

Committee	STRATEGIC PLANNING COMMITTEE	
Report Title	Kent Wharf and 24a Creekside, Deptford SE8	
Ward	New Cross	
Contributors	Michael Forrester	
Class	PART 1	30 <sup>th</sup> April 2015

<u>Reg. Nos.</u>	DC/14/89953
<u>Application dated</u>	26.11.2014
<u>Applicant</u>	Savills on behalf of Bellway Homes (Thames Gateway)
<u>Proposal</u>	Mixed use development at Kent Wharf and 24a Creekside SE8 comprising the construction of three buildings ranging from 6 to 16 storeys incorporating balconies and terraces comprising 1,375 sq.m of commercial floorspace (use classes B1/D1/D2), 143 residential units (Use Class C3) public and private amenity space, together with associated landscaping, refuse stores, 184 cycle spaces, 3 car parking spaces, associated highway works and plant.
<u>Applicant's Plan Nos.</u>	<p>(PI)001, (PI)002, (PI)020 rev C, (PI)021 rev C, (PI)024 rev C, (PI)025 rev C, (PI)027 rev A, (PL)030, (PL)031, (PL)032, Air Quality Assessment, Archaeological Assessment, Daylight and Sunlight Assessment, Design Statement, Draft Travel Plan, Draft Construction Logistics Plan, Draft Car Park Management Plan, Ecological Report, Flood Risk Assessment, Geo-Environmental Assessment, Indicative Masterplan, Landscape Strategy, Servicing Management Plan, Sustainability Statement, Statement of Community Involvement, Townscape and Visual Impact Assessment, Transport Assessment, Unit Layouts, Viability Assessment, Wind Assessment,</p> <p>(PI)011 rev I, (PI)012 rev I, (PI)013 rev I, (PI)014 rev C, (PI)015 rev I, (PI)016 rev I, (PI)017 rev I, (PI)018 rev I, (PI)022 rev F, (PI)023 rev F, (PI)026 rev C (received 12<sup>th</sup> February 2015), Kent Wharf Green Roof Details February 2015, Noise Impact Assessment February 2015 (received 6<sup>th</sup> February 2015), (PL)010 rev K (received 19<sup>th</sup> February 2014).</p> <p>External Fabric Assessment (received 20<sup>th</sup> March 2015)</p> <p>Air Quality March 2015 (received 9<sup>th</sup> April 2015)</p> <p>Energy Strategy March 2015 (received 13<sup>th</sup> April 2015).</p>
<u>Background Papers</u>	(1) Case File DE/124/26/TP

- (2) Local Development Framework Documents
- (3) The London Plan

Designation

Mixed Use Employment Location

**1.0 Introduction**

**1.1 Purpose of the Report**

1.2 A report for the planning application to redevelop Kent Wharf was due to be presented to the Strategic Planning Committee on the 5<sup>th</sup> March 2015. However, on the day of the meeting it was brought to the Council's attention that a neighbouring occupier had not been advised of the meeting in advance and additional representations were received from Trinity Laban and the occupiers at Sun Wharf (Jones Hire) which required further consideration and as a consequence the application was withdrawn from the agenda.

1.3 This submission of this application follows extensive pre-application discussions between the Council and Bellway Homes regarding development opportunities for this site.

1.4 On the 26<sup>th</sup> November 2014 the Council received an application for full planning permission made by Savills on behalf of Bellway Homes for the redevelopment of the site comprising the construction of three buildings on site to provide 1,375 sqm of commercial floorspace and 143 residential units.

1.5 In response to issues raised by officers and third parties during the consultation period, the proposed development was subsequently amended. The amendments include:

- Revised noise report which includes input from the noise consultants working on behalf of the Jones Hire at Sun Wharf. The report provides revised noise testing carried out in discussion with the Council's Environmental Health Officer (for noise) and provides a series of mitigation measures including upgraded building techniques/ glazing and provision of winter gardens to the rear elevation of Block D/E.
- Revisions from sedum based roofs to a mixture of brown, extensive and semi-intensive living roofs.
- Following the cancellation of the March 5<sup>th</sup> 2015 Committee meeting, the applicant has submitted an External Fabric Assessment in response to objections received from the occupiers of Sun Wharf. The report provides further detail on noise mitigation, including glazing specification. This was received on the 20<sup>th</sup> March 2015.
- A revised Energy Strategy has been submitted which takes into account GLA Stage 1 comments. This was received on the 13<sup>th</sup> April 2015.
- Revised Air Quality report which corrects some errors (place names) within the original submission and provides clarification on the air quality testing conducted.

1.6 The report considers the proposals (as amended) in light of relevant planning policy and guidance, representations received and other material considerations and makes recommendations on the determination of the application.

**2.0 Application site and Surroundings**

2.1 The site comprises Kent Wharf and 24a Creekside which are situated at the northern end of Creekside, Deptford, to the immediate south of the Trinity Laban centre and to the west

of Deptford Creek. The site covers an area of 0.4 hectares and has a 42m frontage to the Creek.

- 2.2 Kent Wharf is a largely cleared site, but houses the frames of two outbuildings which are in a very poor state of repair, whilst 24a Creekside comprises a two storey building set on the edge of the public footpath with an open yard to the south accessed from Creekside enclosed by a boundary wall set adjacent to the public footpath. This is currently vacant but recently was occupied by an engine repair company. This site together with Kent Wharf are not publically accessible.



Site Location Plan

- 2.3 The surrounding area is mixed in character, including commercial, educational, industrial and residential uses.
- 2.4 Immediately to the north of the site is the Trinity Laban Conservatoire of Music and dance. This building, constructed in 2002 won the RIBA Stirling Prize for Architecture in 2003. The building is set behind a series of sculptural grassed mounds which are publically accessible during the day. However, at night when the centre is closed the site is secured with perimeter fencing and gates.
- 2.5 South of Kent Wharf and 24a Creekside is Sun Wharf this comprises a large two storey warehouse occupied by Jones Hire, a furniture and catering company. Cockpit Arts is a 3-4 storey former office building which is currently being used by creative industries, and fronts directly onto Creekside. South of Cockpit Arts and Sun Wharf is an area of land which includes the railway viaduct. This is occupied by a scaffolding form and is under Network Rails ownership.
- 2.6 The railway viaduct is Grade II listed and part of an imposing brick structure comprising 32 arches from the Creek to Church Street. The arches which enclose the scaffolding yard are enclosed. A pedestrian (Mechanics Path) footpath runs east-west linking Deptford and Greenwich beyond the viaduct this crosses the Ha'Penny Hatch Bridge which was built in 2002 to reinstate the historic pedestrian and carriage links between two boroughs in this location. Historically, it was a toll bridge costing half an old penny (Ha'Penny) to cross. The previous wooden bridge was demolished some time in the 1930s.
- 2.7 The vertical lifting bridge next to Ha'Penny Hatch is one of the most imposing structures within the area, notably in long views from the DLR or from the Laban Centre. It was

opened in December 1963 replacing a late nineteenth century draw bridge. The modern bridge is the third bridge in this location - like its predecessors it had to open to maintain the right of navigation on the Creek for masted boats. The lifting structure consists of four 20 metre high square steel columns that contain the lifting hoists and counterweights, one pair on either side of the channel. Unfortunately, the bridge was welded shut in the late 1970s.

- 2.8 To the west of the site is Ferranti Park, which includes the Sue Godfrey Nature Reserve. South of this park and to the west of Creekside is the Crossfields Estate, a 1950's residential development which is designated as part of the Deptford Creekside Conservation Area. Kent Wharf and 24a Creekside are not located within the Deptford Creekside Conservation Area.
- 2.9 Deptford Creek runs alongside the site to the east and south east. The Eastern side of the Creek falls within the boundary of Greenwich. The Creek forms the northern part of the River Ravensbourne where it meets the River Thames. It runs in a winding course from Deptford Bridge in the south, to the Thames in the north and, in contrast to the Ravensbourne further south, it is deep and tidal. The frontages are revetted throughout with a variety of materials, but principally with timber fendering, brick and steel piles. The Creek is defined as a Site of Nature Conservation and Site of Metropolitan Importance.
- 2.10 The site is designated as being with an Archaeological Priority Zone and is located within Flood Zone 3.

### **3.0 Planning History**

- 3.1 DC/03/55364 – The demolition of existing buildings on the site and the construction of a part six/ part seven storey building fronting Creekside incorporating balconies, to provide commercial units (Use Class A1, A2 or B1) at ground floor level and business use (Use Class B1) above and a six storey building, incorporating roof terrace/balconies, comprising commercial units (Use Class A1, A2, or B1) at ground floor level with 8 one bedroom and 55 two bedroom self-contained flats above, together with associated landscaping, provision of 63 bicycle, 6 motor cycle and 22 car parking spaces and formation of vehicular access onto Creekside.
- 3.2 This had a resolution to grant permission, although the s106 was never completed and given the length of time since this case was considered, it carries little weight, although carries some relevant in terms of accepted scale and massing.
- 3.3 DC/14/89466 – Enabling works comprising the removal of the concrete slab and contamination hotspots, demolition of existing buildings, excavation to enable placement of running surface, landscaping and piling mat and eradication of Japanese Knotweed – currently under consideration.
- 3.4 Relevant adjacent proposals:
- 3.5 Faircharm: DC/12/82000 - The partial demolition of Buildings A and C and complete demolition of Buildings B and D at the Faircharm Trading Estate, Creekside, SE8 3DX, and remodelling, repair, restoration and conversion of Blocks A and C to provide 4,310m<sup>2</sup> of mixed commercial floorspace (Block A: 1,786m<sup>2</sup> of commercial (Class B1) floorspace and 397m<sup>2</sup> of Class B1/B2 floorspace and Block C: 2,127m<sup>2</sup> of commercial (Class B1) floorspace) with associated plant, servicing and storage. Demolition of Building B and the construction of four new buildings ranging from 6 to 12 storeys to provide 148 residential units (63 x one-bed, 68 x two bed and 17 x 3 bed), and new commercial uses (779m<sup>2</sup> of Use Class B1) together with new open space, landscaping, car and cycle parking development – approved, not yet implemented.

## 4.0 Current Planning Applications

### The Proposals

- 4.1 Planning permission is sought for redevelopment of the site for mixed use employment and residential purposes. All structures/buildings across the site would be demolished.
- 4.2 The redevelopment would provide 1,375 sqm Gross Internal Area (GIA) of commercial floorspace at ground floor and would be for B1/D1 use classes designed for creative industries/ artist studios and workshops.
- 4.3 Residential development is proposed in the form of 143 flats, comprising 45 x 1 bedroom, 79 x 2 bedroom and 19 x 3 bedroom units. These are located at first floor and above.
- 4.4 The proposals are accompanied by an indicative masterplan which illustrates how the site would integrate with a redeveloped Sun Wharf, Cockpit Arts and space under the viaduct.

### Site Layout

- 4.5 A pedestrian route would be provided linking Creekside with the Creek and three new buildings would be constructed across the site.



Proposed ground floor plan.

### Block A

- 4.6 This block is located to the east of the site and faces parallel to Deptford Creek. It would comprise 559 sqm of commercial space at ground floor level (arranged as 11 studios with mezzanine floors with a gallery/ reception space). The block rises to a total of 7 storeys with the top floor set back. This provides 33 residential units accessed via a central core and provides a maximum of 8 units per floor. This building measures 29.2m wide (reducing to 34.6m on the rear elevation due to the angled shape of the building) by

16.2m deep as a maximum and 26.75m high. This block is set back from the Creek edge by 8.2m as a minimum and 13m as a maximum. The roof of the building provides 421 sqm of extensive living roof with 127 sqm of PV panels.

- 4.7 The studios are arranged so that they directly face/ open onto Trinity Laban, Deptford Creek or a central courtyard within the development.
- 4.8 The building is finished in a red/ brown brick with aluminium clad top floor, all cantilevered balconies are timber decked, enclosed by a metal balustrade supported by steel suspension rods. Windows are set in deep reveals which are clad in a white aluminium panels. The double height ground floor incorporates the frontages for the studio units, glazed with sliding shutters and white panels of white glazed bricks.
- 4.9 Block A is linked to Blocks B/C by gantry style amenity decks of similar construction to the cantilevered balconies.

#### Block B/C

- 4.10 This block is set to the north west corner of the site fronting onto Creekside and Trinity Laban's open space. The building measures 6 storeys to the east, rising to 16 storeys in the west, and comprises a total of 342 sqm of commercial space (arranged as 6 studios with mezzanine floors with gallery/ reception space) with plant room at ground floor with 82 residential units above. Two residential cores are provided. The studios are arranged so that they face onto Trinity Laban and the central courtyard as per Block A.
- 4.11 The building is set at an angle from Block A with a separation gap measuring a minimum of 3.8m to the south by the courtyard, rising to 8m facing Trinity Laban. The building as a maximum height of 55.5m. The roof level at sixth floor provides 118 sqm of semi-intensive living roof. The roof level at sixteenth floor provides 345 sqm of brown roof and 188 sqm of PV panels.
- 4.12 The building is clad in grey/ brown bricks, the elevation is arranged in two storey high recessed bays comprising large areas of glazing, divided by glazed green brickwork. The double height ground floor features full height glazing with the lower level incorporating a metal folding screen for privacy, similar to that on Block A. Panels of glazing are divided by columns of green glazed bricks.

#### Block D/E

- 4.13 This block is located south of the site facing Creekside, this measures 6 storeys in height and provides 474 sqm of commercial floorspace (arranged as 14 studios) at ground floor with 28 residential units above. This is linked to the tower at first floor and above on Creekside, creating an entrance into the courtyard behind, the total height of this underpass is 5m. There are two residential cores. The studios in this block face onto Creekside or are located at the rear of the block where they have access onto the central courtyard. This building measures a maximum of 23m in height with the link block to the tower at 19m in height.
- 4.14 As stated above the proposed blocks are located at the edges of the site to allow for a central courtyard upon which the studios can open. This comprises in addition sculptural landscaping which acts as street furniture and three accessible parking spaces.
- 4.15 This building is clad in a red/ brown brick with aluminium clad top floor. Balconies are recessed into the elevation and enclosed by a glazed balustrade, the recesses of the balcony areas are clad in white glazed bricks. Windows are set in deep reveals which are painted white. The ground floor studios project forward and the front elevations, which are clad in the same brick with the reveals in a coloured metal cladding, could comprise

signage as required. This forward projection allows for the creation of ground floor courtyards which are enclosed by railings providing secure access into the building. The studios fronting Creekside feature double height glazing, the lower panes are enclosed by a 'hit and miss' brick screen.

- 4.16 Public realm works are proposed in the form of wider pavements fronting Creekside with the existing bend in the highway adjacent to Trinity Laban's open space stopped up to allow for the creation of a larger landscaped space. This would include the integration of an off street servicing bay.

#### Supporting Documents

##### Design Statement (Stockwool Architects)

- 4.17 This document provides a site description and historical analysis, scheme overview and design development from November 2014 up to application submission in November 2015. A design rationale is proposed for the layout, height, massing and materiality of the proposals and provides further details on the artist studio space and access arrangements.

##### Indicative Masterplan (Stockwool Architects)

- 4.18 Kent Wharf, together with Sun Wharf, Cockpit Arts and the scaffolding yard is allocated as a Mixed Use Employment Location where proposals are required to be master planned to ensure that individual proposals do not prejudice future redevelopment. The masterplan proposals here are indicative as the applicant does not own Sun Wharf, but demonstrate that the position of the blocks at Kent Wharf would not prejudice future development. The masterplan outlines proposals for Creek access and improvements to public realm, including pedestrian access along the Creek edge and landscaping which reimages historic inlets.

##### Landscape Strategy (Outerspace)

- 4.19 This report provides an overview of the landscape strategy for the site. The design approach is set out including how landscaping responds to the Creek, Trinity Laban and Creekside. Three key public spaces are proposed and there is an individual landscape proposal for each space. Details of roof top amenity space are also provided.

##### Transport Assessment (Mayer Brown)

- 4.20 The Transport Assessment provides an existing site condition baseline, overview of the proposals and provides a justification for the number of parking spaces proposed. The development from a transport perspective takes into account the cumulative impact from adjacent sites including those approved and under construction but also the future redevelopment of Sun Wharf and Faircharm. An overview of the impact from schemes such as the Deptford Project, Convoys Wharf, Marine Wharf East and West are also included. Details of trip generation, parking and construction are provided. The report concludes that the proposals subject to mitigation measures including Controlled Parking Zones and travel plans, would be acceptable in transport terms.

##### Draft Travel Plan (Mayer Brown)

- 4.21 This document seeks to set out measures to be adopted for the residential and commercial aspects of the proposed development. A final travel plan is to be secured by condition. The proposed measures within the Travel Plan include the appointment of a Travel Plan Co-ordinator, sustainable design measures i.e. provision of cycle parking, car clubs, encourage sustainable modes of transport, monitoring and review.

#### Draft Construction Logistics Plan (Mayer Brown)

- 4.22 This draft construction logistics plan has been prepared so that the potential impacts of construction can be assessed and mitigated at an early stage. A full construction logistics plan will be required by condition. The report provides an overview of delivery arrangements, highway safety and considerate behaviour and review strategies. It is envisaged that there would be 20 vehicles per day delivering to the site as a maximum. The plan provides a commitment to exploring the Creek for transport during construction.

#### Draft Car Park Management Plan (Mayer Brown)

- 4.23 Details of on site parking are provided: these are three wheelchair accessible spaces within the central courtyard. Further wheelchair accessible spaces could be provided on Creekside, subject to an amendment to the existing Traffic Regulation Order (TRO). The report confirms that electric charging points are to be provided within the courtyard and that a car club bay would be provided on Creekside. The management plan proposes that should a controlled parking zone be implemented on Creekside, residents of Kent Wharf would be excluded from permits.

#### Servicing Management Plan (Mayer Brown)

- 4.24 The proposals set out a strategy for servicing across the site and state that a main loading bay will be provided on Creekside approximately 20m north of the site. This would serve both the residential and non-residential floor space. A final servicing management plan would be secured by condition as although an occupier has been identified for the commercial space, this is as yet not secured. However, taking into account the type of commercial use, it is anticipated that deliveries are typically from small vehicles and transit type vans amounting to 5 per day. Deliveries by larger vehicles are infrequent and uncommon. Schemes of similar size typically generate less than 1 HGV delivery per day and it is intended that a management company would be responsible for ensuring that all bins are stored within the appropriate bin stores prior to collection day.

#### Energy Strategy (Hodkinson)

- 4.25 The Energy Strategy will follow the London Plan Energy Hierarchy: Be Lean, Be Clean and Be Green. The report confirms that the development will be built under Part L 2013 of the Building Regulations and in line with the London Plan will target a 35% CO<sub>2</sub> reduction over Part L 2013 baseline. The residential element of the scheme will also meet Code Level 4 for the Code for Sustainable Homes and BREEAM 'Excellent' for the commercial floorspace. The applicant has been able to achieve a BREEAM score of Excellent due to their commitment to a proposed occupier and therefore committed levels of cycle parking and fit out. This report has been updated following GLA Stage 1 comments. This provides a detailed review of overheating performance using SAP software for each dwelling type.

#### Sustainability Statement (Hodkinson)

- 4.26 This report provides a planning policy overview and details the efficiency measures to be incorporated into the development in order to achieve a 35% CO<sub>2</sub> reduction over part L 2013 and to meet Code Level 4. This includes details of water efficiency, recycling facilities and sustainable building materials.

#### Archaeological Assessment (CgMs)

- 4.27 The site is considered to have an archaeological and a palaeoenvironmental potential for the prehistoric periods, and an archaeological potential for the Medieval, Post Medieval and Modern periods. It is identified as an Archaeological Priority Zone.

- 4.28 The report states that given the site's industrial past and redevelopment over time, together with extensive levels of surrounding redevelopment' it is unlikely to produce significant archaeological findings, but that further studies will be required in advance of redevelopment.

Daylight and Sunlight (Eb7)

- 4.29 The report provides an assessment of daylight, sunlight and overshadowing of neighbouring buildings, open spaces and the Creek. The report states that daylight levels to neighbouring properties generally adhere to BRE guidance, although there are minor deviations in respect to localised rooms within Finch House. However, retained levels remain good for an urban area. APSH results also demonstrate minimal impacts upon all windows. Sunlight Availability and Transient Overshadowing would not cause additional shading beyond BRE guidance to neighbouring amenity spaces and would have a minimal transient effect on the Creek.

Flood Risk Assessment (pta Consulting)

- 4.30 This report confirms that the site is within Flood Zone 3a but is located within an area of low residual risk from flooding due to the area benefitting from flood defences. The report confirms that no ground floor sleeping accommodation is provided and that the drainage systems and levels will be designed to accommodate the 100 year rainfall event with a 30% allowance for climate change. Overall the proposals have been designed to have a positive effect towards reducing both onsite and offsite flood risk.

Noise Impact Assessment (Mayer Brown)

- 4.31 A noise assessment has been undertaken to identify existing main sources of noise. This included local road networks the Jones Hire commercial premises on Sun Wharf. It states that noise sources from the Jones Hire site (which is operational 24 hours a day) comes from vehicle movements, industrial processes and equipment, heating, ventilation and air conditioning and employees. This report is amended following discussions between the applicant, Jones Hire and the Councils Environmental Health Officer (for noise). A range of mitigation measures are proposed to protect residents from surrounding noise whilst Jones Hire is operational on site including provision of winter gardens to the Creekside block and the use of planning conditions.

External Fabric Assessment (Mayer Brown)

- 4.32 This report is to be read in conjunction with the updated Noise Impact Report and provides further detail on the proposed building fabric to demonstrate the feasibility of the proposed mitigation strategy. The calculations have been undertaken in line with BS EN 12354-3:2000 and BS EN ISO 717-1:2013 and based on the most robust internal criteria which corresponds to bedrooms within Block D. The bedrooms represent the worst case receptor locations on the most exposed façade within the development. The report concludes that with the updated noise assessment, the building fabric assessment provides a robust assessment of the suitability of the site for residential use.

Air Quality Assessment (Mayer Brown)

- 4.33 This report provides an air quality policy overview and states that the main issue for air quality will be from vehicular emissions of Nitrogen Dioxide and Particulate Matter from road traffic. The site is within an Air Quality Management Area and a number of air quality tests and modelling for impact were carried out at and close to the site. The report states that the scheme has the potential to generate air quality issues, i.e. dust, through construction but that these can be mitigated via a construction environment management plan.

Wind Assessment (BuroHappold)

- 4.34 A wind microclimate study has been carried out to assess the external microclimate surrounding the proposed buildings. The report predicts an increase in wind speed within and around the site, although the results state that the impact of the change in wind environment on pedestrians using the roads and sidewalks around the new development is likely to be negligible or minor.

Ecological Report (AA Environmental)

- 4.35 The report provides detail as to the ecological reporting undertaken which includes a desk-top study and walk over field survey. The report states that the Ecological Regeneration Manager for Lewisham and the Creekside Centre were consulted. The report states that no habitats of international, national, county or local importance are on the site which would be directly affected by the proposals. A range of mitigation measures are suggested which would reduce the impact of the proposals on local wildlife and increase the nature conservation value within the site.

Geo-Environmental Assessment (Merebrook)

- 4.36 This report seeks to identify any contaminative or geotechnical issues associated with the sites former land use which may impact upon redevelopment. The report provides a series of recommendations to be included to remediate the land safe for occupation.

Townscape and Visual Impact Assessment (Miller Hare and Turley)

- 4.37 This document provides a series of verified views of the development from key surrounding locations (on both the east and western sides of the Creek) and seeks to support the design statement. The report states that the proposals at Kent Wharf would have a beneficial impact from certain viewpoints.

Statement of Community Involvement (HardHat)

- 4.38 This document outlines the process of engaging stakeholders which ran in parallel to the ongoing engagement with the Local Authority and Statutory Authorities. The document sets out a record of the consultation including two public engagement events and advertising together with a summary of the feedback received. It also explains how the applicant has responded to the feedback.

Planning Statement (Savills)

- 4.39 This document provides a planning police overview, description of development and an assessment of the proposals including further detail on the masterplan, proposed creative arts uses and layout of the blocks.

Second Floor Studio & Arts (SFSA)

- 4.40 This document submitted by SFSA supports the delivery of commercial floorspace at Kent Wharf aimed at the creative industries. The document provides a background to SFSA, who are the UK's largest single site affordable space provider for visual and fine artists, craft makers and designers. Details of membership, rents, management and the likely type of artist are provided.

Economic Viability Appraisal (Upside London)

- 4.41 This report sets out the viability of the proposal and its financial capacity to support affordable housing and identifies the process by which this would be considered. The content of this report is confidential.

## **5.0 Consultation**

- 5.1 This section outlines the consultation carried out by the applicant prior to submission and the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 5.2 Site notices were displayed in the vicinity of the site on the 18<sup>th</sup> December 2014. The application was advertised in local press on the 24<sup>th</sup> December 2014.
- 5.3 Letters were sent to 641 residents and businesses in the surrounding area as well as the Local Amenities Societies on the 18<sup>th</sup> December 2014.
- 5.4 Copies of all application documents were published on the Council's website.
- 5.5 As well as relevant Lewisham Council internal consultees, the following statutory consultees were consulted:

Crime Prevention Officer  
Creekside Education Trust  
English Heritage Archaeology  
Fire Prevention Group  
Greater London Authority (GLA)  
Lewisham Cyclists  
Lewisham Primary Care Trust  
London Buses  
London Cycling Network  
London Fire and Emergency Authority  
London Wildlife Trust  
Natural England  
Natural Planning Casework Unit  
Network Rail  
Neighbourhood Community Safety Service  
Port of London Authority  
Royal Borough of Greenwich  
Thames Water  
Transport for London (TfL)

No response was received from the Port of London Authority

### **Pre-Application Consultation**

- 5.6 The applicant held two public engagement events in July 2014 and September 2014 at Trinity Laban. The applicant states that at least 10 days prior to each event an invitation was delivered to 1,683 households surrounding the site.
- 5.7 A website has been set up at [www.kentwharf.co.uk](http://www.kentwharf.co.uk) which provides the exhibition boards and information regarding the development at pre-application stage.
- 5.8 In addition, the applicant team had pre-application discussions with the GLA and the Environment Agency as well as engaging in extensive pre-application discussions with LBL Officers.
- 5.9 A meeting was arranged by Bellway for them and the design teams for Creekside Village East (Lewisham and Greenwich sides) to present to Trinity Laban on the 9<sup>th</sup> October 2014.

Written Responses received from Local Residents and Organisations

5.10 At the time of writing the original committee report 8 letters of objection had been received from local residents and organisations. A further 3 letters of objection have since been received, with the issues summarised below:

- Buildings are too tall.
- Loss of views.
- Tower was already too tall at 12 storeys, now it is 16.
- The scheme should be a maximum of 8 storeys.
- Development will cast shadows on Laban, green spaces and residential areas.
- Strain on local infrastructure including schools, doctors, roads and drains.
- Development has no parking and will result in increased congestion.
- These dwellings will not be made available to locals, but instead will be sold abroad.
- Construction traffic will be unbearable.
- Insufficient level of affordable housing.
- The tower is too close to the children's playground.
- Proposed materials are not sympathetic when viewed next to Laban.
- Wind tunnelling.
- Much higher levels of planting and trees are required.

The above issues raised within the objections are addressed throughout the report. The objections received are from the occupiers of Sun Wharf (Jones Group), 12 and 38 Atrium Heights, 107 Adagio Point, 23 Teatro Tower, 1 Tarves Way, 12 Flamingo Court, 1-2 Bruford Court, 448 New Cross Road, 2a and 6 Creekside,

Representations have also been received from Councillor Dacres stating support for housing in this location but that there is concern regarding the potential for noise intrusion on future residents from the Jones Group and that full consideration should be given to noise mitigation.

Councillor Dromey has also made representations, supporting the development but concerned about the potential impact upon the Jones Group and the potential conflict between business and residents.

Copies of all representations are available for Members to view.

Jones Group (Sun wharf)

5.11 Dated 17th February 2015, the letter confirms that (Jones) acoustic consultant Aulos has been in discussion with the applicants consultant (Mayer Brown) and that the noise data collected is correct upon which to assess the proposed residential scheme but that the noise reports submitted are deficient as they do not demonstrate how the proposed residential accommodation would be designed to ensure that noise levels inside the flats

would be at an acceptable level. The scheme is contrary to the NPPG and Development Plan and should be refused.

- 5.12 The sound insulation and acoustic ventilation scheme does not present sufficient detail for real world examples of construction to demonstrate performance and feasibility. The reports provide a general indication of the level different that may be required and is of little relevant to the final performance of the scheme.
- 5.13 The objection states that leaving demonstration of feasibility and proof of design to a later stage allows no assurance for Jones Hire that the scheme is feasible and an acceptable standard will be achieved. However, should permission be granted, 4 conditions are suggested relating to i) a sealed building ii) sound insulation measures iii) validation of performance by testing and iv) operational and maintenance information within a welcome pack.
- 5.14 Jones have since reviewed an additional External Fabric Assessment produced by the applicant which seeks to address concerns regarding noise, performance of fabric and consequential impact upon future residential occupiers, however, their objection remains in place and that the applicant needs to be agreed to the suggested 4 conditions if the scheme layout is not to change.

#### Greenwich Conservation Group

- 5.15 The Greenwich Conservation Group's comments are summarised as follows:
- 5.16 In principle we welcome the regeneration proposals for not only the application site but also for, in the longer term, the developer's aspirations for the redevelopment of the adjacent Sun Wharf site.
- 5.17 The scheme proposes a total of 143 dwellings which on a site of 0.4 ha, which represents the equivalent of 401 units/ha (or 1,158 hr/ha). A more appropriate density in the region of between the respective upper limits of 700 hr/ha and 1,100 hr/ha should be sought, in line with London Plan recommendations.
- 5.18 There is an objection to the height of the tallest element of Block B/C which, at 16 storeys, is in our view excessive for the site and there is concern that the scheme has increased in height from 8 to 12 to now 16 storeys. Block D/E should also be decreased in height by 1 storey whilst the height of the tower should be reduced to something in the order of 10 storeys. There is inadequate family (3+ bedroom) housing.
- 5.19 We welcome the provision of communal outdoor space on the roof of Block D/E but regret that residents in Block A do not have access to the roof of their block for such a facility and the same criticism applies to the Block B/D situation where, the outdoor amenity and children's play space only be of direct benefit to residents in Block D/E and not the Kent Wharf community as a whole.
- 5.20 There is support for the ground floor spaces, even though this will mean that the adjacent borough will be disadvantaged as a result. In broad terms, there is support the landscaping proposals but concern at the boundary treatment where Copperas Walk abuts the grounds of the Laban Centre. Consideration should be given as to whether the spaces between the two sites to be visually related in a more open manner.

#### Greenwich Society

- 5.21 The Greenwich Society comments are summarised below:

- 5.22 The society welcomes redevelopment of the site, in particular Copperas Path and Creekside Walkway and the inclusion of the masterplan. However, there is concern regarding the density of the development which exceeds the London Plan standard for the area.
- 5.23 The height of the building on the corner of Creekside at 16 storeys is far too high for the area which should be capped at 8 storeys. There is a low figure of affordable housing which is unacceptable, there is also a lack of family dwellings..
- 5.24 There is support for the ground floor studio space however, there is concern that these may remain vacant, and that if this is the case this space should be re-allotted to family accommodation.
- 5.25 The masterplan proposals are welcome however, there is concern over the lack of amenity space.

#### Crossfield TRA

- 5.26 The Crossfield TRA comments are summarised below:
- 5.27 The proposals include a masterplan for Kent and Sun wharf, but there is no masterplan which includes Trinity Laban. The proposals fail to take into consideration of developments planned at Creekside Village East.
- 5.28 There is an urgent requirement for a Construction Traffic Masterplan – an overall strategy that takes into account the eight or more projects which plan to use local roads. Bellway Homes have underestimated the number of HGV's that they will need to use.
- 5.29 The pollution figures provided by the applicant are not reliable and that solutions must be found to protect health in the Creekside Conservation Zone. A Low Emission Zone has been mooted but more immediate measures may need to be taken.
- 5.30 The representation provides a map of planned developments in the locality and states that 590+ HGV trips on Creekside are possible. Air pollution during construction is important and the reports do not take into account additional and co-current construction projects surrounding their development. The Crossfield TRA have also undertaken their own air quality modelling which differs from that of the applicant. The results of these survey show that roads are already highly polluted.
- 5.31 Bellway Homes have already stated that they do not intend to use the river for transport. It should be mandatory that all developers are made to use the Creek for transport, not local roads. Development should be delayed so that they are not co-current and a low emission zone should be introduced.
- 5.32 Details of traffic and links to internet videos have been submitted of local incidents.
- 5.33 Objection is raised with regard to building height which does not mark the end of the creative zone nor does it respect neighbouring buildings. The applicants Statement of Community Involvement is mis-represented.
- 5.34 The proposals will means that Trinity Laban is overshadowed, as will Creekside (the road), the canyonisation of the Creek has been partially avoided due to the canyonisation of Creekside itself. The tall building should be repositioned as per Faircharm.
- 5.35 There is a lack of affordable homes for families, and there is a lack of parking. At present Creekside is already at 103% and the proposals do not take into account neighbouring developments.

- 5.36 The creative workspace will be offset by insurance liabilities.
- 5.37 There is a significant lack of infrastructure for new developments, this is the case on nearby developments such as Paynes and Borthwick.

Creekside Education Trust

- 5.38 There is no mention of the Creekside Education Trust within the submitted documents or reference to the pre-application meeting held with the CET in July 2014. The proposal is considered to be a missed opportunity in terms of ongoing habitat or ecology. There is disappointment in a proposed £5,000 section 106 contribution given the ongoing benefit of the CET for the community and residents.

Royal Borough of Greenwich

- 5.39 The Royal Borough of Greenwich express concern on the excessive scale, bulk and height of the proposed development, and the detrimental impact it would have on the protected vista from Blackheath Point. St Paul's Cathedral and the towers of St Pauls are integral to the viewer's ability to recognise and appreciate the landmark, and the viewing corridor of the protected vista from Blackheath Point incorporates these features. The 16 storey part of the development would appear dominant in the foreground (as seen from Blackheath Point) and is therefore contrary to Policy DH(s) of the Royal Borough of Greenwich Core Strategy with Details Policies (adopted 30<sup>th</sup> July 2014), and the Revised Supplementary Planning guidance, London View Management Framework (March 2013). It is further considered that the views of English Heritage and the Mayor of London should be sought.

Trinity Laban

- 5.40 A letter sent on behalf of Trinity Laban was received on the 4<sup>th</sup> March 2015. The comments are summarised below:
- 5.41 The sculptured open space, designed by Vogt not only does it provide the setting for the building, the open space provides important training and teaching areas, with two auditoria designed into the landscape. The space is a very important resource for Trinity Laban and, alongside the building, forms part of their campus. It is not public open space.
- 5.42 The Trinity Laban building is comprised of glass and polycarbonate and whilst it is beautiful architecturally, this material requires careful maintenance and protection and for the foreseeable future, this necessitates secure fences around the perimeter of their campus.
- 5.43 The application proposals have, quite rightly, considered their relationship with the Trinity Laban building and associated open space, their potential impacts upon the Trinity Laban campus and the contributions they might make to the local area.
- 5.44 Bellway have identified an opportunity to remove boundary fences and open up the Trinity Laban campus to the surrounding area. The mechanism for exploring this further is draft condition 33 of the officer's report.
- 5.45 For the reasons set out above, it is important that the Committee understands that should they resolve to grant the planning application, with Condition 33 attached, it is simply not possible, for the foreseeable future, for there to be anything other than permanent, secure boundaries to the Trinity Laban campus. A full understanding of the situation on the ground would then form the basis for the consideration of an application to discharge Condition 33 when that is forthcoming.

5.46 Whilst the overshadowing of their open space would be of an impact, no objection is raised per se. However, the open space is important and overshadowing will impact upon the ability of the grass which covers the open space to grow and be maintained to allow the current use of the space to continue. It is possible that in future, the grass may need to be replaced with an alternative artificial treatment, to maintain its verdant appearance and its functionality. Therefore a financial contribution of £30,000 is sought which should be made available for the repair and resurfacing of the open space should the need arise.

5.47 Written Responses received from Statutory Agencies

Greater London Authority (GLA) reproduced in full.

**Principle of Development**

5.48 The proposed development includes the redevelopment of 24a Creekside, which is currently occupied by Volkswagen for car parts and servicing. The planning statement sets out that this site is largely vacant, and in the pre-application meeting the applicant explained that Volkswagen has alternative premises to move to. Given that the occupier has arrangements for relocation in place, and as the site is within a regeneration and opportunity area as well as having a local site allocation for redevelopment, the loss of the existing use is acceptable.

5.49 Lewisham’s Site Allocations document also sets out that 20% of the proposed floorspace of this site should be employment. The proposals include 13% employment floorspace. This floorspace will be provided at an affordable rate and has been designed with a specific provider in mind. GLA officers understand that the lease on these units would be ten years, and that the affordable rate would remain in perpetuity. This is acceptable in strategic terms. The Council, however, need to confirm that this is acceptable in local terms.

**Residential**

5.50 The principle of residential development for this site is supported. Policies 3.3 and 3.4 of the London Plan recognise the need for housing in London and table 31 of the London Plan sets an annual target of 1,105 new homes for Lewisham in the period 2011-2021, increased to 1,385 new homes per annum in the Further Alterations to the London Plan (FALP) for the period of 2015-2025. The proposed 143 units would contribute over 10% of the FALP’s annual target for Lewisham and is welcomed.

**Commercial floorspace**

5.51 The proposed flexible commercial floorspace (use classes B1/D1/D2) is appropriate for the site, in line with the sites allocation for creative, office and workshop uses with residential.

5.52 Overall the principle of a residential-led, mixed use development is supported on this brownfield site and in an opportunity and regeneration area.

**Dwelling mix**

5.53 London Plan Policy 3.8 requires different sizes and types of dwellings to meet different needs. The proposed dwelling mix is as follows:

	Private	Intermediate	Total
1 bedroom	41	4	45 (31%)

2 bedroom	66	13	79 (55%)
3 bedroom	18	1	19 (13%)
Total	125 (87%)	18 (13%)	143

5.54 The proposals include a range of dwelling sizes, including family sized accommodation, however, the Council should confirm that the dwelling mix is in line with local housing needs.

**Density**

5.55 The site is urban in character and therefore, given the sites PTAL rating of 3, the density guideline set out in table 3,2 of the London Plan is for 45-170 units per hectare, or 200-450 habitable rooms per hectare. The planning statement sets out that the proposals have a net density of 411 dwellings per hectare, or 1,158 habitable rooms per hectare, based on the calculation in paragraph 1.3.47 of the Mayor’s Housing SPG.

5.56 While the density is higher than the guidance in the London Plan, the site is within an opportunity area and a regeneration area. Given the high quality of the residential accommodation, including the size of the units, their orientation and the provision of amenity space as explained below, the higher density of the proposals is acceptable.

**Residential standards**

5.57 The quality of the residential accommodation is high. All of the units would need the space standards set out in the London Plan and the Mayor’s Housing SPG, which is welcomed. There is a maximum of eight units per core, however this occurs only on level 6 of Block A. the remainder of bock A has six units per core, as does block C. Blocks B and D have only three units per core which is particularly commended. The low number of units per core would increase the sense of ownership within the communal areas. The scheme includes 75% dual aspect units with no north facing, single aspect units, which is also strongly supported.

**Childrens play space**

5.58 The proposals would generate an anticipated child yield of fifteen children, nine of which would be under five years old. This would generate a requirement for 150 sqm, which requires ten sqm of playspace per child on site. The proposals include 397 sqm of children’s playspace across the roof top gardens and Copperas Walk, which is in excess of the requirements. The landscape proposals document sets out that naturalistic areas for play would be provided along Copperas Walk and in the rooftop gardens, intended as informal play areas for the under fives. This approach is supported and the play areas should be secured by condition.

5.59 The planning statement sets out that local and neighbourhood play for older children would be provided off site in the play area on the opposite side of Creekside and that the development would benefit from its proximity to the existing open space at the Trinity Laban centre. While the proposal provide in excess of the Mayor’s playspace requirement on site, the application has been accompanied by a section 106 obligations calculator, which includes contributions towards open space. The Council should secure any contributions towards these specific open spaces by section 106 agreement.

**Amenity space**

- 5.60 The applicant has set out an amenity schedule, demonstrating that there would be 1,445 sqm of private amenity space across the development, with each residential units being provided with a balcony. There would be 749 sqm of communal roof terrace space, as well as 927 sqm of amenity space in the courtyard. This provision of amenity space is supported and would contribute to the high residential standards of the proposals.

### **Affordable housing**

- 5.61 The proposed figure of affordable housing is eighteen units of 13%. While this is a relatively low figure, the planning statement explains that increased affordable housing on the site would render the scheme unviable, given the site constraints and the significant provision of affordable commercial units. A viability assessment is required to demonstrate that the maximum reasonable amount of affordable housing has been provided, in line with Policies 3.11 and 3.12. The viability assessment will need to be independently verified by the Council or an appointed consultant, and supplied to the GLA prior to the Stage II referral, together with Council's independent report. GLA officers will expect the independent assessment to scrutinise the development finances to understand the financial constraints inputted into the toolkit and how this has impacted on affordable housing provision. If the assessment demonstrated that the scheme can afford to deliver greater amount of affordable housing, any additional affordable housing should be provided on site, in line with London Plan Policy 3.12C.
- 5.62 The affordable commercial units should remain affordable in perpetuity, secured through the section 106 agreement and should the affordable commercial units revert to market rates at any point, the affordable housing provision should be reviewed.
- 5.63 London Plan policy sets out that affordable housing should be provided at a ratio of 60:40 social rent to intermediate housing, whereas proposals show that all of the affordable units would be intermediate units. The planning statement sets out the at the mix of units has been designed with regard to the local need for units of this tenure. However, the applicant is encouraged to provide a mix of social/ affordable rented units as well as intermediate. Should the Council consider that the provision of intermediate units is acceptable, this should be confirmed and fully justified by demonstrating that this is in line with local needs in the committee report.

### **Flexible commercial floorspace**

- 5.64 The planning statement sets out that the commercial floorspace is intended to be used for artists studios, which is supported in line with London Plan Policy 4.6, which seeks to support and enhance arts and culture uses. While the intended provider for the flexible commercial floorspace is Second Flood Studios, the planning application sets out that as yet the commercial terms have not been agreed and therefore the permission should allow for a different provider. Whilst this is acceptable, the applicant is encouraged to continue to work with a specific provider for the workspace to ensure that it meets the needs of future occupiers. GLA officers understand that the intended lease for the commercial units would be ten years.
- 5.65 The applicant has agreed to provide the commercial/ workshops/ artist studios at a rental value below market rent, which is supported and should be secured in section 106 agreement. Any impact this has on affordable housing should be factored into the viability appraisal, detailed above.

### **Urban Design**

#### **Layout**

- 5.66 The application is accompanied by an indicative masterplan for the wider site, incorporating Sun Wharf and Cockpit Arts. The proposals have, therefore, been informed by a range of options of how adjacent sites could come forward and this would ensure that the site would not prejudice future development.
- 5.67 As set out at pre-application stage, the layout of the scheme is generally well thought out. Once a provider for the workspace has been secured, the Council is encouraged to request information on how the artists studios would work, for example whether privacy screens will be used, to ensure that the sites surroundings, particularly Creekside would feel active and well used.
- 5.68 At pre-application stage, officers were concerned that activity would be largely focused on the central courtyard due to the position of the entrances to the studios. The applicant has responded positively to these concerns by redesigning the layout of the building, locating a gallery/ reception area in block A, accessed from Copperas Walk, which would add to levels of activity and overlooking on Copperas Walk. The applicant has also increased the number of entrances to the artist studios in block D and provided a more prominent corner entrance to block B.
- 5.69 Officers raised concerns at pre-application stage that the entrance to block A would be hidden from Copperas Walk. The applicant has sought to address this by removing the link between blocks C and A so that the entrance is more viable and clearly identifiable, reinforced by the gallery entrance, which is welcomed.
- 5.70 The continuation of the route along Deptford Creek was discussed at pre-application stage, which would potentially extend to the Trinity Laban site. The applicant should confirm whether this route has been agreed with Trinity Laban, or how this could be achieved in the future. The part of the route which falls within the site should be secured by section 106 agreement.

### **Height and massing**

- 5.71 The site is also close to strategic viewing corridor 6A.1, Blackheath Point to St Paul's Cathedral. This viewing corridor is positioned to the south of Sun Wharf. The overall height of the proposals, stepping down to six and seven storeys on either side of the sixteen storey tower, would ensure that the proposals would not impact upon this viewing corridor. Similarly, the indicative masterplan for the wider site has also been designed to ensure that there would not be an adverse impact on the viewing corridor. However, any proposals for the wider site would be assessed on their own merits at application stage.
- 5.72 The site is adjacent to, but not within, the Deptford Creek Conservation Area. The existing derelict buildings and garages on site would be demolished, replaced with a high quality, well designed proposal which would not have an adverse impact on the conservation area, and the proposals would be in keeping with the existing and emerging context of the surrounding area.
- 5.73 As stated at pre-application stage, the sixteen storey building is in the right place within the development and is slender with few units per core, ensuring a low dependent on external management and security and a high proportion of dual aspects which is welcomed. The general massing of the proposals is simple and elegant as demonstrated in the submitted drawings and presents no strategic concerns.

### **Appearance**

- 5.74 The appearance of the proposals is well considered and officers welcome the use of brick as the primary material. Critical to the appearance of the building is the quality of the

detailing. The Council should secure these details by condition, and the applicant is strongly encouraged to secure the same architect to construction stage.

### **Inclusive access**

- 5.75 London Plan Policy 3.8 is concerned with housing choice. The design and access statement states that all units would meet the sixteen lifetime homes criteria where applicable. The applicant should provide a schedule confirming that all sixteen criteria have been met for each residential unit. The design and access statement confirms that thirteen of the proposed units would be wheelchair accessible, with a further fifteen units provided as easily adaptable for wheelchair units. This is in excess of requirements and is supported. The location of the wheelchair units has been set out in the design and access statement.
- 5.76 The design and access statement sets out the majority of the artist studios would have level access, with lifts and stairs leading to upper levels. Level access would also be provided to all communal amenity spaces, which is welcomed. Any seating within the communal areas should include seating with arm and back rests for disabled users, which should be secured by condition.
- 5.77 The proposed development would be car free apart from three blue badge spaces which would be provided in the internal courtyard. The applicant has submitted a car parking management plan as requested at pre-application stage which states how the blue badge spaces would be managed and that, should additional disabled parking demand be identified at Kent Wharf, the Developer would investigate the potential to dedicate further bays on-street.
- 5.78 The proposals include improved public realm adjacent to Deptford Creek. As requested at pre-application stage, the applicant should provide details of how this space would be accessible to disabled users.

### **Car and cycle parking (integrating Transport for London's comments)**

- 5.79 The proposed cycle parking is in accordance with the London Plan minimum standards. Given the improvements to be made to the local cycle network, the applicant is encouraged to consider additional cycle parking provision.
- 5.80 TfL welcomes the proposal for a car free development, bar the blue badge spaces which would have electric charging points. These, together with the proposed car cub space should be secured through condition and the associated initial free membership of the car club for occupiers should be secured through the section 106 agreement.
- 5.81 To support the car free nature of the scheme, TfL recommends that funding for a controlled parking zone is secured within the section 106 agreement. This agreement should also include provisions whereby residents and other occupiers of the development, except Blue Badge holders, are exempt from acquiring CPZ permits.

### **Public realm and access**

- 5.82 As discussed, clarification is required on whether the adjoining Laban Centre has agreed to the continuation of the proposed route along Deptford Creek, which would then link to the site with Creek Road. The part of this route that falls within the site should be secured by condition or section 106 agreement.
- 5.83 TfL requests £32,000 for bus shelters to improve bus stops which serve the development.

### **Servicing and construction**

- 5.84 The provision of a deliveries and service management plan is welcomed and should be secured by way of condition. The construction management plan should be similarly secured.

#### **Travel Plans**

- 5.85 TfL welcomes the submission of travel plans, which should be secured, enforced, monitored and reviewed as part of the section 106 agreement.

#### **Flooding**

##### **Surface Water Run-Off**

- 5.86 The proposals include the provision of some areas of green roof and the discharge of roof water to the adjacent Deptford Creek. These aspects are in line with London Plan Policy 5.13. The flood risk assessment states that other ground floor surfaces will be connected to the local combined sewer. The surface water from these areas, however, should also be directed toward Deptford Creek, possibly with the provision of either pumping or storage tank to enable discharge during the high tide phase. This would enable the proposals to comply with London Plan Policy 5.13.

#### **Climate change**

- 5.87 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include mechanical ventilation with heat recovery. The demand for cooling would be minimised through solar control glazing, overhangs and cross ventilation. The applicant has provided a commitment to ensuring that the dwellings are not at risk of overheating, however the Part L compliance checklist provided suggest a medium risk for some of the dwellings. Further passive measures should be considered in line with London Plan Policy 5.9 to avoid risk of overheating now and in future climate. Dynamic overheating modelling with CIBSE Guidance TM52 and TM49 is recommended.
- 5.88 The development is estimated to achieve a reduction of 17 tonnes per annum (8%) in regulated CO<sub>2</sub> emissions compared to a 2013 Building Regulations compliant development.
- 5.89 The applicant has identified that the SELCHP proposed district heating network is within the vicinity of the development and has contacted SELCHP to assess opportunities for connection. The correspondence suggests that the site is currently too far and too small to make extension of the network viable at this stage. The applicant has however, provided a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available. This will also allow the site to connect to a future district heating network in the surrounding area.
- 5.90 The applicant is proposing to install a CHP unit as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. A reduction in regulated CO<sub>2</sub> emissions of 42 tonnes per annum would be achieved through this second part of the energy hierarchy. The intention is to use most of the electricity generated by the CHP for communal uses, exporting any excess to the grid. The applicant should refine the CHP engine sizing as the design progresses as the installed capacity appears high relative to the carbon savings claimed.
- 5.91 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install photo voltaic on the roofs of the building. A plan showing the

proposed installations has been provided. A reduction in the regulated CO<sub>2</sub> emissions of 17 tonnes per annum would be achieved through this third element of the energy hierarchy.

- 5.92 A reduction of 75 tonnes of CO<sub>2</sub> per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 35%.
- 5.93 Overall, the proposed development would achieve a 35% CO<sub>2</sub> savings compared to a 2013 building regulations compliant development, which would meet the target in Policy 5.2 of the London Plan and this is supported. The applicant should however, address the above comments and demonstrate that the proposals would still achieve 35% carbon savings once these have been taken into account.

### **Conclusion**

- 5.94 The application is broadly acceptable in strategic terms, however, further discussion is required on the points below before it can be confirmed that the application complies with the London Plan.
- 5.95 Commercial floorspace: the applicant is encouraged to continue working with a specific provider; the Council should confirm that 13% employment floorspace is acceptable.
- 5.96 Housing: the residential quality of the proposals is high; the Council should confirm that the proposed housing mix is in line with local needs; playspace should be secured by condition; any necessary contributions to open space generated by the development should be secured by section 106 agreement.
- 5.97 Affordable housing: and workspace; a copy of the viability assessment will need to be independently verified by the Council or an appointed consultant, and supplied to the GLA prior to stage II referral, together with a copy of the Council's independent report; the applicant should provide some social rented accommodation; the affordable workspace/artist studios should be secured in perpetuity by section 106 agreement.
- 5.98 Urban design: Overall the design of the proposals is supported; the Council should secure high quality detailing of the proposals.
- 5.99 Inclusive access: the applicant should explain how the Creekside path would be fully inclusive; the Council should secure seating with arm and back rests; the applicant should confirm that each residential unit meets all sixteen lifetime homes criteria.
- 5.100 Transport: the applicant is encouraged to provide a higher standard of cycle parking; electric vehicle charging points and car club membership should be secured by condition; TfL recommends that a contribution towards a controlled parking zone is secured through the section 106 agreement; TfL requests a £32,000 contribution towards bus shelters; the delivery and servicing plan and the construction logistics plan should be secured by condition; the travel plan should be secured, enforced and monitored through section 10-6 agreement.
- 5.101 Flooding: all surface water run off should be directed towards Deptford Creek.
- 5.102 Climate change: further passive measures should be considered to avoid the risk of overheating; all of the apartments as well as the artist studios/flexible commercial space should be connected to the site heat network; the applicant should refine the CHP engine sizing.

### Transport for London (TfL)

- 5.103 The site currently has a Public Transport Accessibility Level (PTAL) ranging from 3- 4 (on a scale of 1 to 6 where 6b is the most accessible), indicating the site has moderate to good accessibility.
- 5.104 Cycle Superhighway 4 is proposed to be routed along Evelyn Street and Creek Road, whilst the Waterloo to Greenwich Quietways is proposed on Creekside. Both these routes will be close to the site and would thus serve cyclists associated with the development.

#### **Highway and Public Transport Impact**

- 5.105 It is not expected that this development would generate sufficient trips to have an unacceptable residual impact upon the operation or capacity of strategic highways and public transport in the vicinity of the site.

#### **Car Parking**

- 5.106 TfL welcomes the proposal of a car free development, bar the blue badge spaces. However, it should be justified why disabled bays are proposed only for the affordable accessible units, as this is contrary to London Plan policy and other national guidance, which requires provision for all such units.
- 5.107 TfL welcomes the commitment to provide charging points for electric vehicles (EVCPs) in accordance with London Plan policy, and an on-street Car Club bay; these should be secured through conditions/agreement as appropriate.
- 5.108 Without a Controlled Parking Zone (CPZ), this and other developments in the area, such as the adjacent Faircharm Trading Estate, will add to on-street parking stress, and low on-site car parking provision cannot be 'locked in'. TfL therefore recommends that, subject to public consultation, a CPZ is introduced in the vicinity of the site, funding for which should be secured within the section 106 agreement, and coupled to other developer funding that may be available for this purpose. The s106 agreement should also include provisions whereby residents and other occupiers of this development, except Blue Badge holders, are exempt from acquiring CPZ permits.

#### **Cycle Parking and other facilities**

- 5.109 184 cycle spaces are proposed for the residential units and commercial floorspace which is in accordance with the London Plan minimum standards. Since the pre-application meeting, Further Alterations to the London Plan (2014) has been adopted; it is therefore recommended that the provision of residential cycle parking is increased to the latest standards.
- 5.110 This is particularly relevant to this proposal due to the improvements of London's cycle network in the area. Additional provision should be considered to support the improvements proposed to the cycle network through the Cycle Super Highway 4 and Quietways schemes. Visitor and customer cycle parking should be provided in safe and convenient locations within the public realm, in accordance with the London Cycle Design Standards. Shower and changing facilities should be provided for the commercial space to encourage cycling to/from the workplace.

#### **Public realm and access**

- 5.111 Clarification is required on whether the proposed Creekside walking route along Deptford Creek has been agreed with the adjoining Laban Centre, and if this route will be continued south and through the railway arches (as shown on the masterplan) ahead of the development of the associated Sun Wharf. Together these links and those proposed by developers elsewhere alongside Deptford Creek would connect all the sites north from

the footbridge, and thus the deliver a key connectivity element of the wider vision for the area.

- 5.112 TfL would encourage design for the use of this route alongside Deptford Creek by cyclists as well as pedestrians, with a design in line with London Cycle Design Standards. Clarification should be sought on this matter from the applicant.
- 5.113 Whilst the proposed improvements to the Creekside walking route is welcomed, the links between the site and Deptford town centre and bus stops on Creek Road and Deptford Church Street are of poor quality at present. It is therefore that the Council seeks the financial contribution via the section 106 agreement towards improvements identified as necessary through a PERs/CERs Audit to ensure appropriate provision for pedestrian (and cyclists) trips resulting from the development and to encourage sustainable travel.

### **Public Transport Facilities**

- 5.114 As identified in the transport assessment (TA), a number of bus stops in the vicinity of the site which will be used by the new residents and those working and visiting the commercial floorspace are without shelters. TfL therefore seeks a financial contribution via the section 106 agreement of £32,000 towards the provision of these shelters, which will directly benefit the development. TfL can provide more information to the applicant in this respect.
- 5.115 To encourage use of public transport and given the choices which are available, real time travel information should be displayed in the communal areas of the development. This should be secured in the s106 agreement.

### **Travel Plan**

- 5.116 TfL welcomes the submission of the Travel Plans, which contain specific measures and attention to infrastructure schemes proposed in the area, which should be included in the information pack.
- 5.117 The travel plans should be secured, enforced, monitored and reviewed as part of the S106 agreement.

### **Construction and Servicing**

- 5.118 The provision of a Deliveries and Service Management Plan (DSP) is welcomed and should be secured by way of condition.
- 5.119 The Construction Management Plan (CMP) should be similarly secured.

### **Summary**

- 5.120 TfL has no objections to the principle of the proposed development, which for the most part complies with relevant London Plan policy. However, further justification is required in respect of the approach to Blue Badge parking and section 106 obligations should be secured as follows:

- £32,000 towards providing Bus Shelters at bus stops in the vicinity of the site.
- Delivery of the Creekside route for pedestrians and cyclists, together with its long term maintenance and management for public use.
- PERS and CERs audits of the surrounding footway network and a contribution funding towards improvements to pedestrian links to Creek Road and Deptford High Street
- Justification of the amount of Blue Badge parking provision.

- An on-highway Car Club parking space, together with initial free membership for first occupiers
- Funding to allow a CPZ to be introduced, subject to public consultation
- The Travel Plan and delivery of associated measures to encourage sustainable travel, including on-site real time public transport information provision

5.121 In addition conditions should secure:

- The ultimately agreed blue badge and EVCP provision (and the management thereof).
- The DSP and CMP

#### Environment Agency

5.122 The site is directly adjacent to Deptford Creek where the Ravensbourne River meets the tidal River Thames. It is situated within Flood Zone 3, the high risk zone. It benefits from the protection of the Thames tidal flood defences but remains at residual risk of a breach in the flood defence at this location. The Deptford Creek river corridor provides valuable habitat for wildlife. The site is underlain by secondary and principal aquifers located adjacent to the Deptford Creek and within Source Protection Zone 3 for a public water supply. Previous land use at the site indicates that contamination is likely to be present.

5.123 We have reviewed the proposal and have no objection. We have some concerns with respect to environmental matters within our remit but we consider these can be addressed by the imposition of planning conditions.

5.124 The required planning conditions relate to details of surface water drainage, landscaping and access to the Creek, ground investigation scheme, landscaping management, verification reports for land contamination, details of further land contamination and piling and foundation design.

#### **Access to tidal flood defence**

5.125 It is important that the development should not impede our access to the river wall to conduct maintenance. Reviewing the 'Master Plan' drawings we note that the proposed 'Copperas Walk' will be approximately 4m in width and should provide suitable access to the defences.

5.126 We are concerned that the landscaping could impede access for civil engineering plant, in particular, the proposed decking around Block A in 'Ground Floor' drawing reference 3291- (PI) 010 Rev J. In discussions with the developer they have indicated that the decking will be at a similar level to the adjacent ground and should be suitably constructed to ensure plant being driven over it if necessary. We would encourage this to be built to support a large vehicle.

5.127 We also raise concerns relating to the proposed timber planters as indicated within the Landscape Design Statement. To ensure our access is not obstructed, these should be removable and positioned appropriately so that they cannot interfere with vehicular plant access. Our flood risk management officer, Mark Burtenshaw, discussed these aspects with Scott Hudson of Savills by phone on 22 January 2015. There was a general acceptance of dealing with these concerns by condition and that the decking and raised timber planter could be designed and positioned to facilitate needed operational access. We are therefore seeking a planning condition to allow us to approve the final landscaping design to ensure appropriate access.

#### **Flood risk mitigation measures**

- 5.128 We are opposed to placing sleeping accommodation on the ground floor in areas of flood risk and are pleased to note that all residential elements of the development are situated on the first floor and above in accordance with table 7.4.4 *Spatial Planning & Development Control Recommendations* of the London Borough of Lewisham's Strategic Floor Risk Assessment (SFRA). We have reviewed the submitted flood risk assessment (FRA) by PTA (Ref: CG/sr/8734) and note that finished floor levels are not indicated. Whilst we acknowledge that the residential aspect of the development should be suitably safe at first floor, we would expect this to be confirmed within the FRA, along with finished floor levels for the less vulnerable commercial units / artists' studios placed upon the ground floor. We note that Drawing ref: 3291-(PI) 024 Rev C shows a preliminary section through Blocks A and C and includes floor levels, however, we would expect to see these levels in the FRA being compared with modelled flood levels.
- 5.129 We strongly recommend that flood resilience is incorporated into the design on the ground floor and anywhere else as appropriate, as suggested in section 6 of the submitted FRA. Information on flood resilience can be found on the following link [http://www.planningportal.gov.uk/uploads/br/flood\\_performance.pdf](http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf). Future residents should register with the Environment Agency's flood warning service, 'FloodLine', so that they may prepare themselves in case of a flood event. They can do this by calling 0845 988 1188. This should form part of the flood evacuation plan as mentioned within section 6 of the submitted FRA. Safe dry access and egress to an area outside the flood extent should be provided in case of a flood event. Failing that, internal access to a suitable safe refuge above the flood level should be made available. Please note that any evacuation management plan requires the approval of the local authority's emergency planning department.

#### **Surface water management**

- 5.130 Our preference in regards to surface water management is for it to be drained and discharged into Deptford Creek to reduce pressure upon the existing sewer system as proposed on page 10 of the submitted FRA. If this cannot be achieved for the whole site we would expect the development to consider alternative SuDS solutions to aim to reduce runoff from the site to greenfield run-off rates, in line with the Mayor's London Plan. We are pleased to note that the FRA considers living roofs and tanked systems as part of the proposed drainage scheme.
- 5.131 Further information on SuDS can be found in:
1. PPS25 page 33 Annex F;
  2. PPS25 Practice Guide;
  3. CIRIA C522 document Sustainable Drainage Systems-design manual for England and Wales;
  4. CIRIA C697 document SuDS manual;
  5. The Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SuDS. The Interim Code of Practice is available on both the Environment Agency's website: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) and CIRIA's website: [www.ciria.org.uk](http://www.ciria.org.uk) Publication: 'Designing for exceedance in urban drainage'

#### **Ecological enhancement and protection**

- 5.132 The green/brown roof design is a positive ecological feature of the site, but other than this there is little ecological gain from the proposed development. The height of the buildings adds considerable shade to the part of Deptford Creek immediately adjacent to the site. This will remain in shadow (according to the sunlight and daylight report) from 3pm onwards, approximately one third of the daylight hours during June. This may have an

impact on vegetation growth along the edge of the creek where a planted ledge has already been added.

- 5.133 The proposed landscaping within the corridor of the Creek offers very little for wildlife and is therefore disappointing. Whilst the design will need to accommodate significant numbers of people, we consider more useful areas of vegetation could have been included for wildlife and visual amenity.

#### **Groundwater protection and contaminated land**

- 5.134 The scope of works outlined in the Geo-Environmental Assessment (GEA-17855-14-142 REV A, Merebrook, November 2014) are accepted, in principle, as being in line with relevant guidance for the re-development of a contaminated site, with regard to issues of concern to the Environment Agency. Planning conditions related to contamination should not be fully discharged until such time as all relevant works are completed and a closure (verification) report, detailing all works at the site, has been submitted. The closure report should include summaries of all materials removed, details of validation sampling/monitoring carried out in remediation areas, relevant certificates for imported materials and confirmation that the site is fit for the proposed use.
- 5.135 Further clarification should be sought from the local authority's environmental health officer with respect to issues related to harm to human health.

#### **Pollution prevention**

- 5.136 Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:
- Duty of Care Regulations 1991;
  - Hazardous Waste (England and Wales) Regulations 2005;
  - Environmental Permitting (England and Wales) Regulations 2010;
  - The Waste (England and Wales) Regulations 2011.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

#### English Heritage Archaeology

- 5.137 It is noted that an archaeological desk-based assessment report prepared by Mr Meager of CgMS Consulting Ltd dated November 2014 has been submitted as part of the current planning application.
- 5.138 Having considered the submitted document I am happy to recommend its approval.
- 5.139 It is further noted that a geotechnical, ground contamination report also dated November 2014 has been submitted. The borehole data confirms the conclusion reached in the archaeological report.

- 5.140 Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF
- 5.141 Condition A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of geo-archaeological assessment and potentially borehole survey work plus possible mitigation strategy in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.
- 5.142 B) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological investigation in accordance with a Written Scheme of Investigation.
- 5.143 C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.
- 5.144 Informative Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.
- 5.145 It is further recommended, as alluded to in the condition above that the archaeological interest can be progressed by an assessment of the geotechnical data by the preparation of suitable deposit models and transects. The result of this assessment will determine the potential of undertaking geoarchaeological borehole site work and then if a mitigation strategy is required in relation to the actual development impacts.
- 5.146 Any planned second stage geotechnical site work will need to respect the archaeological interest and be therefore a part of the archaeological specification.

Lewisham Design Review Panel

- 5.147 The scheme has been presented to the Lewisham Design Panel on 3 occasions. Their final comments are as follows:
- 5.148 The Panel welcomed the opportunity to further review the developing designs and continued to be encouraging of the principle of promoting a comprehensive masterplan for the entirety of the project based upon the preferred development strategy

**The Masterplan**

- 5.149 As recorded at earlier review, and further stressed at 3rd review, the Panel were clear as to the fundamental importance of the strategic masterplan for the whole site, which must be developed in the form of a clear a parameter plan for the rest of the development establishing its quality, scale, materiality form, precise scale, and public realm strategy. The previous review and earlier studies, also highlighted the importance of referencing the historic inlets of the Creek as part of the proposals.
- 5.150 The revised masterplan layout seemed convincing to the Panel, and the routes and the public realm that are critical to the success of this space seemed much more successfully integrated with the proposed buildings

- 5.151 The Panel debated with the applicant and the LPA whether the route between the creek facing block and the first building within Kent Wharf could be secured given that the developers do not own this portion of land. LBL advised that they would be able to insist that this important element be safeguarded as part of the masterplan proposals and would ensure that any future scheme on Sun Wharf would respect the masterplan and the layout of Kent Wharf and retain views and routes down the site to the creek.
- 5.152 The Panel therefore accepted this advice and that the route would be deliverable despite being outside the application red line for the Kent Wharf project.

### **Scale, Massing and Architectural Strategy**

- 5.153 In terms of long views the site is in a significant location marking the end of the industrial Creekside and at the edge of the more 'corporate' Creekside Village. The scale and the massing now seem broadly improved relative to earlier iterations.
- 5.154 The tower had increased in height by 4 storeys since 2nd Review to 16 storeys. The Panel accepted the architects' description of the design process resulting in elevations and proportions that better expressed the double height units and accentuated the slenderness of the tower. The elevation to the tower facing the park was regarded as very successful but the elevation facing the courtyard was regarded as unduly solid, overbearing and unrelenting and given that it is proposed to be 16 storeys in height, requires significant further refinement and development to be acceptable. The Panel questioned the introduction of green faience and the apparent multiplicity of facing materials proposed (see section on materials below) but felt that otherwise the massing and the main elevations were largely successful, noting that the refinement of the roofs to the Creekside block was a very positive outcome.
- 5.155 The Panel felt that the courtyard elevations needed to be significantly glazed at ground level to integrate successfully with the courtyard and that the elevations to the
- 5.156 courtyard be refined accordingly. At 2nd review, the Panel were also concerned with regard to the siting and the quantum of service spaces within the ground floor footprint, which would effectively reduce the quality of the streetscape and courtyard spaces. The Panel accepted that this had been addressed as far as possible within the current scheme. The Panel went on to suggest that the plant grilles be developed as hit & miss brickwork instead of louvres, as more consistent with the robust aesthetic of the buildings being proposed.

### **Plan Form and Layout**

- 5.157 The development has been refined to form three largely separated buildings seemed to the Panel an improvement, with consequent benefits to the layout of the units, which had previously been located in the internal angle of the L shaped union of the tower and northern block. The architects' developed designs indicate that circa 75% of the apartments will still be dual aspect, which was welcomed by the Panel.

### **Arts Spaces at Street Level**

- 5.158 It was explained that Second Floor Studios & Arts (SFSA) which provides affordable non-residential studio spaces for visual artists, fine artists, craft makers and designer makers have indicated that they would take all of the Kent Wharf arts/commercial spaces and all other additional spaces within the masterplan. A management plan would be submitted with an application to ensure impact on the proposed residential is acceptable as artists are likely to require 24 hour access.

### **Public Realm and Landscape Strategy**

- 5.159 At 2nd Review, the Panel noted that due consideration needed to be given for the division of spatial hierarchy within the scheme public realm/private shared communal space/ and private amenity space and how those aspects were integrated into the evolving masterplan. Emphasis on the courtyard as an external art/creative space was preferred by the Panel given the likely tenancies, offering the opportunity to create a light art/industrial public realm, which seemed an appropriate link to the history of the site. The workshops at ground level which face the courtyard, should physically open onto the courtyard and activity engage with it as a creative space, by informing the hard landscape / planting and seating design
- 5.160 The Panel felt that the landscaping strategy needed additional clarity, in particular that the soft landscape seemed rather delicate suggesting that a more robust design and detail approach commensurate with its location, be considered. The Panel also questioned whether the linear swale/rain garden was appropriate next to the arts space.
- 5.161 The Panel challenged the proposed location of the playspace on the creek side, citing the aesthetic tradition of major brick buildings coming to ground at the rear of the creek's edge which the Panel felt should be maintained as a principle. The architects made reference to Play on the Way and an industrial style rustic playspace. The Panel suggested that the designers consider alternative locations/approaches and the Creekside edge being retained as an opportunity for the display of major artwork/sculpture.
- 5.162 Given that the Panel is clear that the courtyard should be primarily a creative art space and not a courtyard for parking, the Panel suggested that the architects consider a subtle change in level from the street to the courtyard to separate the space from the traffic.
- 5.163 The Panel felt that the sporadic tree planting was unconvincing (e.g. one tree standing alone in the courtyard) and questioned whether tree growth in the courtyard would be successful.

### **Daylight and Sunlight**

- 5.164 As noted at previous reviews, the designs of the project must take account of the effect of the tower and other buildings on appropriate access to daylight and sunlight across the development. This needs to be demonstrated in detail to the satisfaction of the LPA. To date no data has been provided to either the Panel or the LPA

### **Materials + Detail**

- 5.165 The Panel supported the general approach of a brickwork based scheme and felt that the general approach to detailing was working well particularly the street side entrances. The Panel were not wholly supportive of the introduction of the green faience to the rear of the tower and in general felt that the materials palette should be further refined and simplified, and exceptionally well detailed.

### **Securing Quality**

- 5.166 The Panel stressed the importance of establishing the appropriate level of design, material and constructional quality for the project. At planning application stage the quality of the detailing needs to be demonstrated through large scale drawings 1:20 and 1:5 of key elements of the building and landscape, and should be accompanied by material panels and the full range of brick samples, which should be secured as part of any planning approval. The Panel remarked that the design architects should be retained throughout the project in order to deliver a high quality scheme.

### **SUSTAINABILITY**

- 5.167 The designers should note that the Lewisham policy requirement is as follows:
- Housing Elements code for sustainable Homes Level 4
  - The balance of the development BREEAM 'Excellent'
- 5.168 These aspects need to be secured and demonstrated in detail in support of the planning application.

### **CONCLUSION**

- 5.169 There are a number of aspects of the project still to be finally resolved, nevertheless the Panel were very encouraged by the level of development that had been undertaken since the previous review. The scheme has improved significantly and the Panel are now supportive of the project subject to final satisfactory resolution of the issues contained herein. The Panel felt that these aspects can be resolved with the LPA and with desktop input if necessary from the Panel. The project does not need to come back to full Panel.
- 5.170 This report constitutes the formal response of Lewisham Design Review Panel to the project as presented at review 23 July 2014 and supersedes any previous comments made in any earlier consideration of the project.

### Strategic Housing

- 5.171 The revised offer of affordable housing from 18 to 22 units is welcomed, as is the change in tenure to provide affordable rent and shared ownership. These will need to be secured as part of the planning permission.

### Sustainability Manager

- 5.172 The documents confirm that the proposals can achieve BREEAM 'Excellent' and Code Level 4 which is policy compliant.

### Highways and Transportation

- 5.173 The proposals are acceptable from a highways perspective, albeit that the site is close to Faircharm and other development sites. It is therefore important that a construction logistics plan is secured by condition and that the applicant explores the use of the Creek for transport. A financial obligation towards transport and public realm of £150,000 is requested and will need to be secured by section 106 agreement.

### Environmental Health

- 5.174 A revised noise assessment was received in February 2015, this was intended to provide a more robust assessment of the effects of noise from the Jones industrial site on the internal noise levels within the new development. The proposed mitigation in the report was considered to be high but that there should be a commitment from the project that the noise levels can be achieved. This led to the submission of an External Fabric Assessment which provides calculations of the internal noise levels at bedrooms.
- 5.175 The results show that levels, based on the predicted noise provide internal bedroom levels at night that are significant below the night time target of 30dBA Leq (night) which is also the World Health Organisation (WHO) criteria for bedrooms at night. The External Fabric Assessment report has presented worst case absolute noise levels incident at the windows of the new development. The 5dBA relaxation for the daytime levels in the report is accepted on this development.

## **6.0 Policy Context**

### Introduction

6.1 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)

6.2 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 Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

### National Planning Policy Framework

6.3 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. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This 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)'.

6.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

### Other National Guidance

6.5 On the 6<sup>th</sup> March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents. The guidance relevant to this application is:

Air quality

Climate change

Conserving and enhancing the historic environment

Design

Environmental Impact Assessment

Flexible options for planning permissions

Flood Risk and Coastal Change

Health and wellbeing

Housing and economic development needs assessments

Housing and economic land availability assessment

Land affected by contamination

Light pollution

Natural Environment

Noise

Open space, sports and recreation facilities, public rights of way and local green space

Planning obligations

Renewable and low carbon energy

Travel plans, transport assessments and statements in decision-taking

Use of Planning Conditions

Viability

#### London Plan (2015)

6.6 On the 10<sup>th</sup> March 2015 the London Plan (consolidated with alterations since 2011) 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 2.9 Inner London

Policy 2.13 Opportunity areas and intensification areas

Policy 2.14 Areas for regeneration

Policy 2.18 Green infrastructure: the network of open and green spaces

Policy 3.1 Ensuring equal life chances for all

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 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

Policy 3.13 Affordable housing thresholds

Policy 3.14 Existing housing

Policy 3.15 Co-ordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.17 Health and social care facilities

Policy 3.18 Education facilities

Policy 3.19 Sports facilities

Policy 4.1 Developing London's economy

Policy 4.2 Offices

- Policy 4.3 Mixed use development and offices
- Policy 4.4 Managing industrial land and premises
- Policy 4.5 London's visitor infrastructure
- Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision
- Policy 4.10 New and emerging economic sectors
- Policy 4.11 Encouraging a connected economy
- 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 5.11 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 5.18 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 6.7 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 Building London's neighbourhoods and communities
- 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 7.12 Implementing the London View Management Framework
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.18 Protecting local open space and addressing local deficiency
- Policy 7.19 Biodiversity and access to nature
- Policy 7.20 Geological conservation
- Policy 7.24 Blue Ribbon Network
- Policy 7.25 Increasing the use of the Blue Ribbon Network for passengers and tourism
- Policy 7.26 Increasing the use of the Blue Ribbon Network for freight transport
- Policy 7.27 Blue Ribbon Network: supporting infrastructure and recreational use
- Policy 7.28 Restoration of the Blue Ribbon Network
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy
- Policy 8.4 Monitoring and review for London

London Plan Supplementary Planning Guidance (SPG)

6.7 The London Plan SPG's relevant to this application are:

Accessible London: Achieving an Inclusive Environment (2004)

Industrial Capacity (2008)

Housing (2012)

Sustainable Design and Construction (2006)

### Core Strategy

- 6.8 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 Lewisham 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 4 Mixed Use Employment Locations

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 11 River and waterways network

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 21 Planning obligations

### Development Management Local Plan

- 6.9 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy 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 Development Management Local Plan as they relate to this application:

- 6.10 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 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 33	Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 34	Thames Policy Area and Deptford Creekside
DM Policy 35	Public realm
DM 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
DM Policy 37	Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest

#### Site Allocations Local Plan

6.11 The Site Allocations local plan was adopted by the Council at its meeting on 26 June 2013. The Site Allocations, together with the Core Strategy, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan.

6.12 The following lists the relevant Site Allocations in the local plan as they relate to this application.

SA11 Sun and Kent Wharf MEL, Deptford, SE8

6.13 Site SA11 allocates Kent Wharf, 24a Creekside, Sun Wharf, Cockpit Arts and the Network Rail scaffolding yard as a single site allocation. The site is not included in the Deptford Creekside Conservation Area but is adjacent. It does include the Grade II listed railway viaduct.

#### Residential Standards Supplementary Planning Document (August 2006, updated 2012)

6.14 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 (January 2011)

6.15 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.

### **7.0 Planning Considerations**

7.1 The main issues to be considered in respect of this application are:

- a) Principle of Development
- b) Design
- c) Housing
- d) Highways and Traffic Issues
- e) Noise

- g) Impact on Adjoining Properties
- h) Sustainability and Energy
- i) Ecology and Landscaping
- k) Planning Obligations

#### Principle of Development

- 7.2 The planning system plays a fundamental role in securing economic growth. At national level, the NPPF requires Local Planning Authorities to set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth. The planning system should support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances. Local Planning Authorities should identify priority areas for economic regeneration, infrastructure provision and environmental enhancement.
- 7.3 London Plan policy 2.13 identifies Deptford Creek as an opportunity area where development proposals should seek to optimise residential and non-residential development to sustain growth. Core Strategy Spatial Policy 2: Regeneration and Growth Areas defines Deptford Creekside as a location for key regeneration and development opportunities. This policy sets out the ambitions for the area generally requiring that development should support regeneration and growth through the redevelopment of designated underutilised employment sites for a mix of uses including residential and a significant element of employment space.
- 7.4 Core Strategy Policy 4 sets out the objectives for Mixed Use Employment Locations, which are existing industrial sites identified for redevelopment for mixed-use purposes. The Core Strategy notes that collectively redevelopment of Mixed Use Employment Locations will provide major regeneration benefits by making the best use of available land, attracting further investment, by providing a sense of place, by addressing severance issues and by increasing connectivity by visual and physical links.
- 7.5 As a Mixed Use Employment Location, Core Strategy Policy 4 is relevant for consideration, this states:
1. *"The Council will require the comprehensive redevelopment of the Mixed Use Employment Locations to provide:*
    - a) *Employment uses within the B use classes amounting to at least 20% of the built floorspace of any development as appropriate to the site and its wider context.*
    - b) *Residential uses with a proportion of on-site affordable housing.*
    - c) *Improvement to the overall environmental quality, by providing, where appropriate:*
      - i) *The provision of new, or improvement of existing, walking or cycling routes to public transport services or local facilities.*
      - ii) *Public transport to increase the public transport accessibility level of the site.*
      - iii) *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.*
    - d) *Improvement 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 of each Mixed Use Employment Location and that*

*demonstrates the proposals will provide the highest level of residential amenity for future residents.*

*4. Proposals for tall buildings on these sites will be considered against the criteria in Core Strategy Policy 18.*

- 7.6 The adopted Site Allocations Local Plan (2013) provides further guidance on redevelopment proposals stating that, Sun and Kent Wharves as a Mixed Use Employment Location, are allocated for providing employment uses including creative industries, offices and workshops with housing. Policy SA11 of the Site Allocations Local Plan states that the allocation of Sun and Kent Wharves will contribute to the improvement of Deptford by increasing commercial floorspace and employment to contribute to the area as a creative quarter, building on the Deptford/ Greenwich creative hub and the presence of Cockpit Arts, meet the needs of new and expanding business sectors, build on the presence of the landmark Laban Centre, contribute to housing provision, creating waterside access and improve the Creek's environment and walls and provide an opportunity to create an attractive public path at the edge of the Creek.
- 7.7 The Lewisham Employment Land Study (by Roger Tym & Partners, 2008) identifies a list of typical businesses operating within Lewisham and recognises Creekside as a well established industrial area. The study stipulates that Creekside appears to be emerging as a significant cluster for creative businesses and it is noted that the area houses large groups of artists and creative industries based businesses at Cockpit Arts, Faircharm, Arts in Perpetuity Trust (APT) and Art Hub.
- 7.8 Kent Wharf is a prominent vacant site and proposals for comprehensive redevelopment which include the provision for commercial floorspace for the creative industries with residential accommodation is supported. However, the application boundary only comprises Kent Wharf and 24a Creekside rather than the entire site allocation as defined by Policy SA11 in the Site Allocations Local Plan. Therefore, it has been necessary for the applicant to robustly demonstrate that proposals for Kent Wharf suitably fit within a wider masterplan for the entire site allocation which is deliverable in a way that would result in the necessary high quality regeneration of Deptford Creekside.
- 7.9 The application is accompanied by an indicative masterplan which proposes how development may be accommodation on Sun Wharf, Cockpit Arts and the scaffolding yard. This is discussed in further detail below.
- 7.10 Masterplan
- 7.11 There are already significant levels of work undertaken with regard to the improvement of Deptford Creekside, most notably the Deptford Creekside Charrette (2008) and the North Lewisham Links (revised 2012).
- 7.12 The Deptford Creekside Charette was an urban design led study which resulted in a document being produced to showcase a vision for Deptford Creekside and provide design options for emerging schemes on both the east and western edges of the Creek. It was funded by owners and outside agencies and supported by Lewisham Council. A vision arising from the Charrette was based around the principles of developing a unique strategy for the built form and public space, emphasising water, ecology and the environment, enhancing walking and cycling routes, providing affordable workspace and housing and ensuring that development reflects the character of the place and the industrial past.
- 7.13 The North Lewisham Links (2012) work seeks to significantly improve walking and cycling routes across the Deptford and New Cross and proposes that public realm enhancements

could be incorporated into Creekside in order to improve the existing route over Ha'Penny Bridge.

- 7.14 The parameters of the masterplan have been extensively discussed at pre-application stage; namely how further development could be accommodated, and how proposals at Kent Wharf would not prejudice future redevelopment, together with how proposals have been informed by important studies already undertaken in the area such as the Deptford Creekside Charette (2008).
- 7.15 Kent Wharf is noted in the Charette as being within the heart of Creekside with the potential to significantly improve public realm, improve biodiversity and continue the language of courtyard blocks with strong elevations to create a dockside atmosphere.
- 7.16 Early versions of the masterplan layout provided too strong a focus on development on Kent Wharf, with buildings of inappropriate scale set adjacent to the Creek and blocks which failed to take into account of the sites industrial heritage. Following engagement with officers and the Lewisham Design Review Panel the applicant was encouraged to develop a masterplan which emphasises public realm, connectivity and the sites industrial context, using the Charette and the North Lewisham Links work as a starting point.
- 7.17 A masterplan was further developed, removing traditional lines of land ownership to consider how connections from Creekside to the Creek could be provided, together with wider links from Deptford Town Centre and toward the Ha'Penny Bridge and how buildings could be arranged around public spaces and how architecture can reflect the sites unique setting.



Indicative final masterplan layout – Kent Wharf is located to the north.

- 7.18 The masterplan proposes that Kent Wharf would be arranged as three linking buildings creating a central courtyard, with a hard edge onto the Creek to reflect the sites industrial past. Open publically accessible routes are provided from Creekside to the Creek at the north of the site adjacent to Trinity Laban’s open space together with a route through the courtyard and around the Creek facing block. The scale of the routes are intended to emphasise the tight knit of buildings which traditionally are located in Creek/ wharf settings and promote Creekside as a primary route.
- 7.19 The existing buildings located on Sun Wharf would be redeveloped and arranged to provide two perimeter blocks facing the Creek which provide landscaping at their cores. These are set back from the Creek edge, allowing for the potential to create a continuous Creek walk. Public routes divide each block providing access to the Creek from Creekside and down from the central courtyard at Kent Wharf creating a central spine through the entire site.
- 7.20 Cockpit Arts is shown as being retained in the masterplan due to the building’s local significance and full occupancy for provision of creative industries. Its relationship with surrounding buildings would be improved with landscaping and alterations to boundary treatments. This layout also allows Cockpit Arts to be altered/ extended in the future depending on the tenants’ requirements.
- 7.21 It is envisaged that the railway arches under the viaduct could be converted to provide workshop space or other commercial premises with the arches closest to Creekside and to the Creek opened up to provide improved access for pedestrians and cyclists. A new public square would be created closest to the viaduct adjacent to the Creek in reference to the historic inlets that once characterised the Creek.
- 7.22 The indicative masterplan is considered to be robust, provides a clear sense of public realm and connectivity including access along the Creek edge and possibilities of improvements to existing pedestrian links to Ha’Penny Bridge. It is considered that the final masterplan, although indicative, is detailed sufficiently at this stage where the proposals at Kent Wharf would not adversely prejudice forthcoming development on the remainder of the site and promote the wider aims of Site Allocation Policy SA11.
- 7.23 The principle of development, subject to further consideration on the design, quality of development, local environment and transport, is therefore supported.

#### Commercial floorspace

- 7.24 Core Strategy Policy 4 requires that proposals for Mixed Use Employment Locations the Council will require at least 20% of the built floorspace to be for employment uses within the B use classes as appropriate to the site and its wider context. The proposals in this case comprise 1,375 sqm of commercial floorspace, equating to 13% of all built floorspace, located on the ground floor (and mezzanine) of each building.
- 7.25 The applicants have designed the space in accordance with the requirements of an affordable arts studio provider, Second Floor Studio and Arts (SFSA) based in Woolwich. The applicants have confirmed that the non-residential floorspace in the development would be let at below market rates in order to make the space affordable.
- 7.26 SFSA are the UK’s largest single site affordable space provider for visual and fine artists, craft makers and designers. Their core aim (as taken from their supporting statement) *is to provide best quality studios and facilities at monthly rental prices our members can afford and whom would otherwise struggle to find comparable studio workspace on the*

*open commercial market*'. They are a membership organisation and part of the National Federation of Artists Studio Space Providers (nfsap). Currently SFSA has 430 members.

- 7.27 SFSA provides affordable non-residential studio spaces, whose studio rents are considerably lower than those charged for physically comparable studio or workshop space available commercially. Monthly studio rental prices range from £9 - £13.50 per sqft. per annum. The average monthly rent with SFSA is £200 pcm (£46.15 pw) for a 200 sqft. studio space. Monthly rental payments include: business rates, water charges, buildings maintenance, buildings insurance, and site management costs. (Members are responsible for their own contents insurance and public liability) The only additional costs are individual electricity use charges and annual SFSA. The membership fee was £90 +VAT (1st Aug 2013)
- 7.28 Although the applicant and SFSA are in detailed negotiations and a support letter has been submitted stating how the space at Kent Wharf would be utilised, contracts have yet to be exchanged for SFSA to take the commercial space within the development. However, the applicant has sought to demonstrate their commitment to delivering affordable, practical and robust artist space by working closely with the provider. The applicant has also proposed a level of rental based upon SFSA rates to ensure they are affordable for the area. This is supported by officers and will need to be secured within a s106 agreement.
- 7.29 DM Policy 9 of the Development Management Local Plan (2014) states that *'New proposals will need to be provided with an internal fit out to an appropriate level to ensure the deliverability and long term sustainability of the employment uses on the site and be designed to ensure future flexibility of use by a range of businesses in the B Use Classes in line with Core Strategy Policy 4'*.
- 7.30 The applicant has designed the commercial floorspace to meet the needs of a specific art space provider, by providing a layout which is flexible so that large spaces can be split to create smaller studio units or amalgamated to create larger gallery type spaces when required. The ground floor of each building have also been designed with frontages that are integral to the scheme, rather than traditional glazed shopfronts which require separate roller shutters and signage. SFSA has confirmed that the studio provision at Kent Wharf would be suited to artists, craft and designer maker practitioners including drawing, painting, printmaking, fine arts, fashion and textiles, surface design, illustration, jewellery and silver smithing, moving image, sculpture and fine art photography. Should SFSA not occupy the units, it is considered that the space has been designed to be fully flexible for another arts provider.
- 7.31 It is noted that Kent Wharf has lain vacant for some time now and the proposals would result in an uplift in employment space. The engine repairs business based at 24a Creekside provided small scale employment but has since been vacated. The proposals to provide artist studios and workshops would contribute to the needs of small and medium sized businesses.
- 7.32 Although below the policy target of 20% floorspace, the proposals at Kent Wharf are considered to make a valuable contribution to local employment and would importantly provide affordable workspace. It is considered that given the size of the site and desired layout to create access to the Creek with generous public realm. To redesign the scheme to provide additional commercial floorspace is likely to adversely impact upon the layout of the scheme and there is no commitment that upper levels of commercial floorspace would be successfully let.
- 7.33 The units have been designed to SFSA requirements including flexible workshop units that can be divided to create smaller studios, provision of mezzanine levels and studios which face north (for painters), have no windows (for photography) and direct access onto

external work areas and it is estimated that between 32 and 60 new jobs would be created. The commercial spaces have designed to be flexible in order to create larger or smaller studio units as required by individual occupiers or to allow for events such as galleries and showcases.

- 7.34 Officers are encouraged by the efforts that the applicant has made to secure a provider for the commercial floorspace and the designing of the space to meet their needs. The Council encourages the provision of floorspace which is suitable for the creative industries.
- 7.35 Officers accept that vacant commercial units offer no economic benefit to an area and can have a significant adverse impact in terms of place making. Consequently it is considered reasonable for the applicant to demonstrate that a lower provision of commercial floorspace is appropriate providing the space offered is deliverable and sustainable in the long term and contribute in a way which for fills the aims of promoting Deptford Creekside as a centre for creative industries.
- 7.36 Future occupiers of the residential development cannot expect the same type of amenity that would be afforded in a wholly residential development in a suburban area. A degree of noise and disturbance is to be anticipated and evening activity would be welcome in the interests of good place making. Consequently it is not intended to attach conditions to control hours of operation or deliveries once the development is complete. The residential units have been designed to reflect their surroundings, appropriate mitigation has been incorporated into the design to address noise from surrounding commercial uses. Design and plant noise conditions to enhance the protection of residential units would be attached to the permission.
- 7.37 Officers are impressed by the effort that the applicant has made to collaboratively work with a provider at pre-application stage. Officers have visited the SFSA site in Woolwich and are satisfied that the proposed layouts at Kent Wharf would be practical for creative industries. This commitment from the applicant to deliver such employment space is considered evident to delivering their vision for a genuinely mixed use development that has real public benefit to Creekside.
- 7.38 Overall, the proposal is considered to represent a sustainable development option that would make a valuable contribution to economic growth in the Borough in accordance with the objectives of the NPPF and Policy 4.6 of the London Plan which seeks to encourage the provision of arts and cultural facilities in major mixed use developments. To ensure that the space is delivered in accordance with the vision of the proposals it is recommended that an obligation in the s106 required the commercial space to be fitted out and delivered before occupation of any residential unit.

### Design

- 7.39 Urban design is a key consideration in the planning process and the NPPF makes clear that national government places great importance on the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 7.40 The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site

to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

- 7.41 Access to high quality open space and public realm is an important urban design consideration that plays a fundamental role in enhancing the health and well being of communities.
- 7.42 London Plan and Core Strategy design policies further reinforce the principles of the NPPF setting out a clear rationale for high quality urban design.
- 7.43 The proposal has gone through an extensive pre-application process which included several design workshops and discussion at the Lewisham Design Review Panel to embed quality in the scheme and to ensure that its delivered. Through this process the applicant's Design Team have addressed many of the original concerns for the scheme and thus the application is largely viewed favourably in both urban design and architectural terms. The application has been developed in liaison with the Council's Urban Design Officers. The Councils Design Officers are now largely satisfied with the proposal subject to detailed elements being secured by the conditions recommended in this report.

#### Site Layout

- 7.44 Having developed a masterplan approach to the site which officers consider to be robust, the layout of the buildings within the Kent Wharf site is appreciated, as there is a creation of a clear public route to the Creek and the creation of courtyards between the Creekside and Creek facing blocks add design interest, which are direct visions from the Deptford Creekside Charette.
- 7.45 The access to the Creek is greatly supported and felt to be a positive contribution to the surrounding area. This route needs to remain as a public benefit and this site accessibility should be secured in the planning permission by way of a Public Access Management Plan within a s106 agreement.
- 7.46 The Creek facing block is set a minimum of 8.2m back from the Creek, rising to over 11m due to the angled position of the building and Creek wall. This would allow for an area of public realm facing the Creek measuring approximately 487 sqm.
- 7.47 The public link from Creekside to the Creek, referred to by the applicant as 'Copperas Walk', measures a minimum of 4.2 wide but extends up to 9.2m in width. This is proposed to be landscaped to create areas of naturalistic play. The walk extends into Creekside, where the existing curve in the highway is proposed to be reconfigured in order to provide an area of public realm 6m wide that creates a vastly improved setting for the site, and also the entrance into Trinity Laban.
- 7.48 The existing chain link fence that divides Kent Wharf from Trinity Laban is proposed to be removed as part of the redevelopment of the site, subject to agreement from Trinity Laban. The removal of boundary fences is strongly supported in that it would allow for Laban to connect with Creekside. This has been the subject of extensive discussions with the applicant and involved the presentation of the scheme to Trinity Laban at pre-application stage. It is considered that the removal of the fencing, which has long been an intention for the area is a sign of confidence in Creekside. However, officers recognise the need for boundary fencing around Trinity Laban at present, and it is recommended

that a condition is attached to which requires full details of boundary treatments to be discussed jointly with Trinity Laban to be approved prior to any residential occupation at Kent Wharf. It is also noted that condition 34 does not require the removal of existing boundary treatments, but encourages a joint discussion between land owners.

- 7.49 The central courtyard is an integral space within the scheme, enclosed by the three blocks. This is considered to be a generously sized space that has the ability to be multi functional. It is felt that the amount and layout of the commercial and residential space within the site is considered to be appropriate in place making terms.

#### Response to the Creek

- 7.50 The site is located immediately adjacent to Deptford Creek, it is therefore important for development to respond to its setting as part of the Blue Ribbon Network. London Plan policies recognise the Blue Ribbon Network as a strategically important series of linked spaces. Policies require development proposals to increase the use of London's water bodies for appropriate use whether that be for transport, recreation, amenity or ecology.
- 7.51 Core Strategy Policy 11 reinforces the need for development adjacent to rivers and the waterway network to contribute to their special character. It is in this context that the applicant was asked to explore an appropriate response to the Creek whether that be for transport use, additional moorings or an ecological enhancement with an urban design rationale for the relationship of buildings/ open space to the Creek.
- 7.52 The Creek wall enclosing Kent Wharf was rebuilt by the Environment Agency in 2009. This is formed of a steel wall topped by a concrete capping which projects approximately 1.4m above ground level and acts as a balustrade, without the need for additional structures to ensure the safe enclosure for the public. The defences also include a planted platform within the Creek, planted with willow trees and shrubs. This is visible in low tide.
- 7.53 The Creek walls enclosing Sun Wharf were replaced and upgraded in the 1990s. These comprise timber fenders which allow plants to grow. The corner of the defence also include a raised sand box for kingfishers to nest, although it is used by Sand Martins.
- 7.54 The Environment Agency have confirmed that no further works to the Creek wall at Kent Wharf are required (although access for maintenance is) as the wall has been built to last until the year 2100. This is known as Thames Estuary 2100 (TE2100) standard. The Creek wall was rebuilt and financed by the Environment Agency at a cost of £1.27m, approximately £300,000 of the total cost has been repaid by the applicant under the Thames Tidal Contributions Policy, the cost for this, together with the extensive costs for remediating the site is recognised as having a significant knock on impact upon scheme viability.
- 7.55 The Transport Assessment states that it would not be possible to use the Creek for transport of construction materials. However, the Council is keen to promote alternative modes of transport for construction, including use of water. There is considered that the applicant should further pursue Creek transportation and that a strategy for this should be secured by planning condition. This has been discussed with the applicant who has agreed to a condition being attached to a planning permission.
- 7.56 In terms of amenity it is proposed to maximise public access to the Creek, although people would not be able to enter the Creek as this would harm ecology if uncontrolled. The design of the development is such that public open space would be located adjacent to the Creek opening up previously inaccessible viewing areas. The proposals to provide access up to the Creek edge is encouraged and is to be secured by way of a s106 agreement

- 7.57 Third parties have raised concerns that the amenity space adjacent to the Creek would be overshadowed. Whilst there would be a degree of overshadowing from the new buildings at certain times of the day, the daylight/sunlight assessment confirms that this space would still meet BRE guidance. The sunlight/ daylight report states that there would be no permanent shading of the Creek from the proposals and that shadows are highly transient in nature, due to the set back nature of the tall building and therefore of no detrimental impact.
- 7.58 A certain level of transient overshadowing is expected given the existing site condition, although, it is considered that the redevelopment of the site brings with it a range of benefits. The opportunity to open up access to the Creek for members of the public is welcome. Detailed landscaping would be controlled to ensure that high quality public realm is delivered.

#### Height and Mass

- 7.59 The proposed development is arranged as three linking blocks, ranging from 6 to 16 (up to 55m high) storeys in height.
- 7.60 Core Strategy Policy 18 states that tall buildings may be appropriate in specific locations identified by the Lewisham Tall Buildings Study, which provides guidance as to appropriate, inappropriate or areas sensitive to tall buildings.
- 7.61 A tall building is defined by the Core Strategy as a building which is significantly taller than the predominant height of buildings in the surrounding area, have a noticeable impact upon the skyline of the borough and are more than 25m high adjacent to the River Thames or more than 30m elsewhere in the borough.
- 7.62 The Creekside facing block is set adjacent to Finch House within the Crossfields Estate and stands at 6 storeys in total with the second-fifth storeys set back from the ground floor and the sixth floor recessed further. This building projects 3m higher than the ridge of Finch House owing largely to the double height commercial ground floor, whilst Finch House is a residential building with lower floor to ceiling heights. Given the separation distance of 23.9m (taken at first floor, or 20.8m at ground floor) the increase in height is considered to be modest and of no adverse visual impact. The massing of the building is considered to be acceptable, providing a defined edge to this side of Creekside, continuing that set by Faircharm and Cockpit Arts. The massing of this block is similar to that under the 2003 resolution to grant scheme which provided a part 6, part 7 storey building on Creekside.
- 7.63 The Creek facing block stands at 7 storeys in height with a recessed top floor. This spans the majority of the Creek frontage to provide a solid mass to the river. The design and access statement states that the massing seeks to resemble former Victorian warehouse buildings. It is considered that the height is comparable to adjacent riverside blocks and that the mass is acceptable, and sympathetic for the industrial setting on the river and would help contribute to a strong sense of place as promoted by the Deptford Creekside Charette. With the recessed top floor, the massing is primarily that of a six storey building and it is noted that the 2003 scheme provided a 6 storey building on the Creek frontage.
- 7.64 The tallest building within the development reaches up to 16 storeys and is set on the corner of Creekside opposite Bronze street and Trinity Laban's open space. This measures a maximum of 55m in height and is therefore considered to be a tall building. Officers have had extensive negotiations with the applicant regarding building layout and height. Originally proposals for the tallest element of this site stood at 12 storeys as presented in the public engagement events undertaken in summer 2014. Following officer concerns regarding the bulk of the tower and overall composition of the other blocks

within the site, the height of the tower was increased to 16 storeys (reducing the width of the building) with a reduction in height elsewhere across the site.

- 7.65 The increase in height to 16 storeys is considered to create a building of slender and elegant proportions with simple architecture, that provides some distinction from the industrial warehouse massing of the Creekside and Creek facing blocks and is responsive to the surrounding emerging context in terms of marking this important location.
- 7.66 Providing a taller building at the corner of the site marks the entrance to Bronze Street, Trinity Laban and the Creek. The principle of the building heights and position of the tower have support from the Lewisham Design Review Panel and the GLA. The taller building would also mark the proposals for TfL's Quietways programme which is intended to extend into Creekside via Bronze Street.
- 7.67 Whilst it is considered that the tallest building within the scheme is within an acceptable location and marks an important location within Deptford, it would remain taller than other buildings to the south in Creekside. However, the Kent Wharf site is considered to be transitional in terms of character, at the north, marking Trinity Laban and the taller buildings that form Creekside Village and to the south, the lower industrial buildings that characterise Sun Wharf/ Faircharm and the Crossfields Estate.
- 7.68 This transitional character is highlighted in the indicative masterplan which proposes that heights decrease across the site, standing approximately between 6 and 7 storeys as suggested in the report from the Charrette before possibly rising adjacent to the railway viaduct, marking the bridge in the same manner that the taller building in the proposed redevelopment of Faircharm does.
- 7.69 By restricting the height at the Creekside and Creek edges to 6 and 7 storeys respectively, officers consider that parameters of acceptable height have been set for any future proposals within the Kent and Sun Wharves site allocation, thereby retaining the established character set by the Crossfields Estate and also the Creek edge, where this is not typically defined by 'tall buildings'. This however, would not preclude buildings of varying heights being acceptable subject to design refinement which would be subject of a separate planning application.
- 7.70 Notwithstanding the acceptance of a taller building to the north west corner of the site which is considered to be of slender proportions, it is important to consider its impact upon townscape and views. The impact of the proposed development is shown via a Townscape and Visual Impact assessment (TVIA). This provides verified views of the development from Creek Road, Creekside (looking north and south), Deptford Creek from the southern edge of Trinity Laban, Deptford Church Street (at Bronze Street junction), Bronze Street, St Pauls Church, Dancers Way, Creek Road (view across bridge), Railway viaducts (east and west and over Creek Road), Sun Wharf and Greenwich station. The report states that the development would be of a positive impact upon surrounding views, enhancing a sense of place and marking key sites within the borough such as the Creek and Trinity Laban when viewed from Deptford Church Street for example.
- 7.71 Representations from the Royal Borough of Greenwich object to the height of the 16 storey tower, stating that it would be detrimental upon views towards St Paul's Cathedral and the towers of St Paul's from the protected vista at Blackheath Point which is a strategic viewing corridor. Officers confirm that Kent Wharf is not located inside the strategic viewing corridor, but is adjacent to it (although the adjacent Faircharm site is located inside the viewing corridor). The submitted TVIA confirms that the proposals would not be visible from strategic view points, although standing taller than Faircharm (12 storeys) would be screened from view by nearby developments in Greenwich, principally The Movement/ Prime Place and others along Norman Road, SE10.

- 7.72 Overall, the height, scale and massing is considered to be acceptable taking into account the context of the site surroundings and the design quality demonstrated in the proposal and would not be detrimental upon views towards St Paul's Cathedral.
- 7.73 Overall, the height, scale and massing is considered to be acceptable taking into account the context of the site surroundings and the design quality demonstrated in the proposal. Officers accept that height of this building has been a common topic throughout the objections received, however, officers and the applicant team have worked collaboratively to achieve a high quality layout, with an emphasise on public realm and connectivity, the increase in height of a single building in the corner of the site is therefore considered to be fully justified.

#### Architecture

- 7.74 It is considered that through the extensive design discussions, a high level of architectural quality has been achieved for the proposal. The design team have demonstrated their commitment to providing exceptional design by including detailed sections and elevations as part of the application.
- 7.75 The architectural proposals attempt to reflect the gritty industrial character of the area while still providing some warmth more appropriate for residential accommodation. Through simple, but elegant design details and a simplified palette of bricks and metals, such a desire is largely achieved. The three blocks have been designed to share a common design language through the use of brick, although each building is expressed through architecture in order to provide a distinction between the wharf/ warehouse inspired buildings facing the Creek and Creekside and the tower.

#### Block A – Creek facing

- 7.76 The Creek facing block is measures 6 storeys with a 7<sup>th</sup> storey set back. The main elevations are clad in a red/ brown brick, punctuated by large areas of repetitive glazing set in white aluminium clad reveals. The top floor is clad in aluminium. Large cantilevered balconies project from the front elevation, these are enclosed by metal balustrades and supported by steel suspension rods, echoing traditional warehouse architecture.
- 7.77 The ground floor comprises the artist studios, the frontages of which are set in double height windows, the lower levels comprising integral 'shopfronts'/privacy screens which are painted so that they can incorporate signage without the need for traditional fascia panels, whilst also providing security without the need for roller shutters. Officers consider the Creek facing block to be robust and elegant in design and would be of a positive contribution to the Creek edge.

#### Block B/C – tower

- 7.78 The architectural quality of the proposal is most importantly seen in the tall building. Due to its prominence, its appearance is of paramount importance. In particular, for this building the architecture should be used to help break down the scale. The proposed building successfully achieves this need without resorting to an excessive and arbitrary material palette. Through the building's organised rhythm, stepped frontage, its generous window proportions and angular balconies, and its use of quality brickwork, the design creates a aesthetically pleasing building that would not appear bulky and/or inconsistent in the area.
- 7.79 Officers consider the detailing of the balconies – hidden fixings and minimal handrails, to be high quality and the use of glazed bricks to animate the elevation and complement the reflective nature of the Trinity Laban building. The ground floor frontages employ the same frontage treatment as the Creek facing block which is supported.

### Block D/E – facing Creekside

- 7.80 Block D is located over the ground floor entrance to the courtyard and connects Block C with Block E. This is clad in aluminium, providing an industrial appearance and visual break between the buildings. The block recessed from the front of the tower by 4.4m and is considered to be visually subservient and reflects the change in character between the north of the site and the south of the site, where Block E is located.
- 7.81 The raised nature of this block, set 5m above ground level provides a glimpses into the courtyard and is considered to add to the richness of the layout, by providing view onto other buildings and uses such as that at Faircharm. The roof level of this block is also set 2.4m below that of Block E, ensuring that it appears subservient.
- 7.82 Block E proposes a similar mass to that of Block A, but proposes a more residential quality through its detailing, being located opposite Finch House within the Crossfields Estate. Balconies are recessed and enclosed by glazed balustrades, topped with a steel handrail. The ground floor treatment differs from that of the tower and Creek facing blocks where the folding shutters are replaced by hit and miss brickwork, providing privacy and light for the studios behind, but also continuing the unique 'blank' ground floor facades that typify Creekside. These are animated by the entrances which are framed in a double height metal arch which provide a sense of arrival to the block. The rear elevation is enclosed by glazed winter gardens.
- 7.83 It is considered that the ground floor treatment provides a sympathetic and innovative response to Creekside, and that the subtle detailing above to reflect the residential quality of the building is appropriate for the setting adjacent to the Crossfield Estate.

### Conclusions

- 7.84 The scheme has the potential to be robust and elegant and is therefore considered to be acceptable in principle. However, the success of the design and therefore its acceptability will depend entirely on securing the high quality of the materials and detailing proposed to ensure that the simplicity of the proposal does not lead to a scheme that is bland and fails to respond to the surrounding context. This is why it has been considered necessary by officers to secure the details of proposed materials for the scheme and why many details have been agreed with Officers prior to determination.
- 7.85 Following requests from the Council's officers at pre-application stage, the applicant has provided 1:50 details of the balcony balustrades, soffits, doors and windows of the proposal and has confirmed the specification for the materials that will be used to ensure that the high quality design of the proposal will be delivered in accordance with the requirements of this sensitive site. It is considered that the details provided demonstrate that despite the simplicity of the building form, the scheme will make a positive contribution to Creekside and will maintain and enhance the character and appearance of the area. A condition is recommended to secure the details as they have been submitted and to secure sample panels of bricks/ tiling and cladding.
- 7.86 It is considered that through extensive design discussions with Officers that have taken place during the intensive pre-application process and a number of referrals to the Design Review Panel a high level of architectural quality has been achieved for the proposal. The detailed plans that have been submitted demonstrate that a high quality design is achievable and are therefore considered to be sufficient to justify the scale and height of the proposal. Officers consider that the proposed development has maximised the potential of the site and the scale of building achievable in this location but subject to the quality of the detailing and design being adequately secured through conditions, it is considered that the development would be a high quality addition to the Deptford Creekside.

### Deliverability of Design Quality

- 7.87 Paragraph 173 of the NPPF states that the viability and deliverability of development should be considered in decision taking. The document goes on to say that to ensure viability, the cost of requirements should, when taking into account the normal cost of development and mitigation, provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable.
- 7.88 As discussed, the building is simple in design and the palette of materials is limited. The clean aesthetic that this approach results in is considered to have merit but makes the detailing of the building and materials of vital importance to support such a simple approach. The Council has had the viability of the scheme appraised independently. The assessment has confirmed that the proposed build costs are reasonable and comparable to other developments, however, one method to improve returns from a scheme is to reduce the building cost per square metre (by reducing the quality of the materials used).
- 7.89 The applicant has submitted confirmation (by way of detailed drawings) to deliver the proposed design, given that the quality of the materials is vital to demonstrate the acceptability of this development in principle and to show that the scheme is deliverable in the near future without any major redesign.
- 7.90 It is materially relevant for the Council to consider the likelihood of a proposed development being carried into effect and the planning consequences should a scheme be unviable and therefore not be delivered in accordance with the approved plans.
- 7.91 Officers consider that the acceptability of this scheme in principle is inextricably linked with the design and quality that is inherent within it. The acceptability of the scale, massing, height and appearance of the proposal is inseparable from the design specification, including proposed materials. Given how vital these elements are to some of the fundamental elements of the scheme, it would not be possible in officers' view to leave the detailing to be secured by condition, as this would suggest that the principle of the approach is acceptable, irrespective of detailing, which would be capable of being resolved as a separate matter.
- 7.92 Should future amendments to the scheme result in it being of a lesser quality than is currently proposed, the entire approach to the development, its scale, height and appearance would need to be reconsidered, as opposed to just considering alternative detailing. Given that the applicant has provided the details (although further details are required) to be necessary as part of the submission and that they have confirmed that they are committed to delivering the scheme as designed, it is felt that the proposal would be acceptable in this regard and the quality of the proposal would be safeguarded.
- 7.93 It is officers' views that any future amendments to the materials and design quality would also necessitate a re-evaluation of the viability of the scheme and its ability to deliver increased affordable housing provision.

### Landscaping

- 7.94 Throughout the pre application process and assessment of this application officers have been engaged in extensive discussions with the applicant regarding appropriate landscaping for the site. Landscaping is an integral part of the development and is fundamental to ensuring high quality public realm, appropriate to the character of the site and surrounding area.
- 7.95 There are three key areas of landscaping and public realm within the Kent Wharf site, these are named by the applicant as 'Copperas Walk' which provides a route from Creekside to the Creek, 'Creekside Walkway' which denotes the Creek edge walk and the

'Creative Courtyard' which refers to the central landscaped courtyard upon which the artist studios front onto. The concept is to provide a series of linked spaces which reflect the site's industrial setting but also responds to the requirements of its intended use.

- 7.96 As stated above the northern end of the site, where Copperas Walk is located, is seen as a transitional area, marking Creekside, the edge of Laban's open space and the Creek edge. It is proposed to respond directly to Laban's open space which is considered to be a positive asset to Creekside. A winding pathway finished in self-binding gravel creates a main thoroughfare with angular timber decks marking the entrances to the studios. Adjacent to the Laban boundary are areas of informal naturalistic play, formed from boulders, logs and textured surfaces. This creates a visual and playful link from Creekside to Laban leading up to the Creek. Planting is relatively sparse to reflect the industrial character of the site and is noted as including grasses and other perennials to change with the seasons. The landscape strategy for the walk is supported, however, further details including the specific layout of the naturalistic play equipment is required by condition to ensure that access to the Creek for the Environment Agency is not impeded.
- 7.97 Officers are supportive of the removal of the chain link fence between Kent Wharf's northern boundary and Trinity Laban's open space, as this would allow for a cohesive area of public realm, where the sculptural grassy mounds of Laban would flow into the proposed landscaping treatment of Copperas Walk. Further details of management will be required within a landscaping management plan. As stated in paragraph 7.48, the proposed boundary treatments condition does not require the removal of the fencing, but does encourage the continuing dialogue between the applicant and Trinity Laban. The removal of the fencing is aspirational and encouraged in the long term.
- 7.98 The Creekside Walkway provides an open route adjacent to the Creek edge. This space is designed to be relatively open to allow for unobstructed views of the Creek, but also to provide the Environment Agency access to the wall for maintenance: as such the buildings are set a minimum of 8m back as required by the EA. The landscaping proposed is simple and robust, and comprises an area of self-binding gravel to the north, as an extension to the Copperas Walk, together with areas of concrete setts with exposed aggregates to reflect the industrial nature of the site. A timber deck spans the edge of the building providing a walkway and break-out space for the workshops/studios, screened by areas of ornamental grasses in raised angular planters incorporating seating edges. The existing sheet pile Creek Wall is to be left exposed, emphasising the industrial metals and concrete. The Environment Agency have requested further details of the landscaping to ensure that access into the Creek is not impeded.
- 7.99 The central courtyard is to be laid in small sett concrete paving with exposed aggregates to create the feel of an industrial working courtyard, and to provide a durable surface for delivery vehicles, and artists using the courtyard as an extension to their workshops/studios. To break up the space and provide a central node, a small group of trees (the species of which is to be secured by condition to ensure they provide appropriate habitat) is proposed set within a raised timber deck incorporating seating. The landscape statement provides indicative images of this timber deck which are shown as a sculptural structure which provides visual interest and mimics the grassed mounds of Trinity Laban's open space. In addition a timber deck is proposed to define the frontages to the studios incorporating seating with spaces for planting. Officers are supportive of the raised sculptural decking which is multifunctional and negates the need for traditional street furniture, although the plans are indicative at this stage and further details are required by condition.
- 7.100 The landscaping at ground floor is designed to be hard, robust and interact with the Creek which is supported, subject to the submission of further details by condition. A further area of landscaping is also proposed at roof level across Building D-E. In contrast to the

robust landscaping below, the roof garden is proposed to be softer and incorporate higher levels of planting. The plans show area of hedging enclosing the roof inside which are play areas, seating and open areas of amenity space. This is considered to be acceptable and would provide a high standard of residential amenity, which due to its above ground location would not conflict with the industrial setting of the ground floor.

- 7.101 Public realm works are proposed around the site frontage on Creekside. Currently this is dominated by car parking, and it is proposed that the road surface will be upgraded with raised tables positioned at either end of the site in order to control traffic speeds. The details submitted at this stage are considered to be acceptable in principle.
- 7.102 The existing curve in Creekside, which previously existed as Copperas Lane, an extension of Bronze Street currently acts as space for car parking and creates an unusually wide highway. It is proposed to reconfigure this space to provide an extension to the pavement and provide an integral servicing bay. This would allow for a pavement of up to 6m wide as a maximum which is considered to be generous and an improvement over the existing layout. The historic curve in the highway would remain referenced by the introduction of Copperas Walk, which reinstates the historic road layout. The overall strategy for landscaping improvements outside of the site are considered to be generally acceptable but further details of materials will be required by condition.

#### Residential Density

- 7.103 Policy 3.4 of the London Plan seeks to ensure that development proposals achieve the maximum intensity of use compatible with local context, design principles and with public transport capacity. Table 3.2 in the London Plan identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL).
- 7.104 The site has an 'urban' setting and has a PTAL rating of 3-4 giving a London Plan indicative density range of 70-260 units per hectare, or, 200 to 700 habitable rooms per hectare (dependent on the unit size mix). The proposal is for 357 dwellings per hectare or 1158 habitable rooms per hectare.
- 7.105 It is recognised that the Site Allocation states that 200 dwellings could be accommodated on the Kent and Sun Wharves site, and that this scheme proposes 143 residential units, which is a substantial element. In this case, the scheme is considered to be innovative in layout which can support the number of dwellings. Proposals on Sun Wharf will need further consideration in terms of layout and unit numbers and will be assessed under its own merits, including how any future development mitigates against construction and transport impact.
- 7.106 This is above the density range of the Plan, although acknowledging the area for intensification and an opportunity area within the London Plan and Core Strategy Policy 2 which confirms that Deptford would provide key regeneration and development opportunities it is considered that subject to an appropriate layout and standard of residential accommodation the density can be accepted. It is noted that the GLA raises no objections to the proposed density.

#### Proposed Residential Development

- 7.107 At a regional level, the 2011 London Plan seeks mixed and balanced communities (policy 3.9). Communities should be mixed and balanced by tenure and household income, supported by effective and attractive design, adequate infrastructure and an enhanced environment. Policy 3.11 of the plan confirms that boroughs should maximise affordable housing provision. Though the Plan does not set percentage targets for provision at Borough Level, it sets a strategic target of 13,200 more affordable homes per year across

London as a whole and confirms that Boroughs should set their own targets according to the Strategy of the London Plan. The policy also refers to strong and diverse intermediate sector, where 60% provision should be for social rent and 40% should be for intermediate rent or sale and priority should be accorded to the provision of affordable family housing.

- 7.108 Spatial Policy 2 of the 2011 Core Strategy requires that the Deptford, Deptford Creekside, New Cross/New Cross Gate area accommodates up to 2,300 additional new homes by 2016 and a further additional 8,325 new homes by 2026. Though the Core Strategy envisages that the majority would be met by the Strategic Sites, this application would make a significant contribution to housing supply in the area.
- 7.109 Core Strategy Policy 1 confirms that the maximum level of affordable housing would be sought by the Council, with a strategic target of 50%, as a starting point for negotiations and subject to an assessment of viability. The policy also seeks provision at 70% social rented and 30% intermediate housing, where 42% of affordable homes are family housing (three+ bedrooms) in developments of more than 10 units and where existing areas have a high concentration of social rented housing, different proportions of affordable housing would be sought. Different proportions are supported by the Lewisham Housing Market Assessment 2007-8 (HMA), published in December 2009 which states (paragraph 37) that affordable housing provision in Lewisham should comprise 85% social rented housing, and 15% intermediate housing, in order to meet the identified need.
- 7.110 The HMA states (at paragraph 35) that a net 6,777 dwellings should be provided over the current 5-year period to meet current identified need. This is equivalent to the provision of 1,345 dwellings per annum. Table 3A.1 of the London Plan sets out a target of 11,050 additional homes to be built in Lewisham in the 10 years from 2011 - 2021, which is reflected in a monitoring target of 1,105 additional homes per year. As part of the overall need for housing in Lewisham, there is a specific need for affordable housing. The HMA states (paragraph 36) that over 80% of all new housing built would need to be affordable in order to meet identified need.
- 7.111 Core Strategy Policy 1 indicates that where a site falls within an area which has existing high concentrations of social rented housing, the Council would seek an affordable housing contribution to be provided in a way which assists in securing a more balanced social mix. This may include a higher percentage of intermediate housing or other arrangements as considered appropriate.
- 7.112 In these circumstances, the provision of housing is a relevant consideration in the determination of this application, as is the pressing need for affordable housing in the Borough. However, as discussed above this has to be placed alongside the Council's objective of securing new forms of deliverable employment space when it identified mixed use employment areas. Officers are encouraged by the efforts made to secure a provider for the non-residential space at Kent Wharf with a focus on small to medium sized businesses. The non-residential floorspace, which the applicant has committed to being affordable for businesses, together with other site costs such as the Environment Agency repayment for the Creek Wall flood defence and costs of remediating contaminated land also needs to be balanced against delivery of affordable housing.

*a) Size and Tenure of Residential Accommodation*

- 7.113 The proposed development would provide 143 residential units including 22 affordable units, this is an increase from the 18 proposed with the applicant submission and this reflects negotiations between Council officers and the applicant post submission of the application. The originally proposed 100% intermediate tenure has also been amended to include affordable rent at a ratio of 64:36. The unit sizes and tenure breakdown of the proposed development are summarised in the table below.

**Table 1: Residential Tenure and Size Mix\***

	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>Total</b>
<b>Private</b>	38 (15 x)	70 (9y)	13	121
<b>Affordable Rent</b>	4	4 (4y)	6	14
<b>Shared Ownership</b>	3	5	0	8
<b>Total</b>	45 (15 x)	79 (13y)	19	143

\*Wheelchair accessible units shown in (Y) with adaptable shown in X)

- 7.114 Based on this mix, the development would comprise 15% affordable units (by habitable room and unit) of which 64% would be for affordable rent and 36% would be intermediate accommodation. The remaining 85% would be private units.
- 7.115 Although increased from the original offer, the percentage of affordable housing to be provided falls short of the affordable housing figure referred to in Core Strategy Policy 1 and the extent to which it meets the strategic target of 13,200 units per year across London in Policy 3.11 of the London is limited. However, the site is designated as a Mixed Use Employment Site and therefore any residential development needs to be considered alongside the provision of non-residential floorspace. In policy terms, officers consider the priority to be the provision of a significant amount of affordable employment floorspace which will add to the cost of the redevelopment and that this needs to be subsidised by residential accommodation, this is recognised as having a consequential impact upon viability.
- 7.116 The applicant has submitted a confidential financial appraisal for the scheme that has enabled the Council, advised by specialist independent consultants, to assess the overall viability of the scheme and its ability, in financial terms, to meet policy in terms of affordable housing provision. Further consideration of financial viability is set out in section 13 of this report. In summary, the financial appraisal demonstrates that, when taken with other policy requirements and the regeneration benefits of the scheme such as the provision of affordable workspace for creative uses, the proposed development provides the maximum viable amount of affordable housing at this time.
- 7.117 It is also important to consider the significant package of s106 contributions secured which includes significant contributions towards transport and public realm enhancements around the vicinity of the site. Such mitigation will have an impact upon the cost of redevelopment and an impact upon viability.
- 7.118 While it is accepted by officers that the provision of a larger proportion of affordable housing is not possible at this time, given the shortfall in affordable housing provision relative to the levels set out in planning policies, it is appropriate that the level of provision be kept under review. Therefore a mechanism would be incorporated into the Section 106 agreement to consider securing a financial contribution towards affordable housing provision off-site, should values increase to a level where this would be financially viable.
- 7.119 Whilst the revised 64:36 split of affordable rent/ intermediate does not quite meet the Core Strategy target of 70:30, it is mid way between this and the London Plan which seeks for a 60:40 split. In this instance, a balance has been struck between the mixture of uses on site, affordable housing size and tenure. For the reasons set out above and further in section 13 of the report, the proposals have been shown to include the

maximum amount of affordable housing provision viable in a particular tenure and it is therefore recommended that this tenure mix is accepted. Furthermore, the applicant has confirmed that the three bedroom units in affordable tenure will be let below 60% of market rates.

- 7.120 The proposes residential mix includes 19 units as family sized accommodation (defined as 3+ bedrooms), 79 units as 2 bedroom and 45 as 1 bedroom units. The inclusion of family sized units is in accordance with Core Strategy Policy 1 and although there is a larger proportion of 2 bedroom units, in this location is considered appropriate given the mixed use of the site with an emphasise of employment provision and taking account of the location of the site bound by commercial uses.

b) *Standard of Residential Accommodation*

- 7.121 The Council's Adopted Residential Standards SPD (2006) sets out criteria for new residential units but this document is largely superseded by Core Strategy and London Plan requirements and the recently adopted Mayors Housing SPG. The Housing SPG sets out guidance to supplement London Plan policies, Part 2 of the SPG deals with the quality of residential accommodation setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space including cycle storage facilities as well as core and access arrangements.
- 7.122 Table 3.3 of the London Plan and Standard 4.1.1 of the SPG sets out minimum space standards for new development. The standards require the largest 1-bed to be a minimum 50 sqm, largest 2-bed 70 sqm and largest 3-bed 95 sqm. The Applicant has shown that all of the units comfortably meet the minimum sizes.
- 7.123 The majority of the units are dual aspect, including all of the family sized units and none of the units are single aspect north facing. All habitable rooms receive good levels of natural light, ventilation and outlook.
- 7.124 The Housing SPG sets out the baseline requirements for private open space. The standard requires that a minimum of 5 sqm for 1-2 person dwellings and an extra 1sqm for each additional occupant. The minimum depth for all external space is 1.5m. All units within the development would have access to private amenity space in the form of a balcony or terrace and a large number of units have access to multiple balconies. It is considered that the provision of private amenity space is high quality.
- 7.125 In addition to the private amenity space for each dwelling, communal amenity space is provided to the top of Block E, and the gantry decks which connect Block A with Block B. Further open space is located along the Creek edge and there are a number of other public open space facilities within walking distance, the closest being Trinity Laban and Ferranti Park.
- 7.126 New residential development should not give rise to complaints about businesses that have been long operating in an area and co-existing with neighbours. Following discussions between the applicant and the occupiers of Sun Wharf, Jones Hire and concerns regarding the placement of residential units in proximity of the warehouses in Sun Wharf which are operational on a 24 hour basis the Creekside facing block has been amended to omit the balconies in place of winter gardens. The scheme has also been designed to safeguard against other noise impacts such as those from Brewery Wharf, a safeguarded Wharf on the eastern edge of the Creek.
- 7.127 All of the residential units will benefit from cycle, refuse and recycling storage facilities that are secure covered and well located within the development.

### Lifetime Homes/ wheelchair housing

- 7.128 London Plan Policy 3.8 and Core Strategy Policy 1 require all new homes to be built to Joseph Rowntree Foundation's Lifetime Homes Standards and 10% of all dwellings to be wheelchair accessible. The Council's Planning Obligations SPD specifically refers to the SELHP wheelchair accessibility standard to ensure that new residential development provides physical accessibility for all members of the community including people with disabilities.
- 7.129 The applicant has confirmed that thirteen of the proposed units would be wheelchair accessible with a further fifteen units provided as easily adaptable for wheelchair units. This is above the minimum requirements as required by Core Strategy Policy 1 and is supported. Wheelchair units in affordable tenures are provided with an accessible on site parking space within the central courtyard. Private units that are capable as being adaptable for wheelchair use are not provided with a dedicated parking space as to provide this would adversely impact upon the layout of the scheme and deliverability of the wider masterplan. It has therefore been agreed that private units will be fitted out when there is demand and future occupiers would be able to apply for a parking space in the locality. Other occupiers would be excluded from applying for parking permits.

### Neighbouring uses

- 7.130 It is recognised that the proposed residential units would be located in close proximity to commercial uses on the Kent Wharf site and on adjacent sites. Given the mixed use location future occupiers could not expect to enjoy the same level of amenity as in a predominantly residential location. In choosing to live within this mixed use, commercially led development, new residents should expect that there would be commercial activity taking place day and night and a modest level of noise associated with the commercial uses should be accepted. As stated above it is not considered to be necessary or appropriate in this mixed use location to control the hours of operation for the commercial uses but the design and layout of the proposal is such that future occupiers would benefit from good levels of privacy and adequate level of protection from excessive noise. It will be necessary to ensure that the use class is secured and that a delivery and servicing strategy is secured by condition.
- 7.131 The Applicant has assessed the extent to which the site is suitable for residential development including surrounding commercial uses and the proposed commercial uses. The report concludes that future occupiers would not suffer from excessive noise pollution. The Council's Environmental Health Officer (noise) supports the Applicant's approach and conditions can be included on a planning permission to control the level of noise within the units, the noise from external plant and transmitted noise.
- 7.132 The properties have been designed with appropriate glazing to protect future residents from excessive noise pollution generated by adjacent commercial uses.
- 7.133 Overall future occupiers of both the private and affordable units would benefit from high quality accommodation with a good standard of amenity.

### Open Space and Play Facilities

- 7.134 The development provides communal amenity space at ground level in the form of the Copperas Walk and space to the Creek edge, central courtyard, gantry decks and terraces. All but the gantry decks and terraces would be open for members of the public to use as well as commercial and residential occupiers of the site. These spaces could be used for informal recreation and could accommodate temporary exhibitions for the studio spaces. They would provide play space for children and a general chance for the public to view and interact with the Creek by opening up frontage not previously accessible.

- 7.135 This site is located within close proximity of a range of public open space and dedicated and multi-functional play spaces. There are two play areas for 0-5yrs within 100m of the site (Crossfields Estate Play Areas), Ferranti Park which has facilities for 5-11yrs located within 400m of the site and seven play spaces for 11+ yrs within 800m of the site (Margaret McMillian Park, Deptford Adventure Playground, Evelyn Green, Broadway Fields, Brookmill Park, Claremont Street and Bardsley Lane). Whilst these facilities are in close proximity of the site it is recognised that pedestrian and cycle routes to these facilities are in need of environmental enhancement to ensure direct, safe, legible and attractive access to the facilities from the site can be achieved. There are also opportunities to enhance some of the play facilities within this area as well as other public open spaces.
- 7.136 Based on the Mayor's playspace SPG, 15 children are predicted to live in the development, 9 of which would be under the age of 5. This gives rise to a total child playspace requirement of 150 sqm. The development provides a total of 397 sqm of children's playspace which is well in excess of minimum requirements.
- 7.137 It is not proposed to provide dedicated facilities for the over 5's on site. Whilst there are facilities within adequate proximity of the site as discussed above' there is a need to enhance facilities and routes to them. There is also a requirement to address the impact of the proposal on other forms of open space. An financial contribution towards open space was previously secured within the Heads of Terms, however, the Council has now adopted the borough Community Infrastructure Levy (CIL) and contributions towards open space are collected via CIL rather than S106.

#### Highways and Traffic Issues

- 7.138 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, if safe and suitable access to the site can be achieved for all people and if improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

#### Transport Assessment

- 7.139 This application is accompanied by a Transport Assessment (TA) to assess the impact of the development upon the local highway and transport network, during both the construction period as well as the operation of the development.
- 7.140 The report outlines the relevant policies at national, regional and local level and sets out the baseline conditions for the site in terms of local highway network, public transport and existing site conditions/ use. Kent Wharf is current vacant and whilst 24a Creekside was in use for engine repairs it is now also vacant.
- 7.141 Traffic surveys were undertaken to establish vehicle movements. The TA states that the site recorded 12 two way movements in AM peak hours and 11 two way movements in PM peak hours. Kent Wharf is current vacant and therefore generates no movements, however, that historic uses would have created an estimated 16 two way movements in AM peak hours with 18 two way movements in PM peak hours.

7.142 Details of the proposed development are provided within the TA which state that three parking spaces are proposed (for affordable wheelchair units) with 1 space also available for use by a car club.

7.143 The car parking spaces are located within the central courtyard with the car club space located on Creekside.

*a) Access*

7.144 The site is within reasonable walking distance from Deptford Bridge DLR Station, Deptford National Rail Station, Greenwich DLR and National Rail stations and bus stops on Deptford Church Street and Creek Road. The site has a PTAL of 3-4, where '1' is rated as Poor and '6' is rated as Excellent. The Council's Core Strategy Policy 15 and London Plan 2.13 encourage relatively dense development to be located in areas where the PTAL is Good or Excellent.

7.145 Pedestrians (and cyclists) would be able to access the site from Creekside. It is proposed to improve the eastern Creekside footway adjacent to the site, with a minimum width of 2m, rising to over 6m. Signage and way finding would be provided within the development providing directions and distances to local amenities and transport connections.

7.146 Vehicular access into the site would be from Creekside. It is proposed that the development would operate a one-way circulation with vehicle entry positioned centrally on the site frontage with vehicles manoeuvring within the central courtyard. Vehicular access into the proposed development would be monitored and controlled through the implementation of the Car Park Management Plan as part of the overall management of the site. Swept Path Analysis forms part of the TA which confirms that the size of the courtyard is sufficient to allow vehicles to exit in a forward gear.

7.147 It is recommended that a Framework Travel Plan for the commercial element of the proposed development and a Residential Travel Plan are secured by way of a conditions prior to first occupation of either element of the development. The Travel Plans are to include suitable monitoring mechanisms, including the monitoring of on-site and on-street parking, and the requirement to appoint a Travel Plan Coordinator.

7.148 Within the site, level access would be provided by way of the shared surfaces with no delineation between pavement and road. This level access extends into all of the buildings

*b) Servicing*

7.149 All servicing and delivery activity would be undertaken at ground level. With service and delivery vehicles using the loading bay on Creekside or entering the development via the central courtyard. The proposed development also provides a safeguarded access route within the site to safely accommodate Environment Agency. The swept path analysis submitted with the Transport Assessment demonstrates that arrangements could safely and adequately facilitate access for all types of vehicles anticipated to require entry into the site.

*c) Cycle Parking*

7.150 The total proposed level of cycle parking accords with the London Plan minimum standards for this development and thus is considered acceptable. The location of the spaces in relation to the units they would serve accords with current best practice and the cycle parking would be covered and secure. Suitable conditions are recommended to ensure that the cycle parking proposed is provided prior to occupation

*d) Car Parking*

- 7.151 The development proposes no car parking with the exception of three accessible parking bays within the central courtyard for the affordable wheelchair fitted units.
- 7.152 The level of car parking has been discussed intensively with officers during pre-application discussions. Proposals originally included a ground floor car park beneath Block A (over which the building was cantilevered) and additional parking spaces within the central courtyard. This was considered to be damaging to the urban design principles that were established within the masterplan and also the layout of the blocks, proving a solid base to the buildings and courtyard which could be accessed by the artist studios. Concern was raised as to the projected demand for wheelchair accessible parking spaces within the private units and what degree a number of spaces within the development would remain empty and therefore liable to unauthorised future parking.
- 7.153 As such, as detailed design proposals emerged, the car parking arrangement was revised to locate only the wheelchair affordable units within the courtyard. This allowed for the ground floor of Block A to be enlarged to the full extent of the building, thereby creating additional artist studio space. Where future car parking is required for the units in private occupation a mechanism would be established (contained within the s106) so that parking could be allocated on demand. These spaces would be located along the Creekside frontage.
- 7.154 This strategy has the support from the Council's Highways officers as a way of minimising car parking in the locality and prevents any potential over provision of car parking on site. The management of all car parking spaces would be included in the Car Park Management Plan and Travel Plan which both include the monitoring of car park usage on-site to ensure that adequate spaces are provided to support occupiers of accessible units and that additional accessible spaces could be provided as required.
- 7.155 Creekside at present is not covered by a Controlled Parking Zone (CPZ). Parking is therefore unrestricted though the Crossfields Estate does provide parking for their residents within parking areas to the west of the site, these are not accessible to members of the public. The TA estimates that the development could generate a potential parking demand of 29 spaces for the commercial space and 69 spaces for the residential units. However, the commercial parking demand is based on traditional B1a office uses, rather than artist studios and it is noted the SFSA promote sustainable modes of transport. It is therefore considered that parking demand is likely to be lower than suggested. A commercial travel plan will therefore need to be secured.
- 7.156 Recognising the levels of car parking suggested within the TA, and in order to justify the scheme as being car free, the applicant has agreed to provide a financial contribution of £35,000 for the undertaking of a consultation on the implementation of a CPZ in Creekside. It is intended that future occupiers of the residential units (aside from blue badge parking) would be restricted from applying for parking permits in any future CPZ, including extensions or adjacent CPZs. Therefore, together with the proposed measures in the Travel Plan, the residential car parking numbers are considered to be acceptable.
- 7.157 The nature and timing of the observed parking patterns within the TA may limit the potential impact on local residents, who should retain sufficient kerb-side capacity at key times in late afternoon and evenings. In addition, the areas of private land which offer designated parking for local residents also offers a reasonable degree of insulation from parking demand. However, parking pressure from a variety of sources in the local area would continue to affect local residents and, subject the processes set out in the Councils Parking Policy, a CPZ would be the most appropriate solution to control cumulative parking pressures on the public highway.

7.158 Aside from wheelchair accessible parking, officers and the GLA support the principle of a car free scheme given the PTAL rating and location of the site in relation to public transport facilities within walking distance. Subject to a Car Park Management Plan and associated S106 obligations being agreed, including the restriction of all occupiers of the development from applying for parking permits, it is considered that adequate mitigation can be put in place to address the potential impacts on the on-street parking demand

*e) Car Club*

7.159 At present there are 6 car club bays (ZipCar) located within a 15 minute walk of the application site, the closest being a 6 minute walk on Glaisher Street. It is proposed to provide a car club bay to the site frontage on Creekside, the Transport Assessment confirms that all residents (first occupiers) would receive two years of free membership of a car club and £25 driving credit.

7.160 The management of all car parking spaces would be included in the Car Park Management Plan and Travel Plan which both include the monitoring of car park usage on-site to ensure that adequate spaces are provided to support occupiers of accessible units and that additional accessible spaces could be incorporated within the site or on Creekside as required.

*f) Refuse*

7.161 Refuse storage points are located in specified areas on the ground floor with separate areas for commercial and residential waste to reflect the differing storage and collection requirements. The location of the waste collection points for both land uses accord with current standards in relation to access by a refuse vehicle and pulling distances by waste operatives and as such, it is proposed that refuse vehicles can either access the waste collection point individually or remain in a central location and waste operatives can wheel the bins to the vehicle. There are no outstanding concerns about the size and location of the waste collection points proposed. The refuse arrangements would be secured through the Delivery and Servicing Plan.

*g) Blue Ribbon Network*

7.162 Policy 7.26 of the London Plan states that development proposals close to navigable waterways should maximise water transport for bulk materials, particularly during demolition and construction phases. The use of the river and waterway network for transport purposes is supported by Core Strategy Policy 11. Given the site's location adjacent to the Creek, it is considered important to explore the option of transporting construction material and waste from the site via the Creek. This would help to reduce the road borne vehicle trips which would reduce congestion and traffic in Creekside. The applicant has agreed to explore this option as part of the Constructing Logistics Plan for the site. This would be secured by condition.

*h) Highway Improvements*

7.163 The development proposes works to the highway frontage, including resurfacing and provision of raised tables to control traffic speeds. The large curve in the highway that exists just north of the site adjacent to Laban would be reconfigured to provide additional public realm and an entrance into Copperas Walk and the provision of a loading/ delivery bay. The TA states that these works would result in the loss of 3 unrestricted parking spaces.

7.164 Parking surveys (using the Councils preferred Lambeth methodology) show that within 400m of the site there a total of 140 unrestricted parking spaces, which decreases to 85 spaces within a 200m radius of the site. These have varying levels of use and the TA

states that parking demand is between 18.6% and 25.9% of all spaces. The proposes loss of 3 parking spaces is not considered to result in a negative impact upon parking provision but would result in significant improvements to public realm.

- 7.165 A s278 agreement is required to undertake improvements to the eastern footway of Creekside adjacent to the site to provide a minimum width 2m wide (increasing to 4m) footway, as shown on the submitted plans. The works are considered to be a vital part of the high quality environment that the development proposals are seeking to create in order to enhance pedestrian accessibility to and from the site. Consequently, the s106 should include an obligation to enter into a s278 agreement to secure any necessary repair works to the footway and carriageway of Creekside along the specified construction vehicle routes and in front of the development site in the instance that this is damaged during construction. This is considered necessary to safeguard the pedestrian and cycle environment within the vicinity of the site.

*(i) Construction*

- 7.166 The TA estimates that the construction period is likely to run from May 2015 to January 2017 with a maximum of 20 construction vehicles per day, across a typical 10 hour weekday operation. This equates to 2 one way construction vehicles per hour and one vehicle trip every 30 minutes. This figure is based upon Bellways' experience in delivering similarly sized projects across London and is therefore considered to be a realistic figure. In order to mitigate the potential impacts during the construction phase of the development, a Construction Logistics Plan (CLP) would be secured by way of a planning condition in line with London Plan Policy 6.14 (Freight), as would the provision of a Construction Environmental Management Plan. These plans would control the impact of construction activity on the highway and would also ensure that the construction takes into account the cumulative impact with other development that could be on site at that time, should planning permission be granted.
- 7.167 The Transport Assessment and Environmental Assessment for the Faircharm scheme estimated that there would be some 90 one-way construction vehicle movements per day (a total of 180 per day), equating to 9 trips per hour based on a 10-hour working day between 08:00 – 18:00. It is considered that the hours of delivery should be restricted to avoid the network peak hours of 08:00 – 09:00 and 16:00 – 18:00 to minimise the delay and impacts of construction vehicle movements on the surrounding highway network. This would result in a more concentrated arrival and departure profile of approximately 13 vehicles per hour.
- 7.168 Officers are aware of the cumulative impact of the proposals in terms of construction traffic. At present the committed schemes at Faircharm and Thames Tunnel have been taken into account. An application has been made to the Royal Borough of Greenwich for land at Creek Road by Essential Living on the former Creekside Village East site (Greenside side only) and that the Lewisham side is expected to come forward shortly. However, the TA has taken into account the resolution to grant scheme on this site in terms of parking numbers and traffic generation.
- 7.169 In order to avoid congestion upon the local highway network, the applicant has confirmed that alternative routes will be considered for the delivery of construction materials. It also confirms that contractors will be prohibited from parking on street. A Construction Logistics Plan is therefore to be secured by condition.
- 7.170 Creekside is a designated cycle route and thus there is an increased risk of conflict with cyclists on this narrow road during the construction phase as a result of the increase and intensification of large vehicle movements. Of particular concern are the larger vehicles such as low-loaders carrying construction machinery and large cranes which have a poorer turning circle and larger swept path than the refuse and delivery vehicles currently

using Creekside. Therefore the Construction Logistics Plan should include appropriate mitigation to mitigate the risk of conflicts with cyclists including a swept path analysis of the larger construction vehicles, vehicle routing, traffic management measures and the use of banksmen etc.

- 7.171 The Council is keen to promote the use of Deptford Creek for transport especially during the construction phases of a development. The applicant has raised reservations regarding the tidal nature of the river (the times at which high tide allows boats to enter and exit the Creek) and presence of the planted ecological barrier adjacent to the Creek wall. Notwithstanding, the submitted Draft Construction Management Plan makes a commitment to exploring the Creek for construction purposes. This is to be secured as part of a Construction Logistics Plan, which should detail all possible efforts made to utilise the Creek for construction purposes, officers will expect that the tidal nature of the Creek is taken into account.

#### Conclusions

- 7.172 Based on the trip generation, the Transport Assessment predicts a minimal net increase in vehicular trips and that, due to the nature of the proposed commercial units, a large proportion of these would be undertaken outside of the traditional peak hours. As a result the Transport Assessment concludes that the proposed development would not have a material impact on the surrounding highway and public transport network.
- 7.173 As stated previously, the proposed development does have the potential to generate a need for on-street parking demand which could exceed the existing available capacity. Creekside and the surrounding streets are not covered by a Controlled Parking Zone (CPZ) and a S106 contribution should be secured for the undertaking of a study into the implementation of a CPZ in the surrounding areas. Future occupiers of the development should be restricted from applying for parking permits.
- 7.174 With the controls that are proposed to restrict occupiers' right to a parking permit, the submission of Framework and Residential Travel Plans, the low levels of on-site car parking and the implementation of a Delivery and Servicing Plan, it is felt that sufficient controls would be in place to control the effects of the proposed development.
- 7.175 The transport documents submitted have been independently assessed and it is considered that the additional information about traffic impacts provided by the applicant is sufficient to demonstrate that the level of trips predicted to be generated by the proposed development would not have a significant impact on the surrounding highway and public transport network in terms of capacity and operation and that potential impacts on on-street parking could be mitigated against.

#### Impact on Adjoining Properties

- 7.176 DM Policy 32 of the Development Management Local Plan (2014) states that the Council expects all new residential development to be attractive and neighbourly, provide a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours and meet the functional requirements of future residents. All new-build housing will be required to be sited to minimise disturbance from incompatible uses and be well located in relation to public transport with a high quality pedestrian environment.

#### Daylight/ Sunlight/ Overshadowing

- 7.177 An assessment of daylight and sunlight has been carried out for the development in accordance with the Building Research Establishment's good practice guide "Site Layout planning for daylight and sunlight". This allows the Council to consider the impact of the proposal on the extent of daylight/sunlight received in the windows of adjacent properties

servicing the rooms used most frequently. This is useful in assessing the extent to which the site layout allows for natural lighting, but is only one factor in considering whether the scheme is well designed and should be considered in the context of the overall approach to the design of the scheme.

- 7.178 It is also important to note that the BRE guidance includes a level of flexibility within its application and for instance, developments in urban areas are treated differently to suburban areas because expectations of daylight and sunlight into properties differ in such locations. Consequently, it is often necessary to aim for different 'target values' of daylight and sunlight into rooms according to the location of the development.
- 7.179 The assessment of daylight is based on the calculation of the vertical sky component (VSC) to an affected window in both the existing and proposed condition. The VSC, simply put, is the amount of light received at the centre of a window. There is a further assessment that assesses the distribution of daylight within a room. This is called the average daylight factor (ADF). Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced by the room area, the area of room surfaces, the reflectance of room surfaces and the transmittance of the glazing with the size of the obstruction being a smaller influence. The extent, to which the effect of a proposal on surrounding properties is considered significant, is dependent on the use of the room to which the window relates. The significance of any impact of proposals on non-habitable or less well-used rooms such as bedrooms therefore varies. In this case, the relevant tests are essentially whether less than 0.8 times the existing level of daylight and sunlight is retained within a room and whether more than half of any one garden space is overshadowed. For sunlight the Annual Probable Sunlight Hours (APSH) method is detailed. This calculates the percentage of statistically probable hours of sunlight received by each window in both summer and winter months. March 21<sup>st</sup> through to September 21<sup>st</sup> is considered to be the summer period, whilst September 21<sup>st</sup> to March 21<sup>st</sup> is considered the winter period. For properties neighbouring a development only those windows orientated within 90° of due south and which outlook the site of the proposal are relevant for assessment.
- 7.180 The site currently comprises vacant cleared land at Kent Wharf and a two storey building on 24a Creekside with open yard. The buildings are in general much lower than the surrounding buildings. As a result it is considered that surrounding residential buildings enjoy a level of daylight and sunlight across the site in excess found in a typical urban location such as this. For this reason, it is expected that there would be impact upon daylight and sunlight.
- 7.181 The relevant properties tested are residential and educational buildings with windows that face onto the site (Finch House and Farrer House within the Crossfields Estate) and Trinity Laban. The impact of overshadowing on the Creek was also considered.
- 7.182 Finch House is set to the west of Creekside. The proposed block fronting Creekside (Block D/E) steps back at the upper levels to respond to Finch House. Therefore the majority of windows within Finch House maintain VSC levels that are in excess of the suggested BRE guide target of 27% or remain within 0.8 times their former values and therefore fully compliant with the BRE targets.
- 7.183 A small number of windows would experience deviations slightly beyond the BRE guideline targets, but overall would maintain good levels of day lighting for an urban site. These changes affect five windows on the ground floor, four windows on the first floor and two windows on the second floor. These windows experience reductions to between 0.6–c.0.7 times their former values which is considered a minor deviation to the 0.8 target suggested by the BRE guidelines.

- 7.184 In addition VSC levels to the majority rooms remain good with six of the rooms experiencing VSC levels of c.25% or above. As the suggested target is 27%, this technical derogation could be considered to be non-material. The remaining rooms enjoy VSC levels of c.22% or higher which, whilst an inevitable change given the current open sky view over the existing single storey buildings, remains a good day lighting level for an urban site and is considered acceptable.
- 7.185 With regard to sunlight, the windows of the assessed properties which face the proposal are within 90 degrees of due south. The report assessed all windows under the BRE guidelines Annual Probable Sunlight Hours (APSH) sunlighting assessment for completeness. The results indicate full compliance with the APSH targets set out in the BRE guide to all windows. There are minor reductions and the residual impacts remain in excess of the BRE targets of 25% ASPH, with at least 5% during winter. As such, this property is fully compliant with the BRE guidelines.
- 7.186 Farrer House is again set to the western edge of Creekside to the south of Finch House, located opposite Cockpit Arts. The eastern elevation of this neighbouring property has four windows that have an oblique view of the proposal. The results of the VSC assessment shows no material change in daylight levels under the proposal. The separation to this property results in all relevant windows maintaining VSC in excess of the 27% absolute target set out in BRE guide. With regard to sunlight, none of the windows within this property that may be affected by the proposed development are orientated within 90 degrees of due south. They are therefore not relevant for sunlight assessment under the BRE criteria.
- 7.187 The availability of sunlight on amenity spaces have been tested. To the north of the site, Trinity Laban has a large area of open green space. The report states that with the proposed scheme in place, 97.5% of the area would received 2 hours of sunlight on the 21<sup>st</sup> March. This would be well in excess of the 50% threshold as suggested within the BRE guidance confirming a good level of overall amenity with no area experiencing significant shading.
- 7.188 With regard to the impact upon the Trinity Laban building, the 21<sup>st</sup> March assessment date considers the sun being at its mid-point in the sky. In the morning hours' the proposal casts shadows to the north-west of the site where, the shading is highly transient and passes quickly to the east. At 1300, a shadow is cast across the Laban amenity space, again this tracks east within the hour and at 1400 – 1500 has passed beyond the main amenity space. Given the highly transient nature of the shadows, coupled with the very high level of compliance in the Sunlight Amenity tests set out above, it is considered that there will be no material effect on the overall amenity and use of the open space.
- 7.189 21<sup>st</sup> June is the summer solstice. During the summer months the use of outside amenity space is likely to be at its highest due to the high angle of the sun so that shading effects would be minimised. The study illustrates a small shadow cast and tracking over the southern aspect of the amenity space for 2 hours in the early afternoon. The shaded area is a small proportion of the amenity space with the majority of the space receiving full sunlight during the course of the day.
- 7.190 During the Winter Solstice, (December 21<sup>st</sup>), the sun is at its lowest angle in the sky and even minor obstructions cause long shadows. The assessment shows shadows cast by the proposal but this is comparable with the existing shadowing by lower properties such as Finch House. In mid-winter such shading extents are inevitable but are unlikely to significantly affect the use of any neighbouring amenity areas.
- 7.191 A shadowing analysis has also been undertaken. Such analysis is useful in considering the impact of the scheme on sunlight in open spaces, but is more useful as a measure of

sunlight in the summer months, rather than the winter when spaces are expected to be in shade for far longer periods

- 7.192 The Sunlight/ Daylight assessment does not identify any areas of permanent over shadowing of the Creek. An assessment of transient overshadowing of the Creek has been undertaken additionally. The results shows that the majority of the Creek area adjoining the site would be left in full sun for most of the day with an element of transient overshadowing first thing in the morning and last thing in the afternoon.
- 7.193 As at 21st March, the proposal casts a highly transient shadow to the western portion of the Creek moving into the late afternoon hours. This shading occurs just before sunset passing from 1500 - 1700. As this highly transient shadow only passes over the Creek for a short time, the shading is not considered likely to have any material impact on the Creek itself.
- 7.194 During the Summer Solstice , the shadows are smaller due to the high angle of the sun. As such, a small transient shadow is cast over the western edge of the Creek from 1500 and this shadow quickly tracks across the Creek. The bulk of the Creek remains free from shade throughout the majority of the day and this limited additional effect is not considered material.
- 7.195 As at 21st December, the proposed scheme will have virtually no additional shading impact on the Creek. There is a shadow cast just before sunset at 1400, however, as the sun is at its lowest angle on this date, the general sunlight available is at its minimum and the proposed shading is the same as in the existing position. As such, the proposal would causes no additional impact.
- 7.196 Representations received on behalf of Trinity Laban raises no objection with regard to overshadowing, but states that the sculptural open landscaping to the front of the building is of value and that any future maintenance or re-placing of the grass that arises from overshadowing caused by Kent Wharf should be secured by a financial payment of £30,000 to be held for 5 years. Officers consider that the open space to the front of Trinity Laban to be of significant value and that any future maintenance or replacement of grass due to overshadowing by Kent Wharf should be replaced at the developers expense and therefore a contribution of £30,000 is justified. This is to be secured by s106.
- 7.197 In light of the above, Officers have concluded that the impact of the proposals on adjoining properties in terms of daylight, sunlight and overshadowing would be acceptable.

#### Light Pollution

- 7.198 Kent Wharf is currently vacant and therefore until, whilst 24a Creekside is an industrial building with limited lighting. The proposed development would include commercial frontages, areas of public realm and residential units all of which would require lighting. However, given the sensitivity of the Creek, the use of exterior lighting within the site would be restricted to that necessary for security and safe movement around the site. All exterior luminaries would be shrouded to ensure that upward spread of light is restricted and lamp outputs would be restricted to levels suitable for their task. Careful consideration would be given to the amount and type of lighting for the Creek edge. The detailed lighting strategy would be controlled by condition. Consequently it is not considered that the proposal would cause harm to neighbouring development by way of light pollution.

#### Outlook

7.199 With regard to outlook, an important consideration is the impact of the development from neighbouring properties and whether the development would have an overbearing impact. Verified views of the development from surrounding view points, including Creekside (north and south) have been provided. Whilst it is evident that the view of Kent Wharf from surrounding sites would dramatically change, it is not considered that there would be an adverse impact in this respect. Sufficient distance would be retained between the development and adjacent buildings to prevent any overbearing visual impact or loss of outlook.

#### Privacy

7.200 In terms of privacy it is not considered that the proposals would have an adverse impact upon neighbouring occupiers. There would be views onto the Trinity Laban building and open space as well as Sun Wharf from within the development but as these are not a residential buildings or spaces this is considered to be acceptable.

7.201 The relationship between the site and nearby residential properties on the western side of Creekside are considered to be oblique. Finch and Farrer House within the Crossfields Estate present Creekside with a flank elevation, and are arranged with a north-south orientation, aside from the end units with flank windows.

7.202 Given the distance that would be retained between the new blocks and residential properties on Creekside (at a minimum of 20.8m at ground floor, rising to 23.9m at first floor and above) any overlooking would be at a sufficient distance to prevent a loss of privacy occurring.

7.203 The tower and Creek side blocks do not face directly onto existing or proposed residential buildings. It is considered that the internal layout between blocks, individual flats and balconies is considered acceptable, in that there would be no direct overlooking, although it is accepted that there would be an element of mutual overlooking as is common in high density schemes.

#### Noise and Disturbance

##### Construction

7.204 It is recognised that during implementation of the development there would be a significant amount of noise and disturbance from construction related activity including vehicular traffic. Traffic has been discussed in this report and the impact has been deemed to be acceptable.

7.205 Construction related noise and activity cannot be avoided when implementing a development of this nature and scale. This is a relatively short term impact that can be managed as much as practically possible through measures such as a Construction Environmental Management Plan (CMP)/ Construction Method Plan (CMP) and control of construction hours.

7.206 The applicants' noise report states that a construction method statement will include:

- Acoustic barrier around buildings to be demolished
- Regular monitoring
- 'Silenced' plant equipment
- Switching off of vehicle engines when idle.
- Screening around parts of the site which activities are likely to generate noise

- Location of noise generating plant at a low level.
- Location of site entry and exit to stop vehicles reversing (with alarms)
- Contractors to be familiar with British Standards for noise
- Keep existing occupiers up to date.

7.207 Subject to control of the CEMP via condition, it is not considered appropriate or reasonable to raise an objection to the proposal on the grounds of harm to neighbouring amenity from construction related activity.

#### Impact upon Residential

7.208 Once operational, it is not considered that the proposal would have an unacceptable adverse impact on neighbouring amenity by way of noise and disturbance. This site has previously been used for industrial purposes and forms part of a cluster of commercial sites (Sun Wharf) that operate without detriment to nearby residential properties. In this context, it is not considered that the proposed commercial use at ground floor would generate any unacceptable levels of noise and disturbance beyond that already experienced from the former use at 24a Creekside. For this reason it would be inappropriate to raise an objection from this perspective.

7.209 For reasons discussed elsewhere in this report it is not considered appropriate to attach unduly onerous conditions controlling the use of the commercial space.

7.210 It is not considered that the residential element would give rise to significant harm to neighbouring amenity by way of noise or disturbance.

7.211 In conclusion for the reasons set out above, the proposal is not considered to have a significant adverse impact on neighbouring residential amenity.

#### Non-residential

7.212 Policy 7.15 of the London Plan 'Reducing Noise and Enhancing Soundscapes' states that planning decisions should:

- a) Minimise existing and potential adverse impacts from noise on, from , within, or in the vicinity of, development proposals.
- b) Separate new noise sensitive development from major noise sources wherever practicable through the use of distance, screening, or internal layout in preference to sole reliance on sound insulation.
- c) Promoting new technologies and improved practices to reduce noise at source.

7.213 The site is located adjacent to Sun Wharf, which remains operational and is occupied by Jones Hire, who provide equipment and furniture for functions and hospitality events. Due to the nature of these events which tend to end late at night or start early in the morning, much of their activity happens in the evenings and at night. The premises are not controlled by planning conditions which restrict hours of operation for example.

7.214 Aside from existing road noise, the industrial noise sources which could affect residents within Kent Wharf arise from the Jones site, the three main sources include delivery operations; HGV vehicles entering the service yard during the day and night, two extractor fans located at the top of the warehouse and the car parking area.

- 7.215 National Planning Practice Guidance states that *'the potential effect of a new residential development being located close to an existing business that gives rise to noise should be carefully considered. This is because existing noise levels from the business even if intermittent (for example, a live music venue) may be regarded as unacceptable by the new residents and subject to enforcement action. To help avoid such instances, appropriate mitigation should be considered, including optimising the sound insulation provided by the new development's building envelope'*.
- 7.216 The noise report as originally submitted was subject to objection from Jones Hire regarding the method of testing and the mitigation required to protect future residential occupiers from noise, especially at night. The applicants' noise consultant, the Jones Hire noise consultant and the Council's Environmental Health Officer (for noise) have negotiated a revised noise assessment, including new testing, and mitigation. A revised noise assessment was submitted on the 6<sup>th</sup> January 2015. This seeks to evaluate the noise arising from the Jones activity on both absolute levels in the area (noise events at the peak time of operations) from which mitigation will be designed. The revised assessment include a list of suggested planning conditions to secure the mitigation.
- 7.217 The scope for the noise testing and modelling have been agreed with the Council's Environmental Health Officer. The revised report includes testing from both the applicant and Jones consultants which have sought to agree a methodology. There has been a recognition of modelling uncertainties due to the complex noise environment but there has been a validation process against the monitored noise data and the modelling data is showing that the worst case is being used within the assessment. The noise report therefore submitted is considered to be robust and more detailed than may normally be expected.
- 7.218 Baseline conditions were undertaken by the applicant (consultant Mayer Brown) in three locations, from the rear of 24a Creekside facing the Jones warehouse building, the front edge of Kent Wharf facing Ferranti park and the north eastern edge of the site by Trinity Laban. The Jones group noise consultants (Aulos) provides baseline conditions from within Sun Wharf.
- 7.219 It is noted that from the year 2000 to the present day only four noise complaints have been made against the Jones premises, 3 of which related to an alarm, rather than noise from the use and that within the last 8 years no noise complaints have been made and no complaint has warranted in action from the Council. However, it is noted that with the introduction of a large number of new residents and changing demographic it is necessary to secure noise mitigation.

#### Noise mitigation

- 7.220 The development is arranged, so that where possible, living rooms and kitchens face onto the Sun Wharf with more sensitive bedrooms located facing Creekside. In addition, the noise report proposes a series of mitigation measures to protect residents from noise, during construction and post a completed development. Firstly, as stated above, during construction where a construction management plan can be secured by condition.
- 7.221 Post construction, the impact from Sun Wharf upon residents in Kent Wharf has been discussed between the applicant and Jones Hire. Principally this includes the provision of mechanical ventilation to all units and the omission of the rear facing (east) balconies (onto Sun Wharf) in favour of winter gardens.
- 7.222 The winter gardens are to be located on the rear elevations of Blocks D and E, these incorporate thermal glazing which is rated at 55dB, as opposite to standard double glazing which is rated at 33dB. These replace the balconies as originally proposed.

- 7.223 The window and façade mitigation is proposed via providing additional sound insulation within the envelope of the building and by specifying higher levels of glazing and ventilation. It is intended that the blocks would be provided with a mechanical ventilation and heat recovery system. At this stage, the specific window products are unknown and the noise report provides a worst case scenario for noise as a future noise criteria baseline. It is considered that the proposed window and façade mitigation is high, but the reveal depth for the glazing must be sufficient to provide the necessary glazing unit. In Appendix G of the report there are examples of different window specifications with their sound reduction index. These are examples and some indicative assessment of different forms of construction and façade build up e.g. percentage of glazing, that are likely to be adopted in a final design scheme will need to be secured by condition (including post construction monitoring). Nevertheless, the noise reports consider a worst case scenario which is considered to be acceptable, in terms of providing the highest levels of mitigation for noise impact.
- 7.224 It is also proposed that the boundary walls could be upgraded with an absorbent noise barrier. Details of such barrier would need to be secured by condition, together with an assessment which details how this contributes towards noise protection.
- 7.225 The various mitigation measures are explained in detail on page 50 of the applicants' noise report.
- 7.226 The report provides a number of suggested conditions, which have been worded in consultation with the consultant acting on behalf of Jones Hire. These are suggested as follows:

*1. All residential units will be fitted with closed facades and mechanical ventilation with heat recovery. All windows will be operable for cleaning purposes only.*

*Reason: Acoustic glazing is provided to attenuate external noise ensuring that internal noise levels achieve the BS:8233 2014 internal noise criteria.*

*2. Prior to commencement of superstructure works for the development, full details of noise mitigation measures shall be submitted to and approved by the local planning authority as detailed in the noise report prepared by Mayer Brown, dated February 2015. Details of noise mitigation measures must include the following:*

*a). Prior to insulation full details of the performance and construction of the entire building envelope will be submitted and agreed with the local planning authority. This will include specifications of glazing for the building façade, winter gardens and building sound insulation to demonstrate its performance with 8233:2014 (Table 4).*

*Reason: To protect internal area from excessive external noise and ensure that internal noise levels achieve the BS:8233 noise criteria.*

*3. Prior to first occupation of the residential units, validation monitoring to be undertaken in accordance with the noise report prepared by Mayer Brown dated February 2015. The validation assessment condition will be designed to reasonably replicate (within 85%) the assessment condition set out in Table 3.8 of the noise report prepared by Mayer Brown, dated February 2015.*

*a) No occupation of any residential units will be allowed unless the Validation process has demonstrated reasonable compliance (within a 2dB error margin) with the BS8233 2014 internal noise criteria.*

*Reason: To ensure that the mitigation measures installed achieve the required noise attenuation ensuring that the BS:8233 internal noise criteria is achieved*

4. Prior to first occupation of the residential units, full details of the noise attenuation measures installed and guidance on the proper and effective use of the measures to be provided as part of the Welcome Pack to all residential units. Details regarding any servicing and maintenance must also be included. A copy of the Welcome Pack shall be submitted to the local planning authority and Jones' Hire.

*Reason: To ensure that all future residents are aware of the mitigation measures and the proper use of them.*

- 7.227 The National Planning Practice Guidance states that noise can be mitigated partly by condition. All planning conditions are required to meet 6 tests i.e. i. necessary; ii. relevant to planning; iii. relevant to the development to be permitted; iv. enforceable; v. precise; and vi. reasonable in all other respects.
- 7.228 Officers consider that condition 1 is neither enforceable or reasonable, as although there would be a mechanical ventilation and heat recovery system, future occupants may wish to open their windows. However, officers consider that the basis of the condition in terms of maintaining noise levels is acceptable, but that instead the issues of noise should be drawn to future occupants within an informative attached to the planning permission and a welcome pack upon occupation (which also provides detail of travel and transport).
- 7.229 Conditions 2, 3 and 4 are considered to meet the 6 tests for planning conditions and are recommended to be attached to the planning permission.
- 7.230 Representations received from the occupiers of Sun Wharf (Jones Hire) state that's whilst there has been ongoing discussions with the applicants noise consultants but the applicants noise data and mitigation only provides a general indication of the measures required. In response to the objections received, the applicant has produced an External Fabric Assessment which provides further detail on the updated Noise Assessment.
- 7.231 The report states that the calculations to assess noise have been undertaken in line with British Standard EN 12345-3:2000 and British Standard EN ISO 717-1:2013 and are based on the most robust internal criteria which corresponds to the bedrooms within Block D, which are located on the most exposed façade of the development, facing directly onto the Jones site. The worst case scenario is based on the highest modelled noise levels to ensure that internal noise levels are within the industry standard BS8233:2014.
- 7.232 The External Fabric Assessment provides a review of each unit type located in the most affected block, these are:
- Type 1 – D1 2 bedrooms located at first, second, third floor
- Type 2 – D2 one bedroom with a window and winter garden at first, second, third, fourth floors.
- Type 3 – D3 2 bedrooms with section of terrace located only at fifth floor.
- Type 4 – D4 2 bedrooms with a section of terrace in front located only at fifth floor.
- 7.233 Details have been submitted on external wall construction, stating that the proposed make up of the wall would include 400mm insulated brick on a concrete frame, with bedroom windows measuring 3160mm by 2260mm with two glass types proposes: a) 6mm/(6-16mm)/10mm laminated glass for Type 2 units, and b) 9.1mm/20mm argon/13.1mm for Type 1, 3 and 4.

- 7.234 The report is considered to be highly detailed, and provides calculated internal levels of noise during the day and night for each unit type and the report states that noise levels are generally achieved in all bedroom types with D1 exceeding the criteria by 3.9 dB and bedrooms in D4 and D5 located at fifth floor exceeding the criteria by 0.8 dB.
- 7.235 It is noted that British Standard 8233 states that *'where development is considered necessary or desirable, despite external noise levels above WHO guidance, the internal target levels may be relaxed by up to 5 dB and reasonable internal conditions still achieved'*. Officers consider that whilst two of the unit type exceed the levels, the levels are modest at 3.9dB as a maximum and that the mitigation measures are based on the highest noise scenario at the site in which noise levels relate to the highest instantaneous levels from the operation of both and HGV passing by and during the day the use of two extractor fans in the building. The External Fabric Assessment has been reviewed by the Council's Environmental Health Officer who has accepted that the 5dBA relaxation is applicable for this development. The BS8233:2014 and WHO criteria apply to steady noise sources over a 16 hour period for daytime and 8 hour period for night time. The modelling has assumed that windows are closed, and there will need to be a way of conditioning to ensure that residents are aware that the design for the control of internal noise levels has been based on windows remaining closed during the times Jones Hire site is operational. It is considered that this information should form part of the welcome pack for new residents, the details for which should be approved by the Council prior to occupation of the building.
- 7.236 Officers acknowledge the objections from the Jones Group which occupy Sun Wharf however, it is considered that the proposed sound insulation and mitigation measures are suitable to achieve the lowest practicable noise levels inside bedrooms and to protect future worst case residential receptors where the facades are facing the industrial site. The External Fabric Assessment confirms that the design applies to all of the facades of Blocks D & E.

#### Air Quality

- 7.237 The site is located in an Air Quality Management Area (AQMA), where the main sources are vehicular emissions of Nitrogen Dioxide (NO<sub>2</sub>) and particular Matter (PM<sub>10</sub>) from road traffic. The report states that emissions from road traffic are most likely to affect receptors within 200m of a road. Receptors include new and existing residents.
- 7.238 The report provides a series of air quality monitoring locations which have been agreed with the Council's Environmental Health Officers. Representations received from the Crossfields TRA object to the proposals, partly on the basis of air quality, the levels of pollution and the adverse impact that construction traffic would have on air quality, especially when viewed cumulatively with other developments in the area, such as Faircharm.
- 7.239 Whilst it is accepted that there are a number of large developments in the Creekside/ Deptford area, it is considered that substantial protection from construction dust would be provided to existing residents through a Construction Environment Management Plan, which would include provisions for dust monitoring and reporting, as well as procedures for dealing with any complaints.
- 7.240 The proposal includes a ground floor CHP unit, the proposed roof level flue would allow the emissions to be discharged at a high level, achieving good dispersion over a wide area. However, full modelling of the air quality impact of the CHP and associated boiler plant would be controlled by condition (22).

- 7.241 Overall, it is not considered that, with conditions monitoring construction impact and post construction impact that the impact on air quality would represent sufficient grounds as to warrant a refusal of planning permission.

#### Site Security and Access

- 7.242 Secure by Design principles have been considered as part of the design process and the Designing Out Crime Officer has been consulted on the application.
- 7.243 The layout and position of buildings within the site and mix of uses has been designed to maximise activity and natural surveillance within the site as well as introducing surveillance to surrounding areas which are currently not overlooked, namely Trinity Laban's open space and Ferranti Park. The ground floor artist studios with windows, corner gallery spaces and residents' concierge space would introduce activity to Creekside which is welcome at this point where the street currently lacks any animation.
- 7.244 All residential areas are designed to be well lit and visible from other areas of the site. Cycle stores have been designed to be secure and integral within each block.
- 7.245 Well integrated lighting and CCTV would be installed throughout the site. This will form part of the Site Security Management Plan.
- 7.246 The site at present is not accessible from Creekside, and presents a blank frontage to the public. Currently, only the Environment Agency has access to the Creek for maintenance purposes of the flood defences. The permanent redevelopment of the site provides the opportunity to improve public access and provide access to the Creek.
- 7.247 The Deptford Creekside Charette promoted a Creek walk along both the east and western edges of the Creek and this is reinforced in planning policy and through the Waterlink Way in order to improve permeability and access. The proposals provide public access to the Creek from Creekside via two new routes (Copperas Walk or the central courtyard). There would be no physical access into the Creek, but the general public would be able to walk up to the wall and across the site's river frontage.
- 7.248 The routes through the site aid legibility and are designed to ensure they are visually open, direct and well used, providing previously unseen views of the Creek or Trinity Laban. Changes in road surface and landscaping would help define defensible space.
- 7.249 The proposals provide access along the Creek frontage at the Kent Wharf site, with the indicative masterplan proposing that when Sun Wharf is developed in the future, a connection would be made in order to allow continuous Creek access south towards the railway viaduct, where a link could be made through the arches and onto the Mechanics Path which provides pedestrian connections into Deptford and Greenwich.
- 7.250 Officers are supportive of the opening up of the Creek frontage, together with the removal of the existing chain-link fence however, this building at present does not provide Creek access along its flank boundary due to the nature of the building materials and concerns regarding site security, especially at night. Whilst the gardens to the front and the building is generally accessible during the day, at night the site is securely managed and closed to the public. With the removal of the fence, this potentially leaves Laban unsecure, accordingly, it is proposed to construct an enclosure/ gates at the Copperas Walk frontage, the applicant has committed to ensuring these remain open at the same times at Trinity Laban, but would then close at the same time the building closes. After hours access for residents or those in the workshops would be available by key fob. A condition requiring details of site security and the enclosures (to be discussed with Trinity Laban) is therefore required.

7.251 A Public Access and Site Security Management Plan for Kent Wharf would be secured by the s106 agreement.

Sustainability and Energy

7.252 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. The NPPF requires planning policies to be consistent with the Government’s zero carbon buildings policy and adopt nationally described standards. In determining planning applications, Local Planning Authorities should expect new development to comply with adopted policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

7.253 London Plan and Core Strategy Policies advocate the need for sustainable development, All new development should address climate change and reduce carbon emissions. For major development proposals there are a number of London Plan requirements in respect of energy assessments, reduction of carbon emissions, sustainable design and construction, decentralised and renewable energy. Major developments are expected to prepare an energy strategy based upon the Mayor’s energy hierarchy, adopting lean, clean, green principles. Major development proposals are expected to achieve a minimum carbon reduction saving of 35% above 2013 Part L Building Regulations. Core Strategy Policies support London Plan principles and require all new residential development to meet a minimum of Level 4 in the Code for Sustainable Homes and all non-residential floorspace to meet a minimum of BREEAM ‘Excellent’.

7.254 a) *Renewable Energy*

**Table 2: Emissions saving after each stage of the energy hierarchy**

	<b>CO<sub>2</sub> savings</b>	<b>Reduction</b>
Saving from Be Lean	16	8%
Savings from Be Clean	41	21%
Savings from Be Green	17	11%
<b>Total savings</b>	75	35% over Part L 2013

Be Lean

7.255 The development will incorporate enhanced insulation within the building envelope to achieve better U-values than those defined under Part L 2013 in order to achieve a carbon reduction prior to the installation of renewable technologies. Air tightness and ventilation has been considered and it is proposed to install a mechanical ventilation with heat recover system, limiting overheating and heat loss, and utilising appropriate lighting. The Energy Strategy states that by incorporating efficient building measures a site wide reduction of total CO<sub>2</sub> emissions of 8% can be achieved.

Be Clean

7.256 It is proposed to install a CHP unit as the lead heat source for the site heat network. The proposed CHP unit would be located in a plant room at the base of block C, and would be used to provide the domestic hot water load, as well as a proportion of the space heating.

The energy strategy identifies that the CHP unit would contribute to a reduction in CO<sub>2</sub> emissions of 41 tonnes per annum. Further details of the CHP specification are required by condition to ensure that the final unit is capable of delivering the proposed carbon emissions.

Be Green

- 7.257 An Energy Strategy has been prepared by the applicant. When considering the 'Be Green' Strategy, a review of various renewable technologies has been considered. Solar Thermal panels have been discounted on the basis that they would conflict with the CHP module, Air and Ground Source Heat Pumps are stated as being in conflict with the CHP module and have been discounted. Wind Turbines would not conflict with the CHP however, urban wind conditions are often turbulent or of insufficient speed for turbines to be effective, this technology has been discounted. Biomass boilers are stated as being in conflict with the CHP module and have been discounted. Photovoltaic panels would not be in conflict with the CHP module and can be located at roof level across the blocks.
- 7.258 The Energy Strategy assumes that the PV panels would be orientated south with a 30 degree pitch from horizontal and that 36 kwp (achieving a reduction in CO<sub>2</sub> emissions of 17 tonnes per annum) is required to meet the 35% carbon saving over Part L 2013. A total of 315 sqm of PV panels are proposed.

*b) Living Roofs*

- 7.259 London Plan Policy 5.11 confirms that development proposals should include 'green' roofs and that Boroughs may wish to develop their own green roof policies. To this end, Core Strategy Policy 7 specifies a preference for Living Roofs (which includes bio-diverse roofs) which compromise deeper substrates and a more diverse range of planting than plug-planted sedum roofs, providing greater opportunity bio-diversity.
- 7.260 Initial plans submitted indicated a sedum room across all blocks. These have now been omitted and replaced by a mixture of brown, intensive and semi-intensive living roofs which is acceptable. A total of 68% of the overall roof space across the development is landscaped for ecology purposes. The other 32% provides amenity space across the top of block D/E. This also features planting and soft landscaping but is not counted towards the provision of living roofs. The living roofs and landscaping across the site are beneficial for ecology and replace the barren habitat of a derelict industrial site.

**Table 3: Living Roof Provision**

Type of Living Roof/Wall	Size of Living Roof/Wall (m2)	Size of Living Roof (as % of total roof space)
Brown	345	27%
Extensive	421	32%
Semi-intensive	118	9%
<b>Total</b>	<b>884</b>	<b>68%</b>

*c) Sustainable Urban Drainage Systems*

- 7.261 Policy 5.13 of the London Plan requires development to utilise SuDS, unless there are practical reasons for not doing so though supporting text to the policy also recognises the

contribution 'green' roofs can make to SuDS. The hierarchy within that policy is for a preference for developments to store water for later use.

- 7.262 The surface water strategy for the site has been developed and where possible incorporates SuDS features to reduce the impact on the receiving sewers and watercourses, the FRA confirms the use of a tanked system to collect water and states that all roofs and terraces will drain via a sealed system directly to the tidal Deptford Creek. Where it is necessary to discharge surface water to the public sewer this has been limited to areas of the site which are physically not possible to drain to the Creek other than through pumping. This is the EA's preferred method.
- 7.263 All discharge to the sewer system would be suitably attenuated to cater for storm events up to the 1 in 100 year storm event and include a 30% allowance for climate change. The rate at which surface water is discharged to the public sewer would be restricted to meet green field run-off rates therefore reducing the impact on the receiving sewers from that which previously existed. The proposals are considered to make a valuable contribution towards preventing excessive levels of surface water.
- 7.264 The living roofs would assist in attenuating and reducing the amount of run-off actually leaving the site; areas of landscaping which require irrigation are to be watered using rainwater collected and stored from the roofs of the buildings.
- 7.265 Unfortunately infiltration could not be considered on this site as the contamination assessment has identified areas of contamination which could pose a risk to ground water due to leaching.
- 7.266 Overall the proposal is considered to be acceptable when judged against sustainability policies.

#### Ecology

- 7.267 The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF addresses ecology in paragraph 109 which states, the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged. Core Strategy Policy 11 seeks to protect the borough's rivers and waterway network and Core Strategy Policy 12 seeks to protect open space and environmental assets.
- 7.268 This site is a Brownfield site but is located adjacent to Deptford Creek which is protected as a Sites of Importance for Nature Conservation. The Creek is graded as a Site of Metropolitan Interest. Consequently it is necessary for the applicant to demonstrate that the impact of the proposal on ecology and biodiversity has been fully considered and appropriate mitigation offered where necessary.
- 7.269 The ecology of the site has been considered and discussed in earlier sections of this report. The submitted Ecology report contends that there are no opportunities for nesting birds or bats on the site and the development would have a negligible effect on foraging bats or birds or wider ecological effect during construction subject to the implementation of a Construction Environmental Management Plan which would control lighting, noise and vibration and untreated surface water run-off into the Creek.

- 7.270 In the unlikely event that bats are identified during the building demolition works all works would cease and the applicant would contact Natural England to agree a suitable way forward.
- 7.271 The Ecology report contends that the completed development would not have a significant adverse impact on ecology. The daylight and sunlight assessment also included the overshadowing impact from the development on the Creek.
- 7.272 The daylight/sunlight assessment shows that there would be an element of transient overshadowing of the Creek. This transient overshadowing of the Creek would occur between 15:00 – 17:00 when the shadows cast would follow the form of the new buildings. The assessment states that there would be no permanent overshadowing of the Creek. It is therefore considered that the proposals would have a minor impact on the Creek in respect of overshadowing.
- 7.273 Appropriate external lighting within the completed development would be controlled to prevent light spillage onto Creek. Full details would be secured by condition, including at construction and post completion stages.
- 7.274 The creation of habitats on site would be achieved through the landscaping proposals. The landscape proposal includes a soft landscaped buffer adjacent to the Creek which would be planted with local species associated with Deptford Creek. Although representations from the Environment Agency consider the improvements to ecology to be limited, given the existing site layout (hard surfacing and industrial buildings with no landscaping) officers consider that the proposed soft landscaping of the site together with extensive living roofs would make a valuable contribution to ecology.
- 7.275 In addition to the living roofs and soft landscaping it is proposed to incorporate bird and bat boxes within the development. This would be controlled by condition.

#### Planning Obligations

- 7.276 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:
- (a) Necessary to make the development acceptable
  - (b) Directly related to the development; and
  - (c) Fairly and reasonably related in scale and kind to the development
- 7.277 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.
- 7.278 The applicant has provided a planning obligations statement outlining the obligations that they consider are necessary to mitigate the impacts of the development.
- 7.279 London Plan Policy 8.2 (Planning obligations), and Core Strategy Policy 21 (Planning Obligations) and the Council's Adopted Planning Obligations SPD sets out the policy

context for considering planning obligations. Whether a development makes appropriate provision for, or contribution towards, requirements that are made necessary by, and are related to, the proposed development would be a material consideration relevant to the planning application being considered. Negotiations should seek a contribution towards the full cost of all such provision that is fairly and reasonably related in scale and in kind to the proposed development and its impact on the wider area. Planning obligations should reflect strategic and local needs. In accordance with the statutory and policy context, and as a result of the assessment of the impacts of the proposed development the agreed Heads of Terms for a Section 106 Agreement are set out below.

7.280 Given that the applicant proposes works to public highways, an agreement or agreements with LB Lewisham under Section 278 of the Highways Act 1980 would also be necessary.

7.281 On the 1<sup>st</sup> April the borough adopted its Community Infrastructure Levy, contributions that previously would have been secured by Section 106 such as Education, Health, Leisure are now collected by CIL, contributions (financial/ non-financial) which are site specific and therefore still secured by Section 106 are listed below:

### Heads of Terms

#### Housing

- 22 affordable units comprising 3 x 1 bed and 5 x 2 bed shared ownership and 4 x 1 bed, 4 x 2 bed and 6 x 3 bed as affordable rent.
- Review mechanism for affordable housing provision to be triggered if no development commences within 18 months from the date of the permission.
- Affordable units to be built and transferred to a Registered Provider upon occupation of 50% of the private residential units
- Provision of wheelchair units, those in affordable tenures to be fitted out and private units to be subject to an agreed marketing strategy and fitted out only in response to demand.
- Not to occupy more than 50% of any residential units until the Energy Centre is complete and operational.

#### Employment

- To fully construct, fit out and make available for occupation the commercial floorspace in any building prior to occupation of any residential units.
- To secure affordable workspace.

#### Financial Contributions

- £84,934.21 contribution towards employment and training to be paid prior to commencement.
- £36,351.84 contribution towards town centres (Deptford) – to improve shopfronts, public realm and highway works, to be paid within 6 months from commencement.
- £35,000 towards the consultation and implementation of a future Controlled Parking Zone. To be paid on commencement of the development. Occupiers of the development would be excluded from obtaining permits for the CPZ, including any extension and adjacent zones.

- £30,000 towards the future maintenance of the landscaped open space at Trinity Laban, Creekside to be held by the Council for up to 5 years post completion of the development.
- £32,000 payment for Transport for London for works to improve local bus stops which serve the development, to be paid prior to occupation.

#### In-Kind/ other obligations

- Enter into a s278 agreement to undertake improvements to Creekside at the entrance to the site.
- Local Labour obligations i.e. use of local labour during construction, working with the Councils Local Labour and Business Coordinators.
- Provision of real time public transport board within the foyer of the development to be installed upon first occupation.
- Submission of parking management plans prior to first occupation.
- Submission of commercial and residential travel plans prior to first occupation.
- Submission of public access and site security management plan prior to first occupation.
- Reimbursement of the Council's legal, professional and monitoring costs associated with the drafting, finalising and monitoring of the agreement.

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

## **8.0 Local Finance Considerations**

8.1 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).

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

8.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

## **9.0 Viability and Delivery**

### Viability

9.1 The Applicant has submitted a confidential financial appraisal for the scheme that has enabled the Council, advised by specialist consultants, to assess the overall viability of the scheme and its ability, in financial terms, to meet policy in terms of affordable housing provision. As discussed above, the original offer of 13% or 18 units within affordable

tenure has been increased to 15% or 22 units following officer negotiations during the course of the application.

- 9.2 The financial viability assessment has been independently tested in terms of its methodology for assessment. The content has been found to be robust in terms of development opportunity, and viable against a number of land and profit benchmarks . It has been necessary to consider the value of the site in terms of Bellway purchasing the land and assuming responsibility for repayment to the Environment Agency for the flood defence. The scheme assumptions and build costs have been tested and consideration has been given to sensitivity tests, s106 and CIL requirements in seeking to ascertain whether the development is viable and what level of affordable housing can be provided.
- 9.3 With regard to a suitable development return, the Council's Consultant has advised that the GLA Toolkit's default allowance of 17% of Gross Residential Development Value (GDV) (c. 20% on Cost) is a reasonable benchmark on private and commercial elements; with Affordable elements at 6% on cost. Taking into account site works, build costs and finance costs which have been appraised and accepted.
- 9.4 The financial appraisal demonstrates that, when taken with other policy requirements and the regeneration benefits of the scheme, the proposed development provides the maximum viable amount of affordable housing at this time. This is essentially because of the costs of building together with provision of significant levels of affordable work space. There are also a range of transport and public realm improvements that would be undertaken to enhance pedestrian and cycle routes to the site. These parts of the scheme require substantial investment but also offer very significant benefits to Deptford Creekside and regeneration benefits to Lewisham borough.
- 9.5 While it is accepted that the provision of a larger proportion of affordable housing is not possible at this time, given the shortfall in affordable housing provision relative to the levels set out in planning policies, it is appropriate that additional affordable housing be kept under review. To this end, a mechanism is to be incorporated as part of the Section 106 to secure a financial contribution towards affordable housing off-site, should values increase to a level where this would be financially viable. The review mechanism will require a reappraisal of the scheme should development not commence within an 18 month time period, to ascertain whether a 'top up' payment in lieu can be provided to the Council.
- 9.6 During the course of the application, the Council has adopted its Community Infrastructure Levy, which is a mechanism that charges new development that allows local authorities to fund infrastructure. The Councils Planning Obligations Supplementary Planning Statement (2015) provides further guidance on CIL. Previous obligations that previously would have been secured by Section 106 – namely Education, Health, Leisure, Community Facilities and Open Space are now collected via CIL, whilst other site specific obligations such as affordable housing, public realm and car club provision remain Section 106 items.
- 9.7 The borough has two CIL charging zones, with development in postcode SE8 located in Zone 1 with a residential development (use class C3) charged at £100 per sqm, B-use Class development with £0 no charge and all other uses at £80 per sqm.
- 9.8 Officers have been in discussion with the applicants and had agreed a S106 contribution of approximately £1,250,000. However, the Heads of Terms previously agreed did not include a contribution towards Trinity Laban, and following discussions with the applicant Officers have secured the £30,000 for maintenance of the landscaping. The financial contributions required to mitigate this development (secured by S106) now stand at £223,284.05. All other proposed financial obligations are now to be collected by

Lewisham's CIL, the figure for which has been provided by the applicant stands at £1,017,415.

- 9.9 The change in mechanism for the collection of financial obligations has not impacted upon the viability of the scheme to deliver affordable housing which has been confirmed by the Council's viability consultant, despite an increase of £125,000 from S106 to CIL. The increased offer from 18 shared ownership units to 22 units comprising rent and shared ownership remains in place and it is considered that this is currently the maximum that the scheme can provide, subject to future review.

#### Delivery

- 9.10 The viability appraisal confirms that the proposed development is viable and could be delivered in accordance with the details submitted with this application. It is proposed to deliver this development as one construction phase over a period of approximately 2 years. As discussed above if there is a delay in the delivery of the project it remains open for the Council to re-consider the affordable housing provision.
- 9.11 There are no known land ownership issues that would prevent delivery of the development. The development can still be accommodated with the proposed Thames Tideway Tunnel project and other development sites (Faircharm) in terms of construction logistics. This development would not prejudice the future development of any adjoining sites and has been demonstrated through the masterplan exercise.
- 9.12 Insofar as public realm is integral to the proposals, the scheme offers the prospect of opening up this section of the Creek to the public. This would be secured as part of the s106 agreement.

### **10.0 Equalities Considerations**

- 10.1 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.
- 10.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 10.3 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. In this matter there is no impact on equality.

### **11.0 Conclusion**

- 11.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 11.2 As discussed in this report the proposals are considered to make a significant positive contribution to the Borough. Creekside is home to a variety of small businesses which contribute to the established creative hub. The Council would like to support and grow this creative sector.

- 11.3 Third party concerns raised in response to this proposal have been properly considered and amendments to the application have been sought where necessary and appropriate, in order to address some of the concerns raised.
- 11.4 Officers have engaged in extensive discussions with the applicant regarding redevelopment opportunities for the site in order to try and influence the nature of the development proposals that come forward. It is considered that this approach to influencing development proposals is more successful than adopting a do-nothing approach or insisting on a strict policy compliant scheme which in the current market conditions could be difficult to defend. Failure to consider development options could have significant adverse consequences in terms of employment provision and the special character that exists at present.
- 11.5 In physical terms and in its mix of uses, Officers feel that a high quality proposal has been negotiated, but it is recognised that its success will be dependent on how the proposal is executed. It is felt that as far as reasonably possible, within the parameters of the planning framework, an appropriate package of measures has been secured to try and ensure that the benefits of the scheme are delivered and a high quality development executed.
- 11.6 Officers consider that the site analysis and its context is based on an appropriate understanding of the benefits, problems, constraints and opportunities of this part of the borough and an appropriate response to these considerations has been demonstrated within the proposal.
- 11.7 It is considered that the proposal together with the package of s106 mitigation measures represents a genuine mixed use redevelopment of the site with a focus on the creative industries.
- 11.8 Other site specific issues include: the height, massing and design of buildings and the impact that the development would have on views and townscape; the ability of local transport and social infrastructure to cope with the level of change proposed; the accessibility of the scheme; the impact the development would have on the occupiers of surrounding properties and the wider local environment including ecological impact; and the ability to deliver an environmentally sustainable development. For the reasons set out in this report it is considered that the proposal adequately responds to the aforementioned issues.
- 11.9 Whilst the proposal deliver a level of employment floorspace below the target 20%, the applicant has designed the space for creative uses in conjunction with a targeted provider and has committed to the long term delivery of affordable workspace which is considered to contribute to the long term aims of Creekside as a creative centre. The commitment that the applicant has made to delivering this space is strongly supported. The proposals also have been designed to meet BREEAM 'Excellent'. Furthermore, the proposal would include a package of environmental improvements by way of enhanced public routes to the site and access to the Creek. It has been demonstrated that the scale of the development is acceptable, that the buildings have been designed to respond to the site's context, constraints and potential and that the development would provide a good standard of accommodation contributing to the provision of much needed housing with an element of affordable accommodation.
- 11.10 The proposals have a number of objections from neighbouring properties on a wide range of issues. Those material concerns expressed by third parties have been considered and addressed in earlier sections of this report, and in provisions set out in the recommended conditions and Section 106 agreement.

11.11 Officers consider that, with the recommended mitigation, planning conditions and obligations in place the proposal represents a high quality development that would bring a range of positive benefits to the Borough. As such the development should be approved.

## **12.0 RECOMMENDATIONS**

### **12.1 RECOMMENDATION (A)**

To agree the proposals and refer the application, this report and any other required documents to the Mayor of London (Greater London Authority) under Article 5 of the Town and Country Planning (Mayor of London) Order 2008.

### **12.2 RECOMMENDATION (B)**

Subject to no direction being received from the Mayor of London, authorise the Head of Law to complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the principal matters as set out in section 7.281 of this report, including other such amendments as considered appropriate to ensure the acceptable implementation of the development.

### **12.3 RECOMMENDATION (C)**

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

#### **1. Time Limit**

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

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

#### **2. Accordance with plans**

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

(PI)001, (PI)002, (PI)020 rev C, (PI)021 rev C, (PI)024 rev C, (PI)025 rev C, (PI)027 rev A, (PL)030, (PL)031, (PL)032, Archaeological Assessment, Daylight and Sunlight Assessment, Design Statement, Draft Travel Plan, Draft Construction Logistics Plan, Draft Car Park Management Plan, Ecological Report, Flood Risk Assessment, Geo-Environmental Assessment, Indicative Masterplan, Landscape Strategy, Servicing Management Plan, Sustainability Statement, Statement of Community Involvement, Townscape and Visual Impact Assessment, Transport Assessment, Unit Layouts, Viability Assessment, Wind Assessment (all received 29<sup>th</sup> November 2014).

(PI)011 rev I, (PI)012 rev I, (PI)013 rev I, (PI)014 rev C, (PI)015 rev I, (PI)016 rev I, (PI)017 rev I, (PI)018 rev I, (PI)022 rev F, (PI)023 rev F, (PI)026 rev C (received 12<sup>th</sup> February 2015), Kent Wharf Green Roof Details February 2015, Noise Impact Assessment February 2015 (received 6<sup>th</sup> February 2015), (PL)010 rev K (received 19<sup>th</sup> February 2014).

External Fabric Assessment (received 20<sup>th</sup> March 2015)

Air Quality March 2015 (received 9<sup>th</sup> April 2015)

Energy Strategy March 2015 (received 13<sup>th</sup> April 2015).

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

#### Prior to Commencement Conditions

#### 3. Construction Environment Management Plan

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

- (a) Appropriate limits on hours of site work.
- (b) Define the hoarding/ fencing to be erected around the site.
- (c) Define access points and routes for construction traffic.
- (d) Define dust mitigation measures.
- (e) Identify the location and operation of plant and wheel washing facilities.
- (f) Provide a Site Waste Management Strategy (to be turned later into a Site Waste Management Plan by the chosen main contractor) including commitments regarding the management of demolition waste.
- (g) Define noise and vibration monitoring positions and the format of noise and vibration reporting.
- (h) Establish commitments regarding site lighting and the control of light spill onto the Creek.
- (i) Establish commitments regarding the secure on-site storage, fuel and other hazardous liquids or materials.
- (j) Establish commitments regarding the protection of Deptford Creek from any site-related impacts.
- (k) Detail the measures to be used during the construction in order to minimise the impact of the works (considering both potential disturbance and pollution) which shall include a map or plan showing habitat areas to be specifically protected during the works.
- (l) Details of Security Management (in order to minimise risks to unauthorised personnel)
- (m) Details of the training of site operatives to follow the CEMP requirements.
- (n) A risk management assessment of any flood events that might occur during the construction phase, registered with the Environment Agency's "Floodline Warning Direct" service
- (o) Establish a process for handling complaints from the public.
- (p) The development shall be undertaken in strict accordance with the details approved under (i) and (ii).

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2011).

#### 4. Construction Logistics Plan

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

- (a) Rationalise travel and traffic routes to and from the site, including deliveries.
- (b) Detail the proposals for utilising the Creek for transportation of demolition and construction materials.

- (c) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction vehicle activity and restricting the hours of construction deliveries to avoid the network peak hours of 08:00 – 09:00 and 16:00 – 18:00.
- (d) Measures to deal with safe pedestrian and cycle movement.

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

**Reason:** In order to meet the mitigation measures set out in the Environmental Statement and to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

#### 5. Site Contamination

- (a) No development shall be carried out until the recommendations with the Geo-Environmental Assessment have been implemented in full, with evidence of such works to be provided to the Council.
- (b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

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

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

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

#### 6. BREEAM

- (a) All non-residential floorspace hereby approved shall achieve a minimum BREEAM Rating of ‘Excellent’.
- (b) No development shall commence until a Design Stage Certificate for each building (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the buildings, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

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

### 7. Code for Sustainable Homes

(a) The 143 residential units hereby approved shall achieve a minimum Code for Sustainable Homes Rating Level 4.

(b) No development shall commence until a Design Stage Certificate for each residential unit (prepared by a Code for Sustainable Homes qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).

(c) Within 3 months of occupation of any of the residential units, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Code for Sustainable Homes qualified Assessor) to demonstrate full compliance with part (a) for that specific unit.

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

### 8. Materials/ Design Quality

No development shall commence on site until a detailed schedule and samples of the following have been submitted to and approved in by the local planning authority. The development shall be carried out in accordance with the approved details.

- 1m x 1m sample panel to be constructed on site of proposed brick type for all buildings. Details of mortar are to be provided. The brick type should accord with the materials as set out on drawing no's (PL)030, (PL)031, (PL)032 and pages 51 of the Design and Access Statement.
- 1m x 1m sample panels of white glazed bricks and green glazed bricks. Details of mortar are to be provided.
- Samples of all white metal reveal cladding to windows, including joinery and fixing.
- Samples of aluminium cladding to roof level of Block A, Block D and E.
- All glazed and metal balustrade for balconies (including gantry decks), including details of fixing and handrails where applicable. The details should accord with drawing no's (PL)030, (PL)031, (PL)032 and page 46 of the Design and Access Statement.
- Samples of timber deck cladding to all balconies, including soffit finish and provision to handle rainwater.
- Details of all balcony privacy screens.
- Details of the finish to the underside of Block D.
- Sample studio folding screens, including painted/ final finish, hinges and fixing to building. The details should accord with drawing nos (PL)030, (PL)031
- 1m x 1m sample panel of hit and miss brickwork to front of Block E. Details of mortar are to be provided. The details should accord with drawing no (PL)032.
- Samples of metal cladding to enclose ground floor courtyard to Block E, including details of gates.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the buildings and to comply with Policy 15 High quality design for Lewisham of the

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

### 9. Landscaping Details

No development shall commence on site until drawings and full details of the proposed landscaping have been submitted to and approved in writing by the local planning authority. The landscaping details shall include:

- (i) Hard and soft landscaping treatment for any part of the site not occupied by buildings (including details of the permeability of hard surfaces)
- (ii) Details of any street furniture, ancillary structures and natural play equipment (which shall include natural play equipment for 0-5 yrs)
- (v) Details of boundary treatments
- (vi) A scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits)
- (vii) Details of the number, location and design of bird and bats boxes to be incorporated as part of the landscaping proposals
- (viii) Details of the management and maintenance of the landscaping for a period of five years

a. All hard landscaping works and boundary treatments which form part of the approved scheme under part (a) shall be completed prior to occupation of any part of the residential development.

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

c. All street furniture, ancillary structures, natural play equipment and bird and bat boxes which form part of the approved scheme under part (a) shall be installed at the same time as the soft landscaping and by no later than the end of the first planting and seeding seasons following the completion of the development.

**Reason:** To comply with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2011), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches, DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

### 10 Cycle Parking

(a) A minimum of 184 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.

(b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.

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

**Reason:** In order to ensure adequate provision for cycle parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

### 11. Archaeology (English Heritage conditions)

A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of

geo-archaeological assessment and potentially borehole survey work plus possible mitigation strategy in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.

B) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological investigation in accordance with a Written Scheme of Investigation.

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

**Reason:** Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF

### Environment Agency conditions

#### 12. Surface Water

The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the local planning authority. Disposal of surface water shall be direct to Deptford Creek. For those parts of the site where this cannot be achieved then the drainage strategy shall follow the SuDS hierarchy and seek to achieve reductions in surface water run-off rates to greenfield rates in line with the preferred standard of the Mayor's London. The scheme shall subsequently implemented in accordance with the approved details before the development is completed.

**Reason:** To reduce the impact of flooding both to and from the proposed development and to third parties.

#### 13. Site Investigation Scheme

No development approved by this planning permission shall take place until a ground investigation scheme to confirm the location of the ground anchors for the flood defence wall has been submitted to and approved in writing by the local planning authority to ensure that the integrity and stability of the tidal wall defences is not adversely impacted by way of loading, or by damaging the tie rods of the defences.

**Reason:** To protect the integrity of the tidal defences and prevent an increased risk of flooding.

#### 14. Verification report

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

**Reason:** To ensure remediation works are completed in line with the aims of the National Planning Policy Framework in order to protect groundwater in the underlying secondary and principal

aquifers located adjacent to the Deptford Creek and within Source Protection Zone 3 for a public water supply.

#### 15. Further Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**Reason:** To ensure any contamination discovered during site works (particularly in the soils beneath the existing hard standing cover in the southern former garage site) is investigated, assessed and remediated as appropriate in order to address any risks to groundwater in the underlying aquifers located with Source Protection Zone 3 of a public water supply.

#### 16. Landscaping details and Creek Access

The development permitted by this planning permission shall not commence until a scheme of works, including details of landscaping, planting, street furniture and other obstructions that could affect operational access to the Tidal defences between the riverward building line and the river, shall be submitted to and agreed in writing by the local planning authority. The scheme shall include details of decking and positioning of planters along the proposed 'Copperas Walk' to ensure that future access will be uninhibited for maintenance works to the existing tidal flood defences, and details of how the scheme shall be maintained and managed after completion. Thereafter the scheme shall be carried out in accordance with the approved details and any subsequent amendments shall be agreed in writing with the local planning authority.

**Reason:** To ensure suitable access to the tidal flood defences is maintained.

#### 17. Landscaping Management

No development shall take place until a scheme for the provision and management of planting along the Creek and brown and green roofs, has been detailed and agreed by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

The scheme shall include:

- details of any proposed planting scheme, which must include native species, or where ornamental these should have proven value for native species;
- details of any proposed lighting and how this will not increase light spill into Deptford Creek;
- details of how the green and brown roofs will benefit wildlife, which must provide a significant ecological gain for the site, benefiting the wildlife of the Deptford Creek corridor.

**Reason:** The development is adjacent to Deptford Creek and has the potential to significantly impact on the wildlife that use the creek due to the increase in public use, lighting, shading, use of non-native planting and general lack of habitat for wildlife. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected and enhanced, as recommended in the Ravensbourne River Corridor Improvement Plan. To safeguard the natural habitat of specific flora and fauna by maintaining the limited artificial lighting along the river as well as safeguarding sun and natural lighting, keeping the open feel created by courtyards, set-backs, as well as scale and massing of buildings along Deptford Creek. To maintain and enhance the character of

Deptford Creek's embankment by using timber cladding to sheet piling and providing biodiversity terraces to enhance its natural habitat.

#### 18. Piling and Other Foundation Design

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure foundation works do not pose a pollution risk to groundwater in the underlying aquifers located with Source Protection Zone 3 for a public water supply, in accordance with the sustainable development aims of the NPPF.

#### 19. Water Impact Study

Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

**Reason:** To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

#### 20. Piling and Foundations

No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**Reason:** The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

#### 21. Future Connection to a District Combined Cooling, Heat and Power or Combined Heat and Power Scheme

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

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

#### 22. Site Wide CHP Details

- (a) No development shall commence until details of the proposed heat networks and Combined Heat and Power (CHP) system set out in the applicants Energy Statement and Sustainability Statement have been submitted to and approved in writing by the local planning authority.

- (b) The details shall include the commissioning of the networks and CHP system and details of the catalytic converter if required.
- (c) The networks and systems shall be provided in accordance with the approved details and maintained thereafter.

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

### 23. Surface Water

- (a) No development shall commence on site until a scheme for surface water management, including specifications of the surface treatments and sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority.
- (b) The development shall be carried out in accordance with the approved scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

**Reason:** To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (July 2011) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011).

### 24. Noise Mitigation Measures

Prior to commencement of superstructure works for the development, full details of noise mitigation measures shall be submitted to and approved by the local planning authority as detailed in the noise report prepared by Mayer Brown, dated February 2015 and External Fabric Assessment, dated March 2015. Details of noise mitigation measures must include the following:

- a). Prior to insulation, full details of the performance and construction of the entire building envelope will be submitted and agreed with the local planning authority. This will include specifications of glazing for the building façade, winter gardens and building sound insulation to demonstrate its performance with BS:8233:2014 and the External Fabric Assessment.

**Reason:** To protect internal areas from excessive external noise and ensure that internal noise levels achieve the BS:8233 noise criteria.

### 25: Fixed Plant Noise Control

- (a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997.
- (b) Development shall not commence until details of a scheme complying with paragraph (a) of this condition have been submitted to and approved in writing by the local planning authority.
- (c) The development shall not be occupied until the scheme approved pursuant to paragraph of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

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

#### Prior to Occupation Conditions

#### 26. Noise Monitoring

Prior to first occupation of the residential units, validation monitoring to be undertaken in accordance with the noise report prepared by Mayer Brown dated February 2015. The validation assessment condition will be designed to reasonably replicate (within 85%) the assessment condition set out in Table 3.8 of the noise report prepared by Mayer Brown, dated February 2015.

a) No occupation of any residential units will be allowed unless the Validation process has demonstrated reasonable compliance (within a 2dB error margin) with the BS:8233 2014 internal noise criteria.

**Reason:** To ensure that the mitigation measures installed achieve the required noise attenuation ensuring that the BS:8233 2014 internal noise criteria is achieved

#### 27. Details of Noise Attenuation

Prior to first occupation of the residential units, full details of the noise attenuation measures installed and guidance on the proper and effective use of the measures to be provided as part of the Welcome Pack to all residential units shall be agreed in writing with the local planning authority. The Welcome Pack should clearly state that noise levels are based upon closed windows. Details regarding any servicing and maintenance must also be included. A copy of the Welcome Pack shall be submitted to the local planning authority and Jones' Hire.

**Reason:** To ensure that all future residents are aware of the mitigation measures and the proper use of them.

#### 28. Living Roofs

(a) The development shall be constructed with an Extensive Living roof to Block A, Semi-intensive roof to Block D and Brown roof to Block E in accordance with plan nos. (PI) 016 rev I, (PI) 017 rev I, (PI) 018 rev I and Kent Wharf Green Roof Details (February 2015) hereby approved and maintained thereafter.

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

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

**Reason:** To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2011), Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

#### 29. External Lighting

- (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage into Deptford Creek shall be submitted to and approved in writing by the local planning authority.
- (b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.

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

**Reason:** In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with DM Policy 24 Biodiversity, Living Roofs and Artificial Playing Pitches and DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

### 30. Delivery and Servicing Plan

- (a) The development shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.
- (b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity.
- (c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

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

### 31. Parking for Car Club

Details of the location for the 1 car club space shall be provided and approved in writing by the local authority, prior to any part of the development being occupied. Thereafter the space shall be retained and used only for parking cars associated with the Car Club.

**Reason:** To limit car ownership/use and encourage sustainable modes of transport in accordance with Policies Objective 9: Transport and accessibility and Core Strategy Policy 14: Sustainable movement and transport (June 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

### 32. Details of Commercial Fit-out for New Build Development

- (a) No part of the development shall be occupied until on plans (1:50) and details showing the physical fit out of commercial/non residential units hereby approved have been submitted to and approved in writing by the local planning authority.
- (b) The development shall be constructed in full accordance with the approved details and implemented in full prior to first occupation.

**Reason:** To ensure that the fit-out of the units is sufficient to ensure that they are an attractive and commercially viable option and to demonstrate the developers commitment to delivering the commercial units as part of this development in accordance with Core Strategy Policy 4 Mixed Use

Employment Locations (June 2011) and Development Management Local Plan (November 2014) DM Policy 9 Mixed Use Employment Locations.

### 33. Refuse Storage

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

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

### 34. Boundary treatments and security

Prior to the occupation of the development, full details of the boundary fences, gates and their management and security measures shall be provided, in consultation with Trinity Laban, to be submitted to and approved in writing by the local planning authority. Any such management and security measures approved shall generally be in accordance with existing management with Trinity Laban unless otherwise agreed in writing by the local planning authority.

**Reason:** To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

### 35. Electric Vehicle Charging Points

- (a) Details of location of electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) The electric vehicle charging points as approved shall be installed prior to occupation of the Development and shall thereafter be retained and maintained in accordance with the details approved under (a).

**Reason:** To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (July 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

### Conditions that do not require discharging

#### 36. Lifetime Homes

Each of the dwellings shall meet Lifetime Home Standards (in accordance with the 2010 (Revised) document) as shown within the Unit Layouts document hereby approved.

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

### 37. Wheelchair Homes

The 13 wheelchair dwellings hereby approved shall be constructed as fully adapted and a further 15 dwellings to be constructed as easily adaptable in full accordance with the SELHP Wheelchair Homes Design Guidelines (November 2012) as shown on page 64 and 65 of the Design Statement approved prior to their first occupation. For the avoidance of doubt where a communal access is to be the principle access for wheelchair users or relates to communal access to amenity space or facilities intended for the enjoyment of residents of the development the specification for the said communal access shall not be less than the specification for access for wheelchair units under the SELHP Wheelchair Homes Design Guidelines.

**Reason:** To ensure that there is an adequate supply of wheelchair accessible housing in the Borough in accordance with Policy 1 Housing provision, mix and affordability and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

### 38. Plumbing and Pipes

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, including rainwater pipes, shall be fixed on the external faces/front elevation of the buildings without the prior written consent of the Local Authority.

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

### 39. Restriction on Use Class

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), the ground floor non-residential floorspace shall only be used for the purposes falling within (Use Class B1, D1 or D2 as workshops/ artist studios/ art gallery space and for no other purpose (including any other purpose in Use Class D1 or D2) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

**Reason:** In order to protect the employment units for uses falling within B1, D1 and D2 Use Class in the interests of retaining the maximum amount of employment provision possible on the site, to reflect the policy designation of the site as a mixed use employment location in accordance with Core Strategy Policy 4: Mixed Use Employment Locations.

### 40. Satellite Dishes

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on the elevations or the roof of the buildings without prior written approval from the local authority first being obtained.

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

### 41. Use/Retention of Amenity Space

The whole of the amenity space above ground floor (including roof terraces and balconies) hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

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

#### 42. Enclosures

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no gate, fence, wall or other means of enclosure shall be erected without prior written approval first being obtained.

**Reason:** In order that the local planning authority may be satisfied with the details of any form of enclosure in the interest of visual and residential amenity and to ensure adequate public access is retained and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

#### 43. Provision of Parking Spaces (Residential)

The whole of the car parking accommodation shown on drawing nos. (PI) 010 rev J hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter

**Reason:** To ensure the permanent retention of the space(s) for parking purposes, to ensure that the use of the building(s) does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car Parking of the Development Management Local Plan, (November 2014), and Table 6.2 of the London Plan (July 2011).

#### 44. Loading and Unloading

Loading and unloading of goods, shall only be carried out within the curtilage of the site or the Creekside loading bay shown upon drawing no. (PI) 010 rev J hereby approved, shall be retained permanently and left unobstructed at all times.

**Reason:** To avoid obstruction of neighbouring streets and to safeguard the amenities of adjacent premises in the interests of public safety and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

#### 45. Construction Deliveries and Hours

No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

**Reason:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

#### 46. Renewable Energy

The development shall provide a minimum of 127 sqm of Photo Voltaic panels to the roof of Block A and 188sqm to the roof of Block C in accordance with the details set out in the Energy Strategy and drawing no's (PI)017 rev I and (PI)018 rev I hereby approved. The panels shall be provided prior to occupation of Blocks A and C respectively and retained in perpetuity.

**Reason:** To ensure that appropriate provision of renewable energy would be utilised as part of the carbon emission savings on site as set out in the applicants Energy Strategy and to comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction and 5.7 Renewable energy in the London Plan (2011) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011)

## **Informatives**

### **Positive and Proactive Statement**

The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through extensive pre-application discussions and through negotiation with the applicant during the application which resulted in further information being received.

### **Mayoral CIL**

You are advised that the application granted is subject to the Mayoral Community Infrastructure Levy ('the CIL'). More information on the CIL is available at: - <http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11> (Department of Communities and Local Government) and <http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>

### **Archaeology**

With regard to condition 15 written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.

### **Construction**

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

### **Drainage**

You are advised to contact the Council's Drainage Design team on 020 8314 2036 prior to the commencement of work.

### **Dust Minimisation**

In preparing the scheme of dust minimisation, reference shall be made to the London Councils Best Practice Guide: The Control of Dust and Emissions from Construction and Demolition. All mitigation measures listed in the Guide appropriate to the size, scale and nature of the development will need to be included in the dust minimisation scheme.

### **Lighting Control**

The assessment of the light spill and lux level at the window of the nearest residential premises shall follow the guidance provided in The Institution of Lighting Engineers, Guidance Notes for the Reduction of Obtrusive Light.

### **Land Contamination**

The land contamination condition requirements apply to both whole site and phased developments. Where development is phased, no unit within a phase shall be occupied until a), b) and c) of the condition have been satisfied for that phase.

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

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

### **Street Naming and Numbering**

The applicant be advised that the implementation of the proposal will require approval by the Council of a Street naming & Numbering application. Application forms are available on the Council's web site.

### **Fixed Plant and Noise Control**

Assessment of the sound insulation scheme should be carried out by a suitably qualified acoustic consultant.

### **Surface Water Drainage**

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

### **Piling Design**

With regard to condition 20, the applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.