

Planning Committee

Tuesday 31 January 2012
7.00 pm
160 Tooley Street, SE1 2QH

Membership

Councillor Nick Dolezal (Chair)
Councillor Althea Smith (Vice-Chair)
Councillor Kevin Ahern
Councillor Robin Crookshank Hilton
Councillor Jeff Hook
Councillor Darren Merrill
Councillor Nick Stanton

Reserves

Councillor James Barber
Councillor Neil Coyle
Councillor Dan Garfield
Councillor Eliza Mann
Councillor Mark Williams

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

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Access

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Contact

Kenny Uzodike on 020 7525 7236 or email: kenny.uzodike@southwark.gov.uk
Webpage: <http://www.southwark.gov.uk>

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: 23 January 2012





Planning Committee

Tuesday 31 January 2012
7.00 pm
160 Tooley Street, SE1 2QH

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	1 - 2
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	MINUTES	3 - 8
	To approve as a correct record the Minutes of the open section of the meeting held on 20 December 2011.	
6.	DEVELOPMENT MANAGEMENT	9 - 13

- | | |
|--|---------|
| 6.1. SYMINGTON HOUSE LAWSON ESTATE DEVERELL STREET,
LONDON SE1 4AA | 14 - 28 |
| 6.2. THE PAVILION, PYNERS CLOSE SPORTS GROUND,
DULWICH COMMON, LONDON SE21 7HA | 29 - 39 |
| 7. THE RELEASE OF SECTION 106 MONIES TO DELIVER THE SHARD
SOUTHWARK VOCATIONAL PROGRAMME (SSVP) FROM S106
AGREEMENT FOR LONDON BRIDGE HOUSE, 25 LONDON BRIDGE
STREET, THREE CASTLE HOUSE AND LAND ADJ. LONDON BRIDGE
STREET, RAILWAY APPROACH AND JOINERS STREET, SE1 ('THE
PLACE'), AGT. NO. S106/ 117876, 06/AP/0077 TO THE VALUE OF
£1,015,000 | 40 - 50 |
| 8. SOUTHWARK DESIGN REVIEW PANEL RE-ADVERTISING | 51 - 54 |
| 9. DRAFT ELEPHANT AND CASTLE SUPPLEMENTARY PLANNING
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ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

PART B - CLOSED BUSINESS

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: 23 January 2012



PLANNING COMMITTEE

Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the committee.
3. Your role as a member of the planning committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the committee (if they are present and wish to speak) for **not more than 3 minutes each**.

- (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3 minute time slot.
- (b) The applicant or applicant's agent.
- (c) One representative for any supporters (who live within 100 metres of the development site).
- (d) Ward councillor (spokesperson) from where the proposal is located.
- (e) The members of the committee will then debate the application and consider the recommendation.

Note: Members of the committee may question those who speak only on matters relevant to the roles and functions of the planning committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the Town Hall prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.

Note: Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report.

6. This is a council committee meeting, which is open to the public and there should be no interruptions from the audience.

7. No smoking is allowed at committee and no recording is permitted without the consent of the meeting on the night, or consent in advance from the chair.

The arrangements at the meeting may be varied at the discretion of the chair.

Contacts: The Head of Development Management,
Planning Section, Regeneration Department
Tel: 0207 525 5437; or

Planning Committee Clerk, Constitutional Team
Communities Law & Governance
Tel: 0207 525 7236

Planning Committee

MINUTES of the OPEN section of the Planning Committee held on Tuesday 20 December 2011 at 6.30 pm at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Nick Dolezal (Chair)
Councillor Althea Smith (Vice-Chair)
Councillor Robin Crookshank Hilton
Councillor Jeff Hook
Councillor Darren Merrill
Councillor Nick Stanton

OTHER MEMBERS PRESENT: Gary Rice, Head of Development Management
Bridin O' Connor, Development Management
Allison Squires, Development Management
Rob Bristow, Development Management
Gordon Adams, Development Management
Tim Gould, Transport Planning
Zayd Al-Jawad, Section 106 Manager
Nagla Stevens, Legal Services
Virginia Wynn-Jones, Constitutional Team

1. APOLOGIES

There were apologies for absence from Councillor Kevin Ahern. Councillor Neil Coyle attended as a reserve. There were apologies for lateness from Councillor Jeff Hook and Councillor Nick Stanton.

2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The committee accepted a late and urgent submission from Team London Bridge on item 8.1: London Bridge Station.

The chair informed the committee of the following additional papers circulated at the start of the meeting:

- Addendum report relating to item 8 – development management items
- The member information pack of additional photographs and maps also relating to item 8.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Item 8. Development Management.

Councillor Neil Coyle, personal and non prejudicial, as deputy cabinet member for estate regeneration; on all planning applications.

Item 8.3: Dockland Settlement and land adjoining, Rotherhithe Street, London SE16 5LJ.

Councillor Nick Dolezal, personal and non prejudicial, knows Alan Camp of Dockland Settlement socially.

Councillor Althea Smith, personal and non prejudicial, knows Alan Camp of Dockland Settlement socially.

5. MINUTES

DECISION:

That the minutes of the open section of the meeting held on 28 November 2011 be agreed as a correct record and signed by the chair.

6. DRAFT 2010/11 ANNUAL MONITORING REPORT

The committee heard an officer's introduction to the report and members asked questions of the officer.

RESOLVED:

That the planning committee provided comments on the draft 2010/11 Annual Monitoring Report for the cabinet member for regeneration and corporate strategy to consider.

7. CLARIFICATION OF SOUTHWARK'S AFFORDABLE HOUSING PLANNING POLICIES

The committee heard an officer's introduction to the report and members asked questions of the officer.

RESOLVED:

That planning committee noted for information:

- the clarification of Southwark's affordable housing planning policies.
- the background to the national and regional changes to affordable housing.

8. DEVELOPMENT MANAGEMENT

8. LONDON BRIDGE STATION SITE BOUNDED BY TOOLEY STREET (INCLUDING 64-84), JOINER STREET, ST THOMAS STREET AND BERMONDSEY STREET, LONDON SE1

Planning application reference numbers: 11-AP-1987, 11-AP-2079, 11-AP-2080 and 11-AP-3423

Report: See pages 119-210 of the agenda and pages 1-8 of the addendum report.

Proposal:

Application made under the provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 seeking demolition of listed train shed, part of St Thomas Street wall, 64-84 Tooley Street, and arches together with closure of Weston Street and Stainer Street in order to provide a new station layout including: construction of a new street-level station concourse, new replacement facades on Tooley Street and St Thomas Street, new roof canopies, landscaping and other works associated with the station. Land use is to comprise station concourse, station ancillary space, operational car park, station loading bay, Class 'A' retail uses, and leisure (Class D1, D2 and sui generis uses).

Application for Listed Building Consent

Proposal:

Demolition of train shed over platforms 9-16 at London Bridge Station, including main roof structure and supporting walls, in connection with the Thameslink Programme and associated development of London Bridge Station.

Application for Conservation Area Consent

Proposal:

Demolition of 64-84 Tooley Street (former South Eastern Railway Office Building) in connection with the Thameslink Programme and the associated redevelopment of London Bridge Station.

Application for Listed Building Consent

Proposal:

Works associated with the repair, refurbishment and re-use of the railway viaduct arches on St Thomas Street, including the creation of new shopfronts and service openings, in connection with the Thameslink Programme and redevelopment of London Bridge Station.

The committee heard an officer's introduction to the report and members asked questions of the officer.

Objectors made representations to the committee and answered members' questions.

The applicant made representations to the committee and answered members' questions.

Ward councillors, Councillors Mark Gettleson and Anood Al-Samerai, made representations to the committee and answered members' questions.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That:

1. Planning permission be granted subject to conditions and the applicant entering into an appropriate legal agreement by no later than 30 March 2012, and subject to referral to the Mayor of London and the Secretary of State for Communities and Local Government (11-AP1987)
2. Listed Building Consent be granted subject to conditions (11-AP-2079 and 11-AP-3423)
3. Conservation Area Consent be granted subject to conditions (11-AP-2080)
4. If it is resolved to grant planning permission, that it is confirmed that the environmental information has been taken into account as required by Regulation 3(4) of the Town and Country Planning (Environmental Impact Assessments) Regulations 2011
5. It is confirmed that, following issue of the decision, the head of development management should place a statement on the Statutory Register pursuant to Regulation 24 of the Town and Country Planning (Environmental Impact Assessments) Regulations 2011 which contains the information required by Regulation 21 and that for the purposes of Regulation 24(1)(c) the main reasons and considerations on which the Planning Committee's decision was based shall be set out as in this report
6. In the event that the requirements of (a) are not met by 30 March 2012, the head of development management be authorised to refuse planning permission for the reasons set out under paragraph 267 of the report.
7. The construction management plan be amended to ensure that appropriate measures are taken prior to road closure/commencement of works to ensure adequate traffic management
8. The construction working group be amended to include local resident groups.

8. BANKSIDE HOUSE, 24 SUMNER STREET, LONDON SE1 9JA

Planning application reference number 11-AP-2566

Report: See pages 211-246 of the agenda and page 8 of the addendum report.

PROPOSAL:

Demolition of eighth floor and mezzanine in order to construct a three floor extension to provide an additional 104 student rooms, associated minor facade alterations, access,

landscape, public realm works and cycle storage.

The committee heard an officer's introduction to the report and members asked questions of the officer.

The applicant made representations to the committee and answered members' questions.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

1. That subject to the applicant first entering into an appropriate legal agreement (at no cost to the council) by no later than 1 February 2012, planning permission be granted subject to conditions.
2. That in the event that the requirements of resolution 1 are not met by 1 February 2012, the head of development management be authorised to refuse planning permission for the reasons set out under paragraph 101 of the report.

8. DOCKLAND SETTLEMENT AND LAND ADJOINING, ROTHERHITHE STREET, LONDON SE16 5LJ

Planning application reference number 11-AP-2242

Report: See pages 247-284 of the agenda and page 8 of the addendum report.

PROPOSAL:

Demolition of existing buildings, and erection of 28 residential dwellings (6x1 bed; 13x2 bed; 9x3 bed) within a part three, part four storey building at the southern end of the site with associated car parking, cycle storage and amenity spaces. Erection of a new single storey community building (maximum height approximately 7 metres above ground) on the northern part of the site, accessed from Salter Road, providing general hall, meeting spaces and sports facilities, and a new flood-lit external sports pitch.

The committee heard an officer's introduction to the report and members asked questions of the officer.

The applicant made representations to the committee and answered members' questions.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

1. That planning permission be granted subject to conditions and the applicant first entering into an appropriate legal agreement by no later than 1 February 2012.
2. That in the event that the legal agreement is not entered into by 1 February 2012, the

head of planning be authorised to refuse planning permission for the reasons set out in paragraph 100 of the report.

9. RELEASE OF S106 MONIES: COMMUNITY AND ENVIRONMENTAL IMPROVEMENTS FUNDED AS PART OF THE LEGAL AGREEMENT FOR ST. CHRISTOPHER HOUSE. S106/2678 A/N 182 (01/AP/1701)

The committee heard an officer's introduction to the report.

RESOLVED:

1. That comments from Borough and Bankside Community Council about the proposed expenditure be noted.
2. That the sum of £226,875.33 of section 106 funding be released from the legal agreement in respect of the development at St Christopher's House (Bankside 1,2,3), S106/2678 A/N 182 (01/AP/1701), towards The 56 Southwark Bridge Road Centre.

The meeting closed at 10.30pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 20 December 2011	Meeting Name: Planning Committee
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Deputy Chief Executive	

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F which describes the role and functions of the planning committee and Part 3H which describes the role and functions of community councils. These were agreed by the annual meeting of the council on 19 May 2010 and amended on 20 October 2010. The matters reserved to the planning committee and community councils exercising planning functions are described in parts 3F and 3H of the Southwark Council constitution. These functions were delegated to the planning committee.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate -
6. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
7. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.

8. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.
9. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
10. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the Council's case at appeal which may be substantial if the matter is dealt with at a public inquiry.
11. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
12. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
13. All legal/Counsel fees and costs as well as awards of costs against the council are borne by the regeneration and neighbourhood's budget.

Community impact statement

14. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

15. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the development & building control manager shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
16. A resolution to grant planning permission subject to legal agreement shall mean that the development & building control manager is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the strategic director of legal and democratic services, and which is satisfactory to the development & building control manager. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the strategic director of legal & democratic services. The planning permission will not be issued unless such

an agreement is completed.

17. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
18. The Southwark Plan is part of the Development Plan along with the Core Strategy and London Plan. Some of the detailed Southwark plan policies were 'saved' in July 2010 with permission from the Secretary of State. Some of these policies have now been superseded by policies in the Aylesbury Area Action Plan and the Core Strategy which was adopted on 6 April 2011. The enlarged definition of "development plan" arises from s38(2) of the Planning and Compulsory Purchase Act 2004. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
19. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests. From 6 April 2010 the Community Infrastructure Levy regulations (CIL) have given these policy tests legal force.

Regulation 122 provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:

- a. necessary to make to the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related to the scale and kind to the development."

20. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda June 27 2007 and Council Assembly Agenda January 30 2008	Constitutional Team Communities, Law & Governance 2 nd Floor 160 Tooley Street PO Box 64529 London SE1 5LX	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Council Offices, 5th Floor 160 Tooley Street, London SE1 2TZ	The named case Officer as listed or Gary Rice 020 7525 5437

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Nagla Stevens, Principal Planning Lawyer Kenny Uzodike, Constitutional Officer	
Version	Final	
Dated	25 October 2010	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Deputy Chief Executive	No	No
Head of Development Management	No	No

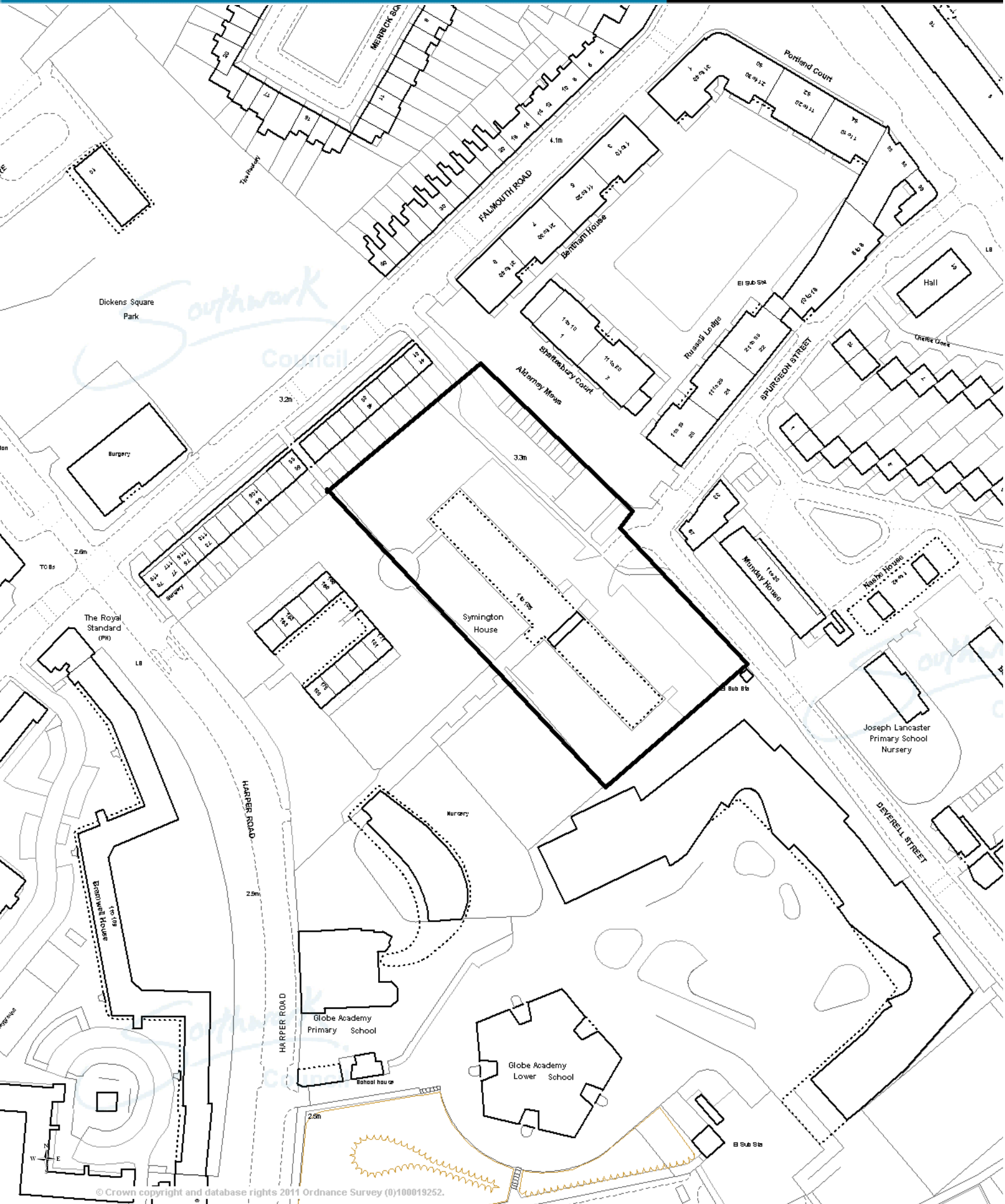
ITEMS ON AGENDA OF THE PLANNING COMMITTEE**on Tuesday 31 January 2012**

Appl. Type Full Planning Permission**Site** SYMINGTON HOUSE LAWSON ESTATE, DEVERELL STREET, LONDON SE1 4AA**Reg. No.** 11-AP-3953**TP No.** TP/H1012**Ward** Chaucer**Officer** David Cliff**Recommendation** GRANT PERMISSION***Item 6/1*****Proposal**

Proposed landscaping scheme incorporating a play area, planting, hardstanding, a refuse enclosure, a dog walking area, alterations to the main entrance to Symington House and associated works.

Appl. Type Council's Own Development - Reg. 3**Site** THE PAVILLION, PYNERS CLOSE SPORTS GROUND, DULWICH COMMON,
LONDON SE21 7HA**Reg. No.** 11-AP-2998**TP No.** TP/2082-0**Ward** Village**Officer** Victoria Lewis**Recommendation** GRANT PERMISSION***Item 6/2*****Proposal**

Construction of an electricity substation to serve the pavilion.



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Item No.	Classification:	Date:	Meeting Name:
6.1	OPEN	31 January 2012	Planning Committee
Report title:	Development Management planning application: Application 11-AP-3953 for: Full Planning Permission Address: SYMINGTON HOUSE, LAWSON ESTATE DEVERELL STREET, LONDON SE1 4AA Proposal: Proposed landscaping scheme incorporating a play area, planting, hardstanding, a refuse enclosure, a dog walking area, alterations to the main entrance to Symington House and associated works.		
Ward(s) or groups affected:	Chaucer		
From:	Head of Development Management		
Application Start Date 24/11/2011		Application Expiry Date 19/01/2012	

RECOMMENDATION

- 1 That planning permission be granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

- 2 The application site (0.7 hectares) contains Symington House, a 10 storey 1960's residential building containing 102 apartments above a 1-2 storey undercroft, surrounded by lawned open space to the north, south and west. There is an existing hard standing at the front of the building used for car parking accessed via Deverell Street with an additional twelve garages accessed from Falmouth Road.
- 3 There are two existing pedestrian routes running through the site, one linking Harper Road via Symington House to Deverell Street and the other extending from Falmouth Road, running between the Falmouth Road properties (though secured by a gate at this point to limit access to Falmouth Road residents only) and along the southern site boundary to intersect with the Harper Road/ Deverell Street link.
- 4 The site is surrounded by mixed residential development on three sides including a development currently under construction at 153-163 Harper Road adjacent to the rear (south west) boundary of the site. The new Globe Academy adjoins the south east flank boundary.
- 5 Symington House has recently undergone improvement works under the decent homes programme.

Relevant planning history and background to current proposal

- 6 Planning permission has previously been granted for landscaping works at this site

concurrently with the separate granting of planning permission for the adjacent Harper Road residential scheme (comprises 72 flats in a development ranging from three to seven storeys).

- 7 Whilst permission was granted for the previous application, Symington House residents expressed reservations about the design of the landscaping scheme. The Planning Committee, whilst deciding to grant planning permission, suggested that the applicant reconsiders the design and enters into a detailed consultation process with the residents in order that a revised scheme can be submitted which received their support. This current planning application is a result of this fresh consultation and design process.

Details of proposal

- 8 The current proposal seeks to create a coherent landscaping scheme for both Symington House and the adjacent Harper Road development currently under construction (the landscaping scheme for which has already been approved as part of the planning permission for that development).
- 9 The design proposals respond to the following aspirations which have been identified though the consultation process with residents in order to overcome their concerns with the previously approved scheme:
- Improve the entrance sequence to Symington House and consider conflicts between residents and vehicles.
 - Provide amenity space for Symington House residents of different ages
 - Improve refuse storage
 - Provide a dedicated dog walking area
 - Incorporate security aspects for both existing residents from Symington House and new residents of the Harper Rd development.
- 10 The proposals include landscaped areas suitable for play and recreation, tree and shrub planting, grass mounds, outdoor fitness equipment, a refuse storage enclosure adjacent to the vehicular access to the parking area, benches, paving for pedestrian/cycle access ways, traffic barriers and a dog walking area.
- 11 It is also proposed to relocate the main entrance door into Symington House to the south west side of the entrance lobby facing Harper Road in order to allow passive surveillance of the entrance and reduce conflicts between residents and passing cyclists.
- 12 The proposed landscaping at Symington House is to be delivered as part of the Section 106 package for the Harper Road development planning permission. It is intended that the landscaping works across both sites would be delivered at the same time.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 13 The main issues to be considered in respect of this application are:
- Design of the scheme and its impact on the visual amenity of the area including opportunities for enhancement of the Symington House site and surrounds.
 - The relationship of the scheme with the adjacent Harper Road development.
 - Impact of the scheme upon the amenity of occupiers of Symington House and the occupiers of adjacent residential buildings.
 - Implications for pedestrian, cycle and vehicular access/parking.

- Acceptability of refuse provision.
- Ecological and biodiversity implications

Planning policy

- 14 The site is located within the Central Activities Zone, is bordered by the Elephant and Castle Opportunity Area, and is in an Air Quality Management Area (AQMA), an Archaeological Priority Zone and a Controlled Parking Zone (CPZ). The site is not located within a Conservation Area but lies just south of the CA14 Trinity Church Square Conservation Area where it extends along Falmouth Road. The policies set out below are considered to be the most relevant in the determination of the application.

Core Strategy 2011

- 15 Strategic Policy 1 – Sustainable development
 Strategic Policy 2 – Sustainable transport
 Strategic Policy 4 – Places for learning, enjoyment and healthy lifestyles
 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

- 16 Policy 3.1: Environmental Effects
 Policy 3.2: Protection of Amenity
 Policy 3.7: Waste Reduction
 Policy 3.11: Efficient use of Land
 Policy 3.12: Quality in Design
 Policy 3.13: Urban Design
 Policy 3.14: Designing Out Crime
 Policy 3.19 Archaeology
 Policy 3.28: Biodiversity
 Policy 4.2: Quality of Residential Accommodation
 Policy 5.2: Transport Impacts
 Policy 5.3: Walking and Cycling
 Policy 5.6: Car Parking

London Plan 2011

- 17 Policy 5.3 Sustainable Design And Construction
 Policy 5.10 Urban Greening
 Policy 5.11 Green Roofs And Development Site Environs
 Policy 5.12 Flood Risk Management
 Policy 5.13 Sustainable Drainage
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.11 Smoothing Traffic Flow And Tackling Congestion
 Policy 6.13 Parking
 Policy 7.1 Building London's Neighbourhoods And Communities
 Policy 7.2 An Inclusive Environment
 Policy 7.3 Designing Out Crime
 Policy 7.4 Local Character
 Policy 7.5 Public Realm
 Policy 7.6 Architecture
 Policy 7.13 Safety, Security And Resilience To Emergency

18 Supplementary Planning Documents, Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]

PPS 1: Planning for Sustainable Communities
 Residential Design Standards SPD (September 2008)
 Sustainable Design and Construction SPD (February 2009)
 Sustainability Assessment SPD (February 2009)
 Design and Access Statements SPD (September 2007)
 Draft National Planning Policy Framework (July 2011)

Principle of development

- 19 The proposal to redesign and enhance the landscaping at this existing residential development does not raise any issues of principle.

Design and layout

- 20 The existing curtilage areas around Symington House are largely devoid of landscape and do not provide either an attractive setting for the building or a quality space that can be used by residents for relaxation or recreation. There is consequently considerable scope for enhancement.
- 21 As described above, this application comprising a re-designed landscaping scheme around Symington House is proposed in response to the concerns raised by residents about that previously permitted scheme.
- 22 The area to the west (rear) and north west (side) of Symington House will be transformed into a residents' garden with opportunities for play and recreation. Informal path ways, seating and outdoor fitness equipment will also be provided. An area for relaxing is proposed at the rear in the southern most section of the site and a separate fenced 'dog walking' area is proposed adjacent to the south east side of the building. Several new Birch trees are proposed, both on the edges of and within the site. New areas of shrubs, flowers and plants will also be provided throughout the scheme including areas of wild flowers and grasses in order to create an attractive and ecologically diverse scheme. In addition to that proposed, there is scope for additional planting (to be required by condition) including on the section of land between Deverell Street and the proposed refuse store and parking area. Existing trees of amenity value are to be protected and retained. The applicant states that the precise details of planting specifications will be provided via a condition at the same time as the detailed planting proposals are submitted for Harper Road. The landscaping proposals, including the use of species, are intended to compliment those proposed in the landscaping scheme for the Harper Road development.
- 23 A bin store is proposed adjacent to the vehicular entrance onto Deverell Street to replace the existing unenclosed informal bin stores at the pedestrian entrance. The bin store will be constructed using the same concrete facing materials as the Harper Road development with attached planting trellises for climbing plants and an opportunity for residents' art on the side of the store. Whilst located in a prominent location at the front of the site, this is required for convenient access by refuse vehicles and it is proposed to be sensitively treated representing an enhancement over the existing refuse storage arrangement. Nine euro bins will be provided (5 for non-recycling and 4 for recycled waste) which, although less than the recommended size set out in the Sustainable Design and Construction SPD, represents a slightly increased provision in comparison to the existing situation for Symington House. The management of the refuse and recycling for the site is controlled by the management company for Symington House.

- 24 Enhanced pedestrian and cycle access will be provided through the site including new paved areas. Traffic barriers will be put in place to prevent motor cycles using the access route whilst still allowing for access with prams and cycles.
- 25 Minor alterations are proposed to the Symington House building itself through the provision of new main entrance doors at the rear of the building to replace the existing doors facing into the undercroft area allowing more convenient and safer access. No adverse impacts will result for the appearance of the building.
- 26 In conclusion on design, the proposals are considered to result in a significant improvement on the existing situation both for the general visual setting of the building along with the provision of usable amenity space for residents.

Impact of proposed development on amenity of existing/adjoining occupiers and surrounding area

- 27 In general the proposals will enhance the amenity of existing and adjacent residents. Whilst the provision of recreational areas to the side and rear of the building will inevitably result in some increase noise from users, this would not be such to result in harm to the living conditions of either adjacent residents or the users of the existing school adjacent to the south east boundary of the site. The school is separated from the site by existing fencing proposed to be retained as part of the scheme.

Transportation issues

- 28 The vehicular access to the site remains as existing from Deverell Street. Minor changes are proposed to the existing parking provision including the provision of a disabled parking space (there is currently no existing disabled parking provision or any disabled flats within Symington House). The overall number of parking spaces remains as per the existing situation (approximately 70 spaces). Additional motor cycle parking is also provided. The management company for Symington House are proposing that safe and secure cycle storage is provided in the large lobby areas within the development, hence it is not included as part of these landscaping proposals.
- 29 The location of the new bin store will allow a refuse vehicle to enter the site and perform a three point turn allowing it to exit in a forward gear. The Transport Team do not consider that the development will have any negative affect on the highway network and raise no objections to the development.

Ecological Implications

- 30 Taking account of the broad range of landscaping proposals, the scheme proposed will enhance the ecological value of the site. Conditions are recommended to control vegetation clearance, require the submission of an ecological management plan and ensure the enhancement of nature conservation interest of the site.

Environmental impact assessment (EIA)

- 31 The proposal does not amount to EIA development and no implications arise in relation to the EIA Regulations.

Other planning issues

- 32 The site is located within an Archaeological Priority Zone. However, as the proposed works are limited to landscaping, it is expected that any archaeological remains will remain in situ. A strategy has been developed by the applicant to avoid the need for excavation in the ground that could cause disturbance, including use of a protective

membrane below tree roots, and selection of tree species that are suitable for such a treatment. In order to monitor the site to ensure that any possible disturbance is able to be monitored, the Archaeologist has recommended that a condition be included to observe and record any archaeological remains impacted by the proposal (this is expected to be limited).

- 33 Whilst no Contamination Assessment was submitted with the landscaping application, an assessment has previously been made of the adjoining Harper Road housing site, where some contamination was found to exist. Provided that a minimum of 300mm of clean soil is placed over areas of soft landscaping as part of the redevelopment of the site, there is considered to be no risk to future occupiers and users of the site. The proposed landscaping will leave most of the land undisturbed, and the applicant has confirmed that where disturbance of soil occurs, 400mm of topsoil will be used.

Conclusion on planning issues

- 34 This planning application follows extensive consultation and engagement with residents in order to arrive at a revised landscaping scheme which remedies the concerns raised by residents about the previously permitted scheme. The resulting landscaping proposals will result in a quality landscaping scheme that will serve to both significantly enhance the setting of the existing building and will result in attractive recreational and relaxation space for residents of the both Symington House and the Harper Road development. The proposals have been designed to assimilate with the adjacent landscaping proposals for Harper Road. Further benefits accrue from the new refuse store and the enhancement of public access routes through the site. The application has been considered against the relevant Development Plan policies and it is concluded that no adverse impacts would result that justify an objection to the scheme.

Community impact statement

- 35 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. The impact on local people is set out above.

Consultations

- 36 Details of the Council's consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

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

Summary of consultation responses

- 38 Letters have been received in support of the proposal and noting the thoroughness of the pre-application engagement and consultation process with residents.

Human rights implications

- 39 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.

- 40 This application has the legitimate aim of providing an enhanced landscaping scheme at this site. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

N/A

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/H1012 Application file: 11-AP-3953 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 4351 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Images

AUDIT TRAIL

Lead Officer	Gary Rice - Head of Development Management	
Report Author	David Cliff, Development Management	
Version	Final	
Dated	19 January 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional Team		20 January 2012

Consultation Undertaken

Site notice date: 19 December 2011

Press notice date: 22 December 2011

Case officer site visit date: 5 January 2012

Neighbour consultation letters sent: 14 December 2011

Internal services consulted:

Access Officer, Ecology Officer, Elephant and Castle Special Projects, Environment and Housing, Waste Management, Transportation.

Statutory and non-statutory organisations consulted:

Environment Agency

Neighbours and local groups consulted: Notification letters have been sent to neighbouring occupiers surrounding the site and residents of Symington House itself. A full list of those consulted is available on the case file.

Re-consultation: No re-consultation was required.

Consultation Responses Received

Internal services

Ecology Officer: The development has a good opportunity to enhance this area for wildlife. Welcome the meadow areas in the landscaping. Conditions are recommended regarding the removal of existing vegetation, ecological management plan and biodiversity mitigation/enhancement.

Transportation Team: Existing parking to be amended however it does not appear that access will be changed. All parking spaces appear to conform to the minimum standards as set out in best practice guidance *Manual for Streets*. The disabled bay must comply with dimensions as stated in DfT's *Parking for Disabled People*. The application is not expected to have any negative impact on the highway network.

Arboricultural Officer: The proposed landscaping is of design merit and provides appropriate planting of Birch trees and other hard landscaping which will enhance the setting of Symington House.

The immediate vicinity of the development is notable for its visually harsh environment and built form which would be softened through the use of landscaping. The proposals should therefore seek to include enhancement to the front of Symington House, particularly fronting Deverall St and the entrance to the car park from Falmouth Road. A recently planted tree within the raised grass bed at the cul de sac is unsuitable for its location and should be transplanted or replaced with a larger species. Similarly, the blank wall adjacent to Alderney Mews could be improved with climbing plants.

Finally, the use of Birch trees is a welcome feature. However the species should be amended to a longer lived more drought tolerant species i.e. *Betula Jaquemontii*.

Statutory and non-statutory organisations

Environment Agency: No objections are raised. According to the information available the site lies outside the area of residual flooding.

Neighbours and local groups

Letter from Leatherhead JMB (managers of Symington House): Support the proposal. It is the best example of micro consultation that I have known. No resident opposes the plan. On 14.9.11 a public meeting attended by 33 residents, 2 ward councillors, and the two JMB directors for the estate voted unanimously to support.

Councillor Poddy Clark: Total support for this application. I have attended many consultation meetings regarding the preparation of this plan and the views of residents have been fully sought and taken into consideration. I am aware that the scheme is well supported by residents of Symington and other nearby blocks.



NOT FOR CONSTRUCTION
 NOT TO SCALE
 NOT FOR CONSTRUCTION
 NOT TO SCALE

PLANTING
 NOT FOR CONSTRUCTION
 NOT TO SCALE

EXISTING TREES
 NEW TREES BIRCH OR FRUIT TREES 18C

WASTE CALCULATION
 WASTE CALCULATION BASED ON 600 TYPICAL REQUIREMENTS FOR 100 2-BEDROOM UNITS

BENCHES
 AND/OR CONCEPT BENCHES, CONCRETE WITH GRAY SANDY SUPPORTED, 2300 X 1000 X 100MM

CONCRETE BENCH
 BENCH, FREESTANDING CONCRETE BENCH ON FINISH, 2300 X 1000 X 100MM

FINI
 FINI, FULL FINISH APPLICATION

DRMM ARCHITECTS
 SYMINGTON HOUSE
 GENERAL ARRANGEMENT PLAN
 SCALE: 1:200 A1
 LANDSCAPE 1:400 A3
 308-SYM-100 P04

RECOMMENDATION

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.

Applicant	Mr Mark Wells Family Mosaic Housing	Reg. Number	11-AP-3953
Application Type	Full Planning Permission	Case Number	TP/H1012
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Proposed landscaping scheme incorporating a play area, planting, hardstanding, a refuse enclosure, a dog walking area, alterations to the main entrance to Symington House and associated works.

At: SYMINGTON HOUSE LAWSON ESTATE, DEVERELL STREET, LONDON SE1 4AA

In accordance with application received on 24/11/2011

and Applicant's Drawing Nos. 308-SYM-100 Rev P04, 308-SYM-101 P03, 308-SYM-102 P03, 308-SYM-103 P01, 308-SYM-300 P04, 308-SYM-301 P04, 308-SYM-303 P03, 308-SYM-304 P01, 308-SYM-305 P01, 308-SYM-306 P01, 308-SYM-500 P02

Reasons for granting permission

This planning application was considered with regard to various policies including, but not exclusively:

a) Saved Southwark Plan Policies (April 2011):

Policy 3.1: Environmental Effects
 Policy 3.2: Protection of Amenity
 Policy 3.7: Waste Reduction
 Policy 3.11: Efficient use of Land
 Policy 3.12: Quality in Design
 Policy 3.13: Urban Design
 Policy 3.14: Designing Out Crime
 Policy 3.19 Archaeology
 Policy 3.28: Biodiversity
 Policy 4.2: Quality of Residential Accommodation
 Policy 5.2: Transport Impacts
 Policy 5.3: Walking and Cycling
 Policy 5.6: Car Parking

b) Southwark Core Strategy Policies (2011):

Strategic Policy 1 – Sustainable development
 Strategic Policy 2 – Sustainable transport
 Strategic Policy 4 – Places for learning, enjoyment and healthy lifestyles
 Strategic Policy 11 – Open spaces and wildlife
 Strategic Policy 12 – Design and conservation
 Strategic Policy 13 – High environmental standards

c) London Plan 2011:

Policy 5.3 Sustainable Design And Construction
 Policy 5.10 Urban Greening
 Policy 5.11 Green Roofs And Development Site Environs
 Policy 5.12 Flood Risk Management
 Policy 5.13 Sustainable Drainage
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.11 Smoothing Traffic Flow And Tackling Congestion
 Policy 6.13 Parking

Policy 7.1 Building London's Neighbourhoods And Communities
 Policy 7.2 An Inclusive Environment
 Policy 7.3 Designing Out Crime
 Policy 7.4 Local Character
 Policy 7.5 Public Realm
 Policy 7.6 Architecture
 Policy 7.13 Safety, Security And Resilience To Emergency

d] Supplementary Planning Documents, Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]:

PPS 1: Planning for Sustainable Communities
 Residential Design Standards SPD (September 2008)
 Sustainable Design and Construction SPD (February 2009)
 Sustainability Assessment SPD (February 2009)
 Design and Access Statements SPD (September 2007)
 Draft National Planning Policy Framework (July 2011)

This planning application follows extensive consultation and engagement with residents in order to arrive at a revised landscaping scheme which remedies the concerns raised by residents about the previously permitted scheme. The resulting landscaping proposals will result in a quality landscaping scheme that will serve to both significantly enhance the setting of the existing building and will result in attractive recreational and relaxation space for residents of the both Symington House and the Harper Road development. The proposals have been designed to assimilate with the adjacent landscaping proposals for Harper Road. Further benefits accrue from the new refuse store and the enhancement of public access routes through the site. The application has been considered against the relevant Development Plan policies and it is concluded that no adverse impacts would result that justify an objection to the scheme. Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

Subject to the following condition:

- 1 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

- 2 Prior to works commencing on site, details of the means by which the existing trees shown to be retained on the approved plans are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment shall be submitted (2 copies) to and approved by the Local Planning Authority before any work is begun, and such protection shall be installed and retained throughout the period of the works.

Reason

To ensure the protection of existing trees in accordance with saved Policy 3.28 (Biodiversity) of the Southwark Plan 2007 and Strategic Policy 11 (Open spaces and wildlife) of the Southwark Core Strategy April 2011.

- 3 A detailed landscaping scheme (2 copies), including provision for the planting of suitable trees, plants and shrubs, showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways and any boundary treatment) shall be submitted to and approved in writing by the Council before the development hereby permitted is begun. Details of proposed tree planting shall include the precise location, species, maturity, stem height and protection measures from dogs along with the proposed times of planting. The landscaping schemes shall be carried out in accordance with such approved details. Planting shall comply with BS:4428 Code of Practice for general landscaping operations.

Reason

To ensure a satisfactory landscaping scheme is carried out to enhance the appearance of the area in accordance with saved Southwark Plan Policy 3.13 (Urban Design) and Strategic Policy 11 (Open Spaces and Wildlife) of the Southwark Core Strategy 2011.

- 4 No works or development shall take place until a landscape management and nature conservation plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas and a full species list. It should make reference to the Southwark Biodiversity Action Plan (BAP) and indicate how it will help to deliver targets in the BAP. The landscaping scheme shall be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason

To increase the biodiversity value and appearance of the site in accordance with saved Southwark Plan policy 3.28 (Biodiversity) and Strategic Policy 11 (Open Spaces and Wildlife) of the Southwark Core Strategy 2011.

- 5 Details of any external lighting [including design, power and position of luminaires] and security surveillance equipment of external areas surrounding the building shall be submitted to (2 copies) and approved by the Local Planning Authority before any such lighting or security equipment is installed and the development shall thereafter not be carried out otherwise than in accordance with any approval given.

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with saved Southwark Plan policies 3.2 (Protection of Amenity) and 3.14 (Designing Out Crime) and Strategic Policy 12 of the Southwark Core Strategy 2011.

- 6 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of Symington House prior to the completion of the development hereby approved and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site in accordance with saved Southwark Plan policy 3.7 (Waste Reduction).

- 7 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted (2 copies) by the applicant and approved by the Local Planning Authority.

Reason

In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied in accordance with Strategic Policy 12 (Design and Conservation) of the Southwark Core Strategy 2011.

- 8 Before any work hereby permitted begins, details of an Environmental Management Plan and Environmental Code of Practice (which shall oblige the applicant and its contractors to use all best endeavours to minimise disturbances including but not limited to noise, vibration, dust, smoke and plant emissions emanating from the site) which shall include the following information:
- A detailed specification of engineering measures, acoustic screening and sound insulation measures required to mitigate or eliminating specific environmental impacts;
 - Details of arrangements for publicity and promotion of the scheme during construction;
 - A commitment to following Southwark's Environmental Code of Construction/ GLA Best Practice Guidance

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 approved details.

Reason:

To ensure that the occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with Saved Southwark Plan policies 3.1 (Environmental Effects), 3.2 (Protection of Amenity) , 3.6 (Air Quality) and 3.10 (Hazardous Substances) and Core Strategy Strategic Policy

Informative

You are advised that the tree planting and landscaping details required by conditions 3 and 4 of this permission should include consideration of the following:

- a) Additional planting adjacent to the three proposed parking spaces adjacent to Alderney Mews,
- b) Additional planting in the area between Deverell Street and the parking area/proposed bin store,
- c) The replacement with a larger species of the recently planted tree located within the raised grass bank adjacent to the site vehicular entrance, and
- d) The addition of climbing plants on the blank wall adjacent to Alderney Mews.

The proposed use of Birch trees is welcomed and you are encouraged to use the *Betula Jaquemontii* species which is a particularly long living and drought tolerant species.

Date 20/1/2012



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Item No.	Classification:	Date:	Meeting Name:
6.2	OPEN	31 January 2012	Planning Committee
Report title:	Development Management planning application: Council's own development Application 11-AP-2998 for: Council's Own Development - Reg. 3 Address: THE PAVILION, PYNNERS CLOSE SPORTS GROUND, DULWICH COMMON, LONDON SE21 7HA Proposal: Construction of an electricity substation to serve the pavilion.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 29/09/2011		Application Expiry Date 24/11/2011	

RECOMMENDATION

- 1 That planning permission be granted. This application is referred to Planning Committee because the proposed development would be located on Metropolitan Open Land. It has also been submitted on behalf of the Council and two objections have been received.

BACKGROUND INFORMATION

Site location and description

- 2 The application site is located within the 3.8ha sports ground: Pynners Close Playing Ground. The site is designated as Metropolitan Open Land and is within the Dulwich Wood Conservation Area and the suburban density zone.
- 3 The site is adjacent to Dulwich Common and the Hambleton Place development at the entrance of Pynners Close. There is a vehicular access leading from Dulwich Common to the pavilion. There is currently a brick electricity substation on the site which measures 0.975m high, 0.830m wide and 0.830m deep.

Details of proposal

- 4 The proposal involves the removal of the existing electricity substation and its replacement with a new substation and switchroom enclosure, measuring 4.05m x 5.61m and 2.62m high with a flat roof. It would be constructed of brick, with steel louvered vents, doors and door frames, and it would have a felt roof. It would be set back 10.4m from the Dulwich Common frontage, next to the vehicle access to the Pavilion. The existing substation on the site is understood to have been damaged by fire.
- 5 The substation is required owing to increased demand for utilities in this location created by the Hambleton Place development and the Pavilion within the playing fields. This proposal differs from an earlier permission on the site which is for a

smaller substation and a separate gas meter enclosure on the site, details of which are set out below (reference: 09-AP-1397).

Planning history

- 6 09-AP-1397 - Construction of an electrical substation and gas meter enclosure adjacent to Dulwich Common and the Tennis Courts within Pyners Close Sports Ground. Planning permission was GRANTED in November 2009. The substation was shown as measuring 3m x 3m footprint, and the gas enclosure 1m x 1.5m.

Planning history of adjoining sites

- 7 None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 8 The main issues to be considered in respect of this application are:
- a] the principle of the development in terms of land use and conformity with strategic policies.
 - b] the impact of the proposal on the amenities of adjoining occupiers;
 - c] the design of the development; and
 - d] the impact of the proposal on the character and appearance of the Dulwich Wood Conservation Area.

Planning policy

Core Strategy 2011

- 9 Strategic policy 1 - Sustainable development
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

- 10 3.2 Protection of Amenity
3.12 Quality in Design
3.13 Urban Design
3.15 Conservation of the Historic Environment
3.16 - Conservation areas
3.18 Setting of listed buildings, conservation areas and world heritage sites
3.25 Metropolitan Open Land

London Plan 2011

- 11 Policy 7.8 Heritage assets and archaeology
Policy 7.17 Metropolitan Open Land

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 12 PPS5 - Planning for the historic environment.

Principle of development

- 13 Saved policy 3.25 of the Southwark Plan states that there is a general presumption against inappropriate development on Metropolitan Open Land. It states that planning permission will only be granted for development which is considered to be for the following purposes:
- 14 i) *Agriculture or forestry; or*
- ii) *Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or*
- iii) *Extension of or alteration to an existing dwelling, provided that it does not result in disproportionate additions over and above the size of the original building; or*
- 15 iv) *Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling that it replaces.*

The proposal involves replacing an existing substation on the site with a larger substation and switching room enclosure, which is required in order to meet increased energy demands associated with the pavilion, and also for the Hambledon Place estate. As the proposal would replace an existing substation and would support continued use of the metropolitan open land for outdoor recreation, no objections are raised in principle. The structure would be modest in size and would preserve the openness of the MOL.

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

- 16 Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.
- 17 It is not considered that there would be any adverse impacts upon adjoining occupiers as a result of the proposal. The substation would be positioned in a well screened location aided by the position of existing trees fronting Dulwich Common. Furthermore, as one approaches the site the Hambledon Place development comes into view and as a result, locating the small structure in the position proposed would create an association with the built form already located adjacent to the Common, and therefore it would not appear incongruous in this position. As such it is not considered that any adverse impact on visual amenity would result from the proposal.
- 18 Furthermore, there would be no adverse impacts in terms of overshadowing or impact upon outlook as the substation would be located over 4m away from the nearest residential properties.

Traffic issues

- 19 There are no transport issues arising from the proposal. The substation would be accessed from the existing access road which leads to the pavilion, and only by utilities company staff.

Design issues

- 20 Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments

achieve a high standard of architectural and urban design.

- 21 The substation would be in the form of a simple brick box, functional in appearance, and a condition requiring a brick sample to be submitted for approval is recommended. Concerns have been raised that the substation would be twice as large as the substation previously approved on the site and whilst this is noted, it would still be modest in size, particularly when viewed in the context of the overall sports ground which is very large in area. It needs to be larger than previously approved in order to accommodate a switchroom. It is also noted that this proposal, unlike the previous scheme, does not propose a gas meter enclosure.

Impact on character and setting of a listed building and/or conservation area

- 22 Saved policy 3.16 of the Southwark Plan seeks to ensure that developments preserve or enhance the character or appearance of conservation areas.
- 23 It is not considered that the structure would adversely impact upon the character or appearance of the conservation area given its modest size and location. It would be set back from the Dulwich Common frontage and would be viewed against the backdrop of the Hambledon Place development, rather than as an isolated structure. Moreover, there are a number of trees located in the corner of the site fronting Dulwich Common, which would offer a degree of screening.

Impact on trees

- 24 No works are proposed to the adjacent trees. However, given their proximity to the proposed structure, a condition requiring details of tree protection measures to be submitted for approval is recommended.

Other matters

- 25 There are no other matters arising from the proposal.

Conclusion on planning issues

- 26 The proposed structure would be modest in size, would not result in any loss of amenity to neighbouring occupiers, and would preserve the openness of the metropolitan open land and the character and appearance of the Dulwich Wood Conservation Area. It is therefore recommended that planning permission be granted.

Community impact statement

- 27 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.
- 28 a) The impact on local people is set out above.
- 29 b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.
- 30 c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Summary of consultation responses

- 33 Two representations have been received objecting to the application on the following grounds:

- Size of the structure - does not represent a small increase in floor area when compared to the previous proposal;
- Questions the need for a substation of this size given the likely limited requirements of the Pavilion;
- Possible future redevelopment including floodlighting;
- Property borders the site and occupier has a small child;
- People use the facilities at night and there may be safety issues.

Human rights implications

- 34 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.
- 35 This application has the legitimate aim of providing an electricity substation. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**Strategic Director of Communities, Law & Governance**

N/A.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2082-0 Application file: 11-AP-2998 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5410 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

AUDIT TRAIL

Lead Officer	Gary Rice Head of Development Management	
Report Author	Victoria Lewis	
Version	Final	
Dated	11 January 2011	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional Team		18 January 2011

Consultation Undertaken

Site notice date: 25/10/2011

Press notice date: 06/10/2011

Case officer site visit date: 25/10/2010

Neighbour consultation letters sent: 05/10/2011

Internal services consulted: None

Statutory and non-statutory organisations consulted: None

Neighbours and local groups consulted:

16 HAMBLEDON PLACE LONDON SE21 7EY

CYPRESS TREE HOUSE DULWICH COMMON LONDON SE21 7EU

RICHMOND LODGE DULWICH COMMON LONDON SE21 7EU

THE STUDIO FLAT CYPRESS TREE HOUSE DULWICH COMMON LONDON SE21 7EU

14 HAMBLEDON PLACE LONDON SE21 7EY

15 HAMBLEDON PLACE LONDON SE21 7EY

Re-consultation: No re-consultation undertaken.

Consultation Responses Received**Internal services** None**Statutory and non-statutory organisations** None**Neighbours and local groups**38 Richmond Lodge, Dulwich College:

Object to the application on the following grounds:

- Whilst a combined installation may be considered preferable, a two-fold increase in floor area is not a small increase;
- Concerned about the size of the proposed substation to serve what should be a limited expected requirement for the Pavilion;
- Concerned about creeping redevelopment to install other equipment e.g. floodlighting, which would be adamantly opposed;
- Is the equipment and housing required to accommodate it on this scale really necessary to serve reasonably expected requirements of the Pavilion and Hambledon Place?

39 No address provided:

Object to the application on the grounds that my property borders onto Pyners sports ground and I have a small child. I do not see any need for the sports ground to require its own separate gas and electricity substation. Furthermore, I would like to bring to the Council's attention that on many nights, there are people on the premises and there could be further safety issues.

RECOMMENDATION

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.

Applicant	Southwark Council -Property Division	Reg. Number	11-AP-2998
Application Type	Council's Own Development - Reg. 3	Case Number	TP/2082-0
Recommendation	Grant permission		

Draft of Decision Notice

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

Construction of an electricity substation to serve the pavilion.

At: THE PAVILLION, PYNERS CLOSE SPORTS GROUND, DULWICH COMMON, LONDON SE21 7HA

In accordance with application received on 09/09/2011

and Applicant's Drawing Nos. 08171/ES/00 Rev A, 08171/03D, 04D, 05D, 06D, 07D, 08, Design and access statement, Heritage statement.

Reasons for granting permission.

This planning application was considered with regard to various policies including, but not exclusively:

Core Strategy (2011)

Strategic Policy 1 – Sustainable development: requires new developments to help meet the needs of a growing population in a way that respects the planet's resources and protects the environment.

Strategic Policy 11 – Open spaces and wildlife: States that development should improve, protect and maintain a network of open spaces and green corridors, provide sport and leisure and food growing opportunities, and protect and protect and improve habitats for a variety of wildlife.

Strategic Policy 12 – Design and conservation: Requires development to achieve the highest standard of design for buildings and public spaces, and to help create attractive and distinctive spaces.

Strategic Policy 13 – High environmental standards: Requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems.

Southwark Plan (2007) - saved policies

3.2 Protection of Amenity (advises that permission would not be granted where it would cause a loss of amenity);

3.12 Quality in Design (requires new development to achieve a high standard of architectural design);

3.13 Urban Design (advises that principle of good urban design should be taken into account in all new developments);

3.15 Conservation of the historic environment (seeks to ensure that historic areas and buildings within the borough are protected)

3.16 Conservation Areas (requires developments to preserve or enhance the character or appearance of the conservation area)

3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites. (requires new developments to preserve or enhance the immediate or wider setting of a listed building, conservation area or World Heritage Site, and important views of a listed building).

3.25 Metropolitan open land (states that there is a general presumption against inappropriate development on Metropolitan Open Land)

London Plan (2011)

Policy 7.8 Heritage assets and archaeology

Policy 7.17 Metropolitan Open Land

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

PPS5 - Planning for the historic environment.

Particular regard was had to the impact upon the openness of the Dulwich Common Metropolitan Open Land that would follow from the proposed development, however it was considered that the proposal would not be significantly harmful given the small size and discrete location of the substation. Furthermore, it was considered that the development was acceptable in design terms and would preserve the character and appearance of the Dulwich Wood Conservation Area, and no loss of amenity to neighbouring occupiers would occur. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Schedule

- 1 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

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

08171/03D, 04D, 05D, 06D, 07D

Reason:

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

- 3 Unless previously approved in association with permission reference 09-AP-1397, samples of the brick to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of appearance of the brick, which should be yellow stock to match the adjacent Hambledon Place development, in the interest of the appearance of the building in accordance with saved policies 3.12 'Quality in design', 3.13 'Urban design' and 3.16 'Conservation areas' of the Southwark Plan (2007) and strategic policy 12 'Design and conservation' of the Core Strategy (2011).

- 4 Unless previously approved in association with permission reference 09-AP-1397, details (to include details of a trial hole(s) or trench(es) to check for the position of roots) of the foundation works to be used in the construction of this development showing how the roots of the adjacent trees will be protected shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out. The development shall be carried out in accordance with the details thereby approved.

Reason

In order to ensure that those existing trees surrounding the new development will not be harmed by the construction works, in the interest of protecting the character of the conservation area in accordance with saved policies 3.2 'Protection of Amenity' and 3.16 'Conservation areas' of the Southwark Plan (2007) and strategic policy 12 'Design and conservation' of the Core Strategy (2011).

- 5 The existing substation shall be removed and the land made good within 3 months of the facilities hereby approved being constructed and becoming operational.

Reason

In order to preserve the openness of the Metropolitan Open Land and to prevent the proliferation of small buildings, in accordance with saved Policy 3.25 Metropolitan Open Land of the Southwark Plan (2007).

Item No. 7.	Classification: Open	Date: 31 January 2012	Meeting Name: Planning Committee
Report title:		The release of section 106 monies to deliver the Shard Southwark Vocational Programme (SSVP) from S106 agreement for London Bridge House, 25 London Bridge Street, Three Castle House and Land adj. London Bridge Street, Railway Approach and Joiners Street, SE1 ('The Place'), Agt. No. S106/ 117876, 06/AP/0077 to the value of £1,015,000	
Ward(s) or groups affected:		Riverside	
From:		Deputy Chief Executive	

RECOMMENDATIONS

1. To authorise the release of funds totalling £1,015,000 from the S106 agreement for London Bridge House, 25 London Bridge Street, Three Castle House and Land adj. London Bridge Street, Railway Approach and Joiners Street, SE1 ('The Place'), Agt. No. S106/ 117876, 06/AP/0077, a/n 190A) for regeneration projects associated with the delivery of the SSVP.
2. To note that £1,015,000 is based upon £315,000 and £100,000 that have been received and a further £600,000 which is due upon occupation of the development. This report only commits the council to £315,000 and £100,000 until such a point that the £600,000 is received and then the commitment is extended to include the £600,000.

BACKGROUND INFORMATION

3. London Bridge Quarter which comprises the London Bridge Tower also known as the "Shard of Glass" and New London Bridge House also know as "The Place" is driving forward the regeneration of north Southwark. Works on the construction of the Shard project commenced in March 2009, and the Place project in October 2010. When both projects are complete and occupied in 2013 they will provide in excess of 12,000 employment opportunities.
4. The section 106 agreement for The Place project was signed on 2 April 2007 and thus planning permission was granted for the demolition of the existing building and the construction of a mixed use development comprising 41,000 sqm of office space, 1,400sqm of retail and a new bus station and plaza at ground floor level.
5. A further section 106 agreement was signed on 26 August 2010 for the construction of the new bus station and public realm works at London Bridge Quarter. This agreement formed a "portmanteau" agreement which includes further detail of both the Shard and Place section 106 agreements.

6. Since the construction of the Shard of Glass and The Place projects started on site, the council has worked closely with the developer to manage the implementation of the project, and plan for the delivery of a number of section 106 mitigation projects.¹
7. The signed section 106 agreement includes a number of physical and economic projects to ensure the new building has a sustainable impact on the surrounding area and maximises the regeneration potential of Southwark. The total sum of payments listed in the section 106 agreement is £3,582,500, of which some are delivered “in kind” by the developer, and some are direct payments to the council to deliver a specific project. Appendix 1 provides detailed information on the sums set out in the agreement, and the following list provides an outline of the projects which are included in the agreement.
 - Affordable Housing payment
 - Delivery of a new bus station in partnership with Transport for London
 - Contribution towards employment training initiatives (this report)
 - Nursery and childcare facilities (this report)
 - Cycle parking funds
 - Contribution to the Crossrail project
 - Monitoring funds

Shard Southwark Vocational Programme Board

8. At a meeting on 23 September 2010, the council and the developer agreed to complete a memorandum of understanding (MoU) to establish the terms of joint work to maximise employment opportunities for residents in the completed London Bridge Quarter through the umbrella a joint Shard Southwark Vocational Programme (SSVP). The MoU has led to the establishment of a joint project board, chaired by the Council, which oversees the set up and management of the SSVP.
9. The planning committee approved a sum of £4,400,000 for the first key phase of funding from the Shard of Glass section 106 agreement for the SSVP on 2 November 2010. Since 2 November, the council and partners have worked hard to establish a training and employment programme to maximise the opportunity for residents across the whole of Southwark to access both job opportunities in the completed development and to access training courses linked to job opportunities with the tenants of the completed building. The following key outputs have been delivered:
 - a. New cutting-edge “real work environment” facilities has been constructed and opened at Southwark College campuses on the Cut and Keetons Road
 - b. New college courses have been developed and designed with suppliers and clients occupying the London Bridge Quarter, and are tailor-made for future jobs in the developments.
 - c. Local residents have been trained and employed in construction jobs as part of the Shard of Glass project
 - d. Future suppliers and occupiers of the London Bridge Quarter have been approached and are committing to employ graduates of the SSVP

¹ For more information about section 106 and how it works, please visit www.southwark.gov.uk/s106

10. This report seeks to deliver three projects from The Place section 106 agreement under the umbrella of the established Shard Southwark Vocational programme, as set out below, seeks to release £1,015,000 to the Council to deliver a programme of projects.

S106 project	Sum
Project 1 Construction workplace co-ordinator[s] - Building London Creating Futures	£315,000
Project 2 Training and Employment	£600,000
Project 3 Nursery and childcare facilities	£100,000
Total	£1,015,000

11. The need to harness employment opportunities both during construction and in the completed development remains pressing. Southwark has a number of areas of high employment deprivation. The most recent figures show 11,400 (5.4%) working age residents claiming jobseekers allowance, of which 2,700 are aged 18-24 (8.6%). Vacancy levels are low, and yet there remains a mismatch between demand for employees and local opportunities to train in vocations such as construction, engineering, service industries, beauty and hairdressing to meet this demand. Over 30% of 16 to 19 year olds currently travel out of borough to learn due to limited local vocational training options. Where vocational provision does exist, it often suffers from a lack of strong links with real working conditions and a clear match to employer skills demands.
12. London Bridge Quarter will provide both physical regeneration as a new landmark building with investment in the transformation of London Bridge station, and economic regeneration through the creation of thousands of job opportunities in the new building. The combined total in the completed Shard and New London Bridge House will amount to 12,000. Maximising the opportunity for residents in Southwark to access jobs in the London Bridge Quarter indirectly through bespoke training or directly through referral has the benefit of providing the Shard of Glass with a supply of enthusiastic, job-ready local young people and adult job-seekers, who are likely ensure better staff retention and lower staff turnover rates for the employers, while improving job retention and progression opportunities for local residents.

KEY ISSUES FOR CONSIDERATION

Project 1 Construction workplace co-ordinator - Building London Creating Futures

13. The council's Building London Creating Futures (BLCF) programme was established to maximise local employment in construction jobs in new developments. This report seeks to commit £315,000 from The Place legal agreement to fund workplace co-ordinator (WPCs) to work with each sub-contractor to provide outreach support to place locally unemployed residents into jobs at the site. In addition to funding the work of a workplace co-ordinator, the funds will also be used to provide training and

support for employed residents, to ensure they are “job ready,” and that they have access to ongoing support once placed within the construction site.

14. This project will add value to the existing work-place co-ordinator programme in at the Shard of Glass, and would work side-by-side to build on the relationships in place and maximise continuity of employment for local beneficiaries across the sites.
15. The proposed approach will contribute to the strategic objectives of the Southwark Employment Strategy by improving access to employment for Southwark residents by removing barriers to employment and supporting access to construction jobs for under-represented groups. Workplace Co-ordinators provide pre- and post-employment support and can provide assistance with travel, childcare and ‘soft skills’ as well as industry-specific training.
16. Community project bank: The Building London Creating Futures programme is a revenue programme, and therefore falls outside the scope of the Community Project Bank prioritisation process.

Project 2: Training and Employment

17. This report seeks to commit £600,000 from The Place section 106 agreement to contribute to the delivery of the Shard Southwark Vocational Programme. The programme is run by a partnership of Sellar and Southwark Council, and comprises two key elements:
 - The development of vocational training courses
 - The commissioning of referral agencies to link Southwark residents to and prepare them for both training and job opportunities before they arise in the completed development as tenants move in.
18. In order to secure local training providers and referral agency which can directly link with future tenants of the Shard, and have a presence or access Southwark-wide in the delivery of services, it is proposed that the council will use this resource to commission delivery of and progression through outreach, referral, training and qualifications combined with employment support up to the point of recruitment. The council will act as lead partner in the Shard Southwark Vocational Programme with the developer providing access to the employment opportunities brought by tenants and Southwark College as the main provider of tailor-made training and qualifications to meet demand. Local referral work will be commissioned to ensure recruits can access the programme and receive additional support needed to access training and work-readiness.
19. Southwark College has three campuses in Bermondsey, Waterloo and Camberwell. and provides vocational courses and qualifications for local people to improve their employment prospects. As a further education college it has a statutory duty to contribute to the economic prosperity of its local community and believes that meeting local employer demand is core to this mission and responsibility. The developer and council engage formally through the SSVP to develop a model for getting our residents into job opportunities in the completed development.

20. The Shard Southwark Vocational Programme project board and steering group will be established to oversee, manage and support the implementation of the section 106 budget as proposed in this report; this will include allocations to Southwark College, as well as to the council. The council and the college will commission projects and recruit beneficiaries through a network of local community and training organisations as the detailed elements of the programme are designed. The college will develop programmes with the employers in the Shard (such as Sellar who will retain and manage the building, and Shangri La Hotels). Wherever possible, support and training will be commissioned by the Council from local, Southwark-based organisations that can demonstrate specific expertise with particular clients or employment sectors.
21. Community project bank: The employment training is a revenue project, and therefore falls outside the scope of the Community Project Bank prioritisation process which addresses small scale capital schemes. It is however directly associated with the economic development tariff set out in the adopted SPD and will contribute to delivery of the councils employment and skills strategy

Project 3: Nursery and Childcare facilities

22. The agreement also makes provision for improvements to childcare facilities or the provision of additional childcare places for the under fives within the Borough and Bankside, Bermondsey and Elephant and Castle areas. These provisions are detailed in Schedule 1 "*NLBH's Obligations*" of the agreement.
23. Lack of affordable childcare often acts as a barrier to unemployed parents wishing to undertake education, training or enter employment. Prior to 2011/12, support with childcare costs for unemployed residents undertaking training or work experience was available through Working Neighbourhood Fund (WNF) and for some unemployed residents entering work through the London Development Agency's Childcare Affordability Programme (CAP). The WNF ceased at the end of March 2011 and the CAP funding ended December 2010. There is now very little or often no support with childcare costs available to assist unemployed residents wishing to undertake education or training to improve employability skills.
24. The funding will be used to support the many families who are often excluded from mainstream society, empowering parents and children to feel part of the community by removing the barrier quality and affordable childcare often present for lower income families who want to move into employment or up-skill. The aim will be to improve residents' quality of life by improving access to services and reduce gaps in health, employment and education attainment ultimately by tackling worklessness in the borough.
25. The S106 funding allocation of £100,000 will contribute to the facilitating of childcare places for unemployed Southwark residents engaged with Southwark Works programme whilst undertaking education, training or work experience placements. Subject to further discussions, the scheme will be administered by the council's childcare Support Service, which is part of the children's services department.
26. Community project bank: The childcare support is a revenue project, and therefore falls outside the scope of the Community Project Bank prioritisation process which

addresses small scale capital schemes. It is however is directly associated with the economic development tariff set out in the adopted SPD and will contribute to delivery of the councils employment and skills strategy

Community Project Bank

27. At it's meeting on the 22 July 2009, the then executive approved a list of community project bank projects for prioritisation. These priorities should be carefully considered in the case of releasing S106. The issue of addressing the prioritisation has been detailed under each individual project for the sake of simplicity.

Resource implications

28. The resource implications are outlined above and summarised in the finance concurrent below. To deliver this programme, council costs will be recharged on a project by project basis - the economic development and strategic partnerships unit requires a programme management contribution of 5% to deliver the above projects and monitor delivery to ensure outcomes are achieved.

Community impact statement

29. Young people aged 16 – 24 have been disproportionately impacted by the recession and face significant barriers in a recession hit and therefore extremely competitive labour market. This proposal will fund a vocational programme at Southwark College that matches known jobs in the Shard and with its tenants, and will provide a vocational route for young people into these jobs which would otherwise have been much harder to access.
30. In addition, work commissioned by the council through Southwark Works will continue to develop pathways into jobs and training and remove barriers to work for groups that are under-represented in the workforce as well as supporting priority groups facing specific barriers to employment. due to health, childcare needs, age and a variety of other factors.
31. Participants in the programme will be recruited borough-wide to maximise opportunities for residents who live in those areas with highest concentrations of worklessness and deprivation, and will make a substantial step in linking our residents across Southwark to the benefits of jobs created by the growth in the north of the borough and the Central Activities Zone.
32. A further measure to address labour market inequalities comes via the proposal to capacity build and commission work from local specialist providers of employment and training; through the commissioning programme opportunities will be on hand to work with residents for referral to and additional support for the core vocational programmes delivered by the college, and therefore to acquire new capacity to deliver training that closely matches the profile of jobs available more generally in the Central London labour market, in addition to those in the Shard.

Consultation

Community Council

33. The comments of the Bermondsey Community Council have not been included in this report as the next meeting is scheduled to hold on 23 January 2012, the day after the deadline for reports to the planning committee. This report has been brought to the committee due to the urgent need to allocate these funds as construction is underway. The comments of the Bermondsey Community Council will be reported in the addendum report which will be tabled at the meeting

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Section 106 Manager

34. The S106 agreement for London Bridge House, 25 London Bridge Street, Three Castle House and Land adj. London Bridge Street, Railway Approach and Joiners Street, SE1 ('The Place'), Agt. No. S106/ 117876, 06/AP/0077, a/n 190A) secured £3,582,500 S106 contributions amongst other non-financial obligations.
35. £732,500, relating to 50% of the Affordable Housing, Nursery, Cycling and Admin contributions, has been triggered and received. The remaining amounts are due during further triggers of development and include £600,000 for Employment and Training, £250,000 (remaining 50%) for Affordable Housing and £2,000,000 for Crossrail.
36. Of the £1,015,000 covered in this report £315,000 and £100,000 have been received and the £600,000 is due upon occupation of the development. This report only commits the Council to £315,000 and £100,000 until such a point that the £600,000 is received and then the commitment is extended to include the £600,000 for employment and training. The proposed use of the funds for these purposes accord with the wording of the agreement and are acceptable.
37. The council and the developer also completed a new s106 agreement on 23 August 2010 relating to the creation of a development area referred to as the London Bridge Quarter. This agreement amalgamates the previous s106 agreements for New London Bridge House and London Bridge Place into one document and sets out the provision for the delivery of an efficient public transport interchange at London Bridge involving upgrades to the mainline and underground stations and new bus station.
38. The agreement also makes some minor consequential amendments to the Shard of Glass S106 to reflect the changes in the terminology and programming of particular railway works under the London Bridge Quarter agreement. However this does not amend the contributions.

Strategic Director of Communities Law and Governance

39. Members of the community councils are being asked to comment to planning committee on the proposed expenditure of a total of £1,015,000 from the legal

agreement relating to New London Bridge House, 25 London Bridge Street, Three Castles House & Land adjoining London Bridge Street, Railway Approach and Joiner Street, London SE1.

40. The S106s monies must be expended in accordance with: -
- (a) the terms of the specific S106s; and
 - (b) the relevant policy tests set out in Circular 2005/05 and the first three being legal tests below which are now enshrined in Regulation 122(a) of the Community Infrastructure Levy Regulations in that they must be: -
 - (i) relevant to planning purposes;
 - (ii) necessary to make the developments on the respective sites acceptable in planning terms by mitigating adverse impacts;
 - a. directly related to the respective developments;
 - b. fairly and reasonably related in scale and kind to the respective developments; and
 - c. reasonable in all other respects.
41. The legal agreement in Schedule 1, paragraph commits the developer to pay the council a total contribution of £915,000 towards employment initiatives. The sum of £315,000 referred to in the body of the report must be used towards the promotion of employment initiatives with the objective of improving opportunities for local people to secure jobs relating to the development prior to or during its construction in accordance with paragraph 7.1.7 of Schedule 1.
42. Paragraph 7.1.5 of Schedule 1 provides that the sum of £600,000 payable prior to occupation shall not be used otherwise than towards the promotion of employment initiatives with the objective of improving opportunities for local people to secure jobs related to the development subsequently to its completion.
43. Paragraph 10 of Schedule 1 requires the developer to make a contribution of £100,000 towards childcare. Paragraph 10.1.4 provides that such payments will not be used other than for the provision of improvements to childcare facilities or the provision of additional childcare places for the under fives within the Borough and Bankside, West Bermondsey and Elephant and Castle areas of the council's administration area.
44. Members are advised that officers will need to be able to demonstrate that they have only expended the monies for the purposes set out above. Under Schedule 2, paragraph 1.4 the council is required to provide from time to time and upon written request from the developer to provide a breakdown of expenditure from any contribution made under Schedule.
45. In addition Schedule 2 commits the council to consult in good faith with the developer regarding the specific purposes for which any financial contribution payable may be used and to have regard to any reasonable representations of the developer in relation to the use. Officers will therefore need to ensure that this element of the council's obligation is also fulfilled.

Finance Director

46. This report recommends that Planning Committee release funds totalling £1,015,000 from various S106 agreements for regeneration projects associated with the delivery of the SSVP.
47. The departmental finance manager notes that of the £1,015,000 covered in this report, £415,000 has been received by the council and a further £600,000 is due upon occupation of the development. This report only commits the council to £415,000 until the further £600,000 is received and then the commitment is extended to include the £600,000.
48. To deliver the above projects and monitor delivery to ensure outcomes are achieved the economic development and strategic partnerships unit requires a programme management contribution of 5%.

BACKGROUND PAPERS

Background Papers	Held At	Contact
Section 106 Legal Agreement	Regeneration Department, Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Dan Taylor 020 7525 5450

APPENDICES

No.	Title
Appendix 1	Annexes from the Signed Section 106 Agreement

AUDIT TRAIL

Lead Officer	Graham Sutton, Economic Development Manager	
Report Author	Dan Taylor, Bankside and London Bridge Development Team Manager	
Version	Final	
Dated	8 December 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
S106 Manager	Yes	Yes
Date final report sent to Constitutional Team		20 January 2012

Appendix 1

Annexes from the Signed Section 106 Agreement

13 Contribution towards employment initiatives

NLBH covenants to pay to the Council the sum of £915,000.00 Indexed on the terms set out below:

- (a) £315,000 shall be paid within 20 Working Days of the Implementation Date;
- (b) the remaining £600,000 shall be paid prior to or on the date of Occupation of any part of the LBP Development;
- (c) if the sum referred to in paragraph 13(a) is not paid on the due date NLBH shall not continue with the Implementation until it has been paid;
- (d) no part of the LBP Development shall be Occupied if any part of the sums referred to in paragraphs 13(a) and (b) have fallen due and remain unpaid;
- (e) £600,000 of the said contribution shall not be used otherwise than towards the promotion of employment initiatives with the objective of improving opportunities for local people to secure jobs related to the LBP Development subsequent to its completion;
- (f) if any part of the said contribution in paragraph 13(a) shall not have been spent or committed to be spent unconditionally by the date ten years after the date on which it is received by the Council the same shall be repaid forthwith to the original payee together with interest;
- (g) £315,000 of the said contribution shall not be used otherwise than towards the promotion of employment initiatives with the objective of improving opportunities for local people to secure jobs relating to the LBP Development prior to or during its construction; and
- (h) if any part of the said contribution in paragraph 13(e) shall not have been spent or committed to be spent unconditionally by the date five years after the date on which it is received by the Council the same shall be repaid forthwith to the original payee together with interest.

15 Childcare contribution

NLBH covenants to pay to the Council the sum of £100,000 Indexed on the terms set out below:

- (a) the contribution shall be payable within 20 Working Days after the Implementation Date;
- (b) if the sum referred to in paragraph 15 is not paid on the due date NLBH shall not continue with the Implementation until it has been paid;
- (c) no part of the LBP Development shall be Occupied if the sum referred to in paragraph 15 is due and remains unpaid;
- (d) such payments will not be used other than for the provision of improvements to childcare facilities or the provision of additional childcare places for the under fives within the Borough and Bankside, Bemondsey and Elephant and Castle areas of the Council's administration area; and
- (e) any part of the payment not used within ten years after the date on which it is paid shall forthwith be paid to the original payee together with interest.

Item No. 8.	Classification: Open	Date: 31 January 2012	Meeting Name: Planning Committee
Report title:		Southwark Design Review Panel Re-Advertising	
Ward(s) or groups affected:		All	
From:		Head of Development Management	

RECOMMENDATIONS

1. To advise the planning committee that the council will shortly advertise for members for the 2012/14 Southwark design review panel to replace the panel that was in place since June 2010.
2. That the planning committee request that the details of shortlisted candidates for the 2012/14 Design Review Panel (DRP) be presented to the planning committee for information prior to appointment of members to the design review panel.

BACKGROUND INFORMATION

3. On 11 January 2006, the planning committee agreed the establishment of a design review panel that would consider the architectural merits of major planning applications. Each panel would be established for a period of two years. At that committee the Members resolved:
 - 1) That the roles and responsibilities of the panel members are to be clearly stated;
 - 2) That the panel is subject to review every two years and report back to the planning committee.
4. On 3 February 2009 the planning committee reviewed the work of the DRP and requested among other things:
 - 1) A greater involvement in the decisions to appoint and renew the DRP membership
 - 2) Attendance by members of the planning committee at DRP provided that a protocol for Member attendance at DRP is agreed by the planning committee
5. Two years will have passed since the 2010/12 design review panel was established in June 2012. The purpose of this report is to request the committee's agreement to advertise for the new 2012/14 design review panel.
6. The Southwark DRP is an independent expert advisory panel to the council. The Panel's views, whilst of an advisory nature, will carry some weight in determining the architectural and urban design qualities of proposals.
7. Panel members selected to be on the panel offer their services on a voluntary basis and no remuneration has been offered to date.

8. Since its establishment in 2006 the Southwark DRP has introduced additional rigour to the assessment of architectural and urban design. In the last two years the panel has met 19 times and provided professional and consistent design reviews for 43 schemes.
9. As the first borough in London to establish a design review panel, the Southwark Design Review Panel has set a precedent that many boroughs have followed. The success of the Southwark DRP has been emulated elsewhere in London with at least three other boroughs establishing design review panels of their own since 2006.

KEY ISSUES FOR CONSIDERATION

10. The design review panel is made up of external and internal advisors. External advisors are normally invited to come forward primarily through press advertisements in Southwark News and Building Design. Internal advisors can include officers of the development management unit. In addition, other teams such as the Aylesbury regeneration programme are invited to observe when applications within these areas are brought to the panel.
11. The council is proposing to place advertisements inviting expressions of interest in the Southwark DRP in the Southwark Press and Building Design in February/March 2012.
12. Candidates will be selected on their experience, reputation for designing high quality buildings, engagement with stakeholders, teaching/lecturing experience, special skills, their particular interest in Southwark and the range of expertise they bring to the panel. Built environment specialists who are based in Southwark or have designed buildings in Southwark will be welcomed.
13. The panel should not include just architects. It should be open to others with specialist knowledge of the built environment including urban designers, landscape architects, town planners, structural engineers and generalists with specialist knowledge of regeneration schemes within Southwark.
14. 2010/12 DRP members will not be excluded from applying for the 2012/14 design review panel.
15. Presentation of development proposals to the design review panel is encouraged at pre-application and application stage. Major cases that are of strategic importance are brought to the review panel.
16. All incoming panel members will be required to sign up to the DRP terms of reference approved by the director of regeneration & neighbourhoods which entrench the highest standards of professional and public life and include a requirement that panel members cannot take on commissions that they have reviewed for at least two years.

Policy implications

- 14 None

Community impact statement

17. The advertisement for the 2010-11 Southwark Design Review Panel has no implications in terms of the council's statement of community involvement.

Resource implications

18. The co-ordination of the Southwark Design Review Panel, preparation of the DRP reports will not result in significant additional resource implications for the staffing of the regeneration & neighbourhoods department. At the moment this is provided within the design & conservation team.
19. Other resource implications including the advertisement for new panel members can be met within the regeneration department's revenue budget.

Consultation

20. There is no statutory requirement to consult on proposals to advertise the 2012/14 design review panel and no further consultation is envisaged at this stage.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

20. The constitution does not cover appointments to a panel of this nature. Part 3F(a) of the constitution states that all matters not reserved to planning committee are delegated to the appropriate chief officer, head of service or business unit manager within the internal scheme of management for their own department.
21. The scheme of delegation for planning and transport does not include any form of delegation that would cover the appointment of an advisory panel. In the absence of such a delegation it is therefore the chief officer that is responsible for the appointment of members to the Southwark Design Review Panel.
22. Once candidates for the new design review panel have been shortlisted for appointment, the shortlist will be brought to planning committee for members' information, however members may not make any comments on the choice of candidates as the appointment of candidates must be the decision of the chief officer/ head of service.

Finance Director

23. There are no significant resource implications, either revenue or capital, arising out of this request. The staffing requirement is provided by a part-time person from within the design and conservation team; there is a cost with respect to the advertisement for new panel members, but this can be met from within the regeneration department's revenue budget.

BACKGROUND PAPERS

Background Papers	Held At	Contact
Planning Committee Minutes 11 January 2006, 9 February 2009 Southwark Constitution	Constitutional Team 2 nd Floor 160 Tooley Street London SE1 2TZ	Lesley John 020 7525 7228

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Michael Tsoukaris, Group Manager Design & Conservation	
Version	Final	
Dated	16 January 2012	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Date final report sent to Constitutional Team		20 January 2012

Item No. 9.	Classification: Open	Date: 31 January 2012	Meeting Name: Planning Committee
Report title:		Draft Elephant and Castle Supplementary Planning Document / Opportunity Area Planning Framework	
Ward(s) or groups affected:		Newington, East Walworth, Faraday, Cathedrals, Chaucer, Camberwell Green	
From:		Interim Director of Planning	

RECOMMENDATION

1. That planning committee provide comments on the draft Elephant and Castle Supplementary Planning Document / Opportunity Area Planning Framework (Appendix A)

BACKGROUND INFORMATION

2. The Elephant and Castle opportunity area is identified in the London Plan (2011) and the council's recently adopted Core Strategy (2011). It covers an area of 122 hectares. In addition to the shopping centre and Heygate Estate, the opportunity area also incorporates Walworth Road, London South Bank University campus, St George's Circus, West Square and the Imperial War Museum and Newington Causeway. Both the London Plan and the Core Strategy recognise its potential for change and growth and set a target of providing at least 4,000 new homes by 2026 and around 5,000 new jobs.
3. In 2004 the council adopted a supplementary planning guidance (SPG) document to provide a framework for development for the core of the opportunity area. This was supplemented by supplementary planning documents (SPD) for the Enterprise Quarter and Walworth Road in 2008. However these documents, which were based on the 2007 Southwark Plan, are now becoming out-of-date. In particular the floorspace quantum and number of homes sought do not reflect the Core Strategy or the London Plan. Some of the uses identified in the 2004 SPG, such as a new secondary school are no longer required. The tall buildings proposed by the 2004 SPG on the shopping centre site may not be compatible with the 2009 London View Management Framework.
4. There is a need to refresh planning guidance to ensure it remains fit for purpose. This document should aim to coordinate growth, directing development to those areas in which it is appropriate and desirable, and protecting areas which are sensitive, such as conservation areas. Many of the neighbourhoods which comprise the opportunity area have a distinct character. Development should aim to reinforce the sense of distinctiveness and help create a sense of place.
5. The purpose of supplementary planning documents is to provide more detailed guidance on existing policies in the Core Strategy and the London Plan. They cannot be used to create new policies. When finally adopted, SPDs are a material consideration in the determination of planning applications.
6. London Plan policy 2.13 indicates that the boroughs should work with the Mayor to produce opportunity area planning frameworks (OAPFs) for the opportunity

areas. The new planning document will therefore comprise an SPD and an opportunity area planning framework (OAPF). It will cover the entire opportunity area and replace the 2004 SPG and 2008 SPDs. The council and GLA have worked closely on the preparation of the draft. Adopted by both Southwark and the Mayor, an agreed approach will help provide certainty for developers, clarity for members of the public and councillors, and a robust basis on which forthcoming planning applications can be assessed.

7. The draft SPD was published on 15 November 2011. Consultation closes on 7 February 2012. It is anticipated that the SPD will be reported to Cabinet in March for adoption.

KEY ISSUES FOR CONSIDERATION

8. The SPD gives a set of objectives for the opportunity area which build on the vision in the Core Strategy. It provides overarching policies for the opportunity area as a whole, as well as detailed guidance which describes how this should be applied to individual character areas. The area has been divided into nine character areas: Central Area, Heygate Street, Brandon Street, Walworth Road, Rail Corridor, Pullens, West Square, Enterprise Quarter and Rockingham.
9. The SPD promotes the provision of new shopping space to help consolidate Elephant and Castle as a major centre in Southwark's hierarchy and broaden its appeal to a wider catchment. While the shopping centre has a strong specialist function, Southwark's 2008 retail study indicates that overall, Southwark's centres are not meeting the needs of the local population. Only 16% of the comparison goods (clothes, shoes, books, music etc) expenditure available in Southwark is spent in the borough, with the majority of shopping trips being made in the West End, Lewisham, Croydon and other centres. Southwark's objective in the Core Strategy is to retain more of this spending in Southwark, providing more choice for residents, reducing the need to travel to centres which are further away and promoting inward investment and jobs. The SPD's retail strategy is to support retail growth on the shopping centre through redeveloping or remodeling, support growth on key locations on the Heygate development site and encourage provision of retail and service uses on the key routes leading into the centre, such as Newington Causeway. Large developments over 1,000 square meters will need to provide a proportion of the development as affordable retail space. This should be provided to help mitigate impacts on existing traders displaced by development on the shopping centre and to ensure that the centre reflects local diversity and character.
10. The SPD indicates that there is capacity to provide around 6000 new homes in the opportunity area over the period between 2011 and 2026. In accordance with the Core Strategy, at least 35% should be affordable and at least 35% should be private. At least 10% of homes should have 3 or more bedrooms and all homes should provide good quality living environments with generous space standards, as set out in the council's Residential Design Standards SPD 2011.
11. All new development will need to meet Code for Sustainable Homes level 4 or BREEAM excellent as a minimum. Proposals should explore the potential to connect to existing decentralised energy systems. Where new systems are appropriate, such as on the Heygate development site, proposals should also assess the feasibility of extending the system beyond the site boundary to adjacent sites.

12. The SPD seeks to support the growth of London South Bank University and the London College of Communications. As well as additional teaching space, both institutions have requirements for additional student accommodation. The SPD signals that the council will work with both universities to ensure that their requirements can be met. There is an area at the northern end of Walworth Road however which already has around 460 bedspaces with another 220 proposed. Given this concentration and the aspiration of the SPD to create mixed areas and a choice of homes, the SPD indicates that further student homes developments would not be supported in that area.
13. Our strategy for the built environment is to ensure that neighbourhoods have a distinctive character and a sense of place. While there is opportunity for considerable change on the Heygate estate and in the central area, other areas are more sensitive to development and have strong character which should be reinforced. New development should be easy to move around for pedestrians and cyclists and should have a human scale at street level, with active frontages and interesting, well articulated elevations and massing. The SPD has been informed by a thorough characterisation appraisal which has identified the potential for two new conservation areas in the opportunity area: Larcom Street and Elliotts Row. Consultation will take place separately on these designations.
14. The Core Strategy and London Plan indicate that tall buildings may be appropriate at Elephant and Castle. The SPD strategy for tall buildings has been informed by the characterisation appraisal and well as by thorough testing of the impacts of potential options in local and London-wide views. Among the options tested was a scenario similar to that promoted in the 2004 SPG which located the tallest elements of development on the shopping centre. However, it was concluded that very tall buildings on the shopping centre would be likely to detract from the Outstanding Universal Value of the Palace of Westminster world heritage site in views from the Serpentine Bridge in Hyde Park. This view was protected in the London View Management Framework in 2009 (after the 2004 SPG was adopted). The SPD states that tall buildings in the opportunity area will help signal its regeneration. The tallest buildings should act as focal points in views towards the Elephant and Castle along main roads and strengthen gateways into the town centre. Moving away from the tallest points, they should diminish in height to manage the transition down to the existing context. They should be used to add interest to London's skyline and when viewed in a cluster, should be articulated to ensure that they do not coalesce to form a single mass.
15. The amount of open space per capita is low in the Elephant and Castle in comparison with other areas of the borough. The SPD proposes a range of measures including a network of green routes, use of living walls and green roofs and new public park provision to improve green infrastructure. It advises that trees which are lost as a result of development should be replaced by trees which increase canopy cover. If this is not possible, the council will seek financial contributions to improve tree planting elsewhere in the opportunity area.
16. The SPD promotes walking and cycling and proposals to improve the public realm. This includes the removal of subways on the northern roundabout and their replacement with surface crossings. The SPD acknowledges that improvements will need to be made to the capacity of the northern line station over the life of the plan. It has been agreed with TfL that while the provision of 3 additional lifts would provide a fit-for-purpose solution, the preference of the council and TfL is for escalators. Funding for this will come from a variety of sources and will include s106 funding.

17. The SPD states that proposals should improve provision of arts, cultural, leisure and entertainment facilities and contribute positively to the evening economy. It notes that a new leisure centre will be built and that the need for further health facilities will be kept under review over the plan period. There is a pressure for new secondary places which we are planning to meet by the provision of the new 5FE Aylesbury Academy in Walworth. It may be also be necessary over the life of the plan to increase primary school places in and around the opportunity area. This may include a combination of temporary bulge classes and permanent additional places at the existing primary schools.
18. The council will use s106 funding to help secure key infrastructure needed, including open space, school places and community facilities. With the exception of strategic transport contributions, the SPD states that the council will continue to use the standard charges set out in the 2007 s106 Planning Obligations SPD to negotiate s106 contributions. The SPD proposes a new standard charge for strategic transport infrastructure:
- Residential use: £104 per square metre
 - Student housing: £65 per square metre
 - Hotels: £145 per square metre
 - Offices: £0
 - Retail: £12 per square metre
 - Schools, health facilities, libraries, municipal leisure centres and affordable retail space: £0
19. The cost of the strategic transport improvements needed to help address additional demands created by growth in the opportunity area is significant. TfL estimate that the costs of removing the subways on the northern roundabout, improving public realm in the central area and introducing bus only movement in London Road will cost in the region of £20m. TfL also estimates that the cost of improving lift access in the northern line ticket hall by providing additional lifts will be up to £85m, allowing for contingency. The cost of escalators would be higher.
20. The tariff levels we have set out have been informed by a viability study of sites in the opportunity area. The conclusions of these appraisals was that development in the area should generally be able to provide 35% affordable housing and support the s106 charges of around £175 per square metre for residential, student housing and hotel development and £100 per square meter for retail and leisure development. The viability of office development would not support an additional charge.
21. These rates are significantly more than Southwark currently negotiates through s106. The approach set out in the SPD is to allocate the uplift in funding generated to strategic transport improvements. Where developers consider these requirements to be unviable, the council will require an open book financial appraisal, in line with existing practice. Given the need for these improvements and their costs, the SPD states that Southwark will prioritise strategic transport improvements in negotiating s106 obligations.
22. Using the tariff levels set out above, it is estimated that around £50m may be generated for strategic transport improvements over 20 years. The council will work with TfL and developers to identify opportunities to reduce the funding gap. This will include updating the strategic transport tariff every year in line with

inflation, construction costs and sales values. Over the course of the next 20 years, the council expects growth in sales values to outstrip the rise in construction costs. It also expects the effects of regeneration, including improved public realm, open spaces and transport capacity to increase values in the area. If this happens, it will increase the amount which can be collected and reduce the funding gap. A 30% increase in land values and 15% increase in construction costs over a 20 year period would increase the amount which could be raised for transport and public realm infrastructure to around £60m.

Consultation

23. The Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008) and our Statement of Community Involvement 2007 set out consultation requirements for SPDs. As is noted above, the draft SPD was published on 15 November 2011. The council is consulting formally on the draft for a period of 6 weeks from 27 December to 7 February 2012. In all, the document will be available for public inspection for a period of 12 weeks (15 November – 7 February), which complies with the standards in the council's Statement of Community Involvement. As well as making the document available on the web and in local libraries, the council has written to around 3000 consultees in the Planning Policy team's database and has organised a range of presentations, exhibitions and workshops to publicise the document and engage local people and stakeholders.

Community impact statement

Equalities Impact Assessment

24. An equalities impact assessment scoping report (appendix B) has been carried out alongside the preparation of the update to the SPD to assess the impact the update to the SPD will have on groups with protected characteristics. The equalities impact assessment (EQIA) identified a number of key issues to be considered in the preparation to the SPD. One of the most significant issues to be considered is the potential displacement of local businesses from the shopping centre and surrounding area. This may have a disproportionate impact on black and ethnic minorities of which a larger percentage work in the existing SME businesses. This could also have a negative impact on older people who have less opportunity to re-train in other areas and would be forced to move elsewhere if their current employment was removed. The SPD proposes that all developments of retail space in excess of 1,000sqm should provide a proportion of floorspace as affordable business space. Priority for such space will be given to businesses displaced by development in the opportunity area. This should help mitigate impacts set out above.
25. Transport improvements could have a disproportionate impact on different groups with protected characteristics. The EQIA identified that the needs of those with disabilities, young families and older people will need careful consideration to ensure safe and accessible routes through new development. Increased pedestrian and cycle routes can have a positive impact on those with lower incomes, promoting more sustainable means of travels for no cost which can lead to health improvements and increased access to employment. Safe and reliable public transport can also have a beneficial impact on more vulnerable groups such as older people, women and black and minority ethnic groups.

26. Improvements to the public realm and open spaces is likely to have a positive impact on all groups with protected characteristics however the needs of disabled people and people with young families will need to be considered to ensure everyone has equal access to these spaces. It is also important that new open spaces and public spaces are safe and well used in order to ensure more vulnerable groups feel able to visit these spaces without fear of crime and victimisation. The provision on new and improved open spaces can bring positive benefits, especially for younger people and those on lower incomes who may not be able to afford more organised physical activity, helping to encourage sport and recreation which can lead to health improvements and a better quality of life.

Sustainability Appraisal

27. A sustainability appraisal (appendix C) has been prepared to help identify the environmental, social and economic issues that the SPD needs to address. The preparation of a scoping report was the first stage of the sustainability appraisal to assist in the preparation of the SPD and its sustainability appraisal. The scoping report set out the sustainability objectives and indicators that will be used to measure the impacts of the policy upon sustainable development. Baseline information was gathered to draw attention to key environmental, social and economic issues facing the borough, which may be affected by development in Elephant and Castle.
28. The next stage of the process involved appraising three options for regeneration against the sustainability objectives. These included; a) Business as usual (no SPD); b) Managed Growth: A major new town centre destination and c) Managed Growth: A district centre which meets local needs. The results of the appraisal showed that the overall impact of Option b) was more positive in terms of promoting a more distinctive and varied town centre with a mix of uses which in the long term would help promote sustainable communities than for Option a) and c). Option b) presented more of a balanced approach to the regeneration of the area by focusing on providing leisure facilities, employment opportunities, the public realm and community facilities as well as new homes. While this growth will increase demand for energy, water and generate more waste and traffic these impacts can all be mitigated by other measures which seek to reduce car parking, set energy guidance and design guidance. While the impacts of option 2 can also be mitigated against, overall Option 2 will have more sustainability benefits in the long term than Option 3 in terms of job creation, new skills, community cohesion, providing local services and community facilities improving walking and cycling routes, and reducing crime and fear of crime.
29. The options in the SA informed the draft policies within the SPD. These were subsequently appraised. For every policy, the positive impacts outweighed the negative impacts when assessed across the whole range of sustainability objectives. In some cases the policies have no significant impact with the sustainable objectives. Where the SA identified potential shortcomings of particular policies, mitigation measures are proposed to help off-set the negative impacts. Many of these mitigation measures are policy requirements in either the Core Strategy or Supplementary Planning Documents (SPDs) such as the Sustainable Transport SPD, Residential Design Standards SPD, Sustainable Design and Construction SPD and Sustainability Assessment SPD. For example: Strategic Policy 13 in the Core Strategy, which sets out the council's targets for development to minimise their impacts upon climate change.

BACKGROUND DOCUMENTS

Background paper	Held at	Contact
Core strategy April 2011	Planning Policy Team Southwark Council 5 th Floor 160 Tooley Street, London SE1 2QH	Sandra Warren 020 7525 5471
London Plan 2011		Sandra Warren 020 7525 5471
Statement of Community Involvement 2008		Sandra Warren 020 7525 5471

APPENDICES

No.	Title
Appendix A	Draft Elephant and Castle supplementary planning document/opportunity area framework (circulated separately to members with the agenda)
Appendix B	Equalities Impact Assessment available on the website at: http://www.southwark.gov.uk/downloads/download/2896/elephant_and_castle_spd_supporting_documents
Appendix C	Sustainability Appraisal available on the website at: http://www.southwark.gov.uk/downloads/download/2896/elephant_and_castle_spd_supporting_documents

AUDIT TRAIL

Lead Officer	Simon Bevan, Interim Director of Planning	
Report Author	Tim Cutts, Acting Head of Planning Policy	
Version	Final	
Dated	17 January 2012	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Departmental Finance Manager	No	Yes
Cabinet Member	No	No
Date report sent to Constitutional Team		17 January 2012

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OPEN		MUNICIPAL YEAR 2011/12	
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NOTE: Original held in Constitutional Team; all amendments/queries to Kenny Uzodike, Constitutional Team, Tel: 020 7525 7236.			
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