

## Planning Committee

Monday 19 December 2016

5.30 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1  
2QH

## Supplemental Agenda – Addendum

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Date: 19 December 2016

<b>Item No:</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 19 December 2016	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		<b>Addendum</b> Late observations, consultation responses, and further information.	
<b>Ward(s) or groups affected:</b>		Surrey Docks and The Lane	
<b>From:</b>		Director of Planning	

## PURPOSE

1. To advise members of observations, consultation responses and further information received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the recommendation stated.

## RECOMMENDATION

2. That members note and consider the late observations, consultation responses and information received in respect of each item in reaching their decision.

## FACTORS FOR CONSIDERATION

3. Late observations, consultation responses, information and revisions have been received in respect of the following planning applications on the main agenda:

### **Item 6.1 – Application 16/AP/3818 for: Full Planning Permission – The Printworks (Former Harmsworth Quays Printworks), Surrey Quays Road SE16 7ND**

#### Late representations

- 1.1. A letter of support dated 19 December was received from David Hubber Councillor for Surrey Docks Ward.

#### Changes to the officer recommendation

- 1.2. Condition 4 – has been amended to require the applicant to comply with a bespoke servicing and delivery plan in the event they apply to vary the use of the external areas. The amended condition shall now read:

*The external areas of the development shall be retained and used in accordance with Figure 3.2 of the Transport Assessment prepared by SCP dated November 2016 (doc ref: EFS/16345/TA/1) and shall not be available for visitor vehicle parking unless otherwise specified in writing by the Local Planning Authority.*

*A bespoke servicing and deliveries plan shall be submitted **and approved in writing** prior to use of the external areas for alternative activities in connection with the development. **Thereafter servicing and deliveries shall be carried out in accordance with the approved servicing and delivery plan unless otherwise approved in writing by the local planning authority.***

## Reason

To ensure appropriate area for servicing on-site is provided in connection with the development, discourage use of the private car and minimise impact of vehicles on the highway to comply 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.

- 1.3. Condition 10 – has been amended to make the dynamic event management plan more robust in terms of its enforceability. The main change is to include the list of details required to be submitted as an informative rather than within the main body of the condition. A clear reason for the condition has also been added setting out the policy basis for the condition. The amended condition shall now read as follows:

*Prior to any Major Event at this site a dynamic event management plan shall be submitted to and approved in writing by the local planning authority (in consultation with Transport for London) The applicant shall not permit any Major events at the site until the dynamic management plan has been approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved dynamic event management unless otherwise approved in writing by the local planning authority.*

***Reason: To ensure that appropriate arrangements are in place to ensure the effective implementation, monitoring and review of the management plan to safeguard residential amenity, to minimise overloading on Canada Water Station and Surrey Quays Station, parking stress on the roads nearby and obstructions to the public highway in accordance with Strategic Policy 2 of the Core Strategy and saved policies 3.1 (Environmental effects), 3.2 (Protection of amenity), 5.2 (Transport impacts) and 5.6 (Car Parking) of the Southwark Plan.***

- 1.4. An informative has been added which lists the descriptive detail that should be provided in the dynamic event management plan. The informative shall read as follows:

*To discharge the dynamic management plan the applicant is required to provide information to demonstrate:*

- *How they will work with Transport for London to programme events so that it minimises the overloading of Underground and Overground services at peak times at Canada Water and Surrey Quays stations*
- *How they will work with the London Borough of Southwark and other landowners to ensure that appropriate arrangements are made in good time, to effect temporary restrictions, where appropriate, on land (including the public highway) on key routes to the site*
- *That sufficient competent staff will be employed to be responsible for the marshalling of visitors and pick up of litter along the key routes to the site from Canada Water Station and, where appropriate, Surrey Quays Station, at arrival and departure for a range of events and sizes*
- *The strategy and programme to increase the capacity of on-site cycle parking provision to support sustainable travel*
- *How they will manage the communication of major events with local residents, businesses and the liaison group, including the frequency of periodic updates*

*about the dynamic event management and the mitigation that will be put in place to minimise the effects Major Events*

- *That at least 2 Car Parking Surveys will be carried out within the first year of operation to assess the impact of the development on local car parking. The car parking survey and results shall be shared and reported to the local planning authority promptly.*

*A 'Major Event' for the purposes of the dynamic event management plan condition is defined as a single event or combination of events exceeding 2000 people.*

*Any Car Parking Survey carried out for the purposes of this condition should follow the methodology and survey area set out in the Transport Assessment submitted with the application prepared by SCP dated November 2016.*

*A Liaison Group for the purposes of this condition is a group chaired by the travel plan co-ordinator that would comprise representatives from the a variety of stakeholders including but not restricted to the London Borough of Southwark, Transport for London, Ward Councillors, The Metropolitan Police, Local Community Groups.*

#### EIA screening opinion statement of reasons

- 1.5. The following statement sets out further detail to support reasoning for the why the proposed development is not likely to generate significant environmental effects. The reasons set out below comprise the appendix referred to at **paragraph 25** of the committee report.

#### The likelihood of significant effects on the environment

- 1.6. Schedule 3 of the EIA Regulations sets out three criteria that must be taken into account when deciding whether Schedule 2 development is likely to have significant effects on the environment, and therefore constitute an EIA development. The relevant selection criteria are:

#### Characteristics of the development

- a) Size of development;
  - b) the culmination with other development
  - c) the use of natural resources
  - d) the production of waste
  - e) pollution and nuisances
  - f) the risk of accidents, having regard in particular to substances or technologies used.
- 1.7. **Sizes of development** – No physical changes are proposed to the external envelope of the building. The development would take place within existing built structures and will not involve actions that will cause physical changes in locality. Notwithstanding this, the proposed change in land use would result in major events of up to 6000 people accessing the site on occasions which represents a large number of people compared to the extant use. This is likely to result in step change in the number of visitors to Canada Water during the day and evening. The additional journeys made to and from the town centre are not considered to be significant in the context of this urban location which has excellent public transport links. The provision of an event space of this space is likely to have actual and perceived positive impacts on the town centre and would be in keeping with aspirations of the Canada Water Area Action Plan.

- 1.8. The **culmination with other development** – Cumulative impacts have been considered taking into account the temporary permission at Hawker House and nearby developments. Particular regard has been given to potential changes in traffic flows and trip generation and the potential for noise nuisance. Taking into account the maximum size of the events that could take place and measures detailed in the applicants travel plan the impacts of the scheme are likely to be of no more than local importance and infrequent. Arrival and departure of visitors to major events will be managed by way of an event management plan that will be agreed in advance of such events in consultation with the local planning authority and Transport for London.
- 1.9. A transport statement submitted with the application indicates that there is parking capacity on local roads around the development. Trip generation impacts are likely to be localised and an event management plan is proposed that will detail, amongst other things, how the applicant will programme events to minimise overloading at peak times on the Overground and Underground. Taxi pick and drop off will be accommodated within the curtilage of the site reducing the potential for disruption on local roads surrounding the site and car parking pressure. Traffic emissions associated with the proposed development are unlikely to be harmful to human health or raise concerns about actual or perceived risks to health.
- 1.10. **The use of natural resources** – a vacant building will be brought back into productive use. Use of materials is likely to be limited to heating and water use as per existing but not expected to be significantly above the operational requirements of the extant use.
- 1.11. The production of waste – as no construction is proposed very little waste will be generated in making the building fit for occupation. Waste generated from events will be managed by a private contractor. Space for a waste compactor has been designated within a building on site to minimise journeys to and from the site associated with waste.
- 1.12. **Pollution and nuisances** – The site is within a designated town centre but adjacent to residential properties on Quebec Way and Surrey Quays Road. Residential properties line a key route to the application site from Canada Water along on Surrey Quays Road. Potential noise impacts could occur associated with events and large crowds at peak times of arrival and departure for major events. Details have been provided setting out how visitors will be marshalled to and from Canada Water at arrival and departure via routes that are take crowds and large groups away from Surrey Quays Road and sensitive receptors. Noise conditions have been imposed that would limit use of the external areas at the site and noise from event within the building. The building was constructed with a high degree of noise attenuation limiting impact on residential properties. Consideration has been given to future land uses on or around the site which could be affected by virtue of the temporary nature of the proposal no significant effects are likely.
- 1.13. No other obvious sources of other types of pollution are expected. The proposal would not result in the release of pollutants or any hazardous, toxic or noxious substances to air or risk contamination from land or water as it would not involve the removal of soil or hardstanding.
- 1.14. The risk of accidents, having particular regard to substances or technologies **used** – No specific risks identified.

#### Location of development

- a) The existing land use

- b) The relative abundance, quality and regenerative capacity of natural resources in the area
  - c) the absorption capacity of the natural environment paying particular attention to, the following areas:
    - (i) wetlands
    - (ii) coastal zones
    - (iii) mountains and forest areas
    - (iv) nature reserves and parks
    - (v) areas classified or protected under Member States' legislation; area designated by Member States pursuant to Council Directive 79/409/EEC on the conservation of wild birds and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora
    - (vi) areas in which the environmental quality standards laid down in Community legislation have already been exceeded
    - (vii) densely populated areas
    - (viii) landscapes of historical, cultural or archaeological significance.
- 1.15. None of the designations described above apply to the site with the exception of criterion vi as the site is within an Air Quality Management Area. The whole of the north of the borough is within a AQMA which means that certain Air Quality Objectives as set out in European Directives have not been achieved.
- 1.16. Two pollutants cause most concern within Southwark: particulate matter (PM10 and PM2.5) and nitrogen dioxide (NO2). It is noted that despite efforts to reduce the levels of these pollutants this is particularly challenging in London as between 30-40% of air pollution is generated from sources outside of Greater London.
- 1.17. As no demolition or construction is proposed the main effects are likely to arise through the site's operation as an event space.
- 1.18. The existing car parking on-site will be retained for servicing, coaches, taxi's and will not be retained for visitor parking. Fewer vehicle journeys are anticipated to be made to and from the site compared with the extant use as the vast majority of journeys are expected to be made using either public transport, bike or by foot. Whilst there remains the potential for highway impacts at the beginning and end of major events, significant environmental effects are not anticipated as the applicant has committed to programming events so that it minimises overloading of the Underground and Overground services at peak times at Canada Water and Surrey Quays. The staggering of departure and arrival of events so that they do not coincide with peak travel on the public transport is anticipated to support sustainable choices by visitors. Based on this analysis, the scheme cannot reasonably be considered to have significant environmental effects by way of vehicle emissions on air quality.
- 1.19. Energy to the site would be supplied as per the existing situation via the national grid. Compared to the extant use the anticipated level of NO2 and particulate emissions from this scheme would be anticipated to generate significant air quality impacts. The previous use involved the heavy use of plant and machinery 24 hours a day and energy use with this proposal is not expected to be as extensive.

### Characteristics of the potential impact

- 1.20. The potential significant effects of the development must be considered in relation to the criteria above and having particular regard to:
- a) The extent of the impact (geographical area and size of the affected population)
  - b) The transfrontier nature of the impact
  - c) The magnitude and complexity of the impact
  - d) The probability of the impact
  - e) The duration, frequency and reversibility of the impact.
- 1.21. **Extent of impact** – Transport statement identifies that vehicle movements to and from the site are likely to be less than the previous use. The potential impacts in terms of traffic and trip generation are likely to be of local importance and infrequent. Mitigation measures have been identified as part of the travel plan and transport statement which will be secured by condition.
- 1.22. Noise impacts are likely to be local in nature and limited to major events either at arrival or departure. A management plan has been submitted with the proposal indicating measures that would be taken to minimise impact on residential amenity are acceptable and proposed to be secured by condition.
- 1.23. Transfrontier impact – None identified.
- 1.24. **Magnitude/complexity of impact** – Only localised impacts identified in relation to trip generation and socio-economic impacts.
- 1.25. **Probability, duration, frequency and reversibility** – Temporary planning permission sought and so any potential environment effects are temporary and reversible. Traffic, trip generation, noise impacts, should they occur, would be infrequent and regularly monitored and reviewed.

### Conclusions

- 1.26. The proposal is schedule 2 development and consideration has been given to the characteristics of the development, the location of the development and the characteristics of the potential impact. Taking into account the supporting information submitted with the scheme and its temporary nature it is unlikely to have significant environmental effects or impacts that could reasonably be considered to be of more than local importance. For these reasons the proposal is not considered to require an Environmental Impact Statement.

### **Item 6.2 – Application 16/AP/0131 for: Full Planning Permission – 213 Rye Lane, London SE15 4TP**

#### Corrections to the report

- 1.27. Paragraph 104 – Two tones of brick are proposed, not the three suggested in the report.

#### Application drawings

- 1.28. The plans submitted for approval should be GA\_SP B, GA\_00 B and GA\_01A, which include 2 x commercial cycle parking space provision and change of location of first floor refuse chutes.

### Number and mix of dwellings

- 1.29. The number and mix of proposed dwellings referred to in paragraph 55 of the committee report is incorrect. The figures relate to the initial submission which was slightly reduced (i.e. set back at seventh storey) to address concerns about the potential impact that it would have on visual amenity and the Rye Lane Conservation Area.
- 1.30. The correct number and mix of dwellings is as follows:

Unit Number	Number	Percentage
1B 2 P	14	35%
1B 2 P/ 2B 4 P (Wheelchair)	2	6%
2B 3 P	3	8%
2B 3 P (Wheelchair)	2	5%
2B 4 P	12	30%
3B 4 P	3	8%
3B 5 P	4	10%

### **Matters for clarification**

#### Affordable housing

- 1.31. The applicant initially offered no affordable housing and provided a viability assessment to support this. The council engaged a viability consultant who advised that the site could deliver 40% affordable housing based on a number of assumptions.
- 1.32. During the course of the application, there were discussions about the various inputs that were used in the two assessments, including the profit that it is reasonable to expect and the estimated sales value of the dwellings. Of particular note was the disagreement between the two parties on the profit that a developer might reasonably expect and sales values for the dwellings (per sq. ft.) summarised below:

	<b>Savills</b>	<b>GVA (for the council)</b>
Private resi GDV	£680 per sq ft	£725 per sq ft
Shared ownership value	£200 per sq ft	£300 per sq ft
Profit level	18.35% profit on GDV	16.25% profit on GDV

- 1.33. The council's consultant subsequently undertook a sensitivity analysis based on a range of these two variables to advise on the maximum reasonable amount of affordable housing that may be delivered on the site. This showed that a 30% affordable housing could be delivered:

<b>Profit</b>	<b>GDV Variation</b>	<b>Policy compliant mix</b>	<b>100% shared ownership</b>
16.25% (GVA)	£696 per sq ft	30%	35%
17.5%	£696 per sq ft	25%	30%
16.25%	£680 per sq ft (Savills)	27%	30%
17.5%	£680 per sq ft	23%	27%

- 1.34. The difference between the first assessment for the council suggesting that the site could deliver 40% and the subsequent assessment showing that 30% is the maximum



reasonable is effectively the adjustment of sales values. It is important to note that the legal agreement would include a mechanism for reviewing the affordable housing contribution should the development become more viable based on changes to actual costs or revised sales values- the mechanism would only allow for a revision to provide more affordable housing. A sustainable level of affordable housing is thus proposed.

- 1.35. For the purposes of calculating affordable housing contributions, rooms with an area of more than 27.5sq.m. is counted as two rooms. There are nine such rooms proposed so for calculating affordable housing the figure of 122 habitable rooms is used (not the 113 rooms that would be delivered). The applicant has identified which rooms would form the on-site affordable:

Social Rented:

Type	Number	No. of habitable rooms
1 bed 2 person (Wheelchair)	1	3
2 bed 3 person (Wheelchair)	2	8

Intermediate:

Type	Number	No. of habitable rooms
1 bed 2 person	2	4
1 bed 2 person/2 bed 4 person (Wheelchair)	1	3
2 bed 4 person	3	9
3 bed 5 person	2	10

- Total number of habitable rooms = 122
- Total number of affordable habitable rooms = 37 (30%)
- Total number of social rented affordable habitable rooms = 11 (30% of affordable habitable rooms)
- Total number of intermediate affordable habitable rooms = 26 (70% of affordable habitable rooms)

## Changes to the drawings

### Children's play space

- 1.36. The applicant was advised that children's play space in accordance with the children's play space calculation spreadsheet in the London Plan would be required. This amounts to 67 sq m. for the proposed development. The applicant has submitted a revised proposed first floor plan with a total of 62 sq m of children's play space on the communal terrace/deck.

### Refuse storage

- 1.37. The applicant has amended the location of the residential refuse storage area to the south of the site. It would be serviced off Copeland Road and not conflict with pedestrian movement along Bournemouth Close and the permitted Peckham Palms scheme.

### Additional representations

- 1.38. Three further letters of objection received. Objections raised relate to:

- Excessive scale for the Conservation Area
- Excessive density and lack of parking and green/amenity space within proposal
- Inadequate provision of affordable housing
- Discrepancy between financial appraisal and applicant's affordable housing proposal
- Nature of applicant's affordable housing offer (concern re security/obligation to provide affordable housing)
- Lack of transparency/validity of information within financial appraisals.

#### 1.39. Officer comments:

- The proposal would involve the retention of the façade of 213 Rye Lane which is the feature of significance in the conservation area. The development to the rear of the façade (with the new second and third storeys set back from the front elevation) would preserve the historic and architectural value of the façade. The existing brick warehouse on the rear of the site is not of any heritage value within the Conservation Area. There would be some harm to the conservation area as is acknowledged in the officer report (paragraph 100) but this would be outweighed by the significant public benefit, not only to the conservation area by replacing an unsightly warehouse to the rear of the site with a development of high quality but also by providing much needed housing for the borough.

#### Amendments to conditions

1.40. It is recommended that condition 10 be omitted because there is no kitchen ventilation system proposed.

#### **REASON FOR URGENCY**

4. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the planning sub-committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting

#### **REASON FOR LATENESS**

5. The new information, comments reported and corrections to the main report and recommendation have been noted and/or received since the committee agenda was printed. They all relate to an item on the agenda and members should be aware of the objections and comments made.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Individual files	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403