

<b>Item No.</b> 8.1	<b>Classification:</b> OPEN	<b>Date:</b> 08 November 2016	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>	Development Management planning application: Council's own development Application 16/AP/3075 for: Council's Own Development - Reg. 3  Address: 91-93 PECKHAM HIGH STREET, LONDON, SE15 5RS AND PECKHAM SQUARE  Proposal: Redevelopment comprising the removal of the Peckham Arch and redevelopment of the southern part of the square (including 91-93 Peckham High Street) to provide a mixed use scheme comprised of two buildings of 4 and 6 storeys to provide 19 residential (Class C3) units, 255 sqm of gallery (Class D1) space, 201 sqm of co-work (Class B1) space, and 82 sqm of flexible office(Class B1)/Retail(Class A1) with ancillary covered cycle storage and enclosed refuse storage		
<b>Ward(s) or groups affected:</b>	Peckham		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 03/08/2016		<b>Application Expiry Date</b> 02/11/2016	
<b>Earliest Decision Date</b> 04/09/2016			

## RECOMMENDATION

1. That planning permission be granted subject to the completion of an appropriate legal agreement and conditions.
2. That in the event that the legal agreement is not completed by 31 January 2017, the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 107of the report.

## BACKGROUND INFORMATION

### Introduction to the Proposed Development

3. The proposed development site covers the southern entrance to Peckham Square from Peckham High Street and is for the redevelopment of the site for a mixed-use development arranged in two new buildings and existing floor space within nos.91-93 Peckham High Street. This proposal will involve the removal of the arch that currently provides a canopy over the entrance to the square. The existing arch, which occupies the site, was completed in 1995 and was designed to act as a structure signifying the beginning of the regeneration works to the northern edge of Peckham Town Centre. This further investment came with the completion of the Pulse Leisure Centre and the Peckham Library. More recently the Council Planning Committee have resolved to grant planning permission subject to the completion of a s106 legal agreement for the Mountview Drama School on the site immediately to the north of the library. The Mountview Academy will complete the northern edge of the square and continue the positive works to the town centre that began with the Arch, Leisure Centre and Library.

4. The vision for Peckham Square, as with other public realm proposals in the Peckham and Nunhead Action Area, is to further develop these spaces as safe and secure environments which help create a sense of place and encourage a variety of activities. Given the limited quality of the materials and their durability, it would appear that the arch was intended as a temporary measure to act as a catalyst to further investment within the town centre and specifically around the proposed library square. Given the developments referred to in the paragraph above, the arch has served its purpose and the square is continuing to develop into the well used public space that it was intended for. The proposed development seeks to build on the success of existing developments while also delivering the wider aim of improving the quality and use of Peckham Square, to help fully realise the potential of the space as a major civic space.
5. To achieve this the proposed development would replace the existing truncated flank walls with active frontages at ground floor and overlooking residential units, enhancing the visual connection between Rye Lane, Surrey Canal Walk and the Library Square and providing a mix of uses that would help realise the vision of making Peckham Library Square a major civic space within Peckham Town Centre. These proposals sit within wider proposals for the square which are set out in an illustrative masterplan that has been produced by Carl Turner Architects. A further planning application for alterations to the northern section of the square will be submitted following further public consultation.

#### **Site location and description**

6. The site is on the north side of Peckham High Street and includes the southern edge of Library Square. The site is located within the Rye Lane Conservation Area, which is divided into two sub areas and this site is within the Peckham High Street and Peckham Square sub area. This sub-area has buildings from 17<sup>th</sup> Century through to the 20<sup>th</sup> Century. Peckham High Street forms part of the Transport for London Road Network (TLRN). The site has an area of 0.2667ha.
7. The site is included in the Peckham and Nunhead Area Action Plan (PNAAP) which was adopted in 2014. The plan identifies the need for more and varied uses surrounding the square to fully realise its potential as a major civic space as well as expanding the town centre as creative and cultural hub through improved cultural space around Peckham Square. The vision for Peckham set out in this document states that Peckham Square will be enlivened and improved as a focus for the community.
8. The Peckham Library Square was redeveloped approximately 20 years ago when the arch was installed. The neighbouring Peckham Pulse and the Peckham Library were completed in the late 1990s and early 2000s.

#### **Details of proposal**

9. The proposed development is for the removal of the existing arch and the temporary Peckham Platform gallery space and the redevelopment of the site with the erection of two new buildings either side of the entrance to the square from Peckham High Street. The proposed development is comprised of two sites either side of the opening from Peckham High Street.



10. Site one is on the eastern side of the opening and will involve the erection of a four storey building attached to the west flank wall of no. 93 Peckham High Street together with the conversion and refurbishment of the buildings at 91-93 Peckham High Street. This will contain a 340sqm public gallery (use class D1) on the ground floor and six flats above (two of which are maisonettes proposed within the existing buildings). The new development will have active frontages on the north elevation fronting onto Peckham High Street and to the south and west fronting onto the square.
11. Site 2 is on the western side of the opening and will involve the erection of a part four storey/part 6-storey building attached to the flank wall of the neighbouring building at 77 Peckham High Street. This building is set back 9.5m from the front wall of the neighbouring building at ground floor level while the upper two storeys are set back a further 10.7m from the main frontage of the proposed building and 20.12m from main frontage of the neighbouring building. The building will contain 207sqm of office co-working space (Use Class B1) at the ground floor level and 13 (5 x 1-bed, 5 x 2-bed and 3 x 3-bed) residential units above.
12. The combined development incorporating both sites includes the provision of nine affordable housing units which will include six social rent units and three shared ownership units. The proposed development is a 'car-free scheme' and will provide 38 cycle parking spaces.
13. The proposed development site also includes land that forms part of the existing square that will be redeveloped as part of this application to bring improvements to the square. The main alterations include the removal of the arch and gallery and existing steps, revised layout with quieter pedestrian area in the north east part of the square and a more central route that can be used by (but not solely) cyclists travelling between Surrey Canal Walk and Rye Lane. Additional area of public realm is also provided adjacent to the pedestrian and cyclist crossing on Peckham High Street.
14. **Planning history**

06/CO/0061 Application type: Council's Own Development - Reg. 3 (REG3)  
 Erection of a new single storey building for use as an art gallery to be situated next to the 'Peckham Arch' and the construction of a public toilet, to be built out of 4 elliptical angled cones forming a 10m high structure adjoining Peckham Square, installation of shed to be used as art store.

Decision date 03/08/2006 Decision: Granted (GRA)
09/AP/0220 Application type: Advertisement Consent (ADV) Two permanently fixed 'Peckham space' Logos with arrows on proposed art gallery (associated reference 09-CO-0219) Decision date 20/04/2009 Decision: Granted (GRA)
09/AP/0219 Application type: Council's Own Development - Reg. 3 (REG3) Erection of a new single storey building for use as an art gallery: to be located next to the Peckham Arch, together with an ancillary office space and disabled toilet. (Amendments to previous consent 06-CO- 0061) Decision date 06/05/2009 Decision: Granted (GRA)
09/AP/2076 Application type: Advertisement Consent (ADV) Display of two permanently fixed 'Peckham Space' logos, and two areas for display of information/advertisement in connection with the use of the Peckham Space, to be externally illuminated. Decision date 19/11/2009 Decision: Granted (GRA)
09/AP/2075 Application type: Council's Own Development - Reg. 3 (REG3) Erection of a new single storey building for use as an art gallery: to be located next to the Peckham Arch, together with an ancillary office space and disabled toilet. Decision date 21/01/2010 Decision: Granted (GRA)
10/AP/0632 Application type: Approval of Details - Article 30 DMPO (AOD) Details of the shutter for the front elevation as required by Condition 4 of planning permission for Council's Own Development dated 21/01/2010 - LBS Registration No 09-AP-2075 for redevelopment of site involving the retention of the existing building with public house (A4) on the ground floor and the provision of 4 x 1 and 3 x 2 bed flats (7 units) on the upper floors together with the erection of a 5 storey side and rear extension, and mansard roof extension to create an additional storey. Decision date 23/04/2010 Decision: Granted (GRA)
10/AP/0630 Application type: Approval of Details - Article 30 DMPO (AOD) Details of the external materials as required by Condition 2 of planning permission for Council's Own Development dated 21/01/2010 - LBS Registration No 09-AP-2075 for erection of a new single storey building for use as an art gallery: to be located next to the Peckham Arch, together with an ancillary office space and disabled toilet. Decision date 23/04/2010 Decision: Granted (GRA)
13/AP/4231 Application type: Council's Own Development - Reg. 3 (REG3) Change of use from Sui Generis use to A1 Retail with continuing use of first and second floor as B1 Office Decision date 17/02/2014 Decision: Granted (GRA)
15/EQ/0398 Application type: Pre-Application Enquiry (ENQ) Removal of arch and proposed redevelopment to provide a mixed use development comprising 2 buildings (Building 1 adjacent to nos. 89-93 Peckham High Road and Building 2 adjacent to No. 79 Peckham High Road) ranging from 4 to 5 storeys in height providing 17 residential units (Class C3) and 542sqm of commercial floor space with associated landscaping and alterations to the public realm around Peckham Square. Decision date 22/01/2016 Decision: Pre-application enquiry closed (EQC)
16/EQ/0045 Application type: Pre-Application Enquiry (ENQ) Demolition of arch structure and prefabricated building at 89 Peckham High Street.

Refurbishment of 91 and 93 Peckham High Street and new development to provide a mixed use scheme comprising up to 19 residential units, ground floor commercial for B1, A1 and A3 uses, D1 non-commercial gallery space and associated landscaping. Decision date 24/03/2016 Decision: Pre-application enquiry closed (EQC)

### **Planning history of adjoining sites**

15. 16/AP/2649. Application type: Full Planning Permission (FUL)  
Construction of part three/part four/part five storey building for to provide a School of Theatre Arts comprising teaching, rehearsal and administrative accommodation and theatre (Class D1), and cafe/restaurant/bar (Class A3/A4) with associated landscaping to Peckham Square and Peckham Hill Street. Provision of new vehicular access from Peckham Hill Street with associated servicing, disabled parking, cycle and refuse storage areas.  
Recommended for approval pending the signing of section 106 agreement. Resolution to grant was received at planning committee on 28/09/2016.

### **KEY ISSUES FOR CONSIDERATION**

#### **Summary of main issues**

16. The main issues to be considered in respect of this application are:
- a) Principle
  - b) Design and Conservation
  - c) Housing
  - d) Quality of Residential Accommodation
  - e) Impact on amenity of neighbouring residents
  - f) Transport Issues
  - g) Section 106/Planning Obligations
  - h) Sustainability
  - i) Other Matters.

#### **Planning policy**

17. National Planning Policy Framework (the Framework)
1. Building a strong competitive economy
  2. Ensuring the vitality of town centres
  4. Promoting sustainable transport
  6. Delivering a wide choice of high quality homes
  7. Requiring good design
  8. Promoting healthy communities
  10. Meeting the challenge of climate change, flooding and coastal change
  12. Conserving and enhancing the historic environment
18. The London Plan 2016
- 2.15 Town Centres
  - 2.18 Green infrastructure: the multifunctional network of green and open spaces
  - 3.2 Improving health and addressing inequalities
  - 3.4 Optimising housing potential
  - 3.5 Quality and design of housing developments
  - 3.6 Children and young people's play and informal recreation facilities
  - 3.8 Housing choice
  - 3.12 Negotiating affordable housing on individual private residential and mixed use schemes.

- 3.13 Affordable housing thresholds
- 3.16 Protection and enhancement of social infrastructure
- 4.6 Support for and enhancement of arts, culture, sport and entertainment
- 4.7 Retail and town centre development
- 4.8 Supporting a successful and diverse retail sector and related facilities and services
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.5 Decentralised energy networks
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.21 Contaminated land
- 6.3 – Assessing effects of development on transport capacity
- 6.9 – Cycling
- 6.10 – Walking
- 6.13 – Parking
- 7.1 – Lifetime neighbourhoods
- 7.2 – An inclusive environment
- 7.3 – Designing out crime
- 7.4 – Local character
- 7.5 – Public realm
- 7.6 – Architecture
- 7.8 – Heritage assets and archaeology
- 7.14 – Improving air quality
- 7.19 – Biodiversity and access to nature

19. Core Strategy 2011

- Strategic Policy 1 – Sustainable development
- Strategic Policy 2 – Sustainable transport
- Strategic Policy 3 – Shopping, leisure and entertainment
- Strategic Policy 4 – Places for learning, enjoyment and healthy lifestyles
- Strategic Policy 10 – Jobs and businesses
- Strategic Policy 11 – Open spaces and wildlife
- Strategic Policy 12 – Design and conservation
- Strategic Policy 13 – High environmental standards.

Southwark Plan 2007 (July) - saved policies

20. The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

- Policy 1.1 – Access to employment opportunities
- Policy 1.7 – Development within town and local centres

- Policy 1.11 – Arts, culture and tourism uses
- Policy 2.2 – Enhancement of community facilities
- Policy 2.5 - Planning obligations
- Policy 3.1 – Environmental effects
- Policy 3.2 – Protection of amenity
- Policy 3.3 – Sustainability assessment
- Policy 3.4 – Energy efficiency
- Policy 3.6 – Air quality
- Policy 3.7 – Waste reduction
- Policy 3.9 – Water
- Policy 3.12 – Quality in design
- Policy 3.13 – Urban design
- Policy 3.14 – Designing out crime
- Policy 3.16 – Conservation Areas.
- Policy 3.19 – Archaeology
- Policy 3.28 – Biodiversity
- Policy 5.2 – Transport Impacts
- Policy 5.3 – Walking and Cycling
- Policy 5.6 – Car parking.

21. Supplementary Planning Documents

- Sustainable design and construction SPD (2009)
- Sustainability assessments SPD (2009)
- Sustainable Transport SPD (2010)
- Residential Design Standards SPD (2011)
- Rye Lane Conservation Area Appraisal
- Section 106 planning obligations and community infrastructure levy (CIL) SPD (2015)

Peckham and Nunhead Area Action Plan (2014)

22. The Peckham and Nunhead area action plan (PNAAP) was adopted on 26 November 2014 and sets out the planning framework that will help to deliver long lasting improvements to Peckham and Nunhead over the next 15 years. Part of the PNAAP vision is that Peckham will be a place with attractive and pleasant neighbourhoods, surrounding a lively town centre that meets the needs of a very diverse community. The site is situated within the Action Area Core.

**Principle of development**

23. The proposed development would deliver the following planning policy requirements and benefits for the wider Peckham Area:
- Provision of new residential accommodation including an above policy affordable housing contribution
  - New cultural facility in the form of gallery space.
  - Increase activity and overlooking of public space.
  - Improvements and measures to limit conflict between pedestrians and cyclists using the space.
  - Installation of new traditional shop fronts to existing shops at 91 and 93 Peckham High Street.
24. The National Planning Policy Framework (2012) states that development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan and every decision. The NPPF states that to deliver the social, recreational and cultural facilities and services the community

needs, planning decisions should, among other criteria, plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments and ensure an integrated approach to considering the location of housing, economic uses and community and facilities.

25. Policy 2.15 of the London Plan sets out the strategic approach to town centres, including the need to sustain and enhance the vitality and viability of town centres and to contribute towards an enhanced environment, urban greening, public realm and links to green infrastructure. Policy 3.16 supports development proposals which provide high quality social infrastructure. These facilities should be accessible to all sections of the community and be located within easy reach by walking, cycling and public transport. In addition to this London Plan policy 3.18 supports development proposals which enhance education and skills provisions.
26. The Core Strategy vision for Peckham town centre recognises that it will continue to play a major role in Southwark, providing a mix of activities through the day for both local residents and visitors. This is supplemented by policy 27 of PNAAP which states that additional floor space for arts/cultural/leisure and entertainment will be encouraged for site specific allocations and around the Library Square. This policy also states that new and improved business floor space will be supported within the town centre.
27. The proposed development would provide a mix of uses including 340sqm of gallery (Use Class D1) floorspace and 207sqm of flexible workspace (Use Class B1) both fronting onto Library Square, and 82sqm of flexible commercial/retail space fronting onto Peckham High Road. This will provide a range of uses and activities that would provide additional activity within the northern section of the town centre as well as enlivening the edges of the Square. This would accord with the intentions of PNAAP which identifies the opportunity to expand the reputation of Peckham with improved cultural space at the Square.
28. The provision of residential accommodation on the upper floors of the proposed buildings is also supported in policy 27 of PNAAP.

### **Design issues**

29. The key design and conservation policies that apply include sections 7 'Requiring good design' and 12 'Conserving and enhancing the historic environment' of the NPPF (2012), Strategic Policy SP12 Design and conservation, of the Core Strategy (2011) and saved policies 3.16 'Conservation Areas' and 3.18 'Setting of conservation areas, listed buildings and world heritage sites', of the Southwark Plan (2007). All these policies require that development avoids causing harm to heritage assets and their settings, reflects local distinctiveness in design and conserves or enhances the character and appearance of conservation areas, listed buildings and heritage assets and their settings.

### Access and Site Layout

30. The proposal is located on Peckham High Street in the Rye Lane Peckham Conservation Area. The sites back onto in the 'civic' heart of Peckham and Peckham Square which includes the distinctive Peckham Library building and the Leisure centre. It is arranged in two parts and retains the existing route to the Square from the High Street. On the east side of the route is proposed a terraced development of commercial properties adjacent to 91 Peckham High Street and on the western side a mixed use development adjacent to the Public House at 77 Peckham High Street.
31. The proposed site layout increases the area of level public realm on the north side of

Peckham High Street directly adjacent to the pedestrian crossing, narrowing the gap between the built form either side of the entrance to the square and altering the layout of the square to provide quieter pedestrian area in the south east part of the square and providing an amended route for pedestrians and cyclists seeking to moving between Rye Lane and Surrey Canal Walk.



32. The proposed buildings are designed so that the ground floor layout provides windows and active frontages on three elevations, two of which front onto the square and one fronting onto Peckham High Street. The entrances to the proposed gallery are situated on the west elevation facing towards site two while the entrance to the workspace will face east towards site one. These features together with the residential uses will increase overlooking and informal surveillance of this space.
33. The access to the residential units and the smaller commercial/retail units at site one will be from Peckham High Street. While at site two the residential units will be accessed from a small yard accessed from the square to the north. While this is on the rear part of the building it will not constitute a secondary or hidden access as the rear elevation is situated directly adjacent to the square and the entrance to the Pulse and will be overlooked by the proposed residential above and the work space on the ground floor.
34. The proposal seeks to provide active uses on all its external facades. Indeed, one of the positive aspects of the proposal is that it establishes a new frontage onto the Square to the rear of 91 Peckham High Street. This arrangement is appropriate for this important civic location and is a pattern which could be encouraged on the neighbouring sites which currently turn their backs onto the Square.

Scale, height and massing

35. The development is arranged in two parts. The first seeks to extend the existing Shards Terrace to the east with a modest three/four storey building which wraps around onto Peckham Square and matches the scale and rhythm of the terraced properties. The second is a four/six storey block adjacent to 77 Peckham High Street, a fine stucco-fronted public house and building of significant townscape merit.



36. The two buildings are designed to complement each other, stepping down where they face the context of Peckham High Street and rising to the rear of the site where they establish new frontages onto Peckham Square. The step in scale is appropriate in this context and reflects the more modest scale of Peckham High Street as opposed to the more civic scale of Peckham Square. The large space between the two parts is landscaped to accommodate the reinstated Canal Head route including cycle and pedestrian routes. In this way, the proposal has been arranged sensitively to respond to its urban setting and to reinforce the setting of the Library and Peckham Square.
37. The height and massing of the two buildings is appropriate in the context of Peckham High Street and the Rye Lane Peckham Conservation Area. It complies with the guidance in the conservation area appraisal, it repairs the large blank flanks exposed by the earlier loss of buildings, establishes important new active frontages onto Peckham Square, and does not appear overly dominant in this sensitive historic context. In addition the information submitted with the application demonstrates that it will not harm the setting of the listed buildings to the south.
38. The NPPF highlights the importance of heritage assets and requires that developments conserve or enhance heritage assets *and* their settings. Where there is harm to a heritage asset or its setting a development should be refused. In this case the proposal is not considered to cause any harm to heritage assets. Indeed the substantial public benefits of this development, the provision of a substantially improved public route, opening up of views within the conservation area and the significant improvements to the civic setting of Peckham Square, can be taken into consideration in the balance when considering the impact of a development on its historic setting.

#### Detailed Design

39. The saved policies of the Southwark Plan reinforce the principles of the NPPF which highlights the importance of good design. Good design is intended to reinforce the character of the context, responding to its urban setting, creating an attractive place. The proposed architectural design is assessed on its fabric, function and geometry.
40. The proposed fabric responds to the historic character of the conservation area. Brick is proposed as a facing material for the main body of the buildings with a pigmented concrete facing with large flush shop windows is proposed for the base and parapet. Brick is proposed to be used in different ways to reflect the varying nature of the two

buildings. On site 1 a band of soldier-coursed brick is used to form the fascia to reflect the commercial character of this building and emphasise the shop frontages. On Site 2 a similar full-height band of soldier course brickwork is used on the top floor to give this taller building an appropriate top. A light grey brick has been selected by the architects for the main part of the building to reflect the industrial heritage of the area and this, together with the pigmented concrete and window frames, could be reserved by condition if necessary. The fabric is considered to be appropriate and suitable for this civic location.

41. The design is simple and functional, and expresses the separate parts of the development appropriately. The layout is logical and will shape to the public realm utilising an appropriate industrial warehouse character which is evocative of the area's industrial heritage. This blend of function and geometry complements the scheme appropriately and gives the scheme a confident presence which is appropriate in this civic setting.

Removal of Arch and impact on Heritage Assets.

42. The proposed development would involve the removal of the existing archway, a modern steel and profiled metal canopy structure, which currently dominates the views of the area especially views of the Square from Peckham High Street. This is the historic heart of the conservation area and the arch, constructed in the 1990s, is not identified as having any particular historic significance. The loss of the arch is therefore considered to cause less than substantial harm to the character and appearance of the conservation area as a whole.
43. The NPPF(2012) sets out how and LPA can consider such harm to a heritage asset in paragraph 134 which sets out that less than substantial harm should be weighed against "*the public benefits of the proposal, including securing its optimum viable use*". All this has to be considered in the context of a conservation area, that the removal of arch can only be approved, if the council is satisfied with the quality and design of the scheme that will replace it. Officers are satisfied that, the substantial public benefits of the proposal: the significantly improved Canal Head route; the improvements to Peckham Square; and the significant improvements to the amenity of the conservation area; delivered by the proposed development, can be considered as sufficient justification for the loss of the arch in accordance with the NPPF.
44. The existing historic buildings at nos. 91 and 93 Peckham High Road are proposed to be restored, complete with historic shop fronts, timber sliding sash windows and façade repairs. These improvements are intended to bring 91 and 93 Peckham High Street back to the original condition and could improve the appearance of Shards Terrace as a whole by setting the benchmark for this important frontage.



45. The nearest listed building is across the way at 58 Peckham High Street. This proposal is located across the road and further along Peckham High street and does not affect the setting of this important listed building. On the opposite side of Peckham High road towards Rye Lane, is the former Jones and Higgins building, a local landmark with its distinctive clock tower and noted in the conservation area appraisal. This proposal, especially the proposed removal of the arch, is likely to open up views of this historic building from the Library in Peckham Square as well as increasing the visual connection between Rye Lane, Surrey Canal Walk and Peckham Square in accordance with policy 29 of PNAAP.

#### Public Realm

46. The public realm associated with this proposal is comprehensive and encompasses not just the spaces around the proposed buildings but also Peckham Square – including the Leisure Centre frontage – and could help give this place a consistent treatment whilst addressing the varied requirements of resident, visitors and students including pedestrians and cyclists.
47. The proposed development will result in a reduction in the total area of public realm from 2181.49sqm to 1818.76sqm. This is due to the proposed development partially infilling space that is currently covered by or directly adjacent to the arch. This is considered to be acceptable as the alterations are designed to bring wider benefits to the square through the provision of buildings with active frontages around the square, encouraging more activity within the northern section of the square and increase in the area of public realm around the existing congested crossing on Peckham High Street.
48. The eastern edge of the square is currently defined by a chain-link fence adjacent to the rear servicing yard for the properties on the corner of Peckham High Street and Peckham Hill Street. The proposed development would relocate the 'Peckham Peace Wall' from its existing location on the western edge of the square, to the east side adjacent on boundary of the service yard. This will act as a screen over the existing service yard as well as providing a colourful public art backdrop to the proposed seating area in the south east corner of the square.
49. In line with PNAAP policies 2, 5 and 27 the Council will continue to support regular markets within the square as well as promoting the space as the focus for cultural events. The intention of the proposals is to increase activities such as these in the northern and central areas of square taking account of the increased footfall anticipated as a result from the drama school and associated works. The section of Peckham Square situated between the current application site and the Mountview Academy site will be the subject of a formal application which will clarify the layout of

this space and how it can be used. This will be subject to public consultation ahead of any planning submission.

Design Review Panel

- 50. The proposal was considered by the Design Review Panel in April 2016 which highlighted the relationship between the proposed new building and the civic area of Peckham including the Library. The Panel felt that the proposal required the additional justification of an overarching masterplan vision for the square addressing all the different functions the square will have to cater for as well as the disposition of buildings and spaces within it. They asked the designers to undertake a master planning exercise and to use this to inform further design evolution of the scheme.
- 51. The proposal has been amended to address these concerns. The relationship between the new buildings and the Library has been adjusted to ensure that the route between Peckham Square and Peckham High Street is maximised and the sequence of public spaces they create designed to fit their purpose. In addition, the proposal is accompanied by a landscape Masterplan proposal that extends from the Canal towpath and includes Peckham Square as well as the route through to Peckham High Street. The application includes an illustrative landscape Masterplan for this sequence of spaces as requested by the DRP and will help define the quality and function of these important public spaces.

Conclusion to Design Matters

- 52. The proposed development demonstrates a high quality of design which would help fulfil the vision of the square as an important civic space. The removal of the arch and the provision of buildings with active frontages addressing the square and Peckham High Street provide further definition of the space as a public square. The proposed buildings are of a design and scale which responds sensitively to and preserves the significance of the Rye Lane Conservation Area. The alterations to the public realm will improve accessibility within the square as well as providing more space to accommodate high numbers of cyclists and pedestrians that use this space.

**Housing**

- 53. One of the key objectives of the PNAAP is to provide more and better homes within the Action Area, to maximize housing choice as well as providing appropriate levels of affordable and private accommodation.
- 54. Core Strategy Strategic Policy 7 and PNAAP policy 18 requires at least 60% of units to have 2 or more bedrooms and 20% of units to be 3, 4 or 5 bedrooms in the Urban Zone. The proposed housing mix is for 5 x 1-bed units (26%) , 8 x 2-bed units (42%) and 6 x 3-bed units (32%). The proposal would therefore provide an appropriate mix of residential units in accordance with local planning policy arranged across both sites.

	1-bed	2-bed	3-bed
Site 1 (Social Rent)	0	3	3*
Site 2 (Private and Shared Ownership)	5	5	3

\*Two of these are situated within the existing buildings at 91 and 93 Peckham High Street.

- 55. One wheelchair unit is proposed within site 2. This is a one bedroom unit situated on the fourth floor within the market unit. There is only one lift proposed for this building whereas two lifts are usually required where wheelchair accommodation is situated above ground floor level. It should be noted that Residential Design Standards state that provision of two lifts is encouraged rather than required. In this instance where there are a limited number of upper floor units and the total number of units within the

block proposed is comparatively low at 13. It is considered that such a provision would be acceptable on what is an already constrained site.

#### Affordable Housing

56. Policy 17 of the PNAAP requires all developments of 10 or more units to provide 35% affordable housing. This housing should provide an appropriate mix of dwelling types and sizes to meet the identified needs of the area. Development in the Peckham Ward, within which this development is located, should also provide a minimum of 35% private accommodation.
57. The proposed development provides the following mix of tenures and units.

Table 1.

	Affordable (Habitable Room)	Shared Ownership	Private	Total
1-bed	-	1 (2)	4 (8)	5
2-bed	3 (9)	1 (3)	4 (12)	8
3-bed	3 (12)	1 (4)	2 (8)	6
<b>Total</b>	<b>6 (21)</b>	<b>3 (9)</b>	<b>10 (28)</b>	<b>19 (58)</b>

58. The total number of habitable rooms within the proposed development is 58. Of these 30 are for affordable housing purposes equating to 52% provision of affordable housing and 48% provision of private. This is in accordance with the Saved Southwark Plan and policies of the PNAAP and will be secured through the legal agreement.
59. The tenure split of affordable housing should be 70% Social Rent and 30% Intermediate accommodation. The tenure split of the proposed affordable housing would be 70% social rent and 30% Intermediate by habitable room but a unit split of 66% Social Rent and 34% Intermediate. In this instance due to the low number of units concerned and the higher proportion of larger affordable units it would be difficult to achieve a full policy compliant split by unit and therefore the current proposal is considered to be acceptable.
60. The applicants have submitted an executive summary of the proposed financial viability of the project. This highlights that the proposed development as a result of the level of affordable housing proposed and associated build costs would have a negative residual land value. There is however clarification within the document which confirms that the deficit shown is as a result of the primary objective for the residential being the delivery of affordable housing rather than capital receipt. It is therefore assumed that as this is one of the Council's applications that the deficit will be made up through the allocation of Housing Zone funding.
61. The provision of high quality residential accommodation with over 35% affordable accommodation is a key requirement of the PNAAP and one of the key benefits of this proposal.

#### **Quality of Residential Accommodation Proposed**

62. The density range for development within Peckham Town Centre is 200-700 habitable rooms per hectare (hrh). Given the site area includes the southern section of Peckham Square the density of development in relation to this would be around 210 hrh. Excluding all areas of landscaping around the site and using just the footprint of the buildings would give a density of 880hrh. Where developments exceed the density range such developments would only be permitted where the development achieves exemplary quality of design. The criteria for this are set out within the Councils Residential Design Standards and as will be demonstrated below the development is

considered to be of an exemplary quality.

63. Saved policy 4.2 of the Southwark Plan asserts that planning permission will be granted provided the proposal achieves good quality living conditions, and includes high standards of accessibility, privacy and outlook, natural light, ventilation, space, safety and security, and protection from pollution. This policy is reinforced by the Residential Design Standards with Technical Update SPD (RDS 2015). Section 2.2 of the SPD sets out the criteria required to be met for high density schemes which include:

- Significantly exceed minimum floorspace standards (both flats and rooms)
- Provide for bulk storage
- Include a predominance of dual aspect units in the development
- Exceed the minimum ceiling height of 2.3 metres required by the Building Regulations
- Have natural light and ventilation in kitchens and bathrooms
- Exceed amenity space standards
- Meet good sunlight and daylight standards
- Have excellent accessibility within dwellings including meeting Approved Document M of the Building Regulations (M4(2) standard for all non wheelchair homes.
- Minimise corridor lengths by having increased number of cores

Table 2

<b>Unit</b>	<b>Overall Unit sizes Proposed(sq m)</b>	<b>SPD minimum sqm</b>	<b>Amenity Space Proposed sqm</b>	<b>SPD minimum sqm</b>
1-bed	50-60	50	4.5-	10
2-bed	62-75	61 (3p)/71 (4p)	6-8	10
3-bed	89-131	74 (4p)/ 85 (5p)/95 (6p)	10	10

64. The proposed residential units would all equal or exceed the minimum unit size requirements set out in the Council's RDS. All of the units would include internal storage space while corridor lengths are minimised with no more than 3 units accessed from each core on each floor.

Aspect and outlook

65. 15 out of the 19 residential units of the proposed development would have a double or triple aspect. There are 4 single aspect east facing units are proposed and there will be no single aspect north facing units. The provision of 79% dual or triple aspect units would deliver a clear predominance of dual aspect units which is a key requirement of exemplary residential quality, and is a particularly positive aspect of the design.

Privacy and Overlooking

66. The Council's RDS has in place restrictions which seek to maintain appropriate levels of privacy for prospective residents. The proposed residential units will all have acceptable levels of privacy and there will be no directly facing habitable room windows. There is a one bedroom unit with a window facing directly onto the communal amenity space the fourth floor level of building 2. This would not be the primary window through to this unit and is marked as obscured glazed on the proposed plans to restrict any detrimental impact on privacy of prospective residents.

Amenity Space

67. All of the proposed new units will have access to private amenity space in the form of

roof terraces and inset balconies. The proposed 3-bedroom units will each have access to a minimum of 10sqm of private amenity space. A communal roof terrace is also proposed on the fourth floor of block 2 which will provide communal amenity space for the residents of this block and has an area of 67sqm. The converted and refurbished units at 91 and 93 Peckham High Street would not have any private amenity space. These units are oversized in terms of internal floor space as they are existing buildings within the conservation area it would not be possible to provide suitable amenity space for these units without have an adverse impact on the character and appearance of the property.

68. The proposed development has a child yield of 9 children with the consequent child play space requirement of 90sqm. There is no opportunity to provide this on site but it is noted that there are facilities within 300m of the site within Sumner Road Park. A financial contribution has been agreed with the applicants to go towards making improvements to existing play space in the surrounding area.

#### Conclusion on residential quality

69. The proposed development provides accommodation that in the majority is considered to be of an exemplary standard. Of particular note is:
- The proportion of over-sized units.
  - All proposed new residential units have access to private amenity space with 10sqm for family units.
  - The predominance of dual aspect units with no single aspect north facing units.
  - The limited number of units access from each core.

#### **Impact of proposed development on amenity of adjoining occupiers and surrounding area**

70. Policy 3.2 'Impact on amenity' of the Southwark Plan states that planning permission for development will not be granted where it would cause a loss of amenity, including disturbance from noise, to present and future occupiers in the surrounding area or on the application site. Furthermore, there is a requirement in policy 3.1 'Environmental effects' to ensure that development proposals will not cause material adverse effects on the environment and quality of life. Strategic Policy 13 'High Environmental Standards' of the Core Strategy requires developments to avoid amenity and environmental problems that affect how we enjoy the environment in which we live and work. The nearest neighbouring properties are those situated on the upper floors of the neighbouring properties on Peckham High Road. To the west of site 2 above the Kentish Drovers public house, to the east of site one above the neighbouring commercial units and to the south on the upper floor of the units on the opposite side of Peckham High Street.

#### Daylight and Sunlight.

71. The Building Research Establishment (BRE) 2011 guidelines – Site Layout Planning for Daylight and Sunlight: a guide to good practice covers amenity requirements for sunlight and daylight to buildings around any development site. The introduction to the guidelines state: -

*"The guide is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and this document should not be seen as an instrument of planning policy. Its aim is to help rather than constrain the developer. Although it gives numerical guidelines, these should be interpreted flexibly because natural lighting is only one of the many factors in site layout design."*

72. The amount of light available to any window depends upon the amount of

unobstructed sky that can be seen from the centre of the window under consideration. The amount of visible sky and consequently the amount of available skylight is assessed by calculating the Vertical Sky Component (VSC) at the centre of the window.

73. The amount of light available to any window depends upon the amount of unobstructed sky that can be seen from the centre of the window under consideration. The amount of visible sky and consequently the amount of available skylight is assessed by calculating the Vertical Sky Component (VSC) at the centre of the window.
74. If the VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. The guidance states that if the vertical sky component with the new development in place is both less than 27% and less than 0.8 times its former value (more than a 20% reduction), then occupants of the existing building will notice the reduction in the amount of skylight. The VSC calculation only measures light reaching the outside plane of the window under consideration, so this is potential light rather than actual. Depending upon the room and window size, the room may still be adequately lit with a lesser VSC value than the target values referred to above. The guidelines advise that bathrooms, toilets, storerooms, circulation areas and garages need not be analysed. The guidelines also suggest that where layouts of existing neighbours are known that the distribution of daylight within rooms is reviewed although bedrooms are considered to be less important.
75. Paragraph F6 of the BRE guidelines (page 62) states that when assessing loss of daylight to an existing building the VSC methodology is generally recommended.
76. A daylight and sunlight report has been prepared by Malcom Hollis consultants for the application site and assesses the proposed development against the Building Research Establishment's (BRE) guidelines. The adequacy of daylight received by existing neighbouring dwellings was measured using the VSC method of measurement. The VSC analysis has been undertaken in relation to the residential properties on Peckham High Street.
77. The VSC analysis tested the impact on 77 neighbouring windows. 75 of these will retain a VSC level of greater than 80% of the existing value. 2 windows situated on the flank wall of the Kentish Drovers building will experience significant decline in VSC to very low levels. However this level of impact is acceptable as the rooms which these windows serve are non-habitable rooms. The upper floor window is a window through to a hall in the upper floor flat while the ground floor window is through to the ground floor public house.
78. The applicants have also assessed the impact of the proposed development on sunlight levels through to neighbouring properties. The requirements for protecting sunlight to existing residential buildings are set out in Section 3.2 of the BRE Guidelines. A good level of sunlight will be achieved where a window achieves more than 25% APSH, of which 5% should be in the winter months. When sunlight levels fall below this suggested recommendation, a comparison with the existing condition should be undertaken and if the reduction ratio is less than 0.2, i.e. the window continues to receive more than 0.8 times its existing sunlight levels, the impact on sunlight will be acceptable. The BRE guidelines also limit the extent of testing for sunlight to where a window faces within 90 degrees of due south.
79. The Daylight and Sunlight assessment by Malcolm Hollis consultants examines the impact of the proposed development on 21 windows that face within 90 degrees due south of the proposed development. The analysis demonstrates that all windows will

experience reductions in line with BRE guidelines. Therefore the proposed development will have an acceptable impact on sunlight through to neighbouring properties.

80. Accordingly the proposed development is considered to have an acceptable impact on the amenity of neighbouring residents in terms of daylight and sunlight.

#### Outlook and privacy of neighbouring properties

81. Paragraph 2.8 of the residential design standards SPD states that a minimum separation distance of 21m should be secured at the rear of the building to ensure that there will be no detrimental impact from loss of privacy and outlook. The SPD states that where the minimum distances cannot be met, the applicants must provide justification through the design and access statement.

82. There are no directly facing habitable room windows of neighbouring developments to the rear of the proposed residential development. The nearest directly facing habitable room windows are those on the first floor of the properties on the opposite side of Peckham High Road to the front. These will be situated over 12m apart which is considered to be an acceptable distance for the maintenance of privacy for residents.

#### Noise

83. The proposed residential units are located next to Peckham High Road which forms part of the Transport for London Road Network and is a busy route into the centre of London from the South East. The proposed residential units will all have acceptable internal noise levels subject to compliance with appropriately worded conditions. Environmental Protection Officers have expressed concern that five of the private balconies at the first to fourth floor of site 1 would experience noise levels above the recommended 55dBA for external private amenity space. However this is acceptable when considered in light of the wider benefits of the proposed development, and given all other external private amenity space would comply. It is also considered that the benefits of private external amenity space also outweigh the harm from high external daytime noise levels.

#### **Transport issues**

84. Saved policy 5.1 of the Southwark Plan seeks to ensure that development is located near transport nodes, or where they are not it must be demonstrated that sustainable transport options are available to site users, and sustainable transport is promoted. In addition, saved policy 5.6 of the Southwark Plan requires development to minimise the number of car parking spaces provided and include justification for the amount of car parking sought taking into account the site Public Transport Accessibility Level (PTAL), the impact on overspill car parking, and the demand for parking within the controlled parking zones.

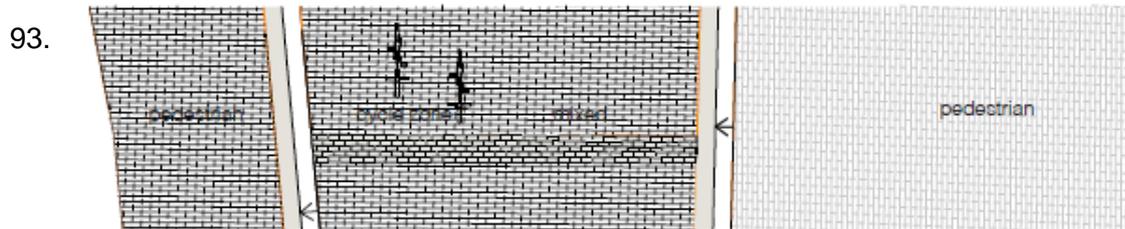
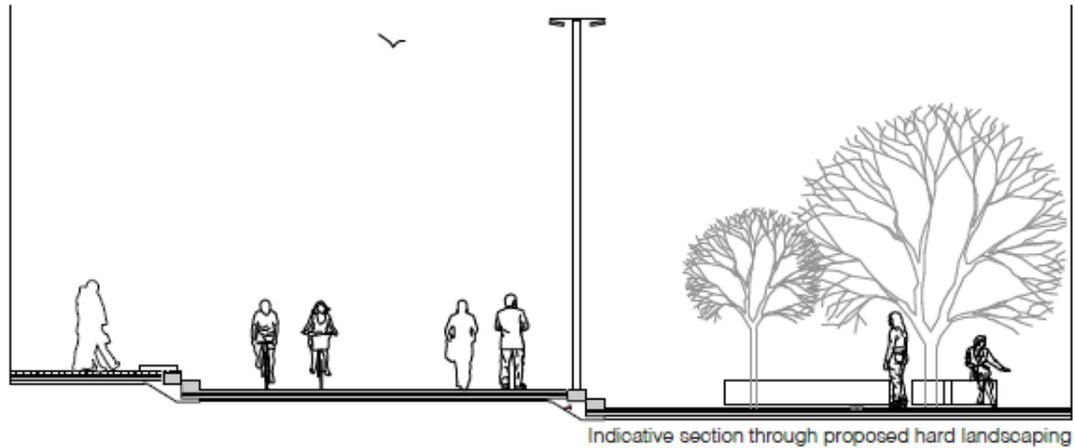
85. PNAAP policy 11 states that development:

- Provide and promote linkages that are safe, attractive, direct and convenient for pedestrians and cyclists throughout the action area.
- Be designed so that the built form and general layout positively contributes to wayfinding.
- Provide convenient, secure cycle parking that meets or exceeds the minimum standards in our development plan, including our borough-wide policies and London Plan policies.
- Contribute towards strategic and local transport improvements through community infrastructure levy and/or section 106 planning obligations

86. The proposed development is within Peckham Town Centre and is in a highly

accessible location PTAL 6b. The site is situated on the northern side of controlled crossing on Peckham High Street and the thoroughfare into the square is well used by cyclists going from Rye Lane to Surrey Canal Walk to access safe cycling routes towards Central London. In addition to this there is a strong pedestrian movement across the square from Rye Lane and Peckham High Street to Peckham Hill Street.

87. The architects have provided details of survey information undertaken to assess movements of cyclists and pedestrians at peak times through the square. They identified that the peak flows north for cyclists occur between 0730-0900 hrs on a normal weekday and that peak flows south occur between 17.15-18.30hrs. During these hours there can be conflict between pedestrians and cyclists where the cycle and pedestrian routes merge adjacent to the crossing at the bottom of the ramp into the square and within the square. The movement analysis also identifies pedestrian and cycle routes east-west across the square from Peckham Hill Street to Melon Road although these are not used to the same extent as the north-south cycling route and the south east pedestrian route.
88. It would not be possible to completely resolve these issues under this application as the conflict occurs as a result of wider issues surrounding vehicular, cycling and pedestrian movements through Peckham. The Council in conjunction with TFL will be examining these issues further in due course and TFL are currently preparing plans for a £5million pilot project to improve the overall pedestrian experience in the town centre while seeking to identify innovative and creative approaches to reduce pedestrian casualties in the town centre.
89. However it is necessary to ensure that the proposed development does not exacerbate these issues and that the design and layout of the development can contribute to improving such conditions so that the proposals can comply with the requirement to “provide and promote linkages that are safe, attractive, direct and convenient for pedestrians and cyclists throughout the action area”.
90. The existing problems partly occur as a result of the narrow width of the pavement on the north side of Peckham High Street adjacent to the Toucan Crossing, where both pedestrians and cyclists congregate. The proposed set back of building 2 by 9.5m from the neighbouring building and the levelling of the access into the square would create a much larger area of level public realm adjacent to the crossing. This would be beneficial as it provides more space within which pedestrians and cyclists can manoeuvre as well as providing scope for improvements at the crossing that could be delivered through the Peckham town centre safety scheme.
91. The main route through the square for cyclists will contain ‘ribbed’ areas of paving at decreasing intervals to help signal and slow cyclists passing through the square. TFL have noted that this in conjunction with the proposed ‘dog leg’ would help naturally slow cyclists without unduly inconveniencing them. The council have wider aspirations for the square beyond the existing arrangements and outside of the realm of this planning application. These include providing an alternative into the square from Melon Road to the west, which may further reduce the potential for conflict between cyclists and pedestrians.
92. In addition to this as the main pedestrian flow is across the square towards Peckham Hill Street the proposed layout of the square is designed to make the south east corner more attractive to pedestrians and less so for cyclists. This space would retain existing tree planting which would be supplemented with additional tree planting and the installation of benches. The boundary of this space would be defined by two steps down from the main north south route through the square and from the library. There would also be a ramp from Peckham High Road adjacent to the proposed gallery.



unding access to car club membership for prospective residents for a minimum of 3 years. These will be secured through the legal agreement.

#### Cycle Parking

94. Cycle parking is provided for all residents in accordance with London Plan requirements of 2 spaces for every unit with 2 or more beds and 1 space for each 1-bed unit. The cycle parking is provided adjacent to the residential cores on each site. Cycle parking for the gallery requires the provision of 1 space per 8 staff members and 1 space per 100sqm while the commercial and office space would require 1 space per 90sqm. This provides a cycle parking requirement of 15 spaces for Site 1 and 15 spaces for site 2. The proposed provision would be 16 spaces for site 1 and 22 spaces for site 2 which would exceed London Plan requirements. Full details of the spaces will be secured by condition.

#### Waste Management/Serviceing

95. Both sites have frontages onto Peckham High Road, which forms part of the TFL Road Network (TLRN) and are immediately adjacent to the crossing which provides access to and from Rye Lane. As no servicing is permitted from Peckham High Road and there are no servicing points on the square, both sites require separate servicing arrangements.
96. The existing residential accommodation at Nos. 91 and 93 Peckham High Road have a collection which occurs on street. While the existing commercial units below these have their bins collected from the square. For site 1 the refuse storage area is situated at the rear of the site for the commercial use. The bins would need to be moved on collection day to and from the existing collection point for neighbouring bins adjacent to Peckham Hill Street. The applicants have confirmed that arrangements for this will be secured through the lease.
97. At site 2 both commercial and residential bins will be collected from the rear similar to the arrangements for the residential and commercial units within the neighbouring Kentish Drovers site. The storage space will be within 9m of the collection point for vehicles accessing this from Melon Road via the Pulse Leisure Centre car park.
98. Full details of the servicing will be secured through a delivery and servicing

management plan to be secured through the legal agreement. In addition to this a construction management plan will also be required to ensure that the impacts during construction are appropriately managed.

### **Impact on trees**

99. Saved policy 3.13 of the Southwark Plan requires a high quality streetscape and landscaping to be delivered. Policy 7.21 of London Plan states that existing trees of value should be retained and any loss as the result of the development should be replaced following the principle of the 'right place, right tree'. Wherever appropriate the planting of additional trees should be included in new developments particularly large canopied species.
100. An arboricultural survey has been submitted with the planning application. This identifies six trees on or in the vicinity of the site that would need to be removed to accommodate the proposed buildings. A further four trees within the south east section of the Square will be retained and will need to be protected during construction.
101. Trees T2-T5 are situated along the western edge of the square adjacent to the Kent Drivers public house, and would need to be removed to accommodate the building on site 2. These trees are all Norway Maple trees and are considered to be of moderate quality. T1 (Cherry) on the western boundary and T6 to the rear of 93 Peckham High Road area lower quality trees and will also have to be removed to make way for construction. The removal of these trees is considered to be acceptable subject to replacement planting being secured through an appropriate legal agreement.
102. The applicants have proposed replacement tree planting which will help mitigate the loss but there is insufficient space to fully mitigate the loss within the development site. In order to adhere to London Plan policy requiring no net loss of canopy cover, the shortfall should be provided for planting within the vicinity of the development and secured through an appropriate legal agreement. In this situation additional planting will be required within the Library Square and along Surrey canal walk. In addition to this, root protection measures will be secured by condition to ensure that there is no detrimental impact on trees to be retained on the development and neighbouring sites.

### **Planning obligations**

103. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material 'local financial consideration' in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail. While Southwark's CIL will provide for infrastructure that supports growth in Southwark. In this instance a Mayoral CIL payment of £82, 697 and a Southwark CIL payment of £88, 706 are due.
104. The following financial contributions will be secured in the legal agreement:

Archaeology contribution: £3,389  
Contribution towards childrens play space: £13,950  
Contribution for replacement tree planting: £6,468  
Carbon offset: Green Fund: £18,207

Total: £ 42,014  
Admin charge (2% of total) £ 841  
**Overall Total: £ 42,855**

105. In addition, the following non-financial contributions would be secured within an appropriate legal agreement:

Affordable Housing Units: The nine Dwellings (1 x 1 bed; 4 x 2 bed; 4 x 3 amounting to 30 Habitable Rooms) to include the Social Rented Units and the Intermediate Units

Standard review mechanism and deferred affordable housing scheme

Car club - car club membership for three years for each eligible resident

Section 278 work including:

- Repaving of the Square and the from Odessa Street with granite setts, clay pavers and concrete paving slabs to be agreed prior to construction.
- Repaving of pavement on Peckham High Street to be agreed with TFL
- Planting of trees on highway.
- Upgrade street lighting if not to current LBS standards for the square
- Details of servicing arrangements from Peckham Hill Street.

106. The Council has an ambitious programme of housing delivery that will be achieved through the Hidden Homes Project, Direct Delivery and the Southwark Regeneration in Partnership Programme (SRiPP). The intention is that the housing will either be delivered by the Council as developer or in Development Agreement with a third party developer. Given that the Council cannot be a signatory to a S106 Agreement when taking the role as developer (or interested party in the role as developer), the housing being delivered by the aforementioned projects must be secured by way of a Planning Obligations Agreement which will be a form of Unilateral Undertaking. The Planning Obligations Agreement will secure the same provisions as a S106 Agreement with the distinction being that it allows the Council to be a signatory to the agreement as a developer (or interested party in the role as developer). The Planning Obligations Agreement will bind the Council and any future party with an interest in the land and as such provides the security of a S106 Agreement on schemes where there will be a development Partner where the Council is unable to enter into a S106 Agreement. This is the approach that will be taken on the relevant Hidden Homes Project, Direct Delivery and SRiPP schemes going forward. All other applications for development outside of these two projects will continue to be subject to a full S106 Agreement.

107. In the event that a satisfactory legal agreement has not been entered into by 31 January 2017 it is recommended that the Director of Planning refuses planning permission, if appropriate, for the following reason:

The proposal, by failing to provide for appropriate planning obligations secured through the completion of a Planning Obligations Agreement, fails to ensure adequate provision of mitigation against the adverse impacts of the development through projects or contributions in accordance with saved policy 2.5 'Planning Obligations' of the Southwark Plan (2007), strategic policy 14 'Delivery and Implementation' of the Core Strategy (2011), policy 8.2 'Planning obligations' of the London Plan (2015) and the Planning Obligations and Community Infrastructure Levy SPD (2015).

#### **Sustainable development implications**

108. The London Plan Policy 5.2 sets out that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy Be lean: use less energy; Be clean: supply energy efficiently; Be

green: use renewable energy. This policy requires development to have a carbon dioxide improvement of 35% beyond Building Regulations Part L 2013 as specified in Mayor's Sustainable Design and Construction SPG.

109. An energy strategy has been submitted with the application. This provides an assessment of the improvements that can be achieved beyond Building Regulations Part L 2013 in accordance with the energy hierarchy. This calculates that the proposed development will have total CO<sub>2</sub> emissions of 40.9 tonnes per annum. The strategy sets out that despite the development applying a number of passive design and energy efficiency measures together with the provision of Photo Voltaic (PV) panels, it is only possible to achieve a reduction in CO<sub>2</sub> emissions of 4.2 tonnes per annum. This amounts to 10% over building regulations part L 2013 baseline and would leave a shortfall of 10.125 tonnes per annum to bring it up to policy requirement of 35% beyond Building Regulations Part L 2013.
110. Policy 5.2 of the London Plans states that where developments cannot achieve this policy requirement, mitigation will be required in the form of an in-lieu payment to be placed in a Green Fund. The applicants have confirmed that a contribution will be provided in accordance with the calculation set out in the Council's Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD.

The Council's Core Strategy states that community facilities such as the gallery should achieve a minimum BREEAM level of 'very good' while all other non-residential development should achieve BREEAM level 'excellent'. The applicants have confirmed that BREEAM 'very good' can be achieved for the gallery space in accordance with the policy.

#### **Other matters**

##### **Air Quality**

111. The site is located within an Air Quality Management Area. An air quality assessment has been submitted. The mitigation measures as outlined in this plan should be ensured by way of condition. The construction management plan would also seek to ensure that mitigation is in place to ensure that any construction impacts are minimised.

##### **Archaeology**

112. The site is within the Peckham Village Archaeological Priority Zone. The applicants have submitted a desk-based archaeological assessment that adequately summarises the archaeological potential of the site. This has been reviewed and provides a detailed account of the archaeological significance of the site in accordance with relevant standards and guidance.
113. The assessment recommends an archaeological watching brief during ground works associated with the proposed development. This along with details archaeological reporting will be secured by condition.

##### **Land contamination / Groundwater assessment**

114. A desk study was submitted which indicated the presence of contamination at this site. The overall risk of ground contamination presented by this site is low to moderate and locally moderate in the area of proposed soft landscaping. The full extent of contamination has not been established and so it is recommended that conditions be applied which would ensure that the risks from land contamination to the future users are minimised and to ensure that the development can be carried out safely without

unacceptable risks to workers and neighbours.

### **Ecology**

115. Saved policy 3.28 of the Southwark Plan states that the Local Planning Authority will take biodiversity into account in its determination of all planning applications and will encourage the inclusion in developments of features which enhance biodiversity, requiring an ecological assessment where relevant. This is reinforced through policy 19 of the PNAAP which requires new development to improve the overall greenness of the area, through the planting of street trees, creating living roofs and walls, and providing habitats for wildlife which increase biodiversity; major new developments should provide opportunities for food growing and how the proposal would meet these requirements should be demonstrated at application stage.
116. The applicants have submitted an ecological assessment during the course of the application. This is considered to be of a satisfactory quality and no further surveys are required. The ecological assessment provides recommendation for enhancements to ecology of the site through bird and bat boxes, these will be secured through appropriately worded conditions.

### **Flood and Drainage**

117. During the course of the application the Council's Flood and Drainage team identified the site as being within a Critical Drainage Area and that as such a Flood Risk Assessment (FRA) should be prepared to consider flood risk from all sources. The FRA and Drainage Strategy has been prepared by WYG and was submitted on 21 October 2016. This identifies the only flood risk source as surface water flooding. Mitigation measures are proposed within this to limit surface water discharge as well as providing a below ground tank to retain excess run-off within the site for all rainfall events up to an including the 1 in 100 year event.

### **Conclusion on planning issues**

118. The application proposes a policy compliant mix of cultural, employment and residential floor space within Peckham Town Centre, in accordance with the vision and objectives of the Peckham and Nunhead Area Action Plan. The increase in activity fronting onto the Square will help define the southern edge of the square and would in conjunction with existing and proposed uses further establish the Square as the 'civic heart' for Peckham. The proposed new buildings and alterations to existing are of scale and design which respects the Rye Lane Conservation Area. An above policy compliant level of affordable housing is proposed and all residential accommodation is considered to be of an exemplary quality. The proposed development therefore accords with the objectives of the PNAAP of creating an accessible distinct and vibrant town centre for Peckham that meets the needs of local residents and is a destination for visitors.
119. Taking account of the above, it is considered that, in line with the NPPF, there is no substantive reason to withhold planning permission. Therefore it is recommended that planning permission be granted, subject to completion of a legal agreement.

### **Community impact statement**

120. In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

- a) The impact on local people is set out above.
- b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as
- c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are

### **Consultations**

121. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

### **Consultation replies**

122. Details of consultation responses received are set out in Appendix 2.

### Summary of consultation responses

123. Representations from the occupiers of 95 properties have been received objecting to the proposals. Many objections cite support for the principle of redeveloping the site, but raise concerns regarding the specific nature of the proposals.

### Objections

124. Objections have been received in relation to the following matters:

- Loss of the arch as an architectural feature of Peckham
- Loss of space under arch as a community meeting space.
- Loss of community square/public space
- Proposed design of buildings fails to complement the existing square.
- Proposed design of replacement buildings would not mitigate against loss of iconic Arch.
- Narrowing of the entrance to the square will be detrimental to pedestrian and cycle movements.
- Unsustainable to remove relatively recent developments
- Scale and design could crowd out existing library building.
- Building High rise flats will make square more enclosed and ruin open outlook of square.
- Provision of family housing on square will reduce use for social and performance space.
- Residential not appropriate in this location due to noise.
- Flattening of ground will result in increase speed of cyclists causing harm to safety of pedestrians.
- Increased congestion from prospective residents.
- Too little commercial civic space proposed which will harm vitality of area.
- 

### Letters of Support

125. Four comments in support have been received however in comments from objectors it has been noted that the proposal provides to following improvements:

- Provision of high quality re-surfacing for square
- Installation of additional lighting
- Planting of additional trees
- Recognise the need for new housing
- The proposal opens up the space well and makes Rye Lane more inviting
- Proposal makes better use of the space
- Proposal massing and landscaping are appropriate

### Archaeology

126. The site is within the 'Peckham Village' Archaeological Priority Zone (APZ). The applicants have submitted a desk based assessment (DBA) with this application by AB Heritage dated June 2016 (AB Heritage Project No:10774). Officers concur with the recommendations of the AB Heritage report that an archaeological watching brief is required during ground works associated with the proposed development. Conditions should be applied to secure a watching brief and archaeological reporting.

### Ecology

127. This application has been reviewed with regard to ecology. The Ecology Survey and bat survey report is fine. The report makes recommendations for ecological enhancement. Conditions are recommended to secure these.

### EPT

128. Concerns are expressed in relation to the noise levels on the private balconies of units on site 2. In the event that planning approval is granted conditions will be required in relation to internal noise levels, protection from vibration, contamination, external lighting, land contamination and construction management.

### Flood and Drainage

129. We have reviewed the documentation provided and have the following comments.
- The site is located within a critical drainage area (i.e. an area at higher risk of surface water flooding). We generally expect flood risk assessments to be provided for developments within CDAs, in line with NPPF guidelines. The FRA should consider flood risks from all sources.
  - The London Plan (2015) requires that all new developments limit surface water runoff to the equivalent greenfield runoff rates. Based on the information provided, no consideration has been given to reducing the runoff as part of this development. Use of sustainable drainage systems (SuDS) should be considered as part of this scheme, especially given as there appears to be sufficient space available to use SuDS.
130. We would recommend that the comments above are passed to the applicant for consideration. We would recommend that a FRA is provided, and the design altered to include SuDS. We would be happy to discuss our comments with the relevant persons.

### Highways

131. Construction Management Programme to be secured by condition. Further details of space between the two buildings where it joins with Peckham High Road will require careful consideration to ensure compliance with TFL and Southwark standards.
132. As servicing points are off site these will need to be secured through section 278.

### Local Economy Team

133. An informative should be attached for the developer to be aware that council continues to look for opportunities for employment and apprenticeships in its developments regardless of size, therefore to contact LET on how this might be achieved.

### Peckham Society

134. The Peckham Society wishes to object to the demolition of the Peckham Arch for these reasons:

- 1 The Peckham Arch is generally agreed to be an important part of Peckham. The

images of the Arch and Peckham Library form the front cover of English Heritage's 2009 Historic Area Assessment of Central Peckham.

- 2 Page 67 of the same document indicates why this image might have been selected: "Peckham Square (was) conceived as the centrepiece of the revitalisation programme requiring the demolition of 79-83 and 85-89 Peckham High Street. This new public space was given a steel land timber flattened arch, designed by Troughton McAslan". This publicly funded programme, in the depths of the early 1990s recession was necessary because commercial attempts had failed, and it led to so much more. Troughton McAslan were then, and remain, one of Britain's foremost architectural practices, and this arch was carried out quite early in their career. It is an important part of Peckham's social and economic history, and Peckham and Britain's architectural history.
- 3 In the light of the demolition of so much historic fabric to create the arch, it is perverse to subsequently remove it and close up the terrace again.
- 4 Peckham Square has become a well used civic space, hosting activities including the farmers' market, Christmas nativity play, many choirs, which could not be accommodated elsewhere. Its popularity as a civic space made it an appropriate location for the Peace Wall.
- 5 It is a powerful gateway to Peckham, framing the Jones and Higgins tower. (see attached illustration)

135. The Peckham Society fully supports housing development, but this site has far too great significance, architecturally, historically, and as a public space.

#### TFL

136. Further to the site visit yesterday, thanks to all who attended; it was extremely useful to see the site in context and hear first hand on how the design of the square was developed, and in particular hearing about the recently permitted Mountview Academy of Theatre and Arts that I wasn't aware of. My conclusions from the site visit are as follows, taking the key issues I raised in my response in no particular order:

##### 1) Cycle access

As was clear from the visit, the square is a strong cycle desire line and is on cycle route LCN 22. Therefore it was good to hear and see that cyclists are accommodated in the design – this wasn't clear from the application drawings. Inevitably there will be a degree of conflict between cyclists and pedestrians in this location, and it seems the proposal is an appropriate response i.e. to try to design for, rather than seeking to restrict cyclists. Creating a 'dog leg' for cyclists here between the route across the square and the toucan crossing seems sensible, in order to naturally slow cyclists without unduly inconveniencing them. It will certainly have the potential to be an improvement over the current unclear arrangements. I note the aspiration to provide an alternative cycle route via for example Melon Road, which has the potential to reduce cycle demand across the square. The issue of acceptability of shared surface, as opposed to a delineated route, is clearly for the Council to decide. I therefore have nothing further to say on this point.

##### 2) Footways on Peckham High Street

The additional circulating space by the Toucan crossing, provided by moving the peace wall and setting back building 2, seems a sensible idea, as this is obviously where the greatest concentration of cyclists and pedestrians will be. It will also provide scope for improvements at the toucan crossing that could be delivered through the Peckham town centre safety scheme. Rear access to

building 2 for cyclists is not as convenient from the front (i.e. Peckham High Street), but I understand the desire not to have building entrance on the Peckham High Street frontage where there will be a high cycle/pedestrian interaction anyway.

The potential for building line set back on site 1 is I acknowledge limited, particularly as two buildings are being refurbished, and the existing art centre essentially replaced 'like for like' in terms of footprint. This side of the square does not have the same degree of footfall as the western side, so the lack of set-back is probably unlikely to have any implications for pedestrian comfort on Peckham High Street. You also explained the desire to re-create the historic building line in the conservation area, which is understood.

More generally, I wasn't aware of the plans to move the 'centre of activity' for the expanded square, away from the arch. This seems sensible as it reduces the risk of congestion on the Peckham High Street frontage, leaving the footway here as a linear route, rather than a circulating/spill-over space.

My conclusion from this is that there is unlikely to be an unacceptable adverse impact on the TRLN in terms of increased safety risk or reduced pedestrian amenity.

3) Service bay off Peckham Hill Street – widening entrance

It was clear from the site visit that this bay is unlikely to see intensive use, and will have the benefit of taking refuse vehicles off Peckham Hill Street. Given the entrance/exit already crosses the end of the bus cage and traffic on Peckham Hill Street has priority, there is unlikely to be any significant adverse impacts on the operation of the bus stop; exiting service vehicles will have to wait if there are multiple buses in the stop the entire length of the cage. Also, visibility for exiting vehicles is less of an issue as it is at the tail end of the stop.

137. The other issues, for example construction access, servicing and tie-in to Peckham High Street can I feel be dealt with by condition/s106.

### **Human rights implications**

138. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

139. This application has the legitimate aim of providing mixed-use redevelopment including residential, commercial and community uses. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2516-91 Application file: 16/AP/3075 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 3920 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
<b>Appendix 1</b>	Consultation undertaken
<b>Appendix 2</b>	Consultation responses received
<b>Appendix 3</b>	Recommendation

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning
<b>Report Author</b>	Robin Sedgwick, Senior Planner
<b>Version</b>	Final
<b>Dated</b>	26 October 2016
<b>Key Decision</b>	No

## CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		27 October 2016

## Consultation undertaken

**Site notice date:** 05/08/2016

**Press notice date:** 11/08/2016

**Case officer site visit date:** n/a

**Neighbour consultation letters sent:** 05/08/2016

### Internal services consulted:

Ecology Officer  
 Economic Development Team  
 Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]  
 Flood and Drainage Team  
 HIGHWAY LICENSING  
 Highway Development Management  
 Housing Regeneration Initiatives  
 Waste Management

### Statutory and non-statutory organisations consulted:

Historic England  
 London Fire & Emergency Planning Authority  
 Metropolitan Police Service (Designing out Crime)  
 Transport for London (referable & non-referable app notifications and pre-apps)

### Neighbour and local groups consulted:

114 Parkway London NW1 7AN	64 Pennethorne Road Peckham SE15 5TQ
Flat 8 Roman House SE15 5RS	27 Barforth Road Peckham se153ps
Flat 6 Roman House SE15 5RS	54 Hooks Close London SE15 2TP
Flat 4 Roman House SE15 5RS	28 Kendall Road Beckenham BR34PZ
Flat 5 Roman House SE15 5RS	44 Waghorn Peckham Se15 4jz
Flat 9 Roman House SE15 5RS	42 Howden St Peckham Se15 4jz
107 Peckham High Street London SE15 5RS	14 Gaumont House Staffordshire Street SE15 5TS
10 Melon Road London SE15 5QN	162 Peckham Rye London SE229QH
78 Peckham High Street London SE15 5ED	103 Friern Road London
93 Peckham High Street London SE15 5RS	66 Marmont Road London SE15 5TE
105 Peckham High Street London SE15 5RS	66 Marmont Road London SE155TE
Flat 3 Roman House SE15 5RS	12 Pioneer Centre London Se15 2ee
71-79 Peckham High Street London SE15 5RS	140 Glengall Road London se15 6rr
90 Peckham High Street London SE15 5ED	19 Waveney Ave London SE15 3UF
126 Peckham Hill Street London SE15 5JT	Flat 7 77a Peckham High Street SE15 5RS
95 Peckham High Street London SE15 5RS	Flat 3 St Giles Tower Gables Close Se5 7qe
Flat 1 Roman House SE15 5RS	166 Peckham Rye London SE22 9QH
Flat 2 Roman House SE15 5RS	64 Pennethorne Road London SE15 5TQ
Flats Above 74 Peckham High Street SE15 5ED	Flat 9 7 Havil St Se5 7ls
97 Peckham High Street London SE15 5RS	40 Demand Rd London Se15 5nr
99 Peckham High Street London SE15 5RS	178 Peckham Rye Peckham SE22 9QA
107a Peckham High Street London SE15 5RS	1-3 Lower Rowling Cottages Goodnestone CT3 1PU
Ground Floor Flat 126 Peckham Hill Street SE15 5JT	140 Peckham Rye London SE22 9QH
103b Peckham High Street London SE15 5RS	44 Waghorn Peckham SE15 4JZ
103a Peckham High Street London SE15 5RS	Flat 46 30 St James Road Se15 4qt
Flat 4 126 Peckham Hill Street SE15 5JT	25 Kirkwood Road London SE15 3XT
Flat B 128 Peckham Hill Street SE15 5JT	15 Chadwick Road Peckham SE15 4RA
95b Peckham High Street London SE15 5RS	5 Launch St London E14 3LT

Ground Floor 128 Peckham Hill Street SE15 5JT  
 Second Floor Flat 101 Peckham High Street SE15 5RS  
 Basement And Ground Floor 101 Peckham High Street SE15 5RS  
 76c Peckham High Street London SE15 5ED  
 130 Peckham Hill Street London SE15 5JT  
 130a Peckham Hill Street London SE15 5JT  
 Second Floor 122 Peckham Hill Street SE15 5JR  
 103 Peckham High Street London SE15 5RS  
 91 Peckham High Street London SE15 5RS  
 Flat A 88 Peckham High Street SE15 5ED  
 74b Peckham High Street London SE15 5ED  
 Flat 3 126 Peckham Hill Street SE15 5JT  
 76b Peckham High Street London SE15 5ED  
 Flat 1 126 Peckham Hill Street SE15 5JT  
 74a Peckham High Street London SE15 5ED  
 The Learning Centre Peckham Library SE15 5JR  
 63 Peckham High Street London SE15 5EB  
 Flat C 128 Peckham Hill Street SE15 5JT  
 107b Peckham High Street London SE15 5RS  
 Flat A 128 Peckham Hill Street SE15 5JT  
 One Stop Shop Peckham Library SE15 5JR  
 89 Peckham High Street London SE15 5RS  
 Flat A 76 Peckham High Street SE15 5ED  
 Flat 3 86a Peckham High Street SE15 5ED  
 Front 88 Peckham High Street SE15 5ED  
 Flat 2 86a Peckham High Street SE15 5ED  
 The Kentish Drivers 73-77 Peckham High Street SE15 5RS  
 Flat 1 86a Peckham High Street SE15 5ED  
 Rear 88 Peckham High Street SE15 5ED  
 95a Peckham High Street London SE15 5RS  
 Flat 2 126 Peckham Hill Street SE15 5JT  
 Flat Above 97 Peckham High Street SE15 5RS  
 Peckham Library 122 Peckham Hill Street SE15 5JR  
 Farmers Market Peckham Square SE15 5QW  
 Flat 8 61 Peckham High Street SE15 5EB  
 Flat 9 61 Peckham High Street SE15 5EB  
 65 Peckham High Street London SE15 5RY  
 82 Peckham High Street London SE15 5ED  
 86 Peckham High Street London SE15 5ED  
 80 Peckham High Street London SE15 5ED  
 74 Peckham High Street London SE15 5ED  
 76 Peckham High Street London SE15 5ED  
 Flat 7 61 Peckham High Street SE15 5EB  
 First Floor Flat 86 Peckham High Street SE15 5ED  
 Flat B 99 Peckham High Street SE15 5RS  
 Flat A 99 Peckham High Street SE15 5RS  
 Flat 1 61 Peckham High Street SE15 5EB  
 Flat 5 61 Peckham High Street SE15 5EB  
 Flat 6 61 Peckham High Street SE15 5EB  
 Flat 4 61 Peckham High Street SE15 5EB  
 Flat 2 61 Peckham High Street SE15 5EB  
 Flat 3 61 Peckham High Street SE15 5EB  
 2, Solomons Passage London SE15 3UH  
 18 Oakdale Road London SE15 3BW  
 7 Forester Road Peckham Rye SE15 3PU  
 45 Northfield House Peckham Park Rd se15 6tl  
 Flat 3, 76-8 Montpelier Road Montpelier Road SE15 2HE  
 Flat 4, 1 Peckham Hill St London SE15 6BN  
 4a Cheltenham Road Peckham SE15 3AQ  
 Flat 7, Block J Peabody Estate SE5 7BW  
 36a Bird In Bush Rd Peckham SE15 6rw  
 86 Tower Mill Rd London SE15 6BP  
 27 Denman Road London SE15 5NS  
 5 Gautrey Road Peckham SE15 2JE  
 26 Pioneer Street London SE15 5QH  
 245 Bellenden Road London SE15 4DQ  
 Friern Road London  
 245 Bellenden Road London SE15 4DQ  
 Fairview Sherston SN16 0LS  
 95 Friary Road Peckham SE15 1PY  
 Friends Of Burgess Park 69 Coleman Road SE5 7TF  
 36a Marmont Road SE15 5TE  
 128 Benhill Road Camberwell SE5 7LZ  
 68 Northern Rd Swindon SN2 1PL  
 112 Roffo Court London Se17 2fp  
 Flat 2 58a Peckham Hill Street SE15 5JY  
 15 Howden St London  
 10b Court Peckham  
 Flat 13 Sarawak Court 47 Consort Road SE15 3SS  
 4 Datchelor Place Camberwell SE57AP  
 44b Pennethorne Road London SE15 5TQ  
 133 Sumner Road Peckham SE15 6JL  
 56 Gowlett Road Peckham Se15 4hy  
 38 Priory Court 1 Cheltenham Road Se15 3bg  
 48 Cheltenham Road Nunhead Se15 3aq  
 31 Trafalgar Avenue London se156np  
 3 Mona Rd London SE15 2JA  
 Flat 10 Ruskin Park House se5 8tq  
 55 Barse Road London SE15 3HW  
 73 Rye Hill Park London se15 3js  
 Flat 14, Daisy Dormer Court Trinity Gardens SL6 1SB  
 109 Bolingbroke Grove London SW11 1DA  
 56 Pennethorne Road Peckham SE15 5TQ  
 3 Helios Road Wallington SM6 7BZ  
 Primrose House Peckham Hill Street SE15 5SS  
 18 Wellfield WS9 8JD  
 22a Geldart Road London SE15 5XA  
 Top Floor Flat 59 St. Mary'S Rd SE15 2EA  
 36 Ashurst Close Anerley Se20 8LY  
 38 Danby Street Peckham Rye SE15 4BU  
 10 Lyndhurst Square London SE15 5AR  
 18 Malfort Road Camberwell SE5 8DQ  
 78 Nutcroft Peckham SE15 4JZ  
 Nutcroft Road East Dulwich  
 Flat 10, 2 Gautrey Road SE15 2JH  
 Flat 14, Daisy Dormer Court, Trinity Gardens London SW9 8DW  
 91 Leontine Close London SE15 1UH  
 Peckham Peckham Rye  
 18 Richland House Goldsmith Road SE15 5SZ  
 13 Kelvington Road London SE15 3EQ  
 3 Credenhill House Ledbury St SE15 1BG  
 113 Cooperative House 263 Rye Lane SE15 4UR  
 Mcdermott Road Peckham SE15 4NW  
 35 Amott Road Peckham Rye SE15 4JD  
 Maxted Road Peckham SE15 4LL  
 542 Warner Rd Se59nb  
 Mcdermott St East Duleich Se154ln  
 East Dulwich Grobe East Dulwich  
 22 Northfield House Peckham Park Road SE15 6TL  
 Nutcroft Rd East Dulwich Se154lp  
 96a Friary Road London SE151PX  
 Fenwick Road Peckham  
 12 Reedham St Peckham SE15 4PH  
 Crofton Road Peckham Se15 3lu  
 Adys Road East Dulwich  
 Dockley Road Bermondsey SE16 4QT

**Re-consultation:** n/a

## APPENDIX 2

### Consultation responses received

#### Internal services

Economic Development Team

Flood and Drainage Team

### **Statutory and non-statutory organisations**

Historic England

Metropolitan Police Service (Designing out Crime)

Transport for London (referable & non-referable app notifications and pre-apps)

### **Neighbours and local groups**

Adys Road East Dulwich

Crofton Road Peckham Se15 3lu

Dockley Road Bermondsey SE16 4QT

East Dulwich Grobe East Dulwich

Fairview Sherston SN16 0LS

Fenwick Road Peckham

Flat 10 Ruskin Park House se5 8tq

Flat 10, 2 Gautrey Road SE15 2JH

Flat 13 Sarawak Court 47 Consort Road SE15 3SS

Flat 14, Daisy Dormer Court, Trinity Gardens London SW9 8DW

Flat 14, Daisy Dormer Court Trinity Gardens SL6 1SB

Flat 2 58a Peckham Hill Street SE15 5JY

Flat 3 St Giles Tower Gables Close Se5 7qe

Flat 3, 76-8 Montpelier Road Montpelier Road SE15 2HE

Flat 4, 1 Peckham Hill St London SE15 6BN

Flat 46 30 St James Road Se15 4qt

Flat 6 Roman House SE15 5RS

Flat 7, Block J Peabody Estate SE5 7BW

Flat 7 77a Peckham High Street SE15 5RS

Flat 9 7 Havil St Se5 7ls

Friends Of Burgess Park 69 Coleman Road SE5 7TF

Friern Road London

Maxted Road Peckham SE15 4LL

Mcdermott Road Peckham SE15 4NW

Mcdermott St East Duleich Se154ln

Nutcroft Rd East Dulwich Se154lp

Nutcroft Road East Dulwich

Peckham Peckham Rye

Primrose House Peckham Hill Street SE15 5SS

Top Floor Flat 59 St. Mary'S Rd SE15 2EA

10 Lyndhurst Square London SE15 5AR

10b Court Peckham

103 Friern Road London

103a Peckham High Street London SE15 5RS

109 Bolingbroke Grove London SW11 1DA

112 Roffo Court London Se17 2fp

113 Cooperative House 263 Rye Lane SE15 4UR

12 Pioneer Centre London Se15 2ee

12 Reedham St Peckham SE15 4PH

128 Benhill Road Camberwell SE5 7LZ

13 Kelvington Road London SE15 3EQ

1-3 Lower Rowling Cottages Goodnestone CT3 1PU

133 Sumner Road Peckham SE15 6JL

14 Gaumont House Staffordshire Street SE15 5TS

140 Glengall Road London se15 6rr

140 Peckham Rye London SE22 9QH

15 Chadwick Road Peckham SE15 4RA

15 Howden St London  
162 Peckham Rye London SE229QH  
166 Peckham Rye London SE22 9QH  
166 Peckham Rye London SE22 9QH  
178 Peckham Rye Peckham SE22 9QA  
18 Malfort Road Camberwell SE5 8DQ  
18 Oakdale Road London SE15 3BW  
18 Richland House Goldsmith Road SE15 5SZ  
18 Wellfield WS9 8JD  
19 Waveney Ave London SE15 3UF  
2, Solomons Passage London SE15 3UH  
22 Northfield House Peckham Park Road SE15 6TL  
22a Geldart Road London SE15 5XA  
245 Bellenden Road London SE15 4DQ  
245 Bellenden Road London SE15 4DQ  
25 Kirkwood Road London SE15 3XT  
26 Pioneer Street London SE15 5QH  
27 Barforth Road Peckham se153ps  
27 Denman Road London SE15 5NS  
28 Kendall Road Beckenham BR34PZ  
3 Credenhill House Ledbury St SE15 1BG  
3 Helios Road Wallington SM6 7BZ  
3 Mona Rd London SE15 2JA  
31 Trafalgar Avenue London se156np  
35 Amott Road Peckham Rye SE15 4JD  
36 Ashurst Close Anerley Se20 8LY  
36a Bird In Bush Rd Peckham SE15 6rw  
36a Marmont Road SE15 5TE  
36a Marmont Road SE15 5TE  
38 Danby Street Peckham Rye SE15 4BU  
38 Priory Court 1 Cheltenham Road Se15 3bg  
4 Datchelor Place Camberwell SE57AP  
4a Cheltenham Road Peckham SE15 3AQ  
40 Demand Rd London Se15 5nr  
42 Howden St Peckham Se15 4jz  
44 Waghorn Peckham SE15 4JZ  
44 Waghorn Peckham Se15 4jz  
44b Pennethorne Road London SE15 5TQ  
45 Northfield House Peckham Park Rd se15 6tl  
48 Cheltenham Road Nunhead Se15 3aq  
5 Gautrey Road Peckham SE15 2JE  
5 Launch St London E14 3LT  
54 Hooks Close London SE15 2TP  
542 Warner Rd Se59nb  
55 Barset Road London SE15 3HW  
56 Gowlett Road Peckham Se15 4hy  
56 Pennethorne Road Peckham SE15 5TQ  
64 Pennethorne Road London SE15 5TQ  
64 Pennethorne Road Peckham SE15 5TQ  
66 Marmont Road London SE15 5TE  
66 Marmont Road London SE155TE  
68 Northern Rd Swindon SN2 1PL  
7 Forester Road Peckham Rye SE15 3PU  
7 Forester Road Peckham Rye SE15 3PU  
73 Rye Hill Park London se15 3js  
78 Nutcroft Peckham SE15 4JZ  
78 Nutcroft Peckham SE15 4JZ

86 Tower Mill Rd London SE15 6BP  
91 Leontine Close London SE15 1UH  
95 Friary Road Peckham SE15 1PY  
96a Friary Road London SE15 1PX

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## RECOMMENDATION

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This document shows the case officer's recommended decision for the application referred to below.  
This document is not a decision notice for this application.

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<b>Applicant</b>	London Borough of Southwark	<b>Reg. Number</b>	16/AP/3075
<b>Application Type</b>	Council's Own Development - Reg. 3	<b>Case</b>	TP/2516-91
<b>Recommendation</b>	Grant subject to Legal Agreement	<b>Number</b>	

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### Draft of Decision Notice

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**Permission was GRANTED, subject to the conditions and reasons stated in the Schedule below, for the following development:**

Redevelopment comprising the removal of the Peckham Arch and redevelopment and part conversion of the southern part of the square (including 91-93 Peckham High Street) to provide a mixed use scheme comprised of two buildings of 4 and 6 storeys to provide 19 residential (Class C3) units, 255 sqm of gallery (Class D1) space, 201 sqm of co-work (Class B1) space, and 82 sqm of office (Class B1)/retail(Class A1) space with ancillary covered cycle storage and enclosed refuse storage

**At:** 91-93 PECKHAM HIGH STREET, LONDON, SE15 5RS AND PECKHAM SQUARE

**In accordance with application received on 25/07/2016**

**and Applicant's Drawing Nos. Proposed Plans**

PL-101 - Proposed Location Site Plan

PL-102 - Proposed Proposed Site Plan - Site 11 and 2

PL-201 - Proposed Ground Floor Plan - Site 1

PL-202 - Proposed First Floor Plan - Site 1

PL-203 - Proposed Second Floor Plan - Site 1

PL-204 - Proposed Third Floor Plan - Site 1

PL-205 - Proposed Roof Plan - Site 1

PL-206 - Proposed Lower Ground Floor Plan - Site 1

PL-207 - Proposed Ground Floor Plan - Site 2

PL-208 - Proposed First Floor Plan - Site 2

PL-209 - Proposed Second Floor Plan - Site 2

PL-210 - Proposed Third Floor Plan - Site 2

PL-211 - Proposed Fourth Floor Plan - Site 2

PL-212 - Proposed Fifth Floor Plan - Site 2

PL-213 - Proposed Roof Plan - Site 2

PL-220 - Proposed South Elevation - Site 1 and 2

PL-221 - Proposed West Elevation - Site 1

PL-222 - Proposed West Elevation - Site 2

PL-223 - Proposed North Elevation - Site 1 and 2

PL-224 - Proposed East Elevation - Site 1

PL-225 - Proposed East Elevation - Site 2

PL-226 - Proposed South Elevation - Site 1

PL-227 - Proposed West Elevation - Site 1

PL-228 - Proposed North Elevation - Site 1

PL-229 - Proposed West Elevation - Site 1

PL-230 - Proposed South Elevation - Site 2

PL-231 - Proposed West Elevation - Site 2

PL-232 - Proposed West Elevation - Courtyard - Site 2

PL-233 - Proposed North Elevation - Site 2

PL-234 - Proposed East Elevation - Site 2

PL-235 - Proposed Peckham High Street Shop Front and Windows - Site 1

PL-236 - Proposed Peckham Square Elevation - Rear Facade - Site 1

PL-240 - Proposed Section AA - Site 1 and 2

PL-241 - Proposed Section BB - Site 1

PL-242 - Proposed Section CC - Site 1  
PL-243 - Proposed Section BB - Site 2  
PL-244 - Proposed Section CC - Site 2  
PL-245 - Proposed Section AA - Site 1  
PL-246 - Proposed Section BB - Site 1  
PL-247 - Proposed Section CC - Site 1  
PL-248 - Proposed Section AA - Site 2  
PL-249 - Proposed Section BB - Site 2  
PL-250 - Proposed Section CC - Site 2

PL-301 - Proposed Landscape Plan

PL-401 - Proposed Landscape Details 1  
PL-402 - Proposed Landscape Details 2  
PL-403 - Proposed Landscape Details 3

#### Existing Plans

PI-002 - Existing Location Plan  
PI-002 - Existing Site Plan  
PI-003 - Existing Ground Floor Plan - Site 1  
PI-004 - Existing First Floor Plan - Site 1  
PI-005 - Existing Second Floor Plan - Site 1  
PI-006 - Existing Roof Plan - Site 1  
PI-007 - Existing Lower Ground Floor Plan - Site 1  
PI-010 - Existing Site Demolition Plan  
PI-011 - Existing Ground Floor Demolition Plan - Site 1  
PI-012 - Existing First Floor Demolition Plan - Site 1  
PI-013 - Existing Second Floor Demolition Plan - Site 1  
PI-014 - Existing Lower Ground Floor Demolition Plan - Site 1  
PI-020 - Existing South Elevation  
PI-021 - Existing West Elevation  
PI-022 - Existing West Elevation - Kentish Drovers  
PI-023 - Existing North Elevation  
PI-024 - Existing East Elevation  
PI-030 - Existing South Elevation  
PI-040 - Existing South Elevation Demolitions  
PI-041 - Existing West Elevation Demolitions  
PI-042 - Existing North Elevation Demolitions

#### Documents

Planning Statement by Rolfe Judd Planning Dated July 2016

Design and Access Statement by Carl Turner Architects Dated June 2016

Transport Statement by Motion Dated June 2016

Flood Risk Assessment by WYG Dated October 2016

Energy Statement Rev B by Hoare Lea Limited Dated June 2016

Extended Phase 1 Habitat Survey by WYG Dated June 2016

Outdoor Lighting Report by Lighting Reality Pro Dated June 2016

Ventilation and Extraction Statement Dated July 2016

Ground Conditions Desktop Study by WYG Dated April 2016

Heritage Statement by AB Heritage Archaeological Consultancy Dated June 2016

Historic Environment Desk Based Assessment by AB Heritage Archaeological Consultancy Dated June 2016

Noise Impact Assessment - by Motion Dated June 2016

BS5837 Tree Survey, Arboricultural Implications Assessment & Metho Statement 'considerations' by Indigo Surveys Dated July 2016

Daylight and Sunlight Assessment by Malcom Hollis LLP Limited Dated July 2016

Air Quality Assessment by WYG Dated April 2016

Sustainability Statement Rev B by Hoare Lea dated June 2016

Breeam Pre-Assessment Report by Hoare Lea dated June 2016

**Subject to the following twenty-five conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

PL-101RevA - Proposed Location Site Plan

PL-102 - Proposed Proposed Site Plan - Site 11 and 2

PL-201 - Proposed Ground Floor Plan - Site 1

PL-202RevA - Proposed First Floor Plan - Site 1

PL-203RevA - Proposed Second Floor Plan - Site 1

PL-204RevA - Proposed Third Floor Plan - Site 1

PL-205 - Proposed Roof Plan - Site 1

PL-206 - Proposed Lower Ground Floor Plan - Site 1

PL-207 - Proposed Ground Floor Plan - Site 2

PL-208RevA - Proposed First Floor Plan - Site 2

PL-209RevA - Proposed Second Floor Plan - Site 2

PL-210RevA - Proposed Third Floor Plan - Site 2

PL-211 - Proposed Fourth Floor Plan - Site 2

PL-212 - Proposed Fifth Floor Plan - Site 2

PL-213 - Proposed Roof Plan - Site 2

PL-220 - Proposed South Elevation - Site 1 and 2

PL-221 - Proposed West Elevation - Site 1

PL-222 - Proposed West Elevation - Site 2

PL-223 - Proposed North Elevation - Site 1 and 2

PL-224 - Proposed East Elevation - Site 1

PL-225 - Proposed East Elevation - Site 2

PL-226 - Proposed South Elevation - Site 1

PL-227 - Proposed West Elevation - Site 1

PL-228 - Proposed North Elevation - Site 1

PL-229 - Proposed West Elevation - Site 1

PL-230 - Proposed South Elevation - Site 2

PL-231 - Proposed West Elevation - Site 2

PL-232 - Proposed West Elevation - Courtyard - Site 2

PL-233 - Proposed North Elevation - Site 2

PL-234 - Proposed East Elevation - Site 2

PL-235 - Proposed Peckham High Street Shop Front and Windows - Site 1

PL-236 - Proposed Peckham Square Elevation - Rear Facade - Site 1

PL-240 - Proposed Section AA - Site 1 and 2

PL-241 - Proposed Section BB - Site 1

PL-242 - Proposed Section CC - Site 1

PL-243 - Proposed Section BB - Site 2

PL-244 - Proposed Section CC - Site 2

PL-245 - Proposed Section AA - Site 1

PL-246 - Proposed Section BB - Site 1

PL-247 - Proposed Section CC - Site 1

PL-248 - Proposed Section AA - Site 2

PL-249 - Proposed Section BB - Site 2

PL-250 - Proposed Section CC - Site 2

PL-301RevA - Proposed Landscape Plan

PL-401 - Proposed Landscape Details 1

PL-402 - Proposed Landscape Details 2

PL-403 - Proposed Landscape Details 3

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

**Pre-commencement condition(s)** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 No development shall take place, including any works of demolition, until a written CEMP for the site has been devised. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to site management and to use all best endeavours to minimise off site impacts. A copy of the CEMP shall be available on site at all times and shall include the following information:  
A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;  
Engineering measures to eliminate or mitigate identified environmental impacts e.g. acoustic screening, sound insulation, dust control, emission reduction, location of specific activities on site, etc.;;  
Arrangements for direct responsive contact for nearby occupiers with the site management during demolition and/or construction (signage on hoardings, newsletters, resident's liaison meetings);  
A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme;  
Site traffic, Routing of in-bound and outbound site traffic, one way site traffic, lay off areas, etc.;;  
Waste Management, Accurate waste identification, separation, storage, registered waste carriers for transportation and disposal to appropriate destinations.

All demolition and construction work shall then be undertaken in strict accordance with the plan and relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of unnecessary pollution or nuisance, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 4 a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The phase 1 site investigation (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. The subsequent Phase 2 site investigation and risk assessment shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.
- b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
- c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.
- d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can

be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

- 5 Details of bird and bat nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No less than 4 house sparrow terraces (2 for each block) shall be provided and the details shall include the exact location, specification and design of the habitats.

No less than 3 bat tubes and at least one other type of bat roost features shall be provided and the details shall include the exact location, specification and design of the habitats.

The details shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The details shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

PC39 - mix of bat roost features recommended in Appendix C. 3 number bat Tubes, and at least one other type of bat roost feature.

2 house sparrow terraces on each block.

- 6 Prior to works commencing, full details of all proposed tree planting totalling a minimum of 322cm stem girth shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 7 Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering or

construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

**Reason**

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

**Commencement of works above grade** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 8 Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'very good' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;  
Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

**Reason**

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

- 9 Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof shall be: biodiversity based with extensive substrate base (depth 80-150mm); laid out in accordance with agreed plans; and planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the green/brown roof and Southwark Council agreeing the submitted plans, and once the green/brown roof(s) are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 2.18, 5.3, 5.10, and 5.11 of the London Plan 2011, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

- 10 Before any above grade work hereby authorised begins, details of security measures shall be submitted and approved in writing by the Local Planning Authority and any such security measures shall be implemented prior to occupation in accordance with the approved details which shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

Reason

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

- 11 Before any above grade work hereby authorised begins details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 12 Before any above grade work hereby authorised begins, details of the green walls shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

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

The green wall shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the Walls and Southwark Council agreeing in writing the submitted plans.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 2.18, 5.3, 5.10, and 511 of the London Plan 2011, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy

- 13 Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

**Pre-occupation condition(s)** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 14 Before the development hereby permitted is commenced, the applicant shall submit written confirmation from the appointed building control body that the specifications for each dwelling identified in the detailed construction plans meet the standard of the Approved Document M of the Building Regulations (2015) required in the schedule below and as corresponding to the approved floor plans. The development shall be carried out in accordance with the details thereby approved by the appointed building control body

Unit reference numbers

Access to and use of building standard

Site 1: 0101; 0102; 0201; 0202

Site 2: 0101; 0102; 0103; 0201; 0202; 0203; 0301; 0302; 0303; 0401; 0501; 0502.

M4(2)

Site 2: Flat -0402

M4(3a)

Reason

To ensure the development complies with Core Strategy 2011 Strategic Policy 5 (Providing new homes) and London Plan 2015 Policy 3.8 (Housing choice).

- 15 Pre-occupation testing of the separating floor must be undertaken for impact sound insulation in accordance with British Standards as required by Approved Document E of the Building Regulations: Impact Sound: BS EN ISO 140-7:1998 'Acoustics Measurement of sound insulation in buildings and of building elements Part 7: Field measurements of impact sound insulation of floors', and the report findings must be submitted to and approved in writing by the local planning authority prior to first occupation.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

- 16 Before the first occupation of the building/extension hereby permitted OR use hereby permitted begins details of the arrangements for the storing of domestic/commercial refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 17 Before the first occupation of the building hereby permitted a Delivery and Servicing Management Plan detailing how all elements of the site are to be serviced has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

To ensure compliance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

**Compliance condition(s)** - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 18 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (Ref. A100040 by WYG Dated October 2016) and in accordance with the mitigation measures detailed within the Flood Risk Assessment.

Reason

To ensure that the development is designed to ensure safety of the building users during extreme flood events, to mitigate residual flood risk and ensure safety of the future occupants of the proposed development, to reduce the amount of surface water run-off from the site, to provide safe refuge and ensure safety of the future occupants of the proposed development in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy Saved Policy 3.9 Water of the Southwark Plan 2007.

- 19 The measures in the draft Travel Plan shall be implemented upon occupation of the development.

Reason: In order that the use of non-car based travel is encouraged in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policies 5.2 Transport Impacts, 5.3 Walking and Cycling and 5.6 Car Parking of the Southwark Plan 2007.

- 20 The development must be designed to ensure that habitable rooms in the residential element of the development are not exposed to vibration dose values in excess of 0.13 m/s during the night-time period of 23.00 ĳ 07.00hrs.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 21 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the LPA.

Reason

There is always the potential for unexpected contamination to be identified during development ground works. The Environment Agency and the Environmental Protection Team should be consulted should any contamination be identified.

- 22 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 23 The habitable rooms within the development sharing a party ceiling/floor element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that noise from the commercial premises does not exceed NR25 (NR20 if the future use of the commercial unit is known to be a license premises or to contain loud processes or equipment.)

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012

- 24 The habitable rooms within the development sharing a party wall element with any other residential unit shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that the party wall meets a minimum of 5dB improvement on the Building Regulations standard set out in Approved Document E.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the adjacent premises accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 25 Residential Internal Noise Levels standard  
The dwellings hereby permitted shall be designed to ensure that the following internal noise levels specified by BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings are not exceeded due to environmental noise:

Bedrooms - 35dB LAeq T, 30 dB LAeq T\*, 45dB LAFmax T \*  
Living rooms- 35dB LAeq T  
Dining room - 40 dB LAeq T

\* - Night-time 8 hours between 23:00-07:00

\* - Daytime 16 hours between 07:00-23:00.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential

accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

### **Statement of positive and proactive action in dealing with the application**

Negotiations were held with the applicant to secure changes to the scheme to make it acceptable and the scheme was amended.

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The decision has been made in a timely manner.

### **Informatives**

A Construction Environmental Management Plan details good construction practice for a specific site and should contain the following elements:

- A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
- Engineering measures to eliminate or mitigate identified environmental impacts e.g. acoustic screening, sound insulation, dust control, emission reduction, location of specific activities on site, etc.;
- Locations and methods of monitoring of noise and dust, action and trigger levels, management protocols when triggers reached, etc.
- Arrangements for direct responsive contact for nearby occupiers with the site management during demolition and/or construction (signage on hoardings, newsletters, resident's liaison meetings)
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme;
- Site traffic – Routing of in-bound and outbound site traffic, one way site traffic, lay off areas, etc.;
- Waste Management – Accurate waste identification, separation, storage, registered waste carriers for transportation and disposal to appropriate destinations.

To follow current best construction practice, including the following:-

- Southwark Council's Technical Guide for Demolition and Construction at <http://beta.southwark.gov.uk/air-quality/the-main-causes-of-air-pollution>
- S61 of Control of Pollution Act 1974,
- The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition',
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration,
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- Relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended,
- Relevant CIRIA practice notes, and
- BRE practice notes
- Party Wall Act 1996.

All developers and contractors working on this development are given notice that standard site hours are:

Monday to Friday – 08.00 – 18.00hrs

Saturday – 08.00 – 13.00hrs

Sundays and Bank Holidays – no works

Any programmed/expected work required outside the standard site hours will require permission from Southwark's Environmental Protection Team under S61 of the Control of Pollution Act 1974 (e.g. regular extensions for set-up and clean down periods, extended concrete pours, the delivery and collection of abnormal loads, etc.). An application form can be found on the Southwark website - the link is:- <https://forms.southwark.gov.uk/DeptForms.asp?dept=24&section=Environment>

Follow the instructions on the web page to the form, complete it and submit it on-line. Forms need to be submitted a minimum of 28 working days before permission is needed to be in place for regular extended site hours and 5 working days before permission is needed to be in place for a short, temporary extension to site hours.

Should a site manager require an un-foreseen emergency extension of site hours (for emergency engineering

or health & safety reasons) they will require express permission from Southwark's Noise and Nuisance Team who can be contacted 24/7 via a call centre on 0207 525 5777. An officer will call back to address the issue verbally as soon as they are available.

### Environmental Parameters for Construction – informative

Parameter	Trigger (Amber)	Action (Red)
Environmental Noise	75 dB(A) Laeq 5min (short term) 70 dB(A) Laeq 10hr (daily)	80 dB(A) Laeq 5min (short term) 75 dB(A) Laeq 10hr (daily)
Environmental Dust Units - PM10	200ug/m-3 15 min	250ug/m-3 15min
Vibration	1mm/sPPV for occupied residential and educational buildings 3mm/sPPV for occupied commercial premises where work is not of an especially vibration sensitive nature or for potentially vulnerable unoccupied buildings 5mm/sPPV for other unoccupied buildings	
Hoardings	Min height 2.3m Min density 7kg/m <sup>2</sup>	

The air quality at this location is below current legal guidance it is recommended that any doors are fitted with automatic closers and that any air being brought into the building for ventilation purposes is pulled from the rear of the building, not the roadside.

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