

planning report PDU/2414d/02

19 December 2012

Larner Road Estate, Erith

in the London Borough of Bexley

planning application no. 12/01379/OUTM

Strategic planning application stage II referral (new powers)

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

The proposal

Demolition of existing buildings and construction of between 550 and 622 residential units (Class C3) in two phases. Phase 1 (detailed planning permission) comprises the construction of 343 residential units comprising 140 houses and 203 apartments, landscaping and enhancement works to The Dell, open space provision, public realm works, landscaping, 304 car spaces, 34 disability car spaces and 483 cycle spaces together with associated works.

Phase 2 (Outline planning permission) comprises construction of between 207 and 279 residential units, a community facility of up to 150 sq.m (Class D1 and/or D2) and associated works. Approval for details of access for Phase 2.

The applicant

The applicant is **Orbit**, and the architect is **Broadway Malyan**.

Strategic issues

Having regard to the details of the applications and the matters set out in the committee report, the application is **broadly consistent with the London Plan** and there are **no sound planning reasons for the Mayor to intervene** in this particular case and no basis to direct the Council to refuse the application.

The Council's decision

In this instance Bexley Council has resolved to grant permission.

Recommendation

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

Context

1 On 10 September 2012 the Mayor of London received documents from Bexley Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 1A and 3A of the Schedule to the Order 2008:

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

3A: Development which is likely to result in the loss of more than 200 houses, flats, or houses and flats (irrespective of whether the development would entail also the provision of new houses or flats)

2 On 17 October 2012 the Mayor considered planning report PDU/2414d/01, and subsequently advised Bexley Council that the application did not comply with the London Plan, for the reasons set out in paragraph 81 of the above-mentioned report; but that the possible remedies set out in paragraph 82 of that report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor's concerns (see below). On 13 December 2012 Bexley Council decided that it was minded to grant planning permission for the revised application, and on 14 December 2012 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Bexley Council under Article 6 to refuse the application or issue a direction to Bexley Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 27 December 2012 to notify the Council of his decision and to issue any direction.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

5 The decision on this case, and the reasons will be made available on the GLA's website www.london.gov.uk.

Update

6 At the consultation stage concerns were raised in relation to estate renewal, urban design, inclusive design, climate change and transport. The issues raised and the applicant's response are discussed below:

Estate renewal

7 At the consultation stage, concerns were raised regarding the loss of affordable units/floorspace. The proposal will result in a loss of between 123 and 161 affordable units, however the applicant is replacing the existing provision with fewer larger units. Further information was requested to potential loss of affordable housing if Phase 2 is not delivered.

8 The applicant has now provided additional information and confirmed that if phase 2 is not delivered, the affordable housing delivered in phase 1 (26,280 sq.m.) in addition to the existing affordable which will remain on the site (9,940 sq.m.) will exceed the current 33,037 sq.m. of

existing affordable floorspace by 3,183 sq.m. Therefore, there will be no net loss of affordable housing if phase 2 does not come forward and this complies with London Plan Policy 3.14. If both phase 1 and 2 of the development are delivered, it will deliver an uplift of between 6,165 sq.m. and 10,075 sq.m. of affordable housing, which is strongly supported.

9 The applicant has also now confirmed that of the 203 social housing units, the majority (168) will be for affordable rent and this is supported. The applicant has now provided a copy of its financial appraisal to GLA officer, which is welcomed.

10 The application now complies with London Plan housing policy.

Urban design

11 At the consultation stage, the main concern raised was regarding the location of the public space between Phase 1 and Phase 2 and the proposed route through the space, which depending on the design of phase 2, could have been an unsafe space, lacking activity and overlooking. To address the Mayor's concerns the applicant has now added a requirement in the design principles, which requires phase 2 to deliver sufficient main building entrances to be accessed from the space to ensure activity and overlooking in this area and this is welcomed.

12 At stage one, the applicant was asked to introduce individual entrances to all ground floor units, particularly important to the south of Block A and C and to the north of Block B and D. The applicant has provided further information regarding level changes on this part of the site to justify why this approach is not suitable. Whilst this is disappointing, officers accept the applicant's justification.

13 The applicant was also asked to demonstrate with indicative floorplans that the Mayor's residential quality standards can be met within the proposed parameters. The applicant has not provide this information and stated that due to the uncertainty of the funding for phase 2, it is not able to provide such detail at this time. Whilst this is disappointing, the applicant has committed to meeting the Mayor's residential standards, lifetime homes standards and complying with the London Housing design guide within the Development Principles document which will be secured by the Council. Further as there is a range of development proposed within phase 2, officers are confident that there is sufficient flexibility of quantum of development to allow the applicant to comply with the relevant standards within the proposed parameters.

14 Whilst it is disappointing the applicant has not addressed all of the issues raised at the consultation stage, on balance, the design is acceptable in strategic planning terms.

Inclusive design

15 The applicant has now provided further information on how disabled people will access the buildings and the rest of the site safely and how routes connect with the surrounding area as requested at the consultation stage.

16 The applicant has included a commitment with the phase II Development Principles to comply with Lifetime Homes Standards, the London Housing Design Guide and to ensure that 10% of the units will be wheelchair adaptable.

17 The application now complies with London Plan Policy 7.2.

Transport

18 The applicant has provided the information requested previously regarding trip generation methodology. A construction logistics plan has also been secured by condition as requested.

19 The cycle, car parking and electric vehicle charging points now accord with London Plan standards. The travel plan, electric vehicle charging points and a signage strategy for pedestrians and cyclists within the site, and additional signage in the vicinity of the site to raise awareness of pedestrian crossing points on Northend Road will form part of the planning obligations legal agreement and this is welcomed.

20 The development now complies with London Plan transport policy.

Climate change

21 Previously the applicant was required to check the magnitude of the savings for the various elements of the energy hierarchy. It was also required to show the savings from each level of the energy hierarchy in a table and confirm the total area of solar PV panels to be installed at the development and also provide a drawing showing their location and orientation on the houses.

22 The applicant has now provided the required information and the application complies with London Plan Policy

Air quality

23 At the consultation stage, the applicant was asked to confirm the proposed back-up boilers will have low nitrogen oxide emission and that they are energy efficient and this information has now been provided. The application complies with London Plan air quality policy.

Biodiversity

24 The stage one report stated the applicant should follow the recommendations set out within the Habitat study and produce a ten-year ecological management plan and this should be secured via condition/ legal agreement. The Council has now secured this as part of the Section 106 and the application now complies with London Plan Policy.

Geodiversity

25 Part of the site is identified as a Regionally Important Geological/Geomorphological Site and is the only remaining exposure of the Crayford Silt "brickearth" that was quarried from the site up until the 1880s.

26 Previously the applicant was asked to provide a copy of its correspondence with Natural England and provide a firm commitment to undertake the works proposed for the geomorphologic site in the Green Infrastructure and Open Environments SPG.

27 The Council has secured the appropriate works to the site to clean it up and provide an information board by condition. This is welcomed and the application now complies with London Plan Policy 7.20.

Response to consultation

28 The Council received two letters from local residents/ business commenting on the application. The first from a local business did not object to the principle of the development but raises concerns regarding the impact on the existing sewerage systems, dust and debris from the demolition of the existing buildings, the risk of fly tipping, and construction traffic.

29 A second letter from a neighbouring resident in Myrtle Close raised concerns regarding the outlook from its property.

30 The Council also received a letter signed by eight residents in Myrtle Close which is adjacent to the proposed scheme. The concerns raised include the loss of natural day and sunlight and privacy for the properties in Myrtle Close; the risk of land heave which may impact on garden wall in Myrtle Close due to piling; increased risk of crime due to secluded service routes behind Myrtle Close; possible risk of flooding due to the increased hard standing on the site; impact on the value of neighbouring properties; and requesting further information on the likely development programme and extent of inconvenience to existing residents.

31 The issues have been considered within reports PDU/2414d/01 and PDU/2414d/02 or within the Council's committee report.

Local groups

32 Bexley Natural Environment Forum – The BNEF is happy to see that many of the issues raised in the past have been taken into account such as the inclusion of swift boxes and native planting. It also supports the improvements to the Dell. It would like to see further investigation of whether more permeable hardstanding could be used.

33 Bexley Civic Society – The Bexley Civic Society states the development should be beneficial to the area and is superior to the current development on the site.

34 Bexley LA21 Traffic/ Transport – States that the report on the development is very detailed and other than a few minor doubts regarding provisions for cycling in the area, the group sees no reason to object to the development on transport grounds.

Statutory consultees

35 Environment Agency – The Environment Agency originally objected because the Flood risk assessment was not suitable and did not adequately demonstrate the development would not be at risk of surface water and pluvial flooding.

36 The Agency has now withdrawn its objection in light of additional information and on the basis that conditions regarding surface water drainage and ground water contamination be attached to the planning permission. The Council has attached the requested conditions to the permission.

37 London Wildlife Trust – The London Wildlife Trust has stated that it does not believe the removal of trees in Phase 1 and 2 will have a significant impact on the existing bat species that may be on the site but it has reservation regarding the proposed lighting scheme and its impact on the bat population. It requests a condition to reduce the ground level lux rating to 3 or less in particular areas of the site.

38 It also raises concerns regarding the types of plants proposed and requests native or less invasive types of used and requests a condition requiring this. It also seeks a development and resourcing of a 10-year management plan for the proposed greenspaces and it raises concerns regarding the amount of hard surfacing on the site.

39 The Council has addressed these issues via condition.

40 Natural England – Natural England is content that the development is unlikely to have a negative impact on protected bat species and it supports the proposal to enhance the Dell for people and wildlife.

41 Thames Water – Thames Water has requested an informative regarding water pressure, piling and regarding access and development close to the nearby water mains be attached to the permission and the Council have done this.

42 English Heritage – English Heritage has requested a condition ensuring no development takes place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been approved by the Council and the Council has done this.

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

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

Legal considerations

44 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

Financial considerations

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

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

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

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

Conclusion

48 At the consultation stage concerns were raised in relation to estate renewal, inclusive design, climate change and transport. As set out above these issues have now been satisfactorily addressed and the application now broadly complies with the London Plan.

for further information, contact Planning Decisions Unit:

Colin Wilson, Senior Manager – Planning Decisions

020 7983 4783 email colin.wilson@london.gov.uk

Justin Carr, Strategic Planning Manager (Development Decisions)

020 7983 4895 email justin.carr@london.gov.uk

Gemma Kendall, Case Officer

020 7983 6592 email gemma.kendall@london.gov.uk

planning report PDU/2414d/01

17 October 2012

Larner Road Estate, Erith

in the London Borough of Bexley

planning application no. 12/01379/OUTM

Strategic planning application stage 1 referral (new powers)

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

The proposal

Demolition of existing buildings and construction of between 550 and 622 residential units (Class C3) in two phases. Phase 1 (detailed planning permission) comprises the construction of 343 residential units comprising 140 houses and 203 apartments, landscaping and enhancement works to The Dell, open space provision, public realm works, landscaping, 304 car spaces, 34 disability car spaces and 483 cycle spaces together with associated works.

Phase 2 (Outline planning permission) comprises construction of between 207 and 279 residential units, a community facility of up to 150 sq.m (Class D1 and/or D2) and associated works. Approval for details of access for Phase 2.

The applicant

The applicant is **Orbit**, and the architect is **Broadway Malyan**.

Strategic issues

The main strategic issue is whether the proposed **phased redevelopment of this residential estate** is acceptable, including the proposed **tenure split** and **level of affordable housing**.

Further information is also required regarding the **urban design, inclusive design, climate change, air quality, biodiversity, geodiversity** and **transport**.

Recommendation

That Bexley Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 81 of this report; but that the possible remedies set out in paragraph 82 of this report could address these deficiencies.

Context

49 On 10 September 2012 the Mayor of London received documents from Bexley Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London)

Order 2008 the Mayor has until 19 October 2012 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

50 The application is referable under Category 1A and 3A of the Schedule to the Order 2008:

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

3A: Development which is likely to result in the loss of more than 200 houses, flats, or houses and flats (irrespective of whether the development would entail also the provision of new houses or flats)

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

52 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

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

Site description

54 The 7.7 hectare site is located within 800 metres of Erith Town Centre. To the south and north of the site are designated as a Regionally Important Geomorphological site and an Area of Local Importance for Nature Conservation (the Dell) respectively. The grassland to the south of site (Ballbanks Field) and the central portion of the site is also designated as open space.

55 The site is bounded to the east by A206 Northend Road, to the south by residential and light industrial, to the west by Badlow Close and allotments, and to the north by Larner Road and residential.

56 The site comprises 622 dwellings located within seven fifteen-storey blocks and one five-storey block, and includes an extensive podium area of car parking. There is also a multi-use games area (MUGA) in the centre of the site and a formal children's playground. The site was historically used as a quarry, which has resulted in significant level changes across the site. The site was developed in the 1960s.

57 The site is adjacent to the A206 Northend Road which forms part of the strategic road network. The nearest part of TfL road network is the A2 East Rochester Way, approximately four kilometres to the south. The site is within walking distance of two bus routes. The nearest rail stations are Erith (over one kilometre) and Slade Green (almost two kilometres). As such, it is estimated that the site has a public transport accessibility level (PTAL) of 1b, where 1 is the lowest and 6b is the highest.

Details of the proposal

58 The applicant has submitted a hybrid planning application for the redevelopment of the existing Larner Road estate. The applicant is seeking detailed planning permission for Phase 1, comprising the construction of 343 residential units comprising 140 houses and 203 apartments,

landscaping and enhancement works to The Dell, open space provision, public realm works, landscaping, 304 car spaces, 34 disability car spaces and 483 cycle spaces together with associated works.

59 The applicant is also seeking outline permission (save access) for Phase 2 of the development comprising construction of between 207 and 279 residential units, a community facility of up to 150 sq.m (Class D1 and/or D2) and associated works.

60 The proposed buildings will be between two and six storeys in height.

Case history

61 A pre-application meeting was held on 13 June 2012.

Strategic planning issues and relevant policies and guidance

62 The relevant issues and corresponding policies are as follows:

- Housing *London Plan; Housing SPG; Interim Housing SPG; draft Housing SPG; Housing Strategy; draft Revised Housing Strategy; Providing for Children and Young People's Play and Informal Recreation SPG; draft Providing for Children and Young People's Play and Informal Recreation SPG;*
- Affordable housing *London Plan; Housing SPG; Interim Housing SPG; draft Housing SPG; draft Affordable Housing SPG; Housing Strategy; draft Revised Housing Strategy*
- Open land *London Plan;*
- Density *London Plan; Housing SPG; Interim Housing SPG; draft Housing SPG*
- Urban design *London Plan*
- Inclusive design *London Plan; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Transport *London Plan; the Mayor's Transport Strategy; Land for Transport Functions SPG,*
- Climate change *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy*
- Geodiversity *London Plan; the Mayor's Biodiversity Strategy; draft Tree and Woodland Strategies; London's Foundations (Geodiversity) SPG*
- Air quality *London Plan; the Mayor's Air Quality Strategy;*

63 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2012 Bexley Core Strategy, the 2004 Bexley UDP, and the 2011 London Plan.

64 The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework and the draft Revised Early Minor Alterations to the London Plan are also a material consideration.

Principle of development

Open Space

65 The application site includes areas of designated public open space to the south of the site, known as Ballbanks Fields, and in the centre of the site. To redevelop the site at the same density but a lower height, an approach favoured by the applicant and the residents, necessitates the reconfiguration of the space within the site and the applicant has confirmed that it will result in the loss of open space. London Plan Policy 7.18 resists the loss of locally protected open space unless equivalent or better quality provision is made within the catchment area.

66 The applicant has confirmed that there is currently 4.76 hectares of public open space on the site and no private amenity space. The application will result in the loss of 0.61 hectares of open space (including private amenity space) and a loss of 1.47 hectares of publically accessible open space.

67 However, the applicant argues that much of the existing open space is of a poor quality and underused and that whilst the proposal will result in a loss of open space, the space that is re-provided will be of a much better quality. The Dell, an area of importance for local nature conservation, in the northeast corner of the site is currently inaccessible due to its topography and is misused for fly tipping etc. and the proposal will clean up the space and make it accessible to the community. A new public space will be provided as part of Phase 2 with play provision and 0.86 hectares of private open space, in the form of back gardens will be provided.

68 Whilst the loss of open space is not in line with London Plan Policy 7.18, in this instance the applicant has demonstrated that the loss of public open space is required to re-provide better quality housing on the estate and that the quality of the new open space will be better than the existing space. In this instance, therefore, the loss of open space is accepted, in principle.

Housing

69 The estate comprises 622 residential units, of which 602 are social rented properties and 20 are owned by leaseholders. The existing mix of the social rented properties on the site is provided below.

Tenure	Bedsit	1-bed	2-bed	3-bed	TOTAL	Percentage
Phase 1						
Affordable	28	81	301	0	410	97.5%
Leaseholders	0	3	7	0	10	2.5%
Phase 1 total	28	84	308	0	420	
Phase 2						
Affordable	28	82	49	33	192	95%
Leaseholders	0	2	7	1	10	5%
Phase 2 total	28	84	56	34	202	
Total (%)	56 (9%)	168 (27%)	364 (58.5%)	34 (5.5%)	622 (100%)	

70 The proposal comprises a target range of units between 550 and 622 new residential units. This will bring the total of the new units, between 443 and 501 are to be affordable, and between 107 and 121 are for private sale.

Table of proposed unit mix

Tenure		Bedsit	1-bed	2-bed	3-bed	4-bed	TOTAL	+/-	
Phase 1									
Affordable	Social Rent	0	13	96	73	21	203	277	-133
	Intermediate	0	8	48	18		74		
Proposed market		0	6	44	16		66	+56	
Phase 1 Total		0	27	188	107	21	343	-77	
Phase 2									
Affordable		0	18/28	117/165	25	6	166/224	-26/+ 32	
Proposed market		0	4/7	30/41	6	1	41/55	+31/+45	
Phase 2 Total		0	22/35	147/206	31	7	207/279	+5/+77	
TOTAL		0	49/62	335/394	138	28	550/622	-72/ 0	
Percentage		0	9-10%	61-64%	22-25%	4-6%			

Estate Renewal

71 The applicant is proposing the phased redevelopment of the entire site with the aspiration of creating a more mixed community by replacing the largely mono-tenure estate with a mix of social, intermediate and market housing and this is welcomed and in line with London Plan Policy 3.9 'Mixed and balanced communities'.

72 There is some uncertainty about what the applicant will deliver in Phase 2 and the outline seeks permission for between 207 and 279 residential units. If the minimum level of development is delivered in Phase 2 the proposal will result in a loss of 161 affordable units. However, as the applicant is seeking to replace the existing provision with fewer larger units, the applicant has confirmed there will be a 1,633 sq.m increase in affordable floorspace. If the maximum level of development is delivered the proposal would still result in a loss of 123 units but the affordable floorspace on the site would be 5,543 sq.m. greater than the existing estate. The loss of units, to provide a better mix of units and increase the level of family units on the estate is accepted.

73 However, the applicant has not provided sufficient information regarding the interim position between the redevelopment of Phase 1 and Phase 2. The applicant should provide additional information to demonstrate whether there would be a loss in affordable floorspace if Phase 2, which is currently unfunded, was not built out and the existing units in this part of the estate remained. The applicant is intending to demolish Verona House, one of the residential towers, in Phase 1 but redevelop that area as part of Phase 2. Whilst it is understood the proposed demolition of Verona House is desirable to help change the perception of the estate, officers are concerned that it will result in a loss affordable floorspace, which would not be replaced if Phase 2

did not go ahead and this would be contrary to London Plan Policy 3.14. Further information regarding the viability and deliverability of Phase 2 is also required if there is a loss of affordable floorspace proposed in Phase 1. Assurances that the equivalent level of affordable floorspace is delivered at the end of the development period may also be sought via the section 106 agreement and to ensure the application complies with London Plan Policy 3.14.

74 Given that the proposal will deliver 80% affordable housing and the general land values in this area, it is accepted it is likely to be unviable to deliver additional affordable housing from the sale of the private housing and in the interest of creating a mixed and balance community; it is unlikely to be desirable. However, it is understood that the applicant and its private development partner have an open book arrangement with the Council and this information should be shared with GLA officers.

Tenure split

75 The applicant is proposing a 70:30 split between social and social rented housing and intermediate housing which differs from London Plan Policy 3.13 aspiration for a 60:40 split between affordable rented and intermediate housing. Given the high level social housing that the applicant is required to re-provide on the estate for existing tenants, the principle of the proposed 70:30 split is, in this instance, considered to be acceptable. However, at the pre-application stage, the applicant stated that a proportion of the affordable housing would be affordable rent but this information has not been included in the final submission. The applicant should clarify its position in respect of affordable rent position.

Mix of units

76 Just 5.5% of the current estate comprises family-sized units. The applicant is proposing that 32% of the affordable units in Phase 1 will be family-sized units. Furthermore, depending on the level of development in the second phase, the proposed estate will comprise between 22% and 26% affordable family sized units. The applicant's aspiration to increase the level of family housing, particularly family-sized affordable housing is welcomed in the line with the strategic priority set out in London Plan Policy 3.8 to provide affordable family housing.

Density

77 London Plan Policy 3.4 seeks to optimise the potential of sites, having regard to local context, design principles and public transport accessibility. The site has a public transport accessibility level of 1b and is classified as urban in character. The London Plan density matrix therefore suggests a residential density of between 50-95 units per hectare.

78 The proposal would result in a density of between 71 and 81 units per hectare. The proposed density is well matched to the range set out in the London Plan and is acceptable.

Summary

79 In summary the principle of redeveloping the existing estate to the aspiration to create a more mixed and balance community, with a much higher proportion of family housing is welcomed. The applicant should share its development appraisal with the GLA so that the schemes viability can be assessed. Officers are concerned that the phasing of the development may result in a loss of affordable housing if the second phase is not delivered and further discussions and information is required to address this and assurances secured through the Section 106 agreement may be required. The applicant is required to provide additional information regarding the provision of

affordable rent tenure. Further information is required to ensure the application complies with London Plan housing policy.

Children's playspace

80 In line with London Plan Policy 3.6 the applicant has calculated that there will be approximately 341 children within the development. The applicant intends to provide a variety of play areas across the estate, including within the Dell, a dedicated neighbourhood play area and four areas for doorstep play for young children, providing over 1.2 hectares of space appropriate for play, which is well in excess of the 3,410sq.m. required by Policy 3.6 and this is welcomed.

81 The proposal does result in the loss of the existing play facilities, including a MUGA. However, the applicant will re-provide this in the neighbouring recreation ground and this will be secured through the Section 106 agreement.

82 The applications comply with London Plan Policy 3.6.

Urban design

83 The proposed development successfully deals with the complex topography of the site, creating a legible and permeable street based development that provides a range of good quality homes and is a significant improvement on the quality of the development currently on site. The following comments refer to these and other aspects of the proposal and where appropriate provide suggested amendments.

84 The layout of the scheme is simple and legible. Good sized perimeter blocks ensure a distinct threshold between the public and private realm and that all buildings have a distinct front and back allowing more active frontages to be located facing on to the public realm which is welcomed. All units meet the Mayor's space standards and this is welcomed.

85 The use of row housing typologies in these blocks ensures the scheme meets many of the aspirations set out in the London Housing Design Guide (LHDG) such as front entrances being directly accessible from the street and a high proportion of dual aspect units, which is welcomed.

86 Blocks A,B,C and D provide flatted accommodation and create the interface between Northend Road and the rest of the site. Whilst this strategy is welcomed in principle, consideration needs to be given to how the units facing on to this street are designed. In particular, consideration needs to be given to ensuring that they contribute to providing pedestrian activity to the currently vehicular dominated street by locating front entrances on to it. A narrow linear park between the street and the building can help create a more hospitable interface with the road and should also be incorporated.

87 Individual entrances to all ground floor units is an aspiration of the London Housing Design Guide and should be provided wherever the units look on to publicly accessible spaces. This is particularly important to the south of Block A and C and to the north of Block B and D.

Phase 2 application

88 Officers are concerned that there is insufficient information regarding to ensure the design quality proposed in Phase 1 will be carried through into Phase 2. The applicant should therefore produce a design code which sets out the design principles and parameters for Phase 2 including information regarding material, access widths, block dimensions, and commitments to residential quality such as achieving the Mayor's space standards, lifetime homes standards and 10% of all

units being wheelchair adaptable. The applicant should demonstrate that these standards can be accommodated within the proposed parameter blocks by providing indicative floorplans of at least the ground and upper floors. The adherence to this code should be secured via condition/legal agreement.

89 There is significant concern regarding the layout of Phase 2. The Open Space and Access parameter plan suggests that blocks turn their back to Larner Road undermining the levels of activity and overlooking on to the street critical to make it safe, well used and attractive which is a concern. Consideration needs to be given to ensuring access to all buildings is from the public realm.

90 There is also concern regarding the location of the public space between Phase 1 and Phase 2. This is poorly located and will be flanked by the rear boundary treatments of private gardens undermining the levels of activity and overlooking critical to make it a successful open space. If this space cannot be moved it should be designed as a secure communal courtyard accessed only by residents living in the surrounding block.

91 The suggestion of a route linking Phase 1 to Larner Road is welcomed. However, consideration needs to be given to making this straight and legible and ensuring that it is flanked by fronts of buildings on both sides. The proposed route is illegible and lacking in overlooking and needs further consideration.

Inclusive design

92 As discussed at the meeting, the applicant's commitment for all of the units to meet Lifetime Homes Standards and to provide 37 wheelchair adaptable units as part of Phase 1 is welcomed. The applicant's commitment to fit out 2% (7) of the wheelchair units to larger South East London Housing Partnership Wheelchair Homes Design Guidance standard is particularly supported. The applicant has demonstrated the location and layout of the proposed accessible units and provided drawings to show that the necessary space is available for the units to be adapted when required. The design and access statement/ planning statement also indicate how the wheelchair adaptable units will be distributed throughout the estate, with a mix of tenures, sizes and typologies.

93 There are currently significant level changes across the site and the applicant's commitment to reduce the severity of the level changes is welcomed. The sensitive design of the landscaping and the public realm, including the entrances to buildings will be crucial to ensure this development is fully inclusive. The pedestrian routes to all of the buildings, and within the buildings should be designed to ensure full and easy access for all users.

94 However, the design and access statement provides little information regarding how disabled people will be able to access the buildings and the rest of the site safely. To comply with London Plan Policy 7.2, the applicant should provide further information including details of levels, gradients, widths and surface materials of the paths it should also provide additional information on how the site connects to the surrounding streets and the public transport network and how accessible these routes are.

95 Furthermore, additional information and commitments are required regarding Phase 2 of the development and this should be included within the design code, discussed above.

Transport

Trip generation

96 In principle the use of London sites from TRICS rather than TRAVL is acceptable, however, it is unlikely that the sites used, being at Canada Water, Southwark and Walthamstow town centre, have a similar PTAL to the Lerner Road site and therefore may not make a good comparison. Also, it is unclear how 2001 Census has been used and its relevance to current conditions. Further clarification and justification of the trip assumptions used is required, for example, through use of locally derived trip rates.

Traffic impact

97 The site is adjacent to the strategic road network. However, as the proposal is for the renewal of an existing estate, and measures propose to minimise car usage, such as the proposed travel plan, which encourages walking and cycling for local trips, and car parking constraint with a car parking management plan, the proposal is unlikely to have an adverse impact on the strategic road network or local bus services. Therefore, provided the assumed trip rates are realistic, this proposal is expected to comply with London Plan Policy 6.11.

Walking and cycling

98 The proposed pedestrian and cycling measures, which should be secured by condition or within Section 106 agreement, are supported. A wayfinding signage strategy should be developed for the site to encourage and promote walking and cycling among residents and visitors. It is not possible to provide bus services within the development nor viable to enhance provision outside the estate. Therefore, the improvement of pedestrian and cycle links, including links to the nearest public transport, and other measures to encourage use of these modes, will be crucial in helping address the relative isolation of the estate and to ensure the development complies with London Plan Policy 6.1.

Car, cycle and electric vehicle charging points

99 The level of cycle parking proposed is above the London Plan standard and this is welcomed. Cycle parking should be located in safe, secure and covered areas and should include visitor as well as resident provision. The level of car parking proposed, 0.76 spaces per flat and 1.07 space per house, is below the London Plan maximum standards and this is welcomed. The applicant commitment to provide 10% of spaces for Blue Badge holders also complies with London Plan standards and this is supported. The applicant's confirmation that electric vehicle charging points will be provided in accordance with the London Plan, including 20% active provision and 20% passive provision, a total of 68 of each type is also welcomed. These measures should be secured by condition or within the S106 agreement, including arrangements for their management, maintenance and monitoring.

Travel plan and construction logistics plan and servicing

100 A construction logistics plan should form part of the construction management plan and be secured by condition with the aim to manage construction/ routing and minimise impact on the strategic road network. Also, the construction logistics plan should aim to provide safe and direct cycle and pedestrian routes during construction, especially for existing residents and those moving into the estate.

101 The travel plan should include a delivery and servicing plan and be secured by condition or as part of the Section 106 agreement.

Summary

102 Further information is required to ensure the application complies with London Plan Policy. Further clarification and justification of the trip assumptions used is required. A wayfinding signage strategy should be developed for the site. The applicant should produce a construction logistics plan as part of the construction management plan and this should be secured via condition. The travel plan should include a delivery and servicing plan and be secured by condition or as part of the Section 106 agreement.

Climate change

Energy efficiency standards

103 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include natural ventilation and low energy lighting. The demand for cooling will be minimised through solar control glazing.

104 The development is estimated to achieve a reduction of 332 tonnes per annum (41%) in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant development.

105 This saving seems exceptionally high for this part of the energy hierarchy and the applicant should check the SAP calculations provided to ensure that only building fabric and energy efficiency improvements have been included.

District heating

106 The applicant has carried out an investigation and there are no existing or planned district heating networks within the vicinity of the proposed development. The applicant should, however, provide a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available.

107 The applicant is proposing to install a site heat network to serve the apartments on the development. It is accepted that the individual houses that form part of the development will not be served by the site heat network. A drawing showing the heat network linking all apartments on the site has been provided.

108 The site heat network will be supplied from a single energy centre. This will be 129 sq.m. in size and located in the undercroft.

Combined Heat and Power

109 The applicant is proposing to install two 20 kWe gas fired CHP units as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. The applicant should calculate and state the reduction in regulated carbon dioxide emissions in tonnes per annum that will be achieved through this second part of the energy hierarchy.

Renewable energy technologies

110 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install solar photovoltaic panels. The applicant should confirm the total area of

solar PV panels to be installed at the development and also provide a drawing showing their location and orientation on the houses.

111 The applicant should set out separately (from the reduction associated with CHP) the reduction in regulated carbon dioxide emissions that will be achieved through this third element of the energy hierarchy.

Summary

112 The regulated carbon dioxide savings appear to exceed the targets set within Policy 5.2 of the London Plan. However, the applicant should check the magnitude of the savings for the various elements of the energy hierarchy so these can be verified. The applicant should present the information required in the format set out in Tables 1 & 2 of the document 'Energy Planning - GLA Guidance on preparing energy assessments – September 2011' which is available on the GLA website.

Air quality

113 The applicant is proposing the use of back up gas boilers and should specify that these will emit low level of nitrogen oxide, as well as be energy efficient.

114 As proposed in the applicants air quality assessment, the ground floor flats should be mechanically ventilated because the nitrogen oxide levels are higher than the EU objective level at this height. The air feed should be drawn from an area where pollution levels meet the EU objective level.

115 Furthermore, the applicant should consider installing a green screen during the construction and demolition activities to capture particulate matter emissions and also consider installing a permanent green wall to provide a barrier against air pollution.

116 Further information is therefore required to ensure the application complies with London Plan air quality policy.

Biodiversity

117 The Dell, in the northeast corner of the site is an Area of Local Importance for Nature Conservation. There is also a significant area of grassland on the site and a number of mature trees on the site. The applicant has undertaken a full EIA, which sets out the current ecological value of the site, the possible implications of the development and proposals to mitigate the potential harm caused by development.

118 The applicant undertook the appropriate habitat study and has identified a number of priority species that are UK and London BAP listed, some of which are thought to nest within the existing buildings. The applicant identified two bats foraging on the site and Japanese Knotweed on the site. The Study states that without proper mitigation, the proposed development is likely to have an adverse impact on the wildlife using the site. It recommends that to mitigate the impact of the development a number of measures, including a ten-year ecological management plan are undertaken. Other recommendations include the removal of the Japanese Knotweed; bird and bat boxes; and avoiding works during the most sensitive breeding season.

119 To ensure the application complies with London Plan Policy 7.19, the applicant should follow the recommendations set out within the Habitat study and produce a ten-year ecological management plan which should be secured via condition/ legal agreement.

Geodiversity

120 Part of the site is identified as a Regionally Important Geological/Geomorphological Site and is the only remaining exposure of the Crayford Silt “brickearth” that was quarried from the site up until the 1880s.

121 In line with London Plan Policy 7.20 ‘Geological Conservation’ the development should wherever possible, make a positive contribution to the protection and enhancement of geodiversity. The “Green Infrastructure and Open Environments SPG” (2011) identifies part of the site as GLA31 North End Pit, which is in need of clearing and an information board. (<http://www.london.gov.uk/publication/londons-foundations-spg>)

122 The applicant states that it has consulted Natural England who has confirmed that whilst it is not essential to maintain the entire exposure, a length of good exposure should be retained preferably where the cliff bends in the vicinity of Pretoria House with an information board erected. The applicant has not however, provided any commitment to carry this out. The applicant should provide a copy of its correspondence with Natural England on the issue and provide a firm commitment to undertake the works proposed for the site in the Green Infrastructure and Open Environments SPG.

Community Infrastructure Levy

123 The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3. The Mayoral CIL formally came into effect on 1 April 2012, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail.

124 The Mayor has arranged boroughs into three charging bands. The rate for Bexley is £20/sq.m. The required CIL should be confirmed by the applicant and council once the components of the development or phase thereof have themselves been finalised. See the 2010 regulations: <http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents> as amended by the 2011 regulations: <http://www.legislation.gov.uk/uksi/2011/987/made>

125 London borough councils are also able to introduce CIL charges which are payable **in addition** to the Mayor's CIL. Bexley has yet to adopt a scheme. See the council's website for more details.

Local planning authority's position

126 Bexley Council's position is unknown.

Legal considerations

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

this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

128 There are no financial considerations at this stage.

Conclusion

129 London Plan policies on open space, estate renewal, housing, urban design, inclusive design, transport, climate change, air quality, biodiversity and geodiversity are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Principle of the development:** The principle of redeveloping the existing estate and the aspiration to create a more mixed and balance community, with a much higher proportion of family housing is welcomed. The loss of open space to enable to redevelopment of the site is also accepted.
- **Children's playspace:** The proposal complies with London Plan Policy 3.6.
- **Urban design:** Further information and changes are required to ensure the application complies with London Plan design policy.
- **Inclusive design:** Further information is required to determine whether the application complies with London Plan Policy 7.2.
- **Transport:** Further information is required to ensure the application complies with London Plan Policy.
- **Climate change:** The regulated carbon dioxide savings appear to exceed the targets set within Policy 5.2 of the London Plan. However, the applicant should check the magnitude of the savings for the various elements of the energy hierarchy so these can be verified.
- **Air quality:** Further information is therefore required to ensure the application complies with London Plan air quality policy.
- **Biodiversity:** To ensure the application complies with London Plan Policy 7.19, the applicant should follow the recommendations set out within the Habitat study and produce a ten-year ecological management plan which should be secured via condition/ legal agreement.
- **Geodiversity:** Further information is required to ensure the application complies with Policy 7.20.

130 On balance, whilst the regenerative benefits of the estate regeneration are welcomed, the application does not comply with the London Plan. The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Principle of the development:** The applicant share its development appraisal with GLA officers. Further discussions and information is required to address concerns regarding the potential loss of affordable housing if Phase 2 is not delivered and assurances secured

through the Section 106 agreement may be required. The applicant is required to provide additional information regarding the provision of affordable rent tenure.

- **Urban design:** The applicant should reconsider the role of the space to the west of the cul-de-sac. The applicant should introduce individual entrances to all ground floor units. The applicant should produce a design code for Phase 2 of the development and demonstrate using indicative floorplans that the Mayor's residential quality standards can be met within the proposed parameters. It should reconsider the layout of Phase 2, including the way the proposed block interact with the public realm, the location of the public space between Phase 1 and Phase 2, and the suggested route linking the two phases.
- **Inclusive design:** The applicant should provide further information on how disabled people will access the buildings and the rest of the site safely and how routes connect with the surrounding area. Additional information and commitments are required regarding phases II of the development and this should be included within the design code
- **Transport:** Further clarification and justification of the trip assumptions used is required. A wayfinding signage strategy should be developed for the site. The applicant should produce a construction logistics plan as part of the construction management plan and this should be secured via condition. The travel plan should include a delivery and servicing plan and be secured by condition or as part of the Section 106 agreement.
- **Climate change:** The applicant should check the magnitude of the savings for the various elements of the energy hierarchy so these can be verified. The applicant should present the information required in the format set out in Tables 1 & 2 of the document 'Energy Planning - GLA Guidance on preparing energy assessments – September 2011.' The applicant should confirm the total area of solar PV panels to be installed at the development and also provide a drawing showing their location and orientation on the houses.
- **Air quality:** The applicant should confirm the proposed back-up boilers will have low nitrogen oxide emission and are energy efficient. The applicant should consider the use of a green screen during the construction period.
- **Biodiversity:** The applicant should follow the recommendations set out within the Habitat study and produce a ten-year ecological management plan which should be secured via condition/ legal agreement.
- **Geodiversity:** The applicant should provide a copy of its correspondence with Natural England on the issue and provide a firm commitment to undertake the works proposed for the site in the Green Infrastructure and Open Environments SPG.

for further information, contact Planning Decisions Unit:

Colin Wilson, Senior Manager - Planning Decisions

020 7983 4783 email colin.wilson@london.gov.uk

Justin Carr, Strategic Planning Manager (Development Decisions)

020 7983 4895 email justin.carr@london.gov.uk

Gemma Kendall, Case Officer

020 7983 6592 email gemma.kendall@london.gov.uk
