

Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	ARKLOW TRADING ESTATE, ARKLOW ROAD, DEPTFORD, SE14 6EB AND LAND AT ROLT STREET	
Ward	EVELYN	
Contributors	SUZANNE WHITE	
Class	PART 1	11 FEBRUARY 2016

Reg. Nos. (A) DC/15/93100

(B) DC/15/93101

Applications dated 27.07.2015, last revised on 22.01.16

Applicant Turleys on behalf of Anthology Deptford Ltd

Proposal

A. Full planning application for the demolition of existing buildings at Arklow Trading Estate, Arklow Road, SE14 and construction of mixed use development in buildings ranging from 5 to 9 storeys comprising 287 dwellings (Class C3), 3,039sqm commercial floorspace (Classes A1, A2, A3, B1, D1 and D2 and ancillary uses), energy centre, disabled vehicle and cycle parking, landscaping, access and associated works

B. Hybrid planning application for the redevelopment of Arklow Trading Estate, Arklow Road, SE14 and land at Rolt Street, SE8 comprising: DETAILED planning permission for demolition of existing buildings and construction of mixed use development in buildings ranging from 5 to 8 storeys comprising 258 residential dwellings (Class C3), 2,794sqm commercial floorspace (Classes A1, A2, A3, B1, D1 and D2), energy centre, disabled vehicle and cycle parking, landscaping, access and associated works; and OUTLINE planning permission for the erection of a building of up to 22 storeys comprising up to 58 dwellings (Class C3), 75sqm commercial floorspace (Classes A1, A2, A3, B1, D1 and D2) new pedestrian access from Rolt Street, landscaping and public realm (appearance and landscaping reserved)

Applicant's Plan and other documents submitted with the application

Hybrid Application (DC/15/093101):

5501-A-70-SCH-00; 5501-A-70-SCH-01 P2; T210P100 Rev P3; T210S01; T210S02; T210S03; T210S04; T210S05; T210S06; T21D06; T21D06a ; T21D06b P1; T21D07 ; T21D07a; T21D07b; T21D08; T21D08a; T21D08b; T21D09 P2; T21D09a; T21D09b; T21D10; T21D10a; T21D10b; T21D11; T21D11a; T21D12; T21D12a; T21D12b; T21D13; T21D13a; T21D13b; T21D14; T21D14a; T21D14b; T21D15; T21D15a; T21D15b; T21D16; T21D16a; T21D16b; T21D17; T21D17a; T21D17b; T220P-1; T220S01; T220S05; T220S08; T220S10; T221D06; T221D06a; T221D06b; T221D07 Rev P3; T221D07a; T221D07b; T221D08; T221D08a; T221D08b; T221D10; T221D10a; T221D10b; T221D11; T221D11a; T221D12; T221D12a; T221D12b; T221D13; T221D13a; T221D13b; T221D14; T221D14a; T221D14b ; T221D15; T221D15a; T221D15b; T221D16; T221D16a; T221D16b; T221D17; T221D17a; T221D17b; T2A70P02; T2B70P00; T2B70P01; T2C70P03; T2C70P04 Block C; T2C70P05 Block C; 5501-A-70-SCH-01 P1; 1391-013; Anthology Deptford Foundry Masterplan Landscape Management Plan; Anthology Deptford Foundry Masterplan Green & Brown Roofs; Anthology Deptford Foundry Masterplan Landscape Masterplan; Anthology Deptford Foundry Masterplan Soft Landscaping, T227P01-P1; Masterplan Design and Access Statement; Air Quality Assessment; Anthology Deptford Foundry Masterplan Materials Brochure; Anthology Deptford Foundry Health Impact Assessment; Arklow Road MS Wind Microclimate; Bat Assessment Report; Bat Building Inspection Report; CIL Form; Construction Method Statement; Construction Traffic Management Plan; Daylight, Sunlight and Overshadowing Report; Delivery and Servicing Management Plan; Demolition Method Statement; Development Specification and Parameters; Economic Statement; Energy Strategy; Extended Phase 1 Habitat Report and National Rail Land Addendum; Flood Risk Assessment; Historic Environment Desk Based Assessment; Noise and Vibration Survey; Overheating Study; Planning Statement; Preliminary Environmental Risk Assessment; Residential Travel Plan; Schedule of Areas; Statement of Community Involvement; Sustainability Assessment; Townscape and Visual Impact Appraisal; Transport Assessment; Workplace Travel Plan (received 27th July 2015); 1319-200; T21(D)100 Rev P1; T21(D)101 Rev P1 (received 3rd November 2015); T220P00 Rev P3; T220P01 Rev P3; T220P02 Rev P3; T220P03 Rev P3; T220P04 Rev P3; T220P05 Rev P3; T220P06 Rev P3; T220P07 Rev P3; T220P08 Rev P3; T220S02 Rev P3; T220S03 Rev P3; T220S04 Rev P3; T220S06 Rev P3; T220S07 Rev P3; T220S09 Rev P3; T220S11 Rev P1; T295P00-P1A Rev P1 Parameter Plan 1 Form; T295P00-P1B Rev P1 Parameter Plan 1B; T295P00-P1C Rev P1 Parameter Plan 1C; T295P00-P2 Rev P2 Parameter Plan 2 Landscape; Hybrid Application Area Schedule Rev P2; Design and Access Statement Addendum; 1391-102 Rev A Zone 1 Hard Landscape Plan; 1391-103 Zone 2 Hard Landscape Plan, 1391-104 Play Areas Plan, 1391-200A Zone 1 Planting Plan, 1391-201 Zone 2 Planting Plan, 1391-300 Detail Sheet 01, 1391-301 Detail Sheet 02 (received 23rd December 2015); PERS Audit, Overheating mitigation measures (received 20th January 2016); T220P100 Rev4; T295P00-P3 Rev P3; (received 22nd January 2016)

Full application (DC/15/93100)

T2D06-D17b 5501-A-70-SCH-00; 5501-A-70-SCH-01; T110P100; T1(20)P100 Rev 3; T110S01; T110S02; T110S03; T110S04; T110S05; T110S06; T120P-1; T120S01;

T120S05; T120S08; T120S10; T(20)S11 Rev P1; T1A70P02; T1B70P00; T1B70P01; T1C70P03; T1C70P04; T1C70P05; T21D06; T21D06a; T21D06b; T21D07; T21D07a; T21D07b; T21D08; T21D08a; T21D08b; T21D09; T21D09a; T21D09b; T21D10; T21D10a; T21D10b; T21D11; T21D11a; T21D12; T21D12a; T21D12b; T21D13; T21D13a; T21D13b; T21D14; T21D14a; T21D14b; T21D15; T21D15a; T21D15b; T21D16; T21D16a; T21D16b; T21D17; T21D17a; T21D17b; Air Quality Assessment Report; Anthology Deptford Foundry Masterplan Health Impact Assessment; Bat Building Inspection Report; CIL Form; Construction Method Statement; Construction Traffic Management Plan; Construction Traffic Management Plan, Daylight; Sunlight and Overshadowing Report; Delivery and Servicing Management Plan; Demolition Method Statement; Economic Statement; Energy Strategy; Extended Phase 1 Habitat Report; Flood Risk Assessment; Historic Environment Desk Based Assessment; Noise and Vibration Survey; Overheating Study; Phase 1 Land Contamination Report; Phase 2 Geoenvironmental Appraisal; Planning Statement; Residential Travel Plan; Schedule of Areas; Statement of Community Involvement; Sustainability Assessment; Townscape and Visual Impact Appraisal; Transport Assessment; Workplace Travel Plan; Anthology Deptford Foundry Materials Brochure; Anthology Deptford Foundry Landscape Masterplan; 1391-015 Green Brown Roofs Full Application Scheme; Anthology Deptford Foundry Soft Landscaping; 5501-A-70-SCH-00; T127P01-P1 Living Roof Plan Full Application (received 27th July 2015); T(21) D100 Rev P1; T(21)D101 Rev P1 (received 3rd November 2015); T120P01 Rev P3; T120P02 Rev P3; T120P03 Rev P3; T120P04 Rev P3; T120P05 Rev P3; T120P06 Rev P3; T120P07 Rev P3; T120P08 Rev P3; T120P09 Rev P3; T120P100 Rev P3; T120S02 Rev P3; T120S03 Rev P3; T120S04 Rev P3; T120S06 Rev P3; T120S07 Rev P3; T120S09 Rev P3; 1391-102A; 1391-103 Zone 2; 1391-104 Play Areas Plan; 1391-105 Lighting Concept; 1391-200A; 1391-201; 1391-300 Detail Sheet 01, 1391-301 Detail Sheet 02, Design and Access Statement Addendum (Rolfe Judd, December 2015) (received 23rd December 2015); T120P00 Rev P3; T1(20)P100 Rev P4 (received 22nd January 2016).

Background Papers

- (1) Case File DE/135/A/TP
- (2) Core Strategy (2011)
- (3) Development Management Local Plan (2014)
- (4) The London Plan (Consolidated with Further Alterations since 2011) (March 2015)

Designation

Site Allocations Local Plan – SA9 Arklow Road Mixed Use Employment Location

INTRODUCTION

1.1 Background

1.2 This report relates to proposals for the redevelopment of the Arklow Road Trading Estate, located on the north side of Arklow Road where it turns to join Abinger Grove. The applicant (Anthology Deptford Limited) has submitted two applications:

- Full application for 287 dwellings and 3,039sqm of commercial space on land entirely within its control.
- Hybrid application for a larger site that includes land owned by Network Rail and connects through to Rolt Street and for up to 316 dwellings and 2,869sqm of commercial space.

1.3 The Hybrid application seeks full planning permission for the majority of the development and outline planning permission for a building up to 22 storeys adjacent to the Network Rail land. The applications are described in more detail in Section 2 below.

1.4 Following submission of the application, amendments have been made and additional information submitted in respect of the proposed development. This report considers the current proposals in the light of the submitted information, relevant planning policy and guidance, representations received and other material considerations, and makes recommendations on the determination of the application.

1.5 Both applications are reported for determination by the Strategic Planning Committee.

2.0 PROPERTY/SITE DESCRIPTION

2.1 Site and Surrounding Area

2.1.1 The application site is roughly triangular in shape, narrowing in width from south-east to north-west. To the east is the Grade II listed railway viaduct which runs from London Bridge via Deptford to Greenwich. The eastern boundary of the application site is bounded by a brick wall and set back from the viaduct by approximately 7m. This zone is occupied by a 'lean to' which is utilised by businesses occupying the railway arches and forms the Parkside Industrial Estate. Access to the arches is from a private road running along the east side of the viaduct. Beyond the railway viaduct are former industrial buildings on Childers Street that are being converted and extended up to six storeys in height for residential and commercial use. To the south of the site are residential properties on Arklow Road and Kerry Path, a mix of two storey houses with larger blocks of flats beyond. Opposite the site to the south is a derelict two storey building (Safa House) which is used for storage, with a tyre-fitting business adjacent. Further to the south is the four storey Astra House, the northernmost portion of which was granted planning permission (DC/14/89678) for a

two storey roof extension in August 2015. To the west of the application site is the London Overground line and London-Kent mainline railway line via New Cross, with the Milton Court Estate beyond. The Network Rail land to the north (with access from Rolt Street) is currently used by businesses occupying the Parkside Industrial Estate and includes a two storey pre-fabricated building fronting onto Rolt Street. This building is outside the redline boundary of the Hybrid application.

- 2.1.2 The site area of the Full application is 1.02ha, extending to 1.12ha for the Hybrid application when the Network Rail land is included. Existing buildings on the site amount to around 7,100m² in a number of single and two storey buildings around an open yard. The buildings are currently vacant and in the process of being demolished but were last used for a range of general industrial (B2) and storage (B8) uses. The applicant estimates that the range of uses on the site could have supported around 100-115 jobs.
- 2.1.3 Further to the north is the public open space of Folkestone Gardens and to the south is Evelyn Green and Fordham Park. Evelyn Street is approximately 400m to the east of the site, and Deptford High Street 800-900m to the south east. Buildings in the locality generally range from 2-6 storeys with occasional taller residential buildings up to 24 storeys. Grinling Gibbons Primary School and Deptford Green Secondary School are located approximately 400m from the site.
- 2.1.4 There are no bus services that pass the site, with the nearest routes being on Evelyn Street 400m/5 minutes walk away. Deptford Station (mainline) and New Cross Station (mainline and London Overground) are approximately 800m/10 minutes walk away. The site currently has a PTAL rating of 2-4.
- 2.1.5 The nearest district centre is Deptford High Street, approximately 900m/11 minute walk away with New Cross Road a similar distance to the south.
- 2.1.6 The site is not located within a conservation area. The only listed building within the vicinity of the site is the Grade II listed railway viaduct. The site is also located within an Area of Archaeological Priority.
- 2.1.7 The site additionally falls within Flood Zones 2/3.

2.2 **Planning History**

Application Site

- 2.2.1 DC/15/93981- Prior Notification for the demolition of the existing buildings at Arklow Trading Estate, Arklow Road, SE8. Granted 10th November 2015

Adjoining Sites

- 2.2.2 In recent years there have been a number of major planning applications in the local area reflecting the regeneration that is underway in North Deptford. Immediately to the east is the ongoing conversion and extension of SR House on Childers Street. In the wider area are the strategic sites of Convoys Wharf, Oxestalls Road/Deptford Wharves, Surrey Canal Triangle (now known as New Bermondsey) and Plough Way, each of which have been consented with the Plough Way site under development. Other sites that have planning permission include Neptune Works (Grinstead Road) on the north side of Folkestone Gardens which has been implemented, and the conversion of part of Astra House to the south of the application site.

3.0 CURRENT PLANNING APPLICATIONS

3.1 Introduction

- 3.1.1 The applicant has submitted two applications comprising:

1. DC/15/93100 – Demolition of existing buildings and construction of mixed use development in buildings ranging from 5 to 9 storeys comprising 287 dwellings (Class C3), 3,039sqm flexible commercial floorspace (Classes A1, A2, A3, B1, D1 and D2), disabled vehicle and cycle parking, landscaping, access and other associated works.
2. DC/15/93101 – Hybrid planning application seeking 1) Full planning permission for the demolition of existing buildings and construction of mixed use development in buildings ranging from 5 to 9 storeys comprising 258 dwellings (Class C3), 2,794sqm flexible commercial floorspace (Classes A1, A2, A3, B1, D1 and D2), disabled vehicle and cycle parking, landscaping, access and other associated works and 2) Outline planning permission for the erection of a building of up to 22 storeys comprising up to 58 dwellings, 75sqm commercial space and associated works. Appearance and Landscaping reserved.

- 3.1.2 Information submitted in respect of the outline part of the Hybrid application include;

- Access
- Layout of site
- Scale of building (including upper and lower parameters for height, width and length)
- Type and quantum of uses
- Public realm and landscaping (indicative)
- Design Code

3.2 Environmental Impact Assessment

- 3.2.1 The Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 2011 as amended (the EIA Regulations)

identify certain development projects – Schedule 1 and Schedule 2 development – which must or may require EIA. Projects of a type listed in Schedule 2 will require EIA before permission is granted if any part of the development is in a ‘sensitive’ area (as defined by the Regulations) or certain prescribed threshold/criteria (such as the site area or scale of development) are exceeded/met, and in either case the proposed development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. The application scheme constitutes an urban development project comprising more than 150 dwellings and therefore it falls within paragraph 10 (b) of Schedule 2 to the EIA Regulations.

- 3.2.2 In June 2015 the applicant submitted Screening Opinion Requests under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended, in respect of the two proposals for the development of the site (ref. DC/15/92456 and DC/15/92457). Taking account of the location and context of the site and the scale and likely significant environmental effects of the proposed development it was determined that neither of the proposals constituted EIA development. The Council issued screening opinions to that effect on 6th August 2015.

3.3 **Refinements and Amendments**

- 3.3.1 Following consultation and negotiations, refinements and amendments to the application were submitted in November and December 2015 comprising further information on the design of the buildings and landscape proposals and further definition of the building parameters for the outline part of the application.

3.4 **Supporting Documents**

- 3.4.1 The application is supported by plans, elevations, sections and bay studies for those parts of the development applied for in detail and parameter plans for the development applied for in outline.

- 3.4.2 To sit alongside the drawings a number of descriptive, analytical and technical documents have also been provided. These have been submitted for both applications other than the Design Code, Development Specification and Wind and Microclimate Assessment which relate only to the Hybrid application.

- Planning Statement
- Design and Access Statement
- Planning Obligations Statement
- Statement of Community Involvement
- Economic Statement
- Townscape and Visual Impact Assessment
- Historic Environment Desk Based Assessment
- Daylight, Sunlight and Overlooking Report
- Transport Assessment

- Residential Travel Plan
- Workspace Travel Plan
- Draft Delivery and Servicing Plan
- Construction Traffic Management Plan
- Sustainability Assessment
- Energy Strategy
- Overheating Study
- Air Quality Assessment
- Extended Phase 1 Habitat Report and Network Rail Addendum
- Bat Building Inspection Report
- Bat Assessment Report
- Flood Risk Assessment
- Preliminary Environmental Risk Assessment
- Demolition Method Statement
- Draft Construction Method Statement/Logistics Plan
- Design Code (Hybrid application)
- Development Specification (Hybrid application)
- Wind & Microclimate Assessment (Hybrid application)

3.5 General Layout and Uses

- 3.5.1 The overall masterplan for the site as set out in the submitted Design and Access Statements comprises a series of buildings running either side of a central route/area of open space. Each scheme proposes nine buildings. Under the Full application the scheme comprises three detached buildings along the western side of the site (five storeys with a recessed sixth and seven floor fronting on to Arklow Road; four storeys plus a recessed fifth storey within the site) and a series of linked buildings along the eastern side (six storeys with recessed seventh storey) terminated at the northern end of the site by a nine storey building. Under the Hybrid application the site is extended onto the Network Rail land providing a link through to Rolt Street, with the nine storey building replaced with one up to 22 storeys in height, but in all other respects the layout remains the same.

Building A

- 3.5.2 Located at the north-western end of the site.

Full application – nine storey building comprising part ground and first floor commercial space and residential above (29 flats).

Hybrid application – building up to 22 storeys, comprising ground floor commercial and up to 58 flats above.

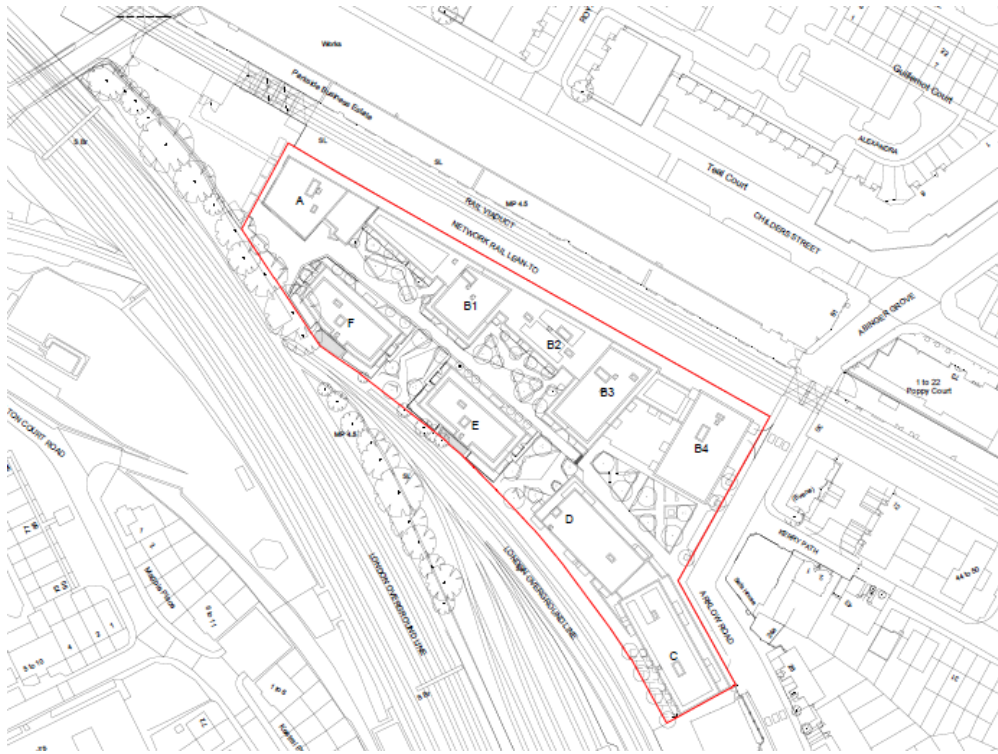
Buildings B1 and B2

- 3.5.3 Located on the north-eastern side of the central open space with the railway viaduct to the rear. Part six/part seven storey buildings comprising a mix of residential and small scale commercial space at ground floor with residential above (64 flats).

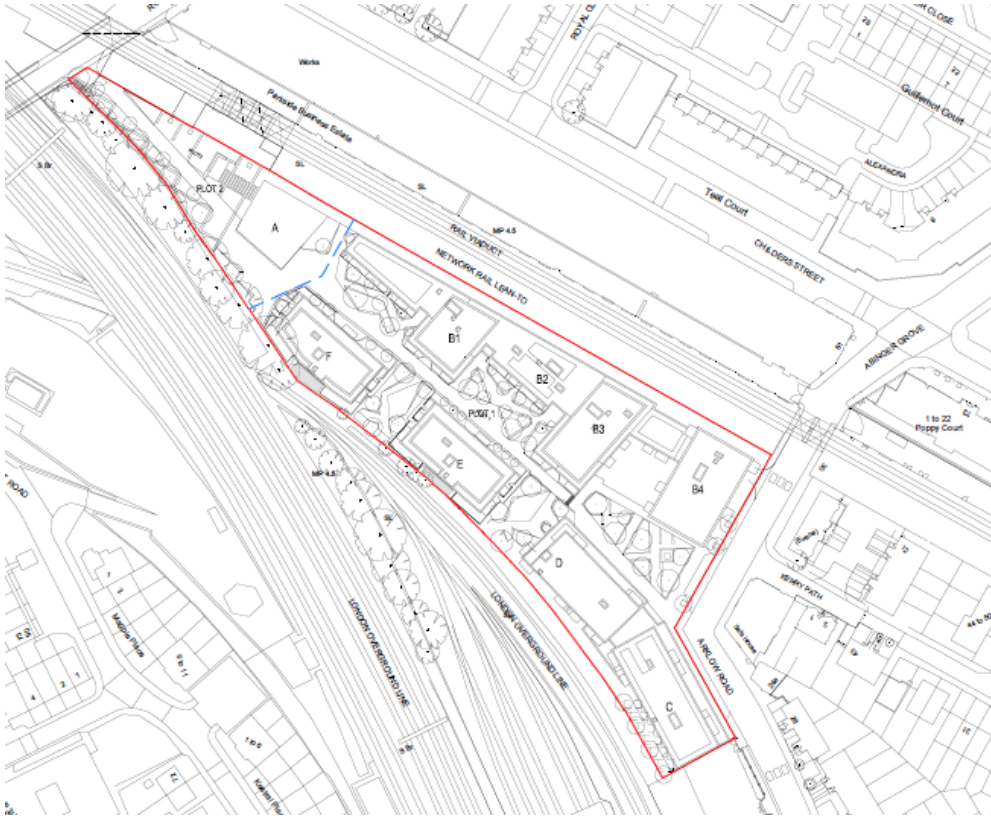
Building B3

- 3.5.4 Located on the north-eastern side of the site, a seven storey building comprising ground and first floor floor commercial and residential above (36 flats).

Below: Full application proposed layout



Below: Hybrid application proposed layout



Building B4

- 3.5.5 Located on the north-eastern side of the site, with a frontage to Arklow Road to the south. An eight storey building comprising ground and first floor commercial and residential above (40 flats).

Buildings C and D

- 3.5.6 A seven storey building located at the south-eastern end of the site adjacent with Arklow Road to the east and the London Overground to the west. Building C comprises ground floor commercial and six floors of residential above (40 flats) and Building D is ground and first floor commercial with four floors of residential above (36 flats). All flats in Building C, in both the Full and Hybrid application, are designated as affordable dwellings.

Building E

- 3.5.7 Located to the north west of Building D, a five storey building comprising 21 flats.

Building F

- 3.5.8 Located to the north west of Building E, a five storey building comprising 21 flats. The Network Rail land is to the north-west of this building.

3.6 Residential Accommodation

3.6.1 The Full application proposes a total of 287 residential units, 40 of which would be affordable. The development includes a mix of unit sizes, including 32 family sized (3 bedroom) units.

3.6.2 The Hybrid application proposes 256 residential units in detail with up to 58 units in outline, 316 in total of which 40 would be affordable. The development includes a mix of unit sizes, including 35 family sized (3 bedroom) units.

3.6.3 The breakdown of the proposed housing by unit size is summarised in the tables below:

Full	Units	%
1-bed/2 person	134	47%
2-bed/3 person	18	6%
2-bed/4 person	103	36%
3-bed/5 person	24	8%
3-bed/6 person	8	3%
Total	287	

Hybrid*	Units	%
1-bed/2 person	151	48%
2-bed/3 person	18	6%
2-bed/4 person	112	35%
3-bed/5 person	23	7%
3-bed/6 person	12	4%
Total	316	

* The outline part of the application proposes up to 58 market units within the building applied for in outline, with the final mix of unit sizes to be determined as part of the Reserved Matters approval process. The mix shown in the Table above is indicative, but the applicant has proposed that at least 10% of these will be family-sized (3 bedroom) units. This will be secured through the s.106 agreement.

3.6.4 Both applications propose a proportion of affordable housing comprising both affordable rent and intermediate tenure.

	Affordable Rent	Intermediate
1-bed/2 person	12	6
2-bed/3 person	0	2
2-bed/4 person	8	4
3-bed/5 person	4	0
3-bed/6 person	4	0

Total	28	12
	70%	30%

- 3.6.5 For the Full application the affordable housing amounts to approximately 14% of the total number of dwellings, 14.5% by habitable rooms. For the Hybrid application the affordable housing is 13% by dwelling and 13.2% by habitable room. The percentage difference is explained by the fact that the Hybrid application increases the overall number of dwellings on the site from 287 to 316, however the number of affordable homes remains the same at 40 in both schemes. This is because the uplift in units in the Hybrid application funds the easement over Network Rail's land, the landscaping of this space and it's maintenance. A financial viability assessment has been submitted by the applicant. This has been reviewed by GL Hearn, specialist consultants appointed by the Council to advise on scheme viability and the affordable housing offer. They conclude that the schemes can only support 14% and 13% affordable dwellings respectively. This is examined further in Section 7.

3.7 **Non-Residential Uses**

- 3.7.1 The application includes a mix of non-residential space including B1 (business); A1, A2, A3 (retail, professional services, restaurant/café); D1 (non-residential institutions e.g. surgery, nursery, hall, church); and D2 (assembly and leisure e.g. cinema, gym).
- 3.7.2 The majority of the non-residential space is located close to Arklow Road predominately in Buildings B3 and B4, as well as Building D. There is small scale additional commercial space in Building B2 and in Building A. The applicant is seeking significant flexibility in the range of non-residential uses that could be provided on the site and this is discussed further in Section 6 of this report.

3.8 **Open Space, Playspace and Landscaping**

- 3.8.1 The applications propose a route through the centre of the site. Under the Hybrid application this connects Arklow Road with Rolt Street, allowing a continuous pedestrian/cycle route through to Folkestone Gardens. Within the site the route comprises a series of 'courtyards' that also serve as communal amenity space for residents and includes play provision for Under-5s.
- 3.8.2 Living roofs are proposed on a number of the buildings.

3.9 **Parking and Movement**

- 3.9.1 The proposed development is car-free other than 16 spaces for blue badge holders under both applications, 10 in Building B and 6 in Building C and accessed from Arklow Road. A total of 319 cycle parking spaces are proposed for the Full application scheme (351 for the Hybrid). Cycle parking is generally provided within buildings at the rear of Buildings B, E

and F, or in secure storage areas between buildings Building D, E and F. No motorcycle parking spaces or dedicated spaces for the commercial space are proposed under either application.

- 3.9.2 Vehicle access into the site would be from Arklow Road with pedestrian and cycle access additionally from Rolt Street under the Hybrid application scheme.

3.10 **Servicing and Refuse**

- 3.10.1 All deliveries for the development will take place at street level with a small drop-off area/lay-by on Arklow Road. Access into the site for refuse vehicles will be from Arklow Road with each building having a centralised refuse collection point where refuse will be stored during the week with direct access from the central route.

3.11 **Highways Works**

- 3.11.1 The application proposes minor works to the Arklow Road access and minor environmental improvement works at the site entrance.

3.12 **Implementation and Phasing**

- 3.12.1 The applicant's construction programme assumes development would commence in the south-eastern corner of the site adjacent to Arklow Road, then progressing towards the north/Rolt Street. Based on the commencement dates set out below and with build out over a two-year period the development would be complete by mid-2018:

Buildings C & D - Q2 2016

Buildings B3 & B4 - Q2 2016

Buildings B1 & B2 - Q3 2016

Buildings E & F - Q3 2016

Building A - Q4 2016

- 3.12.2 This sequence would deliver the affordable housing and part of the commercial space early in the scheme, with the majority of the commercial space coming forward shortly after.

4.0 **CONSULTATION**

4.1 **Introduction**

- 4.1.1 This section outlines the consultation carried out by the applicant prior to submission of the application and by the Council following submission and summarises the responses received.

4.2 **Pre-Application**

- 4.2.1 Between July 2014 and submission of the application in July 2015 the applicant, through their consultation/communication consultant Curtin and Co. carried out a series of consultations with the local community through a range of engagement methods. This included six public consultation open days in a number of locations across the Borough and engagement with local residents' associations through meetings with the two local residents' associations in Evelyn and New Cross Wards – the Milton Court and Evelyn Tenants and Residents Associations.
- 4.2.2 The findings of these events is recorded in a Statement of Community Involvement submitted with the planning applications.

4.3 Application Consultation

- 4.3.1 The applications have been advertised in the local paper as 'major' development, with site notices also being displayed and letters sent to approximately 580 local residents and businesses in respect of the full application and 910 for the hybrid. The applications and associated documents have also been posted on the Council's website in the usual way.

Statutory Agencies and Other Organisations

- 4.3.2 The following statutory agencies and organisations were consulted:
- Greater London Authority (including Biodiversity Group)
 - Transport for London Land Use Planning Team
 - Natural England
 - Environment Agency
 - Historic England
 - London Wildlife Trust
 - London Overground
 - London Fire & Emergency Authority
 - Thames Water
 - Network Rail
 - Metropolitan Police - Design Out Crime Officer (Lewisham)
 - London Fire & Emergency Authority
 - Lewisham Cyclists
- 4.3.3 Following validation of the applications in September 2015, minor amendments to the applications (including to the description of development) have been submitted and these have been advertised.

4.4 Consultation Responses

Residents and Neighbour Action Group

- 4.4.1 Responses to consultation resulted in 32 letters of support for the hybrid application from residents in Kerry Path, Kerry Road, Rolt Street, Trim

Street, Royal Close, Teal Court, Cormorant Court, Rode Street, Evelyn Street, Kittiwake Court and Grove Street citing the following reasons:

- Provision of more housing
- Job creation
- Support for the design
- Redevelopment of a derelict site
- Quality landscaping and new public spaces created

4.4.2 The following comments were also made:

- Would like to see a children's club
- A local shop on site would be useful

4.4.3 One letter of objection was received in respect of both applications from an occupier in Childers Street noting that as an artist renting a south facing studio (facing the railway viaduct) they are concerned about (i) the impact of having a large building site just to the other side of the railway viaduct and request that the spaces under the viaduct are temporarily blocked up to prevent noise coming through; (ii) the possibility of a 22 storey tower, blocking off natural light from the south facing studios in Childers Street.

Statutory Agencies and Organisations

Environment Agency

No objection subject to conditions regarding contaminated land surface water drainage infiltration, piling. In respect of flood risk the EA have no objection but note that the site is situated within flood zone 3, which is considered to be 'High Risk', but does benefit from being defended by the Thames Tidal Defences. According to the NPPF, commercial space and residential units are classed as 'less vulnerable' and 'more vulnerable', respectively, in flood classification terms. The EA are pleased that finished ground floor levels are to be set, where possible, at a minimum of 300mm above the maximum likely water level due to a breach but strongly recommend that ground floor sleeping accommodation is not permitted and that this is raised to the first floor level. The EA are pleased that consideration has been given to the use of flood resistant and resilient measures within the proposed development, in order to reduce the impact of flooding.

Thames Water

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should permission be granted recommend a condition is

requested to prevent commencement until a drainage strategy detailing any on and/or off site drainage works has been submitted to and approved in consultation with the sewerage undertaker. A condition relating to piling is also requested. Thames Water note that surface water flows from the site are proposed to be connected into the local combined sewer network and that Sustainable Urban Drainage Systems (SuDS) and onsite attenuation are anticipated to reduce surface water flows by over 95% compared to the current site. No objections to the proposed development if the drainage strategy proposed by the developer in the Flood Risk Assessment is adopted.

Historic England (Archaeology)

No objection to principle of the development. Recommend a condition requiring a two-stage process of archaeological investigation.

GLA

The application is referable to the GLA under Article 5 categories 1A, 1B, 1C) of the Town and Country Planning (Mayor of London) Order 2008. The Stage 1 Report of 24th November 2015 concludes that whilst the applications are supported in strategic planning terms, the GLA considers that the applications do not comply with the London Plan, but highlights possible remedies to address the deficiencies and suggests further information and discussion is required on the matters below to ensure the proposals comply with the London Plan:

- Housing: housing choice and density are acceptable however further consideration should be given to residential quality including ensuring vibration isolation given proximity to railway lines.
- Land use: the applicant should consider providing commercial space in Building A to ensure active frontages along the whole of the proposed route
- Urban Design: further information is required regarding privacy between flats and residential quality including flat layouts, unit sizes and the number and location of single aspect units. The Council should consider a s.106 obligation ensuring the same calibre of architects is retained to produce all construction drawings or a budget allocated to allow them to review the drawings.
- Children's playspace – proposed play equipment should be secured by condition.
- Inclusive Access – further details required regarding access to buildings including gradients, widths and materials of paths. Details also required of the number and location of wheelchair accessible units.

- Sustainable development: further information is required and carbon dioxide savings need to be verified. Conditions should be imposed securing a commitment to SUDs and climate change adaptation.

4.4.4 Officers consider that the above issues have been addressed by additional information submitted by the applicant and through the recommended conditions and s106 obligations.

TfL

4.4.5 The site is reasonably well served by public transport; however this needs to be supported by good pedestrian and cycle links within the site and on surrounding roads. Whilst TfL accepts the development would be unlikely to have a significant impact on the local highway, it considers the development will potentially increase the pressure on the existing public transport network. The site would be opened up, increasing pedestrian permeability from north to west. It would be beneficial if local residents can also cycle and access the site via Rolt Street. The design of this entrance should be carefully considered. TfL welcomes the car-free nature of the scheme with 16 disabled vehicle parking spaces.

4.4.6 Twenty per cent of all car parking spaces should be fitted with Electric Vehicle Charging Points (EVCPs), with an additional 20 per cent having passive provision so that they can be easily adapted in the future. To reduce reliance on private vehicles TfL suggests that the developer should provide 3 years' free membership to all residential units at first occupation. A Car Parking Management Plan (CPMP) should be secured by condition. Pedestrian Environment Review Survey (PERS) and Cycling Environment Review Service (CERS) audits should be undertaken so that the impact of the development can be fully assessed and sustainable modes of travel promoted. Conditions requested to protect London Overground infrastructure during construction.

Network Rail

4.4.7 Acknowledge that Network Rail are already working with the developer on the progression of this scheme. Highlight a number of issues that should be considered with regard to asset protection in relation to this application including cranes and scaffolding adjacent to Network Rail infrastructure, loadings that will have an effect on Network Rail adjacent assets and piling foundation effects on the adjacent viaduct. These would need to be approved by Network Rail through an Asset Protection Agreement prior to any works commencing on site (including demolition).

LB Lewisham Environmental Protection

4.4.8 Recommend conditions imposed regarding contaminated land assessment and remediation. Satisfied with air quality assessment and conclusion that the proposed development is considered to be air quality neutral and overall air quality effects are not considered to be significant.

Note that mitigation measures are proposed as part of the application and these should be secured by condition including a Dust Management Plan and Construction Logistics Plan.

LB Lewisham Ecological Regeneration Manager

- 4.4.9 Satisfied with the ecological surveys, that suggests a precautionary approach to birds and suggests appropriate enhancements. Also satisfied with the biodiverse living roof details, though consideration should be given to extending the living roofs to include some of the other buildings that don't currently have this provision. Would like the ecological enhancements to be implemented in full and suggest that an Environmental and/or Ecological Management Plan be conditioned.

LB Lewisham Highways

- 4.4.10 A car-free scheme is considered acceptable in this location given the level of car ownership in the surrounding area; and as parking surveys show there is sufficient on-street car parking capacity in the vicinity of the site to meet the car parking demand generated by the proposed development,
- 4.4.11 As parking is unrestricted in the area, a Controlled Parking Zone (CPZ) is required to manage the parking demand generated by the proposal, particularly as without parking controls car ownership could exceed the levels predicted in the TA. So, a S106 contribution is required towards the implementation of a CPZ on the streets surrounding the application site.
- 4.4.12 In addition, the applicant is required to meet the cost of providing a dedicated car club bay on Arklow Road adjacent to the site as a sustainable alternative to car ownership and to minimise the impact of the proposal. To encourage the use of the car club, the applicant should also provide car club membership for the residential and commercial units at the site.
- 4.4.13 The estimated mode share for trips at the development is based on the 2011 National Census Data, this estimate is unlikely to be achieved without the introduction of parking controls and improvements to the pedestrian/cycle infrastructure in the vicinity of the site.
- 4.4.14 A S106 obligation is required towards highway works and public realm improvements in the vicinity of the site. The applicant will also be required to enter into a S278 agreement with the Highway Authority to secure the highways reinstatement/improvement works on the public highway adjacent to the site. The highway works and public realm improvements shall include:-
- The closure of the existing crossovers and the re-instatement of the footway on Arklow Road.
 - The provision of a car club and a loading bay (lay-by) on Arklow Road and the associated Traffic Regulation Order.

- Improvement works to the footways on Arklow Road and the lighting under the railway bridge on Arklow Road & Edward Street.
- The provision of improved crossing facilities on Edward Street to benefit pedestrians accessing New Cross Gate Station and services/facilities to the south of the site

4.4.15 The proposed works/improvements will rationalise on-street parking, manage traffic flows and create an improved public realm which will increase safety perceptions and make the streets more attractive to pedestrians and cyclists accessing the site. The improvements to Edward Street are important because it is a key route for the development site, providing access to numerous local facilities along with bus services to the wider area. The works to Arklow Road will also improve the connection from the site to the north and the A200 Evelyn Street.

4.4.16 The TA that accompanies the application acknowledges that the residential units and various commercial units will attract delivery and servicing trips to the site. The Delivery and Servicing Plan that accompanies the application will be used to ensure that delivery and service vehicle arrivals are spread throughout the day. However, if servicing activities were to occur at the same time for any of the commercial or residential units it would cause congestion on Arklow Road and the impacts would be unacceptable. The tracking of refuse vehicles within the site shows that when the refuse vehicle accesses the site there isn't sufficient space for two vehicles to pass each other and there isn't much space left for pedestrians and cyclists to pass the vehicle within the shared use/public realm area. Moreover the swept path drawing illustrates that the refuse vehicles swept path encroaches on some of the commercial entrances. So, a revised Delivery & Servicing Plan (DSP) is required for the scheme, the plan should include:-

- Details of how access to the site by refuse vehicles will be managed.
- A review of waiting restrictions on Arklow Road to ensure vehicle access is maintained to the application site and to manage delivery servicing vehicles queuing on Arklow Road to access the dedicated loading bay (lay-by) adjacent to the site
- Details of measures to rationalise the number and time of delivery and servicing trips to the commercial element of the development, with the aim of reducing the impact of servicing activity.

4.4.17 The proposed lay-by on Arklow Road for servicing the site, results in the loss of public footway and the proposed lay-by would only be considered acceptable if the new footway around the lay-by was offered up for adoption as public highway through a Section 38 Agreement.

4.4.18 Conditions are recommended requiring a Parking Management Plan, Construction and Logistics Plan (CLP), details of secure cycle storage and implementation of the Travel Plans.

- 4.4.19 The total affordable element being proposed (for the full application) is 40 units, 28 social housing and 12 intermediate. As the total development is for 258 units this represents just over 10% of the development. The split within this is 70% affordable rent and 30% intermediate. The policy position is 50% of a development to be affordable, with a 70/30 split on rent/intermediate depending on local circumstances, subject to financial viability.

Lewisham Design Review Panel

- 4.4.20 The LDRP ('the Panel') have reviewed the scheme 3 times prior to submission (in September 2014, and March and May 2015).

1st Review 24th September 2014

- 4.4.21 The Panel were generally supportive of the principle of developing this site and were encouraged by a number of the emerging aspects of the project. The Panel is understanding of the complexity of the site, its environs and the generally challenging nature of the location. However:
- The justification for the scale, form and massing has yet to be made and in the Panel's view there is not an automatic assumption that the project should necessarily involve tall buildings on this site.
 - By reference to recent nearby completed development the Panel remain concerned as to the commerciality and deliverability of the railway arch vision, and the viability of the commercial units within the development.
 - The Panel questioned the proposed block/blocks edging the railway development noting that housing did not seem appropriate hard against the viaduct.

2nd Review 24th March 2015 (substantially revised scheme)

- 4.4.22 The Panel felt that a number of positive moves had been made since First Review but there was much work to do in terms of layout and massing. The Panel were positive with regard to the public realm at grade, the potential of the pedestrian route to Rolt Street, the reduction in parking, and the ongoing possibility of bringing Safa House into the scheme. The Panel were particularly concerned that the current strategy was very dependent upon other stakeholders and landowners participating positively in the scheme. The Panel was clear that the applicants should explore alternative strategies should the preferred vision not be achievable, but should plan to facilitate possible future connections/linkages through the railway arches and to the NR land fronting Rolt Street. If the route through cannot be secured, then the scheme will become a cul-de-sac owing to a single point of entry from Arklow Road, and therefore significant design changes would need to be made. A masterplan should be devised which would be successful in either scenario.

- 4.4.23 The Panel advised that they did not think it would be appropriate to place a taller building at the end of such a cul-de-sac. With the revised masterplan the Panel considered that there could be some merit in the proposed tower at the convergence of the railway lines, setting up the tower as a special building. The Panel had some sympathy with the notion that the tower could become a marker for those travelling in and out of London. If a tower were to be endorsed it would have to be distinctive, of a high order architecturally and appropriate to both local and wider contexts. The low public transport accessibility of the site was noted as a disadvantage in arguing the case.

3rd Review 20th May 2015

- 4.4.24 The Panel remain supportive of the principle of developing this site and were also now supportive in principle of the site strategy, layout and massing. The Panel felt that the northern most block should be expressed as a special and unique building as the head of the masterplan in either of the two planning applications being pursued, irrespective of height. The Panel, whilst not against the principle of a taller building at the northern end of the site, noted that its parameters are still to be defined and therefore reserved judgement on its height and design pending the townscape, architectural and urban case being made.
- 4.4.25 The Panel were supportive of the public realm strategy but the interface between public/communal/private realm was felt to be unsuccessful across the scheme and needed far greater development to achieve a satisfactory resolution. This may result in all ground units being duplex or alternatively a sectional shift raising the ground level of the apartments to achieve separation between the living and bedroom spaces and the street. A comprehensive analysis across the project is needed to resolve this fundamental aspect of the project.
- 4.4.26 Further work needs to be undertaken with regard to the relationship between the apartment buildings and railways. The Panel was clear that the project needs considerable further development as the design team have not yet brought forward sufficient detail for the Panel to consider. As a minimum matters of architectural composition, elevation, treatment of façade, private amenity space, material and detail needed attention.

5.0 POLICY CONTEXT

5.1 Introduction

- 5.1.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and

- (c) any other material considerations.

A local finance consideration means:

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

5.1.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Lewisham Core Strategy, the Lewisham Development Management Local Plan, the Lewisham Site Allocations Local Plan and the Lewisham Town Centre Local Plan; and the London Plan 2015 (Consolidated with Alterations since 2011). The NPPF does not change the legal status of the development plan.

5.1.3 When considering whether development proposals accord with the development plan, it is necessary to consider the question with regard to the development plan as a whole.

National Planning Policy Framework

5.1.4 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. Paragraph 215 states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

5.1.5 Officers consider that the proposals accord with the development plan as a whole and are consistent with the NPPF.

Other National Guidance

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

5.2 London Plan (March 2015)

5.2.1 On 10 March 2015 the London Plan (Consolidated with Alterations since 2011)(London Plan) was adopted. The policies relevant to this application are:

Policy 1.1 Delivering the strategic vision and objectives for London
Policy 2.3 Growth areas and coordination corridors
Policy 2.13 Opportunity areas and intensification areas
Policy 2.14 Areas for regeneration
Policy 2.18 Green infrastructure: the multi-functional network of green and open spaces
Policy 3.1 Ensuring equal life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.6 Children and young people's play and informal recreation facilities
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.11 Affordable housing targets
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 4.1 Developing London's economy
Policy 4.3 Mixed use development and offices
Policy 4.4 Managing industrial land and premises
Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision
Policy 4.7 Retail and town centre development
Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services
Policy 4.9 Small shops
Policy 4.12 Improving opportunities for all
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 6.1 Strategic approach

- Policy 6.2 Providing public transport capacity and safeguarding land for transport
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.4 Enhancing London's transport connectivity
- Policy 6.7 Better streets and surface transport
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.11 Smoothing traffic flow and tackling congestion
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.1 Lifetime neighbourhoods
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.7 Location and design of tall and large buildings
- Policy 7.8 Heritage assets and archaeology
- Policy 7.11 London View Management Framework
- Policy 7.13 Safety, security and resilience to emergency
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 7.18 Protecting open space and addressing deficiency
- Policy 7.19 Biodiversity and access to nature
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

The Mayor of London's SPG's/SPD's relevant to this application are:

- Accessible London: Achieving an Inclusive Environment (2014)
- Housing (2012)
- Sustainable Design and Construction (2014)
- Land for Industry and Transport (2012)
- Planning for Equality and Diversity in London (2007)
- East London Green Grid Framework (2008)
- Shaping Neighbourhoods: Play and Informal Recreation (2012)
- London View Management Framework (2012)

London Plan Best Practice Guidance

The London Plan Best Practice Guidance's relevant to this application are:

- Development Plan Policies for Biodiversity (2005)
- Control of dust and emissions from construction and demolition (2006)
- Wheelchair Accessible Housing (2007)
- Health Issues in Planning (2007)
- Managing the Night Time Economy (2007)

5.3 Lewisham Core Strategy

- 5.3.1 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the Borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Core Strategy as they relate to this application:

Spatial Policy 1 Lewisham Spatial Strategy
Spatial Policy 2 Regeneration and Growth Areas
Core Strategy Policy 1 Housing provision, mix and affordability
Core Strategy Policy 3 Strategic Industrial Locations and Local Employment Locations
Core Strategy Policy 4 Mixed Use Employment Locations
Core Strategy Policy 6 Retail hierarchy and location of retail development
Core Strategy Policy 7 Climate change and adapting to the effects
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 9 Improving local air quality
Core Strategy Policy 10 Managing and reducing the risk of flooding
Core Strategy Policy 12 Open space and environmental assets
Core Strategy Policy 13 Addressing Lewisham's waste management requirements
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment
Core Strategy Policy 17 The protected vistas, the London panorama and local views, landmarks and panoramas
Core Strategy Policy 18 The location and design of tall buildings
Core Strategy Policy 19 Provision and maintenance of community and recreational facilities
Core Strategy Policy 20 Delivering educational achievements, healthcare provision and promoting healthy lifestyles
Core Strategy Policy 21 Planning obligations

Development Management Local Plan

- 5.3.2 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The following policies are considered to be relevant to this application:

DM Policy 1 Presumption in favour of sustainable development
DM Policy 7 Affordable rented housing
DM Policy 9 Mixed use employment locations
DM Policy 17 Restaurants and cafés (A3 uses) and drinking establishments (A4 uses)
DM Policy 19 Shopfronts, signs and hoardings
DM Policy 22 Sustainable design and construction
DM Policy 23 Air quality
DM Policy 24 Biodiversity, living roofs and artificial playing pitches

DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 27	Lighting
DM Policy 28	Contaminated land
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards
DM Policy 35	Public realm
DM Policy 37	Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest
DM Policy 38	Demolition or substantial harm to designated and non-designated heritage assets
DM Policy 43	Art, culture and entertainment facilities

Residential Standards Supplementary Planning Document (August 2006)

- 5.3.3 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self-containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

Planning Obligations Supplementary Planning Document (February 2015)

- 5.3.4 This document sets out guidance and standards relating to the provision of affordable housing within the Borough and provides detailed guidance on the likely type and quantum of financial obligations necessary to mitigate the impacts of different types of development.

6.0 **PLANNING CONSIDERATIONS**

6.1 **Introduction**

- 6.1.1 The Arklow Road site is identified in the Core Strategy (Policy 4) as a Mixed Use Employment Location (MEL). MEL's are existing industrial sites identified for redevelopment for mixed-use purposes. Core Strategy Policy 4 states that:

1. the Council will require the comprehensive redevelopment of the Mixed Use Employment Locations to provide:
 - a. employment uses within the B use Class amounting to at least 20% of the built floorspace of any development as appropriate to the site and its wider context

- b. higher density housing with a proportion of on site affordable housing
- c. improvements to the overall environmental quality, by providing, where appropriate:
 - i. the provision of new, or improvement of existing, walking and cycling routes to public transport services and local facilities
 - ii. public transport to increase the PTAL (public transport accessibility level) of the site
 - iii. a high quality and accessible public realm
 - iv. landscaping, biodiversity, the provision of amenity and public open space, and children's play areas
 - v. high quality architecture and design that will contribute to raising the architectural quality of the area
 - vi. improvements to the social, cultural and leisure facilities of the area
- 2. The design of the employment uses and the design of the development as a whole should enable the continued employment functioning of the areas.
- 3. The Council will require a masterplan to be submitted with a planning application to ensure a comprehensive approach to the development of each Mixed Use Employment Location. The requirements are detailed in Section 8 under Strategic Site Allocation 1.
- 4. Proposals for tall buildings on these sites will be considered against the criteria in Core Strategy Policy 18.

6.1.2 The planning applications for the comprehensive redevelopment of the Arklow Road site raise a number of issues against which the proposals have been assessed in terms of development plan policy and other material considerations. These can be summarised as follows:

- a) Principle of Mixed Use Development
- b) Land Use: Employment
- c) Land Use: Housing
- d) Design
- e) Transport and Access
- f) Sustainability and Energy
- g) Other Considerations

6.1.3 Each of the topics is assessed below in relation to policies set out in the development plan and other material considerations and where relevant the information set out in the application documents. The following discussion refers to the proposed development as amended by the drawings and documents received (up to January 2016).

6.1.4 Financial viability and deliverability are considered in Section 7 of this report.

6.2 **Principle of Mixed Use Development**

- 6.2.1 The Arklow Road site lies within the Deptford Creek/Greenwich Riverside Opportunity Area identified in Policy 2.13 of the London Plan 2015 where development proposals should seek 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.
- 6.2.2 The site also falls within the 'Arklow Road Mixed-use Employment Location' as defined by the Council's Adopted Site Allocation DPD 2013 (Site Ref. SA9) and Core Strategy 2011 (Policy 4). The site allocation extends to 2.24ha, most of which is occupied by the existing Parkside Industrial Estate.
- 6.2.3 The Core Strategy (Spatial Policy 2) sets out a vision for the Borough up to 2026 and seeks to focus new development within the Regeneration and Growth areas of Deptford New Cross, Lewisham and Catford. The Deptford and New Cross area (Evelyn and New Cross wards and part of Telegraph Hill Ward, north of New Cross Road) is expected to accommodate up to 2,300 additional new homes by 2016 and a further additional 8,325 new homes by 2026. The area is forecast to experience an increase in population of around 24,600 over this period, together with significant amounts of new business and other employment generating floorspace over this period.
- 6.2.4 The Core Strategy (para. 6.34) notes that, collectively redevelopment of the MELs would:
- make the best use of the available land in order to achieve regeneration objectives
 - attract further investment to the area and increase the contribution these sites make to the vitality and viability of the local economy
 - provide a 'sense of place' through new buildings and spaces and an enhanced street environment and improve the permeability and accessibility of the area by providing new landmarks and links
 - address severance issues that occur in the area due to the number of railway viaducts that criss-cross this part of the Borough and the physically forbidding nature of many of the routes including at Rolt Street
 - improve the connectivity of these sites with the rest of the Borough by providing new access routes to stations, improving pedestrian connections and their environmental quality, making contributions to improving public transport facilities and infrastructure, and to local public open spaces
 - alter greatly the relationship between Deptford, New Cross and the River Thames by improved connectivity to the river and increasing the visual and physical links
- 6.2.5 In view of the importance MEL's, Core Strategy Policy 4 requires that specific proposals are progressed in the context of a site-wide masterplan. Reference is made to Strategic Site Allocation 1 in terms of the scope,

content and process for producing the masterplans although this relates specifically to the Strategic Sites rather than all MELs. Nonetheless this provides helpful guidance for assessing proposals for the Arklow Road site.

- 6.2.6 The Deptford and New Cross Masterplan (2007), part of the evidence base for the Core Strategy, identifies the Arklow Road site as part of a 'strategic masterplan' that takes in sites on Childers Street to the east and north. In the Core Strategy the Arklow Road site is separately identified as a MEL and the masterplan and application proposals for the Arklow Road site have been prepared in this context. The Design and Access Statement sets out the process of site analysis and development of the proposals demonstrating how they incorporate a number of the features set out in the strategic masterplan. This includes buildings framing a central route through the site, the potential for locating a taller building towards the northern (Rolt Street) end of the site, and the provision of a new public space and landmark building on the Arklow Road frontage. The Hybrid application proposes the comprehensive development of the site (i.e. including the Network Rail land) and includes the through route from Arklow Road to Rolt Street.
- 6.2.7 The specific form and content of the proposals are considered below however Officers consider that the analysis of the site and its context is based on an appropriate understanding of the issues, constraints and opportunities of this part of the Borough. The site has been assessed and proposals developed on a coherent basis and the masterplan is considered to provide a clear framework within which the Arklow Road site would be developed.
- 6.2.8 One of the key considerations in terms of major regeneration benefits redevelopment of Mixed Use Employment Locations can deliver to this part of the borough is in addressing severance issues and lack of permeability. Given the number of railway viaducts in the area the incorporation of the Network Rail land would secure a through route from Arklow Road to Rolt Street and improve local connectivity. Whilst the Hybrid application would deliver this link the Full application does not. Thus, although the Hybrid scheme would provide the through route across the site, the Full application would result in a cul-de-sac form of development. It would not, however, prejudice the longer term provision of a link through to Rolt Street. In the circumstances both applications are considered to be in general accordance with the placemaking objectives set out in the Deptford and New Cross Masterplan, although clearly the Hybrid application proposes a more comprehensive approach to development. This is considered in more detail in Section 7.

6.3 **Land Use: Employment**

- 6.3.1 Core Strategy Policy 4 requires that MELs provide employment uses within the B Use Class amounting to at least 20% of the built floorspace of any development as appropriate to the site and its wider context. The planning applications propose a mix of employment uses across the site

amounting to 2,869m² (gross external area) of floorspace in the hybrid application and 3,039m² in the detailed application.

Building	Hybrid Application	Detailed Application
	Area (m²)	
A	75	245
B	2,151	2,151
C	0	0
D	643	643
E	0	0
F	0	0
Total	2,869	3,039
Residential	31,259	29,047

- 6.3.2 The applicant is seeking permission for the commercial space to be used for a range of uses comprising retail (A1-A3), business (B1), non-residential institutions e.g. surgery, nursery, hall, church (D1), and assembly and leisure e.g. cinema, gym (D2). The absence of other B Class uses (B2 and B8) is considered appropriate given the potential impact of such uses on adjoining residential properties.
- 6.3.3 The non-residential Class B space represents approximately 8.5-9.5% of the total proposed built floorspace on the site. Core Strategy Policy 4 seeks at least 20% of the built floorspace of any development on MELs to be within the B Use Class as appropriate to the site and its wider context. The application is supported by a financial appraisal and it is apparent that the costs of providing the B1 floorspace compared with value achievable means that it provides a limited contribution to the overall gross development value of the scheme. A consequence of this is that seeking to increase the commercial floorspace would have a negative impact on scheme viability. It would not be appropriate to seek additional Class B floorspace which would be unlikely to be fully let. Given that the scheme is already a high-density development, increasing commercial space whilst maintaining the number of housing units is not considered appropriate on this site. The alternative of replacing residential with commercial space would have a disproportionate and negative impact on scheme viability. Given the location of the site in a predominately residential area it is considered that the amount of commercial floorspace proposed is justified by scheme viability and the applications are acceptable in this regard.
- 6.3.4 In terms of B1 use, a minimum floor area is not specified although the location of parts of the space (e.g. at first floor level) would lend themselves more to B1 use than ground floor space fronting onto the central route through the site that might be more suitable for a small scale retail/café type use. The applicant has been in discussion with a number of operators of small scale business units and it is considered that these offer good prospects for letting the space. The Core Strategy also refers

to the design of the employment uses and development as a whole enabling the continued employment functioning of the areas. In this case the commercial space is accommodated in the lower floors of predominately residential buildings (rather than in standalone buildings) however the majority of the space is provided in two main areas in Buildings B3 and B4 at the Arklow Road end of the site. This provides good access to Arklow Road and fronting onto the main public space in the site and it is considered that the location of the space and layout of the site supports continued employment activities.

- 6.3.5 The site is currently vacant but the applicant estimates that given the range of uses previously on the site it could have supported around 115 jobs. The applicant estimates that the proposed commercial space could accommodate between 86 and 236 job opportunities depending on the final mix of uses on the site. Given the importance of securing a mixed use development it is important that the non-residential space comes forward and in a form attractive to occupiers. To encourage occupiers and facilitate the letting and occupation of the commercial space it is considered necessary that the space is fitted out to a specification that includes service connections and other infrastructure, is marketed in accordance with an approved marketing strategy and that the letting incentives assumed in the financial appraisal are made available. It is proposed that appropriate obligations are included to secure these matters by way of Section 106 obligations.
- 6.3.6 The provision of modern buildings capable of supporting new job opportunities and the potential to achieve higher levels of employment than previously existed on the site is consistent with Core Strategy policies. To promote opportunities and uptake by local residents, in both construction and operational jobs, it is considered that measures to support local employment and businesses are considered necessary to make the development acceptable should be secured through planning obligations.
- 6.3.7 Subject to the measures set out above it is considered that the proposals are in accordance with Core Strategy Policy 4.

6.4 Land Use: Housing

- 6.4.1 The NPPF recognises the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. The NPPF specifies that local planning authorities should plan for a mix of housing based on current and future demographic trends, identify the size, type, tenure and range of housing that is required in particular locations. This should reflect local demand, and where a need for affordable housing is identified local planning authorities should set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be

sufficiently flexible to take account of changing market conditions over time.

6.4.2 The Core Strategy notes that the Lewisham Housing Market Assessment (2007-2008) showed an overwhelming housing need within Lewisham, and that a net 6,777 dwellings should be provided over the current 5-year period to meet current the identified need. A subsequent South East London Housing Market Assessment noted that between 2011 and 2014 the annual housing target had been increased by 25% to meet growing demand. Table 3.1 of the London Plan (2015) sets a target of 13,837 additional homes to be built in Lewisham in the 10 years from 2015-2015 with an annual monitoring target of 1,385 per year. As part of the overall need for housing in Lewisham the Housing Market Assessment also shows that there is a pressing need for more affordable housing in the Borough, which supports the overall Core Strategy target of 50% affordable housing on new developments.

6.4.3 The applications propose between 287 and 316 new dwellings on the site, and as a contribution to the Council's housing target this is supported in principle.

Tenure Mix

6.4.4 Given that the application site is within reasonably close proximity to local services and access to the necessary social infrastructure it is considered suitable for affordable housing in accordance with Core Strategy Policy 1 and London Plan Policy 3.11 and 3.12. The Core Strategy also commits the Council to negotiating for an element of affordable housing to be provided in any major residential development with the starting point for negotiations being a contribution of 50% affordable housing on qualifying sites across the Borough, subject to financial viability.

6.4.5 With regard to tenure mix, Core Strategy Policy 1 states that the affordable housing component is to be provided as 70% social rented and 30% intermediate housing although it also states that where a site falls within an area which has existing high concentrations of social rented housing, the Council will seek for any affordable housing contribution to be provided in a way which assists in securing a more balanced social mix. The London Plan has a 60%-40% split to allow a higher percentage of intermediate housing or other arrangements as considered appropriate. In terms of dwelling sizes Core Strategy Policy 1 also states that the provision of family housing (3+ bedrooms) will be expected as part of any new development with 10 or more dwellings and in the case of affordable housing, the Council will seek a mix of 42% as family dwellings (3+ bedrooms), having regard to criteria specified in the Policy relating to the physical character of the site, access to private gardens or communal areas, impact on car parking, the surrounding housing mix and the location of schools and other services.

6.4.6 As noted above, the proposed development would provide between 287 and 316 residential units of which 40 are proposed to be affordable homes

under both development scenarios. On a unit basis this amounts to 14% for the full application scheme and 12.5% for the hybrid scheme. When calculated by habitable rooms the provision is 14.5% and 13% respectively.

- 6.4.7 The tenure mix for both schemes is 70% Affordable Rent and 30% Intermediate and is consistent with the Core Strategy. Rent levels for the Affordable Rent dwellings has been informed by discussions with three local Registered Providers. Whilst no decision has yet been made on the Registered Provider, for the viability appraisal the applicant has adopted the average values by tenure of the mid-priced offer based on a blended rent calculation of 65% of market rents to the affordable rented units. The shared ownership units have been valued using GLA income bands however in common with other schemes the starting point for affordability needs to be Lewisham income levels.

- 6.4.8 Set out below are tables displaying the housing mix and tenure for the dwellings, including affordable:

	Private		Affordable Rent		Intermediate	
	Full	Hybrid	Full	Hybrid	Full	Hybrid
1B/2P	116	133	12	12	6	6
2B/3P	16	16	0	0	2	2
2B/4P	91	100	8	8	4	4
3B/5P	20	19	4	4	0	0
3B/6P	4	8	4	4	0	0
Total	247	276	28	28	12	12

- 6.4.9 Based on this mix the development would comprise between 9% and 10% Affordable rent and around 4% Intermediate by unit. In terms of dwelling size and the provision of family-sized (3+ bed) accommodation the development would provide a total of 32 dwellings (out of 287) and 35 (out of 316) depending the scheme that was implemented. This represents about 11% of all dwellings on the site.

- 6.4.10 The level of affordable housing proposed falls short of the 50% target in Core Strategy Policy 1. As already noted, the 50% figure is a starting point for negotiations and is subject to viability. In line with guidance set out in the Council's Planning Obligations SPD the applicant has prepared a financial viability assessment. Specialist viability consultants, GL Hearn, were appointed by the Council to advise on viability issues and have undertaken a review of the scheme and assessed the level of affordable housing that can be provided. A copy of GL Hearn's report is attached to this report at Annex 1 and further consideration of financial viability is set out at Section 7 of this report. In summary, the advice is that the applications provide the maximum amount of affordable housing that can

be achieved based on viability analysis. The GLA has noted in its Stage 1 response that the level of affordable proposed is below target levels. The financial viability report that underpins the scheme will be provided to the GLA when the application is referred back following determination by the Council.

- 6.4.11 Of the total affordable provision, eight (20%) are proposed as 3bed family sized units. In this case, given the location of the site between two rail lines and the surrounding housing mix, it is considered that the affordable family housing provision is adequate.
- 6.4.12 On large, multi-phase developments, such as the Strategic Sites identified in the Core Strategy, that will be built out over a number of years there is the potential for values to increase during construction to a level that could support additional affordable housing. In these cases the Council has sought the inclusion of a financial review mechanism as part of the s.106 agreement to secure additional affordable housing should viability permit. Given the scale of the development in the case of Arklow Road (around 300 dwellings) and the relatively short construction programme (two years) it is considered that a review mechanism is not appropriate in this case. However, should the scheme not be implemented within two years, it is appropriate that scheme viability is revisited in order to determine whether additional affordable housing can be supported. It is therefore proposed that an obligation be secured to trigger a review mechanism if implementation has not progressed within 2 years.
- 6.4.13 In this case a balance has been struck between the mix of uses on the site, affordable housing size and tenure mix, and scheme viability. For the reasons set out above it is considered that the proposals are acceptable.

Residential Amenity

- 6.4.14 Core Strategy Policy 15 seeks to ensure a high quality design for all development in Lewisham, including for residential schemes, and provides that densities should be those set out in the London Plan. Policy 3.4 in the London Plan (2015) seeks to ensure that housing output is optimised for different locations. Table 3.2 of the London Plan (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). The Arklow Road site is considered to be in an 'urban' setting and has a PTAL rating of between 2 to 4, with the highest accessibility towards the eastern side of the site. This gives an indicative density range of 200-700 habitable rooms per hectare, which equates to 45 to 260 dwellings (dependent on the unit size mix).
- 6.4.15 The application proposes a maximum of 33,613m² (Gross External Area) of residential space providing up to 316 dwellings. The site area is 1.12 hectares giving a residential density of 283 dwellings per hectare (745 habitable rooms per hectare) excluding the commercial space. At 283 dwellings per hectare the proposed density is above the guidelines in the

London Plan. Policy 3.3E of the London Plan (2015) identifies the types of locations which are anticipated to provide a substantial increment to housing supply in London including Opportunity Areas. The London Plan Draft Interim Housing Supplementary Planning Guidance (October 2015) notes however that where proposals are made for developments above the relevant density range they must be tested rigorously, balancing concerns for overall housing output against other policy considerations. These include different aspects of 'liveability' related to proposed dwelling mix, design and quality, amenity provision and space, physical access to services, sustainable design and construction, car parking. In addition, the wider context of the proposal taking account of its contribution to local 'place shaping' is relevant.

- 6.4.16 Although the application site is not on a bus route, a number of services run along Evelyn Street (400m away). Deptford train station (national rail) and New Cross (London Overground and national rail) are approximately 700m from the site. In addition the new Surrey Canal Road station (London Overground), due to open sometime in 2016/2017, is approximately 800m from the site. Accordingly, although not directly served by public transport it is considered that the site is in reasonable proximity to a range of public transport services.
- 6.4.17 Also of relevance is the proposed residential environment in terms of the layout of the site and of individual residential units, the internal space standards achieved in the residential accommodation and provision of private and communal amenity space. The site is located between two railway lines however the layout of the development manages to utilise the available space in a positive way and the Hybrid application including the Network Rail land sets up a central route connecting Rolt Street (and Folkestone Gardens beyond) to the north with Arklow Road (with easy access to the open spaces of Evelyn Green and Fordham Park) to the south. It is considered that the masterplanning of the site, layout of buildings, internal space planning and ease of access to open space help mitigate the high density of the scheme and in the circumstances a high housing density on this site is in principle acceptable. Appropriate mitigation to address off-site impacts on social infrastructure and transport will be secured through CIL and s.106 obligations.
- 6.4.18 The London Plan Policy 3.5 and Table 3.3 sets out minimum space standards for new dwellings and all proposed dwellings (affordable and private) will meet or exceed these standards. Development Management Policy DM32 and Core Strategy Policy 15 also seek to protect and improve the character and amenities of residential areas in the Borough. The layout of the site and breaking down of the buildings achieves an appropriate built form that allows light to penetrate into the site and the central landscaped route. The dwellings comprise a mix of dual and single aspect units, however there are no north facing single aspect units, and those that are single aspect are either south facing or overlook the central space. Given the orientation of the flats and proposed position of

windows it is considered that habitable rooms within the proposed development would generally receive adequate levels of natural light.

- 6.4.19 In terms of outlook the site is constrained in its depth but the layout of the buildings and flats means that windows serving habitable rooms would generally not be enclosed by adjacent parts of the proposed development. Privacy within the proposed residential units would also be achieved through the relationship between the buildings and the orientation of the flats, with ground floor units having their own private amenity space or being separated from public routes by changes in levels and planters. On balance the layout of the residential accommodation is considered acceptable.
- 6.4.20 All residential units would be provided with their own private outdoor amenity spaces in the form of ground floor terraces or balconies. Balconies would have a level threshold and a minimum depth of 1500mm and provide a minimum of 5m² of private amenity space. This is considered acceptable.
- 6.4.21 Overall it is considered that the type, location and size of private and communal amenity space provided for the residential units is acceptable for a development of this nature and density. Combined with the layout and planning of the dwellings it is considered that the proposed development will provide a high quality of accommodation.

Accessibility

- 6.4.22 Development Management Policy DM32 states that the Council will require new build housing to be designed to ensure that internal layout and external design features provides housing that is accessible to all intended users. The supporting text later confirms that the South East London Housing Partnership wheelchair accessible housing guide will be used to assess homes for wheelchair accessibility and lifetime homes compliance.
- 6.4.23 Core Strategy Policy 1 and London Plan Policy 3.8 state that all new housing should be built to Lifetime Homes standards and that 10% of the new housing is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. As such, the full and hybrid applications are required to provide 29 and 32 wheelchair units, respectively. Both provide 8 wheelchair units in Affordable Rent tenure, with the remainder in private market tenure. The location and size of the wheelchair units are identified in the Design and Access Addendum and scaled plans for each unit type have been submitted. For each tenure, a mix of sizes of unit are provided to cater for a range of household sizes.

- 6.4.24 The applicant has confirmed that all residential units have been designed to Lifetime Homes standards. A condition is recommended to secure the provision of 10% wheelchair units to Building Regulations Part M4(3)(2) and the remaining 90% of units to Building Regulations Part M4(2), equivalent to Lifetime Homes. In addition, it is proposed to secure through the s.106 agreement, the nomination of the affordable wheelchair units and marketing of the private adaptable units.

6.5 Design

- 6.5.1 The NPPF sets out 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 6.5.2 Section 7 of the NPPF (Requiring good design), makes it clear that the Government attaches great importance to the design quality of the built environment. The policy framework recognises that good design is a key aspect of sustainable development, it is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. The NPPF states that local and neighbourhood plans should develop robust and comprehensive policies in relation to design and that planning policies and decisions should aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. They should also be visually attractive as a result of good architecture and appropriate landscaping.
- 6.5.3 The London Plan also places great importance on design and local character. Policy 7.4 (Local Character), states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6, Architecture, reinforces the emphasis on good design and provides that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.
- 6.5.4 In accordance with national and regional policy, the Core Strategy and Development Management Local Plan also set out policies to ensure design is a fundamental consideration in all planning decisions. Core Strategy Policy 15 (High quality design for Lewisham) states that for all development, the Council will ensure 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. Development Management Local Plan Policy 30 (Urban design and local character) adds more detail and states that as well as requiring all

development proposals to attain a high standard of design, planning applications should demonstrate how the development achieves a site specific design response.

Site Wide Masterplan

6.5.5 As noted above two applications have been submitted for the site:

1. Full application for the demolition of existing buildings and construction of mixed use development in buildings ranging from 5 to 9 storeys comprising 287 residential dwellings and 3,039 sq.m. of commercial floorspace, disabled vehicle and cycle parking, landscaping, access and other associated works.
2. Hybrid planning application seeking permission for demolition of existing buildings and construction of mixed use development in buildings ranging from 5 to 22 storeys comprising 316 residential dwellings and 2,869 sq.m. commercial floorspace, disabled vehicle and cycle parking, landscaping, access and other associated works.

6.5.6 The Hybrid application proposes a masterplan that allows access through the site from Arklow Road to Rolt Street but is dependent on land outside the control of the applicant. The Full application relates only to land within the ownership of the applicant and creates a cul-de-sac with access and egress only from Arklow Road. Therefore, whilst the Hybrid application promotes a comprehensive development of the site in accordance with the place making aspirations set out in the Deptford and New Cross Masterplan, the Full application is only able to deliver part of that wider vision for connecting up the area through the redevelopment of former industrial sites that historically have prevented such connections being made. As already noted, however, the Full scheme will preserve the ability for the route to be completed once the adjoining land comes forward for development. It is proposed that the Section 106 obligations will provide that in the event the Full permission is implemented rather than the Hybrid, the through route will be permitted to connect/facilitated on the applicant's land as and when the Network Rail land comes forward.

6.5.7 The comprehensive approach adopted in the Hybrid application demonstrates how the site as a whole will integrate with the wider area. This approach is considered particularly important in facilitating the delivery of land use, environmental and urban design objectives for the site and wider area as set out in the Core Strategy and Deptford and New Cross Masterplan. The applicant has reached in-principle agreement with Network Rail for an easement across their land allowing for a pedestrian route through to Rolt Street. Network Rail have also agreed to be a party to the Section 106 Agreement to enable the through route and thus public access across their land in the event the Hybrid scheme proceeds.

6.5.8 Streets, Routes and Public Realm

- 6.5.9 In both applications, the buildings are laid out in a linear fashion, following the curve of the railway viaduct on the north eastern side of the site and the railway line to the south west. A landscaped route runs between the group of buildings. In the hybrid application, the route connects Arklow Road with Rolt street, whilst the full application preserves the possibility for this to happen in the future. As it stands, without the inclusion of the Network Rail land it would not be possible for the route to continue all the way through to Rolt Street. A central route through the site, with active ground floor uses on either side is considered to be an important and necessary part of the proposals.
- 6.5.10 Buildings to the east of the site adjacent to Arklow Road are orientated in a way that forms a square with commercial uses at ground floor and residential above. The route through the site comprises a sequence of linked open spaces. The rectangular blocks of block B1 and B3 are orientated in a way that provides a sense of enclosure to the open spaces opposite. Within these areas play spaces are proposed, overlooked by the adjacent flats. The sequence of linked open spaces includes planting, seating and public art and the overall strategy is supported.
- 6.5.11 A landscaped square has been proposed to the western end of the site as part of the hybrid application. The series of landscaped squares add to the network of green spaces and provide a link to Folkestone Gardens. This approach is welcomed.

Height, Massing and Tall Buildings

- 6.5.12 The Core Strategy notes that, subject to meeting the criteria set out in CS18 (The location and design of tall buildings), Strategic Site allocations in Deptford and New Cross are, in principle, considered appropriate for the location of tall buildings to mark the scope and scale of regeneration that the policies in the Core Strategy will deliver. Core Strategy Policy 18 and London Plan Policy 7.7 also note that tall buildings need to be of the highest design quality.
- 6.5.13 The hybrid application proposes a 22 storey tower which is considered acceptable as a marker for the new public route and nearby Folkestone Gardens and, to a lesser extent, the convergence of the railway lines. A building of this scale in this location must be designed to an exceptional standard and be appropriate to local and wider contexts. The tower element is submitted in outline, with appearance reserved, and therefore there is no detail to assess at present. However, parameters have been specified which establish the maximum scale and mass of the building. These are sufficient to ensure a relatively slender building of 3-4 units per floor, provision for the route through, commercial uses at ground level, and a varied roofline. The application is supported by a Design Code which provides further guidance for the detailed design. It is considered that together with the parameter plans they provide sufficient control to ensure that the scale and massing of the tower will be appropriate to its context.

Architecture, Materials and Elevational Detail

- 6.5.14 As referred to above, Core Strategy Policy 15 (High quality design for Lewisham) and Policy 7.6 (Architecture) in the London Plan set out the importance of high quality design. The design of the individual buildings varies across the site with a range of building heights, styles and materials. It is considered that this approach is appropriate, creating distinctive buildings in key locations on the site. The buildings to the south of the site have generous breaks between them which allow daylight and sunlight into the development. The footprint of the blocks is laid out in a way that minimises overlooking and maximises outlook. The massing of the buildings varies across the site, ranging from 5-9 storeys in the full application and 5-22 storeys in the hybrid scheme.
- 6.5.15 The close relation of the north elevation of the north eastern blocks to the railway viaduct has been a concern throughout the pre-application discussions. However, the design is such that plant / service zones front the blank wall of the viaduct ensuring no residential windows or habitable rooms face the viaduct at lower levels. From ground to 2nd floors no units have their sole aspect over this space. It is considered that, on balance, the proposals are acceptable in this regard.
- 6.5.16 Influences from the original foundry that once occupied the site are shown in the detailing of the architecture and the materials proposed such as stacked metal boxes, repetitive decorative screening and the detailing seen on the man hole covers which were at one time made on the site. The strong aesthetic of warehouse buildings in the areas has also been drawn upon in the form of regular grids, square openings and enlarged openings to the ground floor. The main materials proposed are metal with some brick. This approach is considered appropriate and acceptable.

Design and Crime

- 6.5.17 Core Strategy policy 15 (CS15) (High quality design for Lewisham) states that for all development the Council will ensure design acts to reduce crime and the fear of crime. The layout and design of the site means that the central route and public open space within the site will be overlooked, thus providing natural surveillance. The buildings facing onto the central path also benefit from 'courtyard' amenity area with the flats on upper floors having balconies that overlook this space.
- 6.5.18 It is considered that the proposed layout and design raises no significant concerns in terms of crime and the fear of crime. In response to the application the Metropolitan Police Crime Prevention Unit has raised no objections.

6.6 Transport and Access

- 6.6.1 A Transport Assessment (TA) was submitted with the planning application the scope of which was discussed with the Council prior to its preparation.
- 6.6.2 One of the 12 core land-use principles is that planning should actively manage patterns of growth to make the fullest possible use of public

transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. Regarding the promotion of sustainable transport the NPPF states that the transport systems needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.

6.6.3 Policy 6.1 of the London Plan (2015) sets out the Mayor's strategic approach to transport which aims to encourage the closer integration of transport and 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 urban realm. Core Strategy policy Core Strategy Policy 14 (Sustainable Movement and Transport) states that there will be a managed and restrained approach to car parking provision to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities. 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. Controlled parking zones may be implemented where appropriate. A network of high quality, connected and accessible walking and cycling routes across the borough will be maintained and improved including new connections throughout the Deptford New Cross area.

6.6.4 Development Management Local Plan Policy 29 sets criteria for the acceptability of new car limited development, specifying that it will only be considered: in areas with a PTAL of 4 or higher or where this can be achieved through investment in transport infrastructure; where there's no detrimental impact on the provision of on-street parking in the vicinity; no negative impact on the safety and suitability of access and servicing; protection of required publicly accessible or business use car parking; inclusion of car clubs, car pooling schemes, cycle clubs and cycle parking and storage; an equitable split of parking provision between private and affordable residential Development; and on-site accessible priority parking for disabled drivers. Additionally, all new development will need to ensure that an appropriate number of bays have an electric charging point installed and an appropriate level of passive provision, in line with London Plan Table 6.2 Parking Standards

Site Access and Parking

6.6.5 The applications propose the removal of vehicular access into the site other than for refuse and emergency vehicles. The development is also 'car free' other than parking for Blue Badge holders with 16 spaces provided within the development. These spaces are accessed from two points off Arklow Road, one serving 10 spaces and the other 6. TfL recommends that 40% of these spaces have electric vehicle charging points.

- 6.6.6 The principle of a car free development is supported however the TA concludes that even with mitigation measures such as Car Clubs there will be demand for parking spaces by residents. The implications of this are set out below.

Highway Impacts

- 6.6.7 In terms of trip generation and impact on the local highway network based on the Hybrid application as the worst case scenario the TA estimates the following trip generation from the site:

	Total Trip Generation (316 dwellings + 2,869m2 B1)		
	IN	OUT	Two-Way
AM (08.00-09.00)	27	37	64
PM (17.00-18.00)	28	30	58
Daily (06.00-22.00)	300	306	606

- 6.6.8 The TA also estimates vehicle trips likely to have arisen from the previous use of the site. When compared with the proposed development it shows a net reduction in trips on the local road network.

	Total Trip Generation Difference		
	IN	OUT	Two-Way
AM (08.00-09.00)	-71	24	-47
PM (17.00-18.00)	21	-57	-36
Daily (06.00-22.00)	-69	-63	-132

- 6.6.9 On this basis the TA concludes that the proposed development would result in a net improvement in terms of highway capacity and road safety from the existing situation. The Council's Highways Officer has questioned the data sources used in the TA, advising that the overall effect will be neutral rather than a net improvement.
- 6.6.10 The TA has also assessed likely mode share based on the 2011 Census travel to work data for the Evelyn Ward. This shows the following:

Mode	2011 Census	AM	PM	Daily (Two-Way)
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Car/Driver	16%	63	57	596
Train/Underground	45%	184	166	1729
Bus	24%	96	87	907
Taxi	0%	1	1	10
Motorcycle	1%	6	5	52
Bicycle	4%	18	16	170
On Foot	7%	29	27	277
Other	3%	12	11	116
Total Trips	100%	410	369	3857

6.6.11

Although the development is car free (other than for Blue Badge holders) the mode share analysis indicates that approximately 16% of trips to/from the development site would be made by private car. Assuming that 16% of all flats have a vehicle associated with them, this equates to approximately 50 cars. Making an allowance for some car owners being Blue Badge holders for whom parking spaces are provided on site that would mean around 34 cars parking on the local roads within the vicinity of the site.

- 6.6.12 There are currently no on-street parking controls in the local area and therefore residents could park on local streets. Based on a survey of on-street parking in the vicinity of the site, the TA considers that the surrounding highway network retains a significant overnight and daytime reserve of car parking capacity. Accordingly, it concludes that some development/committed development related, resident owned, vehicles or employee owned could park on the highway without impacting on existing amenity. The TA also notes that there are Car Clubs within 600m and 1km (approximately 8 and 13 minute walk) of the site, and additional provision is being made as part of the SR House development on Childers Street. The TA suggests these could take up some of the demand for access to a car and reduce car ownership. TfL suggests that the developer should provide 3 years' free membership to all residential units at first occupation, to reduce reliance on private vehicles.
- 6.6.13 Whilst Car Clubs may reduce demand for parking spaces, and there is currently on-street parking capacity, there are other significant developments that will be coming forward in the near future, notably Convoys Wharf, Oxestalls Road, Grinstead Road and Amersham Vale. Whilst these are more than 400m from the site (200m is considered to be a distance that residents would reasonably leave their vehicle from their home) there is currently no Controlled Parking Zone (CPZ) within the local area and so there is no disincentive for residents of these developments not to own a car. Those who do not acquire an on-site parking space would have to park on-street resulting in pressure on existing parking capacity and ultimately this may trigger the need for a CPZ. As with other schemes where a CPZ is introduced, it is proposed that obligations should be included in the planning agreement for the development precluding residents of the development applying for Parking Permits and requiring incoming residents to be informed of this potential restriction. It is considered that a similar approach is appropriate in this case and this is also proposed by TfL.

- 6.6.14 The site has a PTAL rating of 2-4 and the Council's Highways Officer has confirmed that the proposed 'car free' approach is acceptable, subject to a commitment to work with a car club provider to install a car club space on Arklow Road; 3 year car club membership for first occupiers; a contribution of £30,000 towards review of the need for, and implementation of, a CPZ in the area to manage overspill parking; a requirement that future residents will not be able to acquire permits within the CPZ; and the implementation of the Travel Plan. Transport for London also recommended that a contribution towards CPZ review be sought and that future residents of the scheme be excluded from acquiring permits. It is also considered appropriate for the S106 to include a requirement on the applicant to advise future occupiers of the potential future implementation of a CPZ in the area, for which they would be prevented from acquiring permits.
- 6.6.15 In terms of the impact on public transport services the TA notes that there are four frequent bus services within 400m of the site, providing a peak frequency of 23 buses every hour. Assuming an even spread of demand the TA estimates the development generating an additional 4 bus passengers per service. In terms of rail services, the TA estimates approximately 4 people per service arriving in the morning peak hour generated by the proposed development. The TA concludes that the proposed development will not have an adverse effect on the capacity of the public transport services. TfL in their initial response conclude that the development will increase pressure on existing bus services. The subsequent GLA Stage 1 response identifies that the scheme will increase pressure on existing bus services and therefore TfL requests a financial contribution of £270,000 (£90k x 3 years) to provide an additional journey on existing route number 225.
- 6.6.16 Subject to mitigation through the inclusion of a restriction on applying for a parking permit in the event of a CPZ being introduced, contribution towards CPZ review, implementation and restriction on parking permits, public realm improvements and a financial contribution for public transport services, the overall development impacts are considered to be acceptable.

Pedestrians and Cyclists

- 6.6.17 The applications propose cycle parking in accordance with London plan standards. TfL note that the applications do not specify which type of cycle stands will be provided and makes recommendations on alternative systems.
- 6.6.18 TfL note that as part of the Hybrid application scheme the site would be opened up, increasing pedestrian permeability. As proposed in the applications, pedestrian movement through the site will be prioritised and vehicle movements limited or restricted. Quietway 1 runs parallel to the site and TfL consider that this would be the preferred route for the majority of cyclists travelling eastward from the site, although they also note that it would be beneficial if local residents could also cycle and access the site

via Rolt Street. The TA states that cycle access will be provided through the new link on to Rolt Street in the northwest corner of the site, with the route through the site being promoted as shared surface/Homezone. This route, for the general public as pedestrians and cyclists, would be secured through a planning obligation.

- 6.6.19 Subject to confirmation of details of cycling parking facilities and access it is considered that provision for pedestrians and cyclists is acceptable.

Servicing

- 6.6.20 All servicing would be from Arklow Road. A loading bay is to be provided on Arklow Road close to the access point to allow for safe deliveries to the site. Swept path analysis has been undertaken for a large refuse vehicle and a rigid delivery lorry demonstrating that these vehicles can enter and exit the site in a forward gear and manoeuvre appropriately within the site. In order to appropriately manage the servicing and delivery arrangements a draft Servicing and Delivery Management Plan has been prepared, the details of which will be agreed with the Council. Subject to these further details it is considered that the site servicing provision is acceptable.

6.7 Sustainability and Energy

- 6.7.1 Policy 5.2 of the London Plan requires developments to make the fullest contribution to the mitigation of and adaptation to climate change and meeting CO2 emission targets through a combination of using less energy ('Be lean') the efficient supply of energy ('Be clean') and using renewable energy sources ('Be green'). Policy 5.3 seeks to ensure that developments meet the highest standards of sustainable design and construction. This approach is reflected in Core Strategy Policy 8 (CS8) (Sustainable design and construction and energy efficiency). The Council will expect all new development to reduce CO2 emissions through a combination of measures including maximising the opportunity of supplying energy efficiently (by prioritising decentralised energy generation for any existing or new developments) and meeting at least 20% of the total energy demand through on-site renewable energy.
- 6.7.2 Core Strategy Policy 8 also states that all new residential development (including mixed use) will be required to achieve a minimum of Level 4 standards in the Code for Sustainable Homes from 1 April 2011 and Level 6 from 1 April 2016, or any future national equivalent. Changes in national policy mean that the implementation of Code for Sustainable Homes standards is now regulated by Building Control.

Energy Demand, CO2 Emissions and Renewables

- 6.7.3 Policy 5.2 of the London Plan (2015) requires developments to make the fullest contribution to the mitigation of and adaptation to climate change and meeting CO2 emission targets through a combination of using less energy ('Be lean') the efficient supply of energy ('Be clean') and using renewable energy sources ('Be green'). Policy 5.3 seeks to ensure that

developments meet the highest standards of sustainable design and construction.

- 6.7.4 This approach is reflected in Core Strategy Policy 8 (CS8) (Sustainable design and construction and energy efficiency). The Council will expect all new development to reduce CO2 emissions through a combination of measures including maximising the opportunity of supplying energy efficiently (by prioritising decentralised energy generation for any existing or new developments) and achieving maximum CO2 savings through on-site renewable energy.
- 6.7.5 In the case of strategic sites, the Core Strategy states (Strategic Site Allocation 1) that sites will need to make provision for decentralised energy networks and/or the use of SELCHP where appropriate. Further, Core Strategy Policy 8 states that all new residential development (including mixed use) will be required to achieve a minimum of Level 4 standards in the Code for Sustainable Homes from 1 April 2011 and Level 6 from 1 April 2016, or any future national equivalent.
- 6.7.6 Changes in national policy during 2015 mean that the implementation of Code for Sustainable Homes standards is now regulated by Building Control, though residential development is still expected to meet code level 4 in respect of energy performance and water efficiency. Applications are still considered in light of the policy objectives to ensure that measures are taken in the design so that the energy efficiency savings set out in policy can be achieved.
- 6.7.7 The applications are supported by a Sustainability Statement and an Energy Strategy which set out how sustainable design and construction measures have been integrated into the design response to the site, particularly in relation to energy, daylight, ventilation and water, rather than as 'add-on' mitigation measures and how they contribute to meeting the above policy objectives.
- 6.7.8 These measures include designing all residential units to Code for Sustainable Homes Level 4 standard and all non-residential space to BREEAM 'Excellent'.
- 6.7.9 Energy efficiency measures, providing an 11% improvement over Part L 2013, include:
- High-performance, engineered facade with optimised levels of insulation and shading;
 - Windows carefully designed to balance daylight, heat loss and heat gain;
 - Low air permeability;
 - Mechanical ventilation with heat recovery;
 - Low energy lighting;
 - Variable speed pumping;
 - Instantaneous hot water to reduce storage losses;

- 6.7.10 The scheme is designed to enable connection to the SELCHP area wide heat network when this becomes available. A condition is recommended to ensure that piping to the site boundary is provided in order to facilitate future connection. An energy centre is incorporated within Block C, which will supply the site if connection is not possible at the time of completion of the scheme. These measures will deliver a reduction of 19% for the hybrid application and 20% for the full application in CO² emissions over Part L 2013.
- 6.7.11 In addition, solar photovoltaics are proposed across the roofs of the new blocks, resulting in further reductions of 4% for the hybrid application and 5% for the full application in CO² emissions over Part L 2013.
- 6.7.12 In total, the renewable energy, CHP unit and building efficiency measures would result in a total CO² emissions saving of 126t/yr for the hybrid application (117t/yr for the full application) against the baseline emission of Building Regulations Part L 2013 levels, being at least 35%.
- 6.7.13 The Sustainability Statement details water saving measures to be specified, including efficient water installations, designed to keep water consumption to less than 105 litres per person per day, equivalent to CfSH 4 requirements. Similarly it identifies that the required standard in respect of energy performance, a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations, will be achieved.
- 6.7.14 Officers have considered the range of measures proposed by the applicant to reduce CO₂ emissions from the proposed development and the estimates of the savings that will be achieved including the use of on-site renewables. The commitment to achieving the equivalent of CfSH Level 4 in respect of energy performance and water efficiency for residential units and BREEAM 'Excellent' for non-residential space is also noted and welcomed.
- 6.7.15 Officers consider that the proposals are acceptable and, subject to relevant controls to secure their implementation as an integral part of the development, are to be supported. Conditions are therefore proposed in respect of BREEAM, energy performance, water efficiency, details of the CHP scheme and infrastructure required to enable a future connection to the SELCHP network.

6.8 Other Considerations

Flood Risk and drainage

- 6.8.1 Under London Plan Policy 5.12, development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and the associated technical Guidance on flood risk over the lifetime of the development and have regard to measures proposed in Thames Estuary 2100 (TE2100 – see paragraph 5.55) and Catchment Flood Management Plans.

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

- store rainwater for later use;
- use infiltration techniques, such as porous surfaces in non-clay areas;
- attenuate rainwater in ponds or open water features for gradual release;
- attenuate rainwater by storing in tanks or sealed water features for gradual release;
- discharge rainwater direct to a watercourse;
- discharge rainwater to a surface water sewer/drain; and,
- discharge rainwater to the combined sewer.

6.8.3 The site is located within the Environment Agency (EA) Flood Zone 3a (high probability area) at risk of tidal flooding however the site is in an area benefiting from flood defences. The risk of tidal flooding from the River Thames is therefore low and the site lies outside of the area at risk of residual tidal flooding should the local flood defences be breached.

6.8.4 The Thames Barrier and flood defences along the banks of the Thames provide a 0.1% Annual Exceedance Probability (AEP) from tidal flooding (i.e. 1 in 1,000 years or greater annual probability) standard of protection from tidal flooding. EA flood level data for the site show that approximately half of the site would be affected by the 0.5% AEP (i.e. 1 in 200 years or greater annual probability) plus climate change event should a breach occur in the flood defence, with a maximum breach flood water level of 3.12m AOD.

6.8.5 The EA have raised no objection to the applications on the basis of the existing flood defences and that finished ground floor levels are to be set at a minimum of 300mm above the maximum likely water level due to a breach. The EA additionally recommend that ground floor sleeping accommodation is not permitted and that this is raised to the first floor level, however it is considered that the combination of raised ground floor levels, the use of flood resistant and resilient measures within the scheme such as barriers on doors, windows and access points at the ground floor level and routing electrical services from a higher level downwards, combined with a flood evacuation plan for all site users with access to the first floor as a safe haven is sufficient to mitigate the risk to occupiers to an acceptable level.

6.8.6 As a consequence the operational impact on tidal flood risk is considered to be minor adverse and a condition will be attached to ensure the

development is implemented in accordance with the Flood Risk Assessment and incorporating the above mitigation measures.

- 6.8.7 In terms of drainage, whilst the proposed development will introduce a larger number of occupants to the site with a consequent increase in foul water discharge, this will be offset by a reduction in surface water run-off such that the scheme will not result in an increase in discharge to the combined sewer network. The FRA concludes that there will be a net reduction in discharge from the site, which is assessed as a moderate/minor beneficial impact.
- 6.8.8 On this basis the assessment of drainage and flood risk is considered acceptable.

Ecology

- 6.8.9 The application is supported by an Extended Phase 1 Habitat Survey, Bat Assessment Report and Bat Building Inspection Report. The reports identify that the site has very limited natural habitat and conclude overall that the site does not have the potential to support notable or protected species or groups, including breeding birds, badgers, reptiles, great crested newts and bats. The report recommends enhancements including the incorporation of living roofs, bat and bird boxes within the development design in order meet the requirements of current planning policy.
- 6.8.10 Core Strategy Policy 12 states that in “recognising the strategic importance of the natural environment and to help mitigate against climate change the Council will conserve nature” which will be achieved by “preserving or enhancing the local biodiversity and geological conservation interests in accordance with national and regional policy” as well as “promoting living roofs and walls in accordance with London Plan policy and Core Strategy Policy 8”.
- 6.8.11 At the more detailed level, DMLP Policy 24 requires all new development to take full account of biodiversity in development design, ensuring the delivery of benefits and minimising of potential impacts on biodiversity and geodiversity.”
- 6.8.12 As per the comments set out in Section 3 above, the Council’s Ecological Regeneration Manager has advised that he is content with the findings and mitigation set out in the Ecology Report.
- 6.8.13 The submitted plans indicate living roofs on most of the northern range of buildings. On account of the benefits they offer in terms of habitat, drainage, energy consumption and visual amenity planning policy seeks the incorporation of living roofs on all flat roofs where feasible. In this case it is recommended that a condition be attached to require living roofs across all flat roofs in the scheme, with the exception of the roof between blocks B3 and B4, which incorporates rooflights for the commercial space below. Bird and bat boxes and an Ecological Management Plan are also recommended to be secured by condition.

- 6.8.14 With the completion of these measures, it is considered that there will be a net gain in biodiversity value within the site.

Microclimate

- 6.8.15 The Hybrid application is supported by a Wind Microclimate Assessment. It provides a qualitative assessment of the likely wind conditions around the development, based on analysis of meteorological conditions for London, adjusted to the site, and a review of the scheme drawings in the context of the meteorological data. The study concludes that the ground level wind conditions for the proposed development will be compatible with the intended pedestrian use of the site, classified as acceptable for leisure walking or standing during the windiest season.
- 6.8.16 The study recommends that all of the proposed terraces would benefit from an increase of the balustrade height from 1.2m to 1.5m. The larger terraces on proposed buildings B1 and B2 would also benefit from a canopy or pergola with an overall height of at least 2m in the centre of the terrace.
- 6.8.17 London Plan Policy 7.6(d) Architecture states that buildings “should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings”. With the implementation of the proposed landscaping scheme and identified mitigation measures, residual effects are considered to be negligible at worst. Conditions are proposed to ensure the mitigation measures are implemented accordingly.

Daylight, Sunlight and Overshadowing

- 6.8.18 Daylight, Sunlight and Overshadowing assessments were submitted for both applications in accordance with the BRE Guidelines “Site Layout Planning for Daylight and Sunlight – A Good Practice Guide”. The reports assess the daylight, sunlight and overshadowing impacts that the proposed development may have on the existing properties surrounding the site as well as within the proposed development itself.
- 6.8.19 The assessments confirm that levels of retained daylight and sunlight to Teal Court, 6-10 Royal Close, William House, 7-10 Alexandra Place, Poppy Court, The Lord Palmerston and 14-16 Childers Street, will achieve full adherence to the BRE guidelines.
- 6.8.20 There are some windows and rooms to 1-18 Kerry Path, 26 Arklow Road, 28 Arklow Road and SR House that will experience reductions greater than the BRE guidelines. However, for all the above properties the majority of the rooms affected are bedrooms, which the BRE guidelines highlight as being “less important” than main living rooms. For the Kerry Path properties, 5 of the windows are to rooms which are also served by other windows such that the rooms will remain virtually full lit, as demonstrated by the daylight distribution levels. The other four windows

that do not meet the BRE VSC guidelines serve kitchens, but daylight distribution contours show that they will retain good daylight distribution. All of the Kerry Path properties meet the BRE guidelines by obtaining APSH levels of at least 25%.

- 6.8.21 The Arklow Road properties show moderate failures in Visible Sky Component (VSC) of between 0.59 and 0.74, compared with the BRE guideline of 0.8, in part as a result of replacing the low two-three storey buildings with taller new buildings. However, daylight distribution and APSH results for these windows show marginal failures compared to the BRE guidance, indicating that overall the impact on these properties will not be significant.
- 6.8.22 The consented scheme for SR House includes a number of open plan living/dining/kitchens greater than 5m in depth. The BRE guidelines highlight that where rooms are greater than 5m in depth then a greater reduction in the daylight distribution may be unavoidable. The majority of windows which do not meet the BRE test in respect of VSC are bedrooms. Those windows experiencing the greatest reduction in VSC, between 0.58 to 0.78, serve rooms that comply with the BRE guidelines for daylight distribution, indicating that the light falling in these rooms will not be affected. SR House shows high compliance in respect of APSH levels.
- 6.8.23 In response to the objection received from an occupier of Acme Studios in the Donovan Buildings, the applicant's Daylight & Sunlight consultant undertook a specific review of the potential impacts on these buildings. Ordinarily the Daylight and Sunlight assessments are undertaken in respect of residential properties, though non-residential buildings may be considered if occupants have an expectation of light.
- 6.8.24 The assessment has been undertaken using the guidance criteria for residential. The floor plans of the Donovan Buildings indicated that the rear facing rooms are of deep configurations (circa 10m), with one room per window. Given the position of the buildings relative to the application site, only the first three windows at the eastern end of the Donovan Buildings have been tested as any windows and rooms beyond this point will receive unfettered views and access to daylight and sunlight.
- 6.8.25 The sunlight assessment shows full adherence to the BRE guidelines for both schemes. The external daylight assessment in the full application scheme also shows full adherence.
- 6.8.26 The external daylight test for the hybrid scheme shows 7 windows with reductions in light below the BRE guidelines, with a factor of former values ranging between 0.64 and 0.79.
- 6.8.27 The internal daylight test for each scheme shows all but three rooms adhere to the BRE guidelines. The three rooms that fall below obtain daylight distribution levels of 63% or higher when testing a 10m deep room.

- 6.8.28 The APSH sunlight results show that all 12 windows tested (100%) adhere to the BRE guidelines by obtaining APSH levels in excess of 25%, including at least 5% in the winter months.
- 6.8.29 There will therefore be some effects to the level of daylight enjoyed by some of the occupants in the Donovan Buildings as a result of the proposed developments. The site is undeveloped at present so the comparison between the existing and proposed conditions will inevitably lead to light reductions. However, the results show these are limited and when taking into account the existing undeveloped nature of the site and the depth of the rooms affected, it is considered that the proposals will not result in an unacceptable impact on the studios within the Donovan Buildings.
- 6.8.30 Within the proposed development, a representative proportion of habitable rooms at ground to third floors Blocks B-F were tested. Out of 100 Living/Kitchen/Dining rooms and 149 bedrooms assessed, 35 Living/Kitchen/Dining rooms (35%) and 141 bedrooms (95%) would meet the recommended BRE guidelines. The majority of the Living/Kitchen/Dining rooms that do not meet the BRE recommended criteria are located underneath projecting/recessed balconies, which impact on the amount of daylight and sunlight amenity to the units below.
- 6.8.31 In response to a request by officers, the applicant subsequently provided ADF calculations for the living/dining rooms of these units, excluding the kitchen. The subsequent results show that 83% of rooms meet the BRE guidelines in the amended assessment.
- 6.8.32 The overshadowing assessment shows that the amenity areas within the proposed development will receive direct sunlight to 76% of the garden areas on 21 March, which exceeds the 50% target set by the BRE guidelines.
- 6.8.33 Officers have taken into account these impacts in assessing the acceptability or otherwise of the proposed development and the scale and significance of impacts on affected properties. Daylight levels in affected properties are considered to remain sufficiently well-lit for the type of property in an urban environment.

Employment and Training

- 6.8.34 As the Council's Planning Obligations SPD notes, as London's economy grows the number of jobs and careers available to Lewisham's citizens will increase. Many of these jobs will require specific skills. High unemployment levels, low incomes and deprivation persist in the Borough because of certain barriers to employment, most notably in the lack of skills required in the jobs market. Lewisham's citizens should feel equipped to compete for the best jobs and fulfil their aspirations.
- 6.8.35 The Lewisham Local Labour and Business Scheme is a local initiative that helps local businesses and residents to access the opportunities

generated by regeneration and development activity in Lewisham. This particular policy objective provides the basis of the Government's commitment to reducing the environmental impact of new developments. The use of local labour can also limit the environmental impact of new development due to people commuting shorter distances to travel to work.

- 6.8.36 The Council's Planning Obligations SPD recognises the use of financial contributions from developers to address training, support and recruitment as well as non-financial obligations to secure commitments to the use of local labour and businesses, 'upskilling' of the local workforce and engagement with local businesses to ensure they are positioned to access opportunities.
- 6.8.37 The application schemes are significant in scale in terms of the number of dwellings and amount of commercial floorspace created. In relation to financial contributions, the approach set out in the Council's Planning Obligations SPD is to split the contributions required equally between residential and commercial development. The contribution sought reflects the current training and operation costs of running the programme to the end date of 2025. A threshold for residential developments of 10 dwellings or more, including mixed use schemes and live-work units, is set. The contribution is set at £530 per residential unit or job created.
- 6.8.38 The commercial space is proposed to be flexible, predominantly B1/B8. The HCA Employment Densities Guide 2010 (2nd Edition) provides indicative employment densities per use class. For B1 uses this ranges from 1 FTE job per 10sqm GIA and for B8, 1 FTE job per 70sqm is estimated. A1/A2/A3 uses are closer to the B1 measure. For the purposes of calculating the contribution, officers have worked on the basis of 1 job per 35sqm GIA. This indicates an employment figure of 82 jobs for the Hybrid scheme and 87 for the Full application. The applicant has indicated that the schemes would result in similar numbers of jobs created, based on 65-70 studio units.
- 6.8.39 The Hybrid scheme proposes 316 residential units and 2,869sqm employment floorspace which results in a contribution of £210,940.
- 6.8.40 The Full application scheme proposes 287 residential units and 3,039sqm employment floorspace which results in a contribution of £198,220.
- 6.8.41 Further to these objectives, it is also proposed to require the applicant to prepare and submit a Local Labour Strategy as a Section 106 obligation in order to promote the use of local labour as part of the construction process.

Conservation and archaeology

- 6.8.42 The NPPF states that preserving and enhancing the historic environment is one of the core principles of sustainable development. London Plan Policy 7.8 (Heritage assets and archaeology) states that developments that could affect the setting of heritage assets should be developed with a

scale and design sympathetic to the heritage assets. Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment and Development Management Policy 36 (New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens) both require designated and non-designated heritage assets and Conservation areas and their settings to be protected, preserved and/or enhanced through new development and changes of use.

- 6.8.43 The NPPF gives guidance on the approach when considering the impact of proposals on heritage assets. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given the asset's conservation. The more important the asset, the greater the weight should be. Paragraph 134 advises that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 135 of the NPPF requires that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.
- 6.8.44 The application site is located in an Area of Archaeological Priority and sits immediately south of the Grade II Listed Deptford Railway Viaduct, on the Greenwich-London Bridge line. The Grade II Listed Deptford Fire Station is located to the north. The site does not fall within or adjacent to any conservation areas.
- 6.8.45 The site's redevelopment also has potential to affect the setting of various non-designated heritage assets. These comprise Safa House and Astra House to the south on Arklow Road and St Mark's Church on Edward Street.
- 6.8.46 Section 66 Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on local planning authorities when considering whether to grant planning permission for development which affects a listed building or its setting. In such cases, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. 'Preserving' in the context of the statutory duty means doing no harm. There is, in effect, a strong statutory presumption against granting planning permission for development which would cause harm to the settings of listed buildings.
- 6.8.47 As indicated above, the proposed development would affect the immediate setting of the Grade II listed Deptford Railway Viaduct. As noted in the list description, 'In the area of the site the arches are infilled

with workshops of no special interest'. These workshops extend south towards the site which is divided from them by a high brick wall which obscures the majority of the arches from view. Within the Network Rail land, a small section of the arches is revealed on the development side, which would be landscaped in conjunction with the provision of the new route. While the application schemes would introduce buildings of greater scale to the setting of the viaduct, these would replace existing industrial buildings and, together with the proposed landscaping, would be of a high quality. It is therefore considered that the proposed development will cause less than substantial harm to the listed viaduct.

- 6.8.48 NPPF paragraph 134 advises that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The delivery of a new public route is considered material to the assessment of harm in this case. Given the delivery of the route and the quality of the proposed scheme, officers consider that the impact on the setting of the viaduct would be acceptable.
- 6.8.49 Deptford Fire Station is located some 300m to the north east of the site. The development context between the site and this listed building includes buildings ranging up to 17 storeys. It is considered that a further building of 22 storeys at this distance will have no more than a negligible impact on its setting.
- 6.8.50 The setting of Safa House and Astra House will change from industrial to residential. For Safa House, which used to be directly linked in function to the former foundry, this change is of greater significance. However, that relationship ended some 45 years ago with the closing of the foundry. The building is in a state of poor repair and will benefit from the improved setting provided by the proposed schemes which may act as a catalyst for its refurbishment. Astra House is the subject of planning permission granted in August 2015 for conversion and extension to residential use, in line with the proposals.
- 6.8.51 The proposed development will be visible to the north behind St Mark's Church, however in the wider context it is not considered that the proposed schemes would result in a significant impact to its setting.
- 6.8.52 Historic England were consulted and confirmed that the site has potential for historic buildings and archaeological features of interest and that conditions should be attached requiring recording of the buildings and a two stage evaluation process. The buildings identified are two buildings at the entrance to the site. Further to the prior notification for demolition (DC/15/93981) of the existing buildings determined in November 2015, the buildings have since been demolished. However, neither building was listed or locally listed and both were considered to be of low significance. In line with Historic England's comments in respect of archaeological potential, a condition is recommended requiring two stage archaeological evaluation.

- 6.8.53 In light of the above, Officers consider that, the setting of both the designated and non-designated heritage assets, whilst altered by the proposed development, would ultimately be preserved.

6.9 Consideration of Objections

- 6.9.1 Section 4 of this report outlines the consultation that has taken place and summarised the consultation responses. Responses to the proposals have been addressed in Sections 6.2-6.8 above.

7.0 FINANCIAL VIABILITY AND DELIVERABILITY

7.1 Introduction

- 7.1.1 The application site is identified in the Core Strategy as one of seven Mixed Use Employment Locations (MELs) in the Deptford and New Cross area the redevelopment of which will, collectively, deliver major regeneration benefits for the north of the Borough. A fundamental objective and requirement of the redevelopment of the MELs is to deliver a radical improvement in the physical quality of the urban environment by improving their overall appearance and attracting further investment to this part of the Borough.

- 7.1.2 Core Strategy Policy 4 states that a requirement of proposals for MELs is that a masterplan is prepared for the site, including the form and function of the development and the approach to delivering the Core Strategy and its policies. Whilst the scope and content of the masterplan is set out only in relation to the designated Strategic Sites, given the aspirations for and expectations of the MELs in terms of transforming the area a key consideration is their deliverability. This includes their financial viability and ability to deliver on a range of Core Strategy policies.

7.2 Scheme Viability

- 7.2.1 Financial Viability Assessments prepared by Jones Lang LaSalle were submitted at the same time as the planning applications which as indicated above proposes 14% affordable housing in respect of the Full application and 12.5% in respect of the Hybrid application, by unit number.
- 7.2.2 In order to assess the overall viability of the proposed development and to inform details of the scheme including the amount of affordable housing and B1 space that is to be delivered on the site the Council commissioned GL Hearn to undertake a development appraisal of the current application proposals.
- 7.2.3 The GL Hearn report provides their opinion on the key appraisal inputs such as land purchase costs, construction costs, residential sales values, and rents and yields for the commercial space. Commentary is also provided on typical finance rates, marketing costs and other development costs as well as typical rates of return for the developer. A copy of GL

Hearn's report is attached to this report at Annex 2. The principal elements are summarised below.

- 7.2.4 In terms of development value, a review of sales achieved on other sites in the local area as well as evidence for ceiling unit pricing has identified a range for market housing from £562 to £794 per sq. ft. Based on the evidence available, a blended average of £592 per sq. ft. reflects the general sales value tone in the area given the mix and form of development proposed. Whilst it is clear that higher values are being achieved in the Deptford area, given the location of the site at the apex of two mainline railway lines GL Hearn advise that a blended rate of £592 per sq. ft. appropriately reflects the site characteristics.
- 7.2.5 Affordable housing values has been informed by initial offers from three Registered Providers operating in the local area. Applying Lewisham's Blended Rent calculation of 65% of market rents to the affordable rented units and also applying GLA income bands for the shared ownership units the appraisal adopts a mid-point value of £239 per sq. ft.
- 7.2.6 In terms of commercial revenue there are limited comparable investment transactions, but based on available market evidence a rental figure of £10 per sq. ft. is considered to be a reasonable assumption. Freehold capital value rates have also been considered from the few comparables available that demonstrate a figure of close to £100 per sq. ft. is appropriate and reflective of the market in the local area.
- 7.2.7 In respect of costs, a budget Cost Estimate prepared for the scheme has been reviewed by quantity surveyors Johnson Associates. Although there were points of difference between specific inputs the advice to the Council is that the overall build costs are not unreasonable on a £ per sq. ft. or a cost per unit basis giving rise to an overall build cost of approximately £73.5m (Full application) £81m (Hybrid). Mayoral and Borough CIL has been calculated at £2.16m (Full application) to £2.43m (Hybrid).
- 7.2.8 Land purchase costs has been calculated based on an Alternative Use, rather than Current Use Value of the site. The Current Use Value reflects the value of the property ignoring any prospect of development other than for the continuation or expansion of the current use. Where an alternative use can be readily identified and would generate a higher value than the current use (and a purchaser in the market would acquire the property for that alternate use) the Alternative Use Value is more relevant. In this case the site is identified in the Core Strategy as a Mixed Use Employment Location which anticipates its development for a mix of residential and commercial use purposes. In the circumstances it is considered that appraising the scheme on the basis of the Alternative Use Value is appropriate.
- 7.2.9 In terms of the Hybrid scheme the applicant is at an advanced stage of negotiation with Network Rail to allow a right of access across their land to connect the site to Rolt Street. The applicant has negotiated a payment for this easement and has also committed to landscaping and public realm

works in this part of the site. These costs have been added to the appraisal for the Hybrid application.

- 7.2.10 The appraisal also includes reasonable allowances for Professional fees, Marketing and Legal costs, Contingencies and Finance Costs. The appraisal assumes there are no Planning Obligation costs other than CIL.
- 7.2.11 Core Strategy Policy 1 sets a strategic target of 50% affordable housing from all sources and that this is the starting point for negotiations. The policy also notes that the level of affordable housing on sites will be subject to a financial viability assessment and the Council's SPD on planning obligations provides further guidance. In this case however, the residual value of the development (even with affordable housing at around 14%) is below the benchmark (Alternative Use) value of the development. Accordingly, the level of return does not support additional affordable housing in the scheme, but despite this deficit the Applicant is committed to ensuring the scheme comes forward for development on the basis of 14% affordable housing (12.5% for the Hybrid application).
- 7.2.12 Given the scale of the development proposed (around 300 dwellings) and the relatively short construction programme (two years) it is considered that a review mechanism would not be appropriate. However, it is considered appropriate that a review mechanism be triggered if development has not commenced within 2 years in order that scheme viability can be reviewed to determine whether any additional affordable housing can be provided.

7.3 Implementation and Deliverability

- 7.3.1 The applicant proposes that the sequence of development, from Arklow Road to Rolt Street, would allow for construction to commence in advance of finalising the agreement with Network Rail to allow for a pedestrian and cycle link to Rolt Street. In the event that the agreement is not completed then the Full application scheme would still be implementable.
- 7.3.2 Delivering the link is critical to achieving the place-making objectives set out in the Deptford and New Cross Masterplan and therefore whilst the Full application is generally acceptable in planning terms, its failure to provide the link is a major weakness. As already noted, however, the Full scheme will preserve the ability for the route to be completed once the adjoining land comes forward for development. It is proposed that the Section 106 obligations will provide that in the event the Full permission is implemented rather than the Hybrid, the through route will be permitted to connect/facilitated on the applicant's land as and when the Network Rail land comes forward.
- 7.3.3 As submitted, delivering the link through the Hybrid application would involve permitting additional residential floorspace in a building up to 22 storeys but with no additional affordable housing from the Full application

and less commercial space. It is understood that the applicant has made good progress in negotiations with Network Rail and has agreed the level of payment to allow for access through to Rolt Street. These are additional costs to the scheme that would be met by the increase in residential accommodation in the Hybrid application.

- 7.3.4 Notwithstanding the fact that the Hybrid application delivers less than the Full application in terms of the percentage of affordable housing and less commercial floorspace it is considered that delivering the link meets a number of strategic objectives and accordingly the applicant should be encouraged to complete the agreement with Network Rail and proceed with the Hybrid scheme.

Infrastructure

- 7.3.5 The proposed development will give rise to additional demands on existing social infrastructure such as schools and health services. Funding of the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the Borough is now secured through Community Infrastructure Levy (CIL) payments. As required by the CIL Regulations 2010 the Council has identified a list of types of the infrastructure that will be funded in whole or in part through CIL. These include state education facilities, public health care facilities, strategic transport enhancements, publicly accessible open space, allotments and biodiversity, strategic flood management infrastructure, publicly owned leisure facilities and local community facilities. Borough CIL payments arising from the proposed development amount to around £1.65-1.83m.
- 7.3.6 In addition, and where they meet the tests set out in the legislation, s.106 contributions may also be sought including site-specific highways and public transport related works needed to make the development acceptable in planning terms. In this case works to the site entrance are considered necessary and would be funded through a s.106 contribution. In addition the GLA/TfL are likely to identify the need for bus service enhancements arising from the increased use of existing services and directly attributable to the development. Financial contributions necessary to mitigate the impact of the proposed development and make it acceptable in planning terms will be secured through the s.106 agreement.

Management and Maintenance

- 7.3.7 The pedestrian/cycle route through the site and open space/communal residential amenity and play space will be managed and maintained privately. Full public access will, however, need to be provided to the routes into and through the site and this is proposed to be secured as part of the s.106 agreement.

8.0 LOCAL FINANCE CONSIDERATIONS AND COMMUNITY INFRASTRUCTURE LEVY

8.1 Introduction

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

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

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

8.1.3 The proposed development will be liable for the Mayor of London's CIL and Borough CIL and these are therefore a material consideration. The Mayor of London's CIL is calculated at £35/m² (GIA) (irrespective of land use). The application site falls within Zone 1 of the Borough charging schedule with a levy of £100/m² for Use Class C3, £0/m² for Use Class B, and £80/m² for all other uses. Based on the proposed mix and quantum of development the following CIL payments are due:

	Hybrid	Full
London Mayoral CIL	£ 905,520	£ 813,365
Borough CIL	£ 1,833,156	£ 1,650,299
Social Housing Relief	£ 308,018	£ 300,911
Total	£ 2,430,658	£ 2,162,753

8.2 Planning Obligations

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

8.2.2 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

8.2.3 Regulation 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis. A planning obligation cannot be a reason for granting planning permission, unless it satisfies the tests set out in Regulation 122.

8.2.4 The matters proposed for inclusion in the s.106 agreement comprise:

1. Housing

- provision of a minimum of 40 affordable housing units comprising 28 affordable rent and 12 intermediate flats.
- Affordable rent levels (inc service charge) as follows:
 - 1beds at 80% market rent or LHA;
 - 2bed units at 70% market rent or LHA;
 - 3bed units: 2no. 3B5P and 2no. 3B6P at 65% and 2no. 3B5P and 2no. 3B6P at 50% of market rent (capped rent).
- Shared ownership income thresholds set at £36,795 for 1beds and £42,663 for 2beds for the initial 6 months of marketing. If not secured within this period, the units can then be offered at London Plan income thresholds.
- 8 of the Affordable Rent units (2no 1B2P, 4no 2B3P & 2no. 2B4P) to be wheelchair units (designed to Part M4(3)(2)(b)) for which the Council will have nomination rights. Plan(s) showing location of wheelchair units to form part of obligation
- Marketing strategy for wheelchair adaptable units in Private Market tenure
- all affordable housing to be built with no discernible difference in quality of external appearance to private dwellings
- affordable housing to be provided as per submitted plans and construction phasing strategy
- 10% of units in Block A of the Hybrid application to be 3bed family units, detailed in the forthcoming reserved matters application
- provision of a financial review mechanism to enable additional funds to be applied to affordable housing

2. Public Realm

- implementation (including landscaping works and timing) of route across Network Rail land (Hybrid application)

- provision of public routes through the site with the right to pass and repass
- maintenance and management of the public realm in accordance with a management plan agreed with the Council

3. Transport:

- financial contribution of up to £270,000 towards provision of an additional service on route 225 (to be agreed between the applicant and TfL)
- financial contribution of £30,000 towards the cost of consultation and implementation of a Controlled Parking Zone in the vicinity of the site
- site wide Travel Plan for residential and non-residential uses to be submitted and approved by the Council
- provision of car club membership for all residential and commercial occupiers of the site (with free membership for a minimum of three-years)
- restriction on parking permit applications (including mechanism to secure implementation and notification of restriction to prospective occupiers)
- submission, approval and implementation of a parking management plan to maintain parking for Blue Badge holders
- implementation of works to the public highway (under a Highways Agreement)
 - The closure of the existing crossovers and the re-instatement of the footway on Arklow Road.
 - The provision of a car club space and a loading bay (lay-by) on Arklow Road and the associated Traffic Regulation Order (including the costs of designating the bays)
 - Improvement works to the footways on Arklow Road (site boundary to Childers Street junction) and the lighting under the railway bridge on Arklow Road
 - The provision of improved crossing facilities on Edward Street to benefit pedestrians accessing New Cross Gate Station and services/facilities to the south of the site
 - Improvement works to the footways on Rolt Street (site boundary to Folkestone Gardens) and the lighting under the railway bridge (mainline) on Rolt Street

4. Employment and Training:

- implementation of a local labour scheme on site to be agreed with the Council

- financial contribution towards employment and training of:
 - £210,940 (Hybrid application)
 - £198,220 (Full application)
- specification of commercial space fit out to include service connections and other infrastructure and marketing in accordance with an approved marketing strategy.

5. Children's Playspace/Communal Amenity Areas:

- communal residential amenity areas to be provided, maintained and managed in accordance with a plan submitted to and approved by the Council

6. Implementation

- to complete easement agreement with Network Rail

7. Costs:

- meeting the Council's legal, professional and monitoring costs associated with the drafting, finalising and monitoring of the Agreement

8.2.5 As set out elsewhere in this report, the obligations outlined above are directly related to the development. They are considered to be fairly and reasonably related in scale and kind to the development and to be necessary and appropriate in order to secure policy objectives, to prescribe the nature of the development, to compensate for or offset likely adverse impacts of the development, to mitigate the proposed development's impact and make the development acceptable in planning terms. Officers are therefore satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations 2010.

9.0 **EQUALITIES CONSIDERATIONS**

9.1 **Introduction**

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

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

- 9.1.2 The protected characteristics under the Act are: Age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.

9.2 **Considerations**

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

10.0 **CONCLUSIONS AND RECOMMENDATIONS**

10.1 **Introduction**

- 10.1.1 This report has considered the proposals in the light of adopted development plan policies and other material considerations including information or representations relevant to the environmental effects of the proposals. Core Strategy Policy 4 sets out the land use and place-making requirements for Mixed Use Employment Locations.
- 10.1.2 Officers consider that the analysis of the Arklow Road site and its context is based on an appropriate understanding of the constraints and opportunities of this part of the borough and the specific characteristics of the site. The masterplan proposed with the Hybrid application provides a coherent basis within which the site would come forward and with appropriate controls regarding the delivery of the link to Rolt Street, the proposals are acceptable.
- 10.1.3 The Hybrid application achieves a number of the urban design and spatial planning objectives set out in Deptford and New Cross Masterplan as well as the provision of new housing as part of a mixed use development of the site. The amount and mix of affordable housing is considered to have been optimised in the context of overall scheme viability. The proposed development would provide additional housing including a proportion of affordable accommodation, and would improve the site environment. The employment space provision is considered appropriate to the site and its context and to have been optimised in the context of scheme viability.
- 10.1.4 It is considered that the scale of the development is acceptable, that the buildings have been designed to respond to the context, constraints and potential of the site and that the development will provide a high standard of accommodation.
- 10.1.5 The NPPF is underpinned by a presumption in favour of sustainable development. Officers consider that with the recommended mitigation, planning conditions and obligations in place the scheme accords with local and national policies.

- 10.1.6 The proposals are considered to accord with the development plan. Officers have also had regard to other material considerations, including guidance set out in adopted supplementary planning documents and in other policy and guidance documents and the responses from consultees, which lead to the conclusions that have been reached in this case. Such material considerations are not considered to outweigh a determination in accordance with the development plan and the applications are accordingly recommended for approval.

10.2 Recommendations

RECOMMENDATION (A)

To agree the proposals in respect of the Full application DC/15/93100 and refer the application, this report and any other required documents to the Mayor for London (Greater London Authority) under Article 5 of the Town and Country Planning (Mayor of London) Order 2008 (Categories 1A, 1B, 1C of the Schedule of the Order).

RECOMMENDATION (B)

To agree the proposals in respect of the Hybrid application DC/15/93101 and refer the application, this report and any other required documents to the Mayor for London (Greater London Authority) under Article 5 of the Town and Country Planning (Mayor of London) Order 2008 (Categories 1A, 1B, 1C of the Schedule of the Order).

RECOMMENDATION (C)

Subject to no direction being received from the Mayor of London in respect of the Full application DC/15/93100, to authorise officers to negotiate and complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters as set out in 8.2.4 of this report, including such other amendments as considered appropriate to ensure the acceptable implementation of the development

RECOMMENDATION (D)

Subject to no direction being received from the Mayor of London in respect of the Hybrid application DC/15/93101, to authorise officers to negotiate and complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters as set out in 8.2.4 of this report, including such other amendments as considered appropriate to ensure the acceptable implementation of the development

RECOMMENDATION (E)

Subject to completion of a satisfactory legal agreement in respect of the Full application DC/15/93100, authorise the Head of Planning to GRANT PERMISSION subject to conditions including those set out in Annex 2 below and such amendments as considered appropriate to ensure the acceptable implementation of the development.

RECOMMENDATION (F)

Subject to completion of a satisfactory legal agreement in respect of the Hybrid application DC/15/93101, authorise the Head of Planning to GRANT PERMISSION subject to conditions including those set out in Annex 3 below and such amendments as considered appropriate to ensure the acceptable implementation of the development.