

# Neptune Wharf, Grinstead Road

in the London Borough of Lewisham

planning application no. DC/10/75331/X

## 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

The applicant proposes the demolition of the existing buildings on site and the provision of 199 (which is a reduction of 7 units) new residential units; 1,874 sq.m. of flexible workspace; 99 sq.m. of cafe space; a new public space; an improved connection under the train line; 276 cycle spaces and 60 car parking spaces.

## The applicant

The applicant is **Hatcham (Neptune) Ltd**, and the architects are **Duggan Morris Architects**

## Strategic issues

The Mayor previously raised a number of issues relating to employment land, affordable housing, car parking, mix of units, design, inclusive access, transport and energy. All these matters have now been satisfactorily resolved and the proposed application is acceptable in strategic planning policy terms.

## The Council's decision

In this instance Lewisham Council has resolved to grant permission.

## Recommendation

That Lewisham 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 29 September 2010 the Mayor of London received documents from Lewisham 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 1A, 1B, 1C and 3E of the Schedule to the Order 2008:

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

- *“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 outside Central London and with a total floorspace of more than 15,000 square metres.”*
- *“Development which comprises or includes the erection of a building more than 30 metres high and is outside the City of London.”*
- *“Development which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and comprises or includes the provision of more than 2,500 square metres of floorspace (residential and business).”*

2 On 4 November 2010 the Mayor considered planning report PDU/2665/01, and subsequently advised Lewisham Council that the application did not comply with the London Plan, for the reasons set out in paragraph 100 of the above-mentioned report; but that the possible remedies set out in paragraph 102 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. Since then, the application has been revised in response to the Mayor’s concerns (see below). On 2 December 2010 Lewisham Council decided that it was minded to grant planning permission, for the application, and on 28 April 2011 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 Lewisham Council under Article 6 to refuse the application or issue a direction to Lewisham Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application. The Mayor has until 11 May 2011 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.

5 The decision on this case, and the reasons will be made available on the GLA’s website [www.london.gov.uk](http://www.london.gov.uk).

## Update

6 At the consultation stage Lewisham Council was advised that the application did not comply with the London Plan, the following changes were set out which could possibly lead to the application becoming compliant with the London Plan:

- **Employment land:** the level of employment space proposed falls well below the level set out in the Council’s emerging Core Strategy.
- **Housing:** an independent appraisal of the financial viability is required, further discussions on the overall low level of affordable housing, the high density, housing mix, housing design standards are still required.
- **Urban design and access:** the applicant should address the urban design and access concerns set out in this report, including the low level of blue badge accessible car parking spaces
- **Noise:** Additional noise mitigation measures may be required for the residential units along the train line.
- **Energy:** Additional information on the energy efficiency measures is required, the applicant should also further explore opportunities to connect to SELCHP and should clearly set out its back up option should such a connection not be achieved. The provision of any photovoltaic panels, green roofs and SUDs should be secured by planning condition.

- **Transport:** The overall level of car parking and car club spaces is acceptable, the potential to introduce a CPZ in the surrounding area should be explored, the impact of this development on the surrounding road network would be minimal, the applicant should provide further detail on travel plans, construction plans and delivery and servicing plans as well as future connections to the future cycle superhighway.

## Land use principle

7 Lewisham Council's Core Strategy policy CS4 requires 20% of the built floorspace to be provided as employment land 'as appropriate to the site and its wider context'. This application delivers 13% employment floorspace. The Mayor previously raised a concern about the ability of this site to deliver additional employment space.

8 In response, the applicant has now undertaken a more detailed review of the ability to deliver additional employment space on site. The review concludes that:

- The proposed layout of buildings across the site achieves a high quality design. A requirement to provide additional employment would compromise this successful design approach. In this regard the proposed design is appropriate to the site and the wider context, which is acceptable.
- A detailed financial review was undertaken, which demonstrates that the provision of any additional employment space would impact on the ability to deliver affordable housing. This appraisal has been independently assessed and the conclusions are acceptable. In line with London Plan policy 8.2 the delivery of affordable housing is one of the Mayor's key priorities for London.

9 Based on this detailed review the local planning authority has accepted the proposed level of employment space on this site, and this approach is acceptable at a strategic planning policy level.

## Housing

10 The application proposes 11% affordable housing by unit, or 17% by habitable room. The applicant has submitted a detailed financial appraisal to justify this proposed level of affordable housing. The appraisal has been independently assessed and the conclusions are acceptable. Should grant funding not become available, the applicant would be required to provide the same level of affordable housing, however, the exact type of affordable housing may change and this has been secured through the section 106 agreement. Given the uncertainty surrounding future levels of affordable housing grant, this approach is acceptable.

11 Since the Mayor's previous comments, the number of units proposed has been reduced from 206 to 199. This includes a reduction in the number of one bed units from 92 units to 70 units; an increase in the number of two bed units from 92 to 100; an increase in the number of three bed units from 12 to 19; and the number of four bed units has stayed the same at 10 units.

12 The overall provision of larger three bed+ units has increased since the Mayor previously reviewed the application. In addition, 22 of the 29 three bed+ units would be affordable units (including all of the four bed units), which is acceptable.

13 The Mayor previously noted that 30% of residential units failed to meet the residential space standards in table 3.3 of the draft replacement London Plan. The applicant has carried out some additional design amendments and provided further information. It has now been demonstrated that only 17% of the units fail to meet the residential space standards. All of these units are one bed private units and none are smaller than 45 sqm. It should also be noted that all

of these one bed units do meet Lewisham Council's adopted residential space standards. Given these circumstances the proposed shortfall is acceptable.

14 The Mayor previously raised a concern about the impact of the train line on the residential units alongside it. A detailed noise report has now been provided, which demonstrates that all of these units are dual aspect and each would have sufficient noise mitigation measures in the windows and facade to reduce the impact of noise from the train line on the internal quality of these units, which is acceptable.

## **Design**

15 The Mayor previously recognised the quality of the proposed design, however further detail was requested on the materials, visuals, street level treatment, play space and access to the parks. The applicant has now provided additional detail addressing each of these concerns.

16 There are two large parks located immediately adjacent the application site, which could accommodate the play needs of older children. The Mayor previously noted that the application should include some 200 sqm. provision of on-site play space for younger children. In response the applicant has demonstrated that the scheme provides 415 sqm. of on-site play space, which is acceptable.

17 The applicant has provided additional information on the materials and detailed views and the local planning authority has secured a condition requiring the approval of the detailed design, which is acceptable.

18 The Mayor requested the applicant include a taxi drop off space, which has now been done and is located on Grinstead Road. This location provides easy access to the buildings from the main road and is acceptable.

19 The applicant has now sought to include a new road crossing, allowing easy access from the site onto Deptford Park. This has been secured via the section 106 agreement and the detail will need to be resolved through a section 278 agreement with the local planning authority and Transport for London and a contribution of £223,595 has been secured for delivery.

20 The Mayor previously requested that a financial contribution be secured to improve the pedestrian environment along Grinstead Road and the railway underpass. In response the Council has secured a contribution of £36,504 to deliver these works, which is acceptable.

21 As part of the section 106 agreement, the Council has also secured a requirement to open the tow path through the site for pedestrian access, subject to the development of adjacent sites for residential and mixed uses, which is acceptable.

## **Access**

22 The scheme includes a total of 59 residential car parking spaces, of which 7 are provided as blue badge spaces. The Mayor previously requested that this level of blue badge parking be increased to 20 spaces. At this stage the provision of 20 spaces has not been committed to although the local planning authority has secured a planning condition requiring 10% of residential units to be designed to meet wheelchair accessible standards. Achieving wheelchair accessible design standards requires the provision of a blue badge accessible space. In this regard, the need to provide 20 blue badge spaces would be addressed via this condition. In addition, the local planning authority has also secured a travel plan that would include a car parking management plan and this issue should be addressed through this plan at the detailed design stage. On balance the application complies with the London Plan in this regard.

## **Transport**

23 The Mayor was previously broadly satisfied that the development was unlikely to negatively impact on either the strategic highway or public transport network. It was however requested that a controlled parking zone (CPZ) be implemented for the surrounding area as part of this application and that future residents should not be eligible for applying for parking permits. In response the local planning authority has secured a review of the parking situation in the area and a £50,000 contribution towards implementing a CPZ should it be required, this approach is acceptable.

24 Whilst some issues were raised in relation to the travel plan, details of these have been subsequently addressed as part of the revised application and secured by conditions prior to commencement on site. The Mayor additionally requested that delivery, servicing and construction management plans be produced. The local planning authority has satisfactorily secured those plans through a section 106 agreement and an appropriate planning condition, which is acceptable.

25 The applicant's commitments to provide a car club scheme, electric vehicle charging, signage, a new crossing to Deptford Park and Folkestone Gardens and improved public realm around the site are welcomed. These measures are seen as crucial to improving linkages and are to key to better accessibility and penetration within the wider area and as such a £173,595 has been secured through the section 106 agreement. All outstanding transport issues have been resolved and the application now complies with the London Plan in this regard.

## **Energy and climate change**

26 The applicant has now provided additional information relating to the energy efficiency and modelling work. This information demonstrates how the scheme would meet 2010 Building Regulation requirements through energy efficiency alone, which is acceptable.

27 As part of the section 106 agreement the local planning authority has secured a requirement for the applicant to seek to connect to SELCHP as a priority, which is acceptable. Subject to the ability to connect to SELCHP, the local planning authority has also secured conditions requiring the provision of a CHP plant to power the scheme, 550 sqm. of photovoltaic panels and 2,999 sqm. of green roof. This approach is acceptable.

## **Response to consultation**

28 In response to the local planning authorities public consultation, a total of three responses were received from local residents, one of which objected and two supported the proposal. The strategic planning policy objections related to impact of traffic on the road network and congestion. This issue has been satisfactorily addressed in this report and the previous report.

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

29 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**

30 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. 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**

31 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.

32 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.

33 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**

34 The principle of this application is acceptable in strategic planning policy terms. The Mayor previously raised a number of issues relating to employment land, affordable housing, car parking, mix of units, design, transport and energy. These matters have now been satisfactorily addressed and the Mayor is content for the Council to determine the case itself.

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# Neptune Wharf, Grinstead Road

in the London Borough of Lewisham

planning application no. DC/10/75331/X

## 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

The applicant proposes the demolition of the existing buildings on site and the provision of 206 new residential units; 1,874 sq.m. of flexible workspace; 99 sq.m. of cafe space; a new public space; an improved connection under the train line; 276 cycle spaces and 60 car parking spaces.

## The applicant

The applicant is **Hatcham (Neptune) Ltd**, and the architects are **Duggan Morris Architects**

## Strategic issues

The Mayor has agreed with Lewisham Council's proposal to release this site from its current designation as local employment land and strategic industrial land, through the LDF process. In this regard, the proposed **mix of uses** are acceptable at strategic planning policy level. However, the local planning authority should be convinced that the proposed level of employment satisfactorily meets its emerging planning policy for this site.

There are however, a number of more detailed planning issues that need to be addressed in more detail, including; the level of **affordable housing**, the **tenure split**, the **housing mix**, the **housing design standards**, **density** the **energy strategy**, the **transport strategy**, **noise** and a number of detailed **urban design and access** concerns.

## Recommendation

That Lewisham Council be advised that whilst the application is generally acceptable in strategic planning terms the application does not comply with the London Plan, for the reasons set out in paragraph 100 of this report; but that the possible remedies set out in paragraph 102 of this report could address these deficiencies.

## Context

1 On 29 September 2010 the Mayor of London received documents from Lewisham 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 9 November 2010 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 Categories 1A, 1B, 1C and 3E of the Schedule to the Order 2008:

- *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.”*
- *“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 outside Central London and with a total floorspace of more than 15,000 square metres.”*
- *“Development which comprises or includes the erection of a building more than 30 metres high and is outside the City of London.”*
- *“Development which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and comprises or includes the provision of more than 2,500 square metres of floorspace (residential and business).”*

3 Once Lewisham 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](http://www.london.gov.uk).

## **Site description**

6 The site is located in the northern part of the London Borough of Lewisham, in a location identified as the north Lewisham regeneration area in the Council's pre-submission Core Strategy. The area surrounding the site is a mix of residential and employment/industrial buildings ranging between 2 and 5-storey. The area also includes a mix of open space and parks and train lines.

7 The application site is 1.14 hectares in size. Deptford Park and Grinstead Road are immediately north of the site, Canal Road and the Surrey Canal tow path, as well as the Deptford train line, are immediately south and west of the site, while further south is Folkestone Gardens. To the east of the site there are a number of 1980's, 4-storey, social-housing buildings.

8 The site is made up of five individual parcels of land and the applicant has now secured ownership of all five plots with the aim of creating one large development site. There are a number of existing single storey warehouse buildings on-site. Due to historical uses, the site is now highly contaminated.

9 Grinstead Road joins the A200 Evelyn Street, which is part of the Strategic Road Network approximately 350 metres east of the site. The nearest Transport for London Road Network is the A2 located further south. Although the site is located between Surrey Quays (Overground services), and Deptford rail stations, those are however not considered to be within acceptable walking distances and around 1 kilometre away. Bus route 225 directly serves the site on Trundley's Road with stops located approximately 100 metre from the site entrance. Three

additional routes however serve the area running along the A200. As a result, it has been demonstrated that the site currently records a poor public transport accessibility level of 2, out of a range of 1-6 where 6 is considered excellent.

## Details of the proposal

10 This is a detailed planning application for the demolition of the existing buildings on site and the provision of 206 new residential units; 1,874 sq.m. of flexible workspace; 99 sq.m. of cafe space; along with 276 cycle spaces and 60 car parking spaces.

11 The buildings are arranged in four parts;

- Three storey mews houses (block G) on the eastern edge of the site
- Perimeter residential block (blocks B, C, D and E) with ground floor commercial space and parking sitting below a raised podium amenity space. Building heights ranging between 4 and 8 storeys
- Two taller, 8 and 12 storey, residential buildings (blocks A and B) alongside the railway, sitting on top a single storey podium with workspace and servicing space
- Small scale workshop space underneath the railway arches with a new cafe/bicycle hub



Image 1: Proposed block arrangement

12 The scheme also includes a new pedestrian/cycle route through the site connecting Deptford Park to Folkestone Gardens. The new route includes a small public space at the centre of the site.

## Case history

13 There is no strategic planning case history for this site.

14 A pre-application meeting between the applicant and officers at the Greater London Authority was held on 26 August 2010.

## Strategic planning issues and relevant policies and guidance

15 The relevant issues and corresponding policies are as follows:

- Land use principle *London Plan; PPS4; Industrial Capacity SPG*

- Housing *London Plan; PPS3; Housing SPG; Providing for Children and Young People's Play and Informal Recreation SPG, Housing Strategy; Interim Housing SPG; Housing SPG EiP draft*
- Urban design *London Plan; PPS1*
- Access *London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Transport *London Plan; the Mayor's Transport Strategy; PPG13;*
- Energy and climate change *London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; the Mayor's Energy Strategy; Mayor's draft Climate Change Mitigation and Adaptation Strategies; Mayor's draft Water Strategy; Sustainable Design and Construction SPG*
- Flooding *London Plan; Mayor's draft Water Strategy; PPS25, RPG3B*

16 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2004 Unitary Development Plan and the London Plan (Consolidated with Alterations since 2004).

17 The following are also relevant material considerations:

- The draft replacement London Plan, published in October 2009 for consultation.
- Lewisham Council's pre-submission stage Core Strategy and Site Allocations

## **Land use principle**

18 The majority of this site is identified as Strategic Industrial Land in annex 2 of the London Plan. London Plan policies 2A.10 and 3B.4 seek to promote, manage and where necessary protect the varied industrial offer of Strategic Industrial Locations. These objectives are re-iterated in policy 2.17 of the draft replacement London Plan (2009).

19 London Plan supplementary planning guidance (SPG) on 'Industrial Capacity' identifies Lewisham as a limited industrial land transfer borough. Consequently, proposals to release industrial land in this area, from its current industrial designation, must be carried out through a managed process and in accordance with the guidance set out in paragraphs 4.11 to 4.13 of this SPG.

20 Lewisham Council's 2004 UDP identifies this site as a Defined Employment Area whereby the Council will grant planning permission for business uses, storage and distribution and (where appropriate) general industrial uses. The Council will not normally grant planning permission for other uses on land so designated, unless satisfactory justification is provided.

21 Lewisham Council has recently finished consulting on its pre-submission stage Core Strategy and Site Specific Allocations DPDs, which are due to be examined in January 2011.

22 Figure 6.4 of the Core Strategy DPD identifies this area of north Lewisham as a 'regeneration and growth area' and also identifies this site as a 'mixed use and employment site', whereby this site should:

- Provide 20% of built floorspace as employment space
- Provide a range of community, leisure and retail facilities
- Achieve high density residential commensurate with its access to public transport
- Achieve a mix of dwelling types and affordable housing

- Create new open spaces

23 In line with the policies in the London Plan and associated SPG, Lewisham Council has provided a detailed 'Employment Land Review' to justify the proposed release of this, and other, industrial sites across Lewisham. There have been a number of detailed discussions on the submitted evidence and the Mayor has now accepted the Council's proposed release of this site from its current industrial land use to that of a new mix of uses. Whilst agreed by the Mayor it should be noted that the Core Strategy and Site Specific Allocations DPDs are due to be examined in January 2011 and as such are not adopted policy documents.

24 The application includes 1,973 sq.m. of employment space and this equates to 13% of total built floorspace, which is below the Council's required 20% provision.

25 The applicant is not proposing to provide the full 20% compliment of employment floorspace due to; a limited demand in this area for this type of employment space; the impact on the financial viability of the scheme from having to provide any additional level of employment space; the quantum of employment space already coming forward on other sites recently released in the north Lewisham regeneration area; the physical site constraints on this site that make the physical provision of any additional employment space difficult. The local planning authority should be satisfied that these site specific arguments are sufficient to justify a variation from the emerging Core Strategy policy.

26 The applicant has indicated that any employment space that remains vacant after 12 months of completion would then be let at a reduced market rent, which would be secured as part of the section 106 agreement. Further information should be provided on this, in relation to how and when rents would be reviewed, eligibility for businesses to access reduced rentals, how this would be monitored and managed. The applicant and local planning authority should consider the feasibility of securing employment space for small, medium enterprises at below market rentals from the outset.

## **Housing**

### Affordable housing

27 London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

28 The scheme proposes a total of 206 residential units and includes a mix of 89% private ownership units and 11% affordable units (20% by habitable rooms). This proposed level of affordable housing is low. To justify this low level of affordable housing, and in line with London Plan policy 3A.10, the applicant has submitted a detailed financial appraisal.

29 This information is currently under review and Lewisham Council has appointed LSH to carry out an independent appraisal. To ensure the Mayor is provided with all the necessary

information to make an informed decision on this application, officers at the Greater London Authority should be proactively involved in this review process and the final reports should be provided to the Greater London Authority for review and further work is required to address this.

30 In particular further discussions are required with regards:

- The influence of a high purchase price for a site on the ability of the applicant to provide affordable housing.
- The impact of providing employment space at a cost to providing additional affordable housing.
- The proposed level of affordable housing is based on an assumption of grant funding from the Homes and Communities Agency. The applicant should clearly set out the impact of not securing grant funding of the delivery of affordable housing on this scheme. A cascade mechanism may need to be agreed that clearly sets out the varying levels of affordable housing to be delivered with and without grant.

### Tenure split

31 London Plan policy 3A.9 identifies a London wide tenure split of 70: 30 social rented: intermediate housing. Draft replacement London Plan (2009) policy 3.12 identifies a London wide need to provide 60% social rented and 40% intermediate housing. Lewisham Council's pre-submission Core Strategy identifies a tenure split of 70: 30 social rented: intermediate, based on local evidence.

32 Within the affordable housing element, the scheme achieves a tenure split of 61: 39 social rented: intermediate by unit, or the equivalent of 65: 35 social rented: intermediate by habitable room. The proposed tenure split is acceptable at strategic planning policy level.

### Housing mix

33 The Mayor has published his statutory Housing Strategy. Policy 1.1C of this strategy identifies a demand for more family sized homes in London, particularly affordable homes. The policy states that 42% of social rented homes and 16% of intermediate homes should be three bedrooms or more.

	No. Dwellings					Total	Habitable Rooms
	S	1b	2b	3b	4b+		Total
<b>Overall</b>	0	92	92	12	10	<b>206</b>	558
<b>Market</b>	0	92	91	0	0	<b>183</b>	457
<b>Affordable</b>	0	0	1	12	10	<b>23</b>	101
<b>Social</b>	0	0	0	4	10	<b>14</b>	66
<b>Intermediate</b>	0	0	1	8	0	<b>9</b>	35

34 Within the affordable housing element the majority of units are provided as larger 3 and 4 bed units, which is supported. However, within the private element all of the units are provided as 1 and 2 bed units, which given the scale of the scheme and in the interest of providing a mix of unit types it is disappointing that the scheme does not include any larger private units.

## Density

35 This is a vertically mixed use scheme and the net residential density has been calculated using the 'Greenwich' method, which acknowledges the inclusion of commercial floorspace within the scheme. The scheme achieves a net residential density of 206 units per hectare or 558 habitable rooms per hectare. London paragraph 3.23 identifies this area as an urban location and the London Plan density matrix table 3A.2 identifies a target density of between 45 and 170 units per hectare, or 200 and 450 habitable rooms per hectare.

36 The proposed density of this scheme is above the London Plan target density for such a site. While in urban London locations it is not unusual for schemes to exceed the density matrix, they are generally only acceptable where they achieve high quality residential units, good urban design and architecture, easy access to good quality amenity space. These issues are reviewed in more detail in the 'Housing design standards' and the 'Urban design and access' sections.

## Housing design standards

37 63 of the 206 residential units fall below the Mayor's minimum space standards for new residential units, which equates to approximately 30% of units. Of these, 54 units are 1 bed / 2 person units, with typical sizes ranging between 45 and 48 sq.m. Pre-application discussions on this site have been underway since August 2010 and it is disappointing that such a high number of units do not meet the Mayor's space standards. There is a concern that the high density is impacting on the size of some of the units.

38 In block A and B, located along the rail line and the busy junction at Grinstead Road and the rail underpass all of the units are designed as dual aspect units, and include noise mitigation measures within their design, which is welcomed. The applicant has provided a noise report, which assesses the noise impact from the train line on these units, and this information is still under review by officers at the Greater London Authority and comments will be provided.

39 On the podium building (blocks C, D, E and F) there are no single aspect north facing units, which is acceptable. However, there are single aspect east and west facing units in blocks C and F. The benefits of providing dual aspect units are set out in the Mayor's draft (EiP) Housing SPG and as such it is disappointing that the scheme includes any single aspect units. The mews units in block G are 2 and 3-storey town houses, which are all dual aspect.

40 The majority of units are provided with private balconies of 5 sq.m or with private garden space. Balconies are not provided where they cause security by design concerns or on the lower floors of block where they directly overlook the train line, which is acceptable. In addition, residents in blocks C, D, E and F have access to a communal raised podium space and the mews area along the southern edge of the site; residents in the mews blocks have access to the mews space. However, residents in blocks A and B do not have access to any communal amenity space, which is disappointing. To address this, it is recommended that the applicant further explore opportunities to provide communal access onto the roof of the podium between blocks A and B.

41 All of the units are provided with some level of internal storage space to allow storage of bulkier goods, which is welcomed.

42 As set out in this section of the report a large number of units fail to meet the Mayor's minimum space standards and this should be addressed, however, it is acknowledged that a large number of units are well designed with no single aspect north facing units, a high proportion of dual aspect units, good access to private amenity space where feasible, and good provision of internal storage space.

## Urban Design

43 The site is part of the north Lewisham regeneration and growth area, whereby new development should provide a mix of uses including employment, higher density housing, good quality environment and public realm, improved connections and social infrastructure.

44 The surrounding area presents a number of design challenges for the applicant. The land to the south of the site is currently designated as Strategic Industrial Land. Directly east is the raised railway line and to the north is the busy Grinstead Road. The boundaries of the site require varying design responses. The proposed design and layout of the site has attempted to respond to these, which is broadly welcomed.

### New public route

45 A key design principle is the provision of a new connection across the site connecting Deptford Park to Folkestone Gardens (under the rail line), which helps improve connectivity between these two green spaces. The buildings along this new route offer good ground level activity and overlooking, which is welcomed.

46 The provision of this connection is supported and makes a welcome alternative to the busy Grinstead Road connection. However, Grinstead Road would still be used and it is suggested that the local planning authority secure a section 106 financial contribution to improve the quality of the Grinstead Road under pass, with improved paving and lighting.

47 The applicant has provided detailed visuals as to the layout and design quality of the route under the railway line and the workshops along it. This information is welcomed and helps demonstrate its design quality.

48 A new cycle hub is located along this new route. The cycle hub is an interesting idea and could help to provide some level of activity in this area. Previously concerns were raised about the security of this part of the site at night time. The applicant has now introduced a more secure design approach which minimises those areas that could be susceptible to anti social behaviour, which is welcomed. The applicant should provide further information on the design and materials of the sliding security gates that would be used to slide across the cycle hub at night time. It is important that this area does not appear overly defensive and sterile at night time.

### Tow path and mews

49 The retained tow path route to the south of the site is welcomed. To ensure permeability in this area of Lewisham, it is recommended that the local planning authority secure future public access along this tow path as part of a section 106 agreement and that this can be opened up as a public route when the sites in the surrounding area are redeveloped.

50 In the interim, the tow path would be closed off to the public and retained as a private mews space, which is acceptable. The applicant has closed off this space and should provide further detail on the gates used.

51 The mews is lined by a number of residential units and this area has the potential to provide a unique and successful housing area behind the main street. It is important that the use of this mews area does not become heavily dominated by servicing vehicles.

52 The mews is backed onto by existing industrial sheds. The applicant is proposing to improve the treatment of these elevations to ensure that the mews street achieves a good level of detailing. The applicant is proposing to screen the back wall of the trading centre building to the

south of the site. The screening would consist of new brick, coloured perforated metal and new bird and bat boxes. The screen would be managed and maintained by the applicant, which is acceptable and should be secured as part of the legal agreement.

53 The layout of the proposed mews buildings have been designed so that it can accommodate future mixed use redevelopment of the Trading Centre to the south and the continued provision of the tow path, which is welcomed.

#### The working mews

54 The working mews is lined by small commercial units both in the railway arches and within building blocks A and B. This working mews should be well used during the day. In response to previous concerns the applicant has now introduced additional residential core entrances at the corners of this route, which would help ensure increased activity along this route at all times of the day, which is welcomed.

#### Grinstead Road

55 The applicant has sought to reinforce the street line along Grinstead Road, which helps enclose Deptford Park, and this is broadly supported. The building layout seeks to introduce new residential and commercial units along this road, which helps activate this busy road.



*View along Grinstead Road*

#### Building heights

56 The buildings are arranged as two perimeter blocks with some smaller scale mews houses. The buildings range in height from 3 to 12-storeys. The proposed heights seek to minimise the impacts of overshadowing from the taller buildings on the public and private amenity spaces. The smaller buildings are located alongside the existing 4-storey houses to the east. The tallest building is located alongside the train line and helps to mark the new connection between Deptford Park and Folkestone Gardens. The proposed heights fit comfortably with the surrounding area and help inform movement across the site.

57 In addition, from the elevations provided, the arrangement of building heights when viewed from along Grinstead Road and Folkestone Gardens help to create an interesting and varied building arrangement that would add a visual interest to the scheme. However, to allow a more complete and robust assessment of building heights the applicant should provide rendered views, of the scheme from the surrounding area, in particular from Deptford Park and Folkestone Gardens. Detailed visuals from these locations have not been provided as part of the submitted application.

58 The general building heights across the site are broadly acceptable at strategic planning policy level. However, the applicant should also confirm that the proposed buildings do not impact on the London View Management Framework protected vista 5A.2 from Greenwich Park.

#### Amenity space

59 The site is surrounded by Deptford Park and Folkestone Gardens, which provide large quantum of highly accessible open space for future residents. The applicant should confirm how and where local residents from this site would cross the busy Grinstead Road to access Deptford Park. It may be necessary to introduce a new pedestrian crossing along this route to aid crossing. The applicant should further explore this opportunity with both TfL and the local highway department. In addition, it may be appropriate for the local planning authority to seek a section 106 financial contribution for improvements to these parks.

60 The proposed raised podium courtyard between buildings C to E is welcomed. The buildings surrounding the space are appropriately scaled to ensure good levels of daylight and sunlight into the space. The arrangement and design of this space is broadly welcomed. However, it should be noted that planting on a raised podium can cause difficulties due to the depth of the soil, and the applicant should confirm that the proposed planting type would be able to grow.

61 The mews space would also be used as amenity space for residents, which is acceptable and could operate as a real home zone so long as the servicing vehicles are kept to a minimum.

62 In addition, the central route provides opportunity for sitting and playing. The applicant should consider options to introduce small scale play equipment at certain locations along this route.

#### Play space

63 Policy 3D.13 of the London Plan sets out that *"the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs."* The Mayor's supplementary planning guidance *'Providing for Children and Young People's Play and Informal Recreation'* includes a methodology that anticipates the number of children that could potentially live in developments. The SPG sets a benchmark of 10 sq.m. of useable child playspace to be provided per child. This space should be provided as a range of different spaces to accommodate the varying needs of all children up to the age of 16.

64 Using the housing breakdown in paragraph 33 of this report, and the methodology in the play space SPG, this development could accommodate in the region of 52 children and as such should provide approximately 520 sq.m. of dedicated child play space

65 Under 5-play space must be provided on-site, which equates to a minimum of 200 sq.m. on site play space, whereas, the play needs of older children can potentially be provided off-site. Where the play needs of older children is be provided off-site, the applicant must provide detail on where this off-site play space is, how these spaces would accommodate cumulative need, how access to these spaces is provided, the design of these spaces and the potential financial contribution.

66 The applicant has shown the play space would be provided on the raised podium space between blocks D and F, in addition child play space would also be provided within the mews space. Also as set out in paragraph 62 there may be some opportunity for additional small scale play space within the new central route. However, in line with London Plan policy 3D.13 the applicant should clearly set out how much child play space is being provided.

## Access

67 Seven blue badge accessible car parking spaces are provided within the servicing area of podium building. To comply with London Plan policy 3A.5 and the provision of wheelchair accessible housing, the scheme should include twenty blue badge parking spaces.

68 To address this concern, the applicant should increase the overall provision of blue badge car parking. If the applicant can satisfactorily demonstrate that this cannot be achieved, and that a higher level of blue badge parking is not necessary on this site, it may be acceptable to secure a blue badge car parking management plan to allow the on-going review and management of the allocation of blue badge car parking spaces to residents.

69 However, all of the blue badge bays are located within the servicing space in the podium building. No blue badge bays are provided for the taller blocks A and B or the for smaller mews buildings. Wheelchair units are provided within these blocks and so blue badge car parking spaces should be located as close as possible to the lifts or front door of these units as possible within these buildings. A further discussion on this is required.

70 The applicant should show how and where taxi drop off would be accommodated along Grinstead Road.

71 The applicant has confirmed that 100% of units would be designed as Lifetime Homes units and that 10% would be provided as wheelchair accessible homes. The applicant has provided plans showing appropriate turning circle sizes, which is acceptable. The provision of these units should be secured by an appropriate planning condition.

## Transport

### Car Parking

72 Given the already congested nature of the surrounding highway network, TfL supports the low provision of car parking on site, in line with the London Plan standards contained in policy 3C.21 'Parking Strategy' and draft replacement policy 6.13 'Parking'. The 60 car parking spaces proposed (0.29 per residential unit), 2 of which are car club spaces, which is acceptable. Given the lack of existing parking restrictions and in line with the other redevelopment sites in the area, TfL would reiterate its request for the implementation of a Controlled Parking Zone (CPZ) around the site prior to occupation of the development to mitigate the impact of potential overspill parking. This should be secured through the section 106 agreement and future residents should be excluded from eligibility for a permit.

73 The applicant is proposing that 12 parking spaces be equipped with electric vehicle charging points with an additional 12 passive spaces available, which is welcomed as compliant with draft replacement London Plan policy 6.13 'Parking'. This should be secured by condition.

### Traffic & Public Transport Impact

74 Given the location, the scale and the nature of the proposal, it is accepted that the development on its own will be unlikely to generate significant highway impact on the network. Similarly, the identified additional public transport demand expected to be generated by the site, mainly on rail and local bus services, is considered to be reasonable and could be accommodated on the existing network.

75 The applicant has undertaken a condition survey of all bus stops located within 400 metres of the site, which has shown that no further improvements are required.

### Walking and Cycling

76 The measures proposed and identified as part of the redevelopment of the site, both in terms of pedestrian and cycle improvements, are all strongly supported. These include the provision of a new connection across the site and under the railway lines opening up the existing viaducts adjacent to the site and Folkestone Gardens, a lighting and signage strategy, improvements to the Grinstead Road underpass and a cycle hub unit at the centre of the site. This is also in line with the borough's aspirations, as contained in the North Lewisham Transport Strategy, to significantly improve links and facilitate the site's penetration, while also unlocking access to residential developments in the area.

77 TfL welcomes the cycle parking provision suggested on site for the residential use in compliance with TfL's cycle parking standards, together with the cycle hub unit. TfL also recommends the provision of showering and changing facilities for the non-residential uses, in order to further encourage cycling to the site. TfL would also request clarification on how the improvements suggested to the cycle environment on the site will link into the wider cycle network, including the Cycle Superhighway on Evelyn Street.

### Travel Planning

78 A tool has now been developed whereby the travel plan can be assessed by the author before it is submitted to TfL for review. This is available free on-line at [www.attrbute.org.uk](http://www.attrbute.org.uk).

79 In this instance, the submitted travel plan has failed its ATTrBuTE evaluation and several key changes must be made before the travel plan is considered acceptable. Details need to be provided on how the travel plan will be secured and funded. TfL also recommends that the travel plan is iTRACE compliant to support the continued development and monitoring of the travel plan. The travel plan needs to be secured, managed, monitored and enforced through the section 106 agreement. Further information on this has been provided by TfL directly to the borough.

### Construction and Servicing

80 Given the scale of the development, the submission of a delivery and servicing plan and a construction logistics plan are required. The construction plan should identify efficient and sustainable measures that will be undertaken during construction of the development, whilst the delivery and servicing plan should be concerned with the efficient and sustainable operation of the site after construction. Each plan will nevertheless need to include information on: i) booking systems (to minimise peak time deliveries) and/or concierge services (to reduce return deliveries from residential on-line shopping), ii) consolidated or re-timed trips, iii) secure, off-street loading/waiting and drop-off facilities, iv) using operators committed to best practice, demonstrated by membership of TfL's freight operator recognition scheme, or similar.

81 Confirmation provided within the Transport Assessment report that these documents will be provided is welcomed and it is recommended that these are secured through either condition or the section 106 agreement.

## Energy and climate change

### Energy efficiency standards

82 A range of passive design features and demand reduction measures are proposed that would reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved well beyond the minimum backstop values required by building regulations. Other features include mechanical ventilation with heat recovery systems and energy efficient lighting.

83 Based on the information provided, the proposed development falls marginally short of 2010 Building Regulations compliance after adopting energy efficiency measures. The applicant should investigate further measures that would enable the development to exceed 2010 Building Regulations compliance through energy efficiency alone. For example the specifications set out in the Zero Carbon Hub Fabric Energy Efficiency Standard could be useful in achieving this.

84 The applicant should confirm the annual tonnes of regulated carbon dioxide emissions for the development after the adoption of energy efficiency measures and at the other stages of the energy hierarchy.

### District heating

85 The applicant has investigated the availability of external district heating networks and is committed to connecting to the nearby SELCHP plant should a district heating network be developed to distribute its heat and commercial terms for connection can be agreed. This should continue to be prioritised.

86 The development will be served by a site wide heat network serving all the residential and commercial elements. The network would be supplied with heat from a single energy centre. The applicant has provided a detailed drawing showing the layout of the energy centre.

87 In the event that a connection to a district heating network supplied by heat from SELCHP becomes available, the space within the energy centre currently allocated for onsite top-up boilers will be used to accommodate heat connection equipment.

### Combined Heat and Power

88 In the event that the connection to SELCHP is not available, the applicant is proposing the installation of a 65 kilowatt gas fired combined heat and power plant as the lead heat source within the energy centre. Load profiles have been provided to support the sizing of the combined heat and power plant and this indicates that 70% of the total thermal load will be provided in this way.

89 The development is estimated to emit 375 tonnes of carbon dioxide emissions per annum after the application of combined heat and power and a reduction in carbon emissions of 94 tonnes per annum (20%) would be achieved by the combined heat and power plant, which is acceptable.

### Cooling

90 The applicant is proposing to use passive design measures including the use of solar control glazing where required, to limit the risk of overheating. No active cooling is proposed for the residential units or as part of the base build for the commercial units, and this is acceptable.

### Renewable energy technologies

91 In the event that the connection to SELCHP does not proceed and an onsite combined heat and power plant is installed, the applicant is proposing to install 550 sq.m. of photovoltaic panels to achieve a reduction from renewable energy. Roof drawings have been provided showing the locations of the panels. A reduction in carbon emissions of 29 tonnes per annum (6%) would be achieved through the use of photovoltaic panels, which is acceptable and should be secured by planning condition.

### Climate change mitigation

92 The applicant has provided a detailed roof plan showing that all roof space has been given over to green roofs, accessible roof terraces or photovoltaic panels. The inclusion of green roofs is in line with London Plan policy 4A.11 and should be secured by an appropriate planning condition.

93 The applicant proposes to incorporate the use of SUDs to attenuate flows such as online culvert storage or online cellular storage blocks in open space areas or lightly trafficked areas. This is to be welcomed and is in line with London Plan policy 4A.14 and policy 5.13 of the draft replacement London Plan and should be secured using a planning condition. The applicant should explore the possibility of using infiltration techniques or 'soak-aways' to discharge surface water run-off in the nearby park to limit surface water flows in the combined sewer.

### **Flood risk**

94 A Flood Risk Assessment has been carried out as part of this submitted application. The site lies in flood zone 3a and is protected to a high standard by the tidal flood defences of the River Thames. This means that the residual risk of flooding is low.

95 The applicants propose to put in place an evacuation procedure and warning. This is welcomed. The applicants should also ensure that ground floor and basement will remain safe in the event of a flood.

### **Noise**

96 The applicant has provided a detailed noise report, which is currently under review with regards the impact of the train line on the residential units in blocks A and B, and comments will be provided.

### **Local planning authority's position**

97 The view of the local planning authority is not known at the time of writing this report.

### **Legal considerations**

98 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. 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

99 There are no financial considerations at this stage.

## Conclusion

100 London Plan policies on land use and strategic industrial land, housing, urban design, access, energy and climate change, transport, flood risk are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Strategic Industrial Land:** The proposed release of this SIL site in Lewisham Council's Core Strategy for redevelopment as a mixed use site has been accepted by the Mayor at pre-submission stage.
- **Employment land:** the level of employment space proposed falls well below the level set out in the Council's emerging Core Strategy.
- **Housing:** the overall level of affordable housing is low, the high density of the scheme, the housing mix includes a large number of one and two bed private units, the unit sizes are small with a large number falling below the Mayors minimum space standards
- **Urban design and access:** the scheme achieves a good quality design and architectural treatment. There are a number of minor urban design and access issues that need to be addressed, including the low level of blue badge accessible car parking spaces.
- **Noise:** impacts of the train line on the residential units in blocks A and B are still being assessed.
- **Energy:** Additional information on the energy efficiency measures is required, the applicant should also further explore opportunities to connect to SELCHP and should clearly set out its back up option should such a connection not be achieved. The provision of any photovoltaic panels, green roofs and SUDs should be secured by planning condition.
- **Transport:** The overall level of car parking and car club spaces is acceptable, the potential to introduce a CPZ in the surrounding area should be explored, the impact of this development on the surrounding road network would be minimal, the applicant should provide further detail on travel plans, construction plans and delivery and servicing plans as well as future connections to the future cycle superhighway

101 Whilst the application is broadly acceptable in strategic planning terms, on balance, the application does not comply with the London Plan.

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

- **Employment land:** the level of employment space proposed falls well below the level set out in the Council's emerging Core Strategy.
- **Housing:** an independent appraisal of the financial viability is required, further discussions on the overall low level of affordable housing, the high density, housing mix, housing design standards are still required.
- **Urban design and access:** the applicant should address the urban design and access concerns set out in this report, including the low level of blue badge accessible car parking spaces
- **Noise:** Additional noise mitigation measures may be required for the residential units along the train line.

- **Energy:** Additional information on the energy efficiency measures is required, the applicant should also further explore opportunities to connect to SELCHP and should clearly set out its back up option should such a connection not be achieved. The provision of any photovoltaic panels, green roofs and SUDs should be secured by planning condition.
- **Transport:** The overall level of car parking and car club spaces is acceptable, the potential to introduce a CPZ in the surrounding area should be explored, the impact of this development on the surrounding road network would be minimal, the applicant should provide further detail on travel plans, construction plans and delivery and servicing plans as well as future connections to the future cycle superhighway.

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