

Kidbrooke Phase 4, Kidbrooke Estate

in the Royal Borough of Greenwich

planning application no. 11/2366/O

Strategic planning application stage II referral (new powers)

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Hybrid application for 1,260 residential units and provision of open space. Full details have been submitted for Phase 4A which comprises 374 units and open space

The applicant

The applicant is **Berkeley Homes** and the architect is **CZWG Architects**.

Strategic issues

The issues regarding **housing, affordable housing, design, access, climate change and transport have been satisfactorily resolved.**

The Council's decision

In this instance Greenwich Council has resolved to grant permission.

Recommendation

That Greenwich Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

Context

1 On 25 October 2011, the Mayor of London received documents from Greenwich Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 1A1, 1B1.c and 1C1.c of the Schedule to the Order 2008:

Category 1A

1. Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.

Category 1B

1. Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings— (c) outside Central London and with a total floorspace of more than 15,000 square metres.

Category 1C

1. Development which comprises or includes the erection of a building of one or more of the following descriptions— (c) the building is more than 30 metres high and is outside the City of London

2 On 1 December 2011 the Mayor considered planning report PDU/2245b/01, and subsequently advised Greenwich Council that the application did not comply with the London Plan, for the reasons set out in paragraph 77 of the above-mentioned report; but that the possible remedies set out in paragraph 79 of that report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. On 12 January 2012 Greenwich Council decided that it was minded to grant planning permission and on 25 January 2012 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Greenwich Council under Article 6 to refuse the application or issue a direction to Greenwich Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 7 February 2012 to notify the Council of his decision and to issue any direction.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case. The decision on this case, and the reasons will be made available on the GLA's website www.london.gov.uk.

Update

5 At the consultation stage Greenwich Council was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 77 of the above-mentioned report; but that the possible remedies set out in paragraph 79 of that report could address these deficiencies:

- **Affordable housing tenure split and mix:** the applicant needs to confirm the bedroom size mix by tenure.
- **Urban design and access:** further consideration is required regarding townscape work, overlooking and relationship of blocks onto the new park, design code and playspace.
- **Climate change mitigation:** The strategy is broadly compliant subject to appropriate conditions and further evidence regarding active cooling.
- **Transport:** TfL is satisfied that the application could be considered to be in general accordance with both the consented masterplan for the site, and the transport policies of the London Plan. Further work in relation to trip generation, mitigating the highway impact of the development as a whole, highway modelling and pedestrian and cycle routes is required. TfL would welcome discussion regarding specific conditions and section 106 clauses.

Summary of changes:

6 The housing mix will be as set out below is broadly similar to that reported to the Mayor at the consultation stage with some variation between bedroom mix within tenures:

Table 1 bedroom size mix phase 4 overall

	1-bed (M)	1-bed	2-bed	3-bed	4 bed	Total
market	30	247	351	160	14	802
affordable	0	148	217	93	0	458
total	30	395	568	253	14	1,260

7 The phase 4a mix is set out below:

Table 2 bedroom size mix phase 4a

	1-bed (M)	1-bed	2-bed	3-bed	4 bed	Total
market	30	64	93	46	8	241
social rent	0	13	37	17	0	67
intermediate	0	19	29	8	0	71
discount market	0	10	0	0	0	10
total	30	106	159	71	8	374

8 The following sections set out the extent to which the Mayor's comments have been addressed.

Affordable housing mix

9 At the consultation stage the Mayor was broadly satisfied with the approach to quantum of affordable housing but required further clarification regarding the housing mix. London Plan Policy 3.8 and the associated supplementary planning guidance promote housing choice and seek a balanced mix of unit sizes in new developments. The London Housing Strategy sets out strategic housing requirements and Policy 1.1C of the Strategy includes a target for 42% of social rented homes to have three or more bedrooms. The draft Housing Strategy is now 36% 3 bedroom or larger but only for affordable rent.

10 As reported by the Council the outline masterplan included the target of 27.8% 3 and 4 bedroom units. At present the overall provision approved is 26.8% 3 and 4 bedroom units. The ongoing target is therefore marginally short of the masterplan target. There is however a reasonable mix of family sized accommodation proposed in phase 4 and 4a which is broadly acceptable in the context of the approved master plan. It is important to distinguish that the targets in the London Plan and the Mayor's housing strategy are strategic rather than site based

targets. It is accepted in this case that the mix is broadly consistent with the masterplan target and will contribute to the strategic targets set out in the London Plan.

Urban design and access

11 At the consultation stage the Mayor requested some further design work regarding townscape, overlooking and relationship of blocks onto the new park. The Mayor also requested consideration of a design code and further evidence to support the proposed playspace locations. The applicant has responded and whilst a detailed design code has not been provided the principles enshrined in phase 4a provide sufficient information to determine how the detail of each block could be delivered. Further information has also been provided regarding the interface of Blocks A and B and regarding overlooking aspects in the central courtyards. Further townscape views have also been provided regarding the impact of the balconies, which have been reduced in scale and fit more appropriately in the context of the street scene. Play space provision has been clarified and will be delivered in the new area of MOL and in the central courtyard areas. The approach is broadly supported and consistent with the London Plan.

Climate change

12 At the consultation stage the Mayor was broadly satisfied with the energy strategy which included provision of a single network with potential links to the wider network along with a 28% carbon reduction beyond 2010 Building Regulations. The approach to cooling was however unclear and there was a potential risk of overheating of units. The applicant has responded with further information to demonstrate that units are adequately safeguarded from potential overheating through a combination of window orientation, materials, natural ventilation and shading. The approach is broadly acceptable and is consistent with the London Plan.

Transport for London's comments

13 At the consultation stage, TfL was broadly satisfied that the proposals were in general accordance with the consented masterplan for the site. TfL recommended that the requirement for residents to be ineligible to apply for permits in the controlled parking zone (CPZ) be secured through the section 106 agreement, and that a site specific travel plan, construction logistics plan, and the requirement for electric vehicle charging points be secured by condition. TfL also advised that the conditions/planning obligations imposed on the masterplan with respect to highway improvements would also need to be attached to this phase of development.

14 Given the above, TfL is satisfied that Greenwich Council will secure by condition, the requirement for details of i) a construction and demolition method statement, ii) the site access arrangements, iii) traffic calming measures, iv) residential car parking and cycle storage, v) a construction logistics plan and vi) the provision of electric vehicle charging points, all to be submitted and approved by the local planning authority prior to commencement/ first occupation on site

15 A supplemental section 106 agreement will also link this phase of development to the masterplan obligations. The effect of this is that development cannot proceed beyond 1,900 dwellings on the site as a whole, until all of the detailed highway modelling and subsequent highway mitigation measures have been agreed with TfL, which is supported. This should also extend to the requirement for a site specific travel plan for this phase of development, as per the masterplan.

16 In summary, TfL is satisfied that its previous concerns have been adequately addressed, and that the application is broadly consistent with the transport policies of the London Plan.

Equalities

17 The 2010 Equality Act places a duty on public bodies, including the GLA, in the exercise of their functions, to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This requirement includes removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic and taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. The Act defines protected characteristics and includes age and disability. The GLA in the discharge of its planning function must engage this duty, in so far as it is applicable to a particular case.

18 In this instance the proposal relates to the wider estate renewal of the Ferrier Estate (PDU/2245/01 and PDU/2245/02). The GLA has considered the matter in the context of the Act and note that as part of the masterplan approval there is no net loss of affordable housing and that at present the phase by phase delivery is meeting the masterplan delivery target

Response to consultation

19 The application has been the subject of public consultation comprising a press notice, site notices and 107 letters sent to individual occupiers in the vicinity of the development. The Council considers the responses in detail in its Committee report. A summary of the main responses is set out below:

Environment Agency

- No objection

Design Council (as reported by Greenwich Council)

“Urban Layout - Phase 4 repeats the strategy of the earlier phases of Kidbrooke, by deploying a mix of town houses alongside a number of larger apartment blocks. CABE are pleased to see the inclusion of townhouses and believe that an even greater proportion may be appropriate in this sub-urban context. The proposal deviates from the original masterplan by mixing flat and house typologies within the same urban block. This departure from established urban typologies introduces some potential difficulties which CABE are pleased to see that the revised design addresses.

Block Layout – The apartments within the tall, corner towers overlook the private gardens of the townhouses CABE recognise that this has been mitigated by carefully grouping the townhouses and planting a visual buffer of landscape. Care will be needed to ensure that this buffer is sufficient to offer adequate privacy. There are a number of ground floor flats, abutted to the rear by the central enclosed car park that have a deep plan and a single aspect onto the street. CABE welcome the fact that this situation is now partially mitigated by the provision of generous front gardens that provide a degree of defensible space.

Podium Gardens - welcome the inclusion of these generous green amenity spaces and are encouraged by the provision of an intensive landscape design that includes some larger trees on the podium, to produce a more protected microclimate. However CABE have concerns about the balance between jointly and privately owned amenity space. Maintaining such large, jointly owned, semi public, amenity space may prove prohibitively for this modest sub-urban community; whereas, the owners of the private garden would be likely to tend their own space, at no additional cost to their neighbourhood. CABE recommend that the proportion of private gardens to community green space be reconsidered to find a more sustainable balance. Moreover the private gardens are repetitive in shape and size, they offer little difference in character for potential future residents. The design could benefit from a greater variety of gardens, which respond to their particular location and orientation Building. The apartment towers are well laid out, offer a good

variety of double aspect flats and avoid long internal corridors. Internally, the flats themselves are soundly planned.

Sustainability - CABE continue to support the masterplan's inherently sustainable approach. CABE commend the aspiration for CSH level 4 and BREEAM Very Good, but consider that a scheme of this scale and importance should seek to be more ambitious. It is a pity that the sustainability strategy does not fully embrace renewable energy sources."

English Heritage

- No objection (Archaeology)
- No objection (buildings)

Thames Water

- No objection subject to detailed conditions

London Fire and Emergency Planning Authority

- No objection subject to detailed conditions

Sport England (as reported by Greenwich Council)

- *"Sport England needs to ensure that the relevant planning mechanisms will be put in place to ensure the all weather pitch will be re-provided and that continuity of provision is secured during any re-provision phase i.e. that the new is built and made operational before removal of the existing. If, and only if, the new facilities and continuity of provision is firmly secured then Sport England raises no formal objection to this application".*

Natural England

- No objections – advice is however set out in the Council's committee report relating to various biodiversity matters

Greenwich Conservation Group: - objection

- reduction in family units (three bedrooms and above)
- design of paragon detail
- height

The Blackheath Society: - objection

- Number of units (density)
- intensification of development
- does not respect the adjacent existing built form.
- Height of development
- Lack of houses in the context of the number of flats
- Design and appearance
- No break in the paragon design.

South Greenwich Forum: - objection

- low number of family units

- segregation of social rented units to a single block
- poor housing mix

GLA officer comments

20 The matters set out above do not raise any new strategic or local planning issues that have not been considered by the Council or the GLA. The Council considers each point in detail in the Officer report. Where appropriate suitable mitigation measures have been secured through appropriate conditions/section 106 legal agreement.

Article 7: Direction that the Mayor is to be the local planning authority

21 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage I, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

22 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction. The Mayor must also have regard to the guidance set out in GOL circular 1/2008 when deciding whether or not to issue a direction under Articles 6 or 7.

Financial considerations

23 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (*'Costs Awards in Appeals and Other Planning Proceedings'*) emphasises that parties usually pay their own expenses arising from an appeal.

24 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

25 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for

determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

Conclusion

26 The application is broadly consistent with the main themes of the masterplan. The matters raised by the Mayor at the consultation stage have been satisfactorily addressed. The proposal is consistent with the London Plan.

Kidbrooke Phase 4

in the London Borough of Greenwich

planning application no.11/2366/O

Strategic planning application stage 1 referral (new powers)

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Hybrid application for 1,260 residential units and provision of open space. Full details have been submitted for Phase 4A which comprises 374 units and open space.

The applicant

The applicant is **Berkeley Homes** and the architect is **CZWG Architects**.

Strategic issues

The application raises strategic issues regarding **housing, affordable housing, design, access, climate change and transport**.

Recommendation

That Greenwich Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 77 of this report; but that the possible remedies set out in paragraph 79 of this report could address these deficiencies.

Context

1 On 25 October 2011, the Mayor of London received documents from Greenwich Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 5 December 2011 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1A1, 1B1.c and 1C1.c of the Schedule to the Order 2008:

Category 1A

1. Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.

Category 1B

1. Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings— (c) outside Central London and with a total floorspace of more than 15,000 square metres.

Category 1C

1. Development which comprises or includes the erection of a building of one or more of the following descriptions— (c) the building is more than 30 metres high and is outside the City of London.

3 Once Greenwich Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

5 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

6 The application site falls within the outline masterplan approved in June 2009 for estate renewal of up to 4,000 units and a range of other non-residential uses (GLA reference PDU/2245). The masterplan (Kidbrooke SPD) covers an area of approximately 109 hectares and includes, for the majority part, the existing Ferrier housing estate. The estate is a mix of residential units and large areas of open space comprising 1,900 social rented units. It is located between Kidbrooke to the north, Eltham to the east and Blackheath and Lee Green to the west. The World Heritage Site of Maritime Greenwich is located beyond Blackheath Park to the northwest.

7 The significant proportion of the decanting of the existing estate has been completed. There are however still residents who remain on site. Phase 4 and 4a relates to the central part of the site which is bounded by Kidbrooke Park Road to the west and runs along the southern boundary of phase 3 and the Holy Family Catholic Primary School. The eastern boundary of the site is marked by phase 2a and existing residential properties. South of the site is the northern boundary of phase 1 and the existing Sutcliffe Park.

8 The site is located adjacent to the A2213 Kidbrooke Park Road, and is also within a close proximity to the A20 Eltham Road and the A2 Rochester Relief Road, all of which form part of the Transport for London Road Network. The site is bounded by Ryan Close and Tudway Road, which are borough roads. The site is directly served by two bus routes, the B16 and the 178, with the nearest bus stops currently located on either Tudway Road, or Kidbrooke Park Road. In addition, Kidbrooke mainline railway station, which operates a limited service between London and Kent, is located approximately 500 metres to the north of the site. As such, it has been demonstrated that this phase of development has a public transport accessibility level (PTAL) of 2, out of a range of 1 to 6 and where 6 is the highest.

Figure 1 Phasing plan (source: Design and Access Statement)

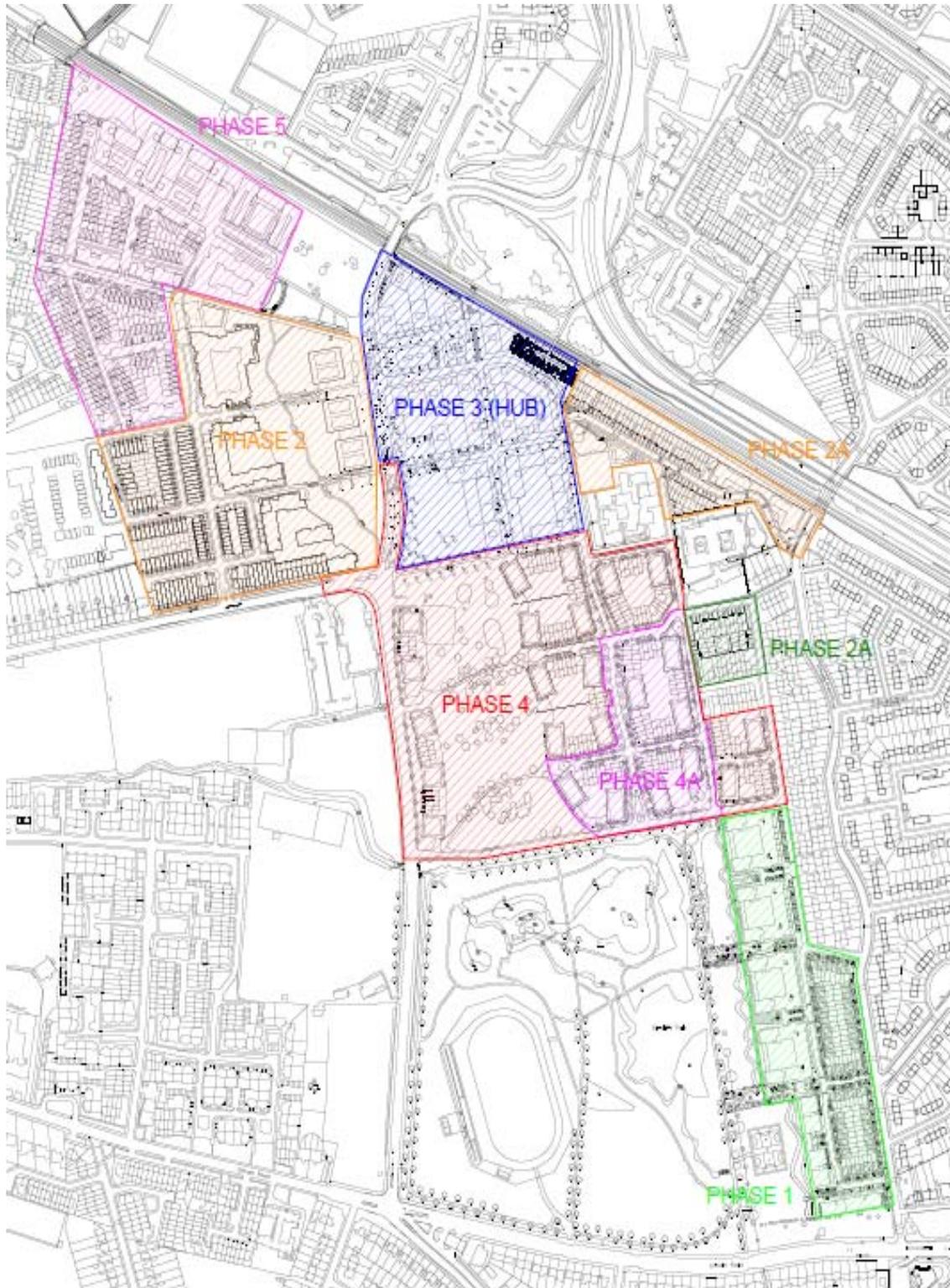


Table 3 Housing numbers by phase (source: Planning Statement)

	Unit Numbers	Affordable housing Quantum	Overall Unit Mix	Private Mix	Affordable Mix
Outline Planning Permission – Kidbrooke Masterplan Area (June 2009)	4000	38.1% 48.3% Social Rent (including 303 Extra Care) 51.7% Shared Ownership (including 50 Home Buy)	Studio - 0.2% 1 bed units - 26.4% 2 bed units - 45.6% 3/4 bed units - 27.8%	Studio/1 bed units -23.4% 2 bed units - 49.1% 3/4 bed units - 27.5%	Studios/1 bed units -31.9% 2 bed units - 39.8% 3/4 bed units - 28.3%
Phase 1 (June 2009)	449	51% (229) 70% Social Rent and 30% Shared Ownership	Studio - 1.7% (8) 1 bed units - 30.3% (136) 2 bed units - 34.3% (154) 3 bed units - 31.7% (143) 4 bed units – 1.8% (8)	Studio/1 bed units - 37.3% (82) 2 bed units - 42.8% (94) 3 bed units - 19.9% (44)	Studios/1 bed units - 27.1% (62) 2 bed units - 26.2% (60) 3 bed units – 43.3% (99) 4 bed units – 3.5% (8)
Phase 2a – Reserved Matters Approval (March 2010)	115	100% (115)	1 bed units – 10% (12) 2 bed units – 35% (40) 3 bed units – 39% (45) 4 bed units – 16% (18)	0	Same as the overall mix.
Phase 2 - Reserved Matters Approval (March 2010)	595 units approved. Urban House Reserved Matters submission seeks to increase this to 597.	28.6% (170) (Extra Care) 79% Social Rent and 21% Shared Ownership	1 bed units – 21% (125) 2 bed units – 40.3% (239) 3 bed units – 28.7% (171) 4 bed units – 8.1% (48) 5 bed units – 2% (12)	Studio/1 bed units – 13.2% (56) 2 bed units – 32.5% (138) 3 bed units – 40.2% (171) 4 bed units – 11.3% (48) 5 bed units – 2.8% (12)	1 bed units – 40.6% (69) 2 bed units – 59.4% (101)
Urban House – Reserved Matters Application (Submitted May 2011)		-	If approved the overall mix of Phase 2 would be as follows: 1 bed units – 20.9% (125) 2 bed units – 40% (239) 3 bed units – 28.3% (169) 4 bed units – 8.7% (52) 5 bed units – 2% (12)	If approved the private mix of Phase 2 would be as follows: Studio/1 bed units – 13.1% (56) 2 bed units – 32.3% (138) 3 bed units – 39.6% (169) 4 bed units – 12.2% (52) 5 bed units – 2.8% (12)	Same as above.
Phase 3 Village Centre – Full Application (Submitted April 2011)	983	37% (367) 36.2% Social Rent and 63.8% Shared Ownership	1 bed 1 person manhattan units – 6.5% (64) 1 bed units – 29.6% (291) 2 bed units – 43.9% (431) 3 bed units – 19.6% (193) 4 bed units – 0.4% (4)	1 bed 1 person manhattan units – 10.4% (64) 1 bed units – 26% (160) 2 bed units – 48.9% (301) 3 bed units – 14.4% (89) 4 bed units – 0.3% (2)	1 bed units – 35.7% (131) 2 bed units – 35.5% (130) 3 bed units – 28.3% (104) 4 bed units – 0.5% (2)
Phase 4 – Proposed Development	1260	36% (458)	1 bed 1 person manhattan units – 2.5% (30)	1 bed 1 person manhattan units – 3.7% (30)	1 bed units - 32.4% (148) 2 bed units - 47.3% (217)

			1 bed units – 31.4% (395) 2 bed units – 45.1% (568) 3 bed units – 20% (253) 4 bed units – 1% (14)	1 bed units – 30.8% (247) 2 bed units – 43.8% (351) 3 bed units – 20% (160) 4 bed units – 1.7% (14)	3 bed units - 20.3% (93)
	Phase 4A – 374	32.9% (123) 45.5% social rent and 54.5% shared ownership.		1 bed 1 person manhattan unit – 12% (30) 1 bed units – 29.5% (74) 2 bed units – 37.1% (93) 3 bed units – 18.3% (46) 4 bed units - 3.1% (8)	1 bed units - 26% (32) 2 bed units – 53.7% (66) 3 bed units – 20.3% (25)
Total (Approved)	1,159	46.4%	Studio/Manhattan – 0.6% 1 bed units – 23.6% 2 bed units – 37.4% 3 bed units – 31% 4 bed units – 6.4% 5 bed units – 1%	1 bed units – 21.4% 2 bed units – 36% 3 bed units – 33.3% 4 bed units – 7.4% 5 bed units – 1.9%	1 bed units – 27.9% 2 bed units – 39.2% 3 bed units – 28% 4 bed units – 5%
Total (Approved + Submitted)	2,144	41.1%	Studio/Manhattan – 0.6% 1 bed units – 23.6% 2 bed units – 37.4% 3 bed units – 31% 4 bed units – 6.4% 5 bed units – 1%	1 bed units – 21.4% 2 bed units – 36% 3 bed units – 33.3% 4 bed units – 7.4% 5 bed units – 1.9%	1 bed units – 31.1% 2 bed units – 37.5% 3 bed units – 28.2% 4 bed units – 3.2%
Total (Approved, Submitted and Proposed)	2,518 (inc. Phase 4A) 3,404 (inc. Phase 4)	39.9% (Approved, Submitted and Phase 4A) 39.3% (Approved, Submitted and Phase 4)	The overall mix including Phase 4 would be as follows: Studio/Manhattan – 3% 1 bed units – 28.2% 2 bed units – 42% 3 bed units – 23.6% 4 bed units – 2.8% 5 bed units – 0.4%	1 bed units – 30.8% 2 bed units – 41.3% 3 bed units – 23% 4 bed units – 4.1 5 bed units – 0.8% (Approved, Submitted and Phase 4A) 1 bed units – 31% 2 bed units – 42.6% 3 bed units – 22.5% 4 bed units – 3.3% 5 bed units – 0.6% (Approved, Submitted and Phase 4)	1 bed units – 30.5% 2 bed units – 39.5% 3 bed units – 27.2% 4 bed units – 2.8% (Approved, Submitted and Phase 4A) 1 bed units – 31.5% 2 bed units – 41% 3 bed units – 25.5% 4 bed units – 2% (Approved, Submitted and Phase 4)

Figure 2 Phase 4 and 4a boundary detail (source: Design and Access Statement)



Details of the proposal

9 A hybrid planning application has been submitted for 1,260 residential units and provision of open space. Full details have been submitted for Phase 4A which comprises 374 units and open space. The housing mix is set out below

Table 4 Overall Phase 4 housing mix

	1-bed (M)	1-bed	2-bed	3-bed	4 bed	Total
Market	30	247	352	160	14	802
Affordable	0	148	217	93	0	458
Total	30	395	568	253	14	1,260

Table 5 Phase 4a housing mix

	1-bed (M)	1-bed	2-bed	3-bed	4 bed	Total
Market	30	74	93	46	8	251
Affordable	0	32	66	25	0	123

Total	30	106	159	71	8	374
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Case history

10 The Mayor previously considered the masterplan application for the whole estate (PDU/2245) in January 2009 and again at the determination stage in June 2009. The Mayor indicated his broad support for the estate renewal. In July this year the Mayor considered a revised application for the Village Centre (Phase 3 and 3a - PDU/2245a/01). The key strategic issues raised at that time related to a reduction in the quantum of community uses, housing and affordable housing, urban design and design quality; climate change and transport. The scheme has been amended and is due to be reported to Greenwich Planning Board on 6 December 2011.

11 The GLA has been involved in pre-application discussions regarding the current application for Phase 4 and 4a. Key strategic issues raised through pre-application consultation included design, layouts, housing, climate change and transport.

12 In terms of phases that have come forward since the Mayor last considered the masterplan, Phase 1 is currently under construction for 449 units. On 19 March 2010, reserved matters approval was given for Phase 2a, for the erection of 115 residential affordable units (09/2270/R) and construction commenced in November 2010. On 24 March 2010, reserved matters approval was given for Phase 2, for the erection of 595 residential units, including 170 extra care units and 90 sq.m. of community floorspace (09/2269/R). Table 1 sets out the consolidated housing delivery status across the masterplan area to date.

Strategic planning issues and relevant policies and guidance

13 The relevant issues and corresponding policies are as follows:

- Housing *London Plan; PPS3; Housing SPG; Providing for Children and Young People's Play and Informal Recreation SPG, Housing Strategy; Assembly draft Revised Housing Strategy; Interim Housing SPG; Housing SPG EiP draft*
- Affordable housing *London Plan; PPS3; Housing SPG, Housing Strategy; Assembly draft Revised Housing Strategy; Interim Housing SPG; Housing SPG EiP draft; Affordable Rent draft SPG; Assembly draft Early Minor Alteration to the London Plan*
- Density *London Plan; PPS3; Housing SPG; Interim Housing SPG; Housing SPG EiP draft*
- Urban design *London Plan; PPS1*
- Regeneration *London Plan; the Mayor's Economic Development Strategy*
- Transport *London Plan; the Mayor's Transport Strategy; PPG13*
- Parking *London Plan; Assembly draft Early Minor Alteration to the London Plan; the Mayor's Transport Strategy; PPG13*
- Green Belt/MOL *London Plan; PPG2*
- Playing fields *London Plan; PPG17, draft PPS Planning for a Natural and Healthy Environment*

- Biodiversity/Geodiversity *London Plan; the Mayor's Biodiversity Strategy; PPS9; draft PPS Planning for a Natural and Healthy Environment; draft London's Foundations (Geodiversity) SPG*
- Access *London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Equal opportunities *London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London's diverse communities SPG; Diversity and Equality in Planning: A good practice guide (ODPM); Equalities Act 2010*
- Sustainable development *London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; Mayor's Climate Change Mitigation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy; Sustainable Design and Construction SPG*

14 The Development Plan comprises the 2006 Greenwich Unitary Development Plan (as saved 15 July 2009) and the London Plan 2011.

15 The follow is also material planning considerations:

- Planning permission reference 08/2782/O (PDU/2244).
- Greenwich Council's draft Core Strategy and Development Management Policies Development Plan Document (for which consultation closed 5 February 2011).
- The Early Minor Alteration to the London Plan.

Principle of development

16 The principle of residential development is established as part of the June 2009 outline planning permission which includes a mix of residential use and open space. The Mayor's recently published London Plan 2011, maintains Kidbrooke as an Intensification Area (Map 2.4 and Table A1.2) and references the approved outline planning permission as well as a target for a minimum of 2,400 homes (net addition) and 400 jobs.

17 The proposed redline boundary takes on parts of the original phases 3 and 4 with a significantly different approach to the form of development with a mixture of townhouses linked to corner blocks of flats. This approach is different from the approved masterplan which separated the townhouse element and perimeter blocks locating the lower scale development of townhouses in a more defined location to the east, which corresponded with the existing residential scale beyond the site edge to the east.

18 The broad principles presented in landuse terms regarding a mix of residential and open space fits within the approved masterplan. The design elements, in particular layouts and scale, do however need further consideration as set out below later in this report. In addition the phasing plan regarding the delivery of open space, linked to residential occupancy needs to be addressed. The land use principles however remain broadly accepted and consistent with approved masterplan and the wider London Plan objectives for Kidbrooke.

Affordable housing

19 London Plan Policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so each council should have regard to its own overall target for the amount of affordable housing provision. This target should take account of the requirements of London Plan Policy 3.11, which include the strategic target that 60% of new affordable housing should be for social rent and 40% for intermediate rent or sale. The Mayor has published an early minor alteration to the London Plan to address the introduction of affordable rent, with further guidance set out in a draft Affordable Rent SPG. With regard to tenure split the Mayor's position is that both social rent and affordable rent should be included within the 60%.

20 While the Mayor has set a strategic investment benchmark that across the affordable rent programme as a whole rents should average 65% of market rents, this is an average investment output benchmark for this spending round and not a planning policy target to be applied to negotiations on individual schemes.

21 Policy 3.12 is supported by paragraph 3.71, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit or other recognised appraisal methodology is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified. Paragraph 3.75 highlights the potential need for re-appraising the viability of schemes prior to implementation.

22 Where borough councils have not yet set overall targets as required by Policy 3.11, they should have regard to the overall London Plan targets. It may be appropriate to consider emerging policies, but the weight that can be attached to these will depend on the extent to which they have been consulted on or tested by public examination.

23 Policy H14 of the Greenwich UDP is the overarching affordable housing policy. The LDF is still yet to reach Examination in Public and therefore holds limited weight. As such policy H14 and London Plan policies on affordable housing provide the local and strategic policy position in negotiating affordable housing on individual planning applications within the borough.

24 Policy 3.14 of the London Plan resists the loss of housing, including affordable housing, unless it is replaced at existing or higher density with equivalent floorspace. Paragraph 3.82 of the London Plan gives further advice on the Mayor's approach to estate renewal. More detailed guidance is set out in Section 20 of the Housing SPG. This clarifies that there should be no net loss of affordable housing, which can be calculated on a habitable room basis and should exclude right to buy properties. Replacement affordable housing can be of a different tenure mix where this achieves a better mix of provision.

25 Private housing that forms part of estate renewal schemes need not provide the normal level of additional affordable provision, where this is necessary to cross subsidise redevelopment. This would need to be justified through a financial appraisal.

26 The outline permission secured that there is no net loss of affordable housing from the original estate. The section 106 agreement for the outline planning permission requires the delivery of a minimum 38.1% of housing provision as affordable housing across the development, with variation on individual phases.

27 Table 1 identifies that under current approval levels the scheme is set at 46% affordable housing and that with the current proposals the target is being met with overall delivery set at 39.9%. The level of affordable housing established in the outline permission is a material planning consideration. The level of affordable housing and targets set in the outline permission were

tested independently and it was agreed that where the minimum targets were not being met GLA officers would consider a review of the financial appraisal. In this instance the approach set out in table 1 is achieving the outline targets and is broadly acceptable in the context of London Plan policy 3.14 and 3.12.

Housing choice

28 London Plan Policy 3.8 and the associated supplementary planning guidance promote housing choice and seek a balanced mix of unit sizes in new developments. The London Housing Strategy sets out strategic housing requirements and Policy 1.1C of the Strategy includes a target for 42% of social rented homes to have three or more bedrooms.

29 The housing offer has not been split into bedroom size mix by tenure. The applicant should confirm the proportion of unit sizes distributed within the affordable component of the scheme.

Density

30 London Plan Policy 3.4 seeks to ensure that development proposals optimise housing output for different types of location having regard to local context and character, design principles in Chapter 7 and within the relevant density range shown in Table 3.2 of the Plan.

31 The outline permission includes a density level approved at 510 habitable rooms per hectare in an urban location with a public transport accessibility level of 2. The Plan guides densities of up to 450 habitable rooms per hectare with this type of site characteristics. At the time of the outline permission officers were satisfied that the design team had met a number of criteria to justify the density level on the basis of sound design principles, layouts, design code, approach to sustainability, provision of open space and family affordable housing. The masterplan also demonstrated a number of central characteristics in certain parts particularly to the north of the site near phase 3 and 4.

32 The density proposed for Phase 4 will be 494 habitable rooms per hectare (3,636 habitable rooms across 7.36 hectares). The approach is broadly consistent with the approved outline density and the principles which were tested at the outline stage regarding design, access to open space, sustainability and housing delivery remain an integral part of the application. The density is justified in this instance.

Urban design

33 Good design is central to all objectives of the London Plan (2011) and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage and World Heritage Sites, views, the public realm and the Blue Ribbon Network. New development is also required to have regard to its context, and make a positive contribution to local character within its neighbourhood (policy 7.4).

Circulation and layouts

34 The arrangements of blocks are broadly well considered. Since pre-application discussions a number of matters have significantly improved however some areas still require further work:

- Number of units directly accessed from the street - these have been increased in all areas and strengthen the layout providing traditional street relationship with front doors with gardens and defensible space.
- Pedestrian routes – Clear routes for pedestrians have been provided through the park. The route around the southwest corner of block G and in front of the 'C' shaped blocks is much stronger in terms of the definition between public and private space.
- Definition of public and private space – the design team have looked carefully in terms of the public areas and the interface between the private spaces around the street and in terms of the interface between private and communal garden spaces within the central courtyards. Whilst this is the case it is still not clear how this will be dealt with for blocks A1, A2, B1, B2 and B3. The material submitted under cover of letter dated 17 November does not provide sufficient detail regarding the treatment of this edge.
- Links to Sutcliffe Park (continuation of the open space) – consideration should be given to creating a seamless link access to Sutcliffe Park.
- Overlooking of townhouses from the flat blocks – as discussed at pre-application stage, the relationship between the townhouses and the corner blocks creates an awkward junction. The corner relationship is most contrived at the corner junction where the townhouse unit meets the base of the corner block (first and second floor); for example in block F2 and F3 facing the townhouses. It is agreed that this presents a difficult relationship. The design team have attempted to address this by slightly offsetting the immediate balcony from having a direct relationship to the gardens of the townhouses but these are still overlooked. The design team should provide some townscape views from within the gardens of the townhouses to illustrate the extent of overlooking in this instance. This is important as the principle of this relationship is a consistent theme throughout the design of this phase.
- It is unclear how the ground floor projection (podium level) to blocks A and B will appear. The plans suggest that the ground floor footprint projects beyond the footprint of the townhouses and tower blocks. Images of the blocks should be provided and as with the treatment of the edge these should be articulated in a form of design coding for the outline scheme.
- Design coding - As above, the design team should articulate separately a code which enshrines the detailed principles of phase 4a in terms of the layouts, street relationships and other detail matters that can be used to inform the reserved matters detail for the rest of the phase.

Architecture and massing

35 London Plan Chapter 7 covers, amongst others, details of inclusive design, designing out crime, public realm, architecture and architectural quality and at policy 7.7 focuses on the impact on character by scale, mass or built form of a tall building and that they should relate well to form, proportion, scale and character of surrounding buildings, urban grain and public realm.

36 The bulk and massing of the blocks takes a very different approach to the approved masterplan. The transition between scale of development to the east is no longer a reflection of the existing scale to the east but introduces new four storey corner flat blocks facing onto the existing properties to the east. Previously the masterplan sought to provide careful integration with townhouses facing the existing two storey scale to the east. It is important that the revised

relationship does not compromise the amenity of existing residents. Townscape analysis should test the impact of scale in this context. At present there are limited images that illustrate the relationship.

37 The design rationale explained by CZWG draws inspiration from Michael Searles' Paragon design which links single storey colonnade entrances to four storey townhouses (now mostly converted into separate flats). It provides an interesting architectural expression and the approach by the design team has been carefully considered to break up the massing along the street so that each taller element corresponds to the lower townhouse element on the opposite side of the street, providing some breaks and interest in the street scene. It also allows sunlight into the street and central communal courtyards. Whilst the concept is broadly supported there are elements which need to be carefully considered as set out below:

- As previously noted, the awkward juxtaposition at the internal corner where the block units meet the townhouses. Some views modelling should be provided to test the extent of overlooking.
- It may benefit the elevation to introduce a break or a set back where the town houses link to the flat blocks. This would help to fully define the differential between the townhouses and flats and would add further interest, similar to the approach adopted by Searles.
- The appearance of the elevation where there is a mix of active and non active uses (such as bin store and energy centre) needs to be shown in CGI to understand the impact on the street level elevation. Some of the bin stores and holding areas occupy large areas of street frontage, it is therefore important how the design team intend to manage these constraints within the elevation.
- The balcony design is a particularly bold and striking feature of the elevations. GLA officers raised concern at pre-application stage that the scale of these had the potential to overwhelm the architecture of the rest of the scheme. These have since been reduced in size and the townscape views provided illustrate the approach is more sympathetic feature in the street. The treatment and material of the underside of these still needs to be resolved.

Residential quality

38 London Plan Policy 3.5 promotes quality in new housing provision and sets out minimum space standards at Table 3.3. The Mayor will produce a new Housing SPG (a draft of which was put before the London Plan EIP), on the implementation of Policy 3.5 for all housing tenures, drawing on his London Housing Design Guide, paragraphs 3.37 –3.39 provides further guidance on indicators of quality that the proposed SPG will cover.

39 The proposals deliver high quality design in terms of layouts, space standards, units accessed of a single core, balcony access and floor to ceiling heights. The approach meets the broad standards required as set out in Policy 3.5 and the guidance within the Mayor's Housing Design Guide.

Access

40 London Plan Policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion, and requires design and access statements submitted with planning applications to explain how the principles of inclusive design, including the specific needs of disabled people, have been integrated into the proposed development and how inclusion will be

managed and maintained. The aim of Policy 7.2 is that proposals aim for the highest standards of accessibility and inclusion (not just the minimum) and that the design process has from the outset considered how everyone, including disabled and Deaf people, older people, children and young people, will be able to use the places and spaces that are proposed safely, easily and with dignity. Furthermore, London Plan policy 3.1 'Ensuring equal life chances for all' establishes that *"the Mayor is committed to ensuring equal life chances for all Londoners. Meeting the needs and expanding opportunities for all Londoners – and where appropriate addressing the barriers to meeting the needs of particular groups and communities - is key to tackling the huge issue of inequality across London"*

41 The masterplan delivers broadly on accessibility and the principles enshrined within the approved consent are reflected in this phase of development. Flat layouts have been provided the development has been designed to be step free. The Council should condition the arrangements for delivery of 10% wheelchair units, Lifetime Homes standards and blue badge parking.

Children's play space

42 Policy 3.6 of the London Plan sets out that "development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." The applicant will need to confirm the bedroom size mix by tenure and use the methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation' to confirm the anticipated child population within the development.

43 The guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site. The outline permission benefits from a significant area of open space located centrally within the masterplan. A significant proportion of this forms part of this phase including phase 4a. The planning statement sets out that a mix of spaces will be provided delivering approximately 10,425 sq.m. Whilst the space is likely to meet the needs of the emerging child population, the applicant should confirm exact numbers and details of the delivery strategy for the range of spaces.

Figure 3 Open space and play space locations (source: Planning Statement)



Climate change mitigation

Energy efficiency standards

44 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 values required by building regulations. Other features include mechanical ventilation with heat recovery and energy efficient lighting. The applicant should provide further information on the proposed measures to minimise the demand for active cooling.

45 The development is estimated to achieve a reduction of 77 tonnes per annum (4%) in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant development.

District heating

46 The applicant has carried out an investigation and there are no existing external district heating networks within the vicinity of the proposed development. However, heat networks for the previous phases of the wider Kidbrooke development are in place and the intention is that these, and future phases, will be linked with this phase.

47 The applicant is proposing to install a heat network for this phase of development. The energy assessment states that all dwellings will be connected to the heat network. A drawing showing the route of the heat network has been provided.

48 The heat network will be supplied from a single energy centre located in the basement of block F. The floor area of the energy centre should be provided. A drawing showing the envisaged plant layout in the energy centre should also be provided.

Combined Heat and Power

49 The applicant is proposing to install two 750 kW_{th} gas fired combined heat and power units with thermal storage as the lead heat source for the site heat network. This size of CHP should be secured by condition. The combined heat and power size proposed is likely to produce surplus heat capable of export to other phases of the development. A reduction in regulated carbon emissions of 458 tonnes per annum (25%) will be achieved through this second part of the energy hierarchy.

Renewable energy technologies

50 The applicant has investigated the feasibility of a range of renewable energy technologies but is not proposing to install any on-site renewable energy technology for the development.

Overall carbon savings

51 The estimated regulated carbon emissions of the development are 1,389 tonnes of carbon dioxide per year after the cumulative effect of energy efficiency measures, combined heat and power and renewable energy has been taken into account.

52 This equates to a reduction of 535 tonnes of carbon dioxide per year in regulated emissions compared to a 2010 Building Regulations compliant development, equivalent to an overall saving of 28%. The carbon dioxide savings exceed the targets set within Policy 5.2 of the London Plan.

Climate change adaptation

53 The London Plan promotes key adaptation principles in Chapter 5 that promote and support the most effective adaptation to climate change. These are to minimise overheating and contribution to heat island effects; minimise solar gain in summer; contribute to flood risk reductions, including apply sustainable drainage principles; minimise water used; and protect and enhance green infrastructure and urban greening. Specific policies cover overheating, urban greening, living roofs and walls and water.

54 Policy 5.11 of the London Plan seeks the incorporation of living roofs and walls where feasible. Policy 5.13 seeks to ensure that surface water run-off associated with a proposed development is managed as close to its source as possible, and sets out a hierarchy of preferred measures to achieve this. All roofs should be 'living roofs' of an appropriate type in line with London Plan Policy 5.11 unless other policy requirements or legitimate technical barriers prevent this.

55 Policy 5.15 of the London Plan seeks to ensure that new development has proper regard to the impact of those proposals on water demand and existing capacity by minimising the use of treated water and minimising rainwater-harvesting opportunities. Measures to manage the run-off from the development should be specified within the design and access statement and the development should incorporate rainwater harvesting and sustainable drainage. A water strategy detailing how the proposal addresses the hierarchy of policy 5.13 should also be provided.

Overheating (Policy 5.9)

56 The passive measures are shown within the design and access statement in terms of the layouts proposed, including the use of double and multi aspect apartments and townhouses. The provision of houses across the phase will provide a significant proportion of units with cross ventilation options which is supported.

Living roofs and walls (Policy 5.11)

57 The masterplan and Phase 4 includes a mix of green and brown roofs consistent with London Plan policy 5.11.

Flooding (5.12), sustainable drainage (5.13) water use (5.15)

58 A Flood Risk Assessment was approved as part of the outline application with appropriate mitigation measures agreed with the Environment Agency. This phase also includes Sustainable Urban Drainage Systems techniques to reduce the run-off from the redevelopment to greenfield rates. This is an appropriate drainage approach to this site and is supported as being in line with London Plan Policy 5.13.

59 Policy 5.15 sets a maximum water use target of 105 litres per person per day for residential dwellings. The applicant should make a clear commitment to meeting this policy requirement, which should be secured by condition by Greenwich Council.

Other environmental considerations

60 GLA officers are in the process of considering matters regarding noise, air quality and biodiversity as set out in the Environmental Statement. Further comments may be provided in due course.

Transport comments

61 Residential car parking is being proposed in accordance with the level agreed as part of the consented masterplan, which is supported. This equates to the provision of one space per house (or 99 spaces), and 0.6 spaces per flat (or 697 spaces). Electric vehicle charging points (EVCPs) are being proposed in accordance with London Plan policy 6.13, and TfL would therefore recommend that this requirement is secured for the site by condition. As part of the proposals, a controlled parking zone will be introduced within the Kidbrooke area, and any residential units with on-site parking would not be eligible to apply for permits. This is supported by TfL who would similarly recommend that such a requirement is secured for the site either by condition, or through the section 106 agreement.

62 TfL considers the trip generation exercise undertaken for this phase of development to be acceptable. However, given that much of the Phase 1 development is now occupied, TfL would further suggest that trip surveys be carried out to validate this and inform further any future application. Further discussions in relation to this would therefore be welcomed.

63 As per TfL's comments on the Phase 3 proposals ('Kidbrooke Village'), it should be noted that highways modelling is currently being undertaken by the applicant in accordance with the consented masterplan, and until this has been agreed, only limited feedback can be provided at this stage. Notwithstanding this, while it is accepted that Phase 4a will be unlikely to result in a level of impact above that associated with the previous development on site, as a revised Phase 4 scheme is proposed, conditions/ planning obligations imposed on the masterplan with respect to highway improvements also need to be secured on this application.

64 As with the highway impact, it is accepted that Phase 4a in isolation will not result in any bus capacity issues, and should not trigger any requirements for capacity increases, as identified in the consented masterplan. Once this phase has been completed and occupied however, it is considered that services in the area may start to approach capacity, and as such it may be prudent to start planning for these (including carrying out surveys), as well as for the re-routing of the B16 and 178 services, as previously discussed as part of the overall Masterplan, in accordance with London Plan policy 6.7. TfL can offer further advice in relation to these points if required.

65 This application proposes a number of new pedestrian routes through the areas of Metropolitan Open Land, linking up to pedestrian crossing facilities on Kidbrooke Park Road. It is recommended that the main routes are also made suitable for shared use by both cyclists and pedestrians, which would require paths to be a minimum of 3 metres in width but preferably wider where possible. Suitable tactile paving will also be required to allow for this. Wayfinding around the site should also be considered, and TfL would therefore recommend that discussions take place over the appropriateness of introducing Legible London signage around the site, in accordance with London Plan policy 6.10. The siting of bus stops on Kidbrooke Park Road will also need to be considered to ensure that acceptable footway widths are maintained. Cycle parking is being proposed in accordance with London Plan standards, which is supported.

66 Reference has been made to the revised site wide Travel Plan, which was submitted in July 2011 in accordance with the consented masterplan section 106 agreement. This has previously been reviewed by TfL, and is considered to be of a very good quality, and should be secured for this phase of development by condition.

67 TfL welcomes the estimate of construction impacts which has been provided as part of the Transport Assessment, and as previously advised, would highlight that all construction traffic will need to approach from the south given the weight restrictions on the Kidbrooke Park Road railway bridge. It is however noted and accepted that the detailed construction impacts will be assessed in more detail post-consent once a contractor has been appointed. This should be carried out as part of a dedicated construction logistics plan for this phase, to be secured for the site by condition, in accordance with London Plan policy 6.15.

68 In summary, subject to the above matters being satisfactorily addressed, TfL is satisfied that the application could be considered to be in general accordance with both the consented masterplan for the site, and the transport policies of the London Plan. Further work in relation to mitigating the highway impact of the development as a whole, will however be required once the highway modelling has been completed.

Equalities

69 The 2010 Equality Act places a duty on public bodies, including the GLA, in the exercise of their functions, to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This requirement includes removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic and taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. The Act defines protected characteristics and includes age and disability. The GLA in the discharge of its planning function must engage this duty, in so far as it is applicable to a particular case.

70 In this instance the proposals include estate renewal including the re-housing and decant of existing social rented residents. The applicant should confirm the status of the decant strategy in terms of remaining residents still on site and impacts arising.

Community Infrastructure Levy

71 In accordance with London Plan *policy 8.3*, the Mayor of London proposes to introduce a London-wide Community Infrastructure Levy (CIL) that will be paid by most new development in Greater London. Following consultation on both a Preliminary Draft, and then a Draft Charging Schedule, the Mayor has formally submitted the charging schedule and supporting evidence to the examiner in advance of an examination in public. Subject to the legal process, the Mayor intends to start charging on **1 April 2012**. Any development that receives planning permission after that date will have to pay, including:

- Cases where a planning application was submitted before 1 April 2012, but not approved by then.
- Cases where a borough makes a resolution to grant planning permission before 1 April 2012 but does not formally issue the decision notice until after that date (to allow a section 106 agreement to be signed or referral to the Secretary of State or the Mayor, for example),.

72 The Mayor is proposing to arrange boroughs into three charging bands with rates of £50 / £35 / £20 per square metre of net increase in floor space respectively (see table, below). The proposed development is within the London Borough of Greenwich where the proposed Mayoral charge is £35 per square metre. More details are available via the GLA website <http://london.gov.uk/>.

73 Within London both the Mayor and boroughs are able to introduce CIL charges and therefore two distinct CIL charges may be applied to development in future. At the present time, borough CIL charges for Redbridge and Wandsworth are the most advanced. The Mayor's CIL will contribute towards the funding of Crossrail.

Mayoral CIL charging zones Zone	London boroughs	Rates (£/sq. m.)
1	Camden, City of London, City of Westminster, Hammersmith and Fulham, Islington, Kensington and Chelsea, Richmond-upon-Thames, Wandsworth	£50
2	Barnet, Brent, Bromley, Ealing, Greenwich, Hackney, Haringey, Harrow, Hillingdon, Hounslow, Kingston upon Thames, Lambeth, Lewisham, Merton, Redbridge, Southwark, Tower Hamlets	£35
3	Barking and Dagenham, Bexley, Croydon, Enfield, Havering, Newham, Sutton, Waltham Forest	£20

Local planning authority's position

74 The officer recommendation is currently unknown.

Legal considerations

75 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

76 There are no financial considerations at this stage.

Conclusion

77 London Plan policies on are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- Principle of development: (compliant). Residential development is consistent with the outline masterplan.
- Affordable housing quantum and density (compliant). The quantum of affordable housing is consistent with the approved masterplan.
- Affordable housing tenure split and bedroom size mix (non compliant) The applicant needs to confirm the bedroom size mix by tenure.
- Urban design and access (non-compliant): The report identifies some detailed design matters that require further consideration, including townscape work, overlooking and relationship of blocks onto the new park, design code and play space strategy. The flat layouts and approach to residential quality is broadly supported.
- Climate change mitigation (non-compliant): The strategy is broadly compliant subject to appropriate conditions and further evidence regarding active cooling.
- Climate change adaptation (compliant): broadly acceptable subject to conditions set out in this report.
- Transport (non-compliant): A number of technical transport matters are set out in the transport section of this report including trip generation, mitigating the highway impact of the development as a whole, pedestrian and cycle routes, highway modelling and various conditions.

78 On balance, the application does not comply with the London Plan.

79 The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- Affordable housing tenure split and mix: the applicant needs to confirm the bedroom size mix by tenure.
- Urban design and access: further consideration is required regarding townscape work, overlooking and relationship of blocks onto the new park, design code and playspace.
- Climate change mitigation: The strategy is broadly compliant subject to appropriate conditions and further evidence regarding active cooling.
- Transport: TfL is satisfied that the application could be considered to be in general accordance with both the consented masterplan for the site, and the transport policies of the London Plan. Further work in relation to trip generation, mitigating the highway impact of the development as a whole, highway modelling and pedestrian and cycle routes is required. TfL would welcome discussion regarding specific conditions and section 106 clauses.

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