and retained and maintained for so long as the development is in existence.

**Reason:** In order to ensure adequate and appropriate children's play equipment is provided in accordance with Policy S4 of the London Plan (March 2021) .

8) Construction Logistics Plan

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

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

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

(c) Provide full details of the following:

- Siting of hoarding lines;
- Location of site access gates (both vehicular and pedestrian);
- Location of on-site parking;
- Location of loading area and any waiting/holding area;
- Location allocated for site compound, storage and welfare;
- Vehicle route through the site;
- Swept path analysis of the proposed access/egress route to/from the site;
- Details of the size/type and number of vehicles accessing the site

(d) Measures to ensure a safe environment for pedestrians and cyclists using surrounding streets during the construction phase;

(e) How the construction phasing of committed developments in the vicinity of the site will be taken into consideration

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 and Policy SI 1 Improving air quality of the London Plan (March 2021).

9) Construction Environmental Management Plan

Prior to the commencement of above ground works, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover:

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

The works shall only be carried out in accordance with the approved plan agreed under Parts (a – h) of this condition.

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy T7

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Deliveries, servicing and construction and Policy SI 1 Improving air quality of the London Plan (March 2021).

#### 10) Non-Road Mobile Machinery

An inventory of all Non-Road Mobile Machinery (NRMM) shall be kept on-site and registered on <http://nrmm.London/> showing the emission limits for all equipment and shall be made available at the local planning authority's offices if required by the local planning authority.

**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 T4 Assessing and mitigating transport impacts, Policy T7 Deliveries, servicing and construction and Policy SI 1 Improving air quality of the London Plan (2021).

#### 11) Site Contamination

##### **Remediation Strategy**

Prior to each phase of development (including demolition of existing buildings and structures, except where prior approval agreement with the local planning authority for site investigation enabling works has been received) approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

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

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

##### **Verification Report**

Prior to each phase of development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the

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effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

**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).

#### 12) Thames Water (Water)

Prior to the first occupation of the development the developer shall provide written evidence that either:

a) All water network upgrades required to accommodate the additional flows to serve the development has been completed; or –

b) A development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

**Reason:** The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development in accordance with Policy SI5 of the London Plan (March 2021).

#### 13) Secured by Design

Prior to the commencement of above ground development, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers. Once approved the development shall be carried out in complete accordance with the specified details and shall be retained as such for so long as the development remains in existence.

**Reason:** In order to ensure that the development is safe, secure and appropriately accessible in accordance with London Plan Policy D11 Safety, security and resilience to emergency (March 2021).

#### 14) Opening Hours

The flexible retail/community use hereby approved shall not be used for customer/visitor use other than between the hours of 07.00 and 22.00 on any day of the week.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with Paragraph 120 of the National Planning Policy Framework, DM Policy 26 Noise and Vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014)

#### 15) Fire Statement

No development (excluding demolition and enabling works) above ground floor shall commence until the following has been submitted to and approved in writing by the LPA:

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(a) a detailed swept path analysis including proposed landscaping to demonstrate a fire engine can suitably access the relevant block(s); and

(b) an updated Fire Statement that shows appropriate locations of fire hydrants within and adjacent to the relevant block(s).

Once approved the development shall comply with the details approved under (a) and (b) for so long as the development is in existence.

**Reason:** To ensure that the risk of fire is appropriately addressed in the proposed development, in accordance with the London Plan Policy D12.

16) Flexible Retail / Community Use Frontage Design

The development shall not be occupied until plans, elevations and sectional details at a scale of 1:10 or 1:20 showing the proposed frontages to the flexible retail / community use unit has been submitted to and approved in writing by the local planning authority. Once approved the development shall be carried out in complete accordance with the specified details and shall be retained as such for so long as the development remains in existence.

**Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Lewisham Core Strategy (June 2011).

17) Fire Statement

The actionable measures of the submitted Fire Statements: (i) HSE Fire Statement Version 0 18 January 2023 – FS 001.1; (ii) London Plan Fire Statement Version 0 18 January 2023 – FS 002.1 shall be implemented as specified/appropriate prior to the first occupation of the development and shall be retained as such as appropriate for so long as the development is in existence.

**Reason:** To ensure that the risk of fire is appropriately addressed in the proposed development, in accordance with the London Plan Policy D12.

18) Photo Voltaic Panels

Unless otherwise agreed in writing by the Local Planning Authority, the PV panel array shall be installed as per the approved details outlined in drawing number PL140 and the submitted Energy and Sustainability Assessment dated 26 January 2023 hereby approved prior to the first occupation of the development. Once installed the PV panel array shall be retained as such for so long as the development is in existence.

**Reason:** To promote sustainable forms of energy and to minimise carbon emissions in accordance with Core Strategy Policy 8 and Policy SI 2 Minimising greenhouse gas emissions and Policy SI 3 Energy infrastructure of the London Plan (March 2021).

19) Energy Strategy

The proposed development shall be carried out in accordance with the actionable measures of the Energy Strategy Report prepared by Applied Energy dated 26 January 2023 prior to the first occupation of the development. Once implemented the actionable measures shall be retained as specified and as appropriate for so long as the development is in existence.

**Reason:** To promote sustainable forms of energy and to minimise carbon emissions in accordance with Core Strategy Policy 8 and Policy SI 2 Minimising greenhouse gas emissions and Policy SI 3 Energy infrastructure of the London Plan (March 2021).

20) Living Roof Details

a) Prior to the first occupation of the development the biodiversity living roof shall be laid out in accordance with drawing number PL140 and in accordance with the submitted details therein of the Landscape Statement for Planning prepared by BJD Architects dated 18

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January 2023. Once implemented the biodiversity living roof shall be retained as specified and as appropriate for so long as the development is in existence.

b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

**Reason:** To comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014), and policies G5 Urban greening, G6 Biodiversity and access to nature, SI 12 Flood risk management and SI 13 Sustainable drainage of the London Plan (March 2021)

#### 21) Piling Design

No development (except demolition) shall be commenced until a method statement for the foundation design for all buildings has been submitted to and approved by the Local Planning Authority, demonstrating that there is no resultant unacceptable risk to groundwater. The foundation works shall thereafter only be carried out in accordance with the agreed method statement, save to the extent that the Local Planning Authority approves any variation(s) to the approved statement.

Piling using penetrative methods shall not be carried out other than with the prior written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants, in line with the National Planning Policy Framework (NPPF) (Paragraph 174).

#### 22) Lighting Strategy

a) Prior to the first occupation of the development a detailed scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the Local Planning Authority.

b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.

c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

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

#### 23) Ecological Enhancements

Prior to the commencement of the development (above ground level) full details of the ecological enhancements to be provided as part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Once approved the details shall be implemented as specified and retained as such for so long as the development is in existence.

**Reason:** To comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011), DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014), and policies G5 Urban greening and G6 Biodiversity and access to nature of the London Plan (2021).

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24) Water Efficiency – New Dwellings

The sanitary fittings within each residential dwelling shall include low water use WCs, shower taps, baths and (where installed by the developer) white goods designed to comply with an average household water consumption of less than 105 litres/person/day.

**Reason:** In order to promote water efficiency in accordance with Policy SI 5 of the London Plan (March 2021).

25) Refuse Management Plan

Details for the on-site storage, disposal and collection of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority prior the first occupation of the development hereby approved. Once approved the details shall be implemented as specified and retained as such for so long as the development is in existence.

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

26) UXO

No demolition of structural elements of the existing buildings shall be carried out until an Unexploded Ordnance Threat Assessment has been completed, and (in the event that the Threat Assessment makes recommendations for further surveys and/or measures to protect the safety of the public, of future occupiers of the land and of workers on the site) then structural demolition shall be carried out fully in accordance with the recommendations of the Assessment(s). A copy of the assessment(s) shall be sent to the Local Planning Authority for their records.

**Reason:** To protect the safety of the public, of future occupiers of the land and of workers on the site and to comply with DM Policy 28 of the Development Management Local Plan (2014).

27) Whole Life-Cycle Carbon Assessment

Prior to the occupation of the development the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance. The post-construction assessment should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by the local planning authority, prior to occupation of the development.

**Reason:** In the interests of sustainable development and to maximise on-site carbon dioxide savings and to comply with Policy SI 2 of the London Plan (March 2021).

28) Whole Life Cycle Carbon

Prior to first occupation, the applicant will submit an updated Life cycle carbon assessment following the conclusions set out within the Whole Life-Cycle Carbon Emissions [Greengage, March 2023]. The development shall be carried out in accordance with the approved document and maintained thereafter.

**Reason:** To comply with Policy SI 2 of the London Plan (March 2021).

29) Circular Economy Statement Guidance

Prior to the occupation a post construction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance. The post-construction monitoring report shall be submitted to the GLA, currently via email at:

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circulareconomystatements@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the development.

**Reason:** In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with Policy SI 7 of the London Plan (March 2021)

30) Delivery and Servicing Management Plan

a) Prior to the first occupation of the development, a Delivery and Servicing Management Plan, including the proposed location of delivery and service areas, shall be submitted to and approved in writing by the local planning authority, to include details of how deliveries and servicing will be effectively managed at the development bays and any required changes to parking restrictions surrounding the development.

b) The development will be operated in accordance with the Delivery and Servicing Management Plan approved under clause (a) of this condition.

**Reason:** To accord with Policy 14 Sustainable movement and transport in the Lewisham Core Strategy (June 2011) and Policies T4 Assessing and mitigating transport impacts and T7 Deliveries, servicing and construction of the London Plan (March 2021).

31) Travel Plan – Residential and PBSA

(a) Prior to the first occupation of the residential units and the student accommodation a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' shall be 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).

32) Travel Plan – Employment Use

Prior to the first occupation of the employment use units a Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' shall be 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. 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.

**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).

33) Electric Vehicle Charging Points

Details of the number and/or location of electric vehicle charging points to be provided, and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to occupation. The electric vehicle charging points shall be implemented as specified and retained as such for so long as the development remains in existence.

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**Reason:** To reduce pollution emissions in an Area Quality Management Area in accordance with DM Policy 29 Car parking of the Development Management Local Plan (November 2014), and Policies SI 1 Improving air quality T6 Car parking and T6.1 Residential parking and Policy T7 Deliveries, servicing and construction of the London Plan (March 2021).

#### 34) Cycle Parking

- a) The long-stay cycle parking spaces hereby approved for the student accommodation (347 no.) and for the residential units (85 no.) and including the accessible spaces as shown on the approved plans, shall be implemented and made ready for use prior to the first occupation of the development.
- b) The long and short stay parking spaces hereby approved for the employment units (11 no.) and flexible retail/community unit as shown on the approved plans shall be implemented and made ready for use prior to occupation of the commercial units.
- c) The long-stay and short-stay cycle parking arrangements shall be maintained as installed and retained in perpetuity.

**Reason:** To accord with Policy 14 Sustainable movement and transport in the Lewisham Core Strategy (June 2011) and Policy T5 Cycling of the London Plan (March 2021).

#### 35) Heat Interface Unit Specification

- a) Prior to development above ground level the applicant shall provide details of a selected make and model of Heat Interface Unit (HIU) that has passed all the elements of the BESA UK HIU test have been submitted to and approved in writing by the local planning authority.
- b) The details shall include the commissioning of the HIU in accordance with CIBSE guidance CP1 and the published BESA UK HIU test results for the HIU make and model selected.
- c) The HIU shall be provided and installed in accordance with the approved details and maintained thereafter.

**Reason:** To comply with Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency and Policy SI 2 Minimising greenhouse gas emissions and Policy SI 3 Energy infrastructure of the London Plan (March 2021).

#### 36) Mechanical Ventilation System

Prior to first occupation of the development full details of the proposed mechanical ventilation strategy (MVS) shall be submitted to the Local Planning Authority for their approval, to include detailed drawings of venting locations on the elevations. Once approved, the MVS shall be implemented and retained as specified the approved details for so long as the development is in existence.

**Reason:** To ensure that the development is adequately vented to ensure a clean air supply in order to comply with DM Policy 23 Air Quality and London Plan Policy SI 1 Improving air quality and also to ensure that the visual impact of the venting system complies with Policy DM 30: Urban design and Local character of the Development Management Local Plan 2014.

#### 37) Details of Shopfront Security Shutters

Prior to the first occupation of the flexible retail/community unit full details of security shutters to be fitted to the shopfront (if required) shall be submitted to the Local Planning Authority for its written approval. Once approved the shutters shall be implemented and retained as specified for so long as the development is in existence.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Lewisham Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 19 Shopfronts.

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38) Noise Assessment

The proposed development shall be carried out in accordance with the following submitted documents:(i) Environmental Noise Assessment (report reference number ENA-22461-22-261 Rev 4) prepared by Idom Merebrook Ltd (dated January 2023); (ii) Agent of Change Assessment (report reference number AOC-22461-23-30 Rev 1) prepared by Idom Merebrook Ltd (dated January 2023). The building construction, glazing and mechanical ventilation shall be installed in accordance with the recommendations of the assessments.

**Reason:** To safeguard the amenities of the future occupants, adjoining premises and the area generally and to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014), and to meet the principles of London Plan Policy D12 Agent of Change.

39) Fixed Plant Noise Control

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

b) Development shall not commence above ground level 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 future occupants, adjoining premises and the area generally and to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

40) BREEAM (Commercial Units)

a) The non-residential units hereby approved shall achieve a minimum BREEAM Rating of 'Excellent'.

b) Prior to the first occupation of the non-residential units a Design Stage Certificate (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 6 months of occupation of any of the non-residential units, 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).

**Reason:** To comply with Lewisham Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011) and Policy SI 2 Minimising greenhouse gas emissions and Policy SI 3 Energy infrastructure of the London Plan (March 2021).

41) No External Plumbing or Pipes

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

42) Satellite Dishes and Antenna

Notwithstanding the Provisions of Article 4 (1) and part 25 of Schedule 2 of the Town and

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Country Planning (General Permitted Development) Order 2015, no satellite antenna shall be erected or installed on the building hereby approved. The proposed development shall have a central dish or aerial system (for each relevant block) for receiving all broadcasts for the residential units created: details of such a scheme shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any block, and the approved scheme shall be implemented and permanently retained thereafter.

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

#### 43) Art Strategy

Prior to the first occupation of the development, details of a public art strategy which includes a programme of engagement with the local community, shall be submitted to and approved in writing by the Local Planning Authority. Once approved the public art shall be implemented as specified and retained as such for so long as the development is in existence.

**Reason:** In order that the LPA 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).

#### 44) Retention of Amenity Spaces

The whole of the residential amenity space (including communal amenity spaces and balconies but excluding the amenity space to be provided in relation to the PBSA) shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

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

#### 45) Open Space Management and Maintenance Plan

a) An Open Space Management and Maintenance Plan shall be submitted to and approved in writing by the local planning authority prior to first occupation of the development hereby approved. This shall include details of management and maintenance responsibilities for all communal play spaces/communal terraces and other publicly accessible areas.

b) Once approved, these spaces shall be managed and maintained in accordance with the approved Plan.

**Reason:** To ensure that the podium amenity space and public realm landscaping areas are adequately managed in accordance with Policy 15 High quality design for Lewisham of the Lewisham Core Strategy (June 2011) and DM Policy 25 Landscaping and trees in the Development Management Local Plan (November 2014).

#### 46) Details of Drainage

Prior to the commencement of development above ground full details of a detailed drainage and Micro-drainage plan (including site-specific maintenance plan) shall be submitted to and approved in writing by the Local Planning Authority. Once approved the drainage shall be implemented as specified and retained as such for so long as the development is in existence.

**Reason:** In order to ensure that the development incorporates sustainable urban drainage systems in accordance with paragraph 169 of the NPPF, Core Strategy Policy 10 (June 2011) and Policies SI 12 Flood risk management and SI 13 Sustainable drainage of the London Plan (March 2021).

#### 47) Employment Use Units

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The employment use units shall be completed prior to the first occupation of the PBSA and C3 Residential Accommodation.

Reason – To ensure that the employment use of the site is not diminished in accordance with Policy E7(d) of the London Plan 2021.

## INFORMATIVES

### 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 discussions took place which resulted in further information being submitted.

#### 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/myservices/planning/apply-for-planningpermission/application-process/Pages/Community-Infrastructure-Levy.aspx>

#### c. Construction – Pollution and Noise

You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.

#### d. Piling

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Accordingly, it should be demonstrated that any proposed piling will not result in contamination of groundwater. If piling is proposed, a piling risk assessment must be submitted, written in accordance with the Environment Agency's guidance 'Piling and penetrative ground improvement methods on land affected by contamination: guidance on pollution prevention' (National Groundwater & Contaminated Land Centre report NC/99/73).

#### e. S106 Agreement

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

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[CIL@lewisham.gov.uk](mailto:CIL@lewisham.gov.uk).

f. Dust Management Plan:

- Must mitigate against negative impact on air quality and receptors in the vicinity of the development;
- Must detail the measures that will be taken to reduce the impacts on air quality during all construction phases
- Include a maintenance schedule of the dust mitigation measures;
- Undertake to carry out air quality monitoring before and during demolition and construction works (usually three months prior to commencement of any works on site). Parameters to be monitored, duration, locations and monitoring techniques must be approved in writing by Lewisham Council prior to commencement of monitoring.

And shall be in accordance with “The Control of Dust and Emissions during Construction and Demolition”, Mayor of London SPG 2014

g. Prior to Commencement Conditions

The applicant is advised that numerous conditions require details to be submitted prior to commencement to minimise disruption on the local highway and transport network, ensure minimum impact upon surrounding occupiers amenity and ensure safe de-contamination of the site.

h. London Overground Radio Communications

The applicant is advised that London Overground would seek contributions from the developer towards any equipment upgrade required to mitigate the adverse effects of this development on London Overground's radio communications, as shown by the Radio Survey.

i. Reflected Glare Assessment

The applicant is advised that London Overground may request the applicant conducts a reflected glare assessment to confirm there shall be no impact to railway operations during or after the completion of the Development.

j. London Overground Asset Protection Agreement

LO will require that the applicant enters into an Asset protection Agreement with LO to ensure that the development is carried out safely and include:

- Details of Demolition, Excavation and Construction Works
- Use of Vibro-compaction Machinery
- Erection of Scaffolding
- Use of Cranes or Other Lifting Equipment
- Debris and Equipment Management
- Radio Frequencies
- Radio Survey
- Lighting (London Overground)
- Building Elevation Maintenance

k. Internet

The applicant is advised that Approved Document R of the Building Regulations has a requirement for in-building physical infrastructure which enables copper or fibreoptic

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cables or wireless devices capable of delivering broadband speeds greater than 30Mbps to be installed.

**l. Cranes / London City Airport**

London City Airport The developer is advised to liaise with London City Airport to provide details and diagrams of all cranes to be used during construction works, clearly labelled with maximum operating heights, coordinate locations and radius/ jib length to ensure no impact on aviation operations and safety.

**m. Adverts/ Signage**

You are advised that advertisements relating to the proposed commercial uses would require separate permission.

## **13 BACKGROUND PAPERS**

- 744 1. Submission Drawings
- 745 2. Submission technical reports and documents
- 746 3. Internal consultee responses
- 747 4. Statutory consultee responses
- 748 5. Design review panel responses

## **14 REPORT AUTHOR AND CONTACT**

- 749 *Dean Gibson dean.gibson@lewisham.gov.uk*

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## Strategic Planning Committee

**Report title: Addendum Report: Apollo Business Centre, SE8.**

**Date: 12 October 2023**

**Key decision: No.**

**Class: Part 1**

**Ward(s) affected: Evelyn**

**Contributors: Dean Gibson**

### **Outline and recommendations**

This report sets out Officer's recommendation for the above planning application. The report has been brought before Strategic Planning Committee for a decision as there are 17 valid planning objections and the application pertains to a site of strategic importance.

The application is recommended for approval subject to planning conditions, completion of a s106 agreement, and Stage 2 approval by the GLA.

### Application details

<b>Application reference number:</b>	DC/23/130258
<b>Application Date:</b>	2 February 2023
<b>Applicant:</b>	Fosfel Apollo Limited
<b>Proposal:</b>	Mixed-use redevelopment of the site for a new building comprising part 10, part 26 storeys, including purpose built student accommodation and associated amenity space (Sui Generis), affordable residential (use class C3), light industrial use at ground and first floor levels (Use Class E(g)), and retail / community use (Use Class E(a) / F1 / F2) at ground floor level, together with associated landscaping, ancillary plant, servicing and associated enabling work at Apollo Business Centre, 158 Trundley's Road SE8.
<b>Background Papers:</b>	(1) Case File DC/23/130258 (2) National Planning Policy Framework (3) The London Plan (4) Local Development Framework Documents
<b>Designation:</b>	Strategic Industrial Location - Surrey Canal Area/Old Kent Road. Archaeological Priority Area. Creative Enterprise Zone. Air Quality Management Area. Flood Zone 3. Within 30m of electricity cable.
<b>Screening:</b>	Issued 14 December 2022 – EIA Not Required.

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# APOLLO BUSINESS CENTRE ADDENDUM REPORT

## 1.0 INTRODUCTION

1.1 This report has been prepared to provide minor updates to the Main Report with regard to application publicity (additional representations).

## 2.0 APPLICATION PUBLICITY

2.1 Paragraph 46 is updated to read:

2.2 In total 21 number responses were received, comprising 17 objections, 2 support and 2 comments. Subsequent to the publication of the SPC agenda 1 further objection (from a previous objector) was received and largely expanded on issues already raised. 1 further comment was also received.

### **Further Objection:**

2.3 The additional issues raised by the objector can be summarised as:

- Insufficient provision of amenity space / over dependence on the existing parks.
- Issues with PBSA: It benefits overseas students over social mobility of home students ; No affiliation to current university; generates high profits for developers and the profits will leave the area, the borough and the country ; no Council tax is generated; will remain empty if not let and will be converted to co-living accommodation; additional infrastructure costs will arise; money will go to Central London rather than locally.
- Works on development opposite (164-196 Trundley's Rd) have ceased therefore smaller scale should be considered to meet local need.

### *Discussion*

2.4 Details of amenity space for the proposed C3 accommodation and PBSA accommodation are discussed in paragraphs 307 – 316, and 319 of the Committee report.

2.5 Details of affiliation to specific universities is discussed in paragraphs 176 to 179 of the Committee report.

2.6 The issue raised regarding additional infrastructure costs is addressed by Section 7 and 10 of the Committee report which respectively detail the local finance considerations (i.e. Community Infrastructure Levy) and a legal agreement (i.e. planning obligations including financial contributions to mitigate the impacts of the development).

2.7 The PBSA issues raised regarding developer profit, Council tax, where students will spend money, and cessation of works on a nearby scheme are not material planning considerations.

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### **Further Comment:**

- 2.8 A late representation was received from the NHS London Healthy Urban Development Unit (HUDU) on behalf of the South East London Integrated Care Board (SEL ICB) and it requests a financial contribution of £484,830 towards mitigating the impacts on health infrastructure is secured via a legal agreement.

### *Discussion*

- 2.9 Officers are of the view that the contribution sought is not required to make the development acceptable in planning terms. Officers consider the development would make a substantial financial contribution to the Borough Community Infrastructure Level (CIL), which could potentially be directed towards additional public health (in addition to other areas such as education and community facilities) if this is considered to be a priority.
- 2.10 The Lewisham Local Plan: Infrastructure Delivery Framework Document will play an important role in assisting the Council to direct investment in line with the spatial strategy for the Borough, whilst ensuring there is appropriate provision of facilities, services and infrastructure to support sustainable development in Lewisham.

### **3.0 SUSTAINABLE DEVELOPMENT**

- 3.1 Paragraph 588 is updated to read (changes in bold text):

- The development **generally** follows the energy hierarchy, heating hierarchy and cooling hierarchy. **It is anticipated that** the development would connect to the SELCHP heat network as soon as it is available, which results in significant carbon reductions. Additionally, the PV system is the largest that the roof can accommodate. The development will further achieve 'zero carbon' through an offset payment in line with the London Plan guidance. **However, upon further review the GLA's energy Officers raise issues with the carbon factor used and further issues with the response and approach to the District Heat Network. A key concern is that the applicant is progressing with a heating strategy that could impact / prevent the feasibility of future connection. The matters in question are however items that are progressing in discussion with the GLA prior to Stage 2 consideration.**

- 3.2 Paragraph 589 is updated to read (changes in bold text):

- The proposal would meet the carbon reduction targets **subject to further discussion with the GLA's energy Officers** and would contribute towards sustainable development, subject to a condition securing the Photovoltaic Panels as well as and an obligation securing the carbon offset payment and as such is acceptable in this regard.

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#### 4.0 **RECOMMENDATIONS**

4.1 An additional recommendation is added, as below:

##### **RECOMMENDATION (D)**

4. If a satisfactory legal agreement has not been entered into by **12 June 2024**, it is recommended that authority be delegated to the Director of Planning so they may:

(a) refuse the application with appropriate reasons if the planning legal agreement (s106) is not completed or sufficiently progressed within eight months of the Planning Committee meeting (the 'Completion Target Date'); and

(b) authorise extensions to the 'Completion Target Date' where considered reasonable and proper to do so in the prevailing circumstances.

#### 5.0 **CONDITIONS**

5.1 An Additional Condition (Numbered 48) is added, as follows as the Condition is requested by the Local Lead Flood Authority and was unintentionally omitted in the Committee report:

- Prior to the commencement of development above slab-level a basement impact assessment in regard to flooding/drainage shall be submitted to the local planning authority for its written approval. Once approved, any actionable measures arising from the assessment shall be implemented as specified and retained as such as appropriate for so long as the development is in existence.

**Reason:** In order to ensure that the development incorporates appropriate in accordance with paragraph 169 of the NPPF, Core Strategy Policy 10 (June 2011) and Policies SI 12 Flood risk management and SI 13 Sustainable drainage of the London Plan (March 2021).

#### 6.0 **CONCLUSION**

6.1 The additional representations that have been reviewed are not considered to change the assessment undertaken or the conclusion and recommendation of the officer report to Committee.

#### 7.0 **BACKGROUND PAPERS**

- (1) Case File DC/23/130258
- (2) National Planning Policy Framework
- (3) The London Plan
- (4) Local Development Framework Documents

#### 8.0 **REPORT AUTHOR AND CONTACT**

Dean Gibson – [Dean.Gibson@lewisham.gov.uk](mailto:Dean.Gibson@lewisham.gov.uk)

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## APPENDIX 2





6529/JP/DW

FAO Paula Carney  
CarneySweeney  
Scott House, Suite 1, Office 3.18  
The Concourse, Waterloo Station  
London  
SE1 7LY  
Email: paula.carney@carneysweeney.co.uk

16<sup>th</sup> October 2023

Dear Paula,

**RE: 21-57 Willow Way (Site A), Sydenham, SE26 4QP – Daylight and Sunlight – William Wood Care Home**

This letter is in response to the point raised in the Proof of Evidence produced by Beth Stevens on behalf of the London Borough of Lewisham (PINS ref. APP/C5690/W/23/3321935).

Paragraph 2.3.8 of the said document states the following:

*“This is evidenced by the daylight impact of the proposal on the neighbouring William Wood Care Home. Contrary to statements made by the Appellant in their SoC para 9.2.6 I assess that the daylight impact of the proposal on the care home could be significant. The daylight and sunlight report, prepared by BLDA and submitted with the Appeal Scheme in December 2022 shows that 50% of the 38 rooms assessed would see a significant reduction in the view of the sky from their windows, with 25% having no visible view of the sky whatsoever. Given the sensitive use of this site as a care home, I would consider that the proposal to be overbearing as a result of its scale and mass, without appropriate mitigation measures introduces to overcome these concerns.”*

It should be noted here that the previous paragraph relates to the sitting, massing and height of the proposed development and the Council’s view that it *“would cause harm to the surrounding context”*.

First of all, we reject the above statements relating to William Wood House Care Home and consider them misleading. There is no *“significant reduction”* to 50% of the rooms assessed. Our ‘Daylight, Sunlight and Overshadowing Assessment’ report, dated December 2022 and accompanying the planning application for ‘Site A’ (planning ref. DC/22/1297890) was based on a thorough due diligence and several site visits. From the outset of the project, we looked closely into the care home building and indicated to the Appellant and Architect that this is a key neighbour, which was well understood by them and guided the iterative design development process. The scheme, therefore, is context-led and it carefully considered the impact on the existing amenity levels within the neighbouring properties. At the same time, the scheme needs to make an efficient use of this brownfield site, which is in line with national and regional planning policy. Please note that the National Planning Policy Framework states at paragraph 123 in Chapter 11 (‘Making effective use of land’):

*“... local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”*

We, therefore, strongly believe that the proposed development is acceptable in the context of the relevant planning policy, site and surrounding context and the latest edition of the BRE guide for daylight and sunlight (3<sup>rd</sup> edition, June 2022).

Furthermore, it should be also noted that our assessment is based on the 3D laser scan measured survey of the

site, surrounding buildings and terrain and, therefore, allowed for the most accurate computer modelling and technical studies to be presented in the report.

Specifically with regards to the impact of the proposed development on William Wood Care Home, our daylight and sunlight assessment showed that 26 of the 51 windows tested (**c. 51%**) fully comply with the window-based Vertical Sky Component (VSC) test, which is a simple test as it purely measures the level of obstruction to sky visibility on the outer face of neighbouring windows tested.

This does not mean that the c. 49% of the remaining windows will experience the “*significant reduction*”.

In fact, if we follow the standard categorisation of light reductions for larger schemes requiring an EIA-type application (which this scheme is not), we would categorise the light losses as ‘minor adverse’ if they are between 20.1%-30% of the current light levels, as ‘moderate adverse’ if they are between 30.1%-40% of the current light levels and ‘major adverse’ if they are more than 40% of the current light levels. To reiterate, the BRE guide considers light losses resulting from a development which are within 20% of current light levels as likely unnoticeable by neighbouring occupiers and, therefore, compliant with the BRE guidance.

Reviewing the VSC results in this context, the assessment shows that of the 25 windows tested which fall below the BRE criteria:

- 14 non-compliant windows are in the ‘minor adverse’ category;
- 9 non-compliant windows are in the ‘moderate adverse’ category;
- 2 non-compliant windows are in the ‘major adverse’ category.

Furthermore, one needs to not only look at the VSC test but also at the more comprehensive Daylight Distribution (DD) test, which is also referred to as No-sky Line (NSL), and which measures sky visibility with neighbouring rooms and takes into account size/shape of the rooms and size/positioning of the windows serving them.

The DD/NSL result show that 29 of the 39 habitable rooms tested (**c. 74%**) fully comply with the BRE guidelines.

Again, when we look at the results of the remaining 10 rooms tested which fall below the criteria (c. 26%):

- 6 non-compliant rooms are in the ‘minor adverse’ category;
- 3 non-compliant rooms are in the ‘moderate adverse’ category;
- 1 non-compliant room is in the ‘major adverse’ category.

Therefore, this does not mean at all that the non-compliant habitable rooms will experience the “*significant reduction*”. Furthermore, all these rooms will still retain unobstructed sky visibility to at least 50% of their room areas, which is commonly considered acceptable as a retained sky visibility threshold in not fully BRE-compliant rooms in London.

Overall, the majority of both windows and rooms tested are in the ‘minor adverse’ category and, therefore, the impact, not to mention that the majority of both windows and rooms are fully compliant with the BRE guidance, is considered overall ‘minor adverse’. Therefore, the daylight impact on William Wood Care Home simply cannot be considered as “*significant*”.

On the contrary, the daylight impact of the proposed development on William Wood Care Home is considered acceptable in the context of the BRE guidance and should not form reasons for refusal of the planning application.

It also needs to be noted here that the large communal lounge for all the care home residents is fully compliant with the daylight criteria, and only reducing by 6% of the current daylight levels (and, hence, well within the 20% reduction as allowed by the BRE guidance). The communal lounge is where the residents spend most of their day, and they will not experience adverse light reduction following the construction of the development.

With regards to the sunlight impact, all the 18 south-orientated windows (**100%**) fully comply with the BRE guidance for both summer and winter months. This latter is very important as direct sunlight in the cold winter months is especially valued by care home residents, not to mention the effect reduced sunlight might have on heating/electricity cost. No impact will be caused by the proposed development in this regard.

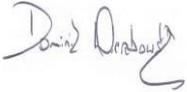
Moreover, the windows and rooms tested are not all the windows and rooms within the care home but only represent the site-facing western/south-western section of the building, and roughly half of the overall care home accommodation. Therefore, one should also look at the context of the site and the proximity of the south-western

corner of the building to the site boundary, where a more flexible approach should normally be applied.

Finally, the proposed scheme is considered acceptable and fully commensurate with other similar schemes in similar urban locations in London and, therefore, we do not consider it necessary to provide any similar precedents as this is a typical type of impact which is normally considered acceptable in daylight and sunlight terms.

I hope the above clarifies the matters. Should you have any queries regarding the above, please do not hesitate to contact me.

Kind regards,

A handwritten signature in black ink, appearing to read 'Dominik Wierzbowski', written in a cursive style.

Dominik Wierzbowski  
Associate Director  
BLDA Consultancy

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