

Planning Committee

Tuesday 9 October 2012

7.00 pm

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

Membership

Councillor Nick Dolezal (Chair)
Councillor Darren Merrill (Vice-Chair)
Councillor Kevin Ahern
Councillor Chris Brown
Councillor Robin Crookshank Hilton
Councillor Mark Gettleson
Councillor Adele Morris

Reserves

Councillor James Barber
Councillor Neil Coyle
Councillor Dan Garfield
Councillor Nick Stanton
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

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

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

Eleanor Kelly

Chief Executive

Date: 1 October 2012





Planning Committee

Tuesday 9 October 2012

7.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London 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	
	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 - 5

To approve as a correct record the Minutes of the open section of the meeting held on 4 September 2012.

- | | |
|---|-----------|
| 6. DEVELOPMENT MANAGEMENT | 6 - 11 |
| 6.1. 1-16 BLACKFRIARS ROAD, LONDON SE1 | 12 - 89 |
| 6.2. 1-16 BLACKFRIARS ROAD, LONDON SE1 | 90 - 98 |
| 6.3. 1-27 AND 28-59 WOLVERTON, SEDAN WAY, (SITE 7 AYLESBURY ESTATE REGENERATION) LONDON SE17 2AA | 99 - 140 |
| 7. APPROVAL OF £197,823 OF EDUCATION CONTRIBUTIONS TOWARDS EXPANDING SCHOOL CAPACITY AT ST JAMES SCHOOL AND CRAMPTON PRIMARY SCHOOLS FROM DEVELOPMENTS AT 89 SPA ROAD (SITE D BERMONDSEY SPA) A/N 337 S106/120868 05/AP/2617 AND NEWINGTON INDUSTRIAL ESTATE, A/N 263, S106/111215 04/AP/0544. | 141 - 144 |
| 8. COMMUNITY INFRASTRUCTURE LEVY (CIL) PRELIMINARY DRAFT CHARGING SCHEDULE | 145 - 151 |

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.



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 council offices 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

Constitutional Officer, Constitutional Team
Corporate Strategy, Chief Executive's Department
Tel: 0207 525 7236



Planning Committee

MINUTES of the OPEN section of the Planning Committee held on Tuesday 4 September 2012 at 7.00 pm at Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Nick Dolezal (Chair)
Councillor Darren Merrill
Councillor Chris Brown
Councillor Robin Crookshank Hilton
Councillor Adele Morris

OTHERS: Gary Rice, Head of Development Management
Michael Tsoukaris, Planning Design
Zayd Al Jawad, Section 106 Manager
Rachael McKoy, Legal Services
Kenny Uzodike, Constitutional Team

1. APOLOGIES

Apologies for absence were received from Councillors Kevin Ahern and Mark Gettleson.

2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as voting members.

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

The chair informed the committee of the addendum report relating to item 8, which was circulated prior to the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. MINUTES

RESOLVED:

That the minutes of the open section of the meeting held on 17 July 2012 be agreed as a correct record and signed by the chair.

6. DEVELOPMENT MANAGEMENT

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during that time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation responses, additional information and revisions.

RESOLVED:

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports on the agenda 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 and draft decision notices unless otherwise stated.
3. That where reasons for the decision or condition are not included in the report relating to an individual item, that they be clearly specified.

6. CHAMBERS WHARF, CHAMBERS STREET, LONDON SE16

Planning application reference number 12-AP-2311

Report: See pages 13-32 of the agenda.

PROPOSAL:

Removal of existing demolition spoil from the site and associated temporary structures.

The committee was informed that the application had been withdrawn by the applicant.

7. APPROVAL FOR TRANSFER OF £2,600,000 FROM THE S106 AFFORDABLE HOUSING FUND TO PROVIDE NEW AFFORDABLE HOUSING UNITS AT LAND BOUNDED BY WADDING STREET AND STEAD STREET, LONDON SE17

RESOLVED:

That the transfer of £2,600,000 from the S106 Affordable Housing Fund to provide new affordable housing units at land bounded by Wadding Street and Stead Street, London SE17 be approved.

8. PAGE'S WALK AND THORBURN SQUARE CONSERVATION AREAS

The officer introduced his report and members asked questions.

It was noted that the officer's recommendation had been amended in the addendum report to omit the words '*as supplementary planning guidance*' and should now read:

"That Members agree to formally adopt the Page's Walk and Thorburn Square Conservation Area Appraisals following a period of public consultation commencing in October 2011."

RESOLVED:

That the Page's Walk and Thorburn Square Conservation Area Appraisals be formally adopted following a period of public consultation commencing in October 2012.

9. VALENTINE PLACE CONSERVATION AREA

RESOLVED:

That the planning committee agreed the following:

1. That the results of the public consultation on the designation of the Valentine Place Conservation Area be noted.
2. That the conservation area boundary be confirmed.
3. That the amendments to the conservation area appraisal, as shown in Appendices 1 and 2 be agreed.

The meeting closed at 7.10pm.

Chair:

Dated:

Item No. 6.	Classification: Open	Date: 9 October 2012	Meeting Name: Planning Committee
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Director of Corporate Strategy	

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 planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
 - a. 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.
 - b. 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.
 - c. 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.

6. 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.
7. 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.
8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
10. 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

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

12. 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 head of development management 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.
13. A resolution to grant planning permission subject to legal agreement shall mean that the head of development management 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 director of legal services, and which is satisfactory to the head of development management. 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 director of legal services. The planning permission will not be issued unless such an agreement is completed.
14. 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. 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).

15. 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. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the 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).
16. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
17. 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."

18. 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.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan)

should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.

20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the policies in the Southwark Plan to the policies in the NPPF, the greater the weight that may be given.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda June 27 2007 and Council Assembly Agenda January 30 2008	Constitutional Team 160 Tooley Street London SE1 2QH	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Council Offices, 160 Tooley Street, London SE1 2QH	The named case Officer as listed or Gary Rice 020 7525 5437

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Kenny Uzodike, Assistant Constitutional Officer Suzan Yildiz, Senior Planning Lawyer	
Version	Final	
Dated	7 July 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Legal Services	Yes	Yes
Head of Development Management	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		6 July 2012

ITEMS ON AGENDA OF THE PLANNING COMMITTEE
on Tuesday 09 October 2012

Appl. Type Full Planning Permission
Site 1-16 BLACKFRIARS ROAD LONDON SE1

Reg. No. 12-AP-1784
TP No. TP/1390-1
Ward Cathedrals
Officer Gordon Adams

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT AND GLA
Proposal

Item 6.1

Application made under the provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 for the erection of three buildings (a 50 storey tower plus basement levels to a maximum height 170m Above Ordnance Datum (AOD), a 6 storey building - 'The Rennie Street Building', and a 4 storey building - 'The Podium Building') which together provide a mixed use development totalling 74,925sqm gross external area comprising: 11,267sqm of Class C1 use (hotel); 52,674sqm of Class C3 use (274 flats); 1,316sqm of retail uses (Class A1 to A5); and 9,648sqm of basement, ancillary plant, servicing and car parking with associated public open space and landscaping.

Appl. Type Full Planning Permission
Site 1-16 BLACKFRIARS ROAD, LONDON SE1

Reg. No. 12-AP-2608
TP No. TP/1390-1
Ward Cathedrals
Officer Gordon Adams

Recommendation GRANT PERMISSION
Proposal

Item 6.2

Erection of a three storey building for use as a marketing suite in connection with the redevelopment of the main site (under planning permission ref 12-AP-1784) for a temporary period of 5 years, together with associated car parking and landscaping.

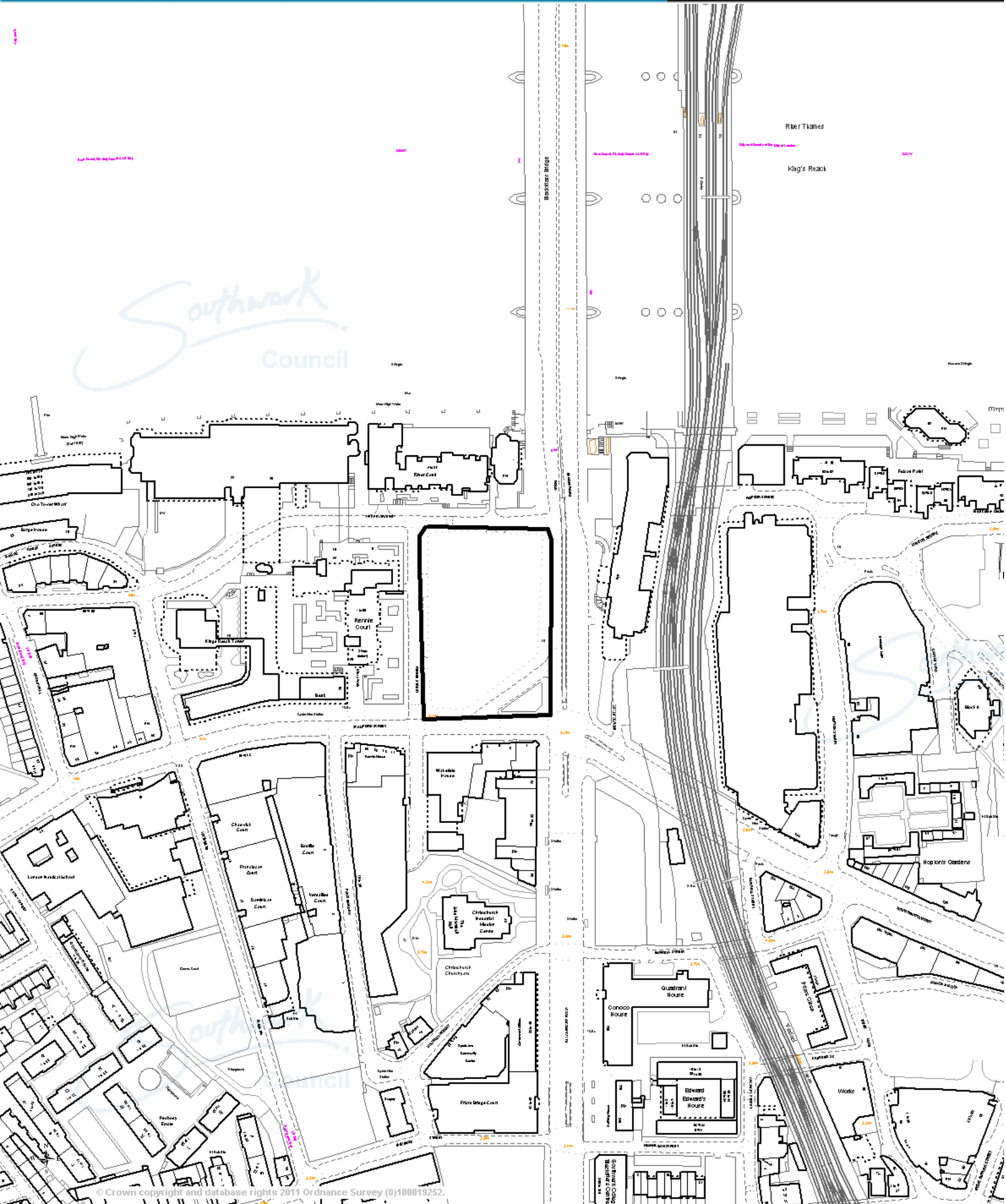
Appl. Type Full Planning Permission
Site 1-27 AND 28-59 WOLVERTON, SEDAN WAY, (SITE 7 AYLESBURY ESTATE REGENERATION) LONDON SE17 2AA

Reg. No. 12-AP-2332
TP No. TP/H1059
Ward Faraday
Officer Laura Webster

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT
Proposal

Item 6.3

Demolition of existing buildings and redevelopment of the site to provide 147 residential units including flats, maisonettes and houses (30 x 1 bed, 71 x 2 bed, 13 x 3 bed, 28 x 4 bed, 5 x 5 bed) of which 58% would be affordable housing. The proposed residential blocks range between 3 and 10 storeys in height (10 Storeys at Thurlow Street) with a basement car park together with new vehicle access, plant, landscaping, cycle storage and refuse/recycling facilities.



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Item No.	Classification:	Date:	Meeting Name:
6.1	OPEN	9 October 2012	PLANNING COMMITTEE
Report title:	Development Management planning application: Application 12/AP/1784 for: Full Planning Permission Address: 1-16 BLACKFRIARS ROAD, LONDON SE1 Proposal: Application made under the provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 for the erection of three buildings (a 50 storey tower plus basement levels to a maximum height 170m Above Ordnance Datum (AOD), a 6 storey building - 'The Rennie Street Building', and a 4 storey building - 'The Podium Building') which together provide a mixed use development totalling 74,905sqm gross external area comprising: 11,267sqm of Class C1 use (hotel); 52,196sqm of Class C3 use (274 flats); 1,316sqm of retail uses (Class A1 to A5); and 9,648sqm of basement, ancillary plant, servicing and car parking with associated public open space and landscaping.		
Ward(s) or groups affected:	Cathedrals		
From:	HEAD OF DEVELOPMENT MANAGEMENT		
Application Start Date 31/05/2012		Application Expiry Date 14/12/2012 (PPA application)	

RECOMMENDATION

1. a) That planning permission is granted subject to conditions and the applicant entering into an appropriate legal agreement by no later than 14 December 2012, and subject to referral to the Mayor of London;
- b) 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;
- c) That 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;
- d) In the event that the requirements of (a) are not met by 14 December 2012, the head of development management be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 263.

BACKGROUND INFORMATION

Site location and description

2. The application site is located 60 metres south of the Thames, and bounded by Blackfriars Road to the east, Upper Ground to the north, Rennie Street to the west and Stamford Street to the south. It is currently cleared of all buildings to basement level and the centre of the site is excavated to approximately 6m below surrounding ground levels.
3. Prior to demolition in 2003, the site was occupied by 2 inter-linked office buildings, both of which were used by Sainsbury's as their main office headquarters. One was Drury House, an office building dating from the 1960s, 12 storeys high with a 4 storey wing, the other was Stamford House, fronting Rennie Street, which was an Edwardian (1912) 5 storey office building.
4. The area is characterised by a mix of uses and building types. To the north is the 1970s Doggetts public house, and River Court (9 storey residential block on the river) and Rennie Court (12 storey residential block on Rennie Street) are from the same period.
5. To the east of the site is Ludgate House which is a 10 storey office building from the 1980s occupied by United Business Media. Immediately to the south is 1 Stamford Street, a Victorian commercial building, 3 storeys in height with dormers to mansard (c1870) and 3 Stamford Street (c1875) is a four-storey commercial building (Mad Hatter Hotel).
6. To the south east is a new 15 storey office building under construction at 240 Blackfriars Road which is to be occupied by United Business Media. Further to the west of the site is the Kings Reach tower and associated mid-rise office buildings, which have an implemented planning permission for refurbishment and extension works.

Implemented scheme

7. Planning permission was previously granted in 2009 following a 'Call-In' Inquiry for a redevelopment of the application site. That scheme was known as 'Beetham Tower' and was brought forward by the Beetham Organisation; the Jumeirah Hotel Group was also notionally linked with the development.
8. The permission has been technically implemented although building works did not continue. That permission included a 170m high tower building of virtually identical appearance to that proposed in the current application. Whilst the implemented permission is a material consideration with some weight, the new application should be determined on its own merits when assessed against current adopted and emerging policy.

Details of proposal

9. The proposed development involves the erection of three buildings:
10. The Tower is 50 storeys (170m) in height comprising 274 market sale (private) flats together with a public viewing lounge at level 32 and associated facilities at ground level.

Unit type	Quantity
Studio	13
1 bedroom	78
2 bedroom	120
3 bedroom	56
4 bedroom	6
Triplex	1
Total	274

11. The tower is intended to be a slender building with a curved leading edge facing NNE towards Blackfriars Bridge. A distinctive profile is created where the north-south cross-section of the building increases in depth from a small footprint to its widest point at levels 32 to 34 and then tapers to its summit at floor level 50.
12. At level 32, a publicly accessible viewing lounge is proposed that is to occupy 260sqm on the northern half of the floorplan. The lounge is accessed from a 216sqm reception area on the lower ground floor and is served by a dedicated lift. Details of the use of the lounge are set out at paragraph 157.
13. The design of the tower involves a double-skin facade incorporating a double-glazed inner layer set in from a single glazed outer layer. A series of 'winter garden' amenity spaces for the flats sit between the two layers of the façade.
14. The Rennie Street building is 6 storeys in height and is located along the western edge of the site. It is to comprise a 152 room hotel with associated bar and restaurant facilities on the ground floor and a retail unit on the corner of Rennie Street and Stamford Street.
15. The Podium building is on the corner of Stamford Street and Blackfriars Road. The ground floor is made up of retail space whilst there are resident's facilities located on the first floor together with a resident's garden. There is plant located within a second floor element.
16. A part three/part four level basement is proposed comprising:
 - Plant
 - Hotel conference facilities
 - Hotel back of house
 - Residential facilities
 - Residential swimming pool
 - 110 parking spaces (equating to 0.4 parking provision for the flats)
 - 334 cycle storage spaces.
17. Between the three buildings is a new public plaza known provisionally as Blackfriars Place. The space measures 33m by 28m and has access points from Stamford Street, Upper Ground, and Blackfriars Road; it is surrounded by retail uses to the south in the podium building, the hotel restaurant to the west in the Rennie Street building, and the base of the tower to the north. Within the space is proposed landscaping to provide planting, seating, and water features.
18. The scheme proposes substantial improvements to the public realm around the site including:

- Revised junction layout at Stamford Street and Blackfriars Road
 - High quality new paving to the kerb edge on all sides of the main site
 - Paving of the carriageway in Rennie Street creating a 'shared space'
 - High quality new paving to the western Rennie Street pavement and northern Upper Ground pavement.
19. As part of the proposed junction improvements, the current left turn slip lane on the south eastern corner of the site is to be removed and replaced with landscaped open space.
20. A commuted sum payment is proposed in lieu of affordable housing, linked to The Direct Delivery programme through which the council will provide new affordable housing.

Planning history

21. 0100649: planning permission was granted on 8 January 2002 for the redevelopment of the site to provide a part 19 storey (90m high AOD) building, and part 7 and part 5 storey building for office use with supermarket use on the ground floor together with the creation of a public open space on the north west corner of the site, with the provision of car, cycle and motor cycle parking and service area and other works. Designed by Foster and Partners, the new building would have comprised 43,856 square metres of office space and a 2,418 sqm supermarket. There would also be associated servicing with 25 car parking spaces, 35 motorcycle spaces and 200 bicycle spaces in the basement.
22. 06-AP-0974: planning permission was granted (under Section 73 of the Planning Act 1990) for the same development as above but with modified conditions from those imposed on the 2002 planning permission. The revised conditions allowed for the implementation of the development before some details were submitted and approved. The 2006 permission was implemented by foundation works having been carried out on site.
23. 05-AP-1545: In July 2005 a planning application was submitted for the redevelopment of the site for a similar development to that now being considered but with a 69 storey tower (maximum height 226m AOD) with 218 flats and a hotel, with 109 of the flats being in the lower buildings. This development comprised three buildings: a tower and two podium buildings linked as one continuous 'U' shaped block around the west, south and east sides of the site. This application was withdrawn.
24. 06-AP-2117: On 30 October 2006 a revised planning application was submitted for a 52 storey development. The height and form of the tower and design of the low-rise buildings and plaza had been redesigned following advice from Southwark, GLA, and consultees. The proposal was for a 180m (AOD) remodelled tower, enlarged plaza and a single smaller low-rise building. This created a public plaza on a raised podium deck. The application was subsequently revised to reduce the height of the tower to 170m AOD to reduce the impact on Strategic Views. The Council resolved to grant planning permission, however, the application was called in by the Secretary of State. Following a Public Inquiry in September 2008, which also heard an application for tall buildings on the site at 20 Blackfriars Road (see para 28) planning permission was granted in March 2009. The application was implemented by carrying out groundworks. The development company went into administration October 2010 and the site was subsequently purchased by St George in December 2011.

25. 11-AP-2743: Certificate of Lawful Development granted for the construction of 2 no. rotary bored piles from basement level in accordance with planning permission 06AP2117 dated 25 March 2009 for the erection of two buildings on a podium providing a mixed use scheme comprising a hotel, associated facilities including a business centre, spa, wellness centre/gym, restaurants and bars; residential use comprising 96 flats; Class D2 use as a Sky Deck for observation and function areas; Class A uses, Class A3 uses, ancillary plant, servicing and car parking. This certificate gives effect that the 06-AP-2117 scheme has been implemented.
26. 12-AP-1950: planning permission granted for the erection of a single storey building for use as an 'Information Centre' for temporary period of 1 year, together with associated car parking and landscaping, in conjunction with the proposed mixed use redevelopment of land at 1-16 Blackfriars Road (ref 12-AP-1784).
27. 12-AP-2608: planning permission is sought for the erection of a three storey building for use as a marketing suite in connection with the redevelopment of the main site (ref 12-AP-1784) for a temporary period of 5 years, together with associated car parking and landscaping. See 'Other Matters' at paragraph 221 for consideration of this application.

Planning history of adjoining sites

28. 20 Blackfriars Road (07-AP-0301): demolition of existing buildings and redevelopment to provide a mixed use development comprising 286 residential flats (Class C3), 25,769sqm of office floorspace (Class B1), 1,710sqm of retail floorspace (Class A), 562sqm of Class D1 (community) uses, creation of new open space, reconfigured vehicular and pedestrian access and works to the public highway together with associated works including landscaping and the provision of a basement car park for up to 82 cars, plus servicing and plant areas. The development consists of two towers: an office tower of 23 storeys (maximum height 105m Above Ordinance Datum), a residential tower of 42 storeys (maximum height 148m Above Ordinance Datum) and lower rise buildings of up to 7 storeys fronting Stamford Street and Paris Gardens.
29. Planning permission was granted in March 2009 following a joint public inquiry with the implemented 1 Blackfriars scheme. The permission has been implemented by the demolition of buildings on the site, and this was confirmed by the Council by the issue of a Certificate of Lawful development (12-AP-0413).
30. 240 Blackfriars (06-AP-1800): planning permission granted for erection of a 15-storey building (plus a basement) comprising 25,293m² of office (Use Class B1) floorspace, with 468m² retail/ restaurant use (Class A1/A3) floorspace at ground floor level; Erection of a separate 5-storey building (plus basement) comprising 10 residential flats with retail/ restaurant (Class A1/A3) at ground floor level; provision of car parking, landscaping and ancillary works. This development is currently under construction.
31. Sea Container's House (11-AP-1955): planning permission granted for erection of a new nine storey building in the rear parking/servicing area (maximum height AOD 42.895m) to provide retail at ground and offices above; refurbishment of existing Sea Containers House and change of use of floors 5-14 of the rear wing plus three floors of the main building from offices to a 358 bedroom hotel, including the erection of new roof extension at part 12th floor level to provide a bar ancillary to the hotel use. Extension and conversion of the ground floor area to provide new restaurant (Class A3), cafe (Class A3), service (Class A2) and retail uses (Class A1) together with new service bay, landscaping, new access arrangements and associated car and cycle

parking. This development is currently under construction.

32. King's Reach (11-AP-1071): refurbishment and re-cladding of the tower and podium buildings, erection of six additional storeys to the tower for residential use [132.2m AOD to top of core] and change of use of floors 11 to 30 of the tower from offices to residential [to provide a total of 173 flats]; erection of a series of extensions and additions for office use including the erection of a ten storey infill atrium building between the tower and T shaped podium, erection of a part one, part three storey roof extension to the podium building and a series of other extensions to the north, east and west of the podium building to accommodate plant and stair cores. Creation of retail (Class A1, A2, A3 and A4) space, pool and gym (Class D2) on the ground floor, provision of new and refurbished landscaping, plant and equipment, formation of new accesses, including formation of a new pedestrian route linking Stamford Street to Upper Ground, and public realm improvements.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

33. The main issues to be considered in respect of this application are:
- a) changes in the scheme from the Implemented planning permission
 - b) principle of the development in terms of land use
 - c) Environmental Impact Assessment
 - d) Affordable housing and the principle of a payment in lieu
 - e) Design, including site layout, impact on local and strategic views
 - f) Housing mix and density
 - g) Quality of accommodation
 - h) Impact on the amenities of occupiers of adjoining properties
 - i) Transport
 - j) Sustainable development implications
 - k) Flood risk
 - l) Planning obligations.

Planning policy

- 34 The statutory development plans for the borough comprise the London Plan 2011, the Southwark Core Strategy 2011, and saved policies of the Southwark Plan (2007).
- 35 The site is located within the:
- Central Activities Zone (CAZ)
 - Bankside, Borough and London Bridge Opportunity Area
 - Borough, Bermondsey and Rivers Archaeological Priority Zone
 - Air Quality Management Area
 - Borough and Bankside District Town Centre
 - Bankside, Borough and London Bridge Strategic Cultural Area.
- 36 It has a Public Transport Accessibility Level (PTAL) of 6b where 1 is the lowest level and 6b the highest.
- 37 The following Grade II listed buildings are adjacent to the site:
- 1 Stamford Street

- 3 Stamford Street (Mad Hatter Hotel)

Core Strategy 2011

- 38 Strategic Targets Policy 1 - Achieving growth
 Strategic Targets Policy 2 - Improving places
 Strategic Policy 1 - Sustainable development
 Strategic Policy 2 - Sustainable transport
 Strategic Policy 3 - Shopping, leisure and entertainment
 Strategic Policy 5 - Providing new homes
 Strategic Policy 6 - Homes for people on different incomes
 Strategic Policy 7 - Family homes
 Strategic Policy 10 - Jobs and businesses
 Strategic Policy 11 - Open spaces and wildlife
 Strategic Policy 12 - Design and conservation
 Strategic Policy 13 - High environmental standards
 Strategic Policy 14 - Implementation and Delivery.

Southwark Plan 2007 (July) - saved policies

- 39 Policy 1.1 Access to employment opportunities
 Policy 1.7 Development within town and local centres
 Policy 1.8 Location of developments for retail and other town centre uses
 Policy 2.5 Planning obligations
 Policy 3.1 Environmental effects
 Policy 3.2 Protection of amenity
 Policy 3.3 Sustainability assessment
 Policy 3.4 Energy efficiency
 Policy 3.6 Air quality
 Policy 3.7 Waste reduction
 Policy 3.9 Water
 Policy 3.11 Efficient use of land
 Policy 3.12 Quality in design
 Policy 3.13 Urban design
 Policy 3.14 Designing out crime
 Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites
 Policy 3.19 Archaeology
 Policy 3:20 Tall buildings
 Policy 3.28 Biodiversity
 Policy 4.2 Quality of residential accommodation
 Policy 4.3 Mix of dwellings
 Policy 4.4 Affordable housing
 Policy 5.1 Locating developments
 Policy 5.2 Transport impacts
 Policy 5.3 Walking and cycling
 Policy 5.6 Car parking
 Policy 5.7 Parking standards for disabled people and the mobility impaired.

London Plan 2011

- 40 Policy 2.5 Sub-regions
 Policy 2.9 Inner London
 Policy 2.10 Central Activities Zone – strategic priorities
 Policy 2.11 Central Activities Zone – strategic functions
 Policy 2.12 Central Activities Zone – predominantly local activities

Policy 2.13 Opportunity Areas and Intensification Areas
 Policy 2.15 Town Centres
 Policy 3.1 Ensuring equal life chances for all
 Policy 3.3 Increasing housing supply
 Policy 3.4 Optimising housing potential
 Policy 3.5 Quality and design of housing developments
 Policy 3.6 Children and young people's play and informal recreation facilities
 Policy 3.8 Housing choice
 Policy 3.10 Mixed and balanced communities
 Policy 3.11 Definition of affordable housing
 Policy 3.12 Affordable housing targets
 Policy 3.13 Negotiating affordable housing on individual private residential and mixed use schemes
 Policy 3.14 Affordable housing thresholds
 Policy 4.1 Developing London's economy
 Policy 4.7 Retail and town centre development
 Policy 4.8 Supporting a successful and diverse retail sector
 Policy 4.12 Improving opportunities for all
 Policy 5.1 Climate change mitigation
 Policy 5.2 Minimising carbon dioxide emissions
 Policy 5.3 Sustainable design and construction
 Policy 5.5 Decentralised energy networks
 Policy 5.6 Decentralised energy in development proposals
 Policy 5.7 Renewable energy
 Policy 5.9 Overheating and cooling
 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 5.15 Water use and supplies
 Policy 5.18 Construction, excavation and demolition waste
 Policy 5.21 Contaminated land
 Policy 6.1 Strategic approach (Transport)
 Policy 6.3 Assessing transport capacity
 Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.11 Smoothing traffic flow and tackling congestion
 Policy 6.12 Road network capacity
 Policy 6.13 Parking
 Policy 7.1 Building London's neighbourhoods and communities
 Policy 7.2 An inclusive environment
 Policy 7.3 Secured by design
 Policy 7.4 Local character
 Policy 7.5 Public realm
 Policy 7.6 Architecture
 Policy 7.7 Location and design of tall and large buildings
 Policy 7.8 Heritage assets and archaeology
 Policy 7.11 London View Management Framework
 Policy 7.14 Improving air quality
 Policy 7.15 Reducing noise and enhancing soundscapes
 Policy 7.18 Protecting local natural space and addressing local deficiency
 Policy 7.19 Biodiversity and access to nature
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy.

Supplementary planning guidance

- 41
- Ministerial Statement, Planning for Growth, 23 March 2010
 - Section 106 Planning Obligations SPD (July 2007)
 - Design and Access Statements SPD (September 2007)
 - Sustainable Transport Planning SPD (September 2008)
 - Residential Design Standards SPD (October 2011)
 - Affordable Housing SPD (September 2008)
 - Draft Affordable Housing SPD (June 2011)
 - Sustainable Design and Construction SPD (February 2009)
 - Sustainability Assessment SPD (February 2009)
 - Draft Bankside, Borough and London Bridge SPD (February 2010)
 - London View Management Framework (2012)
 - Use of planning obligations in the funding of Crossrail (2010).

National Planning Policy Framework (NPPF)

- 42 The NPPF came into effect on 27 March 2012 and is a material planning consideration.
- 43
- Section 1: Building a strong, competitive economy
 - Section 2: Ensuring the vitality of town centres
 - Section 4: Promoting sustainable development
 - Section 6: Delivering a wide choice of high quality homes
 - Section 7: Requiring good design
 - Section 8: Promoting healthy communities
 - Section 10: Meeting the challenge of climate change, flooding and coastal change
 - Section 11: Conserving and enhancing the natural environment
 - Section 12: Conserving and enhancing the historic environment.

Changes in the scheme from the Implemented planning permission

- 44 The applicant purchased the site in December 2011 after the previous owner went into administration. St George retained the previous architects (Ian Simpson) and have proposed a new scheme that retains the external appearance of the tower but proposes the following changes from the implemented scheme:
- 45
- Relocating the hotel from the lower floors of the Tower to the Rennie Street Building;
 - Replacing the hotel floor space within the Tower with private flats;
 - Separation of the Tower, Rennie Street and Podium Buildings into three distinct elements through removal of the raised Podium;
 - Changes to the external appearance of the two lower buildings;
 - Alterations to the public realm, to reflect the wholly residential use of the Tower and reconfigured hotel and retail uses; including the removal of the Podium the creation of a new public square on street level;
 - Removing the 'pay to visit' sky deck visitor attraction from the Tower and replacing it with a managed 'viewing lounge' on the 32nd level, which would be made available to the public by prior arrangement;
 - Removal of shared ownership units from the proposal and provision for a financial payment in lieu to go towards the direct delivery program;
 - Amendments to servicing and parking strategy to reflect the revised land use mix; and

- Revisions to the energy strategy to reflect the latest policy position of the London Plan and alteration to the mix of uses in the development.

Land use	Proposed	Implemented consent
Residential	52,196 sqm	26,864 sqm
Retail Class (A1-A5/D2)	1,316	911
Hotel	11,267	35,348
Sky deck/viewing lounge	478	993
Ancillary	9,648	11,944
Total	74,905sqm	76,060sqm

- 48 Whilst there are physical similarities with the implemented scheme, particularly the external appearance of the tower, the proposed development is a fresh application not simply a revision to the previous scheme.

Principle of development

- 49 Opportunity Area
London South Central is a strategic regeneration priority area identified in the London Plan. It stretches across the northern part of three boroughs of central London south of the Thames (Southwark, Lambeth, and Wandsworth) and contains four Opportunity Areas, one of which is the Borough and Bankside Opportunity Area within which the application site is located.
- 50 Policy 2.13 of the London Plan states that developments within opportunity areas in London should:
- support the strategic policy directions for the opportunity areas and intensification areas
 - seek to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses
 - contribute towards meeting (or where appropriate, exceeding) the minimum guidelines for housing and/or indicative estimates for employment capacity
 - realise scope for intensification associated with existing or proposed improvements in public transport accessibility, such as Crossrail, making better use of existing infrastructure and promote inclusive access including cycling and walking
 - support wider regeneration (including in particular improvements to environmental quality) and integrate development proposals to the surrounding areas
- 51 Annex 1 of the London Plan provides the following for London Bridge, Borough, and Bankside Opportunity Area:

This Area has considerable potential for intensification, particularly at London Bridge station and its environs, complemented by improvements to public transport and interchange facilities, better pedestrian integration with the surrounding area and greater use of river passenger transport. There is scope to develop the strengths of the Area for strategic office provision as well as housing, especially in the hinterland between Blackfriars and London bridges. Mixed leisure and culture related development should enhance its distinct offer as part of the South Bank Strategic Cultural Area, and partners should work to develop and accommodate synergies with the existing centre of medical excellence. Account should be taken of the Tower of London World Heritage site and proposals for open space networks and transport and

community infrastructure should be co-ordinated with those in the Waterloo and Elephant and Castle Opportunity Area and across borough boundaries.

- 52 The core strategy and saved policies of the Southwark Plan underpin the London Plan in terms of opportunity areas and states that Southwark's vision for Blackfriars is:

There are development opportunities throughout the area, but the largest developments will be around Blackfriars Road and Bankside Blackfriars Road will continue to have a mix of shops, services and offices serving both a local and wider need. There will be a cluster of tall buildings around the northern end of Blackfriars Road providing high quality offices, housing, hotels and shops. These buildings will be of exceptional design and will enhance the look of the area and provide new public spaces.

- 53 Central Activities Zone (CAZ) and Borough and Bankside District Town Centre
The site is located within the Central Activities Zone which covers a number of central boroughs which form London's geographic, economic, and administrative core. In addition, the site is part of the Borough and Bankside District Town Centre where saved policy 1.7 states that within the centre, developments will be permitted providing a range of uses, including retail and services, leisure, entertainment and community, civic, cultural and tourism, residential and employment uses. In addition, the policy states that any floorspace currently in A Class use should be retained or replaced. Strategic Policy 3 of the core strategy advises that the network of town centres will be maintained and that at Borough and Bankside district town centre, the council will support the provision of new shopping space.
- 54 The proposed development includes 875sqm of retail space within the building on the corner of Stamford Street and Blackfriars Road. The space has been indicatively split into 4 units with extensive glazed frontages onto the open space on the corner of the junction and to the plaza in the centre of the site. In addition, there is a double height retail unit on the southern end of the Rennie Street building comprising 190sqm.
- 55 The Rennie Street building comprises a 152 room upscale/lifestyle hotel together with a ground floor restaurant as well as a first floor bar area and a terrace overlooking the plaza.
- 56 The proposed mix of uses and intensity of development is considered to be in conformity with the aspirations of the opportunity area, central activity zone, town centre and strategic cultural area providing a mix of retail and hotel uses, together with the residential use, within this rapidly changing area.
- 57 Bankside, Borough and London Bridge (consultation draft) SPD
The council consulted on the above SPD in February 2010 and again in September 2010. Further work on the above SPD/OAPF has been on hold while the Bankside Neighbourhood Forum prepares a Neighbourhood Plan in line with the government's localism act. Following this, the intention is to review the SPD in collaboration with the GLA and produce a joint document which the Mayor of London can endorse as an Opportunity Area Planning Framework (OAPF).
- 58 The draft SPD has been subject to considerable consultation, however it is likely to be subject to review prior to adoption. Whilst it is a material consideration, limited weight that can be attached to the guidance contained within the SPD. However, it is useful to consider the general provisions, which are consistent with higher level policy, to see how the site should be developed as summarised below:

- 59 *Land use:* the development should provide an appropriate mix of hotel, office (B class), retail (A class), leisure, entertainment and cultural (D class) uses with active uses at several of the lower levels; this should include the provision of viewing platforms and a major leisure, arts, cultural or entertainment facility to provide public benefit and take advantage of its prominent location; residential uses should also be provided.
- 60 The proposed development provides a mix of uses including retail, hotel, and residential; the retail provision covers both restaurant and shopping use classes. Whilst a 'viewing platform' has not been proposed, it is considered that the viewing lounge supports this aspiration and is acceptable. Whilst a strict D Class use has not been proposed, the viewing lounge is considered to be a community use that will be available to local residents. In addition, the applicant has had initial discussions with Tate Modern in relation to potential art installations within the plaza which contributes to the cultural interest of the area. No office space has been provided; whilst this will limit the potential employment on the site, it is recognised that the lack of any recent office use here would mean that there is no policy requirement for replacement floorspace. The format of the proposed buildings would limit their potential for office use. Given the limited weight to be attached to the SPD, it is considered that the failure to provide office space would not be of overriding concern.
- 61 *Movement:* development should provide new pedestrian links through the site which relate and link to nearby open spaces, including those on the adjoining Kings Reach and 20 Blackfriars Road sites; development should help improve the pedestrian and cycling environment on Blackfriars Road and Stamford Street including through provision of an improved road crossing.
62. The creation of the plaza with its three access points is considered to provide excellent permeability across the site providing links to adjoining sites, the Thames Path, and the Blackfriars station entrance. The current layout (which avoids the raised podium) is a significant improvement on the implemented scheme in this respect. The S106 agreement would secure works to the junction of Blackfriars Road/Stamford Street/Southwark Street including improved crossing points.
63. *Built form:* development will need to be sensitive to its riverside location and take into account important views; the site is identified as having potential for a tall building element; development should provide definition to the corner; the building line along Blackfriars Road should provide strong enclosure to the street and a continuation of the established building line of the street; along Stamford Street the building line should help enclose the street; residential accommodation will be expected to be of the highest standard and provide a good internal living environment; the form of the building must be appropriate to accommodate substantial amounts of publicly accessible active uses.
64. The detailed design aspects of the scheme are addressed later in the report, however, the layout of the buildings is considered to be in line with the aspirations of the draft SPD in terms of building lines, quality of accommodation, and public access. In addition, the proposed development provides significant active frontages with very minimal blank facades for a scheme of this size.
65. *Public realm:* development should provide pleasant and welcoming public space on the site which relate and link to nearby open spaces, including those on the adjoining Kings Reach and 20 Blackfriars Road sites; development should help improve the streetscape of Blackfriars Road and Stamford Street; active frontages should be provided along all street elevations and onto public spaces.

66. The applicant has proposed significant improvements to the public realm with upgrades to all four surrounding street pavements, the carriageway in Rennie Street, as well as the adjoining pavements in Rennie Street and Upper Ground. This is in addition to the new public plaza being created at the centre of the site.
67. The proposed development is considered to be in general conformity with the provisions of the draft SPD in terms of key topics and issues.

Hotel

68. The implemented scheme included the provision of a 261 room luxury hotel within the lower half of the tower. Whilst Jumeirah expressed an interest in taking the entire hotel space when planning permission was granted in 2009, no actual agreement was signed and they are no longer associated with the development.
69. Evidence has been submitted by the applicant demonstrating that without the commitment of a hotel operator, the development would not be capable of implementation, and that increased supply in the luxury hotel category meant that an operator was less likely to come forward. It was considered that room rates in this location would be lower than an equivalent offer in an established West End location, and this would impact negatively on overall viability. Conversely, the market for upscale/lifestyle hotels is currently strong with interest in the sector from hotel operators. .
70. The proposed development therefore involves relocating the hotel element from the tower to the Rennie Street building providing a 152 room upscale/lifestyle hotel that incorporates rooms at an average size of 29sqm. It is considered that the provision of the hotel within a single building element is a logical outcome meaning services and back of house facilities can be co-located. In addition, there are benefits of including the hotel in this building in that it animates the ground floor, provides a visual link to Rennie Street from the plaza through the hotel restaurant, and provides for an outdoor terrace off the first floor bar overlooking the plaza.

Employment use

71. Whilst there was previously an office use on the site, it has been cleared for nine years and so saved policy 1.4 (which would require the replacement of any office space lost through redevelopment) does not apply. However, in approving the original scheme, the Inspector's report stated that the mix of uses was a material consideration and was given considerable weight in determining the acceptability of the scheme. Some key extracts from his report include: "The hotel and sky deck would bring hundreds [283] of jobs in a location which is entirely consistent with regenerative policy..... And a new public space for London would draw people back from the busy Thames Path into the hinterland, to share in the vibrancy of the open space, cafes and bars". Also, "An exception to the presumption [of re-providing office space] may, however, be made where a proposal involves the provision of tourist facilities. The hotel and sky deck proposal is thus compliant with policy, notwithstanding the absence of replacement office floorspace."
72. With the removal of the sky deck and the larger, high-grade hotel element, the level of employment within the development will be reduced. There is a calculated shortfall of 72 jobs from the implemented scheme. The applicant has agreed to make an enhanced financial contribution in the S106 agreement in recognition of this shortfall, which will go towards funding employment schemes within the borough. This is identified in the planning obligations at graph 214 and is considered to adequately

address the shortfall in employment compared with the implemented scheme.

Conclusion on land use

73. The proposed development includes a mix of uses that are considered to be appropriate for the site's location within the CAZ, Opportunity Area, Strategic Cultural Area and town centre. As well as the hotel and retail/restaurant uses, which will support the cultural and visitor functions of the area, it will provide a significant number of new homes, which is a priority of the current Government as well as local and London-wide planning policies.

Environmental impact assessment

74. Applications where an Environmental Impact Assessment (EIA) is required will either be mandatory or discretionary, depending on whether they are found in Schedule 1 (mandatory) or Schedule 2 (discretionary) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (the 'EIA Regulations').
75. In this case, the proposal falls within Section 10(b) of Schedule 2 of the Regulations. The threshold for 'urban development projects' is a site area exceeding 0.5ha. The site is 0.67h and the development is likely to generate significant environmental effects by virtue of its size, based on a review of the Schedule 3 selection criteria for screening Schedule 2 Development.
76. Prior to the submission of the planning application, the applicant requested a 'Scoping Opinion' under Regulation 10 of the EIA Regulations (then 1999) to ascertain what information the Local Planning Authority considered an Environmental Statement (ES) should include (LBS ref 11-AP-4129).
77. Regulation 3 of the EIA Regulations 2011 precludes the granting of planning permission unless the Council has first taken the 'environmental information' into consideration. The 'environmental information' means the ES, including any further information, any representations made by consultation bodies, and any other person, about the environmental effects of the development.
78. In accordance with the EIA Regulations, an Environmental Statement (ES) comprising a Non-Technical Summary, Environmental Statement (Volume 1), Townscape Conservation and Visual Impact Assessment (Volume 2) and Technical Appendices (Part 4) accompanies the application. The assessment of the ES and further information and the conclusions reached regarding the environmental effects of the proposed development are set out in Appendix 3.
79. Following mitigation measures, there are likely to be some adverse impacts in relation to the development with regards to transportation and access, air quality, noise and vibration, views, daylight, sunlight, and overshadowing, and ecology. However, the impacts are considered minor and not significant enough to warrant refusal of the application. Information on the specific impacts is included, where relevant, in the various sections of this report.

Affordable housing

80. The NPPF was adopted in March 2012. Paragraph 50 states that local planning authorities should set policies for affordable housing need on site, unless off-site

provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

81. The policy context relating to the delivery of affordable housing is contained within London Plan Policy 3.13 'Negotiating affordable housing in individual and private residential and mixed use schemes', Saved Policy 4.4 of the Southwark Plan, and Strategic Policy 6 – 'Homes for people on different incomes' of the Core Strategy. Further advice is contained within the council's adopted Affordable Housing SPD (2008) and the draft Affordable Housing SPD (2011).
82. London Plan (2011) Policy 3.13 'Negotiating affordable housing in individual and private residential and mixed use schemes' states that affordable housing provision is normally required on-site. In exceptional circumstances it may be provided off-site or through a financial in lieu contribution ring fenced, and if appropriate 'pooled', to secure efficient delivery of new affordable housing on identified sites elsewhere. These exceptional circumstances include those where, having secured an alternative site, it would be possible to:
 - secure a higher level of provision
 - better address priority needs, especially for affordable family housing
 - secure a more balanced community
 - better sustain strategically important clusters of economic activities, especially in parts of CAZ and north of the Isle of Dogs where it might be part of a land 'swap' or 'housing credit' (Policy 2.11).
83. Saved Policy 4.4 of the Southwark Plan and Strategic Policy 6 of the Core Strategy set the targets in relation to the provision of affordable housing. For the application site, the minimum policy requirement is for the provision of 35% affordable housing with a 70:30 ratio of social rented to intermediate housing. If, however, an applicant maintains that they cannot afford the minimum affordable housing provision, the Affordable Housing SPD (2008) and Draft 2011 allows for justification to be provided by way of a financial appraisal that is used to assess the viability of the scheme.
84. The council's adopted Affordable Housing SPD (Section 3.6) together with the draft Affordable Housing SPD 2011 expands on the Southwark Plan and Core Strategy policy framework and sets out the approach in relation to securing the maximum level of affordable housing from developments. Specifically, it sets out the sequential tests relating to the delivery of affordable housing, firstly relating to securing on site provision, secondly off site provision and thirdly an in lieu payment. The sequential test in the 2011 SPD, is summarised below:
 - On site provision: All housing, including affordable housing should be located on the development site.
 - Off-site provision: In exceptional circumstances, where affordable housing cannot be provided on site or where it can be demonstrated that significant benefits will be gained by providing units in a different location in the local area, the affordable housing can be provided on another site.
 - In lieu payment: In exceptional circumstances where it is accepted that affordable housing cannot be provided on-site or off-site, a payment towards the delivery of affordable housing will be required.
85. It is therefore expected that the applicant demonstrate that the steps as set out above

are followed in order to demonstrate that exceptional circumstances exist sufficient to support the provision of an in lieu payment.

86. On site provision

The implemented scheme included 32 shared ownership apartments within the Rennie Street building with no social rented units provided on site. A planning obligation required the applicant to deliver off-site affordable housing up to the value of £15.62m. In determining the 'Called-In' application, the Secretary of State concluded that it was appropriate not to provide social rented housing on site, and that an in lieu payment was an acceptable means of securing additional affordable housing.

87. In the reconfigured proposed scheme, the hotel has been moved from the tower to the Rennie Street building thereby replacing the previously proposed shared ownership units. The applicant has argued that the implemented scheme is currently unviable given the mix of uses proposed and that, in order to deliver the scheme, the tower had to be wholly residential with the hotel moved to the Rennie Street building. The applicant has opted to bring forward the scheme utilising the broad layout and scale of the implemented consent which is generally supported since it maintains the iconic design of the tower. As such, there are significant constraints in the options for incorporating a mix of land uses and tenures.

88. Given the need for lift core separation for management purposes, it is accepted that it is impractical to provide social rented affordable housing within the tower. The introduction of a second core in the tower building would result in a significant loss of floor space currently given over to market sale homes which would have a substantial impact on the value of the proposed development. The cost of construction would also increase with the introduction of additional cores, impacting on the overall viability, and therefore the ability to support affordable housing. In addition, any affordable homes sharing the same access or facilities as the market sale homes would be obliged to pay the same level of service charge, which would be apportioned based on the size of the property. The service charge (assumed in the appraisal as £200pcm) to occupiers would be excessive for those whose income levels would make them eligible for either social rent or intermediate housing.

89. The policies relating to the CAZ and the BBLB Opportunity Area expect schemes to have a mix of uses, including uses which create employment and support the economic, cultural, and tourist life of the area. With the omission of the hotel from the tower, the Rennie Street building offers the best opportunity to provide alternative hotel space, and maintain a range of employment and active uses within the development. If this building were to be maintained in residential use, then the development overall would be so residentially-focussed that it would not make an appropriate contribution to the economic vitality of Bankside. It is therefore concluded that in order to maintain an acceptable mix of uses; and as a consequence of the high cost of shared ownership housing here; and the cost of service charges for all occupiers, it would not be appropriate to provide affordable housing on this site. The exceptional circumstances of this site, and this development, properly justify the provision of affordable housing off-site or through an in lieu payment.

90. Off site provision

Throughout pre-application discussions, officers explored with the applicant the option of off-site delivery of affordable housing. The draft SPD states that off-site affordable housing is required to be delivered on a site near the main development; it goes

further to state: “we will only consider off-site affordable housing where an appropriate site or sites have been identified near to the development site.” As such, the search area was initially limited to Chaucer and Cathedrals wards.

91. In terms of delivery, the draft SPD requires:
 - The applicant to have secured planning permission for the required amount of offsite affordable housing before any occupation of the market housing;
 - No more than 50% of the development will be occupied before the affordable housing units are completed and handed over to the registered provider;
 - The off-site affordable housing to be built and ready for occupation at the same time as the on-site market housing;
 - That off-site affordable housing is additional to what would have come forward through a standard development on that site.

92. The only example where off-site delivery by a developer has occurred in Bankside has been the affordable housing delivery for Bankside 4 (Neo Bankside) which was granted permission in June 2007 (06-AP-1481). No sites were identified for off-site affordable housing delivery prior to permission being granted, so the procurement, design, planning process, and construction have to be carried out in tandem with the main development. So far 5 sites have been identified or delivered to accommodate affordable housing. The delay in securing sites post planning has resulted in variations to the legal agreement to adjust occupation restrictions, and accept the provision of a proportion of the affordable homes through an in lieu payment. The experience illustrates that the mechanism only works effectively if sites are identified and secured before planning permission is granted, and that without identified sites, there is a risk to the programme to deliver the main development.

93. This issue is recognised in the Affordable Housing SPD, and in the GLA’s Stage I report which states: “the off-site provision of affordable housing should be confirmed before any consent is granted. Once a suitable site is identified, the applicant should complete a feasibility study to demonstrate how it is able to accommodate the agreed number of affordable units on the identified site.”

94. Taking account of the formula in the SPD for calculating the number of habitable rooms in a development, a 35% affordable housing delivery off-site would equate to 355 habitable rooms. Given the highly urbanised nature of the northern part of the borough, it is unlikely that such a quantum could be delivered on one site – particularly since these rooms would be in addition to the 35% affordable housing required as standard.

95. The applicant’s site search utilised databases such as the council’s strategic housing land assessment, and listings from commercial agencies. Reports on the potential of a long-list of sites were produced during pre-application discussions, and investigations have continued concurrently with the consideration of the application. Currently, although a number of sites have been listed and explored, no suitable sites have been firmly identified as available and deliverable within the required timescale, or secured by the applicant. St George have stressed that, if planning permission is granted, they would commence development in 2013. Failure to secure sufficient sites prior to commencement could delay the delivery of this major investment in Southwark, including the delivery of a significant number of new homes and jobs which will act as a catalyst for development in the wider area. It is therefore recommended that, in the exceptional circumstances of this case, the council accepts a commuted sum in lieu of affordable housing units. Funds from an in lieu payment, paid in stages from

implementation of any permission, could therefore become available quickly to support the delivery of the council's key policy commitment to provide new council homes through The Direct Delivery programme.

Commuted sum payment (Direct Delivery programme)

96. Earlier in the year, the Leader announced the council's plan to deliver 1,000 new council homes in the borough over the next ten years. A report was subsequently agreed by Cabinet in July that gave in principle agreement to the creation of The Direct Delivery programme. A further series of reports on programming and delivery mechanisms are expected, with the second report programmed to go to the 23 October cabinet meeting.
97. The Direct Delivery programme is intended to deliver affordable housing on sites across the borough including within the Borough and Bankside Community Council area. Whilst the applicant would be limited to procuring sites on the open market, the council can also provide housing on small sites in council ownership, or within existing estates, that are not appropriate to dispose of in the open market. It therefore has the potential to provide homes in a series of small developments with lower land costs, and therefore make efficient use of funds to deliver homes of the size, type, quality and mix which best meets the priority needs of Southwark residents.
98. It is proposed that the new affordable housing would be council-funded and managed, which will subsequently allow greater control over rent levels and management. This could also potentially allow for local lettings – where new housing is let to local residents in priority need, enabling the council to re-let existing homes and create better mobility on estates, and provide people with appropriate housing to suit their needs. It is also proposed that the provision of specialist housing such as accessible, or wheelchair adapted homes, be delivered through The Direct Delivery programme.
99. The site identified for pilot purposes is the site of the former housing office on Long Lane, SE1 in Grange Ward but immediately adjoining Chaucer ward. A register of other potential sites is being developed by the council with the next stage in the process being an assessment of initial capacity followed by appropriate consultation with residents.
100. The NPPF (at paragraph 50) continues to require boroughs to set policies for meeting the need for affordable housing on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and would contribute to creating mixed and balanced communities. This is also the case within the London Plan (2011) which sets out that affordable housing is normally required on-site, but recognises that there may be exceptional circumstances where other options, including in lieu payments, may offer the best means of delivering the maximum number of affordable housing units. The council's direct delivery mechanism aims to provide a significant quantity of new homes, often on under-utilised land, which could be a highly cost-effective means of delivering affordable housing. The programme will rely on funding from affordable housing commuted sums to deliver its outputs. It is considered that the particular circumstances, being the high cost of delivering affordable housing on the 1 Blackfriars site, the difficulty in the developer procuring sufficient sites in the short term to deliver the required number of units, and the emergence of the council's direct delivery programme, collectively provide a strong justification for accepting a payment in lieu of on-site affordable housing in this case. Such a payment would offer better prospects for meeting priority needs whilst enabling a development comprising a suitable mix of uses in this strategic cluster in the CAZ. All these considerations are consistent with the policies of the development

plan.

The proposed payment would comply with the statutory tests under CIL Regulation 122 in that it is necessary to make the development acceptable in planning terms, is directly related to the development, and is fairly and reasonably related in scale and kind to the development.

The Mayor's stage 1 report states that, if affordable housing is delivered off-site, the identification of a site for the off-site provision of affordable housing should be confirmed before any consent is granted. As highlighted above, sites have not been identified and it is recommended that the scheme deliver a commuted sum towards The Direct Delivery programme. The programme is designed to deliver additional affordable units and there are reasonable prospects that units can be delivered within a reasonable timescale. The obligation on the council to use the funds only for the purposes of creating new, additional affordable housing units in line with the council's direct delivery programme (or successor programmes) will be contained in the S106 agreement. As such, it is considered that the use of the commuted sum to deliver housing is in accordance with Policy 3.12 of the London Plan.

The mechanism for calculating the commuted sum

101. The draft SPD makes clear that new housing developments may, in exceptional circumstances, provide affordable housing by making a pooled contribution instead of providing the affordable housing on-site or off-site. A minimum of £100,000 per habitable room is required and, to ensure that the maximum reasonable proportion of affordable housing is negotiated on each development, the exact amount required will be determined (above £100,000 per habitable room) using a robust viability assessment. The SPD goes on to state that 25% of the contribution should be paid prior to implementation, 50% should be paid prior to practical completion, and the remaining 25% should be paid prior to first occupation of the development.
102. As highlighted above, the policy requirement is the delivery of 355 habitable rooms (being 35% of the total habitable rooms in the development) and, accordingly, using the minimum £100,000 per habitable room, the policy compliant commuted sum equates to a minimum of £35.5m.
103. Current policy at all levels, including clear policy statements from the coalition government, make it clear that the viability of development is a key concern, and council's should take into account the viability of schemes in negotiating affordable housing. The NPPF recognises this at paragraph 173 which stresses that the scale of obligations, including affordable housing, should provide competitive returns to the developers to enable the development to be deliverable. Affordable housing contributions should therefore be agreed at a level which will enable developments to be delivered. This approach would extend not just to the percentage of units delivered on site in mixed tenure schemes, but also to the commuted sums secured for off-site affordable housing.

The application was accompanied by a detailed financial viability appraisal which was assessed on behalf of the council by the District Valuation Service (DVS). There have been lengthy negotiations relating to the various inputs to the appraisal. There are few useful comparables in terms of the sales values of the flats; the appraisal looked at the sales in Neo Bankside, which shares a similar location but has less units with high level views. It also looked at the tower being built by St George at Vauxhall, which has direct access to the River, but arguably a poorer general location. The build costs have also been heavily scrutinised; the build costs attributed to the distinctive tower,

with its curved glass facade, were assessed by specialists within the DVS who found them high but not necessarily unreasonable. Subsequent changes to the scheme, including the reduction in carparking spaces from 0.7 to 0.4 per unit, further impacted on the overall viability.

104. Following negotiations, the applicant has made an offer of £29m which is considered to be an acceptable level of contribution whilst maintaining the scheme's viability. On the basis of a contribution of £100,000 per defaulted habitable room, this would equate to 29%, which compares well to the level of affordable housing secured in other schemes agreed in the borough in recent years.

If agreed, the sum would be payable in four equal payments, with the first 25% being payable on implementation, and three subsequent payment at the end of each calendar year following implementation. On the basis of St Georges currently planned programme, this would mean that all payments would be received by the end of 2016. The draft Affordable Housing SPD expects that payments would normally be triggered by stages in the build process, e.g. practical completion, or by occupation of the completed building. St George anticipate a four year build programme; tying the payments to calendar dates from implementation gives greater certainty of funding for The Direct Delivery programme, and not delay the receipt of the final payment.

This sum would not be index-linked. However, as with other major developments, it is recommended that if there is a significant delay in implementation, beyond 18 months from the issue of the permission, the S106 agreement would be reviewed, to determine whether any improvement in viability (for instance through increased expected sales prices) could support an additional affordable housing payment. This would be secured through the S106 agreement.

The value of the overall scheme has been impacted in part by other works and contributions which would be delivered by the scheme.

One notable benefit of the scheme, the public viewing lounge, effectively occupies the space of two medium sized flats, as well as space on the ground floor which would otherwise be available for commercial uses. The location of the viewing lounge on the 32nd floor, with views north over the river and the city would mean that these flats would have commanded high purchase prices. The cost of providing the viewing lounge and making it available to the community at a low charge, has been calculated as £5.5m.

In addition, as detailed at paragraph 258, other S106 and CIL payments are considerable. The S106 contribution, in terms of payments and works in kind, exceeds the toolkit default figure by a considerable margin.

The overall contributions, works in kind and other benefits arising from the development can be summarised as:

£6,575,629	S106 planning obligations
£5,500,000	Value of the space providing the viewing lounge
£2,458,785	Mayoral CIL
£29,000,000	affordable housing commuted sum
£43,534,414	Total Value

105. In the context of this range of contributions, and taking into account the viability of the scheme, it is considered that the sum of £29 million is a reasonable contribution in lieu of affordable housing.

Affordable housing summary

106. The acceptability of a commuted sum payment is based on the specific merits of this proposal taking account of all the material considerations highlighted above. Weight can be attached to the difficulties in managing affordable housing within a single core tower, the achievement of a mix of uses on site within the CAZ, and the quality and mix of homes which could be created using funds from an in lieu payment.
107. Given the above, it is considered that a contribution to The Direct Delivery programme is the most effective way of providing the maximum quantity of affordable housing which meet the particular housing needs of the borough. Collectively, these issues comprise 'exceptional circumstances' which would justify the acceptance of an in lieu payment in this case.

Design, including site layout, impact on local and strategic views

108. In urban design terms the most noticeable change from the implemented scheme is at the ground floor where the three parts of the development (the tower, the hotel and the retail block - previously all linked by a single podium building) have been separated and now stand as individual buildings surrounding a new public space at ground level. This change has not only placed a renewed emphasis on the architectural qualities of each building but also delivered a meaningful and accessible new public space at the heart of the development.
109. The other significant change is the omission of a ticketed viewing gallery in the top floor of the building which is to be substituted by a publicly accessible viewing lounge on floor 32 of the building. The viewing gallery was an important part of the consented scheme and its appearance in many of the views was considered in detail during the public inquiry.
110. As a new application on this site, the proposal will need to be considered against all the requirements of saved Policy 3.20 which requires that all tall buildings should:
- i. Makes a positive contribution to the landscape; and
 - ii. Is located at a point of landmark significance; and
 - iii. Is of the highest architectural standard; and
 - iv. Relates well to its surroundings, particularly at street level; and
 - v. Contributes positively to the London skyline as a whole consolidating a cluster within that skyline or providing key focus within views.
111. Taking each of these in turn:
- i) Makes a positive contribution to the landscape

Landscape and the public realm are an important part of any proposal for a tall building. It will not only create a setting for the tower, allowing it to 'land' appropriately but also an opportunity for such a development to demonstrate the benefits that can flow from expanding vertically so freeing up more space at grade in a congested part of the city. This part of Southwark is characterised by busy arterial routes overlaid with important pedestrian thoroughfares. The site is located close to the Thames footpath at the important Blackfriars bridgehead, with its recently completed elevated station which includes a new entrance from the south bank.

112. The implemented scheme included a substantial public space albeit at an elevated level on a podium. This public space was designed as a destination space, a place of

arrival and a calm space removed from the busy roadways that surround the site. It was generous in proportion, took up a large proportion of the site and was designed to accommodate the influx of people wanting to use the public viewing gallery at the top of the tower. The main challenges to the original scheme lay in its limited accessibility and its separation from the public footway. Elevated one floor above the pavement level it took the character of an elevated podium and required lift and stair access for the public.

113. The revised scheme seeks to address these challenges more deliberately. The proposal makes a significant contribution to the landscape by creating a new public space at grade which will be a point of destination worthy of the tallest building in the area. This new public space at the centre of the site can be accessed from Blackfriars Road, Stamford Street and Upper Ground and allows permeability for pedestrians across the site encouraging north-south access as well as east-west connections to the nearby Blackfriars railway station. This public space allows the three separate parts of the development to stand as pavilions in space to be experienced and appreciated in the round. The three buildings are lined by active frontages (retail and restaurant uses) which will animate the space and establish a good balance between containment/enclosure and permeability. The landscape scheme is complex and attractive, and includes mature planting and water features.

114. Landscaping and public realm are addressed further at paragraph 223.

115. ii) Is located at a point of landmark significance

The definition of a point of landmark significance was the subject of extensive discussion at the public inquiry, and the Inspector and Secretary of State concurred with the Council's view that this is an appropriate location for a tall building at the confluence of these important routes, as well as the significance of the bridgehead and the river crossing in this location. There have been no changes in local policy or the physical context that would alter this conclusion in relation to the current application.

116. iii) Is of the highest architectural standard

Much was said at the public inquiry about the architectural qualities of the permitted scheme. The elegant tapering form of the tower and its unique 'double-skin' facade which extended to the roof-top viewing gallery, were considered of exemplary quality justifying its position on the skyline and the local setting. The challenge in this case is to safeguard the fundamental characteristics of the consented design given the revised use and functional requirements of the scheme.

The key aspects of the architectural expression of the scheme include:

- i. The double-skin facade
- ii. The complex curved glass outer 'skin' and its sculptural form
- iii. The materiality of the internal facade and the use of colour and natural materials
- iv. The slender foot of the building
- v. The elegant taper of its top
- vi. The transparency of the top
- vii. The mid-height viewing lounge facility.

117. To demonstrate the architectural qualities of the scheme, rendered views have been prepared and submitted as part of the application. These include the views that were

presented to the public inquiry as well as the recent updates to the London View Management Framework (LVMF). In addition, the application includes an assessment of the views included in the draft BBLB SPD which sets out the local views that should be considered in this context.

118. The tower element of the scheme has been changed to a residential development. To avoid it appearing repetitive the architects have used the constantly varying floor plate, the clear 'double-skin' facade and the varied orientation and sizes of units, to give the development added interest and variation. The stacked arrangement will be most noticeable at the lower portions of the tower where the design has been considerably improved by avoiding the repetitive pattern of the hotel rooms in the implemented scheme which have been replaced by the varied design of residential units. In addition, the scheme includes a triple-height apartment at the top of the tower complete with a garden which retains the open appearance of the viewing gallery.
119. The quality of the tower will rely to a great degree on the quality of the detailed finishes and construction, which will be reserved by condition. In addition, the applicant has agreed for Ian Simpson Architects to be retained as construction architect which provides a level of assurance and comfort of design quality during construction.
120. The hotel has been designed as a slender low building with a seamless glass facade. The building has been designed with 4 storeys that 'hover' visually over a 2 storey glass and natural stone base which has been opened up to reveal the active uses at the ground floor. These include the retail units and the hotel lobby which are highlighted at the prominent corners and the hotel's restaurant in the middle which has a dual aspect onto Rennie Street and the new internal plaza. It retains the dramatic curved plan form and linear qualities to create a positive frontage onto Rennie Street. This facade treatment has been developed since the earlier consent to include a subtle, almost tactile quality to the glazing through striped fritting of the glass which gives the facade a varied ribbon-like appearance with a sense of depth at the windows.
121. The detailed design and finish of the roof is an important aspect of this scheme. In a sense, the roof is the 'fifth elevation' which will be seen and appreciated from the tower. This fifth elevation is simply articulated with all services enclosed and includes an integrated array of photovoltaic panels (PVs) with an intensive green roof below.
122. Part of the residential amenity is accommodated in the podium block which includes an elevated garden and gym for residents and gives the retail block at the corner of Stamford Street and Blackfriars Road a new distinctive appearance and function. It has been designed as a sculptural free-form pavilion which echoes the design of the consented scheme but takes on a unique character of its own. The building is clad in diamond shaped stone panels as a creative design response to the complex curved form of the building which also reflects the stone base of the hotel building. The diamond pattern features vary in size depending on the alignment of the facade with flat areas clad in larger stone panels and curved facades designed with smaller diamonds depending on the tightness of the radii. This diamond design is incorporated into the design of the fenestration and gives the pavilion its characterful expression. The stone facing has been wrapped up and onto the roof of the building where it has been expressed in a ribbed design to screen the roof-top plant areas and frame the wildflower biodiverse planting.

123. iv) Relates well to its surroundings, particularly at street level

In terms of its contribution to the street scene the implemented scheme focussed on the main frontages of Stamford Street and Blackfriars Road. The recently approved schemes for Kings Reach and Sea Containers House have demonstrated the importance of Upper Ground and Rennie Street to the area and have rightly sought to activate these important frontages with retail uses. The proposed development has had to consider its site as a 360 degree presence without a perceived 'back door'. It has achieved active frontages throughout the development, with particular care taken on the Rennie Street elevation, resulting in a scheme with less blank frontage than the implemented scheme. Service accesses have been minimised and kept to a small part of Rennie Street.

124. At the key corners of the hotel double-height frontages have been used to address the corners more deliberately, emphasise the entrances, and reduce the visual compression of the ground floor.

125. v) Contributes positively to the London skyline as a whole consolidating a cluster within that skyline or providing key focus within views

The public inquiry devoted much of its time to the scheme's relationship to the London skyline. It's fair to say that the implemented scheme was favoured due to its sculptural form, its elegant flowing lines and its well designed top. Because this aspect of the scheme is visible from St James's Park the prominence of triple-height winter garden to the penthouse apartment garden will depend on its lighting at night with concern expressed by objectors over its visibility from the park when lit at night. Whilst the viewing gallery has been removed from the proposed development, it should not lead to a dilution of the exceptional architectural qualities of the scheme.

126. The views submitted with the application demonstrate this scheme's positive contribution to the London skyline. Indeed the views underscore the findings of the Inspector who concluded that its elegant sculptural silhouette gave form to the emerging cluster at the bridgehead around Blackfriars and contributed to the legibility of this part of the city in the wider panoramas and the river prospects.

127. Formal objections have been received from English Heritage (EH), Royal Parks (RP) and Westminster City Council (WCC) with particular reference to the view from the bridge across the lake in St James's Park. However, the view from the St James's Park bridge is unchanged since the earlier implemented scheme and is largely hidden behind the planned Doon Street development in Lambeth. In relation to this view the Inspector concluded that the development "would not have a harmful effect on the view". The current LVMF SPG (2012) states that: "*New buildings should appear as part of the existing groups of buildings; buildings that appear above the central part of Duck Island would damage the viewer's ability to see these groups of buildings in conjunction with the landscaped foreground and should be refused.*" However, the SPG does not consider the findings of the inspector and does not include any guidance on the weight that can be given to developments that have been consented and implemented both in Southwark and in the City. The scheme remains exactly as previously consented in this view and retains its elegant tapering proportions and distinctive materiality.

128. The views demonstrate that the proposal will not have an impact on the World Heritage Sites at the Tower of London or the Palace of Westminster. It will form a distinctive cluster with the recently consented Kings Reach Tower development to

create a gateway to Southwark at the important river crossing. In the local views the design contrasts the substantial scale of the tower with the modest proportions of the hotel and the podium block to ensure that heritage assets like the Mad Hatter Public House on Stamford Street are complimented.

129. Taking the EH, RP and WCC objections more specifically, in relation to the view from the St James's Park lake bridge, the height and materials of the implemented scheme were carefully designed so as not to damage the viewer's appreciation of the buildings and landscape in the view. The proposed development has been designed to appear the same as the implemented scheme in this view and the Secretary of State had concluded that it would accord with the LVMF SPG (2007) and "would not have a harmful effect on the view, or on the character and appearance of the Royal Parks Conservation Area or the settings of the listed buildings in that view."
130. As identified in the views assessment, the proposed development may be glimpsed from one part – the south side of Parliament Square - of the Westminster WHS but it is unlikely to be noticed due to the 2km distance and heavy screening by trees even in winter. Its appearance in this view would be the same as the implemented permission and would not be seen from the viewing locations in the Westminster WHS identified in the LVMF SPG.
131. The proposed development may be seen from Victoria Tower Gardens, in the local setting of the Westminster WHS. Its appearance in this view would be the same as the Implemented Permission and due to its distance, colouration and the heavy screening of Embankment trees, even in winter, the prominence and distinctive forms of the WHS buildings will continue to dominate this riverside space.
132. In relation to impacts on the local views of the River Thames, only the tower element of the proposed development would be seen in these views and it would appear the same as that of the implemented permission.
133. The nearest conservation areas are the Bargehouse Alley Conservation Area in Southwark and the Roupell Street and Waterloo Conservation Areas in Lambeth. The views from these sensitive historic areas underscore the findings of the Inspector that: *"The strong character of the [Roupell Street] Conservation Area would not be undermined by the appearance of further modern buildings beyond; rather, the contrast would accentuate the characteristics for which the Conservation Area was designated."* The Inspector goes on to conclude that: *"The same applies to Aquinas Street in the Waterloo Conservation Area."*
134. Having given careful consideration to the architectural qualities of the scheme, and its relationship to the townscape, and having had regard to the similarities with the implemented scheme, it is considered that the proposal would comply with the requirements of saved Southwark Plan policy 3.20 relating to tall buildings.

Design Review Panel

135. The scheme was presented to the DRP whose comments are included in Appendix 2. Following the review, changes were made to the design of the plaza, but no significant changes were made to the design of the buildings. The response to the review is set out as follows:
 - Plaza: the landscaping proposals for the central space were further refined to take account of the concerns raised. In addition, the shopfront line was recessed into the Podium building to allow further space for outdoor tables, thereby increasing

the amount of space available for movement within the plaza.

- Podium Building design: the panel questioned the design rationale of this element and whether it should relate more deliberately to the other two buildings. Whilst there are differing styles to the three buildings, there is a consistent language moving between them: the curved glazed facade of the tower is reflected in the curved glazed facade of the Rennie Street building which sits on top of a stone base with a diamond pattern which is the same material used for the Podium building.
- Podium Building scale: there was debate amongst the panel as to whether the building should be narrower and higher to create a larger plaza. However, the scale of the building is derived at by its relationship with the similarly scaled listed buildings opposite in Stamford Street as well as the desire to modulate the roof form to allow as much south facing sunlight into the plaza as possible.

Summary on design

136. The materials, landscaping and new public realm are all of exemplary quality. The proposal therefore satisfies the policy requirements for tall buildings, and for high quality design, including the NPPF expectation that new development has the highest standard of design. The design of the tower is considered to be of world-class architecture that will result in a striking and bold form, creating a new destination point and is considered to make a positive contribution to the skyline of London creating a distinctive landmark building within Southwark.

Housing mix and density

137. Strategic Policy 7 'Family homes' of the Core Strategy 2011, requires that developments of 10 or more units in the CAZ provide at least 60% of units with 2 or more bedrooms and at least 20% with 3, 4 or 5 bedrooms, and that any studio provision should not be higher than 5%. The northern part of Blackfriars Road does, however, have a lower requirement for 3 bed+ units, at 10% of the total.
138. The proposed development is made up of the following mix of units:

Unit type	Quantity	Percentage
Studio	13	4.7%
1 bedroom	78	28.5%
2 bedroom	120	43.8%
3 bedroom	56	20.4%
4 bedroom	6	2.2%
Triplex	1	0.4%
Total	274	100%

139. From the above, it is demonstrated that the proposed residential accommodation is in accordance with SP 7 and is considered to provide a good mix of units.
140. The core strategy states that development within the CAZ should be the density range of 750-1,100 habitable rooms per hectare. The only exceptions to this should be when development has an exemplary design standard – Section 2.2 of the Residential Design Standards SPD sets out the criteria for exemplary design which the scheme will have to meet.
141. The proposed development has a density of 2,518hrh which is well in excess of the range provided by the Core Strategy. However, the design of the scheme, including its

tall tower, does not appear as an over-development of the site, responds appropriately to its context, and does not have significant adverse impacts on neighbouring occupiers. If it can be demonstrated that an excellent standard of accommodation can be provided (which is addressed below) then it is not considered that the high density raises any issues that would justify withholding planning permission. It is also noted that the total quantum of development on the site (in terms of the square metres of gross external area) is in fact slightly less than would have been provided under the implemented permission.

Quality of accommodation

142. Saved policy 4.2 of the Southwark Plan asserts that planning permission will be granted provided the proposal achieves good quality living conditions, and includes high standards of accessibility, privacy and outlook, natural light, ventilation, space, safety and security, and protection from pollution. This policy is reinforced by the Residential Design Standards SPD (2012). Section 2.2 of the SPD sets out the criteria required to be met for high density schemes which include:

Significantly exceed minimum floorspace standards (both flats and rooms)
 Provide for bulk storage
 Include a predominance of dual aspect units in the development
 Exceed the minimum ceiling height of 2.3 metres required by the Building Regulations:

- Have natural light and ventilation in kitchens and bathrooms
- Exceed amenity space standards
- Meet good sunlight and daylight standards
- Have excellent accessibility within dwellings including meeting Lifetime Homes standards
- Minimise corridor lengths by having an increased number of cores
- Minimise noise nuisance in flat developments by stacking floors so that bedrooms are above bedrooms, lounges are above lounges etc
- Obtain Secured by Design certification
- Have exceptional environmental performance that exceeds the standards set out in the Sustainable Design and Construction Supplementary Planning Document. This will include designing an energy efficient development, using long lasting building materials and reducing water consumption.
- Maximise the potential of the site as demonstrated in the applicant's Design and Access Statement.
- Make a positive contribution to local context, character and communities, including contributing to the streetscape.

143. In terms of floorspace, the proposed apartments significantly exceed the minimum floorspace requirements and result in generously proportioned units. This is demonstrated by the following table:

Unit type	SPD (sqm)	Min proposed	Max proposed
Studio	36	41	51
1 bedroom	50	55	79
2 bedroom	70	87	144
3 bedroom	86	148	234
4 bedroom	119	301	591

144. Space has been allocated for residential bulk storage in the basement; the total area of these storage spaces is 214m² and it is envisaged that the area would be subdivided into individual compartments for residents to use for large/long-term storage.
145. There are 155 dual aspect flats within the tower which equates to 57% provision. Whilst officers would normally expect schemes seeking to achieve exemplary design to exceed at least 60% provision, it is recognised that the form and nature of a residential tower with a centralised core makes providing dual aspect flats more difficult. Accordingly, in this instance, it is considered that a 57% dual aspect provision is acceptable, particularly given the large size of the units and the extensive views offered on most floors.
146. Habitable rooms have a minimum floor to ceiling height of 2.6m. The entrance area to these rooms may have a lower ceiling, but no part of any apartment has a lower ceiling than 2.4m which exceeds the 2.3m minimum.
147. Bathrooms have been positioned internally in the apartment layouts whilst generally kitchens are open plan and part of combined living/dining space; these are considered as part of the habitable rooms for layout purposes and all habitable rooms will be designed to have ventilation openings equivalent to 5% of their floor area for natural ventilation. Habitable rooms will also have an area of glazed facade equivalent to 10% of their floor area for natural light. Given the form and nature of the tower, it is not considered practical to locate kitchens and bathrooms on external walls to achieve direct natural ventilation. As such, and together with the whole house ventilation system, it is considered that the ventilation and daylight requirements are satisfied.
148. In terms of private amenity space, The SPD advises that developments should as a minimum meet and seek to exceed the following standards:
- 50m² of communal space per development;
 - For units containing 3 or more bedrooms, 10sqm of private amenity space;
 - For units containing 2 or less bedrooms, ideally 10sqm of private amenity space, and where this is not possible the remaining amount should be provided to the communal amenity space requirement.
149. Private winter gardens are provided for all units with 2 or more bedrooms which meet the Mayor's Housing Design Guide minimum requirements for balcony sizes; this represents two thirds of all homes. All units with 3 or more bedrooms have a larger winter garden with a minimum area of 10sqm. Winter gardens are protected from the wind and are likely to be a more useable option for amenity space within a tower. The 1 bedrooms flats have access to the zone between the two skins of the facade; whilst this area does offer a winter garden type of environment, the narrowness of the zone means that the space cannot strictly be accepted as amenity space under the SPD. However, given the special characteristics of the tower, which would make standard balconies impracticable, this is considered acceptable.
150. In addition to the private amenity space, the podium building has a 219sqm residential communal garden at level 1, which provides views out over Blackfriars Place. Residents also have access to an on-site gym, spa, swimming pool, golf room (virtual golf course) and cinema.
151. As well as the private and communal amenity spaces, the residents can benefit from the new plaza outside the tower within the centre of the scheme. The central area

comprises 665sqm of space whilst the three approaches add a further 800sqm.

152. Accordingly, it is considered that the range of facilities offered would properly meet the residents needs for amenity space, and that the constraints of the tower design would preclude the option of full-sized balconies for the smaller flats.
153. The proposed development provides accommodation that is considered to be of an exemplary standard, particularly in relation to the large apartments, and that this is sufficient to support the high level of density on the site.

Wheelchair housing

154. The saved Southwark Plan would normally expect 10% of units to be identified as wheelchair accessible flats, and that these flats would be fully fitted to the South East London Wheelchair standards prior to the first occupation of the unit. The London Plan offers a slightly more flexible approach, describing the units as 'adaptable'. The applicant has suggested that, since all of the flats in the development are in private tenure, fully fitting out the units prior to occupation would limit marketability and may not best respond to the specific needs of future disabled occupiers. Wheelchair units would be identified on the plans, and made structurally suitable (for instance with flush thresholds, wider door openings, and generous room and corridor sizes). St George (or any successor developer) would commit to actively market these units to residents requiring wheelchair adapted housing. If potential purchasers come forward, the selected unit would be fully fitted out to meet the specific needs of that occupier prior to first occupation. It is considered that this offers a reasonable response to the need to secure wheelchair housing, and the mechanisms for marketing and fit out would be secured in the S106 agreement.

Viewing lounge

155. Policy 7.7 of the London Plan states that tall buildings should incorporate publicly accessible areas on the upper floors, where appropriate. The implemented scheme included a ticketed public viewing gallery at the top of the tower; however, the current application does not include this type of facility. The applicant has put forward a case as to why it is not appropriate to retain this particular element:
 - With the change in use to the tower being solely residential, there is a significant cost in providing additional public lifts, stairs, and servicing within the constraints of the footprint of the tower.
 - At the time the implemented scheme was being brought forward, there was no guarantee that the Shard development would proceed. As the Shard is now nearing completion, its viewing gallery is considered to be a more high profile attraction given it is at the top of western Europe's tallest building and that a viewing deck at 1 Blackfriars would not be able to compete commercially. The expert advice has suggested that it would fail as a commercially viable venture.
 - Visitors to London are unlikely to want to visit more than one tall building on the South Bank and there will already be two (the London Eye and Shard) plus other free opportunities for excellent views including the nearby Tate Modern.
156. The additional space required for separate lifts to the top of the tower would impact on the floorspace available for residential use, and thus impact ultimately on the viability of the project. The limited market for a paid-for viewing deck, once the higher Shard viewing gallery opens next year, is also recognised. It is also noted that customer arriving/queuing for a sky deck attraction would impact on the usability of the Plaza –

the previous scheme had a raised podium with a holding area for visitors to the sky deck. It is therefore accepted that a sky deck is unlikely to be practicable within the now wholly residential tower. The omission of this facility has also meant that it was possible to create a new genuine public space within the plaza at the centre of the site.

157. However, there is still a policy expectation and a desire to retain some public access to the tower and the applicant has proposed the provision of a viewing lounge located on floor 32 of the tower which provides 260sqm of dedicated space.
158. The space will be flexible providing a place for exhibitions, presentations, or events with an impressive view of the city. The lounge will be a local facility for the immediate community as well as for business, corporations and individuals. It will be part of the wider estate and will be made available in perpetuity as a not for profit venture.
159. The estate management company will be responsible for management of the space; the cost of management, maintenance, repair and renewal of the facility is to be an estate cost and therefore will form part of the service charge budget.
160. The facility is to be available to the following:
- Residents and businesses in the SE1 postcode area
 - Local schools/further education facilities in Southwark for visits
 - Rennie Street Hotel guests
 - Residents of the tower
 - Landlord/freeholder
 - Southwark Council for official events.
161. In order to cover the running cost of the facility to compliment the service charge to residents, it is proposed to charge hourly rates for the space. It is suggested that local residents, schools and higher education establishments are subject to a rate of £50 for the first hour and £30 per hour thereafter, with business or corporate users incurring a 50% higher hourly rate. A management and access strategy for the viewing lounge will be secured in the S106 agreement, in order to offer certainty about availability and charges.
162. It is considered that the provision of the viewing lounge satisfies the requirement for public access to the tower. In addition, it is understood that the proposed viewing lounge is unique in London and will provide an excellent local facility that can be accessed by the community. Rather than being a tourist attraction at the top of the tower, the lounge will be a facility will enable the local community to access this new London landmark, which is could become a popular destination for events and celebrations.

Impact on the amenities of occupiers of adjoining properties

163. Policy 3.2 of the Southwark Plan seeks to protect the amenity of existing and future occupiers in the surrounding area or on the site.
164. Noise and vibration

The former PPG24 provided guidance on planning and noise, and contained the criteria which were most widely used in the UK when determining the suitability of sites for development. In addition to introducing Noise Exposure Categories (NEC),

PPG24 outlined the considerations to be taken into account in determining planning applications both for noise sensitive development and for those activities that generate noise, and advised on the use of conditions to minimise the effect. PPG 24 guidance has been superseded by the NPPF; however, the NPPF does not contain any methodology for the assessment of noise nor does its technical appendices. As such, it is considered that PPG24 methodology remains a valid method for assessing noise impacts from new developments.

165. The noise assessment included taking measurements from 11 locations around the site. There were 5 considered to be sensitive receptors which included:
- Rennie Court residential units
 - River Court residential units
 - Mad Hatter hotel
 - Offices at Wakefield House (Stamford Street)
 - Offices at Ludgate House.
166. The other locations included 3 on Blackfriars Road and one each on Stamford Street, Rennie Street, and Upper Ground.
167. The noise assessments indicate that the majority of noise is generated by road traffic on Blackfriars Road; rail traffic noise was not significant even with a potential intensification of use at Blackfriars Station. The Pulse nightclub (located in railway arches to the east of the site) was assessed with the noise report concluding that it was unlikely that there would be any exceedence above an acceptable level.
168. Whilst there will be noise generated during construction, it is considered that mitigation and monitoring measures will be adequately secured through a construction management plan which will be secured by condition.
169. In the final development, the inclusion of triple glazing (single outer glazing and double glazing inside the winter garden and wraparound space) will adequately mitigate against any external noise with the ES indicating a negligible impact.

Sunlight/daylight

170. The sunlight/daylight assessment of the proposed scheme took account of numerous nearby properties including all units in Rennie and River Courts affected by the development. The assessment included the baseline condition of the vacant site, the proposed development, as well as a comparison with the implemented scheme.
171. A more detailed analysis of the impacts is included in the EIA section of this report; however, 96.5% of the 1,292 rooms tested meet the VSC and/or NSL daylight levels. The 45 rooms that do not meet the recommended levels are considered to have experienced a minor to major adverse impact.
172. A total of 970 windows were tested for sunlight of which 949 comply with the BRE guidance which is considered to be a negligible impact. The 21 windows that do not meet the recommended levels are considered to have experienced a minor to major adverse impact.
173. Whilst there are some adverse impacts as a result of the development, the form of the buildings remains largely unchanged from the implemented scheme. The ES therefore undertakes an assessment of the proposed development against the implemented scheme which demonstrates that 99.7% of rooms meet the daylight

guidelines whilst 100% of the windows meet the sunlight guidelines. As such, it is considered that the impacts in terms of sunlight and daylight are the same as the previously approved scheme and do not constitute sufficient grounds for refusal of planning permission.

Wind

174. Buildings that are taller than their surroundings may deflect wind pressure from higher levels down towards street level. Strong winds may occur as the pressure escapes around corners and through openings. The degree to which this is important depends on details of both building shapes, in the context of their surroundings, and the relative direction of the prevailing winds.
175. A series of wind tunnel investigations have been made to quantify the level of windiness in and around the proposed development and to guide the design to ensure that conditions are acceptable. The assessments have considered pedestrian level wind conditions around the development, in terms of pedestrian comfort and safety (The 'Lawson Wind Criteria').
176. The results of the assessment show that wind conditions around the site are relatively benign, being tolerable for leisure walking or better even in the windier times of year, particularly due to the design of the lower buildings. The conditions in and around the proposed development would be within the acceptable range of conditions that might be experienced walking around any city centre in the south of England and similar to those experienced on other streets in central London following the implementation of mitigation measures such as tree planting.

Landscape and public realm

177. The proposed development incorporates a number of open spaces and public realm improvements. These include:
 - Creation of a new public plaza at street level within the centre of the site
 - A residents' garden at first floor level in the Podium building overlooking the plaza
 - A public terrace off the bar area at first floor level in the Rennie Street building overlooking the plaza
 - Upgrading of the public highway both on and adjacent to the site.

Plaza

178. As explained above the implemented scheme provided an elevated public space on a raised one-storey podium. Whilst it was argued that this space was elevated above the traffic noise, it had to be accessed by stairs or lift and was thereby cut off from the street network and less easily accessible or inviting for casual visitors. By bringing the open space to ground level, the site is opened up to the public and provides permeability across the site and a more useable open space.
179. With the podium, the site coverage of the implemented scheme was high whilst the site coverage of the proposed scheme is 48% which results in much greater access through the site and breathing space around the three building elements. In addition, the area of the proposed plaza is 43sqm larger than the raised podium space, providing an area of 1,248sqm of useable open space at grade.

180. The space is lined to the south and west by outdoor seating for the hotel and restaurants/cafes. During the application, the Podium building elevation was amended to provide a greater setback of the glazing to allow for a line of tables under the soffit lining, thus ensuring that the tables do not encroach too far into the space. At the centre of the Plaza is proposed a series of planter beds and water features which form the heart of the scheme, and a green 'oasis'. It is intended that the water features will vary in height and form to create cascades, ripples and streams to guide movement but also offer informal play opportunities and a pleasant 'soundscape'. The planters have been designed to maximise casual seating, whilst also incorporating dense soft planting to complement the new trees.
181. The central part of the plaza includes planting of medium sized trees whilst there is a grove of 3 trees at the Upper Ground access point and a glade of 5 trees within the Stamford Street access route. It is proposed for the trees to be up-lit which will provide a striking appearance at night.
182. The use of high quality granite stone paving will provide a durable and robust finish and will help unite the scheme as a whole and promote the vision of a destination place – granite paving has been proposed for the entire site, including the perimeter pavements as well as the Rennie Street carriageway.

Public highway

183. The proposed improvements to the public realm include extending the granite paving from the internal plaza to the kerb edge surrounding the site. This is considered to be a high quality material finish that will provide a cohesive landscape for the whole of the site in a similar manner to the More London development. The consultation response from the council's public realm team (on behalf of the Highway Authority) did not accept granite paving and wished to see Yorkstone on the pavement in Rennie Street and Upper Ground. However, Transport for London (TfL), as highway authority for Stamford Street and Blackfriars Road, have agreed to granite paving on these pavements. It is considered that a unified surface material across the site would create the most attractive and distinctive sense of place. It is therefore recommended that the planning permission, if granted, accepts the principle of granite as a footway and carriageway material. However, the highway authority (whether the council or TfL) ultimately has control over the finish through its powers to require a S278 agreement for works on highway land. The planning permission should make provision for the substitution of a suitable alternative material (most likely Yorkstone) in the event that agreement with the highway authority cannot be reached.
184. The applicant has agreed to resurface the carriageway in Rennie Street with granite setts and a shallow kerb which will provide a visual perception of a shared space; this is also the case with the loading bays which will also incorporate granite paving and a shallow kerb. Tree planting and new street furniture is proposed which, together with the new paving on both sides of the street, will create a new character to the street, changing the character of the street.

Trees

185. As well as the trees proposed within the access points to the plaza, it is proposed to plant 6 trees in Rennie Street, 4 within the open space on the corner of Stamford Street and Blackfriars Road, with a further tree outside the Podium building in Blackfriars Road. Whilst a greater level of planting would have been welcomed, the applicant has demonstrated the extent of services and basemending beneath pavements. As such, it is considered that the level of tree planting proposed is

acceptable.

Summary on landscape and public realm

186. It is considered that the proposed landscaping is of a high quality and will provide a cohesive and uniform appearance as part of the aspiration to make this a 'destination' place, whilst the new plaza will create a haven away from the busy streets. The improvements to the public highway are welcome, particularly the design changes to change the character of Rennie Street to a softer and more attractive space. The works to the public realm (together with other related highway works) will be secured through the S106 agreement, which is explained further at paragraph 258 below.

Flood risk

187. The site is located within Flood Zone 3 which is considered to be an area of high risk of flooding due to the proximity of the tidal Thames River. However, the site is protected by the Thames Barrier and related defence to a 1 in 1,000 year event. A Flood Risk Assessment (FRA) has been submitted with the application which confirms that the site has potential to be inundated in the event the flood defences fail.
188. In addition, as the residential accommodation is above ground floor, it will be protected from flooding even in the unlikely event of the river defences being breached. The applicant has demonstrated that the proposed development can be made safe through the measures set out above and contained in the submitted FRA. The Environment Agency has no objection to the proposals subject to conditions.

Transport

189. Saved policy 5.1 of the Southwark Plan seeks to ensure that development is located near transport nodes, or where they are not it must be demonstrated that sustainable transport options are available to site users, and sustainable transport is promoted. In addition, saved policy 5.6 of the Southwark Plan requires development to minimise the number of car parking spaces provided and include justification for the amount of car parking sought taking into account the site PTAL, the impact on overspill car parking, and the demand for parking within the controlled parking zones.
190. The application site is located within a PTAL 6b, being the highest level of accessibility. Since planning permission was granted for the implemented scheme, the new Blackfriars station entrance on the south bank has opened, further improving accessibility.

Parking

191. The applicant originally submitted the application proposing 0.7 parking provision however, following concerns raised by officers and TfL this was reduced to 0.4 provision which equates to 110 parking spaces.
192. The parking for the proposed development is to be provided within a car stacker located with the basement and accessed via a car lift from Rennie Street. There is a valet service proposed for residents who will drop off their car in the Blackfriars Road lay-by for parking by an on-site valet. However, residents will collect their own car from the basement when exiting.
193. The implemented scheme included 96 flats (32 shared ownership and 64 private tenure). Based on the combined tenures, the parking provision for the previous

scheme (29 spaces) equated to 0.3 provision, however, as the shared ownership units were unlikely to have had access to the parking spaces, the provision for the private units equated to 0.45 provision.

194. The level of parking being proposed is higher than would normally be acceptable in such an accessible location. The parking level has been reduced from 0.7 to 0.4, and the applicant has demonstrated that a further reduction would adversely affect the saleability of the flats, the value of the individual units and therefore the overall viability of the scheme. This would consequently impact on the ability of the scheme to deliver other benefits such as affordable housing and S106 payments. Therefore the impacts associated with the level of parking must be weighted against the wider benefits of the scheme. The existence of the implemented permission is also an important material consideration. Accordingly, on balance and in light of the implemented scheme's provision, it is considered that the proposed level of parking does not raise sufficient grounds for refusal in this instance.

Cycle parking

195. Table 15.4, of the Southwark Plan, states that the minimum secure parking standard for cycles is 1.1 per residential unit. For the residential aspect of the development, provision for 301 cycles is required.
196. The development originally proposed 339 for the residential use, as well as 12 spaces for the hotel use and cycle parking spaces to be included within the commercial uses. There is also provision in the public realm for 20 Sheffield stands providing for 40 cycles.
197. TfL has more onerous cycle provision policies and requested the level be increased to 344 spaces which the applicant agreed to do.
198. The residential cycle storage is located within the basement and will be operated by a valet service. The proposed level of cycle parking is in line with the council's minimum cycle parking standards, and considered secure, weather proof and convenient.

Servicing

199. The servicing for the implemented scheme took place mostly from lay-bys within the site, a car lift accessed off Rennie Street, and a lorry lift accessed off Upper Ground. The servicing requirements of the implemented scheme were far more onerous than the current proposal given the mix of uses. The very high grade of the hotel proposed in the extant scheme, including a ballroom, meant that there was a high frequency and volume of deliveries. However, the delivery requirements of a smaller 4* hotel are considerably less and the frequency of delivery will not be as high.
200. The proposed scheme removes the lorry lift from Upper Ground and rationalises the access to the basement to the dual car lift accessed off Rennie Street. The level of plant space and servicing on the Rennie Street building's facade has been minimised as far as possible to ensure a high level of active frontage and to ensure the street does not have the appearance of a service yard.
201. However, there will be a need for some deliveries and servicing by vehicles that will not fit in the car lifts to the basement. As such, it is proposed to provide two loading bays within Rennie Street to accommodate such deliveries. The loading bays will be surfaced in the same granite as the pavement and carriageway with a shallow kerb to give the appearance of a shared space that will be more visually attractive than

standard blacktop.

202. The public realm team have raised concern over the loading bays and have advised that all servicing should take place within the site. The proposed development deliberately maintains the built form of the implemented scheme and the applicant has carried out a number of studies demonstrating the impact of incorporating the servicing within the buildings proposed. The studies show that the majority of the ground floor of the Rennie Street building would be taken up by plant and servicing which would result in blank frontages along the length of Rennie Street and the loss of the visual connection from the plaza to Rennie Street through the hotel restaurant. It would also result in a reduction in size of the hotel. It is considered that this would adversely impact the appearance of the development, whilst having only minimal benefits in terms of highway congestion. The proposed public realm improvements which provide new surfaces and street furniture as well as the loading bays, would significantly enhance the appearance of Rennie Street. As such, it is recommended that the current proposals, which include limited on street servicing from dedicated bays is acceptable.

Archaeology

203. An archaeological investigation of this site took place prior to the implementation of the previous consent. The council's archaeology officer has advised that he has no objections to the development subject to conditions to secure a scheme of investigation (in line with the previous approval), watching brief and recording.

Sustainable development implications

204. The energy statement demonstrates how the energy hierarchy has been applied to the proposed development in order to achieve the carbon reduction targets set out in strategic Policy 13 of the council's adopted Core Strategy (2011) and the London Plan. Policy 13 sets a target of major development achieving a 44% saving in carbon dioxide emissions above the building regulations (2006) from energy efficiency, efficient energy supply and renewable energy generation. This equates to a 25% reduction over the 2010 building regulations.
205. The energy statement sets out the proposal will achieve a 25% saving in carbon dioxide (CO₂) emissions above the Building Regulations (2010) from energy efficiency, efficient energy supply and renewable energy generation. This is compliant with core strategy policy.
206. The energy statement has looked at the feasibility of connecting to an existing heat network, with reference made to the London Heat Map, and discounted this option as there are no other buildings to connect to in the vicinity. However, with the future development in the surrounding area there is potential for a district heating/cooling network to be introduced. The applicants have indicated through their energy strategy that space is available in the basement plant room to include future plant and infrastructure should a network be available in the future. There needs to be thorough consideration given to future proofing the proposed CHP system to have the ability to quickly switch to the public CHP or CCHP system if and when it is completed. The energy statement only refers to the space for connection rather than the practical measures that may need to be taken/considered if a network does come forward in the area. The future proofing of the energy centre to connect to a district-wide network should be secured by a s106 planning obligation to ensure the objective for a district wide network is achieved in the future.

207. Policy 13 of the core strategy requires 20% reduction in carbon dioxide from on-site local low and zero carbon sources of energy. Section 3.5 of the council's adopted Sustainable Design and Construction SPD states that energy should be supplied as much as possible from renewable sources on-site or locally.
208. The proposal includes a CHP system and photovoltaics as the feasible options for incorporating low and zero carbon sources of energy into the development. This is supported by the London Plan (2011) which states in policy 5.7 that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible. The London Plan (2011) also states that there is a presumption that all major development proposals will seek to reduce carbon dioxide emissions by at least 20 per cent through the use of on-site renewable energy generation wherever feasible.
209. It is recognised that the feasibility of delivering 20% reduction from on-site renewable technologies is not always possible, however some contribution towards this is expected. The energy statement proposes the use of photovoltaics to achieve a renewable energy reduction from a roof mounted solar PV array of 1%. The applicants have stated that it will be very difficult to achieve any more than this.
210. A green roof incorporating biodiverse wildflower planting is proposed on the top of the podium building that will have plantings in strips in between the stone lines of the roof material whilst an extensive green roof is proposed beneath the PV panels. Not only will this provide a contribution to biodiversity in the area, it will also act as an attractive '5th elevation' when viewed from above.

Planning obligations (S.106 undertaking or agreement)

211. Saved policy 2.5 of the Southwark Plan and 8.2 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Policy 2.5 of the Southwark Plan is reinforced by the Supplementary Planning Document (SPD) on Section 106 Planning Obligations, which sets out in detail the type of development that qualifies for planning obligations, and Circular 05/05, which advises that every planning application will be judged on its own merits against relevant policy, guidance and other material considerations when assessing planning obligations.
212. The following list of obligations has been agreed with the applicant:

213.

OBLIGATION	DESCRIPTION	SPD TOOLKIT
Education	£319,282 financial contribution.	£319,282
Employment in the development	£336,311 financial contribution.	£46,583
Employment during construction	Workplace Coordinator to be provided by St George in lieu of financial contribution (default sum £327,295)	£327,295
Employment during	£26,537 financial contribution	£26,537

construction management fee		
Public Open Space	£119,100 financial contribution	£119,100
Children's Play Space	£166,787 financial Contribution (£130,000 to be spent on MUGA)	£36,787
Sports development	£231,692 financial contribution	£231,692
Strategic Transport	£218,344 financial contribution.	£218,344
Site Specific Transport	New junction layout to Blackfriars Road and Stamford Street and associated paving Paving to Rennie Street carriageway Works carried out to value of £1.709m	£232,585
Public realm	Repaving to kerb edge of main site: Stamford Street & Blackfriars Road (granite) Repaving to kerb edge of main site: Rennie Street & Upper Ground (granite or other agreed at S278) Repaving of north side of Upper Ground from Sea Container's House to Blackfriars Road (York stone) Repaving of west side of Rennie Street (unless delivered by CIT first) Replacement street furniture including bins and street lighting Trees within public highway Works carried out to value of £1.78m	£340,335
Health	Financial contribution of £300,820	£300,820
Community Facilities	Financial contribution of £43,676	£43,676
Tourism and visitor management	Financial contribution of £100,000	--

Public Art	To be delivered by St George to the value of £300,000	--
Community projects	Financial contribution of £500,000	--
Public highway maintenance fee	TBC	--
Sub-Total	£6,480,821	£2,243,036
Administration Charge	£94,808	£44,861
TOTAL	£6,575,629	£2,287,897
Internal plaza	To be publicly accessible and maintained.	--
Wheelchair housing	St George to market wheelchair units and to fit out to Greenwich Standard if requested by purchaser	--
Viewing lounge	In accordance with document dated 13/06/12 (provision, management, facilities)	--
Architect	Ian Simpson Architects retained as detailed design and construction architect.	--
Car Club membership	3 years free membership offered to all eligible households	--
Restriction on parking permits	Amendment to the Traffic Management Order	--
Travel Plan	Secured and monitored.	--

214. Lambeth Council have sought a financial contribution for open space. It is considered that, rather than identify and commit a specific sum to Lambeth, that Lambeth may apply for funding for any specific open space project in the vicinity of the site which could be demonstrated to be reasonably related to the application.
215. The contributions agreed are considered to provide significant environmental improvements in the area and adequately mitigate against the impacts of the development in accordance with saved policy 2.5 of the Southwark Plan. The total level of contribution is well in excess of the minimum level calculated by the SPD and is considered to provide significant benefits for the local community.
216. The Community Infrastructure Levy (CIL) regulations came into force on 6 April 2010. The regulations state that it is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a

development, that is capable of being charged CIL if the obligation does not meet all of the following tests:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

217. The obligations secured are considered to have met the above tests.

218. In the absence of a legal agreement being completed by 14 December 2012, the applicant has failed to adequately mitigate against the impacts of the development and, in accordance with Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, it is recommended that the application be refused for the following reason:

“In the absence of a signed Section 106 Agreement, there is no mechanism in place to avoid or mitigate the impact of the proposed development on the public realm, public open space, the transport network, education, health facilities and employment and the proposal would therefore be contrary to saved policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan.”

219. For information, the 2009 S106 agreement provided for £5,947,531 as contributions and works, plus a Highways bond, 32 shared ownership units on site, and off-site affordable housing up to the value of £15,620,000. Key projects from the 2009 agreement such as the junction improvements, and a community project fund, have been carried forward to the new agreement. However, any direct comparison of the value of the two agreements would not be appropriate given the different mix of uses and the changed economic circumstances.

Mayoral Community Infrastructure Levy (CIL)

220. The Mayor's CIL came into effect in April 2012 and apply a financial levy against all developments which will go towards the delivery of Crossrail. The levy is not discretionary and must be applied to all developments at a rate of £35 per square metre in Central London and will be prioritised over all other planning obligations. The levy against the proposed development equates to £2,458,785.

Other matters

221. The applicant has also submitted an application for a marketing suite for the flats within the proposed development. It is subject to a separate report on this agenda.

Conclusion on planning issues

222. The application site has been cleared and vacant since 2003 and its redevelopment is welcomed. The applicant has retained the key positive features of the 2009 implemented permission, whilst taking the opportunity to make some beneficial changes to the scheme such as the omission of the raised podium and its replacement with routes and spaces at street level. In order to produce a scheme capable of being deliverable in the current market, the land use mix has been changed. The 6* hotel previously proposed has been omitted due to lack of market interest, and the new scheme includes 274 flats in the tower, with a smaller hotel in the Rennie Street building. The implications of a lower level of employment have been considered, and the S106 agreement suggests additional payments for local training and employment schemes. The scheme has extensive active frontages, and it is

considered that the proposed mix of uses will add to the vibrancy of the area, whilst creating a large number of new homes, which is a development plan priority.

223. The design of the development is world-class architecture that will result in a striking and bold form, creating a new landmark for Southwark. The tower is considered to make a positive contribution to the skyline of London. Having had regard to the LVMF SPG, the objections received, and the weight to be attached to the implemented consent, which has a identical impact on the strategic views, it is considered that the tower would not cause material harm to any strategic view. Any impact must also be considered in the light of the substantial benefits which would arise from the development.
269. It is recommended that a payment in lieu of on site affordable housing is accepted in this case. It is considered that exceptional circumstance have been demonstrated, including the high costs of delivering on site affordable housing and the management issues associated with those units, the desire to retain a mix of non-residential uses on the site, and the advantages in terms of the quality and type of housing which would be procured through the councils emerging direct delivery programme, which justify the acceptance of an in lieu payment. This payment will be secured through the Section 106 agreement which will oblige the council to use the sum solely for the purposes of delivering additional affordable housing units.
270. The new housing proposed is of a high quality, and together with the exemplary architecture would justify the density, which is above the range expected in the central zone. The level of parking proposed is much higher than would normally be accepted in such an accessible location, but given the implemented permission, and the wider benefits of the scheme, it is not considered that refusal of permission would be justified on this issue.
271. The conclusions of the environmental impact assessment, including impacts on neighbouring occupiers, and the local microclimate, have been considered, and no substantial harm has been identified which could not be mitigated by works secured by conditions.
272. As such, taking all material considerations into account, it is recommended that planning permission be granted, subject to completion of an appropriate Section 106 agreement, and referral to the Mayor for London.

Community impact statement

273. 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.

Consultation

274. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1. Details of consultation responses received are set out in Appendix 2.

Human rights implications

275. 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.
276. This application has the legitimate aim of providing a mixed use residential-led development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1390-1 Application file: 12/AP/1784 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone:: 020 7525 5906 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Environmental impact assessment
Appendix 4	Neighbour consultee map
Appendix 5	Images
Appendix 6	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Gordon Adams, Senior Planning Officer	
Version	Final	
Dated	28 September 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		28 September 2012

Consultation Undertaken

Site notice date: 12/06/2012

Press notice date: 07/06/2012

Case officer site visit date: Numerous times since February 2012; most recent July 2012 (unaccompanied)

Neighbour consultation letters sent: 08/06/2012

Internal services consulted:

- Environmental Protection Team
- Planning Policy
- Transport Planning
- Archaeology Officer
- Ecology Officer
- Public Realm
- Housing
- Urban Forester
- Economic Development and Strategy

Statutory and non-statutory organisations consulted:

- Design Council Cabi
- Metropolitan Police Service
- Environment Agency
- Greater London Authority
- Thames Water
- English Heritage
- London Fire and Emergency Planning
- Transport for London
- Design Review Panel
- Countryside Commission
- Department for Communities and Local Government
- Natural England
- Sport England
- Civil Aviation Authority
- BAA Gatwick
- London City Airport
- Royal Parks
- City of London
- City of Westminster
- London Borough of Lambeth

Neighbours and local groups consulted:

- Bankside Residents Forum

- Cathedrals Residents Forum
- Southbank Employers Group
- Letters were sent to 1,154 nearby occupiers in accordance with the map included at Appendix 4 – a full list of those consulted is available on the case file.

Member presentations

The scheme was presented to the following members on 9 May 2012: Councillor Nick Dolezal, Councillor Poddy Clark, Councillor Robin Crookshank Hilton and the Leader, Councillor Peter John.

A second ward member presentation was made on 26 July 2012. In attendance were: Councillor Adele Morris and Councillor David Noakes.

Re-consultation:

All statutory and non statutory organisations, neighbours, local groups and internal consultees were consulted on additional information on 23/08/2012 as per Regulation 22 of the EIA Regulations 2011.

Applicant's consultation

The applicant carried out its own public consultation on the proposed development prior to submission and during the application. This included:

- Public exhibition at the Nautical School on 23 January 2012
- Public exhibition at the Nautical School on 27 February 2012
- Public exhibition at the Nautical School on 26 June 2012
- Newsletters sent to 4,000 homes and businesses in the area
- Local community groups:
 - o Rennie and River Court Residents' Management Board
 - o Peabody (Duchy Street) Residents' Association
 - o Southbank Employers Group
 - o Better Bankside
 - o Bankside Residents' Forum
 - o Christchurch
 - o Coin Street Community Builders
 - o Roupell Street Residents' Association
 - o Bankside Open Spaces Trust
 - o Colombo Street Sports and Community Centre
 - o Waterloo Community Development Group
- Local ward members Councillors Adele Morris, David Noakes and Geoffrey Thornton
- Southwark Council Cabinet members including:
 - o Councillor Peter John (Leader of the Council)
 - o Councillor Fiona Colley (Cabinet Member for Regeneration)
 - o Councillor Ian Wingfield (Deputy Leader of the Council and Cabinet Member for Housing)
 - o Councillor Nick Dolezal (Chair of Planning)
- Two Local Members of Parliament:
 - o Simon Hughes – MP for Bermondsey and Old Southwark
 - o Kate Hoey – MP for Vauxhall
- Greater London Assembly Member, Val Shawcross, and
- Neighbouring landowners:

- o Deerbrook Group
- o Circleplane
- o Carlyle group
- o Fuller Smith and Turner (Mad Hatter).

Consultation Responses Received

Internal services

Environmental Protection Team: no objection, subject to conditions

Transport Planning: significant levels of permeability through the site which is welcomed; conflict between pedestrians and vehicles could occur by the use of in set drop off/loading bays; valet service for cycles is welcomed; cycle storage should be accessible to users regardless of physical strength or ability; developments in areas with an excellent PTAL rating are required to be car free in order to promote more sustainable transport choices, reduce congestion and pollution; residents should be restricted from obtaining parking permits and the applicant should contribute £2,750 to amend the TMO; applicant should provide car club membership for the development (3-5 years); two “self park” disabled bays in the basement, these bays are for vehicles that have been significantly modified for disabled usage and can not be accommodated on the stacker system which is acceptable; hotel use has one “self park” Disabled parking space which is acceptable; applicants have proposed that the development be predominantly serviced from an on street location, which is a large departure from the previous permission; applicant states that the development will be serviced from on site locations on Upper Ground and Blackfriars Road – possibility of conflict between pedestrians and highway users and servicing vehicles is increased; needs of the approved Hotel use (7 star) to the proposed hotel use (4 star) is proposed to reduce the servicing needs of the development drastically; need to submit trip generation data for the hotel use associated with the permitted scheme and directly compare it with the service vehicle trip generation figures associated with the proposed; applicant has not provided robust justification as to the exceptional circumstance which allow the proposed development to service from and on street location.

Public Realm (Highway Authority): proposed slab paving for footways is unacceptable – only Yorkstone slab paving acceptable; granite setts within the carriageway of Rennie Street is acceptable; blacktop is not appropriate for the carriageway in Upper Ground and should be granite setts; overall quality of streetscape proposals for Rennie Street are poor; new inset loading bays are unacceptable; tree planting proposals are unacceptable; access point to the Rennie Street lifts is unacceptable; proposed Upper Ground access bay is unacceptable.

Archaeology Officer: no objection subject to conditions.

Ecology Officer: no objection, subject to conditions.

Statutory and non-statutory organisations

London Fire and Emergency Planning Authority: raised no objections; requested site plans.

Metropolitan Police Service (Secured by Design): have met with the architects and carried out a site visit for this project; they will be seeking Secured by Design certification for the site. They have also met with the Borough Counter Terrorism Security Advisor. They are working fully to Secured By Design Principles.

Transport for London:

- modelling indicates that the Stamford Street/ Southwark Street/Blackfriars Road junction is operating close to capacity with the proposed improvements in place.
- welcome the applicant's commitment to improving the public realm along Blackfriars Road, particularly at the Stamford Street/ Southwark Street/ Blackfriars Road junction.
- request that a planning condition and/or a Section 106 agreement is imposed to require that the developer enters into a Section 278 agreement
- the TfL Blackfriars Road Urban Realm scheme and the proposed works at the northern end of Blackfriars Road will benefit the development through improving the local pedestrian and cycling environment. As a result, TfL will request a further contribution.
- given the site's high Public Transport Accessibility Level (PTAL) consider that the proposed level of 0.7 car parking does not reflect the context of the site, and is deemed excessive.
- request additional cycle parking.
- request additional material on the bus stop relocation.
- Request conditions/obligations for construction, servicing, and Travel Plan.

English Heritage:

- The proposed building will have a harmful impact upon London's historic environment, most notably upon views from Waterloo, Blackfriars, Southwark and London Bridges and upon the view from the bridge across the lake in St James's Park.
- Advice remains that the Council takes this harm into consideration when looking at the planning merits of the scheme and advise that planning permission should be refused unless the serious harm to the wider historic environment is outweighed by other planning considerations that will achieve substantial public benefits.
- Westminster Council: raises objection:
 - proposed tower would harm views north eastwards across the lake from the bridge in St James's Park during daylight hours and when illuminated from within during the hours of darkness;
 - proposed tower would project above the crown of the trees and appear as a prominent feature on the skyline and cause clear and demonstrable harm to this view of London wide importance. In this respect the proposal would harm the character and appearance of this part of the Royal Parks Conservation Area, harm views into the Whitehall Conservation Area and harm the setting of the listed buildings within this view, in particular the Foreign and Commonwealth Office, Horseguards, and Whitehall Court.
 - Tower will adversely affect the setting of the Palace of Westminster, St Margaret's and Westminster Abbey World Heritage Site. Proposed tower would adversely affect local views of the River Thames.

Royal Parks: raise objection:

- Proposal does not appear in keeping with London Plan concerning open space, the height having an adverse impact on protected views from St James's Park.

Lambeth Council: raise no objection; request public open space contribution of £94,707

Natural England: no objection subject to mitigation

Greater London Authority – Stage I report:

- Principle of development: The overall development mix is acceptable as the site is located in the CAZ. The change in location and scale of hotel is supported by market evidence and this is acceptable.
- Affordable housing: The applicant viability assessment should be verified through independent assessment; the applicant is encouraged to continue discussions with Southwark Council on the identification of a site for the off-site provision of affordable housing and this should be confirmed before any consent is granted. Details of the site should be included in the Section 106 agreement together with the agreed level of affordable housing contribution based on a verified financial appraisal; the offsite provision of homes to rent should be based on affordable rent model rather than social rent model.
- Design: the project architect (Ian Simpson Architects) should be retained throughout the development delivery process to ensure the design delivery quality matches with the original architectural design and this should be secured in the s106 agreement.
- Tall buildings and LVMF: the applicant is requested to respond to comments provided on the LVMF and World Heritage Sites and Settings analysis.
- Viewing lounge: the applicant should explore options for a linked community facility in the access lounge/lobby area of the tower; further discussion should continue with Southwark Council on the extension of community access to the viewing lounge. A management plan should be agreed with Southwark Council and the viewing lounge should be secured in perpetuity within the S106 agreement.
- Access: the applicant is requested to refine the design proposals in response to comments provided on streetscape proposals; circulation and landscaping; car parking provision; vertical circulation; residential unit layouts; viewing lounge facilities; hotel stairs/circulation; hotel room accessibility; spa and gymnasium access; and site levels and approaches. Attention should be given to a design strategy that defines improvements to the wider pedestrian network.
- Children's and young people's play: the applicant should revisit the children's playspace provision calculations and agree with Southwark Council on the level of funding and suitable locations for off-site provision which should be secured in the S106 agreement.
- Transport: The applicant should: reduce the level of car parking spaces and address issues raised by TfL.

Thames Water: no objection, subject to conditions

Environment Agency: no objection, subject to conditions

Design Review Panel:

- welcomed the architectural approach and acknowledged that the scheme had preserved the main features of the implemented design including the tower and the building on Rennie Street
- welcomed the principles of the new design particularly the new public space at the ground floor and the reactivation of Rennie Street
- felt the public space at the centre of the site appeared about right in scale but felt the landscape design had not been developed sufficiently and requires more detailed design work
- landscape design will need to offer a well designed accessible public space with

a clear sense of purpose and high quality planting, finishes and fittings and should be included in the application.

- new building on the corner of Blackfriars Road and Stamford Street raised a number of questions for the Panel but that there were differing views among the Panel
- Panel encouraged the architects to develop the design for this building either as an independent pavilion in its own right or to reflect the design principles and materiality of the other two buildings on the site
- recent changes in the design have meant that the three buildings on the site form three separate parts a new whole and as such each building has to have its own individual character but should also needs to relate to the group
- Panel welcomed that the statement that the curved design of the outer glazed 'skin' of the Rennie Street building would be formed in curved glazing panels rather than being faceted
- welcomed the attempts to distinguish this residential tower from an equivalent office tower through a variety of coloured metal panels forming the inner lining
- challenge for the design team will be to achieve the required environmental performance and retain the striking architectural expression of the tower
- welcomed the inclusion of a viewing gallery at the 32nd floor and felt the challenge for the developers is to ensure that this space is used by the community

BAA Gatwick: no comments to make with regard to aerodrome safeguarding for Gatwick Airport.

BAA Heathrow: no objections.

London City Airport: no objection

Sport England: no comments to make regarding the proposals.

Conservation Area Advisory Group for Southwark: Concern was expressed that the stone and glass cladding was rather featureless; the need for active frontages, particularly to the north/south pedestrian/cycle route through the site was stressed; the external works and landscape drawings were sketchy and lacking detail of materials and size and type of species; noted that the line of the buildings and the large gaps in the frontage did little to recreate and reinforce the street; additional tree planting was suggested to help overcome this aspect of the scheme; welcomed the pedestrian/cycle route through the site linking the river to the parkland surrounding Christ Church to the south and creation of a good sized landscaped space within the site, however it was felt that the enclosure and separation of this space from Blackfriars Road, in particular, was inadequate; the siting of a service lay-by road on Blackfriars Road was also regretted.

Neighbours and local groups

In support

Chairman of Kings Reach Flats Management Ltd. (company established by residents to manage River and Rennie Courts): have had a number of meetings with St. George and would like to register our strong support for the application that has been made and would make the following observations –

1. The site has been vacant since 2003 and blights the local environment. The proposed development will bring it back to beneficial use and will greatly improve the appearance of the area providing a new landmark for Southwark.

2. In the opinion of the board of KRFM Ltd. the current proposals are a significant improvement on the previous planning permission granted for the site providing a new public square and greater permeability of the site for pedestrians and local residents. Sight lines are also much improved with this proposed application when compared with the current consent.

3. St. George have responded to concerns raised by our lessees, following public consultation, about service access from Rennie Street and have improved the design of this aspect of the proposed development. Notwithstanding the above this will be a huge development and during the construction process we would urge you to insist that St. George coordinate their activities with the other developers working in the immediate area and also have clear communication commitments with the local community and we would suggest that a formal requirement to ensure this is built into any planning approval you may grant.

For comment/concern

Flat 32, Rennie Court, 11, Upper Ground, SE1: overall support the development; concern over cumulative construction impacts; (ES) results on the cumulative effects of developments is understated; concerned over servicing in Rennie Street; tables and chairs on pavement in Rennie Street not acceptable; suggest double depth planting of new London Plane trees in Blackfriars Road and tree planting in Rennie Street; do not agree with noise assessment re nightclub in arches.

50 Rennie Court SE1: concern over the roof of the Rennie Street building being used as a terrace; should not be used for noise generating leisure activity; plant should have noise insulation.

64 River Court: concerned over construction noise and disruption.

In objection

Flat 401, Oxo Tower Wharf, Southbank, SE1 9GY: object to the development with regard to the impact this will have on the local community; 50 storey building will overshadow the area; will in no way benefit the local community of people on low incomes.

Environmental Impact Assessment

1. The Environmental Statement (ES) details the results of the EIA and provides a detailed verification of potential beneficial and adverse environmental impacts in relation to the proposed development, including the following areas of impact (in the order they appear in the ES):
 - Construction
 - Waste Management
 - Socio-economics
 - Transportation and Access
 - Air Quality
 - Noise and Vibration
 - Wind (Microclimate)
 - Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare
 - Water Resources and Flood Risk
 - Ground Conditions
 - Archaeology – Buried Heritage
 - Ecology
 - Aviation
 - Electronic Interference
2. Information includes a prediction of the impact (methods/assumptions and underlying rationale/ interpretation of facts, opinions, judgments based on facts/ confidence limits associated with the prediction and the characteristics and dimensions of the impacts i.e. nature, magnitude, extent, timing, duration, reversibility, likelihood and significance) and the certainty of the impact (worst case/ impact range and risk assessment).
3. Reference to cumulative effects includes the combined effects of different types of impact, for example, noise, dust and visual impacts, impact interactions and impacts from several developments, which individually might be insignificant, but when considered together, could amount to a cumulative impact.
4. Potential positive and negative residual effects remaining after mitigation measures have been identified and incorporated are also included in the ES in order to assess their significance and acceptability.
5. As per the Regulations, consideration is given to alternative proposals, including the implemented permission, and a summary of the design evolution.
6. Additional environmental information was received during the course of the application; in accordance with Regulation 22 of the EIA Regulations 2011, all consultees and neighbours were re-consulted and press notices re-issued.
7. The assessment of the ES and further information and the conclusions reached regarding the environmental effects of the proposed development are set out below.

Construction

8. A review has been undertaken of the potential sources of impacts associated with construction works, prior to the incorporation of any identified mitigation measures.

9. Each of the potential environmental impacts are discussed in more detail in the corresponding technical chapters of this ES.
10. Mitigation measures identified include:
- Construction method statement: The principal contractor (and where appropriate the Applicant directly) will be appointed to develop and implement a Construction Method Statement (CMS),
 - Environmental management plan: The commitments made within the CMS and ES will be incorporated into a Construction Environmental Management Plan (CEMP), which will include roles and responsibilities; detail on control measures; activities to be undertaken to minimise environmental impact; and monitoring and record-keeping requirements. A commitment will be made to periodically review the CEMP and undertake regular environmental audits of its implementation during construction of the proposed development,
 - Neighbour and public relations: The ES recognises that the construction works will interface with existing residential neighbours. As construction progresses across the site a number of measures will be taken, as applicable, to mitigate the effects of construction noise, vibration, dust and the control of water on the nearby residents. These mitigation measures are discussed further within the management of noise, vibration and dust section of the ES,
 - Considerate constructors scheme: The site will be registered with the 'Considerate Constructors Scheme'. This scheme ensures that contractors carry out their operations in a safe and considerate manner with due regard to passing pedestrians and road users,
 - Energy and water usage: The energy and water consumption of the project will be monitored, either through sub-metering or reading utility bills, to allow comparison against best practice benchmarks and improvements to be made.

Waste Management

11. The proposed development aims to be a sustainable building with high standards of environmental performance. As such, due consideration has and will continue to be given to the waste generated by the Proposed Development during construction and operation. Therefore, the waste strategy has the following aims:
- To ensure that all legal requirements for the handling and management of construction and operational
 - waste are complied with;
 - To contribute towards achieving current and long-term government, GLA and LB Southwark targets for waste minimisation, recycling and reuse; and
 - To provide tenants with convenient, clean and efficient waste management systems that enhance the operation of the buildings and promote high levels of recycling.

Socio-economics

12. The assessment of the socio-economic impact included an assessment of employment impact on the labour market and additional local spending, and a review of other relevant socio-economic impacts, including the provision of housing and the demand on existing social infrastructure such as education, primary health care and open space.
13. The construction assessment concluded that there will be a **minor beneficial** impact on

construction employment generation, with an estimated 616 net jobs created as a result of the proposed development. Employment generation in the operational phase will also have a **minor beneficial** impact, creating 271 net jobs.

14. The provision of 274 market housing units on site will have a moderate beneficial impact and offsite contributions towards affordable housing provision will have a **negligible** impact. The estimated 455 residents at the proposed development will have a **minor beneficial** impact on the local economy as a result of an estimated increase in expenditure in the local area by £8,038,469 annually.
15. There will be an estimated requirement for 25 new education places as a result of the proposed development. The requirement for 12 early years education places will have a **negligible** impact on nursery education facilities for under five year olds within 1km of the proposed development. The requirement for nine primary education places will have a negligible impact on primary school capacity within 1.8km and the requirement for four secondary education places will have a minor adverse impact on the capacity of secondary schools within 2.6km of the proposed development. Due to the higher than average provision of GPs within 1km of the site, the estimated 455 residents at the proposed development will have a **negligible** impact on health care.
16. The cumulative impact of the Proposed Development and other consented developments has been assessed. The overall cumulative operational impact will be **negligible**, with beneficial impacts on employment creation, additional local spending and provision of residential dwellings, and the provision of social infrastructure such as open space.

Transportation and Access

17. The proposed development has less than a 4% impact (in terms of two-way traffic flows) on the strategic routes of Stamford Street and Blackfriars Road relative to future baseline traffic flows, which is considered a **negligible** level of impact.
18. The proposed development impact is considered to be **minor adverse** at Rennie Street and Stamford Street. However these roads have very low existing traffic flows and the percentage impact should be considered against the actual total flows, which are low; 40 and 28 vehicles along Rennie Street in the AM and PM peak hours respectively, which equates to less than a vehicle every one and a half minutes.
19. There is a similar situation on Upper Ground as the percentage impact appears relatively high. However, this equates only to an additional 28 and 29 vehicle trips in the AM and PM peak periods respectively.
20. Whilst the analysis provided in this chapter identifies that the Proposed Development would have a negligible impact upon the capacity of the surrounding highway network, further traffic analysis has been undertaken to determine the potential effects of the implementation of TfL's Blackfriars Urban Realm Improvement scheme on the peak hour capacity of the reconfigured junction of Stamford Street/ Blackfriars Road/ Southwark Street with the cumulative traffic flows.
21. The additional traffic flows associated with surrounding committed developments have been incorporated into TfL's TRANSYT model of the proposed Blackfriars Road/ Stamford Street junction improvements.
22. Whilst the Proposed Development is forecast to generate a significant net reduction in vehicular trips relative to that of the Implemented Permission on the site, the capacity for

right turning movements into Blackfriars Road and Southwark Street is reached when the traffic associated with the surrounding committed developments are added onto the network. The introduction of additional cumulative traffic flows also results in capacity being exceeded on Eastbound Ahead lane (Link 276) of Stamford Street into Southwark Street during the AM peak hour. This largely the result of reduced traffic capacity due to its improved pedestrian facilities. It has been discussed with TfL that there is scope to optimise the performance and design of their junction proposals with respect to pedestrian and traffic demands during the detailed technical approval process.

23. Therefore the cumulative impact is considered to be **minor adverse** on both the local (Rennie Street and Upper Ground) and strategic (Stamford Street and Blackfriars Road) roads.

Air Quality

24. The potential residual impacts arising from the construction phase are anticipated to have, at worse, an impact of **minor adverse** significance on local air quality due to construction traffic flows, on-site construction plant and construction dust. These impacts are only predicted to occur during the construction phase, and a number of mitigation measures have been recommended above to minimise these impacts in line with the Mayor of London's guidance.
25. The potential impacts of the operational road traffic flows associated with the proposed development are considered to be **negligible**, whilst the proposed heating plant is predicted to have an impact of **minor adverse** significance at the worst affected nearby sensitive receptors.

Noise and Vibration

26. The dominant noise source identified was road traffic from the surrounding roads.
27. The assessment of the site suitability has demonstrated that with mitigation measures in place internal noise levels within the proposed residential properties will be within the 'good' standards set out in BS8233. As such it has been demonstrated that this site is suitable for a development incorporating residential units.
28. The impact from construction noise and vibration associated with the development subject to the mitigation measures proposed will result in an assessment of **negligible to moderate adverse** impact.
29. The impact of operational noise, including both and mechanical services plant and change in road traffic, has been assessed to be **negligible**.
30. The cumulative impact of the proposed development and other consented developments has been assessed. The cumulative operational impact will be **negligible**. Through management of the construction phases the impact of cumulative construction noise and vibration will be minimised.

Wind (Microclimate)

31. A wind tunnel assessment was conducted initially using a model devoid of landscape detail to determine the likely impacts of the proposed development on the local wind environment. The results were compared with the Lawson Comfort Criteria and focused on the windiest (i.e. winter) and summer seasons.

32. The results of the wind tunnel test have shown that the wind environment throughout the proposed development is largely compatible with the intended use of the site. However mitigation measures have been incorporated where wind conditions failed to meet those targeted at sensitive locations such as entrances; on one of the thoroughfares; and within the public square.
33. The mitigation measures were tested on the cumulative scenario configuration of the proposed development because this scenario generated the windiest conditions around the Site. The results are presented in the cumulative impact assessment section of this chapter. The shelter created for the cumulative scenario configuration would also apply for the proposed development with existing surrounds.
34. Overall, with the mitigation measures incorporated into the proposed development, as applied to the cumulative scenario configuration, the on-site conditions are expected to be suitable for their intended purpose, resulting in residual impacts from **negligible to moderate beneficial**.

Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare

35. The results identified below take into consideration an assessment of the baseline position (a cleared site) compared with the proposed development as well as the cumulative assessment of permitted schemes in close proximity to the site including:
 1. 20 Blackfriars Road
 2. 231-241 Blackfriars Road
 3. Kings Reach Tower, and
 4. Sea Containers House
36. *Daylight*

There are 1,289 rooms within 32 surrounding residential properties which have been assessed with respect to daylight within the cumulative scenario. Of the 1,289 rooms assessed for daylight, 1,003 rooms (77.8%) would comply with the Building Research establishment (BRE) Guidelines for VSC. Therefore the cumulative scenario will have a **negligible** impact on these properties.
37. In comparison, of the 1,292 rooms assessed for the proposed development, 1,042 (80.6%) achieved the Vertical Sky Component (VSC) daylight level as recommended by the BRE.
38. The properties which have additional impacts in respect of VSC from the cumulative scenario are:
 - 1 – 26 Friars Close: an additional five rooms are impacted in the cumulative assessment;
 - 1 – 87 River Court: an additional six rooms are impacted in the cumulative assessment; and
 - 1 – 99 Rennie Court: an additional 26 rooms are impacted in the cumulative assessment
39. Of the 1,289 rooms assessed in the cumulative scenario, 286 (22%) do not achieve the VSC daylight level as recommended by the BRE. These rooms were assessed to establish whether, as a consequence of the alterations in VSC to one or more of their windows, the area of the room which can benefit from direct skylight at working plane

height (NSL) would alter beyond the BRE recommended alteration levels. This test was also applied to all 1,289 rooms in accordance with the BRE guidelines. The impacts to all of the rooms assessed vary from **negligible** to **major adverse**.

40. The analysis results show that, of the 286 rooms that do not meet the recommended VSC level, 231 of these rooms achieve the NSL level recommended by the BRE. In total, this means that 1,234 of the 1,289 rooms (95.7%) achieve the BRE recommended VSC and/or NSL daylight level. The impact to these rooms in respect of NSL is **negligible**.
41. When a room does not meet VSC or No Sky Line (NSL) criteria recommended by the BRE Handbook, the Average Daylight Factor (ADF) of the room can also be considered to assess if there is an acceptable average level of daylight within a room. As such, the 55 rooms which do not meet VSC or NSL recommendations have been further assessed. These rooms are in 1 – 87 River Court and 1- 99 Rennie Court.
42. The results show that ten of the rooms achieve the minimum ADF level recommended by the BRE. As such, it is considered the impact to these five rooms is **negligible**.
43. There are 45 rooms remaining which would not satisfy the BRE recommended levels for VSC, NSL and ADF. The affected rooms are located within Rennie Court and River Court. There are a number of rooms in the property which do not currently meet the recommended ADF level of 1.5%. The site is located in a dense urban environment with the surrounding building in close proximity to the site and each other. The actual losses vary although, as a result of the dense location of the Site and the fact that the impacts are not significant in the majority of cases, it is considered that the cumulative scenario will have a **moderate adverse** impact on these rooms within the surrounding properties.
44. In summary:
 - Of the 1,289 rooms assessed for daylight, 1,003 rooms (77.8%) would comply with the BRE guidelines for VSC. Therefore the cumulative scenario will have a **negligible** impact on these properties;
 - Of the 286 rooms that do not meet the recommended VSC level, 231 of these rooms achieve the NSL level recommended by the BRE. In total, this means that 1,234 of the 1,289 rooms (95.7%) achieve the BRE recommended VSC and/or NSL daylight level. The impact to these rooms in respect of NSL is **negligible**;
 - Of the 55 rooms assessed which do not meet VSC or NSL daylight levels as recommended by the BRE, 10 of these rooms achieve the ADF level recommended by the BRE. Therefore, the impact to these rooms is considered **minor adverse**;
 - There are 45 rooms remaining (3.5%) which do not meet the VSC, NSL or ADF levels as recommended by the BRE. As a result of the dense location of the Site and the fact that the impacts are not significant in the majority of cases, it is considered that the cumulative scenario will have a major adverse impact on these rooms within the surrounding properties; and
 - In total, it is considered that the surrounding residential properties will incur a **negligible** to **major adverse** impacts to their daylight amenity as a result of the cumulative scenario.

Sunlight

45. A total of 947 windows have been assessed for sunlight in the cumulative scenario, of

which 940 (99.2%) will comply with the 2011 BRE guidance for sunlight. Therefore, the effect upon the sunlight amenity to these windows will be **negligible**.

46. There are seven windows (0.7%) remaining which will not satisfy the BRE guidelines for total and/ or Winter Annual Probably Sunlight Hours (APSH). It is considered that the impacts to these seven windows for the cumulative scenario does not materially alter from the proposed development scenario. To summarise, the seven windows are located within 1 – 87 River Court.
47. Of the seven windows that do not meet the BRE guidelines, two windows show an improvement to Winter APSH (W18/501, W15/502) whilst four of the windows have no change in Winter APSH. Whilst all of the windows will suffer a loss in Total APSH ranging from 20.83% to 40.74%, the windows will however retain significant APSH in the proposed cumulative scenario. Therefore, the effect upon the sunlight amenity to these windows is of **minor adverse** significance.
48. In the case of window W18/503. Whilst the impacts appear significant, this is a result of the existing baseline APSH levels being low, particularly with regards to winter sun. As a result, the losses to this window appear more significant. The impact is considered to be of **minor adverse** significance.

Permanent Overshadowing to Amenity Areas Surrounding the Proposed Development

49. There is an existing amenity space to the west of the Site adjacent to Rennie Court. The level of sunlight hours within this space does not change as a result of the cumulative scenario. The impact is considered to be of **minor adverse** significance.

Permanent Overshadowing to Amenity Space within the Proposed Development

50. The proposed development includes an amenity area at podium (1st floor) level which is included within the assessment. As a result of the cumulative scenario, this amenity area will see 2 hours or more direct sun to 23% of its area. Whilst this is below the BRE recommended levels, it is not uncommon for amenity areas in dense, urban areas to see this amount of direct sunlight. The impact to this area is considered of **major adverse** significance although, as a result of the location of this amenity area within a dense urban environment, it is not considered that mitigation is required.

Transient Overshadowing

51. Whilst the shadows cast by the proposed development and cumulative surrounding buildings are greater than those cast by the existing buildings, the shadows are substantially within the shadows cast by other buildings in this highly dense urban area. They are transitory and therefore cause little material impact.
52. The impact of the proposed development and the cumulative buildings in terms of transient overshadowing is considered **minor adverse**.

Solar Glare

53. The results of the assessment show that there will be occurrences, some significant, of solar glare from the proposed development, which are within 30 degrees of the drivers line of sight from the viewpoints.
54. At 2.5 degrees, the potential for the reflected glare to cause a hazard is high. Between 2.5 degrees and 30 degrees, there is the potential that there would be an issue. At an

angle greater than 30 degrees, the risk of reflective solar glare causing a hazard is reduced.

55. The report recommends mitigation measures to reduce the impact of solar glare from the proposed development. This includes the application of a non-reflective coating to the glazed or reflective elements of the facades and/or the breaking up of the façade to reduce the reflective elements.
56. In summary, this impact can be considered as **Minor to Major Adverse**.

Comparison with implemented scheme

57. Given the form of the buildings remains largely unchanged from the implemented scheme, the ES undertakes an assessment of the proposed development against the implemented scheme. This demonstrates that 99.7% of rooms meet the daylight guidelines whilst 100% of the windows meet the sunlight guidelines which demonstrates that there is no noticeable difference between the implemented permission and the proposed development.

58. Water Resources and Flood Risk

59. No significant impacts to water resources are expected through the construction phase of the proposed development provided that the mitigation measures as discussed throughout this chapter are applied. The impact of increased water demand and wastewater generation is anticipated to be of **minor adverse significance**.
60. The assessment also concludes that the operational development will have an impact of **minor beneficial significance** on surface water runoff, flood risk, drainage and disturbance to groundwater flow.
61. Operational impacts from the proposed development are restricted to issues of available capacity within the downstream foul sewerage system and the resources to supply the Site with adequate water. The residual impact on this receptor is assumed to be **short-term, minor adverse**. However, it should be noted that, in the long-term, it is the responsibility of TWUL to ensure adequate water supplies and drainage capacity.

Ground Conditions

62. As part of a previously approved planning application the Site has been cleared and excavated down to the existing foundation level. A topographical survey has been undertaken for the Site and shows that the centre of the Site lies approximately 5m below ground level.
63. Following consideration of the mitigation measures and the sensitivity of the identified receptors, the resultant impact to these receptors (post mitigation) is **negligible**.

Archaeology – Buried Heritage

64. As part of a previously approved planning application the site has been cleared and excavated down to the existing foundation level. A topographical survey has been undertaken for the Site and shows that the centre of the site lies approximately 5m below ground level.
65. Given the nature of development in central London, in particular the scale of buildings and the constraints on space which make underground parking for example an integral

component of the majority of developments, preservation in situ is rarely achievable.

66. It is considered, therefore, that the cumulative impact of the proposed development along with the other identified cumulative schemes will result in a **negligible** impact on the archaeology of the LB Southwark.

Ecology

67. Residual impacts on the River Thames, Japanese knotwood, bats and Black redstarts are **negligible**. The residual impact on brownfield habitat and trees will be **minor adverse (local, short-term)** whilst the residual impact on other breeding birds will be **minor adverse (local, short-term)**.

Aviation

68. The proposed development lies outside the safeguarding areas for LCY and for LHR and the proposed development would have **no impact** on the safety of flying operations.

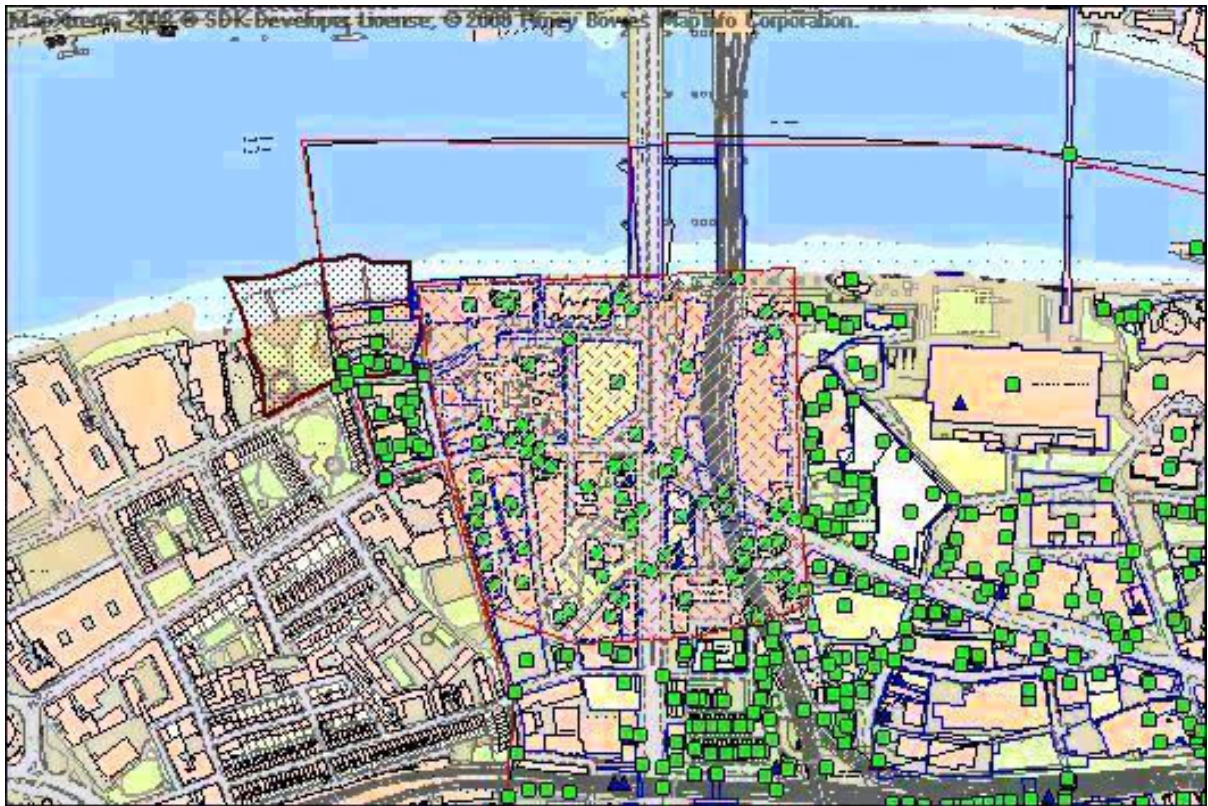
Electronic Interference

69. Prior to mitigation, it is predicted that there will be long-term minor adverse impacts to the reception of terrestrial TV services for up to 45 existing aerial installations. However, suitable mitigation measures, as identified above, are available in all cases (i.e. the impact is reversible). Therefore, following mitigation, impacts to TV reception are considered to be of **negligible** significance.

Townscape, Conservation and Visual Impact Assessment

70. The likely long-term significant impacts of the completed development on the settings of the Westminster World Heritage Site (WHS), St Paul's Cathedral, and conservation areas and local townscape character areas have been assessed. The ES concludes that the likely impact on the Westminster WHS would be insignificant, its impact on river views and St Paul's cathedral as moderate to major beneficial, the impact on the St James's Park footbridge view is moderate beneficial, and that the likely local impacts would range from insignificant to substantial.

Neighbour consultee maps



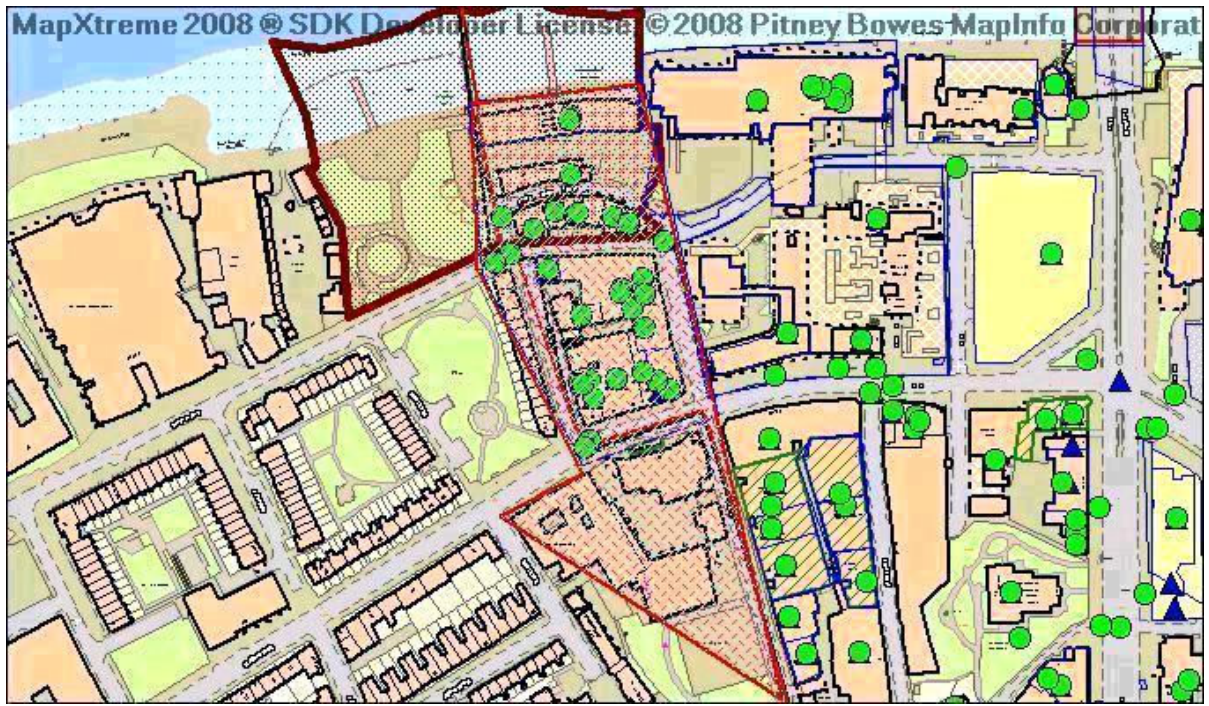




Fig 1. Proposed development – view from north bank of the Thames



Fig 2. Proposed development – south elevation

RECOMMENDATION LDD MONITORING FORM REQUIRED

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	St George South London Ltd	Reg. Number	12/AP/1784
Application Type	Full Planning Permission	Case Number	TP/1390-1
Recommendation	Grant subject to Legal Agreement and GLA		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Application made under the provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 for the erection of three buildings (a 50 storey tower plus basement levels to a maximum height 170m Above Ordnance Datum (AOD), a 6 storey building - 'The Rennie Street Building', and a 4 storey building - 'The Podium Building') which together provide a mixed use development totalling 74,925sqm gross external area comprising: 11,267sqm of Class C1 use (hotel); 52,674sqm of Class C3 use (274 flats); 1,316sqm of retail uses (Class A1 to A5); and 9,648sqm of basement, ancillary plant, servicing and car parking with associated public open space and landscaping.

At: 1-16 BLACKFRIARS ROAD LONDON SE1

In accordance with application received on 31/05/2012

and Applicant's Drawing Nos. Environmental Statement Non Technical Summary, Sky Deck Feasibility Report, Planning Statement, Affordable Housing Statement, Regeneration Statement, Hotel Demand and Feasibility Study, Community Engagement Report, Transport Assessment, Transport Assessment Appendices, Design and Access Statement, Energy Strategy, Sustainability Statement, Planning Application Drawings, Environmental Statement Volume 1, Environmental Statement Volume 2 - Townscape, Conservation and Visual Impact Assessment, Environmental Statement Volume 3 - Technical Appendices A - E, Environmental Statement Volume 3 - Technical Appendices - F, Environmental Statement Volume 3 - technical appendices G - K, Drawing Schedule, plus CD's

Plans:-

SITE (00) 001, SITE (00) 002, SITE (00) 003, SITE (00) 010 R01, SITE (00) 011 R01, SITE (00) 012 R01, SITE (00) 013 R01, SITE (00) 020, SITE (00) 021, SITE (00) 022,
SITE (00) 023, SITE (00) 024, SITE (00) 025 R01, SITE (00) 030, SITE (00) 031, SITE (00) 032, SITE (00) 033, SITE (00) 034, SITE (00) 035, SITE (00) 040,
SITE (00) 041, SITE (00) 042, SITE (00) 043, SITE (00) 050, SITE (00) 051, SITE (00) 055, SITE (00) 056, SITE (00) 057, SITE (00) 058, SITE (00) 060,
SITE (00) 061, SITE (00) 062, SITE (00) 063

PLZ (00) 096, PLZ (00) 097, PLZ (00) 098, PLZ (00) 099, PLZ (00) 100 R01, PLZ (00) 101 R01, PLZ (00) 102 R01, PLZ (00) 103 R01, PLZ (00) 104 R01, PLZ (00) 105 R01, PLZ (00) 106 R01,
PLZ (00) 107 R01

TWR (00) 103, TWR (00) 103, TWR (00) 111, TWR (00) 115, TWR (00) 119, TWR (00) 123, TWR (00) 127, TWR (00) 131, TWR (00) 135, TWR (00) 139,
TWR (00) 143, TWR (00) 146, TWR (00) 150, TWR (00) 151, TWR (00) 152, TWR (00) 153, TWR (00) 154, TWR (00) 155, TWR (00) 156, TWR (00) 157,
TWR (00) 158, TWR (00) 159, TWR (00) 160, TWR (00) 161

PLZ (21) 001, PLZ (21) 002, PLZ (21) 003

TWR (21) 100, TWR (21) 101, TWR (21) 102

Reasons for granting permission.

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

a] Core Strategy 2011

Strategic Policy 1 Sustainable Development which requires developments to improve the places we live in and

work in and enable a better quality of life for Southwark's diverse population.

Strategic Policy 2 - Sustainable transport: We will encourage walking, cycling and the use of public transport rather than travel by car. This will help create safe, attractive, vibrant and healthy places for people to live and work by reducing congestion, traffic and pollution.

Strategic Policy 3 Shopping, Leisure and Entertainment which defines a hierarchy of town and local centres which reflect their sizes and roles.

Strategic Policy 4 Places to Learn and Enjoy seeks to ensure that there will be a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas.

Strategic Policy 5 Providing New Homes requires that developments meet the housing needs of people by providing high quality new homes in attractive environments, particularly in growth areas.

Strategic Policy 6 Homes for People on Different Incomes states that development will provide homes including social rented, intermediate and private for people on a wide range of incomes. Development should provide as much affordable housing as is reasonably possible whilst also meeting the needs for other types of development and encouraging mixed communities.

Strategic Policy 7 Family Homes requires developments to provide more family housing with three or more bedrooms for people on all incomes to help make Southwark a place which is affordable for families.

Strategic Policy 10 - Jobs and businesses: We will increase the number of jobs in Southwark and create an environment in which businesses can thrive. We will also try to ensure that local people and businesses benefit from opportunities which are generated from development.

Strategic Policy 11 Open Spaces and Wildlife protects important open spaces, trees and woodland from inappropriate development.

Strategic Policy 12 - Design and conservation: Development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in.

Strategic Policy 13 - High environmental standards: Development will help us live and work in a way that respects the limit's of the planet's natural resources, reduces pollution and damage to the environment and helps us to adapt to climate change.

b] Saved Policies of the Southwark Plan 2007

Policy 2.5 (Planning obligations): seeks to ensure that any adverse effects arising from a development is taken into account and mitigated and contributions towards infrastructure and the environment to support the development are secured, where relevant in accordance with Circular 05/2005 and other relevant guidance.

Policy 3.1 (Environmental effects): seeks to ensure there will be no material adverse effect on the environment and quality of life resulting from new development.

Policy 3.2 (Protection of amenity): advises that permission will not be granted where it would cause a loss of amenity.

Policy 3.4 (Energy efficiency): advises that development should be designed to maximise energy efficiency.

Policy 3.6 (Air quality): advises that permission will not be granted for development that would lead to a reduction in air quality.

Policy 3.12 (Quality in design): requires new development to achieve a high quality of architectural and urban design.

Policy 3.13 (Urban design) seeks to ensure that principles of good urban design are taken into account in all developments.

Policy 3.14 (Designing Out Crime) seeks to ensure that development is designed to improve community safety and crime prevention.

Policy 3.20 (Tall Buildings) advises that permission may be granted for buildings that are significantly taller than their surroundings or have a significant impact on the skyline, where they have excellent public transport accessibility and are located within the Central Activities Zone),

Policy 3.22 (Important Local Views) advises that the local planning authority will seek to protect and enhance identified views, panoramas, prospects and their settings. Developments that would impact negatively on important local views will not be granted.

Policy 3.28 (Biodiversity) requires biodiversity to be taken into account in the determination of planning applications and the inclusion in developments of features which enhance biodiversity will be encouraged.

Policy 3.31 (Flood Defences) advises that permission will not be granted for development sited adjacent to the River Thames unless it is set back at a suitable distance from the river wall to allow for the replacement/repair of flood defences and for any future raising to be undertaken in a suitable and cost effective manner.

Policy 4.2 (Quality of residential accommodation) states that planning permission will be granted for residential accommodation provided that they achieve good quality living conditions; and include high standards of accessibility, including seeking to ensure that all new housing is built to Lifetime Homes Standards; privacy and outlook; natural sunlight and daylight; ventilation; space including suitable outdoor/green space; safety and security; protection from pollution, including noise and light pollution.

Policy 4.3 (Mix of dwellings) seeks to ensure that all major new-build development and conversions should provide for a mix of dwellings sizes and types to cater for the range of housing needs of the area.

Policy 4.4 (Affordable housing) states that the LPA will seek to provide for a continuous supply of affordable housing to meet the needs of the borough and sets out the proportion of affordable housing that will be sought in different parts of the borough as well as the tenure mix that will be sought.

Policy 5.1 (Locating Developments) states that location of development must be appropriate to the size and trip generating characteristics of the development, stating that schemes generating a significant number of trips must be located within easy access of public transport nodes.

Policy 5.2 (Transport Impacts) states that permission will not be granted for development which has an adverse impact on transport networks through significant increases in traffic or pollution and consideration has been given to impacts on the Transport for London road network as well as adequate provision for servicing, circulation and access to and from the site.

Policy 5.3 (Walking and cycling) seeks to ensure that there is adequate provision for cyclists and pedestrians within developments, and where practicable the surrounding area

Policy 5.6 (Car Parking) states that all developments requiring car parking should minimise the number of spaces provided.

Policy 5.7 (Parking Standards for Disabled People) requires development (subject to site constraints) to provide adequate car parking for disabled people and the mobility impaired.

Policy 7.4 (Bankside and Borough Action Area) sets out policies to support this unique place in London as a thriving location for a wide range of activities, where culture, history, business, residential communities and a diverse built environment co-exist.

c] London Plan 2011

Policy 2.10 Central Activities Zone – strategic priorities, Policy 2.11 Central Activities Zone – strategic functions, Policy 2.13 Opportunity Areas and Intensification Areas, Policy 2.15 Town Centres, Policy 3.3 Increasing housing supply, Policy 3.6 Children and young people’s play and informal recreation facilities, Policy 3.8 Housing choice, Policy 3.13 Negotiating affordable housing on individual private residential and mixed use schemes, Policy 4.1 Developing London’s economy, Policy 4.2 Offices, Policy 4.3 Mixed use development and offices, Policy 4.7 Retail and town centre development, Policy 5.1 Climate change mitigation, Policy 5.2 Minimising carbon dioxide emissions, Policy 5.5 Decentralised energy networks, Policy 5.6 Decentralised energy in development proposals, Policy 5.7 Renewable energy, Policy 6.1 Strategic approach (Transport), Policy 6.13 Parking, Policy 7.4 Local character, Policy 7.5 Public realm, Policy 7.6 Architecture, Policy 7.7 Location and design of tall and large buildings, Policy 7.11 London View Management Framework, Policy 7.12 Implementing the London View Management Framework and Policy 8.2 Planning obligations.

d] The National Planning Policy Framework

- Section 1: Building a strong, competitive economy
- Section 2: Ensuring the vitality of town centres
- Section 4: Promoting sustainable development
- Section 6: Delivering a wide choice of high quality homes

- Section 7: Requiring good design
- Section 8: Promoting healthy communities
- Section 10: Meeting the challenge of climate change, flooding and coastal change
- Section 11: Conserving and enhancing the natural environment
- Section 12: Conserving and enhancing the historic environment

Particular regard was had to the principle of the proposed uses which were considered to be acceptable considering the limitations of the site, and which will provide an acceptable mix to support the regeneration of the London Bridge Borough and Bankside Opportunity Area. The redevelopment of the site would generate significant economic benefits for the local and wider area and will increase the quantum of high quality residential units in Southwark.

The proposal therefore satisfies the policy requirements for tall buildings, and for high quality design, including the NPPF expectation that new development has the highest standard of design. The design of the tower is considered to be of world-class architecture that will result in a striking and bold form, creating a new destination point and is considered to make a positive contribution to the skyline of London creating a distinctive landmark building within Southwark.

Particular regard was had to the impact of the tower on views with specific reference to views from the lake bridge in St James's Park and views from the Westminster World Heritage Site. An important material consideration is the existence of the implemented planning permission (06-AP-2117), which is capable of being built out in the future. The impact of the proposed tower in these views is the same as that of the tower in the implemented permission, which was found acceptable by the Secretary of State in her decision in 2009. Taking into account the revised LVMF SPD, the impact on these views is considered acceptable and any perceived harm to the wider historic environment is outweighed by the regenerative improvements delivered by the scheme that will achieve substantial public benefits.

The proposal would provide an extensive improvement of the streetscape together with new active frontages which would improve the experience for pedestrians, and provide for natural surveillance. The new pedestrian route and plaza would increase the overall permeability of the area and allow for improved connectivity to the River Thames, and would allow for a range of uses to spill out into the space, which would add vitality to the space. New green roofs should enhance biodiversity and create habitat.

The impacts of the scheme in relation to daylight and sunlight have been assessed and are considered acceptable particularly as the implemented 2009 permission is a material consideration and the impacts would be no greater than those that would be caused by that scheme. The scheme is not expected to cause any unacceptable impact to local highway or transport conditions

The principle of a payment in lieu of on site affordable housing is acceptable in the specific circumstances of this case, and is considered to be the mechanism capable of providing the maximum quantum of affordable housing, of a type and affordability most suited to meet identified housing needs. The mechanism for expending the monies, and delivering additional affordable housing units, will be secured within an associated S106 agreement.

Planning obligations are secured to offset the impact of the development in accordance with the Supplementary Planning Document on Planning Obligations.

In coming to a decision on this application the Council took full account of the Environment Statement submitted in accordance with the Town and Country Planning (Environmental Impact Assessment) England and Wales Regulations 2011 and all submissions relating to considerations in the Environmental Statement. Particular regard was had to construction, waste management, socio-economics, transportation and access, air quality, noise and vibration, wind (microclimate), daylight, sunlight, overshadowing, light pollution and solar glare, water resources and flood risk, ground conditions, archaeology – buried heritage, ecology, aviation, electronic interference. Following mitigation measures, there are likely to be some adverse impacts with regards to transportation and access, air quality, noise and vibration, views, daylight, sunlight, and overshadowing, and ecology which are considered acceptable.

Other policies have been considered, but in this instance were not considered to have such weight as to justify a refusal of permission. It was considered that the regenerative benefit to the wider community would outweigh any adverse impacts of the proposed development. It was therefore considered appropriate to grant planning permission having regard to the policies considered and any other material planning considerations.

Subject to the following condition:

1

Standard Time Limit

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 **Approved plans**

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

SITE (00) 001, SITE (00) 002, SITE (00) 003, SITE (00) 010 R01, SITE (00) 011 R01, SITE (00) 012 R01, SITE (00) 013 R01, SITE (00) 020, SITE (00) 021, SITE (00) 022, SITE (00) 023, SITE (00) 024, SITE (00) 025 R01, SITE (00) 030, SITE (00) 031, SITE (00) 032, SITE (00) 033, SITE (00) 034, SITE (00) 035, SITE (00) 040, SITE (00) 041, SITE (00) 042, SITE (00) 043, SITE (00) 050, SITE (00) 051, SITE (00) 055, SITE (00) 056, SITE (00) 057, SITE (00) 058, SITE (00) 060, SITE (00) 061, SITE (00) 062, SITE (00) 063

PLZ (00) 096, PLZ (00) 097, PLZ (00) 098, PLZ (00) 099, PLZ (00) 100 R01, PLZ (00) 101 R01, PLZ (00) 102 R01, PLZ (00) 103 R01, PLZ (00) 104 R01, PLZ (00) 105 R01, PLZ (00) 106 R01, PLZ (00) 107 R01

TWR (00) 103, TWR (00) 103, TWR (00) 111, TWR (00) 115, TWR (00) 119, TWR (00) 123, TWR (00) 127, TWR (00) 131, TWR (00) 135, TWR (00) 139, TWR (00) 143, TWR (00) 146, TWR (00) 150, TWR (00) 151, TWR (00) 152, TWR (00) 153, TWR (00) 154, TWR (00) 155, TWR (00) 156, TWR (00) 157, TWR (00) 158, TWR (00) 159, TWR (00) 160, TWR (00) 161

PLZ (21) 001, PLZ (21) 002, PLZ (21) 003

TWR (21) 100, TWR (21) 101, TWR (21) 102

Reason:

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

3 **Submission of further details - external facing materials**

Samples of all and external facing materials, to the Tower, the Rennie Street building and the Podium building including roof finishes to be used in the carrying out of this development shall be presented on site and approved in writing by the local planning authority prior to works commencing above grade on the relevant building; 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 design and details in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of the Southwark Plan July 2007 and SP12 Design & conservation of the Core strategy (2011).

4 **Submission of further details - mock-up**

Full-scale mock-ups of the cladding to the Tower to be used in the carrying out of this development shall be designed and presented for approval in writing by the local planning authority prior to works commencing above grade on the Tower; 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 design and details in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of the Southwark Plan July 2007 and SP12 Design & conservation of the Core strategy (2011).

5 **Submission of further details - detailed drawings**

1:5/10 section detail-drawings through:

- the double-skin facade to the tower and the winter gardens of the tower, including details of the outer skin glass, transome and louvre components, the integration of the facade cleaning rails into the outer skin, extract/intake grilles for the whole house ventilation system, details of the colour and pattern of the openable doors, fixed clear panels and fixed opaque panels in the inner skin, and the soffit cladding and lighting of the winter gardens;
- the structural columns/walls at the base of the tower and the base details of the skirt and glass outer skin;

- the facades of the Rennie Street building including the roofline;
- the facades of the Podium building including the roofline;
- the cleaning equipment;
- all parapets and roof edges;
- heads, cills and jambs of all openings;
- glazed shop fronts;
- the canopy on Blackfriars Road, including the supporting leg

to be used in the carrying out of this permission shall be submitted to and approved in writing by the local planning authority prior to works commencing above grade on the relevant building; 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 design and details in the interest of the special architectural or historic qualities of the listed building in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of the Southwark Plan July 2007 and SP12 Design & conservation of the Core strategy (2011).

6 **Telecommunications**

Notwithstanding the provisions of Parts 24 and 25 of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no external telecommunications equipment or structures shall be placed on any part of the buildings hereby permitted, without the prior written consent of the local planning authority.

Reason:

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with Strategic Policy 12 – Design and Conservation of the Core Strategy and saved policies 3.2 Protection of amenity and 3.13 Urban Design of the Southwark Plan 2007.

7 **Roof plant**

No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure[s] of any building[s] hereby permitted.

Reason:

In order to ensure that no additional plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with Strategic Policy 12 – Design and Conservation of the Core Strategy and saved policies 3.2 Protection of amenity and 3.13 Urban Design of the Southwark Plan 2007.

8 **Archaeological Evaluation**

The proposed ground-works should be carried out in accordance with the approved written scheme of investigation and watching brief approved by the Council in compliance with condition 8 of permission 06-AP-2117.

Reason:

In order that the archaeological interests of the site are secured in accordance with saved Policy 3.19 of the Southwark Plan 2007.

9 **Archaeological Reporting**

Within 6 months of the completion of archaeological site works, an assessment report detailing post excavation works, publication of the report on the site and preparation of the archive shall be submitted to and approved in writing by the local planning authority and the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the archaeological interests of the site are secured with regard to the details of the post-

excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with saved policy 3.19 of the Southwark Plan 2007 and Strategic Policy 12 of the Core Strategy 2011.

10 **Construction and Environmental Management Plan**

Prior to the commencement of the relevant works, details of a Construction and Environmental Management Plan and Code of Practice shall be submitted to the local planning authority for approval (which shall oblige the applicant/developer and its contractors to minimise disturbances including but not limited to noise, vibration, dust, smoke and plant emissions emanating from the site).

The Plan and Code of Practice shall include:

- A Specification for method and foundation piling and construction works for each building forming part of the development including consideration of environmental impacts and the required remedial measures;
- A Construction Method Statement including a Construction Logistics Plan including those elements identified in Chapter 7 (Construction) of the Environmental Statement.
- A specification of engineering measures, acoustic screening and sound insulation measures required to mitigate or eliminate specific noise impact.
- A Site Waste Management Plan

The development shall not be carried out otherwise than in accordance with the approved plan.

Reason:

To ensure that residents and occupiers of neighbouring buildings do not suffer a loss of amenity by reason of pollution and nuisance in accordance with Strategic Policy 13 of the Core Strategy 2011 and saved policies 3.1, 3.2, 3.6 and 3.10 of the Southwark Plan 2007.

11 **Wheelchair housing**

The development hereby permitted shall provide that a minimum of 10% of all residential flats are identified on a plan as being capable of adaptation to the South East London Housing Guidelines wheelchair standards without further significant structural alteration. Such units shall be fully fitted out on request from any legitimate purchaser prior to first occupation of the relevant unit, at no additional cost to that purchaser.

Reason:

To ensure the provision of residential accommodation for people with disabilities in accordance with Policy 7.2 of the London Plan.

12 **Landscaping**

No building shall be occupied until full details of both hard and soft associated landscape works, including an implementation programme, have been submitted to and approved in writing by the local planning authority (LPA). Hard landscape details shall include proposed finished levels, means of enclosure, pedestrian access and circulation areas, hard surfacing materials and minor artefacts and structures. Soft landscape details shall include planting plans, written specifications and schedules of plants. All hard and soft landscape works shall be carried out in accordance with the approved details and programme.

Reason:

In order that the LPA may be satisfied with the design and details in the interest of the special architectural qualities of the proposed buildings and the public spaces around it in accordance with saved policies 3.12 Quality in Design; 3.13 Urban Design of the Southwark Plan 2007 and Strategic Policy 12 Design and Conservation of the Core Strategy (2011).

13 **Landscaping – replacement**

Any tree or shrub comprised in the approved details of landscaping which, within two years of the completion of either the building works or the landscape scheme (whichever is later), dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season by another of similar size and species.

Reason:

In order that the LPA may be satisfied with the design and details in the interest of the special architectural qualities of the proposed buildings and the public spaces around it in accordance with saved policies 3.12 Quality in Design; 3.13 Urban Design of the Southwark Plan 2007 and Strategic Policy 12 Design and Conservation of the Core Strategy (2011).

14 Hours of Use - retail

The retail uses hereby permitted (A1-A5 uses) (excluding the hotel restaurant which falls into class C1) shall not be carried on outside of hours 07.00 to 23.30h Mondays to Saturdays and 08.00 and 23.00 on Sundays and Bank Holidays.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and Strategic Policy 13 – High Environmental Standards of the Core Strategy 2011.

15 Hours of Use - Hotel Bar and Restaurant

The hotel bar and restaurant hereby permitted shall not be open to any person who is not staying as a guest at the hotel outside the hours of 07.00 to 23.30 on any day.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007 and Strategic Policy 13 – High Environmental Standards of the Core Strategy 2011.

16 Hour of Use – Hotel Roof Terrace

The hotel roof terrace hereby permitted shall not be accessed or used for any purpose including use as a roof terrace or balcony for the purpose of sitting or standing outside of the hours of 09.00 to 22.00h on any day.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007 and Strategic Policy 13 – High Environmental Standards of the Core Strategy 2011.

17 Cycle Storage

Prior to the occupation of each building, details of the cycle storage facilities for the hotel, residential and retail uses in that building shall be submitted to and approved in writing by the local planning authority. Thereafter the cycle parking facilities will be retained and used for no other purposes.

Reason:

In order to ensure satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and reduce reliance on the use of the private car in accordance with strategic policy 2 of the Core Strategy 2011 and saved policy 3.5 Walking and Cycling of the Southwark Plan 2007.

18 Car Parking

No more than 110 car parking spaces shall be provided within the development. The car parking shall thereafter be managed in accordance with the approved Car Park Management Plan to be approved pursuant to the S106 Agreement.

Reason:

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

19 Car Parking – Vehicle Charging Points

Prior to the fit out of the basement, details of the installation (including the location and type) of the electric vehicle charger points within the car park area shall be submitted to and approved in writing by the local planning authority. The electric vehicle charger points shall be installed and the development shall not be

carried out other than in accordance with any such approval.

Reason:

To encourage more sustainable travel in accordance with saved policies 3.1 Environmental Effects and 5.2 Transport Impacts of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

20 Car Parking – Self Park Spaces

The 3 no. self park spaces provided in accordance with plan ref. 7292 A/L PLZ [00] 097 shall be maintained in perpetuity for dedicated use by disabled residents.

Reason:

To ensure the provision facilities for people with disabilities in accordance with policy 7.2 of the London Plan.

21 Service and Delivery Management

All service and delivery activity will be managed in accordance with the approved Service and Delivery Management Plan (Appendix D of the Transport Assessment May 2012).

Reason:

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

22 BREEAM

Before first occupation of each commercial element of each building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) as relevant to that element of the building, shall be submitted to and approved in writing by the local planning authority confirming that BREEAM Excellent is achieved for the hotel and BREEAM Very Good is achieved for the retail uses.

Reason:

To ensure the proposals comply with saved policies 3.3 sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007 and Strategic Policy 13 – High Environmental Standards of the Core Strategy 2011.

23 Code for Sustainable Homes

Before first occupation of the residential building of the development hereby permitted, a certified Post Construction Review (or other verification process agreed with the LPA) as relevant to that building shall be submitted to and approved in writing by the local planning authority confirming that CfSH Level 4 will be achieved.

Reason:

To ensure the proposals comply with saved policies 3.3 sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007 and Strategic Policy 13 – High Environmental Standards of the Core Strategy 2011.

24 Ecology and Habitat Management

The following measures for the mitigation of impact and enhancement of biodiversity, set out in the recommendation of the Environmental Statement (May 2012) , shall be implemented as appropriate in respect of each relevant building in full prior to each building being first brought into use / occupied, or in accordance with the timetable detail in the approved scheme:

- a. Install brown roofs
- b. Black redstart boxes to be installed on the brown roofs
- c. Bat boxed to be installed as part of the development
- d. Hedges, semi mature trees native species to be planted to encourage bats

Reason:

To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to

comply with saved policy 3.28 of the Southwark Plan 2007, and Strategic Policy 11 of the Southwark Core Strategy 2011.

25 **Green/Brown Roofs**

Details of the biodiversity (green/brown) roof(s) relevant to the building to which it relates shall be submitted to and approved in writing by the local planning authority prior to the commencement of the relevant building. The biodiversity (green/brown) roof(s) shall be:

- a. biodiversity based with extensive substrate base (depth 80-150mm)
- b. laid out in accordance with plan 7292 A/L PLZ [00] 102 R01; 7292 A/L PLZ [00] 103 R01; 7292 A/L PLZ [00] 106 R01 and 7292 A/L PLZ [00] 107 R01 hereby approved; and
- c. planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage)

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

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

Reason:

To ensure the proposed development will preserve or enhance the visual amenities of the locality and is designed for maximum benefit of local diversity in addition to the attenuation of surface water runoff in accordance with saved policies 3.12 Quality in Design, 3.13 Urban Design and 3.28 Biodiversity of the Southwark Plan 2007 and Strategic Policy 11 Open Spaces and Wildlife of the Core Strategy 2011.

26 **Flood Risk**

The development permitted by this planning permission shall only be carried out in accordance with the following mitigation measures detailed within the approved Flood Risk Assessment:

- d. all 'more vulnerable' residential accommodation is to be located at the first floor level and above (Section 6.1)
- e. implementation of appropriate flood resilient measures within the ground floor level, where practical considerations allow, using the guidance contained within Approved Document C of the Building Regulations and the document 'Improving the flood performance of new buildings: flood resilient construction' which was published by the Department for Communities and Local Government (CLG) in 2007 (Section 6.1);

The development of each building permitted by this planning permission shall not commence until a surface water drainage scheme for that building based on sustainable drainage principles, where possible, and an assessment of the hydrological and hydro-geological context of the building has been submitted to, and approved by, the local planning authority. The surface water drainage strategy should seek to implement a Sustainable Drainage Strategy (SuDS) hierarchy that achieved reductions in surface water run-off rates to Greenfield rates, in line within the London Plan (Policy 5.13).

Reason:

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

27 **Contamination**

Prior to the commencement of development of each building approved by the planning permission, the following components of a scheme in respect of that building to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- a. a site investigation scheme, based on the above report, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;

- b. the results of the site investigation and detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measure required and how they are to be undertaken;
- c. a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are completed and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action

The scheme shall be implemented as approved.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Saved Policies 3.1 Environmental Effects, 3.2 Protection of Amenity and 3.10 Hazardous Substances of the Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy and the NPPF.

28 **Contamination - unidentified**

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policies 3.1 Environmental Effects, 3.2 Protection of Amenity and 3.10 Hazardous Substances of the Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and the NPPF.

29 **Contamination - post-remediation**

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policies 3.1 Environmental Effects, 3.2 Protection of Amenity and 3.10 Hazardous Substances of the Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy and the NPPF.

30 **SUDS**

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters.

Reason:

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

31 **Flue/Extraction - CHP**

Prior to the commissioning of the CHP, the details of the proposed flue system for the CHP will be submitted for approval by the local planning authority. The approved scheme shall be implemented prior to occupation of

any building served by the CHP and thereafter maintained.

Reason:

To ensure an adequate level of amenity of surrounding local residents by reason of pollution in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007.

32 Flue/extraction - odour

Prior to the occupation of the relevant retail and hotel parts of each building, the details of the proposed odour extraction systems associated with any food and drink uses will be submitted to the satisfaction of the Local Planning Application and implemented prior to occupation of the part of development containing the associated use and thereafter maintained.

Reason:

To ensure an adequate level of amenity of surrounding local residents by reason of pollution in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007.

33 Lighting

Details of the external lighting scheme for the relevant building shall be submitted for the approval of the local planning authority prior to the occupation of each building and maintained thereafter.

Reason:

To ensure an adequate level of amenity of surrounding local residents by reason of pollution in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007.

34 Noise Standards

All residential dwellings shall meet the relevant standards of noise attenuation i.e. 30 dBA_{Leq,t} bedrooms and 30 dBA_{Leq,t} living rooms with closed windows.

Reason:

To ensure an adequate level of amenity of surrounding local residents by reason of pollution in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007.

35 Signage

A signage strategy will be submitted to and approved by the local planning authority prior to occupation. All signage will be provided only within the signage zones indicated on approved plans 7292 A/A PLZ [21] 002 and in accordance with the approved signage strategy.

Reason:

In order that the LPA may be satisfied with the design and details in the interest of the special architectural qualities of the proposed buildings and the public spaces around it in accordance with saved policies 3.12 Quality in Design; 3.13 Urban Design of the Southwark Plan 2007 and Strategic Policy 12 Design and Conservation of the Core Strategy (2011).

36 Refuse Storage

The refuse storage arrangements for the residential uses shown on the approved drawings 7292 A/L PLZ [00] 97 and 7292 A/L PLZ [00] 100 R01; shall be provided and available for use before the first occupation of any dwelling. The facilities provided shall thereafter be retained and shall not be used for any other purpose.

The refuse storage arrangements for the non-residential uses shown on the approved drawings 7292 A/L PLZ [00] 97; 7292 A/L PLZ [00] 99 and 7292 A/L PLZ [00] 100 R01; shall be provided and available for use before first occupation of that part of the development. The facilities provided shall thereafter be retained and shall not be used for any other purpose.

Reason :

To ensure that refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with saved policies 3.2 Protection of Amenity and 3.7 Waste Reduction of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

37 **Land Uses**

Not including the hotel bar and restaurant, at any time, at least 50% of the total overall retail area on the ground floor shall be used for purposes falling within Class A1(shops) or A3 (restaurants) of the Town and Country Use Classes order (1987) as amended and no more than 25% of the retail area should be used for class A4 (drinking establishments) of the Town and Country Planning Use Classes Order 1987 (as amended).

Reason:

In order to ensure that there is an acceptable mix of uses provided on the ground floor, and in the interests of protecting neighbouring residential amenity, in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

Informatives

- 1 The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal Engineer, Infrastructure Group (020 7525 5509), at least 4 months prior to any works commencing on the public highway.
- 2 At least 6 months before the occupation of the new commercial units hereby permitted you are advised that you must obtain the Council's approval for the numbering and naming of buildings and the naming of any new streets created by the development.
- 3 The details and/or samples required by the condition(s) above must be accompanied by a letter stating:
 1. the LBS Reference Number which appears at the top of this decision notice;
 2. the full address of the application site;
 3. which condition(s) you seek to discharge; and
 4. a list of all drawing numbers/ sample name and manufacturer, together with the condition(s) they relate to.

All samples submitted must be clearly labelled with the LBS Reference Number of the original application and the address of the application site.

Please note that the approval of details are subject to the same eight week timeframe as a full planning permission.

- 4 The archaeology officer can, on request, provide an archaeological brief detailing the methodology of the archaeological programme and can also provide information concerning archaeological organisations who work frequently within the borough and who may be able to carry out the works.

Item No. 6.2	Classification: OPEN	Date: 9 October 2012	Meeting Name: PLANNING COMMITTEE
Report title:	Development Management planning application: Application 12/AP/2608 for: Full Planning Permission Address: 1-16 BLACKFRIARS ROAD, LONDON SE1 Proposal: Erection of a three storey building for use as a marketing suite in connection with the redevelopment of the main site (under reference 12-AP-1784) for a temporary period of 5 years, together with associated car parking and landscaping.		
Ward(s) or groups affected:	Cathedrals		
From:	HEAD OF DEVELOPMENT MANAGEMENT		
Application Start Date 08/08/2012		Application Expiry Date 03/10/2012	

RECOMMENDATION

- 1 That planning permission be GRANTED for a temporary period of 5 years.

BACKGROUND INFORMATION

- 2 The proposed marketing suite would be used solely for the purposes of marketing the flats within the building proposed to be erected by St George plc at 1 Blackfriars Road. The report relating to that scheme (ref:12-AP-1784) is contained elsewhere on this agenda and contains background information on the site and its context.

Details of proposal

- 3 The proposed development involves the erection of a 3 storey building containing three show flats on the first and second floors, and a sales and marketing office on the ground floor. The building would have a maximum height of 14 metres above local ground level (19.39m AOD). It is sited on the south east corner of the cleared site, adjacent to the current left turn north-bound slip road. 5 car parking spaces are provided adjacent to the building, and cycle stands capable of accommodating 12 cycles.
- 4 Permission has been sought for a temporary period of 5 years. It is envisaged that the building would remain in place during construction of the main tower building, but would need to then be removed to enable the construction of the 'podium building' containing residents' facilities, plant and retail units.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 5 The main issues to be considered in respect of this application are:

- a) the impacts of the marketing suite on the amenity of nearby occupiers;
- b) design issues, including impact on heritage assets; and
- c) traffic issues.

Planning policy

6 Core Strategy 2011

Strategic Targets Policy 1 - Achieving growth
 Strategic Targets Policy 2 - Improving places
 Strategic Policy 10 - Jobs and businesses
 Strategic Policy 12 - Design and conservation

Southwark Plan 2007 (July) - saved policies

- 7 Policy 1.1 Access to employment opportunities
- Policy 1.7 Development within town and local centres
- Policy 1.8 Location of developments for retail and other town centre uses
- Policy 3.2 Protection of amenity
- Policy 3.11 Efficient use of land
- Policy 3.12 Quality in design
- Policy 3.13 Urban design
- Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites
- Policy 5.1 Locating developments
- Policy 5.2 Transport impacts

8 London Plan 2011

2.13 Opportunity Areas and intensification areas
 2.15 Town centres
 6.13 Parking
 7.6 Architecture

National Planning Policy Framework (NPPF)

- 9 The NPPF came into effect on 27 March 2012 and is a material planning consideration.

Principle of development

- 8 Should planning permission be granted for the main development, then it would be appropriate to allow for on site facilities to market the proposed flats. This would ensure that the development could maximise opportunities to secure purchasers for the units. The marketing suite is intrinsically linked to the main development, and raises no land use issues which require separate consideration. The building would remain in place only during the period leading up to and during construction (up to a maximum of 5 years from the date of the permission) which is acceptable.

Environmental impact assessment

- 9 The proposed development is not of a size or nature to require an environmental impact assessment or submission of an environmental statement.

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

- 10 The proposed development will be in the south east corner of the site - the nearest

neighbours will be 1 and 3 Stamford Street. The marketing suite takes the same scale as the proposed Podium building within the main development. As such, there are no concerns in relation to overshadowing or loss of light or outlook.

- 11 The use is not anticipated to generate any significant noise or disturbance. The visitor numbers are likely to be limited, and given the location on a busy road junction (and within a large construction site) the impacts would not adversely affect amenity.

Traffic issues

- 12 TfL have raised concerns over the level of parking proposed on the site. However, given the temporary nature of the development, and the small number of spaces (5), it is not considered to be of sufficient impact to warrant refusal of planning permission.
- 13 There is a concern in relation to vehicles exiting the site that may attempt to cross the slip lane and turn right into Stamford Street across two lanes of oncoming traffic. This can be mitigated against by the imposition of a condition to require drivers to turn left only on exiting the site.

Design issues

- 14 As it is a marketing suite for the tower, the building is designed as a 3 storey representation of a section of the tower. The flank of the tower form will face the traffic junction whilst the curved facade will face north to reflect the prow of the tower.
- 16 The majority of the elevation also reflects the design of the tower, consisting of a dual skin glazed facade. The base of the building and the lift core on the western end will be clad in natural stone. The materials are considered to be of very high quality for a temporary building.
- 17 The site is enclosed by a low boundary wall along the street edge, with low level shrub planting behind. Overall, the development would present a modestly scaled and high quality building which would be acceptable.

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

- 18 1 and 3 Stamford Street are located opposite the site and are both Grade II Listed. Given the temporary nature of the development and that it is of similar scale to the Podium building in the main development, there are no concerns in relation to impact on the listed buildings.

Planning obligations and other matters

The application is classified as a 'Minor' development, and is a temporary use. Its impacts do not require specific mitigation, and it is therefore not appropriate to require a S106 agreement in relation to this marketing suite. Similarly, the scale and temporary nature of the building would not warrant the inclusion of renewable energy technologies.

Conclusion on planning issues

- 19 The proposed marketing suite is considered to be a very high quality development for a temporary building. Its scale is modest, and the level of use (akin to a small scale High Street estate agency) would not adversely impact on amenity in the surrounding area. It is therefore recommended that planning permission be granted for a temporary period of 5 years.

Community impact statement

- 20 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

- 21 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1. Details of consultation responses received are set out in Appendix 2.

Summary of consultation responses

- 22 TfL: concern over parking levels.

Human rights implications

- 23 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.
- 24 This application has the legitimate aim of providing a marketing suite. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1390-1 Application file: 12/AP/2608 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone:: 020 7525 5906 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Gordon Adams, Senior Planning Officer	
Version	Final	
Dated	28 September 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	28 September 2012	

APPENDIX 1**Consultation Undertaken**

Site notice date: 17/08/2012

Press notice date: N/A

Case officer site visit date: July 2012 unaccompanied.

Neighbour consultation letters sent: 15/08/2012 to 205 nearby occupiers

Internal services consulted:

- Design and conservation
- Transport Planning

Statutory and non-statutory organisations consulted:

- Transport for London
- Environment Agency

Consultation Responses Received

Internal services

Design and conservation: no objections raised

Transport Planning: no objections raised

Statutory and non-statutory organisations

Transport for London: concerns raised in relation to 5 parking spaces, access point and visibility

Environment Agency: no objection, subject to conditions

Neighbours and local groups

No submissions received.

RECOMMENDATION LDD MONITORING FORM REQUIRED

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	St George South London Ltd	Reg. Number	12/AP/2608
Application Type	Full Planning Permission	Case Number	TP/1390-1
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of a three storey building for use as a marketing suite in connection with the redevelopment of the main site (under planning permission ref 12-AP-1784) for a temporary period of 5 years, together with associated car parking and landscaping.

At: 1-16 BLACKFRIARS ROAD, LONDON SE1

In accordance with application received on 08/08/2012

and Applicant's Drawing Nos. 0208935-HL-SW-GF-DR-P-590-9010 Rev P1, 7297-P-Z7-A-F100-P-00-001, 7297-P-Z7-A-F100-P-00-002, 7297-P-Z7-A-F100-P-00-003, 7297-P-Z7-A-G100-P-00, 7297-P-Z7-A-G200-P-00, 7297-P-Z7-A-G200-P-01, 7297-P-Z7-A-G200-P-02, 7297-P-Z7-A-G200-P-RF, 7297-P-Z7-A-G200-E-NE, 7297-P-Z7-A-G200-E-NW, 7297-P-Z7-A-G200-E-SE, 7297-P-Z7-A-G200-E-SW, 7297-P-Z7-A-G200-S-AA, 7297-P-Z7-A-G200-S-BB

Marketing Suite Foundations, Construction Management Plan, Transport Statement, Flood Risk Assessment, Design & Access Statement

Reasons for granting permission.

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

Strategic policies of the Core Strategy 2011

Strategic Policy 1 – Sustainable development
Strategic Policy 2 – Sustainable transport
Strategic Policy 12 – Design and conservation

Saved policies of the Southwark Plan 2007

Policy 3.2 Protection of Amenity.
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 5.2 Transport Impacts.
Policy 5.3 Walking and Cycling.

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 building hereby permitted shall not be retained after 5 years from the date of this decision, on or before which date the building shall be removed from the site.

Reason

To ensure the temporary building required for marketing purposes is removed within an appropriate timeframe.

- 2 Unless equivalent details have previously been discharged under planning permission 12-AP-1784, details of all external materials (including samples) shall be submitted to and approved by the local planning authority

prior to the commencement of any above grade works.

Reason

In order that the local planning authority may be satisfied as to the design and details in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of the Southwark Plan July 2007 and SP12 Design & conservation of the Core Strategy (2011).

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policies 3.1 Environmental Effects, 3.2 Protection of Amenity and 3.10 Hazardous Substances of the Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and the NPPF.

- 4 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policies 3.1 Environmental Effects, 3.2 Protection of Amenity and 3.10 Hazardous Substances of the Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and the NPPF.

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

0208935-HL-SW-GF-DR-P-590-9010 Rev P1, 7297-P-Z7-A-F100-P-00-001, 7297-P-Z7-A-F100-P-00-002, 7297-P-Z7-A-F100-P-00-003, 7297-P-Z7-A-G100-P-00, 7297-P-Z7-A-G200-P-00, 7297-P-Z7-A-G200-P-01, 7297-P-Z7-A-G200-P-02, 7297-P-Z7-A-G200-P-RF, 7297-P-Z7-A-G200-E-NE, 7297-P-Z7-A-G200-E-NW, 7297-P-Z7-A-G200-E-SE, 7297-P-Z7-A-G200-E-SW, 7297-P-Z7-A-G200-S-AA, 7297-P-Z7-A-G200-S-BB

Reason:

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

- 6 Signage shall be erected at the egress point from the car park advising drivers to turn left only.

Reason

In order to that the Council may be satisfied that the proposal will not compromise highway safety in accordance with saved policy 5.2 of the Southwark Plan 2007.

Informative

The A3200 Stamford Street forms part of the Transport for London Road Network; a Section 278 agreement under the Highways Act 1980 with TfL is required to create a vehicular crossover on Stamford Street as well as reinstate the footway once constructed. Furthermore, once the temporary period has expired, the applicant will be required to reinstate the footway as exists currently, though it is acknowledged this area forms part of the area covered by the proposed Blackfriars Road Urban Realm improvement scheme.

Date 28/9/2012



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Item No. 6.3	Classification: OPEN	Date: 9 October 2012	Meeting Name: PLANNING COMMITTEE
Report title:	Development Management planning application: Application 12/AP/2332 for: Full Planning Permission Address: 1-27 AND 28-59 WOLVERTON, SEDAN WAY, (SITE 7 AYLESBURY ESTATE REGENERATION) LONDON, SE17 2AA Proposal: Demolition of existing buildings and redevelopment of the site to provide 147 residential units including flats, maisonettes and houses (30 x 1 bed, 71 x 2 bed, 13 x 3 bed, 28 x 4 bed, 5 x 5 bed) of which 58% would be affordable housing. The proposed residential blocks range between 3 and 10 storeys in height (10 Storeys at Thurlow Street) with a basement car park together with new vehicle access, plant, landscaping, cycle storage and refuse/recycling facilities.		
Ward(s) or groups affected:	Faraday		
From:	HEAD OF DEVELOPMENT MANAGEMENT		
Application Start Date 19/07/2012		Application Expiry Date 18/10/2012	

RECOMMENDATION

- 1 That planning permission be granted subject to conditions, and the applicant first entering into an appropriate legal agreement by no later than 18 October 2012.

In the event that the legal agreement is not entered into by 18 October 2012, the head of development management be authorised to refuse planning permission for the reasons set out in paragraph 91 of the report.

BACKGROUND INFORMATION

Site location and description

- 2 The site is situated at the northern boundary of the Aylesbury Estate bounded by Thurlow Street to the west and Taplow to the opposite site of Thurlow Street. The site is bounded by East Street to the north, Sedan Way to the east and to the south of the site is Wolverton, with an estate road serving garages within this block. The site has an area of 0.88 hectares.
- 3 The site currently consists of a 4-5 storey residential block set back from the street that contains 59 residential units. In total 41 of the units in the block were social rented housing. The majority of the units are now vacant, however some leaseholders and housing tenants remain. A hard surfaced fenced play area is situated within the site, however this now appears to be disused. There are a number of mature trees on the site and areas of grassed open space fronting East Street and Thurlow Street. The area immediately surrounding the site is predominantly residential consisting of housing blocks ranging between 3 and 14 storeys. To the north of the site, on East Street, is a two storey terrace with retail uses to the ground floor and residential

above.

Details of proposal

- 4 Following a competitive tender process, the applicant London and Quadrant Housing Trust (L&Q) were selected as the council's partner to develop Aylesbury site 7. L&Q were also the developers of site 1a in the south west corner of the estate, which is now largely complete. The proposals have been worked up taking into account the guidance within the AAAP, to ensure any proposed development would meet the aspirations for the Aylesbury Estate and create a mixed tenure community with high quality homes and spaces.
- 5 The application proposes to demolish the existing building at the site and redevelop the site to provide 147 residential units consisting of 30 x 1 bed, 71 x 2 bed, 13 x 3 bed, 28 x 4 bed and 5 x 5 bed homes. It is proposed that 57.9% of the habitable rooms provided would be affordable housing. The proposal would provide a basement car park area (with 44 car parking spaces) with a new vehicle access from the south of the site.
- 6 The proposed site layout seeks to address the street frontages and the proposed buildings are arranged as two perimeter blocks set around landscaped courtyard areas. The proposed residential blocks range between 3 and 10 storeys in height (10 storeys at the corner of Thurlow Street and East Street). A mews street runs centrally through the site linking East Street to the north and the existing estate road to the south. The site layout allows the retention of 3 existing high value trees on East Street and Thurlow Street.

Planning history

- 7 Application ref: 12-AP-0087 for: 'Screening Opinion in order to establish whether the proposed development would require an Environmental Impact Assessment (EIA)'. Decision – EIA not required.
- 8 Application ref: 12-PA-0023. Prior approval sought for 'Demolition of existing buildings to provide a cleared site for future residential development in accordance with planning application 12-AP-2332'. Decision – application currently under consideration.

Planning history for adjoining sites

- 9 None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 10 The main issues to be considered in respect of this application are:
 - a) the principle of the development in terms of land use;
 - b) density;
 - c) the impact of the development on adjoining occupiers;
 - d) the impact of adjoining uses on the proposed development;
 - e) design issues, including impacts on heritage assets;

- g) housing mix and affordable housing provision
- h) quality of the accommodation proposed;
- i) the impact of the development in relation to traffic
- j) sustainability and energy
- k) section 106 implications.

Planning policy

- 11 Under the Southwark Core Strategy, the site is situated in the Urban Density Zone, an Air Quality Management Area and a Flood Risk Zone. The site has a Public Transport Accessibility Level (PTAL) of 3 which indicates moderate access to public transport.
- 12 The site is identified as 'Site 7' within the Aylesbury Area Action Plan (AAP) which sets out a vision for the regeneration of the Aylesbury Estate over the next 15-20 years. For more than a decade, the estate has been falling into decline and numerous options to redevelop or refurbish the estate have been explored. In September 2005, having studied the structural condition of the estate, the quality of the environment and the costs of refurbishment, the council concluded that refurbishment of existing homes to a decent standard would not be feasible and the costs too high. As such, the decision was taken to demolish and redevelop the estate to provide a better place for residents to live, within a high quality mixed tenure neighbourhood.
- 13 The AAP was prepared in several stages with extensive community consultation. Each stage of the AAP was subject to a sustainability appraisal and an equalities impact assessment. An examination in public was held in September 2009, and the Inspector subsequently concluded that the AAP was sound. The AAP was formally adopted by the council in January 2010. The AAP is in general conformity government guidance, London Plan policies and Southwark policies. However, in some instances the AAP sets out different standards to London Plan and Southwark policies and SPDs. In these cases, the AAP guidance will generally take priority since it provides policy specific to this location. However, where there have been policy changes since the adoption of the AAP, for instance in terms of unit sizes, the more recent policy guidance will have significant weight as a material consideration. The AAP policies in relation to specific issues such as density, height and housing mix are outlined in further detail within the relevant paragraphs below.

Core Strategy 2011

- 14 The relevant strategic policies of the core strategy include:
 - 1 – Sustainable development
 - 2 – Sustainable transport
 - 5 – Providing new homes
 - 6 – Homes for people on different incomes
 - 7 – Family homes
 - 10 – Jobs and businesses
 - 11 - Open spaces and wildlife
 - 12 – Design and conservation
 - 13 – High environmental standards.

Southwark Plan 2007 (July) - saved policies

- 15 The relevant Strategic Policies of the Southwark Plan include:
 - SP1 – Sustainability, equality and diversity;

SP3 – Quality and accessibility;
 SP6 – Accessible services
 SP10 – Development impacts;
 SP11 – Amenity and environmental impact;
 SP12 – Pollution;
 SP13 – Design and heritage;
 SP14 – Sustainable buildings;
 SP15 – Open space and biodiversity;
 SP17 – Housing
 SP18 – Sustainable transport.

- 16 The relevant Policies of the saved Southwark Plan include:
- Policy 2.5 – Planning Obligations;
 - Policy 3.1 – Environmental effects;
 - Policy 3.2 – Protection of amenity;
 - Policy 3.3 – Sustainability assessment;
 - Policy 3.4 – Energy efficiency;
 - Policy 3.6 – Air quality;
 - Policy 3.7 – Waste reduction;
 - Policy 3.8 – Waste management;
 - Policy 3.9 – Water
 - 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 3.15 – Conservation of the historic environment
 - Policy 3.16 – Conservation areas;
 - Policy 3.17 – Listed Buildings;
 - Policy 3.19 – Archaeology;
 - Policy 3.28 – Biodiversity;
 - Policy 4.2 – Density of residential development;
 - Policy 4.2 – Quality of residential accommodation;
 - Policy 4.4 – Affordable housing;
 - Policy 4.5 – Wheelchair affordable housing;
 - Policy 4.6 – Loss of residential accommodation;
 - Policy 5.1 – Locating developments;
 - Policy 5.2 – Transport Impacts;
 - Policy 5.3 - Walking and Cycling;
 - Policy 5.4 – Public transport improvements;
 - Policy 5.6 – Car parking;
 - Policy 5.7 – Parking and standards for disabled people and the mobility impaired.

London Plan 2011

- 17 The relevant policies for the London Plan include:
- Policy 3.3 - Increasing housing supply
 - Policy 3.4 - Optimising housing potential
 - Policy 3.5 - Quality and design of housing developments
 - Policy 3.6 - Children and young people's play and informal recreation facilities
 - Policy 3.7 - Large residential developments
 - Policy 3.8 - Housing choice
 - Policy 3.9 - Mixed and balanced communities
 - Policy 3.10 - Definition of affordable housing
 - Policy 3.11 - Affordable housing targets
 - Policy 3.12 - Negotiating affordable housing
 - Policy 3.13 - Affordable housing thresholds
 - Policy 5.1 - Climate change mitigation

Policy 5.2 - Minimising carbon dioxide emissions
 Policy 5.3 - Sustainable design and construction
 Policy 5.7 - Renewable energy
 Policy 5.8 - Innovative energy technologies
 Policy 5.12 - Flood risk management
 Policy 5.16 - Waste self-sufficiency
 Policy 5.17 - Waste capacity
 Policy 6.1 - Strategic approach
 Policy 6.3 - Assessing effects of development on transport capacity
 Policy 6.4 - Enhancing London's transport connectivity
 Policy 6.5 - Funding Crossrail and other strategically important transport infrastructure
 Policy 6.7 - Better streets and surface transport
 Policy 6.9 - Cycling
 Policy 6.10 - Walking
 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 7.8 - Heritage Assets and Archaeology
 Policy 8.2 - Planning obligations.

Adopted Supplementary Planning Documents

- 18 Relevant documents include:
- Aylesbury Area Action Plan (2010)
 - Residential Design Standards (2011)
 - Affordable Housing (2008) and draft Affordable Housing SPD (2011)
 - Sustainability Assessment (2009)
 - Sustainable Design and Construction (2009)
 - S.106 Planning Obligations (2007).

National Planning Policy Framework (NPPF)

- 19 Relevant documents include:
- Section 1 'Delivering Sustainable Development'
 - Section 4 'Promoting Sustainable Transport'
 - Section 6 'Delivering a wide choice of high quality homes'
 - Section 7 'Requiring good design'
 - Section 12 'Conserving and enhancing the historic environment'.

Principle of development

- 20 The Aylesbury Area Action Plan (AAP) sets out aspirations for the regeneration of the Aylesbury Estate. The plan sets out principles for the redevelopment of each of the sites anticipated to come forward over the next 15-20 years. The AAP outlines that site 7, forms part of phase 1 of the Aylesbury Estate regeneration and that site 7 is designated for residential use, with an estimated capacity of up to 165 homes.
- 21 The proposal is a housing regeneration scheme and therefore the loss of the existing residential accommodation must be considered. Saved policy 4.6 'Loss of residential accommodation' in the Southwark Plan 2007 seeks to resist the net loss of residential floorspace. More specifically in relation to affordable housing, Policy 3.14 'Existing Housing' in the London Plan 2011 resists the loss of housing and in the case of estate renewal, where redevelopment of affordable housing is proposed, it should not be

permitted unless it is replaced by better quality accommodation, providing at least an equivalent floorspace of affordable housing.

- 22 The existing housing provision on the site is 59 units, of which 18 were or still remain as leaseholder properties. As such, the affordable housing provision on site totals 41 rented units. The proposed scheme would provide 76 affordable housing units of which 75% (by habitable room) would be social rented accommodation. Overall there would be no net loss of residential floorspace, or affordable housing floorspace across the site and therefore the proposal complies with policy, providing that high quality replacement housing is provided.
- 23 The site is currently in residential use and the surrounding uses are predominantly residential. The principle of residential uses on this site is appropriate given the existing uses in the area and in accordance with the requirements of the AAAP.
- 24 The redevelopment of this site would result in the loss of an existing multi use games area (MUGA). The AAAP accounts for the playspace needs across the masterplan area and provides indicative locations for doorstep playable space, local playable space, neighbourhood playable space and youth space. There is no requirement within the AAAP to re-provide the existing MUGA at site 7, and therefore it is acknowledged that an equivalent or similar facility will not be re-provided until future stages of the masterplan come forward for redevelopment. The site is within close proximity of numerous open space facilities and provides playspace on site for residents of the development. Furthermore, the applicants have agreed to provide a £127,299 financial contribution towards sports facilities in addition to the AAAP infrastructure tariff. Overall, whilst the short term loss is regrettable, the longer term benefits of bringing the scheme forward on balance mean this can be accepted in this case.

Environmental impact assessment

- 25 A screening opinion has been issued for this site, which concluded that the development would not constitute EIA development as the development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.
- 26 The proposed development does not constitute EIA development as defined under Schedule 1 of the Regulations. The proposal does constitute an 'Urban Development Project' under Schedule 2 10(b) on the basis that the site area falls above the 0.5 hectare threshold. An assessment of the proposal based on the 'selection criteria' set out in Schedule 3 of the Regulations suggests that the proposal would not give rise to significant environmental effects. The development is outside any designated 'sensitive site' for the purposes of the regulations, rendering the development non-EIA development. Nonetheless, the local context will be an important consideration when assessing the impacts of the development generally. Overall, it is considered that the proposal falls outside of the formal definition of EIA development and therefore an EIA would not be required. The likely environmental effects (which would be localised in nature) could be addressed and mitigated where required as part of the planning application procedure. There are no aspects of the detailed design of the scheme as submitted as part of this planning application, that have altered the view regarding the schedule 3 criteria for screening.
- 27 The site forms part of the Aylesbury Area Action Plan (AAAP) area. Whilst the site forms part of an area expected to be redeveloped over the next 15-20 years, there are no current proposals within close proximity under consideration within the Aylesbury Estate and nearby sites are not expected to come forward for a number of years. The application does not form part of an outline application for a wider area, and is being

considered as a stand alone application. Whilst there is an implemented planning permission at phase 1A of the Aylesbury Estate, this is a significant distance away from site 7, and the combined scale of the developments would not give rise to significant environmental impacts.

Density

- 28 The site is situated within the 'Urban Zone' where a density of between 200 and 700 habitable rooms per hectare is expected. The AAAP outlines a density range of 601-700 habitable rooms per hectare for site 7.
- 29 Based on the site area of 0.88 hectares, the development of 541 habitable rooms equates to a density of 615 habitable rooms per hectare. The density sits within the required density range, which is considered acceptable in principle, subject to an appropriate quality of accommodation, design, and all other material considerations being found acceptable.

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

- 30 Saved policy 3.2 'Protection of Amenity' within the Southwark Plan seeks to protect the amenity of existing and future occupiers in the surrounding area or on the site.

Overlooking

- 31 Southwark's Residential Design Standards SPD recommends that developments achieve a minimum distance of 12 metres between facing buildings across a highway and a minimum of 21 metres as a back to back distance, to avoid unacceptable overlooking. All of the windows would exceed the 12m minimum across a highway to neighbouring buildings, which is acceptable. Within the proposed development itself, minimum back to back distances where windows directly overlook each other are met. The only exception is the mews street, which is 9m wide. However, this accords with the AAAP which set out a desire for a narrow Mews Street, to create a different character and an intimate streetscene largely designed for pedestrian movement. Windows have been designed to keep direct overlooking to a minimum and therefore in this case the scale of the mews street is considered acceptable.

Outlook and sense of enclosure

- 32 Given the scale of the building and distance from neighbouring occupiers, which meets the minimum separation distances set out in the Residential Design Standards SPD, the proposal is considered acceptable in terms of outlook and sense of enclosure and would not have an unacceptable impact on neighbouring residential amenity. Within the development itself, the layout and scale is considered appropriate and would not give rise to unacceptable outlook or sense of enclosure to future occupiers.

Daylight and Sunlight

- 33 The applicant submitted a daylight and sunlight report prepared by XCO2 Energy dated January 2012. The report assessed an earlier version of the scheme, and although the massing was largely similar, an addendum was submitted dated September 2012, which assessed the scheme again using the exact massing of the scheme proposed within this application. The report assesses the daylight and sunlight levels into the surrounding dwellings against the relevant BRE guidelines 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' (1991). The BRE guidelines are a recognised mechanism within Southwark's Residential Design

Standards SPD to establish the impact of development in terms of daylight and sunlight.

- 34 The principal test used within the report is Vertical Sky Component (VSC). This test assesses the level of daylight entering existing rooms by considering the amount of available daylight from the sky reaching a window and is measured on the outside of that window. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that the VSC can be reduced by about 20% of their original value before the loss is noticeable. If the window fails the VSC test, then a further calculations should be carried out. Average Daylight Factor (ADF), which determines the natural daylight appearance of a room, takes account of the interior dimensions and surface reflectance. The ADF values recommended by the BRE guide are 2% for family kitchens, 1.5% for living rooms and 1% for bedrooms.
- 35 The most affected lower level residential windows in the buildings surrounding and facing the site were tested. The tests were calculated for 211-239 East Street, Dunicco House, 61-84 Wolverton and Taplow (windows fronting Thurlow Street).
- 36 Out of a total of 54 windows tested, 4 windows did not meet the BRE guidelines for VSC. All other windows passed the test and therefore it is concluded that the proposal would not have a noticeable impact on daylight to these occupiers. The 4 windows (3 situated on East Street and 1 window in Wolverton to the south) that fail the VSC test have been tested for ADF and the results show that the windows would receive ADFs in excess of the recommended levels for all types of habitable room. As such, in accordance with the BRE guidelines, the proposal would not have a harmful impact on neighbouring occupiers in terms of daylight.
- 37 The report also assesses the impact of the development on sunlight. The availability of sunlight is dependant on the orientation of the window or area of ground being assessed relative to position of due south. The Annual Probable Sunlight Hours (APSH) is considered for all windows facing within 90 degree of due south. BRE guidelines require that a window should received a minimum of 25% of the annual probable sunlight hours, of which, 5% should be received in winter, or the window should not have more than a 20% loss of its former value.
- 38 In terms of sunlight, 26 windows were tested. The results show that 24 windows would meet the required BRE guidelines for APSH throughout the year. The 2 windows that fall below the recommended BRE criteria, are within 85 degrees of due south and only just fall within the criteria for testing and are heavily shaded by an existing wall. Both windows would still receive 77% and 66% of their former annual sunlight hours as a result of the development. Whilst there is a loss of sunlight to these windows over the recommended BRE guidelines, it is considered that overall, taking into account the urban environment, the existing constraints and the good daylight to these windows, sufficient sunlight levels would remain.
- 39 Overall, the development would not have an unacceptable impact upon daylight and sunlight to neighbouring residential occupiers.

Daylight levels within the proposed development itself were tested and the results show that the large majority of rooms would exceed the BRE guidelines and good daylight levels would be achieved. Whilst 3 of the 18 rooms tested would fall below the BRE criteria for ADF, these are worst case scenario for a very small proportion of the development and overall all units are considered to have good outlook and the majority are dual aspect. As such the quality of accommodation is considered acceptable in terms of daylight.

Overshadowing

- 40 Whilst not specifically tested in the daylight and sunlight report, it is not considered that the proposal would cause unacceptable overshadowing to nearby public open spaces. There would be some overshadowing for part of the day to the existing pavement seating area opposite the site on the corner of East Street, however given the nature of the building, this would be limited to a small proportion of the day and the overall impact would not be sufficient to cause significant concern.
- 41 An overshadowing analysis of the 2 proposed communal courtyards within the development show that there would be overshadowing to the southernmost part of the spaces. However, this is restricted to a limited area and the majority of the courtyard space would have good daylight levels throughout the year and would be an acceptable, useable space for residents.

Impact of adjoining and nearby uses on occupiers and users of proposed development

- 42 The area surrounding the site is predominantly residential in nature with the exception of some commercial uses on the opposite side of Thurlow Street and East Street. The site is situated on a well trafficked road, however it is not considered excessive in terms of noise and pollution. The commercial uses surrounding the site are not of a scale that is likely to give rise to unacceptable noise levels to proposed units and given the existing residential uses on and surrounding the site, the impact on future occupiers is considered acceptable.

Design issues

- 43 The AAAP sets out a design approach that seeks to ensure streets are designed as attractive public spaces with landscaping as an integrated part of developments. The AAAP clearly sets out a desire to introduce a finer urban grain to the Aylesbury Estate and move away from the large uniform building blocks that currently exist. Developments should be designed to create variation, active and well overlooked streets and open spaces, using materials that exude quality and permanence. Building blocks should take the form of a 'perimeter block' facing the street with a central and secure communal space, 'mews blocks' fronted with terrace homes and 'special buildings' where it is appropriate to provide a landmark building. Blocks should be designed so that relatively few apartments are served off each core and most apartments should be dual aspect. Homes should look directly onto the street and communal garden areas and contain frequent entrances onto the street.

44 Site layout

The site layout is divided into two perimeter blocks centred around two communal garden areas for residents. A mews street would be created through the centre of the site, providing a predominantly pedestrian and cycle route from north to south. The proposed site layout is considered a logical approach that would establish well defined streets and permeability across the site. The buildings are designed to provide ground floor flats, maisonettes and houses, each with front doors onto the street, having the benefit of increasing street activity and creating a finer urban grain. Whilst the two centrally located communal courtyards would be publicly accessible, the spaces are intended to specifically serve the needs of the development, which is an acceptable approach. It is not considered that this would create a hostile environment or a gated community, given the outward facing design of the scheme which engages with the street, provides public open space to the corner on Thurlow Street, and provides a publicly accessible mews street across the site. Overall the site layout is acceptable.

Scale and massing

- 45 The application proposes an 8-10 storey block fronting Thurlow Street. At the corner with East Street, the proposal would rise to 10 storeys and features a public space directly onto the street corner. The remainder of the site is predominantly 3-4 storeys, with the exception of the block fronting Sedan Way, which rises to 6 storeys in height.
- 46 The concentration of height across the site is focused towards Thurlow Street. This is considered appropriate given the existing context and accords with the guidance within the AAAP, which outlines building heights along Thurlow Street of between 7-10 storeys. The proposed 10 storey building at the corner of Thurlow Street and East Street, would create a strong visual marker to the entrance to the Aylesbury Estate neighbourhood, when arriving from the north. The building is articulated into two vertical parts defined using a brick setback to break up the massing of the building and provide a more interesting form. The building would be located at a junction of local significance and providing the building has high architectural quality, the scale is considered appropriate.
- 47 Two 4 storey blocks are proposed fronting East Street, which is considered appropriate and would respect the change in scale on the opposite side of the street. The 3 storey town houses proposed on the mews street and to the south of the site, are considered appropriate and would emphasise the character of a traditional domestic street. The proposed 6 storey block fronting Sedan Way would replace the existing 5 storey building and would appear as a predominantly 5 storey building, with a set back top floor. Taking into account the existing context to this corner of the site, the proposed height in this location is considered appropriate and would define the western edge and provide a strong street frontage to Sedan Way.

Detailed design

- 48 The proposed 4 storey frontage onto East Street has a strong vertical rhythm to the fenestration pattern, which defines individual plot widths, reflective of the character of the terraces opposite. The 5/6 storey block fronting Sedan Way would use a similar approach with the duplex units at ground and first floor defined by brickwork and window fenestration details. Both blocks would have individual front doors onto the street. The 3 storey houses on the mews street and to the southern elevation would each have rear gardens and to the southern elevation, would have front gardens to provide separation from the street. The houses on the mews street itself front directly onto the mews, which is considered appropriate given this street is proposed for pedestrian and cycles only (except for refuse collection and emergency access) and would create a diversity of streetscapes across the site and achieve the intimate character of a mews as required by the AAAP.
- 49 The buildings across the scheme are predominantly brick, which is considered appropriate to the character of the area. Across the scheme, two types of complimenting bricks would be used to define the base of the buildings and add variation and character across the scheme. Recessed feature brick panels around the windows add visual interest. Where set back top floors are proposed across the site, a light glazed brick is proposed for the top floor, which is considered acceptable subject to samples being secured by condition.
- 50 The taller buildings along Thurlow Street would define the principal north south route through the estate. The ground floor duplex units are articulated by window fenestration and a subtly contrasting brick with individual front doors fronting the street. The 10 storey corner building requires a special quality to ensure it is a successful local marker. Glazed bricks or a high quality white brick is proposed in part on the 10 storey vertical corner of the building, which is considered an acceptable

approach and is likely to be more successful than panelling or render, to achieve quality and distinguish this corner. Subject to conditions, the design approach is considered acceptable.

- 51 The quality of the materials and brickwork is crucial to the success of the scheme. In principle, the proposed approach is acceptable, however further details of features such as balconies, and use of all materials across the elevations are required and the submission of samples for approval will be secured by condition, to ensure a high quality finish is achieved. Further details regarding the hard and soft landscaping generally across the scheme is also required, and will be subject to condition.

Impact on heritage assets

- 52 The closest boundary of the Liverpool Grove Conservation Area is situated approximately 125m from the proposed development. Between the conservation area and the proposal site is Taplow, which is a 14 storey residential slab block extending along the line of Thurlow Street. Given the presence of this block and the separation distance, it is not considered that the proposal would be visible from the Liverpool Grove Conservation Area. It is concluded that there would be no harmful impacts on the setting of the conservation area. Similarly, the proposed development is situated 150 metres from the closest listed terrace of buildings in Surrey Square. Taking into account the distance and existing built form within the area, it is not considered that the proposed development would impact the setting of these listed buildings or any other listed buildings within the area. There would be very limited, if any, views of the proposal from the listed buildings within Surrey Square and therefore it is concluded that the development would not have a harmful impact on local heritage assets.

Design Conclusions

- 53 Overall, the proposed site layout, scale, massing and design approach responds to the context surrounding the site and accords with the aims of the AAAP. Further details regarding materials, detailed finishes and landscaping will be secured by condition to ensure the anticipated and required design quality to ensure the scheme is a success, is achieved.

Impact on trees

- 54 It is proposed to remove 33 existing trees to facilitate the redevelopment of the site. It is acknowledged that a number of these are fair to good quality, and have amenity benefits within the local area. It is proposed to remove 15 'C' category, 8 'B' category, 1 'A' category (Sycamore) and an additional 9 trees which are not considered a constraint to development due to their poor condition and limited retention value. The proposal has been designed to retain 3 large Plane trees (on East Street and Thurlow Street), which offer some of the greatest contribution to visual amenity due to their prominent locations. This retention is welcomed.
- 55 The contribution to amenity and other benefits associated with the trees proposed for removal are noted, however it is also acknowledged that tree removal would be necessary to facilitate feasible redevelopment of this site as retention is likely to constrain future development to an unreasonable extent. The location of the existing trees would severely limit the options for a more intensive development, capable of replacing the affordable units as well as creating new private and intermediate housing. The loss of the trees must therefore be balanced against the requirement to redevelop this site for mixed tenure housing. The current layout already provides for a smaller total number of units than expected under the AAAP (providing 147 rather than 165 units). Retaining more of the trees would further reduce capacity at the site. It is therefore concluded that, on balance, it is acceptable to remove a number of

existing trees, including one Category A tree, only because of the constraints that the positions of the existing trees create. In addition, the loss is only acceptable if appropriate mitigation is provided via suitable replacement. In accordance with London Plan policy 7.21, loss of canopy cover should be mitigated through suitable replacement. The proposed landscaping plan across the site would provide 34 new trees on streets and in open spaces. A number of smaller multistem courtyard specimens together with shrub, ground planting and raised beds are proposed. It is not currently clear whether the proposed trees would provide full replacement of canopy cover, and further information is being sought from the applicant. Updated information on this issue will be provided in the Addendum report. The provision of street trees is proposed on Thurlow Street, the street to the south of the site and on Sedan Way. Subject to clarification on canopy size, the provision of street trees will be secured via the s.106 agreement, and trees with the site area by condition as part of the landscaping details.

- 56 Overall, the applicant's proposal to mitigate the impacts of the loss through replacement trees and planting in communal garden areas, is acceptable in principle. However, additional details are required to ensure that the type and quality of landscaping aspired to is sustainable it needs to achieve a reasonable level of maturity and longevity. This requires ample soil, water and exploitable rooting volumes and raised beds require sufficiently sized planters with appropriate drainage and irrigation. As such, full details will be secured by condition.

Housing Mix and Affordable Housing

- 57 The application proposes the following mix:

	Private (units)	Private (hab rooms)	Inter-Mediate (units)	Inter-mediate (hab rooms)	Social target rents (units)	Social target rents (hab rooms)	Total (by unit)
1 Bed (2P)	21	(42)	4	(8)	5	(10)	30 (20%)
2 Bed (3P)	10	(30)	8	(24)	4	(12)	22 (15%)
2 Bed (4P)	20	(60)	8	(24)	6	(18)	34 (23%)
2 Bed (3P mais)	3	(9)	1	(3)	0	(0)	4 (3%)
2 Bed (4P mais)	5	(15)	6	(18)	0	(0)	11 (7%)
3 Bed (mais)	1	(5)	0	(0)	11	(55)	12 (8%)
3 Bed (house)	0	(0)	0	(0)	1	(5)	1 (1%)
4 Bed (mais)	10	(60)	0	(0)	1	(6)	11 (7%)
4 Bed (house)	0	(0)	0	(0)	17	(102)	17 (12%)
5 Bed (mais)	1	(7)	0	(0)	0	(0)	1 (1%)
5 Bed (house)	0	(0)	0	(0)	4	(28)	4 (3%)
TOTAL	71	228	27	77	49	236	147 (100%)
TOTAL by %	48%	42%	18%	14%	33%	44%	

- 58 Strategic Policy 6 of the Core Strategy 2011, requires a minimum of 35% affordable

housing on schemes of 10 units or more. The AAAP outlines that 59% of new homes should be affordable within this location. It is recognised in the affordable housing SPD, that affordable housing provision should be calculated on a habitable room basis. The proposal would provide 57.9% affordable housing based on habitable rooms. This exceeds the requirements of Strategic Policy 6 in the Core Strategy, however is marginally below the AAAP requirement.

- 59 The split between the social rented:intermediate accommodation is 75:25 based on habitable rooms. This is generally in accordance with the Southwark Plan (which expects a 70:30 split) and accords with the AAAP which requires a 75:25 split. Within the social rented sector, all units would be provided at target rent levels, and this would be secured within the s.106.
- 60 The proposal would provide good affordable housing provision well above the minimum requirements of the Southwark Plan and Core Strategy. Whilst there is a minor divergence from the AAAP requirement, this equates to around one unit, and in the current circumstances where affordable housing is difficult to achieve, the shortfall is not considered significant. The proposal would achieve the AAAP aim of a mixed tenure community, whilst re-providing the existing level of social rent housing at the site in line with the requirements of the London Plan.
- 61 Core Strategy Strategic Policy 7 requires at least 60% of units to have 2 or more bedrooms and 20% of units to be 3, 4 or 5 bedrooms in the Urban Zone. The AAAP contains a more onerous requirement for 70% of homes to have 2 or more bedrooms, 20% of homes to have 3 bedrooms, 7% of homes to have 4 bedrooms and 3% of homes to have 5 or more bedrooms. The proposal would provide 80% of units with 2 or more bedrooms, 9% of units with 3 bedrooms, 19% with 4 bedrooms and 4% with 5 bedrooms. The proposed mix exceeds the requirements of the core strategy, and would provide a high proportion of large family sized homes. Whilst the mix would not comply with the very specific requirements of the AAAP, it provides a greater proportion of 4 and 5 bedroom homes than expected in the AAAP. This provision is considered a benefit of the scheme as there is a recognised need for larger rented homes in the borough. It is unusual to get such a large proportion of 4 and 5 bedroom homes and in particular houses, on sites in the borough.
- 62 Overall a good mix of units is provided across the site and there is a recognised need for family sized homes across the borough, and therefore this is considered acceptable and accords with the aspirations of the AAAP.
- 63 Appendix 5 in the AAAP estimates 49% flats, 19% maisonettes and 32% houses could be provided on this site. The scheme provides 58% flats, 26% maisonettes and 16% houses. The proposal exceeds the percentage for flats and maisonettes and falls below the percentage for houses as set out in the AAAP. However, the proposal provides houses that line the mews street and the street to the south, and to increase the number of individual houses to meet the 32% requirement, is likely to take up over half of the site area. This would have subsequent impacts on site layout, design and scale. The majority of the proposed maisonettes have individual front doors onto the street and private front and rear gardens. The internal space standards are comparable with a house and therefore the maisonettes would have the characteristics of an individual house, albeit with neighbouring accommodation above. The quality of the houses and maisonettes is considered to be good, and the provision is acceptable.
- 64 Overall the proposed tenure mix and housing types is good, providing a range of accommodation in line with the needs of the borough and would meet the overall aspirations of the AAAP.

Wheelchair Accommodation

- 65 Policy 4.3 of the Southwark Plan 2007 requires 10% of units to be provided as wheelchair accessible housing, and these should be fitted out for occupation. The scheme would provide 15 wheelchair accessible units consisting of 4x2 bed flats in the private tenure and 11x3 bed ground floor maisonettes (with internal platform lift) with private gardens in the social rented tenure. A total of 15 wheelchair accessible car parking spaces would be provided and are located in close proximity to the wheelchair units. The provision is acceptable in accordance with policy, and would provide good quality wheelchair housing.

Quality of accommodation

- 66 The overall internal space standards for all dwellings accord with the minimum floor areas set out within the Southwark Residential Design Standards SPD 2011 and in most cases, exceed the minimum standards. The internal space would also meet the AAAP requirements. Overall, 90% of units would have a dual aspect, which is welcomed. All units would have dedicated internal storage space and private amenity space in the form of either a good size balcony or private garden. Two communal amenity spaces would be provided for residents. Whilst some private gardens are modest in scale, all units have access through their garden into the communal amenity space.
- 67 Each perimeter housing block encloses a communal courtyard garden. The west courtyard features 425sqm of central space (excluding paths and perimeter planting and seating) which would provide 300sqm of playable space (for ages 0-11). The east courtyard would provide 165sqm of central space and dedicated doorstep playable space of 100sqm (ages 0-5). All residents would have access to both courtyards. Residents would also be located in close proximity to playspace and open space to the opposite side of Sedan Way and on Surrey Square. Burgess Park is also within walking distance of the site. The overall amenity space provision is considered acceptable, however full details of the layout and facilities to be provided in the proposed playspaces will be secured as part of the landscape details condition.

Traffic Issues

Trip generation and highways impacts

- 68 The impact on the road network is minimal and acceptable. The Aylesbury infrastructure tariff has been designed to meet the infrastructure requirements associated with delivering the masterplan development, including transport. Discussions are ongoing with TfL regarding any required contributions to mitigate the impacts of the development, and the outcome of this will be reported to committee in an addendum report.

Car Parking

- 69 The application proposes parking at a ratio of 0.4 spaces per unit, which is in line with the AAAP expectations. A total of 44 parking spaces would be provided in the basement, 6 of which are wheelchair accessible spaces. The layout and entry point to the car park is acceptable. Additional car parking would also be provided on street, including 9 disabled car parking spaces. The location of all disabled parking is considered acceptable and easily accessible for the wheelchair units within the scheme. Whilst wheelchair parking is normally required on-site, given existing demand in the area and that the road to south will remain as an estate road for the foreseeable

future, the parking is considered acceptable in this case.

- 70 A total of 6 on-street parking spaces are proposed on Sedan Way, which is to be offered for adoption as public highway. After the dedication of two spaces for car club use, the remaining four spaces will become residents parking within the existing controlled parking zone. In order to protect the amenity of existing residents in respect of parking, it is recommended that the number of permits available to new residents will be limited to the number of new spaces that the development has created. As such, only 4 residential units to be eligible for a parking permit, and this will be secured via the S.106 agreement.

Cycle parking

- 71 Cycle parking for residents of individual houses is to be provided in lockers (holding 2 bikes) which are accessible from the street and acceptable in accordance with policy. Cycle parking for residents of the flats will be in the underground car park using Sheffield stands, which are arranged in a secure area with adequate spacing between stands. Access to the basement is available via a single lift or stairs from the western communal garden and two lifts from block 2. The access arrangements are not considered easily accessible for the residents of blocks 4 and 5 due to the distance. The applicant has been advised to explore a solution for this, and an update will be provided in an addendum report.

Servicing and refuse vehicle access

- 72 The dedicated waste storage areas are considered appropriate and allow convenient access for residents. A waste collection vehicle will be able to access all collection points, including through the mews. A Construction Management Plan should be secured by condition to include measures to mitigate the environmental and road safety impact of the construction traffic during construction.

Car club

- 73 Two car club bays are to be provided on Sedan Way, which is acceptable. Three year's free car club membership to all residents of the development will be secured via the s.106 agreement.

Travel Plan

- 74 An acceptable Travel Plan will be secured as part of the s.106 agreement. This would include a commitment to surveying residents at 75% occupation of the development and at 3 and 5 years later. A commitment to updating the travel plan following each of the surveys, and commitment to measures identified within the travel plan, would also be sought. A sum of £3,000 would be secured through the Section 106 agreement, for the council's monitoring of the travel plan.

Site layout and Highways matters

- 75 The proposal would realign Sedan Way to the east, which would be offered for adoption as highway maintainable at the public expense. The proposed layout of the road is acceptable and provides sufficient flexibility to be adapted at the Section 278 agreement stage in order to allow the installation of measures to support a possible future 'green links' cycle scheme. The proposed street trees are welcomed.
- 76 The road to the south of the site will be constructed to adoptable standards, however is to remain an estate road until the redevelopment of the block to the south comes forward (not for a number of years), at which stage it would be offered for adoption.

The proposed layout is acceptable and the proposed trees are welcomed.

- 77 In line with the aspirations of the AAP, a north-south mews is proposed through the site, accessible to pedestrians, cyclists, refuse collection vehicles and emergency service vehicles. Vehicular access would be controlled using rising bollards. It is noted that public realm have raised concern that the mews street has not been designed to a sufficient width to allow for adoption as public highway. However, the applicant does not intend to offer the mews street for adoption and therefore subject securing public rights of access over the mews street and requiring the applicant to maintain the street to an acceptable standard (which will be secured via the s.106 agreement), there would be no planning grounds for an objection to the scheme.

Sustainable development implications

- 78 The London Plan and Strategic Policy 13 'High environmental standards' in the Core Strategy require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. The applicant has submitted an energy statement completed by XCO2 energy. The proposals have followed the London Plan energy hierarchy as required by policy. The proposal includes a range of passive design features and demand reduction measures to reduce carbon emissions from the proposed development by 7.8%. The applicant has committed to ensuring the development is designed to allow future connection to a district heating network in accordance with the AAAP. As outlined in AAAP policy BH6, until such time as the CHP is fuelled by renewable energy sources and is capable of meeting the London Plan target, developments will be required to use their own CHP compatible on-site renewable energy technologies.
- 79 The applicant proposes gas fired CHP as the main heat source for the site, which would provide CO2 savings of 19%. The CHP would also allow future connection to the Aylesbury Area Heat Network as required by the AAAP. Whilst it is noted that gas fired CHP is not a renewable energy, it can provide significant CO2 reductions and meets the London Plan requirements for decentralised energy. The submitted energy statement carried out a feasibility study of 7 different types of renewable energy for the development; however for various reasons, including lack of compatibility with CHP, it was considered that photovoltaic panels were the most feasible option for the site. The applicant also proposes solar photovoltaic panels on the roof of the buildings which would provide savings of 13.4%.
- 80 CHP will provide the heat for the development, and therefore it would not be viable to require renewable sources over and above what is proposed, as the energy demands of the development are being met. Overall, the proposal provides carbon emissions savings of 35.3%, which exceeds the targets set out in London Plan policy. In accordance with the London Plan, the development will incorporate a range of energy efficient measures including efficient lighting, levels of insulation beyond building regulation requirements and high performance glazing, to reduce carbon emissions. Whilst the specific 20% reduction from renewable energy sources as set out in Southwark's Core Strategy is not met, taking into account feasibility and overall reductions, it is not considered a refusal could be substantiated on this ground. Overall, the energy strategy is considered acceptable.
- 81 The applicant has submitted a code for sustainable homes pre-assessment which confirms that it is anticipated the development would meet Code Level 4 which is acceptable in accordance with policy.
- 82 Prior to the commencement of development, an ecology report will be required that meets best practice and provides mitigation where required. Conditions relating to ecology mitigation will be attached to any planning permission granted. Green and

brown roofs are proposed and will be secured by condition. Bird and bat boxes will also be secured by condition.

Planning obligations (S.106 undertaking or agreement)

- 83 Policy 2.5 of the Soutwark Plan advises that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. This policy is reinforced by the Supplementary Planning Document (SPD) for Section 106 Planning Obligations, which sets out in detail the type of development that qualifies for planning obligations, and Circular 05/05, which advises that every planning application will be judged on its own merits against relevant policy, guidance and other material considerations when assessing planning obligations.
- 84 Policy D2 within the AAAP sets out that financial contributions will be sought in the form of a tariff scheme, to ensure delivery of key infrastructure to ensure the master plan as a whole can be delivered and impacts adequately mitigated against. Table A7.3 within the AAAP outlines the indicative infrastructure items and costs, which covers items such as public realm improvements, utilities infrastructure, open space and education.
- 85 In accordance with the AAAP Infrastructure Tariff and policy D2 in the AAAP, this development requires a contribution of £2,005,374 (calculated at £13,642 per unit) to mitigate the impacts of the development.
- 86 The Aylesbury Infrastructure tariff does not cover all areas for mitigation as set out in the Soutwark's S.106 SPD, and therefore additional contributions are requested to ensure all recognised impacts are appropriately mitigated.
- 87 The following table sets out what the applicant has agreed to provide, in order to mitigate the impacts of the development.

Planning Obligation	Amount required by policy D2 in AAAP	Applicant Contribution
Aylesbury Infrastructure Tariff	£2,005,374	£2,005,374 (Cost of works in kind such as public realm improvements can be deducted from this total)
TOTAL	£2,005,374	£2,005,374

Planning Obligation	Toolkit Standard Charge (£)	Applicant Contribution (£)
Employment during construction	£105,672	£105,672 (The applicant may choose to provide a Work Place Coordinator instead of a contribution, providing that the council's agreed outputs are achieved)
Employment during construction management fee	£8,568	£8,568
Sports development	£127,299	£127,299
Transport strategic	£83,228	£83,228
Health	£160,802	£160,802

TOTAL	£485,569	£485,569
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88 A 2% admin fee will be applied to the financial contributions outlined above. In addition to the above financial contributions, the applicant has agreed to provide;

- 57.9% affordable housing (75% social target rent and 25% intermediate)
- Travel Plan and £3,000 to the Council for monitoring
- An exclusion for residents (except for x units which would be eligible for a parking permit) from applying for on street parking permits
- 2 on street car club bays
- 3 years free car club membership to each unit
- provision for connection across the boundary to any future area wide CHP plant
- public rights of access along the mews street and the space at the corner of East Street and Thurlow Street.

TfL have requested funding to improve bus services; negotiations on this request are still ongoing, and the outcome will be reported in the addendum report.

89 The community infrastructure levy regulations came into force on 6 April 2010. The regulations state under 122 – “Limitation on use of planning obligations” that it is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, that is capable of being charged CIL if the obligation does not meet all of the following tests:

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

90 It is the opinion of the council that the planning obligations sought meet the planning tests of Circular 05/05 and the CIL regulations (122 and 123). The contributions would be spent on delivering school places as a result of the development, job creation during construction, improvements to open spaces and sports facilities, improvements to increase the capacity of transport provision across the borough, improvements to the public realm, funds to secure new health facilities and improvements to community facilities. These are necessary in planning terms, directly related to the development and fairly and reasonably related to the impacts of the development.

91 In accordance with the recommendation, if the Section 106 Agreement is not signed by 18 October 2012, the application should be refused for the reason below:
‘In the absence of a signed Section 106 Agreement, there is no mechanism in place to avoid or mitigate the impact of the proposed development on the public realm, public open space, health care service, the transport network, and employment and the proposal would therefore be contrary to Policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan’.

Other matters

Mayoral Community Infrastructure Levy (CIL)

92 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL is a material “local financial consideration” in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic

transport improvements in London, primarily Crossrail. The levy is applied to all developments at a rate of £35 per square metre in Southwark.

The existing floorspace in the building equates to 5,079sqm and the proposed floorspace within the development is 14,353sqm. At the time of writing this report, the building has been used for its primary purpose for 6 of the last 12 months. As such the CIL contribution is based on the additional floorspace created. Based on the areas provided, this would be $9,274\text{m}^2 \times £35 = £324,590$.

Amendments

- 93 It should be noted that during the course of the application a number of minor amendments were made to the scheme. The changes related to the correction of some minor discrepancies between floorplans and elevations relating to window positions. Minor design amendments were also made (including window appearance and fenestration and the use of materials on the face of the building) to the design of the mews street and 10 storey corner building fronting Thurlow Street and East Street. No additional openings were create and overall, the changes did not significantly alter the development in terms of impacts to surrounding occupiers and did not increase amenity impacts or the scale of development. As such, all representations made by local residents are still applicable. Given the nature of the amendments, further consultation was not required.

Issues raised in neighbour consultation responses

- 94 In total, 7 neighbour consultation responses have been received. It is considered that the material planning matters raised have been considered within the main report, or are considered in the paragraphs below.
- 95 It is noted that one of the respondents considers the application should be referred to the Greater London Authority (GLA). The application does not meet the definition of an application of Potential Strategic Importance (PSI) as outlined in the Mayor of London Order 2008 and as such, is not referable to the GLA. Whilst the application site is situated in the AAAP area, the proposal is a stand alone application and doesn't form part of a more substantial proposed development, on the same land or adjoining land. Confirmation from the GLA was sought and it was confirmed that the application is not referable.
- 96 Respondents have raised concern that the proposals do not accord with the council's cabinet decision which agreed the report entitled 'Selection of Preferred Developer for Land Transfer Aylesbury Site 7 (1-50 Wolverton)' on the 17 April 2011. This report states:
 'This report recommends that cabinet approves the transfer of this land to the preferred bidder on the basis that it will be developed to provide new mixed tenure homes over 50% will be affordable of which three quarters will be available at social rents'
 The proposed development would provide 57.9% affordable housing of which 75% would be social rented and as such, it is considered to accord with the cabinet report.
- 97 Concern has been raised that the site boundary is incorrect. All proposed buildings, including front gardens, sit within the red-edged boundary (which is the area that will be within the applicant's ownership). Works outside the boundary relate to public realm works such as pavements, parking bays, street trees and crossovers. These works directly surrounding the site will be secured within the s.106 agreement. It is acceptable to have such works shown outside the red-line boundary and therefore the site boundary is considered correct.

Conclusion on planning issues

- 98 The proposed development is considered acceptable in land use terms. It would provide an appropriate and sustainable development providing much needed housing in the borough and a high proportion of affordable housing at social target rent levels. The housing proposed is considered to be of a good quality, with a good mix of dwelling sizes and housing types across the site, addressing recognised housing need.
- 99 The quality of proposed accommodation is considered to be good, with generous internal space standards and the scheme has a high proportion of dual aspect units, providing good outlook, light and ventilation. Ground floor units and houses would have front doors directly onto the street, increasing activity and natural surveillance.
- 100 The proposal is considered acceptable in terms of scale and design. The layout will improve permeability across the site and the buildings front the street to provide a strong street frontage. The design, using brick as the primary facing material, is appropriate and uses brick detailing to add interest and variety to the facades. Whilst 3 significant value trees are to be retained, the redevelopment of the site results in the loss of a number of mature trees, and therefore the proposal is only considered acceptable as the proposals would provide appropriate mitigation through tree and planting replacement.
- 101 The amenity impacts have been considered, and overall the proposal would not result in harm to residential amenity of neighbouring occupiers in terms of daylight and sunlight, outlook, sense of enclosure and overlooking.
- 102 Taking into account London Plan policy, Core Strategy policy and AAAP requirements, the approach to sustainability and energy provision is considered acceptable. The proposal has appropriately mitigated against the impacts of the development by securing appropriate financial contributions and mitigation measure in accordance with the AAAP and Southwark Plan policies.
- 103 The transport impacts of the proposal have been assessed and concluded that the proposal would not have a significant impact on the surrounding highway network. To ensure there is not an unacceptable impact on parking pressures within the local area, the majority of units would be excluded from applying for on-street parking permits. This would be secured within the s.106 agreement.
- 104 Therefore it is recommended that permission be granted, subject to conditions and the completion of an appropriate S106 agreement.

Community impact statement

- 105 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

- 106 Details of consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

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

Summary of consultation responses

A total of 7 letters of objection were received from occupants at 184e East Street, 20 Wolverton, 178 Taplow, 49 Cuddington Deacon Way, 36 Wolverton, 19 Wolverton and 21 Goodwin Close (on behalf of remaining Wolverton residents) raising the following material planning issues:

- Loss of existing residential accommodation
- Unfair to move residents out of their homes
- Unsustainable to demolish the estate. Refurbishment of existing buildings would be of greater benefit and more cost effective. There are numerous examples of successful estate refurbishments.
- Proposal is contrary to the cabinet report dated 17th April 2011 which stated 75% of the affordable housing in the development would be social rented accommodation
- Proposed scale and density out of character with area, would appear monolithic
- Proposed units have a lack of privacy and small rooms
- Loss of trees (associated visual and environmental impacts)
- Overcrowding due to additional residents and impacts on health, increase in crime
- Proposal creates a gated community (central courtyard and playspace are not publicly accessible) and fails to improve permeability and connection with the surrounding community
- Loss of an existing sports pitch is contrary to the AAAP's aspirations
- No indication that the scheme would be 'zero carbon growth' as required by AAAP policy 3.6.1
- Lack of consideration of the C02 implications of redeveloping the estate
- Proposed CHP would not run on renewable energy
- Solar panels proposed only provide 13% of the site's energy supply rather than 20% as set out in policy
- The site should be connected to the existing district heating network
- Lack of proper cycle and pedestrian routes within the area
- Pressure on local bus services and other infrastructure
- Lack of green space within the area
- Increased traffic congestion, traffic pollution and noise pollution
- An EIA should have been required for the proposal
- The application should have been referred to the GLA
- Harm to the conservation area and listed buildings as a result of the scale of development
- Views showing how the proposal impacts the Liverpool Grove conservation area and listed buildings in Surrey Square should be provided
- The application includes no information regarding how the proposal contributes to key infrastructure requirements of the AAAP
- The site boundary appears incorrectly marked out
- Concern that the 58% affordable housing may be subject to change.

The following objections were raised which are not material planning considerations:

- Understood the regeneration was already approved under the previous government. Concern that this may cost more than the original plan and further consultation is costly.
- Unfair CPO processs

- Regeneration should have started on other parts of the estate or on the Heygate first (which has been empty for years)
- How is the regeneration being funded and how much will it cost? Cost implications should be clear
- Object to the unjust way leaseholders are being treated by the Council and believe its not in the public interest to go ahead with the CPO. Contrary to article 8 European law of human rights
- Application would not benefit of council tenants because the rent will increase and the right of secure tenants is not guaranteed under the L&Q housing trust

It is considered that the planning issues raised have been addressed within the report and in some case have been addressed by conditions or s.106 obligations.

Human rights implications

- 108 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.
- 109 This application has the legitimate aim of providing a housing development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/H1059 Application file: 12/AP/2332 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone:: 020 7525 5657 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Images
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Laura Webster, Senior Planning Officer	
Version	Final	
Dated	28 September 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	28 September 2012	

APPENDIX 1**Consultation Undertaken**

Site notice date: 22/08/2012

Press notice date: 02/08/2012

Case officer site visit date: 22/08/2012

Neighbour consultation letters sent: 27/07/2012

959 neighbouring occupiers were consulted, including addresses on Thurlow Street, Dawes Street, East Street, Tatum Street, Beckway Street, Huntsman Street, Flint Street, Wolverton and Sedan Way as shown on the map below:



Internal services consulted: 27/07/2012

Access Officer
 Archaeology Officer
 Design and Conservation Team
 Ecology Officer
 Environmental Protection Team [Noise / Air Quality / Land Contamination / Ventilation]
 Planning Policy
 Transport Planning Team
 Urban Forester
 Waste Management
 Public Realm

Statutory and non-statutory organisations consulted:

Environment Agency
 Natural England - London Region & South East Region
 Transport for London (NON-REFERABLE APPLICATIONS ONLY)
 Thames Water Development Planning

Neighbours and local groups consulted: N/A

Re-consultation: N/A

APPENDIX 2**Consultation Responses Received****Internal services****Archaeology**

The Greater London Historic Environment Record contains references to an assumed Roman Road running east from the Old Kent Road through to a suggested river crossing at Westminster.

It is therefore recommended that a programme of archaeological observation and recording, a watching brief, is maintained during groundworks on site. This should be secured by conditions relating to Archaeological Mitigation and Archaeological Reporting

Ecology

- Only 3 of the original trees are being retained. The Sustainability Statement states an ecologist will be employed to assess the value of the site and make recommendations. This assessment should be undertaken before the autumn. The Ecologist would contribute to the CfSH assessment and the relevant credits, so it is unclear where credits are currently coming from.
- I recommend the following enhancements for consideration: Brown Roofs on a minimum of 75% of the roof space, Bird nesting and bat roosting features to be built into the new housing blocks, A SUDs scheme that utilises the open space such as a rain garden and 50% native planting in the soft landscaping areas.
- Conditions relating to Timing of vegetation clearance (breeding birds), Green roofs for biodiversity and Bird and bat boxes are recommended.

Environmental Protection - No comments received to date

Transport

The impact on the road network is minimal and acceptable. The impact of the development on the bus network has been assessed independently by TfL. Across the Aylesbury Estate as a whole an increase of 1,500 homes is anticipated, and the Council has identified a requirement for £4.5M within its CIL Infrastructure Plan for improving bus services to support the Aylesbury redevelopment. This equates to £3,000 for each additional home created on each site, suggesting a contribution of £264,000 for this site.

The application proposes parking at a ratio of 0.4 spaces per unit, which is in line with the AAAP expectations. This is to be provided partly on-street, with an acceptable layout, and partly off-street in an underground car park. The car park has a single-lane ramp which is to be signal controlled with priority to those entering in order to prevent queuing on the street. This is acceptable. With the reconfiguration of the road to the south of the site there will be some loss of estate parking spaces. It is proposed that these be re-provided on a section of land to the south of this road which will become available following the demolition of Wolverton House.

Six on-street parking spaces are to be provided on Sedan Way, which is to be offered

for adoption as public highway. After dedication of two spaces for car-club use, the remaining four spaces will become residents' parking places within the existing controlled parking zone. In order to protect the amenity of existing residents in respect of parking, it is recommended that the number of permits available to new residents will be limited to the number of new spaces that the development has created. This will involve allowing only four residential units to be eligible for one parking permit per household.

Disabled parking is proposed at a ratio of 0.1 spaces per residential unit, with spaces located on the road to the south of the site and in the car park, all within close proximity to the wheelchair-accessible units. While the road to the south of the site is currently an estate road (i.e. no highway maintainable at the public expense), it is the intention that this should be adopted at an appropriate time to fit in with the redevelopment of the next development block to the south, which is likely to be at least 15 years from now. We would normally not allow a development to rely on on-street disabled parking, but consider that the relatively long-term nature of the status of the road as an estate road will mitigate any concerns we might otherwise have. The disabled parking is therefore acceptable.

Cycle parking for residents of individual houses is to be provided in lockers which are accessible from the street (i.e. without having to take bikes through the house), which is welcomed and accords with policy. The lockers seem to be of an appropriate size to accommodate two adult bikes, which meets London Plan standards, and it is assumed these will have flexibility to accommodate children's bikes with careful arrangement. Details of the lockers should be conditioned to ensure that they are suitably secure.

Cycle parking for residents of the flats will be in the underground car park using Sheffield stands, which is welcomed. The stands are spaced at 800mm centres, which is somewhat closer than the ideal (1000mm) but is still acceptable. They are to be provided in locked rooms to provide good security. Access will be via a single lift from the western communal garden and two lifts from two lifts into block 2. While this is not ideal for residents of block 1 or block 3, it is a very poor arrangement for residents of blocks 4 and 5. For these latter blocks the lift cores for each block are at least 80m (a minute's walk) from the lift within the communal garden. This cannot be claimed to meet the Southwark Plan criterion that cycle parking should be "convenient" (policy 5.3iv). The travel plan is of good quality and is acceptable at this stage. Should planning permission be granted it is recommended that the travel plan is secured by Section 106 agreement and through this; commitment to surveying residents and monitoring. It is recommended that a sum of £3,000 is secured through the Section 106 agreement, for LBS's monitoring of the travel plan.

Two car club spaces are proposed on Sedan Way, it is not clear that car club membership is to be offered to new residents. The Council usually secures three years' free car club membership for all residents who meet car club membership conditions (relating to age, length of holding a license, etc.) This should be secured through condition or obligation.

The spaces available for storage of waste comply with the requirements of the Council. Waste would be collected from individual properties (in wheelie bins) and from the core of bigger blocks in "eurobins". A waste collection vehicle will be able to access all such collection points, including through the mews.

A construction management plan should be secured by condition or obligation. This should include measures to mitigate the environmental and road safety impact of the construction traffic, including measures such as requiring hauliers to be FORS members, compulsory training in Safer London Driving (which includes considerable emphasis on cyclist and pedestrian road safety) and environmentally-friendly driving for drivers, and regular checks on driving licences and other permits, and checks on compliance with agreed routes.

Sedan Way

At present Sedan Way is an estate road which runs a little west of the boundary of the housing block to the east, leaving some green space containing a small number of mature trees. It is proposed that Sedan Way is realigned to the east, taking this green space, and offered for adoption as highway maintainable at the public expense. On-street residents' parking places will be provided along the western side as discussed above. The proposed layout of the road is acceptable and provides sufficient flexibility to be adapted at the Section 278 agreement stage in order to allow the installation of measures to support a possible cycle scheme. The proposed trees are welcomed.

Road to the south of the site

This is to remain an estate road until the redevelopment of the block to the south, at which stage it would be offered for adoption. It will therefore be built to adoptable standards. The proposed layout is acceptable and the proposed trees are welcomed.

Thurlow Street

No changes are proposed for Thurlow Street other than the introduction of street trees within the footway. While these are welcomed, it should be noted that no site investigations have been carried out to determine whether it will be possible to introduce these trees, and so their introduction cannot be assumed to be achievable.

East Street

The junction with the mews lies between a length of residents' parking bays and a bus stop. In order to provide a safe exit for cyclists (notwithstanding the comments below) it will be necessary to relocate the bus stop further east (though still west of Sedan Way). No other changes are proposed to East Street.

The Mews

In line with the aspirations of the AAP, a north-south mews is proposed through the site, accessible to pedestrians, cyclists, refuse collection vehicles and emergency service vehicles but with vehicular access controlled using rising bollards. The AAP seeks to secure an environment which is highly permeable for pedestrians and cyclists. However, despite considerable discussion and advice on this matter at pre-application stage, the mews has not been designed to be of sufficient width to provide access for cyclists while retaining space for vulnerable pedestrians (occasional use by refuse collection vehicles is acceptable).

This arrangement will not be suitable for adoption as public highway. It also casts some doubt over the arrangements that will be acceptable for access to the mews from the public highway, to be negotiated as part of the Section 278 agreement.

Urban Forester –

- The site has a number of fair to good quality mature trees that provide valuable

amenity and contribute to canopy cover.

- In order to facilitate development thirty three such trees will be removed. Three large Planes which offer some of the greatest individual contribution to amenity given their visibility and contribution to the streetscape are to be retained. Removals include fifteen C category, eight B category, one A category and an additional nine trees which are not considered a constraint to development due to their poor condition and limited retention value.
- The landscape plan allows for thirty four new trees on streets and in open spaces, a number of smaller multistem courtyard specimens together with shrub, ground planting and raised beds.
- The contribution to amenity and other benefits associated with trees proposed for removal are of considerable significance and hence loss is only acceptable should mitigation be provided via suitable replacement.
- Of a total of 1.34 square metres of cross sectional stem to be removed an unknown quantity is to be replaced. Although the planting plan is acceptable, amendments are required both to provide a design which is greater merit and to ensure its sustainability, especially where landscaping is shown above the subterranean car park.
- In order to have the required impact and immediate contribution to amenity, planting will require semi-mature specimen sizes. Tree pit specification will require special consideration in order to ensure successful establishment and growth. Plane trees should be specified on Thurlow Street to continue the established avenue of along this key green infrastructure route.
- In order to ensure that the type and quality of landscaping aspired to is sustainable it needs to achieve a reasonable level of maturity and longevity. This requires ample soil, water and exploitable rooting volumes which, in turn, will rely on sufficient weight loading, maintenance and other engineering tolerances. The trees and in raised beds and above podiums will therefore require larger planters than those proposed, with at least 4m³ of soil per tree, together with appropriate drainage and irrigation.
- It is recommended that conditions secure a landscaping plan, tree protection, tree planting details and green/brown roofs / living walls.

Public Realm

- It is the strong preference of the highways authority to adopt and maintain all public streets and spaces.
- The application design and access statement proposes all streets within and adjoining the site to be designed to adoptable standards.
- It is our aspiration that any new highways created as part of the Aylesbury redevelopment forms one uniform highway that can be effectively managed. However currently the proposed new Mews street does not meet adoptable standards. This is because it is too narrow to safely accommodate a route for cyclists whilst maintaining vehicle free footways. Resolving this issue will require either the removal of the proposed route for pedal cyclists, or the widening of this street. Furthermore, the basement sits partly beneath the Mews Street, which the Authority would be unlikely to adopt.
- Planning officers should note that in the event of the application being granted without revision, the Highway Authority would be unlikely to be able to consent to access to this new street for pedal cyclists.

Overall, it is recommended the application be refused in its current form due to the unacceptable width of the proposed new mews street and the consequent inability to construct this to adoptable standards.

- The proposals currently envisage the need to remove or relocate existing CPZ bays and/or the relocation/removal of the bus stop in order to form Mews Street. The relocation and removal of these bays will need to be discussed with our Parking team and Transport for London.
- All proposals for improvements works to any part of the existing highway and newly formed highways including green spaces and tree planting will require prior consent from the highways department. There will be a requirement to enter into a Section 278/38 agreement before any improvement works can commence on any part of the public highway.
- With regards to other existing streets to which improvements meeting adoptable standards are proposed, it is too early to comment upon the acceptability of proposals. However, these can be managed and agreed through the use of an appropriate condition.
- Trees require a minimum 4.5m to be provided between trunk centres and building facades whilst substantial soil volumes must also be achieved. All details and extents of Highway works should be secured through the s106 agreement.

Statutory and non-statutory organisations

Environment Agency - According to the best available information, the site lies outside the area of residual flood risk. No objection is raised to the planning application as submitted, on flood risk grounds. There may be other sources of flooding which affect the site such as surface water sewer and groundwater.

Natural England - No comments as there is no requirement to consult on this type of application.

Thames Water - no comments received to date.

Transport for London

- There is unlikely to be an adverse impact on the Transport for London Road Network (TLRN).
- The low level of car parking and high level of cycle parking is supported. Electric vehicle (EV) charging points should be provided in line with London Plan standards.
- The TA does not provide information on bus service impacts, but the site lies at the busiest point on route 343 northbound in the morning peak where buses are already at full capacity.
- In light of the above information, TfL feel it is appropriate and justified to seek a 'pro rata' contribution towards bus service enhancements to help deliver AAP objectives (in particular objectives P3 and S16), in line with AAP policy D2 (Infrastructure funding). The Southwark Community Infrastructure Levy Infrastructure Plan identifies £4.5m for the provision of new/enhanced bus routes to support new housing in the Aylesbury area. This equates to around £3000 per unit which, when applied to the proposed development uplift in the AAP area (1,500 units), gives a contribution from this development of £264,000. This would provide:
- A new bus shelter on the westbound route 42 bus stop on East Street, directly adjacent to the development – estimated cost £10,000 (no shelter is present at the moment due to the narrow footway on East Street, which will be widened with the development)

- Bus countdown at the three stops serving the site, to improve passenger information provision, at a cost of £10,000 per sign for supply, installation and maintenance (Thurlow Street northbound, East Street west and eastbound)
- A £224,000 contribution towards bus service capacity enhancements

Neighbours and local groups (summary)

Letter from 184e East Street raising the following objections:

- Understood regeneration plans were already agreed
- concern over financial costs of regeneration
- L&Q housing would not be of benefit to existing council tenants

Letter from 20 Wolverton, Sedan Way raising the following objections:

- Loss of existing residential accommodation
- Unfair to move residents out of their homes
- Unsustainable to demolish the estate.
- Proposed scale and density out of character with area
- Proposed units have a lack of privacy and small rooms
- Loss of trees (associated visual and environmental impacts)
- Overcrowding due to additional residents and impacts on health, increase in crime
- Regeneration should have started on other parts of the estate or on the Heygate first (which has been empty for years)

Letter from 178 Taplow, raising the following objections:

- Proposed scale and density out of character with area
- Loss of high value mature trees (associated visual and environmental impacts)
- Overcrowding due to additional residents and impacts on health, increase in crime
- Lack of proper cycle and pedestrian routes within the area
- Pressure on local bus services and other infrastructure
- Lack of green space within the area
- Increased traffic congestion, traffic pollution and noise pollution

Letter from 49 Cuddington, Deacon Way raising the following objections:

- Unsustainable to demolish the estate. Refurbishment of existing buildings would be of greater benefit and more cost effective. There are numerous examples of successful estate refurbishments.
- Proposal is contrary to the cabinet report dated 17th April 2011 which stated 75% of the affordable housing in the development would be social rented accommodation (not affordable rent)
- Proposed scale and density out of character with area, would appear monolithic
- Loss of trees (associated visual and environmental impacts)
- Proposal creates a gated community (central courtyard and playspace are not publicly accessible) and fails to improve permeability and connection with the surrounding community
- Loss of an existing sports pitch is contrary to the AAAP's aspirations
- No indication that the scheme would be 'zero carbon growth' as required by AAAP policy 3.6.1
- Proposed CHP would not run on renewable energy
- Lack of consideration of the CO2 implications of redeveloping the estate
- Solar panels proposed only provide 13% of the site's energy supply rather than 20% as set out in policy
- The site should be connected to the existing district heating network
- An EIA should have been required for the proposal

- The application should have been referred to the GLA
- Harm to the conservation area and listed buildings as a result of the scale of development
- Views showing how the proposal impacts the Liverpool Grove conservation area and listed buildings in Surrey Square should be provided
- The application includes no information regarding how the proposal contributes to key infrastructure requirements of the AAAP
- The site boundary appears incorrectly marked out
- Concern that the 58% affordable housing may be subject to change

Letter from 36 Wolverton, Deacon Way raising the following objections:

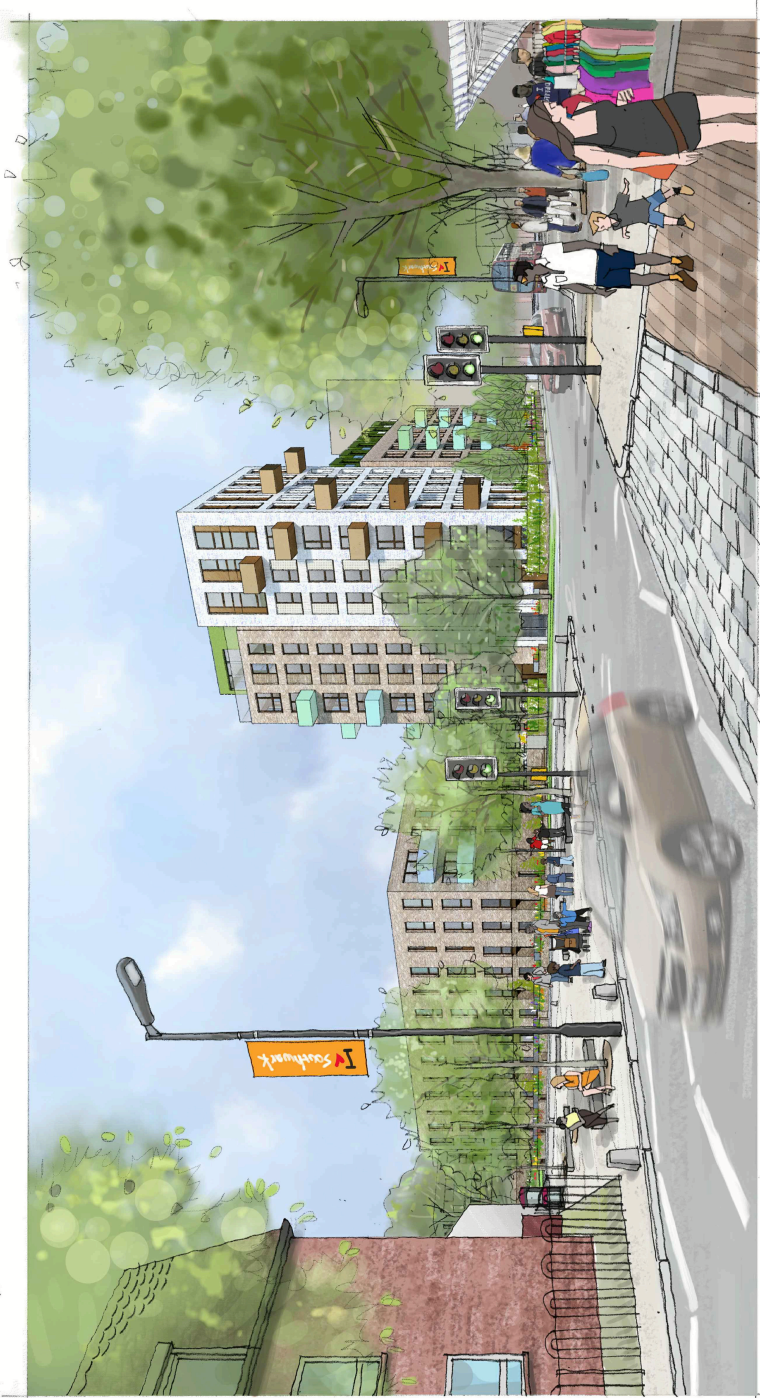
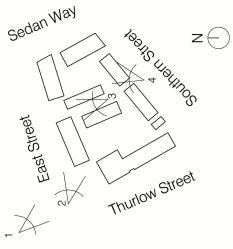
- Unfair CPO process
- Object to the unjust way leaseholders are being treated by the Council and believe its not in the public interest to go ahead with the CPO. Contrary to article 8 European law of human rights

Letter from 21 Goodwin Close, on behalf of occupiers at 2, 8, 11, 13, 17, 19, 20, 21, 22, 24 and 36 raising the following objections:

- People are still living at 1-59 Wolverton who have lived there for many years. Southwark has failed to offer these residents suitable relocation housing options. These residents cannot move out for demolition to commence

Letter from 19 Wolverton, Deacon Way raising the following objections:

- Council has not made any reasonable relocation offer to existing leaseholders on site 7
- Heygate could be developed first, to allow leaseholders to move there
- Unsustainable to demolish the estate. Refurbishment of existing buildings could be of greater benefit and this option should have been properly investigated.
- Proposal is contrary to the cabinet report dated 17th April 2011 which stated 75% of the affordable housing in the development would be social rented accommodation
- 'Affordable rent' is not appropriate for residents
- Proposed scale and density out of character with area, would appear monolithic
- Loss of trees and green spaces (associated visual and environmental impacts)
- Proposal creates a gated community (central courtyard and playspace are not publicly accessible) and fails to improve permeability and connection with the surrounding community
- Loss of an existing sports pitch is contrary to the AAAP's aspirations
- No indication that the scheme would be 'zero carbon growth' as required by AAAP policy 3.6.1
- Lack of consideration of the C02 implications of redeveloping the estate
- The site should be connected to the existing district heating network

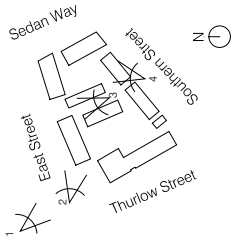


VIEW 1 - Thurlow Street



VIEW 2 - East Street

PLANNING APPLICATION	
PTEa POLIARD THOMAS EDWARDS architects	01 065 12 A
UREL: www.ptea.co.uk U: 020 7328 7777 F: 020 7328 0770 C: info@poliardthomasedwards.co.uk	HTT AB 11_465 PL (00) 501
PROJECT: VALLEMBURY GATE 7 ADDRESS: 3D, THURLOW STREET & EAST STREET	DATE: 01.06.12

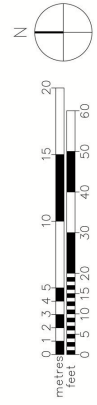


VIEW 3 - Mews



VIEW 4 - Southern Street

PTEA Planning & Design 38 St Albans Street London N1 6UK T: 020 7358 7777 F: 020 7358 6770 E: enquiries@ptea.co.uk W: www.ptea.co.uk		REF: PL/ALB/2017/00012 DATE: 11/08/17 SCALE: 1:1000
PLANNING APPLICATION		REF: PL/ALB/2017/00012 DATE: 11/08/17 SCALE: 1:1000
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FOR PLANNING APPROVAL

120801 ISSUED FOR PLANNING APPROVAL

Project: AYLESBURY SITE 7
 Date: 11/06/20
 Scale: 1:200 @ A1
 Drawing No: PL(60)040

Prepared by: PTEa
 Checked by: PTEa
 Drawn by: PTEa
 Date: 12/08/19

120801



RECOMMENDATION LDD MONITORING FORM REQUIRED

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	London & Quadrant Housing Trust	Reg. Number	12/AP/2332
Application Type	Full Planning Permission	Case Number	TP/H1059
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing buildings and redevelopment of the site to provide 147 residential units including flats, maisonettes and houses (30 x 1 bed, 71 x 2 bed, 13 x 3 bed, 28 x 4 bed, 5 x 5 bed) of which 58% would be affordable housing. The proposed residential blocks range between 3 and 10 storeys in height (10 Storeys at Thurlow Street) with a basement car park together with new vehicle access, plant, landscaping, cycle storage and refuse/recycling facilities.

At: 1-27 AND 28-59 WOLVERTON, SEDAN WAY, (SITE 7 AYLESBURY ESTATE REGENERATION) LONDON, SE17 2AA

In accordance with application received on 17/07/2012

and Applicant's Drawing Nos. PL-(90)001 B, PL-(90)010 A, PL(90)020 A, PL(90)030 A, PL(90)040, PL(00)099 C, PL(00)100 B, PL(00)101 B, PL(00)102 B, PL(00)103 B, PL(00)104 B, PL(00)105 B, PL(00)106 B, PL(00)107 B, PL(00)108 B, PL(00)109 B, PL(00)200 A, PL(00)300 A, PL(00)301 A, PL(00)302 A, PL(00)303 A, PL(00)304 A, PL(00)400, PL(00)401 A, PL(00)410 A, PL(00)500, PL(00)501 A, PL(00)502, 133-01-P, 133-10-P

Planning Statement, Transport Assessment, Travel Plan, Daylight & Sunlight Analysis Report, Statement of Community Involvement, Site Waste Management Plan - Rev 1.0, Energy Statement, Sustainability Statement, Flood Risk Assessment & Sustainable Drainage Strategy - Rev 1.0, Noise Assessment, Air Quality Assessment, Arboricultural Submission, Design & Access Statement

Reasons for granting planning permission

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

- a) Saved policies 2.5 planning obligations, 3.1 environmental effects, 3.2 protection of amenity, 3.4 energy efficiency, 3.6 air quality, 3.7 waste reduction, 3.8 waste management, 3.9 water, 3.11 efficient use of land, 3.12 quality in design, 3.13 urban design, 3.14 designing out crime, 3.15 'Conservation of the historic environment', 3.19 'Archaeology' 3.28 biodiversity, 4.1 density of residential development, 4.2 quality of residential accommodation, 4.3 mix of dwellings, 5.2 transport impacts, 5.3 walking and cycling, 5.6 car parking of the Southwark Plan 2007.
- b) Supplementary Planning Documents: Sustainable Transport Planning SPD, Sustainable Design and Construction SPD, Design and Access Statements SPD, Section 106 Planning Obligations SPD, Residential Design Standards SPD 2011, Aylesbury Area Action Plan 2010.
- c) Strategic policies 1 sustainable development, 2 sustainable transport, 5 providing new homes, 6 homes for people on different incomes, 7 family homes, 12 design and conservation and 13 high environmental standards of the Core Strategy 2011.
- d) Policies 3.3 Increasing housing supply, 3.5 Quality and design of housing, 3.6 Childrens and young peoples play, 3.8 Housing choice, 3.13 Negotiating affordable housing, 3.17 Protection and enhancement of social infrastructure, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 6.3 Assessing transport capacity, 7.4 Local character, 7.15 Reducing noise, 7.19 Biodiversity, 8.2 Planning obligations, of the replacement London Plan 2011.
- e) National Planning Policy Framework (March 2012). Section 1 'Delivering Sustainable Development', Section 4 'Promoting Sustainable Transport', Section 6 'Delivering a wide choice of high quality homes', Section 7 'Requiring good design', Section 12 'Conserving and enhancing the historic environment'

The principle of redevelopment of this site for residential use is supported and in line with Southwark and London Plan policies which seek to increase the supply of housing. The proposals generally accord with the aims of the Aylesbury

Area Action Plan (AAP) 2010. The design and massing of the buildings has evolved through a long pre-application process and would successfully relate to the surrounding buildings, subject to further design details being secured. The overall quality and standard of accommodation provided is acceptable. The amenity impacts resulting from the development have been considered, and having regard to the representations received from nearby occupiers, are on balance considered to be acceptable. The impacts on the highway network can be controlled through mechanisms secured through the S106 agreement, and are on balance considered to be acceptable. The S.106 offer is considered appropriate and therefore provides the required level of mitigation against impacts associated with the development, including infrastructure. The scheme is therefore considered to comply with the relevant Southwark Core Strategy and saved Southwark Plan and London Plan policies, and the Aylesbury Area Action Plan 2010.

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 Before any above grade work hereby authorised begins (excluding demolition), material samples / sample-boards of all external facing materials, including 1.0m x 1.0m sample panels of all the brick types including the feature panels to be used in the carrying out of the development, shall be made available on site for inspection, and details submitted to and approved in writing by the local planning authority. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007 and Strategic Policy 12 in the Core Strategy.

- 3 Prior to the commencement of any works above grade hereby approved (excluding demolition), 1:5/10 section detail-drawings through each detail type for:
 - a) the facades;
 - b) parapets;
 - c) roof edges;
 - d) balconies; and
 - e) heads, cills and jambs of all openings;
 to be used in the carrying out of the development, shall be submitted to and approved in writing by the local planning authority. 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 design and details in the interest of the special architectural or historic qualities of the listed building in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007 and SP12 Design & conservation of the Core strategy (2011).

- 4 Before any above grade work hereby authorised begins (excluding demolition), detailed drawings at a scale of 1:50 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways layouts, materials and edge details, all boundary treatments such as walls and fences, play equipment, material samples of hard landscaping and podium soil depths, sections and planting), and including a proposed landscape management scheme to be used in the carrying out of each phase of the development, including the publically accessible spaces and mews street, shall be submitted to and approved in writing by the local planning authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within two years of the completion of the building works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season. Planting shall comply to BS:4428 Code of practice for general landscaping operations, BS:3996 Nursery stock specification, BS:5837 Trees in relation to construction and BS:7370 Recommendations for establishing and managing grounds maintenance organisations and for design considerations related to maintenance.

Reason: In order to ensure that the design and details are acceptable and the spaces around the site are acceptable in accordance with saved Policies 3.12 Quality in Design, 3.13 Urban Design and 3.28 Biodiversity of The Southwark Plan 2007 and Strategic Policy 12 'Design and Conservation' and 13 'High Environmental

Standards' in the Core Strategy.

- 5 Notwithstanding any details hereby approved, before any above grade work hereby authorised begins (excluding demolition), details of the means of enclosure for all site boundaries shall be submitted to and approved in writing by the local planning authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In the interests of visual and residential amenity in accordance with saved Policies 3.2 Protection of amenity, 3.12 Quality in Design, and 3.13 Urban design of the Southwark Plan 2007 and Strategic Policy 12 of the Core Strategy.

- 6 Any machinery, plant or equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise therefrom does not, at any time, increase the ambient equivalent noise level when the plant, etc. is in use as measured at any adjoining or nearby premises in separate occupation; or (in the case of any adjoining or nearby residential premises) as measured outside those premises; or (in the case of residential premises in the same building) as measured in the residential unit.

Reason

In order to protect neighbouring occupiers from noise nuisance thereby protecting the amenity of neighbouring occupiers in accordance with saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007 and Planning Policy Guidance 24 Planning and Noise.

- 7 a) All residential premises shall be designed to attain the following internal noise levels:
Bedrooms- 30dB LAeq,8hr* and 45dB LAfmax
Living rooms- 30dB LAeq,16hr**
* 8 hours between 23:00-07:00
**16 hours between 07:00-23:00.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with saved Policies 3.1 Environmental Effects and 3.2 Protection of Amenity of The Southwark Plan 2007 and PPG 24 Planning and Noise.

- 8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23 Planning and Pollution Control.

- 9 Before any above grade work hereby authorised begins (excluding demolition), a Refuse Management Plan detailing how the residential units would be serviced and including full details of the bin stores including type and size of bins and details showing the appearance of any external bin stores for the townhouses, to be used in the carrying out of each phase of the development, shall be submitted to and approved in writing by the local planning authority before any above grade work in connection with that phase is carried out. The development shall be carried out in accordance with the approval given.

Reason

To ensure compliance with saved policy 5.2 Transport Impacts of the Southwark Plan 2007 and Strategic Policy 2 'sustainable transport' in the Core Strategy.

- 10 The development shall not commence until details of a Construction Environmental Management Plan has been submitted to, and approved in writing by the local planning authority for that part of the development. The Construction Environmental Management Plan shall oblige the applicant, or developer and its contractor to use all best endeavours to minimise disturbances including but not limited to noise, vibration, dust, smoke and plant emissions emanating from the site during demolition and construction and will include the following

information for agreement

- A detailed specification of demolition and construction works at each phase of development including consideration of environmental impacts and the required remedial measures.
- The specification shall include details of the method of piling.
- Engineering measures, acoustic screening and the provision of sound insulation required mitigating or eliminating specific environmental impacts.
- Arrangements for publicity and promotion of the scheme during construction.
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme registration.
- Road safety measure and a delivery and servicing plan (all construction access routes to be approved by TfL)

All demolition and construction work shall be undertaken in strict accordance with the approved management scheme and code of practice, unless otherwise agreed in writing by the local planning authority.

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 Policies 3.1 Environmental Effects and 3.2 Protection of Amenity of The Southwark Plan July 2007.

- 11 Prior to the commencement of development (excluding demolition) a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accordance with saved policy 3.9 'water' of the Southwark Plan 2007

- 12 Prior to the commencement of any works above grade hereby approved (excluding demolition), full details of the cycle parking for the whole development including types of stands, layout, covered storage details and full details of the cycle parking for the houses, to be used in the carrying out of the development, shall be submitted to and approved in writing by the local planning authority. The cycle parking facilities shall be provided prior to first occupation of the development and maintained in accordance with the details approved.

Reason:

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with saved policy 5.2 Transport Impacts and 5.3 Walking and Cycling of the Southwark Plan 2007 and Strategic Policy 2 'sustainable transport' in the Core Strategy.

- 13 Prior to first occupation of the development hereby permitted, a Code for Sustainable Homes final certification (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the local planning authority, confirming that the agreed standards at Code Level 4 have been met.

Reason

To ensure the proposal complies with saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 200 and strategic policy 13 'High Environmental Standards' in the Core Strategy 2011.

- 14 Prior to the commencement of development (excluding demolition) an Ecology Report, including survey report and recommendations and a draft management plan including long- term objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following elements: Details of brown/green roofs, locations of bat and bird nesting features and details of soft landscaping of ecological value. The details approved shall be implemented in full prior to first occupation of the development and maintained permanently unless otherwise approved in writing by the local planning authority.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with PPS9, policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy

- 15 All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall check the

areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

Reason: All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended) and to meet the requirements of PPS9, policy 3.28 of the Southwark Plan and Strategic Policy 11 'Open spaces and wildlife' of the Southwark Core strategy

- 16 Prior to the commencement of any works above grade (excluding demolition) Full details of the biodiversity (green/brown) roof(s) to be used in the carrying out of each phase of the development, shall be submitted to and approved in writing by the local planning authority before any above grade work in connection with that phase is carried out. The biodiversity (green/brown) roof(s) shall be:
- biodiversity based with extensive substrate base (depth 80-150mm);
 - planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 3D.14; 4A.3; 4A.9 and 4A.11 of the London Plan 2008 policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy

- 17 Notwithstanding any drawings hereby approved, prior to the commencement of any works above grade (excluding demolition), full details of all proposed tree planting or transplanting, including species details, trunk girths and the proposed times of planting, have been approved in writing by the local planning authority. This will include planting and maintenance specifications, use of guards or other protective measures to prevent damage by dogs and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS: 4428 Code of practice for general landscaping operations.

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

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of screening, local biodiversity, adaptation to climate change, in addition to the attenuation of surface water runoff, in accordance with NPPF Parts 7, 8, 11 & 12, London Plan 2011 Policy 2.18 Green infrastructure; Policy 5.1 Climate change mitigation; Policy 5.10 Urban greening, Policy 5.11 Green roofs and development site environs; Policy 5.13 Sustainable drainage; Policy 6.1 Strategic approach; Policy 7.4 Local character; Policy 7.21 Trees and woodlands; The London Climate Change Adaption Strategy Action 19 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards. and Saved Policies of The Southwark Plan 2007: Policy 3.13 Urban Design: Policy 3.2 Protection of amenity; Policy 3.28 Biodiversity.

- 18 Prior to works commencing, including any demolition, details of the means by which any existing and retained trees on or directly adjacent to the site are to be protected from damage by vehicles, stored or stacked building supplies, or other materials, and building plant or other equipment, shall be submitted to and approved in writing by the local planning authority. The protective measures shall be installed and retained throughout the period of the works in accordance with any such approval given and protective fencing must not be moved or removed without the explicit written permission of the Local Authority Urban Forester. Within the protected area, any excavation must be dug by hand and any roots found to be greater than 25mm in diameter must be retained and worked around. Excavation must adhere to the guidelines set out in the National Joint Utilities Group (NJUG) publication Volume 4, 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2)'.

The existing trees on the site or adjoining the site which are to be retained shall be protected and both the site and trees shall be managed in accordance with the recommendations (including supervision schedule) contained in the arboricultural report. All tree protection measures and subsequent works required pursuant to that pre-commencement meeting and the arboricultural report shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the local planning authority. In any

case, all works must adhere to BS5837: (2012) and BS3998: (2010).

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

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of screening, local biodiversity, adaptation to climate change, in addition to the attenuation of surface water runoff, in accordance with NPPF Parts 7, 8, 11 & 12, London Plan 2011 Policy 2.18 Green infrastructure; Policy 5.1 Climate change mitigation; Policy 5.10 Urban greening, Policy 5.11 Green roofs and development site environs; Policy 5.13 Sustainable drainage; Policy 6.1 Strategic approach; Policy 7.4 Local character; Policy 7.21 Trees and woodlands; The London Climate Change Adaption Strategy Action 19 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards. and Saved Policies of The Southwark Plan 2007: Policy 3.13 Urban Design: Policy 3.2 Protection of amenity; Policy 3.28 Biodiversity.

- 19 Notwithstanding the provisions of Parts 24 and 25 The Town & Country Planning [General Permitted Development] Order 1995 [as amended or re-enacted] no external telecommunications equipment or structures shall be placed on the roof or any other part of a building.

Reason:

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with saved Policy 3.2 Protection of Amenity and 3.12 Quality in Design of the Southwark Plan 2007

- 20 Notwithstanding the provisions of Schedule 2, Part 1, Classes A and B of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the dwellinghouses hereby approved, without the prior written consent of the Council, to whom a planning application must be made.

Reason

The houses hereby approved are located on restricted plots and any extensions, or alterations to the roof should remain under the control of the local planning authority, in the interests of protecting the amenity of neighbouring residents, in accordance with Policy 3.2 Protection of Amenity of the Adopted Southwark Plan 2007.

- 21 Before any work hereby authorised begins, excluding demolition, the applicant shall submit a written scheme of investigation for a programme of archaeological recording, which shall be approved in writing by the local planning authority and implemented and shall not be carried out other than in accordance with any such approval given.

Reason: In order that the details of the programme of archaeological excavation and recording works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 22 Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the local planning authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 23 Before the first occupation of any building hereby permitted, a Management Plan for any CHP plant, including details of its location, operation, maintenance, long term fuel supply, height of flue, emission mitigation equipment, chimney height calculations and plume pollutant dispersion modelling (which employs the best practicable option to mitigate and minimise emissions of NOx/kWh and other particulate matter) shall be submitted to and approved in writing by the local planning authority and the development shall not be occupied otherwise than in accordance with any such approval given and the CHP plant shall be operated and maintained in accordance with the approved Management Plan unless otherwise agreed in writing by the local planning authority.

Reason

To ensure the proposal minimises its impact on air quality in accordance with Saved Policies 3.3 Sustainability Assessment, 3.4 Energy Efficiency and 3.6 Air Quality of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

- 24 No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) to be used in the carrying out of each phase of the development, has been submitted to and approved in writing by the local planning authority in consultation with the relevant water or sewerage undertaker, before any work in connection with that phase is carried out. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason

The proposed works will be in close proximity to underground water and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

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

PL-(90)001 B, PL-(90)010 A, PL(90)020 A, PL(90)030 A, PL(90)040, PL(00)099 C, PL(00)100 B, PL(00)101 B, PL(00)102 B, PL(00)103 B, PL(00)104 B, PL(00)105 B, PL(00)106 B, PL(00)107 B, PL(00)108 B, PL(00)109 B, PL(00)200 A, PL(00)300 A, PL(00)301 A, PL(00)302 A, PL(00)303 A, PL(00)304 A, PL(00)400, PL(00)401 A, PL(00)410 A, PL(00)500, PL(00)501 A, PL(00)502, 133-01-P, 133-10-P

Reason:

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

Item No. 7.	Classification: Open	Date: 9 October 2012	Meeting Name: Planning Committee
Report title:		Approval of £197,823 of S106 education contributions towards expanding school capacity at St James School and Crampton primary schools from developments at 89 Spa Road (Site D Bermondsey Spa) a/n 337 S106/120868 05/AP/2617 and Newington Industrial Estate, a/n 263, S106/111215 04/AP/0544.	
Ward(s) or groups affected:		Newington and Grange wards	
From:		Assistant Director Strategy & Support	

RECOMMENDATION

1. That the Planning Committee authorises the expenditure of £197,823 for:
 - £147,823 from 89 Spa Road (Site D Bermondsey Spa) a/n 337 S106/120868 05/AP/2617 towards a new classroom at St. James School (Alma site) Primary School.
 - £50,000 from Newington Industrial Estate, a/n 263, S106/111215 04/AP/0544 towards additional capacity at Crampton Primary School.

BACKGROUND INFORMATION

2. Approval in respect of s106 funds over £100,000 for matters of strategic importance is a matter reserved to planning committee. Planning obligations under section 106 of the Town and Country Planning Act 1990 are used to address the negative impacts caused by a development and contribute to providing infrastructure and facilities necessary to achieve sustainable communities. The council can enter into a legal agreement with a developer whereby the developer agrees to provide planning obligations. These obligations can take the form of financial contributions and can cover a range of facilities including contributions toward educational facilities.
3. The council has been able to secure funding towards local educational capacity improvements from the named developments to ensure that the council can provide some mitigation from the pressure of new developments on educational school places likely to be used by the residents of the new developments.

KEY ISSUES FOR CONSIDERATION

4. Through the pupil place planning for schools places the council has assessed the need for places throughout the borough and invested in additional school places to meet the growth in population and parental choice. Additional places were provided at Crampton and St James primary schools as part of a borough wide programme of expansion of school places. The primary school project is a rolling project and as a whole will provide an aggregate of 10 forms of entry classrooms and cost approximately £30 million by 2012/13.

5. The whole of the council maintained and voluntary aided school estate has been subject to a condition and capacity survey. The survey was completed in the summer of 2012 and this information will be reported to cabinet in the autumn of 2012 along with recommended strategy for the provision of further places.
6. It has always been planned that where appropriate and available, S106 funding would be used to contribute towards the costs of providing this extra educational capacity.
7. The allocation towards a new bulge class room at St James Primary School, on the site of the former Alma School, will provide a new 30 place classroom and associated works to increase school capacity with improvements to the kitchen and toilet. This work has been forward funded by the council as was completed in 2011/12.
8. The allocation toward a new class room at Crampton Primary School will provide a new classroom and works to provide space for an additional 30 school places. It and associated works and refurbishments have cost the council over £1.5m. This work has been forward funded by the council and was completed in 2011-12.

Policy implications

9. The identified contributions were secured through a S106 legal agreement with the justification for educational need from new developments indentified in the adopted Planning Obligations Supplementary Planning Document, 2007.
10. A further cabinet report is expected in the autumn 2012 detailing the outcome of the resent condition and capacity surveys. This in conjunction with the pupil place planning needs will recommend a future strategy of provision of school places.

Community impact statement

11. The school expansions will have a positive impact on the community. The provision of modern and practical facilities with more capacity will greatly enhance the quality of the education facilities for both the additional and existing pupils and teachers.
12. The provision will provide space for all sections of the community irrespective of class, gender, ethnic origin, disability, religious belief, age or sexuality can come together. This in turn will improve the quality of life of people in Southwark and encourage community cohesion.

Resource implications

13. The council has previous committed to forward fund these two expansion projects from existing approved project budgets.

Consultation

14. The actual school expansions were consulted upon during their respective planning applications. Any comments from Bankside, Borough and Walworth and Bermondsey and Rotherhithe Community Councils will be reported in the addendum report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

15. Members of the planning committee are requested to authorise the release of funds from two S106 planning obligations, totaling £197,823, for expenditure on educational needs as specified in paragraph 1 of the recommendation.
16. 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;
 - (iii) directly related to the respective developments;
 - (iv) fairly and reasonably related in scale and kind to the respective developments; and
 - (v) reasonable in all other respects.
17. The s106 agreement dated 13 September 2007 in respect of 89 Spa Road & Site D Bermondsey Spa, secured an education contribution in the amount of £147,823.00 to be used towards the provision of new school places. This report seeks to use that contribution towards the provision of a new classroom at St. James Primary School at the Alma site. The provision of a new classroom will as identified in paragraph 6 of the report provide a new 30 space classroom which will increase school capacity. The allocation of the education contribution towards this provision is therefore in accordance with the terms of the s106 legal agreement.
18. The S106 agreement dated 29 July 2005 in respect of the Newington Industrial Estate secured an education contribution in the amount of £50,000 which must be used towards the provision of educational facilities in the borough. This report seeks to use that contribution towards a new classroom at Crampton Primary School to provide for additional school places as identified in paragraph 7 of the report. The allocation of the education contribution towards this provision is therefore in accordance with the terms of the S106 legal agreement.
19. The decision to consider and approve S106 expenditure exceeding £100,000 is reserved to members of planning committee in accordance with Part 3F, paragraph 2 under the heading 'Matters Reserved for a Decision'. Subject to taking account of the above considerations, members are advised to approve the expenditure which would be consistent with the terms of the S106 and the legal and policy tests relating to validity and expenditure of S106 contributions.

Section 106 Manager

20. The development at 89 Spa Road (Site D Bermondsey Spa) a/n 337 S106/120868 05/AP/2617 secured £243,554 towards a variety of obligations including £147,823 towards education. All the contributions associated with this

development have been received and all but the education contribution have been spent. The £147,823 for education needs to be spent by 31 October 2012.

21. The development at Newington Industrial Estate, a/n 263, S106/111215 04/AP/0544 secured £375,000 towards a variety of obligations including £50,000 towards education. All the contributions associated with this development have been received and all but the education contribution have been spent. The £50,000 for education needs to be spent by 15 November 2012.
22. The proposed allocation of £197,823 towards increased educational capacity at local schools will provide direct educational mitigation from these developments and spend the money in the required time limits.

Strategic Director of Finance and Corporate Services

23. This report recommends that the planning committee authorises expenditure of S106 monies towards a new classroom at St. James School (Alma site) Primary School and additional capacity at Crampton Primary School.
24. The strategic director notes the resource implications contained within the report, and that the relevant S106 monies have been received and are available. Officer time to effect the recommendation will be contained within existing budgeted revenue resources.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
S106 agreements 05/AP/2617 & 04/AP/0544.	Planning, 5 Floor, 160 Tooley Street, London SE1 2QH	Zayd Al-Jawad 020 7525 7309

AUDIT TRAIL

Lead Officer	Kerry Crichlow , Assistant Director Strategy & Support	
Report Author	Zayd Al-Jawad, Section106 Manager	
Version	Final	
Date	20 September 2012	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
S106 Manager	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		21 September 2012

Item No. 8.	Classification: Open	Date: 9 October 2012	Meeting Name: Planning Committee
Report title:		Community infrastructure levy (CIL) preliminary draft charging schedule	
Ward(s) or groups affected:		All	
From:		Interim Director of Planning	

RECOMMENDATION

- 1 That planning committee provides comments on the community infrastructure levy (CIL) preliminary draft charging schedule (Appendix A) which is currently out for public consultation.

BACKGROUND INFORMATION

- 2 The Community Infrastructure Levy (CIL) is a new levy that local authorities can choose to charge on new developments in their area. The money can be used to support development by funding infrastructure that the council, local community and neighbourhoods want. The benefits are increased certainty for the funding and delivery of infrastructure, increased certainty for developers and increased transparency for local people.
- 3 The Planning Act 2008 provides that London borough councils are charging authorities for the purposes of the Community Infrastructure Regulations 2010. If intending to apply the levy, charging authorities must produce a document called a charging schedule which sets out the rate for their levy. These rates must be supported by an evidence base including:
 - An up-to-date development plan
 - The area's infrastructure needs
 - An overall assessment of the economic viability of new development.
- 4 Once adopted, the levy is a mandatory charge levied on most new developments that involve an increase of 100sqm or more of additional floorspace or that involve the creation of a new residential unit. The charging authority can set one standard rate or it can set specific rates for different areas and types of development. In setting rates, a charging authority is required to strike a reasonable balance between the need to finance infrastructure from CIL against the impact of CIL on the economic viability of development across its area. The charging rates and zones which Southwark is proposing are set out in Appendix A.
- 5 Some developments are exempt from paying the levy. These are developments of affordable housing and developments by charities of buildings used for charitable purposes.
- 6 It should be noted that in London's case, the Mayor is also a charging authority. The Mayor has introduced a CIL to fund Crossrail. The Mayor's levy is £35 per

square metre, with a limited number of exceptions. Southwark collects this levy on behalf of the Mayor.

- 7 S106 planning obligations will continue to play a part in delivering local site specific improvements such as public realm or transport, which are needed to make the particular development acceptable in planning terms. Affordable housing will also continue to be delivered through s106 planning obligations.
- 8 However, from April 2014 or the adoption of a CIL Charging Schedule, planning obligations will no longer be used as the basis for a tariff to fund infrastructure. Local authorities will not be able to pool more than 5 obligations to fund a single item of infrastructure. Currently, the council uses standard charges set out in its s106 Planning Obligations SPD to pool contributions for infrastructure such as new schools places, strategic transport infrastructure, open space, leisure facilities and health facilities. From April 2014, this approach will no longer be permitted. The council must bring a CIL into effect before this date if development is to continue to contribute to strategic infrastructure which is needed to promote growth and development in its area.
- 9 The council is proposing to update its s106 Planning Obligations SPD on the same timeline as preparing the CIL. The revised s106 Planning Obligations SPD would supersede the existing SPD and provide detailed guidance on the use of planning obligations alongside CIL. It is anticipated that the council will consult on a draft revised s106 Planning Obligations SPD later in the year to coincide with the second round of consultation (on the draft CIL Charging schedule) rates.
- 10 The purpose of CIL is to help fund infrastructure which supports growth in the borough. Infrastructure is defined in the Regulations to include: roads and other transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities and open spaces.
- 11 In conjunction with preparing a CIL charging schedule, charging authorities should also prepare an infrastructure plan setting out strategic infrastructure required to support growth over the period of the council's local plan (in Southwark's case the core strategy period of 2011-2026). Southwark's draft infrastructure plan (IP) is set out in Appendix B. The infrastructure set out in the IP is not an exhaustive list. It is intended to be a living document which can be updated regularly. Omission of infrastructure items from the list would not preclude such items being funded in the future through CIL. Nor does the IP commit the council to spending the amounts set out in the plan.
- 12 Because the purpose of CIL is to support growth rather than mitigate impacts of specific developments, it can be used more strategically than s106 contributions. A protocol for governing expenditure will be prepared in due course.
- 13 Under the Localism Act, the council must identify a 'meaningful proportion' of Southwark CIL that will be spent in the local area to ensure that those people affected by development see some of the benefit. This allocation would be made using the community infrastructure project list (CIPL) which may be based on a recently revised project bank list. This would be updated every year with consultation with the community councils and planning committee to ensure it reflects local needs. During 2012, the government will provide further detail about the level of the "meaningful proportion" of CIL that should be spent locally.
- 14 This is the first stage of consultation on the CIL charging schedule. The council

will consider all comments made on the preliminary draft charging schedule before publishing its draft charging schedule in December 2012. The council will invite representations on its draft charging schedule before submitting it to an independent planning inspector for an examination in public. It is anticipated that the CIL will be brought into effect in 2013.

CONSULTATION

- 15 The Community Infrastructure Levy Regulations 2010 and our Statement of Community Involvement (SCI) 2007 set out consultation requirements for planning documents.
- 16 The consultation plan sets out the consultation that will be carried out on the preliminary draft charging schedule. The SCI requires consultation over a 12 week period, comprising a period of informal consultation, followed by a 6 week period of formal consultation. Formal consultation on the preliminary draft charging schedule is taking between 5 September and 17 October 2012. 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. The document has also been publicised at community council meetings and an event has been held with developers to raise awareness about CIL.

KEY ISSUES FOR CONSIDERATION

- 17 The CIL regulations specify that in setting their levies charging authorities must strike balance between the desirability of securing funding for infrastructure and the potential effects, taken as a whole, of the imposition of CIL on the economic viability of development across their areas. Levies must also take into account the requirement to pay the Mayoral CIL and should also consider impacts on planning policies, including the requirement to provide affordable housing.
- 18 The CIL levy rates and charging zones proposed by the council have been informed by an economic viability appraisal encompassing a series of viability appraisals of sites around the borough. The number of proposed zones and their locations reflect broad value ranges.
- 19 With regard to residential development, the appraisals generally suggest that development in the north of the borough (north of Union Street, Snowsfields and Jamaica Road) generates higher values which in turn would justify a higher residential CIL levy in these zones. Moving southwards, a separate zone is proposed comprising areas around Elephant and Castle, Bermondsey Spa, Canada Water, Camberwell, Nunhead, East Dulwich and Dulwich. The appraisals suggested that developments in this area would generally be able to support a CIL of £250 per square metre. This is consistent with the s106 tariff level recently agreed in the Elephant and Castle supplementary planning document (the CIL, when brought into effect, will replace the Elephant and Castle SPD tariffs).
- 20 A further residential zone is proposed around the Aylesbury estate, Burgess Park, Peckham and Old Kent Road. Many of the development sites tested in these areas were unviable at current values which would justify a lower CIL levy. The council currently negotiates around £130 per square metre through s106 agreements. The proposed CIL levy in this zone of £50 per square metre is lower than the current rate. However, when the Mayoral CIL of £35 per square metre is added and some allowance made for site specific s106 planning obligations, the

effect of CIL should be broadly neutral.

- 21 The boundaries of the residential zones have been informed by post code data on house prices which show average value bands and broad geographical breaks between areas. The majority of the residential developments which were subject to the viability appraisals were viable developments and would support the proposed CIL charges. Those developments which were currently unviable, would remain unviable irrespective of CIL. It is therefore not considered that the proposed residential charges would put development across the borough at risk or impede the council's regeneration efforts.
- 22 These CIL rates for residential development are comparable with those boroughs which have published rates. Wandsworth is proposing a rate of £250 per square metre across the borough, with a £575 per square metre charge in Vauxhall and Nine Elms (which have lower affordable housing requirements) and a nil charge in Roehampton. Brent has proposed £200 per square metre flat rate across the borough, Barnet a flat rate of £135 per square metre, Lewisham between £70 and £100 per square metre and Merton is proposing £385 per square metre in Wimbledon, dropping to £42 per square metre in Mitcham and Morden.
- 23 Student housing would be charged at the same rate as residential development. The charge for hotels is varied between the north of the borough (north of Union Street) and the remainder of the borough. This reflects differences in viability which in turn is borne out by the geographic concentration of hotel development in recent years.
- 24 The appraisals suggested that office developments across the borough are largely unviable at current values. However, large office developments north of Union Street and Snowsfields can command higher rental values and is the area in which new office floorspace has been concentrated over the last 10 years. A moderate levy of £100 per square metre for office space is proposed in this area, which would be comparable with the council's current s106 standard charges for office development. Outside this area however, a levy of £0 per square metre for office space would be justifiable. This would also be consistent with the approach taken on the tariff in the Elephant and Castle SPD. Similarly, the appraisals suggested that industrial and warehousing developments are largely unviable and therefore a CIL levy of £0 per square metre for these uses is justifiable.
- 25 The viability of retail developments depends to a large extent on the size of the proposed floorspace, with larger mall-type developments commanding much greater values than small corner shops. Given the marginality of the latter, a £0 per square metre charge is proposed for small shops below 280 square metres in size (this is the threshold at which shops are classed as "large" under Sunday trading laws). £125 per square metre is proposed for shops between 280 square metres and 2,500 square metres (which roughly equates to the current s106 planning obligations tariff for retail space) and this is doubled for the largest developments over 2,500 square metres. This would apply to large town centre and supermarket developments, such as those at Elephant and Castle, Canada Water and potentially Peckham. 2,500 square metres is the threshold identified in the National Planning Policy Framework for the largest developments which have the potential to generate more significant impacts. Appraisals of three large retail schemes at Canada Water and Elephant and Castle suggested that this charge would not put such developments at risk.
- 26 It is proposed that public libraries and leisure centres which charge at rates

equivalent to those charged by local authorities would have a nil charge (£0 per square metre). Education and health facilities would also be exempt. All other developments would pay £50 per square metre.

- 27 Using the council's development capacity assessment, it is estimated that CIL could generate around £7m-£8m per year (at today's prices). The council has made an assessment of infrastructure required to support growth over this period. Sources of committed funding to support infrastructure have also been identified. Inevitably, there is more certainty over funding sources for projects to be delivered in the short term and much less certainty over mid and longer term projects. The infrastructure plan is a living document and can be updated regularly. Overall, the infrastructure plan shows a funding shortfall of £517m over the period. CIL would play an important role in contributing to this infrastructure requirement, although would not be sufficient to cover it entirely and the council will continue to need to explore other sources of funding to deliver all the infrastructure set out in the infrastructure plan. The CIL regulations allow up to 5% of CIL generated will be used to monitor and administer the charge. As with s106 planning obligations, once the CIL is brought into effect the council will monitor funding generated and publish regular monitoring reports on the website.
- 28 Overall it is considered that the proposed levies represent an appropriate balance between generating funding to secure provision of infrastructure and ensuring that CIL does not put development and regeneration in the borough at risk.

Community impact statement

Equalities analysis

- 29 An equalities analysis has been undertaken as part of the preparation of the CIL charging schedule. The equalities analysis considered the potential impacts arising as a result of the boundaries of the charging zones and the different levels of charge that would be applicable to different types of development within these zones. In accordance with the Equality Act 2010, the analysis considers the potential impacts of the charging schedule on those groups identified within the Act as having protected characteristics. The main issues are summarised below.
- 30 The range of CIL charges proposed and the boundaries of the charging zones are considered to give rise to limited impacts on the individual groups that are identified in the Equality Act. The imposition of a CIL charge could have potential impacts on small businesses in some parts of the borough, which could, in some areas, have a disproportionate effect on BME communities. We propose to adopt a nil charge for small shops across the borough and also a nil charge for office floorspace in all areas except for the commercial areas adjoining the river. As well as benefitting new businesses directly, this approach will ensure that CIL does not act as a barrier to job creation or as a disincentive to provide local services, which are important to those with reduced mobility, such as older people, disabled people and those who are pregnant or have young children.
- 31 The proposed lower tariff in the centre of the borough acknowledges the need for new and improved infrastructure, but also aims to ensure that CIL does not hinder regeneration attempts, for instance in Peckham and at the Aylesbury Estate. Ultimately, CIL is a mechanism intended to raise money to fund infrastructure that will contribute to sustainable development in the borough. In

this sense, the adoption of CIL should have an overall positive impact on the various equalities groups. More specific impacts may arise depending on the types of infrastructure that are ultimately funded through CIL, but such issues are not broached as part of the charging schedule and will be considered in due course in the context of decisions concerning expenditure.

- 32 The Regulations stipulate that social housing is to be exempt from paying CIL. This exemption will have particular benefits to certain protected groups in Southwark since our housing requirements study 2008 identifies that a high proportion of certain minority ethnic groups and a higher proportion of older people typically reside in social rented housing.

Sustainability appraisal

- 33 The Core Strategy 2011 was subject to a sustainability appraisal incorporating a strategic environmental assessment to ensure that principles of sustainable development were thoroughly considered. The Southwark CIL is an extension of the spatial vision and policies set out in the Core Strategy and should not raise additional implications for sustainable development objectives which have not been previously considered. CLG guidance on Charge setting and charging schedule procedures, 2010, states that because CILs are short financial documents, separate sustainability appraisal for CILs is not required.

BACKGROUND DOCUMENTS

Background paper	Held at	Contact
Core strategy April 2011	Planning Department 5 th floor 160 Tooley Street SE1 2QH	Sandra Warren 0207 525 5471
Statement of Community Involvement 2008		
CIL viability study 2012 (available on the council's website)		
Equalities Analysis (available on the website)		
Consultation Plan (available on the website)		

APPENDICES

No.	Title
Appendix A	Community infrastructure levy (CIL) preliminary draft charging schedule (available on the internet at http://www.southwark.gov.uk/downloads/download/3112/community_infrastructure_levy)
Appendix B	Infrastructure Plan (available on the internet at http://www.southwark.gov.uk/downloads/download/3112/community_infrastructure_levy)

AUDIT TRAIL

Lead Officer	Simon Bevan, Interim Director of Planning	
Report Author	Tim Cutts, Team Leader, Planning Policy	
Version	Final	
Dated	25 September 2012	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	No	No
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		28September 2012

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MUNICIPAL YEAR 2012/13

COMMITTEE:

PLANNING COMMITTEE

NOTE:

Original held in Constitutional Team; all amendments/queries to Kenny Uzodike, Constitutional Team,
Tel: 020 7525 7236.

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