

## Planning Committee

Tuesday 29 April 2014

7.00 pm

Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

### Membership

Councillor Nick Dolezal (Chair)  
Councillor Darren Merrill (Vice-Chair)  
Councillor Mark Gettleson  
Councillor Rebecca Lury  
Councillor Adele Morris  
Councillor Nick Stanton  
Councillor Mark Williams

### Reserves

Councillor Kevin Ahern  
Councillor Catherine Bowman  
Councillor Chris Brown  
Councillor Eliza Mann  
Councillor Martin Seaton

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

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#### Contact

Sarah Koniarski on 020 7525 5824 or email: [sarah.koniarski@southwark.gov.uk](mailto:sarah.koniarski@southwark.gov.uk)

Webpage: <http://www.southwark.gov.uk>

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 17 April 2014



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# Planning Committee

Tuesday 29 April 2014  
7.00 pm  
Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

## Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
	<b>PROCEDURE NOTE</b>	
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>MINUTES</b>	3 - 13
	To approve as a correct record the minutes of the open section of the meeting held on 25 March 2014	
6.	<b>SOUTHWARK DESIGN REVIEW PANEL AND CONSERVATION AREAS ADVISORY GROUP ADVERTISING</b>	14 - 24

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>7.</b>	<b>DEVELOPMENT MANAGEMENT</b>	<b>25 - 28</b>
	<b>7.1. 175-179 LONG LANE, LONDON SE1 4PN</b>	<b>29 - 69</b>

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

**EXCLUSION OF PRESS AND PUBLIC**

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

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

**PART B - CLOSED BUSINESS**

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

Date: 17 April 2014

## 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, Chief Executive's Department  
Tel: 0207 525 5437; or

Planning Committee Clerk, 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 25 March 2014 at 7.00 pm at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Nick Dolezal (Chair)  
Councillor Darren Merrill  
Councillor Rebecca Lury  
Councillor Adele Morris  
Councillor Mark Williams  
Councillor Catherine Bowman (reserve)  
Councillor Eliza Mann (reserve)

**OFFICER SUPPORT:** Simon Bevan, Director of Planning  
Gary Rice, Head of Development Management  
Zayd Al-Jawad, S106 and CIL Officer  
Bridin O'Connor, Planning Officer  
Yvonne Lewis, Planning Officer  
Rob Bristow, Planning Officer  
Michael Tsoukaris, Design and Conservation Officer  
Christian Loveday, Transport Planner  
Jonathan Gorst, Legal Officer  
Sarah Koniarski, Constitutional Officer  
Virginia Wynn-Jones, Constitutional Officer

### 1. APOLOGIES

Apologies were received from Councillor Mark Gettleson and Councillor Nick Stanton.

Councillors Catherine Bowman and Eliza Mann attended the meeting in their capacity as reserve members.

### 2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

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

The chair gave notice of the following additional papers, which related to item 11 on the agenda and which had been circulated prior to the meeting:

- addendum report
- member pack.

#### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

#### 5. MINUTES

##### RESOLVED:

That the minutes of the meeting held on 4 March 2014 be agreed as a correct record and signed by the chair.

#### 6. TO RELEASE £5,262,998 OF SECTION 106 MONIES FROM THE DEVELOPMENT AT BANKSIDE INDUSTRIAL ESTATE, 118-122 SOUTHWARK STREET, 44 HOLLAND STREET, 47 HOPTON STREET SE1 OSW, KNOWN AS BANKSIDE 4 11/AP/0912 A/N 339A TO PROVIDE 21 NEW AFFORDABLE HOUSING UNITS FOR SOCIAL RENT 8X1BED, 8X2BED AND 5X3BED, AS PART OF THE DELIVERY OF 75 NEW AFFORDABLE HOMES AT WILLOW WALK SE1

Report: see pages 10-15 of the agenda.

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

##### RESOLVED:

That the expenditure of £5,262,998 from the section 106 Affordable Housing Fund, being monies collated from the development at Bankside Industrial Estate, 118-122 Southwark Street, 44 Holland Street, 47 Hopton Street, SE1, known as Bankside 4 11/AP/0912 a/n 339A towards the provision of 21 new affordable housing units for social rent 8x1 bed, 8x2 bed and 5x3 bed, as part of the delivery of 75 new affordable homes at Willow Walk SE1 be authorised.

#### 7. NEIGHBOURHOOD PLANNING - APPLICATION FOR A NEIGHBOURHOOD AREA FOR ROTHERHITHE AND SURREY DOCKS

Report: see pages 16-36 of the agenda.

The committee heard an officer's introduction to the report and made comments on the application.

##### RESOLVED:

With regards to the application for the designation of the Rotherhithe and Surrey Docks neighbourhood area the planning committee commented as follows:

- The committee noted that the proposed neighbourhood area was very large

which would potentially cause difficulties in developing a coherent view of the community's aims in preparing a neighbourhood plan.

- The committee also acknowledged, however, that the proposal was an expression of the community's wishes.
- Although the proposed area broadly followed ward boundaries, the committee observed that it involved the division of the Bonamy Estate so that part of it was included within the area but part was outside.

## **8. NEIGHBOURHOOD PLANNING - APPLICATION FOR A NEIGHBOURHOOD AREA FOR ELEPHANT AND WALWORTH**

Report: see pages 37-52 of the agenda.

The committee heard an officer's introduction to the report and made comments on the application.

### **RESOLVED:**

With regards to the application from the Elephant and Walworth neighbourhood forum for the designation of the Elephant and Walworth neighbourhood development area the planning committee commented as follows:

- The committee observed that the area generally referred to as Elephant and Castle included areas to the north which had been excluded from the proposed neighbourhood area boundary.
- Upon receipt of information from Councillor Bowman, ward councillor for Newington, the committee noted that the boundary proposed was the result of extensive consultation and was not arbitrary.
- The committee further acknowledged information from Councillor Lury, ward councillor for East Walworth and member of the proposed neighbourhood forum, that extensive consultation had been carried out regarding the neighbourhood area boundary.

## **9. CONSULTATION ON THE DRAFT FURTHER ALTERATIONS TO THE LONDON PLAN**

Report: see pages 53-55 of the agenda.

The committee heard an officer's introduction to the report and made comments on the draft alterations.

### **RESOLVED:**

With regards to the consultation on the draft Further Alterations to the London Plan, which was due to close on 10 April 2014, the planning committee noted it was the intention of the cabinet member for regeneration and corporate strategy to submit a



formal consultation response and commented as follows:

- Concern was expressed that the further increase in housing targets would exert pressure on the management of developments across the borough, prompting consideration of non-optimal proposals.
- The committee observed that the designation of Crystal Palace as a strategic outer London development centre may become a cause for concern if it resulted in the intensification of developments that would be major generators of road traffic.

**10. CONFIRMATION OF THE ARTICLE 4 DIRECTIONS TO WITHDRAW THE PERMITTED DEVELOPMENT RIGHTS GRANTED BY SCHEDULE 2, PART 3, CLASS C AND SCHEDULE 2, PART 4, CLASS D OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 (AS AMENDED)**

Report: See pages 56-95 of the agenda.

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

**RESOLVED:**

1. That the Article 4 Direction (Appendix 1 of the report) to withdraw the permitted development rights granted by Schedule 2, Part 3, Class C, for changes of use from A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food takeaways) to A2 (financial and professional services) in Southwark's protected shopping frontages (Appendix 3 of the report), which was implemented with immediate effect on 17 October 2013 be confirmed.
2. That the Article 4 Direction (Appendix 2 of the report) to withdraw the permitted development rights granted by Schedule 2, Part 4, Class D for a change of use to a flexible use falling within either class A1 (shops), class A2 (financial and professional services), class A3 (restaurants and cafes) or class B1 (business) from uses falling within use classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food takeaways), B1 (business), D1 (non-residential institutions) and D2 (assembly and leisure) in Southwark's protected shopping frontages (Appendix 3 of the report), which was implemented with immediate effect on 17 October 2013 be confirmed.
3. That the updated equalities analysis of the Article 4 Directions (Appendix 4 of the report) be noted.

**11. DEVELOPMENT MANAGEMENT**

Report: See pages 96-101 of the agenda.

**RESOLVED:**

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.

### **ADDENDUM REPORT**

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 the committee to be aware of late observations, consultation, responses, additional information and revisions.

#### **11.1 LESOCO, UFFORD STREET, LONDON, SE1 8LE**

##### **Planning application reference number 13-AP-4094**

Report: See pages 102-143 of the agenda and sections 3.4 and 3.5 of the addendum report.

##### **PROPOSAL**

*Outline application for the demolition of existing college buildings and redevelopment of the site to provide up to 44 residential units in two blocks of two to four, and three to six storeys, up to 35sqms of B1/D1 floorspace, new street linking The Cut and Ufford Street, amenity space, landscaping and associated ancillary works.*

The planning officer informed the committee that sections 3.1 and 3.3 of the addendum report had been transposed in error, meaning that sections 3.4 and 3.5 of the addendum report relate to application number 13-AP-4094.

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

The committee heard a representation from an objector to the application and asked questions of the objector.

An agent on behalf of the applicant made a representation to the committee and answered questions arising from their submission.

Councillor David Noakes addressed the committee in his capacity as a ward councillor for Cathedrals ward. The committee asked questions of the ward councillor.

The committee debated the application and asked questions of the officers.

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

**RESOLVED:**

1. That the changes to the draft decision notice proposed in section 3.5 of the addendum report be agreed.
2. That condition 5 be amended to include provision for additional cycle safety awareness in the vicinity of the construction site.
3. That condition 10 be amended to include a requirement that the applicant consult with the neighbouring residents of Theatre View Apartments regarding the species and location of any new trees.
4. That planning permission for application number 13-AP-4094 be granted subject to conditions (as amended) and the applicant entering into a satisfactory legal agreement.
5. In the event that the legal agreement is not entered into by 6 May 2014 then the Head of Development Management be authorised to refuse planning permission if appropriate for the reasons set out in section 104 of the report.

**11.2 LESOCO, WATERLOO CAMPUS, THE CUT, LONDON, SE1 8LE****Planning application reference number 13-AP-4093**

Report: See pages 144-177 of the agenda and section 3.2 of the addendum report.

**PROPOSAL**

*Demolition of existing college buildings and the redevelopment of site to provide new college buildings of between two and six storeys in height (7779sqms of new floor space), together with associated access and landscaping and ancillary facilities.*

The planning officer informed the committee that sections 3.1 and 3.3 of the addendum report had been transposed in error, meaning that section 3.2 of the addendum report related to application number 13-AP-4093. The officer corrected a typographical error in the addendum report meaning that section 3.2 related to condition 14 and not condition 9.

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

The committee heard a representation from an objector to the application and asked questions of the objector.

An agent on behalf of the applicant made a representation to the committee and answered questions arising from their submission.

Councillor David Noakes addressed the committee in his capacity as a ward councillor for Cathedrals ward. The committee asked questions of the ward councillor.

The committee debated the application and asked questions of the officers.

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

**RESOLVED:**

1. That the changes to condition 14 proposed in section 3.2 of the addendum report be agreed.
2. That an additional condition be amended attached to the permission, restricting the on-site cafeteria's terminal hour to 22.00.
3. That an informative be included on the decision notice to encourage the applicant to provide neighbouring residents with details of a single point of contact with whom they can raise any concerns or queries relating to activity on the site.
4. That planning permission for application number 13-AP-4093 be granted subject to conditions as amended.

**11.3 6-14 MELIOR STREET AND LAND ADJOINING TO THE REAR OF OUR LADY OF LA SALLE AND SAINT JOSEPH CATHOLIC CHURCH, LONDON, SE1 3QP (FULL PLANNING PERMISSION)**

**Planning application reference number 13-AP-3059**

Report: See pages 178-251 of the agenda and sections 3.7-3.9 of the addendum report.

**PROPOSAL**

*Part demolition and part refurbishment / change of use of existing buildings and erection of new buildings ranging from 4-7 storeys in height to provide 37 residential units (Class C3); a community centre (Class D1) and flexible commercial space at ground floor level (Class A1/A3/B1); cycle storage, new landscaping and associated works.*

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

The committee heard a representation from objectors to the application and asked questions of the objectors.

An agent on behalf of the applicant made a representation to the committee and answered questions arising from their submission.

Councillor Mark Gettleson addressed the committee in his capacity as a ward councillor for Grange ward. The committee asked questions of the ward councillor.

The committee debated the application and asked questions of the officers.

A motion to refuse planning permission was moved, seconded, put to the vote and lost.

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

**RESOLVED:**

1. That full planning permission for application number 13/AP/3059 be granted subject to conditions and the applicant entering into a legal agreement.
2. In the event that the legal agreement is not entered into by 2 May 2014 the Head of Development Management be authorised to refuse planning permission, if appropriate, for the reasons set out in section 220 of this report.

Councillor Catherine Bowman and Councillor Adele Morris voted against the above listed resolution and asked for this to be recorded in the minutes in accordance with paragraph 1.8.4 of the committee procedure rules.

**11.4 6-14 MELIOR STREET AND LAND ADJOINING TO THE REAR OF OUR LADY OF LA SALLE AND SAINT JOSEPH CATHOLIC CHURCH, LONDON, SE1 3QP  
(CONSERVATION AREA CONSENT)**

**Planning application reference number 13-AP-3060**

Report: See pages 178-251 of the agenda and sections 3.7-3.9 of the addendum report.

**PROPOSAL**

*Demolition of the Manna Centre and part demolition of the college buildings and presbytery in connection with the redevelopment of the site.*

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

The committee heard a representation from objectors to the application and asked questions of the objectors.

An agent on behalf of the applicant made a representation to the committee and answered questions arising from their submission.

Councillor Mark Gettleson addressed the committee in his capacity as a ward councillor for Grange ward. The committee asked questions of the ward councillor.

The committee debated the application and asked questions of the officers.

A motion to grant conservation area consent was moved, seconded, put to the vote and declared.

**RESOLVED:**

That conservation area consent be granted for application 13/AP/3060 subject to conditions.

Councillor Catherine Bowman and Councillor Adele Morris voted against the above listed resolution and asked for this to be recorded in the minutes in accordance with paragraph 1.8.4 of the committee procedure rules.

## 11.5 ISIS HOUSE, 67-69 SOUTHWARK STREET LONDON SE1 OHX

### Planning application reference number 13-AP-2075

Report: See pages 202-354 of the agenda and sections 3.11-3.12 of the addendum report.

#### PROPOSAL

*Demolition of existing building and erection of a part 13, part 16 storey building comprising a retail unit on the ground floor (Use Class A1) and nine self-contained residential units above (Use Class C3).*

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

The applicant made a representation to the committee and answered questions arising from their submission.

The committee debated the application.

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

#### RESOLVED:

1. That amendments to section 106 agreement proposed in section 3.12 of the addendum report be agreed.
2. That planning permission for application number 13-AP-2075 be granted subject to conditions (as amended) and the applicant entering into a satisfactory legal agreement and referral to the Mayor of London.

## 11.6 EXECUTIVE SUMMARY FOR DULWICH AND HERNE HILL FLOOD RELIEF SCHEME

Report: See pages 305-309 of the agenda.

#### RESOLVED:

That the executive summary be noted.

## 11.7 DULWICH SPORTS GROUND, TURNEY ROAD, LONDON, SE21 7JH

### Planning application reference number 13-AP-4478

Report: See pages 310-327 of the agenda and sections 3.14 and 3.15 of the addendum report.

#### PROPOSAL

*Construction of a continuous flood defence barrier along the north of the site and an underground storage tank, which will temporarily contain surface water within the Southwark Community Sports Trust grounds, as part of a wider flood alleviation scheme*

*(including works at Belair Park and Dulwich Park).*

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

The applicant made a representation to the committee and answered questions arising from their submission.

The committee heard a representation from supporters of the application (who lived within 100 metres of the development site) and asked questions of the supporters.

The committee debated the application.

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

**RESOLVED:**

1. That condition 10 proposed in section 3.15 of the addendum report be agreed and attached to the permission.
2. That planning permission for application number 13-AP-4478 be granted subject to conditions as amended.

**11.8 BELAIR RECREATION GROUND, GALLERY ROAD, LONDON SE21 7AB**

**Planning application reference number 13-AP-4479**

Report: See pages 328-342 of the agenda and section 3.17 of the addendum report.

**PROPOSAL**

*Localised earth modelling, including construction of low earth bunds, spillways and a detention basin, to temporarily contain surface water to the north of the park and increase the flood-able area around the lake, as part of a wider flood alleviation scheme (including works at Dulwich Park and the Southwark Community Sports Trust grounds).*

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

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

**RESOLVED:**

That planning permission be granted subject to conditions.

**11.9 DULWICH PARK, COLLEGE ROAD, LONDON SE21**

**Planning application reference number 13-AP-4517**

Report: See pages 343-366 of the agenda and sections 3.19-3.21 of the addendum report.

**PROPOSAL**

*Construction of two linear flood defence bunds complemented by two below ground geocellular water storage tanks to temporarily contain surface water in Dulwich Park, as part of a wider flood alleviation scheme (including works at Belair Park and the Southwark Community Sports Trust grounds)*

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

The committee heard a representation from an objector to the application and asked questions of the objector.

The applicant made a representation to the committee and answered questions arising from their submission.

The committee debated the application and asked questions of the officers.

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

**RESOLVED:**

1. That an additional condition requiring independent verification of the height of both flood defence bunds upon completion of construction be attached to the permission.
2. That an informative be included on the decision notice to encourage the applicant to include the provision of sand traps as part of the maintenance scheme for the development.
3. That planning permission for application number 13-AP-4517 be granted subject to conditions as amended.

Meeting ended at 11.59 pm

**CHAIR:**

**DATED:**



<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 29 April 2014	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		Southwark Design Review Panel and Conservation Areas Advisory Group advertising	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Director of Planning	

### RECOMMENDATIONS

1. To note that the council will shortly advertise for members for the 2014/16 Southwark Design Review Panel (DRP).
2. To note that the council will shortly advertise for members for the 2014/16 Southwark Conservation Areas Advisory Group (CAAG).

### BACKGROUND INFORMATION

3. On 11 January 2006 the planning committee agreed the establishment of a Design Review Panel that would consider the architectural merits of major planning applications. Each panel would be established for a period of two years. At that meeting the committee resolved:
  - a) That the roles and responsibilities of the panel members are to be clearly stated.
  - b) That the panel is subject to review every two years and must report back to the planning committee.
4. Two years will have passed since the 2012/2014 DRP was established in June 2012. The purpose of this report is to request the committee's agreement to advertise for the new 2014/2016 DRP.
5. Southwark's DRP is an independent expert advisory panel to the council. The panel's views, whilst of an advisory nature, will carry some weight in determining the architectural and urban design qualities of proposals.
6. Those selected to be on the panel offer their services on a voluntary basis and no remuneration has been offered to date.
7. Since its establishment in 2006 the DRP has introduced additional rigour to the assessment of architectural and urban design. In the last two years the panel has met 22 times and provided professional and consistent design reviews for 52 schemes.
8. As the first borough in London to establish a DRP, the panel has set a precedent that many boroughs have followed. The success of Southwark's DRP has been emulated elsewhere in London with at least three other boroughs establishing design review panels of their own since 2006.

9. Southwark CAAG was initially set up on an informal basis and managed with minimum oversight by the council with loosely defined terms of reference. Over the years it has met as a body to review planning applications affecting conservation areas, listed buildings and their settings.

#### **KEY ISSUES FOR CONSIDERATION**

10. The DRP is made up of external and internal advisors. External advisors are normally invited to come forward primarily through press advertisements in Southwark News and Building Design newspapers. Internal advisors can include officers of the Development Management team. In addition, other teams such as the Aylesbury Regeneration programme are invited to observe when applications within these areas are brought to the panel.
11. The council is proposing to place advertisements inviting expressions of interest to join Southwark's DRP in the Southwark Press and Building Design April/May 2014 publications.
12. Candidates for the DRP will be selected on their experience, reputation for designing high quality buildings, engagement with stakeholders, teaching/lecturing experience, special skills, their particular interest in Southwark and the range of expertise they could bring to the panel. Built environment specialists who are based in Southwark or have designed buildings in Southwark will be welcomed.
13. Membership of the DRP is not restricted to architects. It is open to others with specialist knowledge of the built environment including urban designers, landscape architects, town planners, structural engineers and generalists with specialist knowledge of regeneration schemes within Southwark.
14. Existing DRP members will be encouraged to apply to join the 2014/2016 DRP with a view to providing continuity and to support new panel members.
15. Presentation of development proposals to the DRP is encouraged at pre-application and application stage. Major cases that are of strategic importance are brought to the DRP's attention.
16. In a similar way the council will advertise for new members to join the CAAG. This opportunity will be open to those who live or work within one of the 45 Southwark conservation areas and who have a special interest in conservation of the historic environment.
17. The selection of candidates for CAAG will be based on their conservation knowledge, reputation for designing in a historic context, engagement with stakeholders, teaching/lecturing experience, special skills, their particular interest in Southwark's built heritage and the range of expertise they could bring to the group. Built environment specialists who are based in Southwark or have worked on conservation schemes in Southwark will be welcomed.
18. Membership of CAAG is not restricted to conservation architects and can include other professionals such as landscape architects, planners and surveyors with an interest in the historic environment or laypersons such as Tenants' and Residents' Association representatives within conservation areas.

19. CAAG advises the council on planning applications and council-owned developments affecting conservation areas or listed buildings in Southwark.
20. All members of the DRP and CAAG will be required to sign up to terms of reference and a code of conduct approved by the Director of Planning (Appendices 1 and 2) which expect members to adhere to the highest standards of professional and public life and includes a requirement that members of advisory panels and groups cannot take on commissions that they have reviewed for at least two years.

### **Policy implications**

14. There are none.

### **Community impact statement**

17. The advertisement for the 2014/2016 DRP and the 2014/2016 CAAG has no implications in terms of the council's statement of community involvement.

### **Resource implications**

18. The co-ordination of the DRP, preparation of DRP reports and the work of the CAAG will not result in significant additional resource implications for the staffing of the planning department. At the moment this resource is provided by the design and conservation team.
19. Other resource implications, including the advertisement for new panel members, can be met within the planning department's revenue budget.

### **Consultation**

20. There is no statutory requirement to consult on proposals to advertise the 2014/2016 DRP and 2014/2016 CAAG and no further consultation is envisaged at this stage.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Legal Services**

20. The constitution does not cover appointments to a panel or advisory group of this nature. Part 3F(a) of the constitution states that all matters not reserved to planning committee are delegated to the appropriate chief officer, head of service or business unit manager within the internal scheme of management for their own department.
21. The scheme of delegation for planning does not include any form of delegation that would cover the appointment of an advisory panel. In the absence of such a delegation it is therefore the director of planning that is responsible for the appointment of members to the DRP and CAAG.
22. Once candidates for the 2014/2016 DRP and the 2014/2016 CAAG have been shortlisted for appointment, the shortlist can be brought to planning committee for members' information; however members have no role in the choice of candidates as the decision to appoint candidates falls to the director of planning.

### Strategic director of finance and corporate services

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

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Planning committee report 12 January 2010	<a href="http://lbsth-dtr01/documents/s7022/Report.pdf">http://lbsth-dtr01/documents/s7022/Report.pdf</a> Southwark Design Review Panel Re-Advertising	Michael Tsoukaris 020 7525 5392
Planning committee report January 2012	<a href="http://lbsth-dtr01/documents/s25921/Report.pdf">http://lbsth-dtr01/documents/s25921/Report.pdf</a> Southwark Design Review Panel Re-Advertising	Michael Tsoukaris 020 7525 5392

### APPENDICES

No.	Title
Appendix 1	CAAG Terms of Reference and Code of Conduct
Appendix 2	Draft Advertisement for Southwark DRP 2014-2016
Appendix 3	Draft Advertisement for Southwark CAAG 2014-2016

### AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Michael Tsoukaris, Group Manager Design & Conservation	
<b>Version</b>	Final	
<b>Dated</b>	9 April 2014	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	11 April 2014	

## APPENDIX 1

### SOUTHWARK CONSERVATION AREAS ADVISORY GROUP

#### TERMS OF REFERENCE

##### 1. Introduction

The Southwark Conservation Areas Advisory Group (CAAG) was first established in the mid 1960s. Since its inception CAAG has reviewed hundreds of development proposals within conservation areas and affecting listed buildings ranging from a small innovative community churches and schools to large scale mixed-use developments.

##### 2. What we do

The Conservation Areas Advisory Group (the Group) advises the council on planning applications and council-owned developments affecting conservation areas or listed buildings in Southwark and is made up of a group of conservation architects and other design professionals to assess schemes that have been submitted for planning permission. The main purpose of the Group is to advise the Council on the designation of new or existing conservation areas; the architectural merits of significant proposals within conservation areas; or initiatives for the maintenance or enhancement of designated conservation areas and listed buildings within Southwark.

The Group will meet on a monthly basis to consider a wide range of schemes within Southwark and will follow procedures and guidelines established by similar advisory groups. The views expressed by members of the Group and recorded in the CAAG minutes are advisory and represent the collective view of the Group for Council use only.

The council will facilitate the work of the group and will set the agenda for each meeting of the Group based on the time available. Cases that are referred to the Group will generally meet the following criteria:

**Proposals which are significant to a conservation area or a listed building because of their size or uses they contain.** This category includes:

- Large buildings or groups of buildings in a conservation area such as courts, large religious buildings, museums or art galleries, hospitals, shopping and leisure complexes, and office or commercial buildings;
- Infrastructure projects in a conservation area such as stations, and other transport interchanges, bridges and waste incinerators; and
- Major changes in the public realm in a conservation area such as pedestrianisation schemes or proposals to enhance public squares and civic open spaces.

**Proposals which are significant because of their site within or immediately adjacent to a conservation area or listed building.** In this category are:

- Proposals which affect important views of a conservation area or a listed building or sited in such a way that give rise to exceptional impacts on a designated heritage asset from their locality

**Guidance and initiatives affecting conservation areas** These include

- New designations or extensions of conservation areas;
- Conservation Area Appraisals or Conservation Management Plans; and

- Grant-aided proposals affecting conservation areas.

In general the Group will record their observations on the cases that are referred to them by the council and can make separate representations to the council on any planning application as necessary.

### **3. CAAG Membership**

Southwark's Conservation Areas Advisory Group may have up to 50 members. The pool of experts includes innovative and distinguished conservation architecture and design practitioners. All members must live and work locally and have a keen interest in the historic environment of Southwark. Internal advisors can include a manager from Development and Building Control, the Design and Conservation team and Policy team.

The role of the Group is purely advisory and its comments are have very limited weight as a consideration in determining planning applications. Comments from the Group should be forwarded to the planning officer before any statutory consultation period closes so that said comments can be summarised in the planning officer's report to the council's decision-making body.

### **4. Selection**

CAAG members are selected every three years through public recruitment primarily on the Council's website and in response to an advertisement placed in an appropriate publication. Membership of the Group will be limited to a period of three years. Members will be encouraged to re-apply at the end of the three year period.

### **5. Meetings**

Meetings of the Group will be facilitated by an officer of the council and include the Chair and at least 3 members to be quorate. A Chair will be nominated each month by an officer of the Council and the Group will choose a secretary to record the minutes of the meeting which will be agreed by the Chair and then circulated to the Group before they are forwarded to the council.

Group members must endeavor to attend all meetings that they have indicated they will attend. If they are unable to attend they should sent an apology in advance of the meeting to the Council officer organising the meeting.

### **6. Operation of the Group**

Time will be allocated for the Group to meet every month excluding August, normally on the third Monday with each meeting lasting from approximately 19.00 until 21.00. There will be a minimum of five meetings per year

Each meeting will commence with a short briefing of the scheme(s). Each scheme will then be allocated a half-hour slot with a 5 minute presentation by the facilitating officer, from information submitted to the council. The remainder of the session will be for the Group to ask questions, discuss and form views on the proposal. The discussion will conclude with the Chair summarizing the Group's advice, this will take place in the presence of all those invited to the meeting.

### **7. Feedback from Group Meetings**

Following the Group meeting within 15 working days a written minute will be produced by the Group commenting on the conservation qualities and design implications of each

proposal, and recommending actions or options to improve the design quality of the proposal.

The aim of the minutes is to assist and encourage the potential to achieve high quality conservation and design. With regard to formal planning applications, the contents of the report should be conveyed to the relevant Planning Committee through the planning officer's report and will be regarded as a material consideration.

#### **8. Conflicts / Declarations of Interest**

Group members are expected to act in the public interest and adhere to the seven Nolan Principles of Public Life (Appendix 1).

It is important that Group members avoid any conflict of interest that might arise from schemes they consider. Group members who in the preceding 12 months have been personally or professionally involved with a particular proposal under discussion, or who may otherwise be considered to have a conflict of interest are required to notify the Council officer facilitating the Group in respect of the scheme concerned. The list of the projects to be reviewed will be provided up to a week prior to the meeting and Group members will be expected at this stage to declare any direct or indirect interests in the project.

Group Members should declare an interest and not participate in reviews where they have an interest. In the case of a direct interest the Group member leaves the room during the Group's private discussion of the project and takes no part in the forming of the Group's views. Conflicts of interest will be recorded in the minutes.

The Group will review proposals which may be refused by the Council. If members are approached to become involved in sites that have been presented to the Group which they sat on, they should not do so until at least 24 months after the Council has determined the scheme.

#### **9. Schemes put forward by Group Members**

Group Members who are directly involved in a project that is being reviewed by the Group should not attend any other part of the same meeting in their capacity as a Group Member.

## CODE OF CONDUCT

### 1. Key Principals underpinning this Code of Conduct

1.1. The Conservation Areas Advisory Group (the Group) has adopted a Code of Conduct based upon the best practice recommendations of the Nolan Report on Standards in Public Life.

1.2. The seven Nolan principles of public life

#### **Selflessness**

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

#### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

#### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

#### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

#### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reason for their decisions and restrict information only when the wider public interest clearly demands.

#### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

#### **Leadership**

Holders of public office should promote and support these principles by leadership and example.

### 2. Breach of Code of Conduct

2.1. A breach of this Code of Conduct will be followed by:

2.1.1. A verbal warning from the Chair on behalf of the Group

2.1.2. Ongoing failure to comply with the Code of Conduct will be followed by a written warning from the Chair on behalf of the Group



2.1.3. If a Group member still fails to comply with the Code of Conduct and/ or cannot offer a satisfactory explanation for his/her behaviour a motion will be put to the Group to suspend the person from the Group. Future participation by that person will be dependent on a commitment being given in writing to the Chair that such behaviour will not recur.

2.2. Any Group member can- and should- alert the rest of the Group to a breach in the Code of Conduct by raising this issue with the Chair and/or the Council officer either at the time or immediately after a meeting. A breach of this Code of Conduct is understood as follows:

- A breach of any of the seven rules outlined above as judged by a majority of the Group members.

I accept and agree to abide by the rules set out in this Terms of Reference and Code of Conduct and understand that if I breach any of these rules, I may be asked to leave the Southwark Conservation Advisory Group.

Name.....

Signed.....

Date.....

## APPENDIX 2

### Southwark Design Review Panel

Are you passionate about the design quality of new buildings and public spaces in Southwark? Are you interested in volunteering for a panel that appraises high profile and strategic projects in Southwark? Do you have valuable experience of appraising proposals in the built environment including the fields of urban design and landscape design and would be able to offer your time?

We are looking for professionals to form our design review panel from July 2014 for two years. Through our design review panel we offer free advice to developers on architectural and urban design qualities of landmark developments, high profile schemes and important regeneration initiatives in the borough.

The design review panel meets once a month and reviews around 30 schemes each year including masterplans, outline and detailed proposals. Panel members are expected to attend around three half-day sessions a year and are not reimbursed.

Applications are invited from all sectors of the design community of the built environment. We particularly encourage volunteers from the fields of urban design, landscape architecture and engineering.

### **The closing date for applications is 6pm on Friday 23 May 2014**

Please visit our web-page at:

[http://www.southwark.gov.uk/info/200023/design\\_conservation\\_and\\_archaeology/596/southwark\\_design\\_review\\_panel](http://www.southwark.gov.uk/info/200023/design_conservation_and_archaeology/596/southwark_design_review_panel) to find out more about the work of the Southwark Design Review Panel and the terms of reference for panel members.

To apply, please send us a copy of your CV and include a short commentary in your covering letter to tell us:

- Your interest in Southwark (no more than 100 words)
- The combination of skills you have to offer to the council's design review panel (no more than 100 words)
- The details of at least two schemes that you have assessed in the last 12 months (no more than 100 words)

Candidates will be selected on their: experience; reputation for designing high quality buildings; interest in Southwark; engagement with community stakeholders; specialist skills and the expertise they bring to the panel particularly in the fields of urban design or landscape design teaching or lecturing. Built environment specialists who are based in Southwark or who have designed buildings in Southwark are welcomed.

Please e-mail your application to: [designconservation@southwark.gov.uk](mailto:designconservation@southwark.gov.uk)

## APPENDIX 3

### **Southwark Conservation Areas Advisory Group (CAAG)**

Are you passionate about development proposal affecting the historic environment in Southwark? Are you interested in volunteering for a group that appraises planning applications affecting conservation areas or listed buildings in Southwark? Do you have a particular interest or experience of conservation of the historic environment and would be able to offer your time?

We are looking for professionals and talented laypersons to join our conservation advisory group from July 2014 for three years. Through our conservation advisory group we offer free advice to developers on conservation and architectural design qualities of developments, infrastructure projects and policy initiatives affecting listed buildings and conservation areas in the borough.

The advisory group meets once a month and reviews around 30 schemes each year including outline and detailed planning applications. Group members are expected to attend around three half-day sessions a year and are not reimbursed.

Applications are invited from all sectors of the design community of the built environment. We particularly encourage volunteers from the amenity societies, community groups and tenants and residents associations in conservation areas.

### **The closing date for applications is 6pm on Friday 23 May 2014**

Please visit our web-page at:  
.....to find out more about the work of the Southwark Conservation Advisory Group and the terms of reference for panel members.

To apply, please send us a copy of your CV and include a short commentary in your covering letter to tell us:

- Your interest in Southwark (no more than 100 words)
- The combination of skills you have to offer to the council's conservation advisory group (no more than 100 words)
- The details of at least two conservation projects/initiatives that you have been involved in the last 2 years (no more than 100 words)

Candidates will be selected on their: experience; interest in conservation; interest in Southwark; engagement with community stakeholders; specialist skills and the breadth of expertise they bring to the group including teaching/lecturing or outreach. Built environment specialists who are based in Southwark's conservation areas or who have designed buildings in a conservation area or affecting a listed building are welcomed.

Please e-mail your application to: [designconservation@southwark.gov.uk](mailto:designconservation@southwark.gov.uk)

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 29 April 2014	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

## 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 maybe 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 budget of the relevant department.

#### **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. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
  - a. necessary to make 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.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."

18. 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 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer as listed or Gary Rice 020 7525 5437

## APPENDICES

No.	Title
None	

## AUDIT TRAIL

<b>Lead Officer</b>	Ian Millichap, Constitutional Manager	
<b>Report Author</b>	Kenny Uzodike, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
<b>Version</b>	Final	
<b>Dated</b>	November 2012	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Legal Services	Yes	Yes
Head of Development Management	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		November 2012



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<b>Item No.</b> 7.1	<b>Classification:</b> Open	<b>Date:</b> 29 April 2014	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>	<b>Development Management planning application:</b> Application 13/AP/4586: full planning permission  <b>Address:</b> 175-179 LONG LANE, LONDON SE1 4PN  <b>Proposal:</b> Redevelopment of site to provide a new part five, part six, part seven and part eight storey building (max height 25.7m) comprising commercial floorspace (Class B1) at ground floor and 95 residential units (Use Class C3) above; associated car parking and cycle parking, landscaping, and podium garden at first floor level.		
<b>Ward(s) or groups affected:</b>	Grange		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 23/12/2013		<b>Application Expiry Date</b> 27/05/2014	
<b>Earliest Decision Date</b> 08/02/2014			

## RECOMMENDATION

1. That planning permission is granted subject to conditions and the applicant entering into an appropriate legal agreement by no later than 27 May 2014.
2. That in the event that the requirements of paragraph 1 are not met by 27 May 2014, the Head of Development Management be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 139 of this report.

## BACKGROUND INFORMATION

### Site location and description

3. The site is bounded by Long Lane to the south, Weston Street to the west, Bermondsey Leathermarket to the north and residential developments to the east. The site is currently used for B class commercial floorspace and the majority of units are currently let. The site comprises warehouse buildings and office spaces fronting Long Lane which are three storeys in height, with a high single storey warehouse building behind. To the rear of the site is an area of hardstanding for car parking and servicing, access from Weston Street. There are a number of mature street trees directly adjacent to the site on Long Lane.
4. The area surrounding the site is predominantly residential, however, there are a number of commercial uses within the area. Immediately to the north of the site is Bermondsey Leathermarket which is a Grade II listed building situated in the Bermondsey Street conservation area, currently used as a business centre letting out small business units. The general built form and scale of the surrounding area is mixed. On Long Lane there is a mixture of two storey houses and larger residential blocks around six storeys in height. The large residential development to the east of the site has a central building set back from the street that rises to 12 storeys

(Antonine Heights). To the west of the site on the corner of Weston Street and Long Lane is a seven storey building currently under construction, which was consented under planning reference 12/AP/2589.

5. The site is situated in the central activities zone, air quality management area, archaeological priority zone, and a flood risk zone. The site is situated within the Bankside, Borough and London Bridge opportunity area. The site has a public transport accessibility level (PTAL) of three which indicates a medium access to public transport. The site is adjacent to the southern boundary of the Bermondsey Street conservation area.

### Details of proposal

6. It is proposed to demolish the existing warehouse buildings on the site and to construct a new part five, part six, part seven and part eight storeys building comprising commercial floorspace (B1) at ground floor and residential units (Use Class C3) above with associated car parking, cycle parking and landscaped open/communal space. A total of 95 residential units are proposed (39 x one bed, 37 x two beds and 19 x three beds). The application proposes to provide 1,375 sqm of Class B1 floorspace at ground floor level, laid out as six commercial units but capable of being consolidated into fewer, larger units.
7. At first floor level an area of external landscaped communal open space (1,120 sq. m) will be created which will be accessible to all of the residents within the new development.
8. The proposal is 'car free' save for nine car parking spaces for disabled residents within the central covered courtyard at ground floor level. A total of 128 residential cycle parking spaces and ten commercial cycle parking spaces are provided at ground floor level.
9. Vehicular access is from Weston Street. Servicing will be off-street within the covered parking/servicing area. Refuse and recycling stores will be provided at street level.
10. The proposed mix of units is as follows:

Unit Type	Number	%
1 bed	39	41
2 bed	37	39
3 bed	19	20
<b>Total</b>	<b>95</b>	<b>100</b>

11. The proposal is also providing nine unit wheelchair accessible units which equates to 27 habitable rooms out of a total 265 habitable rooms (ten per cent).
12. Within this scheme the affordable housing offer can be broken down as follows:

Unit Type	Target Rent	Shared Ownership	Total
1 bedroom	9	6	15
2 bedroom	11	5	16
3 bedroom	7	0	7
<b>Total</b>	<b>27</b>	<b>11</b>	<b>38</b>

### Amendments to the scheme since submission

13. A number of amendments to the scheme have been made since submission and in

summary these are as follows:

- Increase in the affordable housing offer from 25 per cent to 39.4 per cent.
- Amendments to the tenure mix and rental levels which now comprises 75 per cent target rent units and 25 per cent intermediate units.
- Reduction in height of the proposal from nine to eight storeys and amendments to the upper floors.
- Alterations to the Weston Street and Long Lane elevations including revised materials.
- Alterations to the design of the corner element.
- Increased balconies sizes to some of the units.
- Amended ground floor layout and reduction of one disabled parking space.
- Amended landscaping.

14. It was not considered that re-consultation was necessary in this instance as there were no materially increased impacts on neighbours over and above the originally submitted proposal.

### **Planning history**

15. 13/AP/4375 Screening opinion – E.I.A. not required. Demolition of existing buildings for a development comprising of 1,375sqm (GEA) commercial accommodation, 99 residential units, a ground floor courtyard for servicing, refuse storage and ten disabled parking spaces, and communal open space at the first floor [decision date 14/02/2014].

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

#### 171 Long Lane, SE1 4PN

16. 13/AP/4163 Current application – Variation of S106 Agreement, LBS Reg: 12-AP-2859, to provide a commuted sum in lieu of on site provision of affordable housing.
17. 12/AP/2859 [and related AODs] Permission granted for demolition of existing part single part two storey public house (Use Class A4) and erection of a seven storey plus basement building to provide a shop (Use Class A1) and 19 residential units together with associated plant room refuse store and cycle parking [decision date 21/02/2013].
18. 11/AP/4364 Permission granted for demolition of existing building and erection of a six storey plus basement building to include 13 residential units and two levels of commercial accommodation A1 (shops), A2 (financial and professional), A3 (restaurant/cafe), A4 (drinking establishment), B1 (business) at ground and basement levels together with ancillary refuse and cycle parking [decision date 02/07/2012].

#### 199 Long Lane SE1 4PD

19. 08/AP/2248 Permission refused for erection of a ground plus six storey office building with retail (class A1) on the ground floor [decision date 31/12/2008] Appeal dismissed [appeal decision date 14/05/2009]. The reason for refusal related to the design, mass and siting and the related impact on neighbouring amenity. The inspector upheld the decision of the council in relation to the impact on amenity although did not uphold concerns in relation to design.

#### 193-197 Long Lane SE1 4PD

20. 03/AP/0641 Permission granted for demolition of existing building and construction of a seven storey building comprising of office (Class B1) use on the ground floor and 83

self contained flats on the upper floors together with associated car parking and amenity space [decision issued 13/01/2005].

202-204 Long Lane SE1 4QB

21. 13/AP/0294 Permission granted for erection of a basement and part three, part four and part five storey building to provide eight residential units fronting Long Lane (5 x 2 bed and 3 x 3 bed), plus provision of cycle parking, refuse store and associated landscaping works [decision issued 01/07/2013].

174-178 Long Lane London

22. 05/AP/0135 - Permission granted for construction of a part-five/part-six storey building comprising 23 self contained flats with 11 parking spaces at the rear and vehicular access from Weston Street - variation to permission dated 22/9/04 including changes to design and reduction in parking spaces from 12 to 11 [decision issued date 29/04/2005].

**KEY ISSUES FOR CONSIDERATION**

**Summary of main issues**

23. The main issues to be considered in respect of this application are:
- a) Principle of land use, including reduction in B class floorspace
  - b) Environmental impact assessment
  - c) Impact of proposed development on amenity of adjoining occupiers and surrounding area
  - d) Impact of adjoining and nearby uses on occupiers and users of proposed development
  - e) Transport and car parking
  - f) Design, including building heights and massing
  - g) Density
  - h) Impact on the Bermondsey Street Conservation Area
  - i) Impact on the setting of listed buildings
  - j) Affordable housing
  - k) Housing quality and mix
  - l) Planning obligations (S.106 undertaking or agreement)
  - m) Mayoral Community Infrastructure levy
  - n) Sustainable development implications
  - o) Air quality
  - p) Flood risk.

**Planning policy**

Core Strategy 2011

24. 1 – Sustainable development  
 2 – Sustainable transport  
 5 – Providing new homes  
 6 – Homes for people on different incomes  
 7 – Family homes  
 10 – Jobs and businesses  
 12 – Design and conservation  
 13 – High environmental standards

Southwark Plan 2007 (July) - saved policies

25. The council's cabinet on 19 March 2013, as required by paragraph 215 of the National Planning Policy Framework 2012 (NPPF) considered the issue of compliance of Southwark Planning Policy with the NPPF. All policies and proposals were reviewed and the council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
26. 1.4 Employment sites outside the Preferred Office Locations and Preferred Industrial Locations  
 2.5 Planning Obligations  
 3.1 Environmental Effects  
 3.2 Protection of Amenity  
 3.3 Sustainability Appraisal  
 3.4 Energy Efficiency  
 3.6 Air Quality  
 3.7 Waste Reduction  
 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  
 3.18 Setting of listed buildings, conservation areas and world heritage sites  
 3.19 Archaeology  
 4.1 Density of Residential Development  
 4.2 Quality of Residential Development  
 4.3 Mix of Dwellings  
 4.4 Affordable Housing  
 5.1 Locating Developments  
 5.2 Transport Impacts  
 5.3 Walking and Cycling  
 5.6 Car Parking  
 5.7 Parking Standards for disabled people and the mobility impaired

London Plan (2011) including revised early minor alterations 2013

27. 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 3.9 – Mixed and balanced communities  
 Policy 3.11 – Affordable housing targets  
 Policy 3.12 – Negotiating affordable housing  
 Policy 4.3 – Mixed use development and offices;  
 Policy 5.1 – Climate change mitigation  
 Policy 5.2 – Minimising carbon dioxide emissions  
 Policy 5.3 – Sustainable design and construction  
 Policy 5.4A – Electricity and Gas Supply  
 Policy 5.5 – Decentralised Energy Networks  
 Policy 5.6 – Decentralised Energy in Development Proposals  
 Policy 5.7 – Renewable energy  
 Policy 5.10 – Urban Greening  
 Policy 5.11 – Green roofs and development site environs

- Policy 6.3 – Assessing effects of development on transport capacity
- Policy 6.4 – Enhancing London’s transport connectivity
- 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 8.2 – Planning obligations

#### National Planning Policy Framework (NPPF)

- 28. Section 1: Building a strong, competitive economy
- Section 3: Promoting sustainable transport
- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring good design
- Section 10: Meeting the challenge of climate change, flooding and coastal change
- Section 12: Conserving and enhancing the historic environment

#### **Principle of development**

- 29. The NPPF states that development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan and every decision.
- 30. In relation to delivering housing, the NPPF states that local authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.
- 31. In respect of business, paragraphs 160 and 161 of the NPPF advise that local planning authorities (LPAs) should have a clear understanding of business needs and develop evidence bases to inform their policies and decisions on the needs for land or floorspace for economic development.
- 32. The site currently comprises employment generating B class business/warehouse uses and therefore the loss of any B class floorspace would need to be justified. The existing businesses appear include elements of both storage and office uses.
- 33. The application proposes to provide Class B1 floorspace at ground floor level. The B class floorspace on the site will fall from 2,867 sq. m. to 1,375 sqm. As such the proposed change of use would result in the loss of B class floorspace (Use Class B) outside the preferred office and industrial location, contrary to Strategic Policy 10 of the Core Strategy (2011) and contrary to Saved Policy 1.4 ‘Employment sites outside the Preferred Office Locations and Preferred Industrial Locations’ of the Southwark Plan (2007).
- 34. Strategic Policy 10 ‘Jobs and Businesses’ of the Core Strategy (2011) seeks to protect and increase the amount of business floorspace in the following locations:
  - the Central Activity Zone (CAZ)
  - Town and Local Centres
  - Strategic Cultural Areas
  - Action Area Cores.

35. Saved Policy 1.4 'Employment sites outside the Preferred Office Locations and Preferred Industrial Locations' of the Southwark Plan (2007) seeks to protect employment floorspace where on sites which have an established B Class Use and which meet any of the following criteria:
- the site fronts onto or has direct access to a classified road; or
  - the site is in a Public Transport Accessibility Zone; or
  - the site is within the CAZ; or
  - the site is within a Strategic Cultural Area.
36. The policy states that development will be permitted provided that the proposal would not result in a net loss of floorspace in Class B use. An exception to this may be made to this where:
- a) The applicant can demonstrate that convincing attempts to dispose of the premises, either for continued B Class use, or for mixed uses involving B Class, including redevelopment, over a period of 24 months, have been unsuccessful or
  - b) The site or buildings would be unsuitable for re-use or redevelopment for B Class use or mixed uses including B Class use, having regard to physical or environmental constraints or
  - c) The site is located within a town or local centre, in which case in accordance with policy 1.7, suitable Class A or other town centre uses will be permitted in place of Class B uses. Where an increase in floorspace is proposed, the additional floor space may be used for suitable mixed or residential use.
37. The site lies within the CAZ. It fronts onto Long Lane, which is a classified road, although it does not have direct access onto it (the access being from Weston Street). It is not within a public transport accessibility zone (as these are no longer used) and is not within a strategic cultural area.
38. The applicants have not marketed the property so criterion (a) does not apply. In relation to criterion (b), it is not suggested that the site is physically or environmentally unsuitable for B Class use. The applicants are proposing to redevelop the site with a mixed use scheme, with a B1 class element, although the re-provision of the B class floorspace is approximately 50 per cent of the original floorspace.
39. The applicants state that the new commercial element will lead to significantly more jobs (approximately 60-70 based on the Homes and Communities Agency Employment Density Guide 2010 for a B1 use) than the existing use. The submitted information outlines that the existing employment levels at the site are low, due to the nature of the B8 class use and that the proposed commercial space could provide a greater level of employment. However, in the absence of any further details to support this justification, this alone cannot be accepted as sufficient justification for the loss of business space, since the redevelopment of the site with full replacement B1 floorspace could provide a much higher number of jobs.
40. In this instance consideration is given to the location of the site within the CAZ, to the viability appraisal submitted and to the affordable housing offer provided. The site is on the southern edge of the CAZ, which is a relatively peripheral location for offices, within an area that is changing towards a more residential character. As such any redevelopment proposals need to be considered in the context of the viability of the location for offices, and the very high housing targets and need for affordable housing in Southwark.
41. The applicants have submitted evidence to demonstrate that a scheme that provides a

100 per cent re-provision of commercial floorspace, plus a policy compliant level of affordable housing, would not be viable. In order to provide 100 per cent replacement B class floorspace and still be viable, the scheme would only be able to support 28 per cent affordable housing, or 23 affordable housing units. This is due to the fact that B class floorspace does not produce as high a value as residential floorspace, and so higher levels of B class floorspace impacts on the overall viability of a scheme. The viability assessment was scrutinised on behalf of the council by the internal property team and following negotiation and amendments, agreement has been reached on viability evidence. The scheme has been revised to increase the amount of affordable housing to almost 40 per cent (a total of 38 units) with a tenure mix of 75 per cent target rent and 25 per cent intermediate. The intermediate units are being provided at Southwark's affordability thresholds. This is a significant contribution to affordable housing need and is a positive aspect of the development. This issue is considered further at paragraphs 116-123.

42. In determining the application, members need to give due weight to the competing policy objectives of retaining employment floorspace, and the need for additional housing, particularly affordable housing. The weight to be accorded to each objective will be influenced by matters such as the location, the character of the surrounding area, the relative demand, and the amount of affordable housing being provided. In this case, the demand for large amounts of office and commercial space may be more limited here than for sites which are more centrally located or near to public transport hubs. As such, the benefits of providing larger amounts of housing on this site, and particularly the very high proportion of affordable housing, could be given considerable weight, in line with the overarching objectives of the NPPF. It is therefore recommended that, in the particular circumstances of this case, the loss of a proportion of the B class floorspace is outweighed by the benefits of being able to provide additional affordable housing on this site.
43. Therefore on balance a mixed-use scheme, with active frontages provided by B class units, providing modern flexible space, plus new housing, including an above policy compliant affordable housing offer, is an appropriate response to this site. The reduction of B class floorspace is justifiable in these particular circumstances, since the loss enables an increased affordable housing provision.

#### **Environmental impact assessment**

44. A screening opinion was requested under application 13/AP/4375. Having regard to the scale and likely impacts of the development, no likely effects were identified that would be so significant as to warrant an environmental impact assessment. As such it was the decision of the council that an environmental impact statement was not required [decision date 14/02/2014].

#### **Density**

45. Strategic Policy 5 'Providing new homes' of the Core Strategy describes the density range that development is expected to fall within in different parts of the borough. This is also described in saved policy 4.1 'Density of residential development' in the Southwark Plan. This development site is located within the CAZ and developments in this zone are expected to be between 650 and 1,100 habitable rooms per hectare (hr/ha). The density of the submitted scheme is approximately 875 hr/ha and as such falls within the density parameters for this zone.

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

46. The nearest residential developments are located at 171 Long Lane, 119 Weston



Street (Tangerine House) and 193-197 Long Lane. The main considerations are the impact on daylight and sunlight, impact on privacy and the impact on outlook. It is noted that objections have been received from residents of 119 Weston Street and from 197 Long Lane. 171 Long Lane is not yet completed and hence is not occupied at present.

#### Daylight and sunlight

47. The Building Research Establishment (BRE) 2011 guidelines 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' is the document referred to by most local authorities. The BRE Guide covers amenity requirements for sunlight and daylight to buildings around any development site. The introduction to the guidelines state:
48. *"The guide is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and this document should not be seen as an instrument of planning policy. Its aim is to help rather than constrain the developer. Although it gives numerical guidelines, these should be interpreted flexibly because natural lighting is only one of the many factors in site layout design."*
49. The amount of light available to any window depends upon the amount of unobstructed sky that can be seen from the centre of the window under consideration. The amount of visible sky and consequently the amount of available skylight is assessed by calculating the vertical sky component (VSC) at the centre of the window.
50. If the VSC is greater than 27 per cent then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. The guidance states that If the vertical sky component with the new development in place, is both less than 27 per cent and less than 0.8 times its former value (more than a 20 per cent reduction), then occupants of the existing building will notice the reduction in the amount of skylight. The VSC calculation only measures light reaching the outside plane of the window under consideration, so this is potential light rather than actual. Depending upon the room and window size, the room may still be adequately lit with a lesser VSC value than the target values referred to above. The guidelines advise that bathrooms, toilets, storerooms, circulation areas and garages need not be analysed. The guidelines also suggest that where layouts of existing neighbours are known that the distribution of daylight within rooms is reviewed although bedrooms are considered to be less important.
51. Paragraph F6 of the BRE guidelines (page 62) states that when assessing loss of daylight to an existing building the VSC methodology is generally recommended.
52. A daylight and sunlight report has been prepared by GVA consultants for the application site, which assesses the proposed development against the building research establishments (BRE) guidelines. This was amended to consider the impact on daylight and sunlight levels on 171 Long Lane as a result of the reduction in height of the proposal. Additional plans were also provided during the course of the application, indicating the location of the windows referred to in the tables.
53. The adequacy of daylight received by existing neighbouring dwellings was measured using two methods of measurements. The principal method is the use of the VSC followed by a measurement of the internal daylight distribution by plotting the position of the 'existing' and 'proposed' no sky line contour where the internal layout and window sill and head heights are known.
54. As previously stated, the BRE guidance explains that a property should retain a VSC level of at least 27 per cent, in order to confirm that diffused daylighting remains

satisfactory. Should a property receive a VSC level of less than 27 per cent following construction of a new development, then the proposed VSC should not be less than 0.8 times its former (existing) value, if the reduction in daylight is to remain unnoticeable.

55. When daylight distribution is interpreted in conjunction with the VSC value, the likely internal light conditions, and hence the quality of lighting within the room, can be assessed.
56. The BRE advises against the use of average daylight factors (ADF) as a tool to measure the impact of a development on adjoining or nearby occupiers which instead should be considered using VSC. ADF is only considered as an appropriate measure of assessing daylight primarily for proposed dwellings.
57. However the submitted report has considered the existing and proposed ADF values on surrounding properties as well as the proposed units, and it is stated that this can be interpreted as a more accurate and representative measure of internal lighting conditions as it comprises a greater number of design factors and input variables/coefficients. Unlike the application of VSC, ADF differentiates between different room uses. The highest ADF standard is placed on kitchens where the minimum target value is 2 per cent daylight factor. Living rooms should achieve 1.5 per cent daylight factor and bedrooms 1.0 per cent daylight factor.
58. In terms of sunlight, the requirements for protecting sunlight to existing residential buildings are set out in section 3.2 of the BRE Guidelines. A good level of sunlight will be achieved where a window achieves more than 25 per cent annual probable sunlight hours (APSH) of which 5 per cent should be in the winter months. When sunlight levels fall below this suggested recommendation, a comparison with the existing condition should be undertaken and if the reduction ratio is less than 0.2, i.e. the window continues to receive more than 0.8 times its existing sunlight levels, the impact on sunlight will be acceptable. The BRE guidelines also limit the extent of testing for sunlight to where a window faces within 90 degrees of due south.

#### No. 171 Long Lane

##### Daylight

59. This is a recently consented scheme located opposite the application site, across Weston Street, and is currently under construction. The daylight assessment refers to a number of windows that see a reduction of more than 20 per cent VSC. The ground floor is a commercial unit. At first to fifth floor levels of this consented schemes there are open plan living/kitchen/dining room and bedrooms that are impacted by the proposed scheme. At first, second and third floor the bedrooms the reduction in VSC is greater than 20 per cent, up to a 48 per cent loss in the worst case at first floor level.
60. However, this building is under construction and has not yet been occupied. Therefore, the use of VSC, which measures the extent to which occupiers will experience change, is of less value than it would be in an established residential block. The analysis shows that the living rooms retain good levels of VSC, and the bedrooms are normally acknowledged to have a lesser requirement for daylight. The ADF levels are all well in excess of the minimums recommended by the BRE (being between 3.6 per cent and 7.99 per cent for the living/kitchen/dining rooms).
61. As such the rooms are considered to retain acceptable levels of daylight for their intended use.

Sunlight

62. The report provides the results of the daylight analysis which demonstrates that all of the residential units (there is commercial on the ground floor) achieve the sunlight standards expected by the BRE.

119 Weston Street – Tangerine House

63. The report refers to two rooms at ground floor level that see a more than 20 per cent reduction in VSC. A site visit indicated that these are residential rooms although their use is unknown. One of these rooms is dual aspect. The single aspect room will see a loss of 25 per cent in VSC while one of the windows to the dual aspect room will see a loss of 24 per cent in VSC. The ADF values reduce to just under one per cent in the worst case. With the exception of one window, the upper floor retains VSC levels at more than 0.8 times the current values.
64. Given the three storey height of the existing building any redevelopment of this site is likely to impact on the ground floor of this property. In this location, the limited instances of reduced VSC beyond that recommended by the BRE is not considered to be so significant as to warrant refusal.

Sunlight

65. The result of the daylight analysis indicates that all of the windows tested achieve the required standard save for a window on the ground floor (W1/100) which sees a loss of 27.27 per cent APSH (from 11 per cent to 8 per cent). It is noted that this room is also served by another window which will serve to mitigate the impact of this loss of daylight.

193-197 Long Lane

66. This is a seven storey building which lies immediately to the east of the proposal site. It is orientated north-south, with a primary elevation aligned with the boundary to the proposal site. During the pre-application consultation process, the applicants considered various options for laying out the building, one of the key challenges being to create an acceptable relationship with the neighbouring dwellings. The submitted layout is a u-shaped block with its open end towards 193 Long Lane. This enables the flats there to benefit from views over the communal garden, and limits the number of windows potentially affected in terms of daylight and sunlight. The building's massing also steps down towards the east, to improve sunlight and daylight penetration.
67. The report notes a loss of daylight to windows at second to third floor levels with a VSC loss ranging from 25 per cent to 44 per cent. A further two windows at fourth floor level see a loss of 27 per cent in VSC. It is noted that plans were not available to verify the floor layouts. However it has been assumed that residential is from the second to the seventh floor. It is noted that the proposed development is at a height of six storeys adjacent to this development and this height is not considered excessive. As with 171 Long Lane, windows at first to third floor level will be impacted by any form of redevelopment on this site which results in an uplift in height over the existing warehouse.
68. The report notes a loss of daylight to windows at second to third floor levels with a VSC loss ranging from 25 per cent to 44 per cent. A further two windows at fourth floor level see a loss of 27 per cent in VSC. It is noted that plans were not available to verify the floor layouts. However it has been assumed that residential is from the second to the seventh floor. All remaining windows from fourth floor upwards retain a VSC of over 27 per cent. The reduction in VSC is greatest where windows are very close to

the common boundary. It is considered that the applicant has made a reasonable response to the site, in terms of the height and layout, reflecting its inner urban location. The loss of daylight to 193-197 Long Lane is not so significant as to warrant refusal of an otherwise acceptable scheme.

#### Sunlight

69. The report does not test these windows as they do not fall within 90 degrees of due south.

#### Overlooking

70. The Residential Design Standards SPD (2011) sets out standards in relation to separation distances to ensure that no overlooking results from new development. To prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve the following distances:
71. • a minimum distance of 12 metres at the front of the building and any elevation that fronts onto a highway
- a minimum distance of 21 metres at the rear of the building.
72. Opaque glazing is proposed for the east facing windows of the units adjacent to 193-197 Long Lane, at first to fifth floor levels. There are balconies and windows on the western elevation of 193-197 Long Lane facing towards the proposed development, and the separation distance is just over five metres at the closest point. However it is considered that the opaque glazing overcomes any overlooking from the proposed units. There are a number of terraces and balconies which fall within 21 metres of the neighbouring properties, but the expected level of use and in most cases the oblique angle would not lead to unreasonably obtrusive overlooking.
73. In relation to the impact on 119 Weston Street (Tangerine House) it is noted that there is a distance of at least 21 metres between the balconies/terraces of the proposed units and this building. As such this is sufficient distance to ensure that no intrusive overlooking occurs.
74. In relation to the impact on 171 Long Lane, there is a distance of at least 14 metres from the balconies of the proposed units and this development (which is currently under construction). This exceeds the 12 metres separation distance required across a highway.

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

75. Surrounding the application site there is a mix of residential and office uses. It is not considered that such uses would impact on the amenity of future occupiers of the site.

#### **Transport issues**

##### Car parking

76. The development provides minimal car parking, and will not create any significant highways impacts. It is anticipated that the site will increase use of public transport but the scale of development is not expected to create an adverse affect on the capacity of public transport. It is not considered that the highways impact will be any greater than the existing warehouse use.

77. The applicant has proposed to provide nine off street disabled bays. The applicant will be required to provide a parking management strategy to ensure that the disabled parking spaces are always allocated on the basis of need, given that not every wheelchair accessible unit owner will own a vehicle and not every disabled driver will require a wheelchair unit. This can be secured through the S106 agreement.
78. It is considered that removal of the ability to apply for a parking permit should be ensured by way of condition as the site is within a high PTAL and falls within a CPZ, in order to reduce car reliance and ensure no further parking stress in the immediate area.
79. The applicant is required to contribute towards the provision of an on-street car club bay given that the bays in close proximity to the site are already heavily used. Further to this, the applicant will be required to provide three years free car club membership for each eligible adult of the residential element of the development. Both of these requirements can be secured through the S106 agreement.

#### Cycle parking

80. The applicant has proposed to provide 128 cycle stands for the residential units. This is in compliance with the London Plan standards and is in excess of the required one space per unit required in Appendix 15 of the Southwark Plan, which equates to 95 spaces; 62 spaces are provided in the form of Sheffield Stands (ten Sheffield stand spaces have been provided for the commercial element, in excess of the six required as per Appendix 15 of the Southwark Plan) and 12 Sheffield stand visitor parking spaces have been provided in an area fronting onto Long Lane. These have been located between the existing street trees so as to minimise obstruction to pedestrian movement. Since this is outside the curtilage of the site, a consent from Highways will be required for this cycle parking and an informative should be added to any consent notifying the applicant of this requirement.

#### Servicing and refuse vehicle access

81. The applicant has proposed to remove the existing cross-over on Weston Street and provide a new cross-over 12 metre south of the removed cross-over. Cyclists will access the site using the same vehicular access.
82. The transport policy team do not have any concerns with regards to this proposal given the low number of vehicular movements and the speeds associated with these vehicles are anticipated to be slow. Pedestrian access will be from Long Lane and Weston Street.
83. The applicant has proposed to provide servicing within the curtilage. The applicant has stated that they are expecting an average of ten deliveries a day for the residential element of the development, and 14 a day for commercial, giving a total of 24 a day.
84. Visibility splay diagrams and swept paths for the largest vehicle expected are required. These have not been provided to date and as such should be requested by way of condition.

#### Travel plan

85. The travel plan is of good quality and seeks to promote the use of sustainable travel to and from the site. The travel plan is acceptable, and the provisions can be secured through the S106.

Cycle hire

86. TfL, in their response to the application, note that the site is directly opposite the Long Lane cycle hire scheme (CHS) docking station. This is a small docking station with only 20 docking points and, as a result, suffers from being full at a much higher rate than the CHS average. Expanding the number of docking points would allow the docking station to operate more efficiently and effectively and would also provide additional capacity to serve the increased demand from the development. A contribution of £60,000 has been requested by TfL to expand the Long Lane docking station by up to 15 docking points, and this has been agreed by the applicant.

**Design issues and Impact on character and setting of listed buildings and/or conservation area**

87. Saved Policy 3.13 Urban Design, requires that the height, scale and massing of buildings should be appropriate to the local context and should not dominate its surroundings inappropriately.
88. The entire adjacent Leathermarket site is within the Bermondsey Street conservation area and all of that site apart from 108 Weston Street, is grade II listed. As this forms the northern boundary to this proposal site, the development must show that it would preserve or enhance the setting of these heritage assets.
89. It is important that there is no “conflict between the heritage asset’s conservation and any aspect of the proposal (including by development affecting the setting of a heritage asset).” Paragraph 129 of NPPF (see also paragraphs 132 and 137). The scale of the development in the setting of a three to five storey listed building is critical. The significance of this heritage asset has a great deal to do with its presence on Weston Street frontage.
90. The building heights in the surrounding context are varied, ranging from two storeys to the west and south, six to the east and south west (on the corner of Weston Street and Long Lane), and three to five storeys within the grade II listed Leathermarket to the north. The exception in the surrounding townscape is the 12 storey tower at Antonine Heights, which is within the courtyard of the large residential development to the east; however this positioning gives its bulk a less direct impact on the surrounding streetscapes, and views of it are generally restricted.
91. This revised proposal responds to concerns raised by the initial submission, namely the height and the detailed design.
92. The corner element of the proposal has been reduced by one floor, from nine to eight storeys. This has had some benefit in terms of the building’s response to the junction and on views from the west along Long Lane. The corner projections framed in steel will distinguish it from the rest of the building. The top floor is now a lighter weight structure which will reduce its dominance. This detail should be confirmed in sections through the roof line/parapet of the set back top floor to ensure the fascia above the window does not become too deep. This can be required by way of condition.
93. The building height along Long Lane is broadly consistent with the neighbouring buildings at 193-197 Long Lane to the east (although it is noted that 193-197 Long Lane is seven storeys in height, whereas this proposal is six storeys for the most part, rising to seven and eight on the corner of Long Lane and Weston Street). The modulation on the Long Lane elevation serves to break up the mass of the building, as do the set back elements. This is also the case for the Weston Street elevation, with modulation and setbacks breaking up the apparent bulk of the building.

94. The two principal elevations have improved since the original submission. The removal of large areas of metal cladding has improved the appearance, so that there is now a better ordered pattern of bays along Long Lane.
95. The building is now a predominantly brick building, in two tones, with inset balconies on the street frontages and setback top floor. The base of the building is defined as commercial with generous floor to ceiling heights and full height glazing and this contributes to the creation of a strong base and an active street frontage along Long Lane and Western Street. Details of the gate for the car park should be secured by way of condition.
96. The areas of glass brick is potentially beneficial, helping to define the corner projection, separating it from the rest of the elevations. Additional details of this glass cladding will be required by way of condition.
97. Details of the junctions around windows and ground floor entrance ways and commercial frontages should be ensured by way of condition. This level is all brick and the quality of the brickwork within the reveals and soffits must be guaranteed.
98. Conditions should cover all materials and require a sample panel structure to be completed on site. These conditions should ensure that the building is not only exemplary in detailed design, but that the material finish of the building responds sensitively (though not imitatively) to its historic environment.
99. A comprehensive landscape condition should address the boundaries in front of the commercial units and how these relate to the future function, access and use of these units.

#### Design Review Panel

100. An earlier version of the scheme was reported to the Design Review Panel on 12 November 2012. The panel felt that they could not support that scheme design and challenged the architects to revise the arrangement of form on the site, and the height and scale, especially at the eastern edge of the site. The scheme design did change significantly as a consequence of this and other feedback received.

#### **Residential Design Standards**

101. The council seeks to ensure that residential units provide an excellent standard of accommodation as set out within Southwark's 'Residential Design Standards' SPD 2011. Providing a predominance of dual aspect units, exceeding minimum internal space standards, including storage space and having good daylighting would, together, contribute towards 'excellent living standards'.

#### Aspect

102. Of the units, 56 are dual aspect (59 per cent) with 39 single aspect units (41 per cent). There are no north-facing single aspect units. This is considered to be a positive feature of the development.

#### Unit sizes and room sizes

103. A detailed schedule of accommodation has been provided with the application. All of the units comply with the minimum area sizes and room sizes, and for the most part, exceed them.

<b>Unit Type</b>	<b>Area (sq m)</b>	<b>Number</b>	<b>%</b>
1 bed/2 person	51-61	39	41
2 bed/3 person	62-79	6	59
2 bed/4 person	71-84	31	
3 bed/4 person	-	0	
3 bed/5 person	86-110	19	
<b>Total</b>		<b>95</b>	<b>100</b>

#### Amenity space

104. Standards for amenity space are set out within the Residential Design Standards SPD (2011). All flat developments must meet the following minimum standards and seek to exceed these where possible:
105. • 50 sq m communal amenity space per development  
• ten sq m of private amenity space for units containing three or more bedrooms  
• ten sq m of private amenity space should ideally be provided for units containing two or less bedrooms. Where it is not possible to provide ten sq m of private amenity space, as much space as possible should be provided as private amenity space, with the remaining amount added towards the communal amenity space requirement.  
• Balconies, terraces and roof gardens must be a minimum of 3 sq m to count towards private amenity space.
106. All units have balconies and there is a large communal garden area at first floor level as well as smaller terraces at fourth, fifth and sixth floor levels, which exceeds the 50 sq. m. communal space required. Each of the 3 bed units have a minimum of ten sq. m. private amenity space in the form of either a private garden at first floor level (Unit 22 has a garden and a balcony) or a balcony at the upper levels. The remaining 1 and 2 bed units are all provided with either private garden space (at first floor podium level) or with balconies or roof terraces, ranging from 4 sq. m balconies to a roof terrace of 44 sq. m). The provision of an above policy compliant area of communal space and at least policy compliant amenity space to each of the units is welcomed.

#### Internal overlooking

107. In relation to overlooking between units within the development, most units are separated by at least 20 metres. There are a number of instances where distances fall below this, the closest being 14 metres apart (for instance units F05 and unit F15 at first floor level). In many instances, the windows are angled slightly away from each other which to some extent mitigates against intrusive overlooking. Overall, it is not considered that the degree of overlooking will adversely affect the amenity of the future residents to an unreasonable extent.

#### Children's playspace

108. Children's playspace, in particular playspace for younger children, should be accommodated on site. A full assessment of need, taking into account any existing play facilities in the area, should be provided in line with the London Plan and the Mayors supplementary planning guidance (2012) (SPG). While the submitted landscaping plan highlights some elements of play equipment, it is considered that further details should be required by condition. It is noted that there is sufficient space provided to accommodate children's playspace.



## Noise

109. The applicants have submitted a noise assessment with the application. This establishes the existing noise climate at the site and considers the internal noise levels within the habitable rooms of the proposed development. The noise assessment concludes that acoustic glazing is required for the windows on the Long Lane elevation. It is also noted that as these windows will need to remain closed to meet internal target noise levels, an additional means of ventilation (e.g. passive through the wall or mechanical ventilation) will be required. This will need to be further explored by the applicant as it may not be ideal to have non-openable windows. If mechanical ventilation is required, details will be required by way of condition. Other suitable noise mitigation measures should be ensured by way of condition. It is concluded, however, that noise does not pose a material constraint to the development of the site as proposed.

## **Affordable housing**

110. The NPPF adopted in March 2012 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.
111. The regional policies and guidance relating to affordable housing are set out in the London Plan and the Mayor's housing SPG. The London Plan forms part of the development plan for Southwark. The key relevant policies within the London Plan in relation to this aspect of the application are:
112. Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes. Part A of the policy requires that the maximum reasonable amount of affordable housing should be sought with regard to a number of factors including:
- current and future requirements for affordable housing
  - the need to encourage rather than restrain development
  - the need to promote mixed and balanced communities
  - the specific circumstances of individual sites
  - resources available to fund affordable housing, to maximise affordable housing output and the investment criteria set by the Mayor
  - the priority to be accorded to provision of affordable family housing.
113. Part B of the policy sets out that negotiations on sites should take account of their individual circumstances including development viability.
114. The local policies are saved Southwark Plan Policy 4.4 Affordable housing, and Core Strategy Strategic Policy 6 – Homes for people on different incomes.
115. Strategic policy 6 'Homes for people on different incomes' of the Core Strategy requires developments to include a minimum of 35 per cent affordable housing. It also requires developments in the Grange Ward, such as this site, to provide a minimum of 35 per cent private housing. This policy works in conjunction with saved policies in the Southwark Plan such as policy 4.5 'Wheelchair affordable housing' which states that for every affordable housing unit which complies with the wheelchair design standards, one less affordable habitable room will be required. Saved policy 4.4 'Affordable Housing' requires developments in the this area to provide this affordable housing in a tenure split of 70 per cent social rented and 30 per cent intermediate/shared ownership units.
116. The proposed development includes 95 residential units (265 habitable rooms in total)

38 units (106 habitable rooms) of which will be provided as affordable housing. Using the Affordable Housing SPD method of calculation, which counts rooms over 27.5sqm as two rooms for the purposes of affordable housing calculations, the total development would comprise of 317 habitable rooms, of which 125 are affordable. This equates to 39.4 per cent affordable housing being provided on site.

117. Of this affordable housing, 75 per cent (27 units) will be allocated as target rented tenure and 25 per cent (11 units) as intermediate tenure. The affordable housing provision is set out below:

Unit Type	Target Rent	Shared Ownership	Total
1 bedroom	9	6	15
2 bedroom	11	5	16
3 bedroom	7	0	7
<b>Total</b>	<b>27</b>	<b>11</b>	<b>38</b>

118. The 27 rented units would be accommodated in the entirety of the back right block, served off Residential Entrance 1, and the first and second floors of the back left block, served off residential entrance two.
119. Eight of the intermediate units are located on the third and fourth floors of the back left block, served off residential entrance two with three of the units located on the first floor of the front left block, accessed off residential entrance three.
120. The proposed rented units are allocated as target rent units. This is a very welcome aspect of the development since it will provide genuinely affordable housing in a high value part of the borough.
121. The 11 intermediate units would be subject to and comply with the council's affordability criteria and this would be secured through the S106 agreement.
122. The tenure mix results in 75:25 rented to intermediate mix (as opposed to the 70:30 expected under saved policy 4.4). This is an acceptable tenure mix having regard to the need for genuinely affordable rented units in the borough.
123. The affordable housing provision is a offer is welcomed in this instance. This level of affordable housing has been achieved through the improved viability associated with the reduced quantum of Class B floorspace. The development is able to make a significant contribution to the delivery of affordable housing, and maintenance of a mixed community in the north of the borough.

#### Mix of units

124. The proposed mix of units is as follows:

Unit Type	Number	%
1 bed	39	41
2 bed	37	39
3 bed	19	20
<b>Total</b>	<b>95</b>	<b>100</b>

125. Core Strategy Strategic Policy 7 requires at least 60 per cent of units to have two or more bedrooms and 20 per cent of units to be three, four or five bedrooms in the CAZ.
126. The proposed mix falls slightly short of the required 60 per cent of units which are two

bed or more (59 per cent of the units are two bed or larger). However the shortfall equates to less than one unit which, having regard to the overall quality of the scheme, as well as having regard to the affordable housing provided by this scheme, it is not considered to be of overriding concern. As required by policy, 20 per cent of the units are three bed

#### Wheelchair units

127. Saved Policy 4.3 of the Southwark Plan 2007 requires ten% of units to be fully wheelchair accessible. The required ten per cent dedicated wheelchair accessible units should be served by two lifts.
128. The proposal is providing nine wheelchair accessible units which equates to 27 habitable rooms out of a total 265 habitable rooms (ten per cent). These will be fitted out on completion.

Unit No	Bed	Tenure
2	2B/3P	Target Rent
3	2B/3P	Target Rent
15	1B/2P	Private
38	2B/4P	Private
61	2B/4P	Private
80	2B/4P	Private
90	2B/4P	Private
91	2B/4P	Private
93	1B/2P	Private

#### **Impact on trees**

129. It is noted that there are six existing London Plane trees on Long Lane. The building line is set back 5.5 metres from the trunks of these trees. The arboricultural report provides sufficient detail showing protection measures for this line of mature street trees on Long Lane. The Urban Forester has noted that, due to the location of the proposed elevation, set back from the existing trees, none will require major pruning or ongoing additional maintenance.
130. However, a condition is necessary to ensure protection measures are adhered to, together with appropriate details of a landscape scheme for the proposed raised planters, podium, green roofs and external courtyard which are shown as indicative.

#### **Air quality**

131. The site is located within an Air Quality Management area. An air quality assessment has been submitted. The mitigation measures as outlined in this plan should be ensured by way of condition.
132. It is also recommended that a construction management plan be requested by way of condition, in order to ensure that any construction impacts are minimised.

#### **Archaeology**

133. The site is located within the Borough, Bermondsey and Rivers Archaeological Priority Zone. The applicants have submitted a desk-based archaeological assessment that adequately summarises the archaeological potential of the site. Limited previous archaeological work has been undertaken on the site and this has revealed post medieval drainage ditches and parts of the channel network in this area.
134. It is therefore recommended that a programme of archaeological evaluation works are

undertaken. Depending upon the results of the evaluation works further archaeological recording may be necessary and conditions should be applied to control the design of foundations and the submission of a final archaeological report.

### Flood risk

135. The site is located within Flood Zone three which is deemed to be 'high risk'. It is within an area benefiting from the River Thames barrier defences. The applicants have submitted a Flood Risk Assessment (FRA). The Environment Agency has raised no objection to the proposal subject to conditions.

### Planning obligations (S.106 undertaking or agreement)

136. Saved policy 2.5 of the Southwark Plan advises that planning obligations should be secured to overcome the negative impacts of a generally acceptable proposal. Saved 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 merits against relevant policy, guidance and other material considerations when assessing planning obligations.

Planning Obligation	Amount of planning gain calculated by toolkit (£)	Amount of planning gain agreed by applicant (£)
Education	196,952	196,952
Employment in the Development	19,123	19,123
Employment During Construction	94,457	94,457
Employment During Construction Management Fee	7,150	7,150
Public Open Space	42,641	42,641
Children's Play Equipment	11,762	11,762
Sports Development	104,056	104,056
Transport (Strategic)	68,032	68,032
Transport (Site Specific)	66,955	66,955
Transport for London	60,000	60,000
Public Realm	90,705	90,705
Health	110,784	110,784
Archaeology	5,471	5,471
Community Facilities	22,030	22,030
Admin Fee	18,002	18,002
<b>Total</b>	<b>918,120</b>	<b>918,120</b>

137. The applicant is providing sufficient contributions in this instance and is in line with the toolkit within the S106 SPD. Other measures within the S106 include the requirement to provide a car club bay contribution and to provide three years car club membership to each eligible adult occupier of the development. The S106 would also secure £60,000 for the expansion of the nearby Cycle Hire Docking Station, as requested by TfL.
138. In accordance with the recommendation, if the S106 agreement is not signed by 27 May 2014, the Head of Development Management is authorised to refuse planning

permission, if appropriate, for the reason below:

139. '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 affordable housing, public realm, public open space, sports facilities, education, health, affordable housing, the transport network, community facilities and employment and the proposal would therefore be contrary to Saved Policy 2.5 'Planning Obligations' of the Southwark Plan and Strategic Policy 14 – 'Implementation and delivery' of the Southwark Core Strategy, the Southwark Supplementary Planning Document 'Section 106 Planning Obligations' 2007, and Policy 8.2 Planning obligations of the London Plan 2011'

#### **Mayoral CIL**

140. This development is subject to the Mayoral CIL and the charge is calculated according to the amount of additional floor space the new development will produce. The chargeable rate for Southwark is currently £35 per square metre. Existing floor space (gross) within a red line of a site can be deducted from the chargeable floor space calculation. Existing floor space can only be considered where it has been in continuous lawful use for at least six months in the 12 months prior to the development being permitted. The applicant has submitted the relevant CIL form and the CIL liability is calculated at £43,395.

#### **Sustainable development implications**

141. The NPPF sets out that the purpose of the planning system is to contribute towards the achievement of sustainable development. Sustainable development is described as consisting of three broad dimensions, economic, social and environmental. In relation to environmental implications of development, section ten 'meeting the challenge of climate change, flooding and coastal change' describes the key role that planning has in securing radical reductions in greenhouse emissions, providing resilience to the impacts of climate change and supporting the delivery of renewable and low carbon energy and associated infrastructure.
142. The Draft Further Alterations to the London Plan (2014) are currently at consultation stage. Adopted and proposed revisions to energy policies are set out within this document and are likely to be adopted. In accordance with policy 5.2 in the London Plan 2011, all major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy. This policy also sets out required carbon reductions over 2010 building regulations (currently 40 per cent carbon reduction is required, over the 2010 building regulations).
143. Of note is the new requirement for demand side management, which enables non-essential equipment to be turned off or to operate at a lower capacity, and developments will be encouraged to include infrastructure to enable demand side management. The policy also requires major developments to reduce surface water run-off by at least 50 per cent. As a major development, the proposal will need to incorporate green biodiverse roofs, which can be combined with the use of roof space for photovoltaic (PV) panels.
144. Policy 5.5 Decentralised Energy Networks states that developers should prioritise connection to existing or planning decentralised energy networks where feasible.
145. Policy 5.6 'Decentralised energy in development proposals' states that development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems, and where a new CHP system is appropriate, also examine opportunities to

extend the system beyond the site boundary to adjacent sites. The London Plan also encourages developers to investigate opportunities to incorporate energy from waste, or where technically feasible, renewable energy in developments. In addition to this, where a district CHP system provides part of a developments power and / or heating and / or cooling demand, suitable renewable energy technologies should also be considered in addition to the CHP system.

146. Policy 5.7 'Renewable Energy' expects that all development proposals will seek to reduce carbon dioxide emissions of at least 20 per cent through on-site renewable energy generation, wherever feasible.
147. In relation to on-site renewable energy, there is a presumption that major development proposals will seek to reduce carbon dioxide emissions through the use of such energy sources. Development should also support innovative energy technologies such as electric vehicles (by providing charging points).
148. The council's supplementary planning document on Sustainable Design and Construction provides guidance that should be taken into consideration and Strategic Policy 13 in the Core Strategy 2011 provides targets that development should meet.
149. Strategic policy 13 'High environmental standards' of the Core Strategy 2011 requires developments to meet the highest possible environmental standards, including targets based on the Code for Sustainable Homes and BREEAM (Building Research Establishment Environmental Assessment Method) standards. This includes requiring residential development to achieve a minimum of Code for Sustainable Homes Level 4, and other non-residential development to achieve at least a BREEAM 'excellent' except community uses which should achieve a minimum BREEAM level of 'very good'.
150. An Energy Strategy has been submitted with the application. This notes that the development will achieve a 52 per cent reduction in CO<sub>2</sub> emissions over 2010 baseline. A district heating option with a gas-fired Combined heat and Power (CHP) system serving the domestic hot water usage has been provided, although this is restricted to the residential units only, and excludes those above the fifth floor (which are to be served by electric heating). Solar PV panels are proposed at roof level.
151. The residential units will achieve Code Level 4 and the commercial element will achieve BREEAM Excellent. The total aggregate reduction of regulated carbon emissions compared to Part L of the Building Regulations 2010 is 52 per cent, exceeding the new London Plan targets for the development as a whole.
152. A sustainability statement has also been submitted with the application. This states that a water use of 105l per day will be targeted. This is required to achieve Code for Sustainable Homes Level 4.
153. The sustainability statement also noted that green roofs are to be provided. Details of these green roofs will be required by way of condition.

### **Biodiversity**

154. The applicants have submitted an ecological assessment with the application. This document assesses the ecological interest of the site and any potential impacts resulting from the development are assessed. It is noted that the site is not subject to any statutory or non-statutory designations. In relation to habitats on site is noted within the report that the site is dominated by buildings and hard-surfacing, with small areas of re-colonising vegetation and amenity planting. These habitats are considered to be of low to negligible ecological value. In relation to protected species it is noted

that there are only limited opportunities for common birds on the site. However mitigation measures are proposed and these include reducing the impact of lighting on the existing trees on Long Lane, in order to protect any foraging and travel of bats, and clearing of the site to take place outside of nesting season or to ensure that nests are located and cordoned off until the end of nesting season (March to August inclusive).

155. The landscape plan indicates that the landscaping is divided into three distinct areas, the streetscape, the podium area and the roofs. Planters are provided along the front of the building along Long Lane and Weston Street and green/sedum roofs provided. Details of species types for the sedum roofs and tree planting will be required by way of condition.

### **Pre-application discussions and advice**

156. Council officers have held lengthy and extensive pre-application discussions with the applicants. The discussions began in September 2011 when a pre-application submission proposed buildings up to 12 storeys in height, which were criticised as being incongruous and overbearing, and providing poor quality communal space, as well as adversely affecting neighbours. The second round of discussions focused on a building up to nine storeys high, arranged in a u-shaped block with its open end facing north towards Leathermarket and a small public space adjacent to 193 Long Lane. Concern was again expressed about the impact on residential neighbours, the impact on the Listed Leathermarket, and the design of the buildings. A subsequent submission in 2012 maintained the u-shaped form but included a wing parallel to 193 Long Lane at eight storeys. The applicants were advised that the overall height and massing was unacceptable, and that the maximum height should be focused towards the Weston Street corner. Throughout these discussions, the loss of B Class floorspace was a key concern, and evidence was presented in relation to the office market and the supply and demand of warehouse and commercial space in SE1.
157. In 2013, following advice from the Design Review panel, council officers and feedback from local stakeholders, the design shifted to a design with the open courtyard facing east towards number 193. This improved aspect and daylight to residential neighbours. The height on Weston Street reduced by one storey, and the corner element became better defined. B Class space now extended across the ground floor. The mix of units also improved, and the courtyard landscaping was included.

### **Conclusion on planning issues**

158. The scale and design are considered appropriate, and the reduction in height from nine to eighth storeys, and the amendments to the street elevations were welcome improvements to the proposal. The impact on neighbouring properties is on balance acceptable within this central/urban area, and the low level of car parking, when combined with restrictions on securing parking permits, will mean that the impact on the highway will be limited.
159. The quality and mix of accommodation is acceptable, and will provide good quality housing for future residents. The impact of the new accommodation on local infrastructure and services is adequately mitigated through S106 contributions.
160. The loss of business floorspace is outweighed by the benefits of being able to secure more affordable housing on site. The location is relatively peripheral for commercial floorspace, and the reduction in commercial space has improved the overall viability of the development, enabling it to provide almost 40 per cent affordable housing, including much needed target rent units.
161. As such, the recommendation is to grant permission, subject to the completion of a

legal agreement.

### **Community impact statement**

162. 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.
163. Consultation with the community has been undertaken as part of the application process. The applicants have submitted a statement of community involvement which records their consultation with local stakeholders.
164. The impact on local people is set out above.
165. The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as none.
166. The likely adverse or less good implications for any particular communities/groups have been also been discussed above. No specific actions are required to ameliorate these.

### **Consultations**

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

### **Consultation replies**

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

### Summary of consultation responses

169. 15 responses have been received; 13 objections including an objection on behalf of 23 flats (two in support). The main planning issues raised by each address are summarised below.
170. 197 Long Lane (four letters):
- Concerns in relation to design
  - Height is not in keeping with the surrounding area
  - Impact on privacy of 195-197 Long Lane
  - Impact on privacy and views
  - Loss of daylight and sunlight
  - Nature of occupation of the commercial units
  - Numbers of flats may be excessive – impact on health services and local facilities
  - Developers of No. 171 should be consulted as may have an impact on daylight/sunlight of these properties
  - Application should be rejected in favour of a more sympathetic design
  - Lack of demand for retail and commercial units
  - Will result in noise and disruption.
171. Tangerine House, 119 Weston Street (four letters, including one from 23 flats):
- Nine storey building is out of keeping with the area
  - Impact on light especially on lower floors
  - Impact on privacy



- Design is monotonous - could be more creative
- No consideration for amenities such as a crèche, nurseries, school and doctors
- Impacts on the unfinished Valentine House
- Planning application should be rejected
- Traffic generation
- Visual impact of the development.

172. Via email (three, no addresses given):

- Nine storeys is out of keeping with the area
- Application refers to 98 units
- Nine storeys would set a new precedent
- Elevation on Long Lane is too tall, overbearing and monotonous
- Impact on increase in population on existing amenities
- Safety issues as Weston Street is the main ambulance route
- Communal area is a private garden for residents – no community benefits
- Affordable housing on site is positive – should remain on site
- Commercial units may be empty.

173. Estate Agents, Shad Thames (in support):

- Will make a positive contribution to the street
- Will help in letting and selling other commercial buildings nearby
- Will provide employment
- The commercial space within the scheme is well laid out to meet local market demands.

174. Registered Social Landlord (RSL) (in support):

- Fully supportive of the scheme
- Support any new affordable housing in the area.

175. Burwash House, Weston Street:

- Supports the principle of the scheme
- Concern about the increasing trend to increase the height of developments along Long Lane – this development is 2 storeys too tall
- Noise and traffic related impacts.

176. Calico House, 199 Long Lane:

- Do not object to the proposed redevelopment of the site
- Concerns about major disruption from construction projects
- Would like more information on the proposed commercial units
- Height is not in keeping with the adjacent properties.

### **Human rights implications**

177. This planning application engages certain human rights under the Human Rights Act 2008 (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.

178. This application has the legitimate aim of providing a mixed-use 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.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

179. There was none.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/214-118 Application file: 13/AP/4586 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 5420 Council website: www.southwark.gov.uk

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbour consultee map
Appendix 4	Recommendation

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Rónán O'Connor	
<b>Version</b>	Final	
<b>Dated</b>	11 April 2014	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Cabinet Member	No	No
<b>Date final report sent to Constitutional Team</b>	11 April 2014	

**APPENDIX 1**

## Consultation Undertaken

**Site notice date:** 16/01/2014

**Press notice date:** 16/01/2014

**Case officer site visit date:** 16/01/2014 and 07/03/2014

**Neighbour consultation letters sent:** 16/01/2014

**Internal services consulted**

Design and Conservation  
Transport  
Environmental Protection  
Flood and Drainage Team  
Archeology Officer  
Ecology  
Planning Policy  
Urban Forester

**Statutory and non-statutory organisations consulted**

Environment Agency  
Transport for London (referable applications)  
Transport for London (planning obligations)

**Neighbours and local groups consulted**

Bermondsey Village Action Group  
Leathermarket JMV  
Bermondsey Neighbourhood Forum  
Neighbour Consultee Map as per Appendix 3

**Re-consultation:** None

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

Transport – no objection

Flood and Drainage Team – request justification that SUDS hierarchy has been followed

Design and Conservation – request conditions

Archeology Officer – request conditions

Urban Forester – request conditions

**Statutory and non-statutory organisations**

Environment Agency – no objection subject to conditions

TFL – Development is unlikely to have an impact on the TFL Road Network or on the Strategic Road Network.

Limited impact on public transport capacity

Liable for CIL

Request a S106 contribution of £60,000 to expand the Cycle Hire Station by up to 15 docking points

**Neighbours and local groups**

15 responses have been received: 13 objections including an objection on behalf of 23 flats and 2 in support.

The main planning issues raised are summarised below.

197 Long Lane:

Concerns in relation to design

Height is not in keeping with the surrounding area

Impact on privacy of 195-197 Long Lane

Loss of daylight and sunlight

Occupation of the commercial units

Numbers of flats may be excessive – impact on health services

Developers of No. 171 should be consulted as may have an impact on daylight/sunlight of these properties

Application should be rejected in favour of a more sympathetic design

Tangerine House, 119 Weston Street:

9 storey building is out of keeping with the area

Impact on light and privacy

Traffic generation

Visual impact of the development

Via email:

9 storeys is out of keeping with the area

Application refers to 98 units

9 storeys would set a new precedent

Elevation on Long Lane is overbearing and monotonous

Impact on increase in population on existing amenities

Safety issues as Weston Street is the main ambulance route

Communal area is a private garden for residents – no community benefits

Affordable housing on site is positive – should remain on site

Tangerine House (on behalf of 23 flats):

Will impact on privacy

Loss of light and aspect, especially on the lower floors

Proposal is too high  
 Design is monotonous – could be more creative  
 No consideration for amenities such as a crèche, nurseries, school and doctors  
 Impacts on the unfinished Valentine House  
 Planning application should be rejected

Tangerine House:  
 Impact on privacy  
 Proposal is too high  
 Design is monotonous – could be more creative  
 No consideration for amenities such as a crèche, nurseries, school and doctors  
 Impacts on the unfinished Valentine House  
 Planning application should be rejected

Estate Agents, Shad Thames (in support):  
 Will make a positive contribution to the street  
 Will help in letting and selling other commercial buildings nearby  
 Will provide employment  
 The commercial space within the scheme is well laid out to meet local market demands.

Tangerine House:  
 Impact on privacy  
 Proposal is too high  
 Design is monotonous – could be more creative  
 No consideration for amenities such as a crèche, nurseries, school and doctors  
 Impacts on the unfinished Valentine House  
 Planning application should be rejected

197 Long Lane:  
 Have recently purchased property at 197 Long Lane  
 Concerned about the impact on light

Via email:  
 Concerns regarding height of the building/proximity to neighbouring buildings  
 Will reduce daylight to 197 Long Lane  
 Building is too high on Long Lane  
 Commercial units may be empty

Registered Social Landlord (RSL) (in support):  
 Fully supportive of the scheme  
 Support any new affordable housing in the area

Burwash House, Weston Street:  
 Supports the principle of the scheme  
 Concern about the increasing trend to increase the height of developments along Long Lane – this development is 2 storeys too tall  
 Noise and traffic related impacts

Calico House, 199 Long Lane:  
 Do not object to the proposed redevelopment of the site  
 Concerns about major disruption from construction projects  
 Would like more information on the proposed commercial units  
 Height is not in keeping with the adjacent properties

197 Long Lane:  
 Have not received any information from the council about the planning application  
 Would like further information about the proposed plans for the area

Has concerns about the height, impact on privacy and impact on light

Via email:

Proposal is too high

Impact on light and views

197 Long Lane:

Did not receive any correspondence from the Council regarding planning application

No documents available online

Balconies will overlook the proposed building

Will impact on privacy and block lights and views

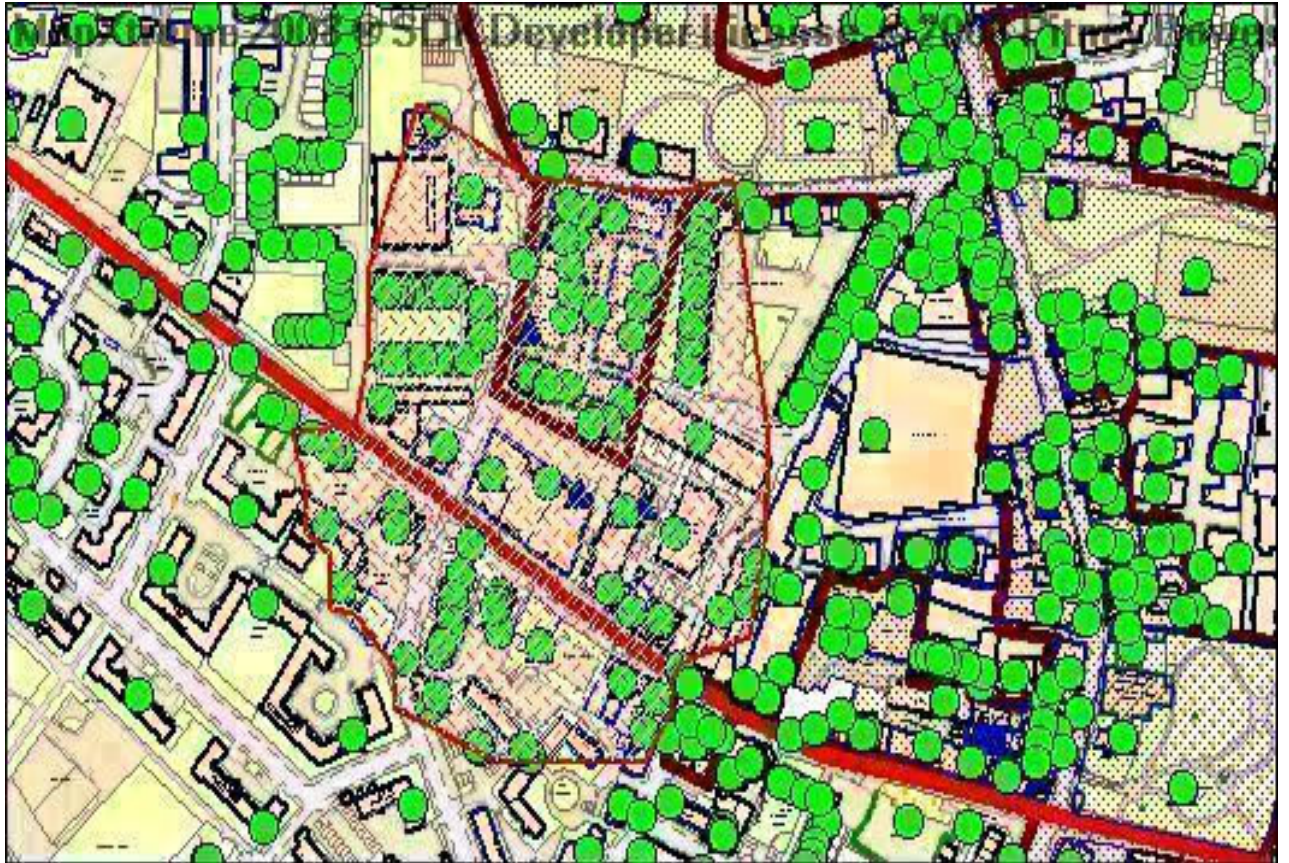
Will result in noise and distraction

Lack of demand for retail and commercial units

Lack of provision for an extra 97 residential units

**APPENDIX 3**

Neighbour Consultee Map for Application Reg. No. 13/AP/4586



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## RECOMMENDATION

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

<b>Applicant</b>	Universities Superannuation Scheme Ltd	<b>Reg. Number</b>	13/AP/4586
<b>Application Type</b>	Full Planning Permission		
<b>Recommendation</b>	Grant subject to Legal Agreement	<b>Case Number</b>	TP/214-118

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Redevelopment of site to provide a new part 5, part 6, part 7 and part 8 storey building (maximum height 25.7m) comprising commercial floorspace (Class B1) at ground floor and 95 residential units (Use Class C3) above; associated car parking and cycle parking, landscaping, and podium garden at first floor level.

**At:** 175-179 LONG LANE, LONDON, SE1 4PN

**In accordance with application received on 23/12/2013**

**and Applicant's Drawing Nos.** T(20)P00 P5; T(20)P01 P5; T(20)P02 P5; T(20)P03 P5; T(20)P04 P5; T(20)P05 P5; T(20)P06 P5; T(20)P07 P5; TSK068; TSK069; T(20)E01 P4; T(20)E02 P4; T(20)E03 P4; T(20)E04 P3; TOWN562(04)1001

Long Lane Schedule of Accommodation - Affordable Units (April 2014); Ventilation Report (March 2014); Daylight and Sunlight Report and addendum; Planning Statement; Flood Risk Assessment; Energy Statement; Statement of Community Involvement; Townscape, Heritage and Visual Impact Assessment; Historic Environment Assessment; Design and Access Statement; Public Realm Strategy and addendum; Arboricultural Report; Sustainability Statement; Schedule of Areas (dated 31st March 2014); Transport Assessment; Draft Travel Plan; Air Quality Assessment; Ecological Assessment; Noise Assessment

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

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

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.  
  
Reason  
As required by Section 91 of the Town and Country Planning Act 1990 as amended.

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

T(20)P00 P5; T(20)P01 P5; T(20)P02 P5; T(20)P03 P5; T(20)P04 P5; T(20)P05 P5; T(20)P06 P5; T(20)P07 P5; TSK068; TSK069; T(20)E01 P4; T(20)E02 P4; T(20)E03 P4; T(20)E04 P3

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

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

- 3 **Environmental Management/Construction Management Plan**  
No works, including works of demolition, shall be commenced until details of an Environmental Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The Management Plan and Code of Practice 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 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 demolition and foundation 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 Sthwark's Environmental Code of Construction and GLA Best Practice Guidance .

A Construction and Logistics Plan (all construction access routes and access details also need to be approved by TfL).

Details of cycle awareness training for all drivers and installation of skirts on all lorries.

All demolition and construction work shall be undertaken in strict accordance with the approved management scheme and codes of practice, unless otherwise agreed in writing by the Local Planning Authority (in conjunction with TfL).

#### Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with saved Policies 3.1 and 3.2 of the Sthwark Plan (2007).

- 4 Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority.

#### Reason

In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Sthwark Plan 2007 and the National Planning Policy Framework 2012.

- 5 Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

#### Reason

In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Sthwark Plan 2007 and the National Planning Policy Framework 2012.

- 6 Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works 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 order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Sthwark Plan 2007 and the National Planning Policy Framework 2012.

- 7 The existing trees on Long Lane adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in an Arboricultural Method Statement. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

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

#### Reason

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

- 8 The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles, where possible, and on an assessment of the hydrological and hydrogeological context of the development, has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should strive to implement a Sustainable Drainage System (SuDS) hierarchy that achieves reductions in surface water run-off rates, in line with the London Plan (Policy 5.13).

Reason

To reduce the impact of flooding both to and from the development and third parties.

- 9 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme 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:

1) a preliminary risk assessment which has identified:  
all previous uses;  
potential contaminants associated with those uses;  
a conceptual model of the site indicating sources, pathways and receptors;  
potentially unacceptable risks arising from contamination at the site;

2) a site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors which may be affected, including those off site;

3) the results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

4) a verification plan providing details of the data which will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason

For the protection of Controlled Waters. The site is located over a Secondary Aquifer.

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

- 10 **Plant Noise**  
Before any work above grade on the development hereby authorised begins, an acoustic report detailing the rated noise level from any plant, together with any associated ducting (which shall be 10 dB(A) or more below the measured LA90 level at the nearest noise sensitive premises) shall be submitted to and approved in writing by the Local Planning Authority and the method of assessment is to be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. Prior to occupation or commencement of the use hereby permitted, the plant and equipment shall be installed and constructed in accordance with any such approval given and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007), Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and the NPPF 2012.

- 11 **Bird and bat boxes**  
Details of swift nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

No less than 6 nesting boxes / bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

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

Discharge of this condition is in two parts. Partial discharge will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans. Full discharge will be granted once the nest/roost features are installed in full in accordance to the agreed plans. The developer should contact the Local Planning Authority once completed so we can inspect the nest/roost features and record the locations for monitoring purposes.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with saved Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

12 Cycle Storage (Residential and visitor parking)

Before the any work above grade begins, detailed plans (1:50 and 1:200 scale drawings) shall be submitted and approved in writing by the Local Planning Authority detailing the secure, convenient and weatherproof proposed residential cycle store and visitor cycle parking.

Thereafter the cycle parking facilities shall be provided prior to occupation of the relevant part of the development and thereafter shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with Strategic Policy 2 Strategic Transport of The Core Strategy 2011 and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

13 Code for Sustainable Homes

i) Before any above grade work hereby authorised begins, an independently verified Code for Sustainable Homes interim certification that seeks to achieve a minimum Level Code 4 rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;

ii) Before the first occupation of the buildings 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 (i) have been met.

Reason

To ensure the proposal complies with Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

14 Design

Samples of all and external facing materials to buildings, including sample panels showing bonding and mortar detailing, to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority before any work above grade in connection with this permission is carried out, and thereafter the development shall not be carried out otherwise than in accordance with any such approval given. These samples must demonstrate how the proposal demonstrates exemplary quality in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with saved policies: Part 7 of the NPPF; Policy SP12 of the Core Strategy (2011) and saved Policies 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (2007).

15 Design

1:5/10 section detail-drawings through:

facades;  
 parapets;  
 balconies;  
 heads, cills and jambs of all openings;  
 entrance lobbies;  
 roof edges;  
 shall be submitted to and approved in writing by the Local Planning Authority before any work above grade is commenced; 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: Part 7 of the NPPF; Policy SP12 of the Core Strategy (2011) and saved Policies 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (2007).

16 Play Equipment

Prior to any work being carried out above grade, drawings and schedules of play provision and equipment to be provided, specifically the location, area, and play apparatuses for under 5s, as well as play equipment for 5 to 11yrs and over 12s eg. table tennis tables, basket ball hoops, to be provided in the communal amenity areas shall be provided, and such provision as is agreed shall be made available to residents prior to the first occupation of the development.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with saved policies: Part 7 of the NPPF; Policy SP12 of the Core Strategy (2011) and saved Policies 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (2007).

17 Residential standard- Sound transmission between commercial and residential properties

Before any work above grade on the development hereby authorised begins, details of how the residential rooms within the development sharing a party element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that NR20 is not exceeded due to noise from the commercial premises, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

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

18 Before any above grade work hereby authorised begins, detailed drawings [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 and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority and 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.

Details of native planting shall be included as part of the landscape strategy/plan. Ideally the landscape planting should contain a minimum of 30% of native plants.

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012, Strategic Policy 11 Open spaces and wildlife and Strategic Policy 12 Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design in the Southwark Plan 2007.

- 19 Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:  
 biodiversity based with extensive substrate base (depth 80-150mm);  
 laid out in accordance with the sustainability statement, hereby approved; and  
 planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

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

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

Discharge of this condition is in two parts. Partial discharge will be granted on receiving the details of the green/brown roof(s) and Southwark Council agreeing the submitted plans. Full discharge will be granted once the green/brown roof(s) are completed in full in accordance to the agreed plans. The developer should contact the Local Planning Authority once completed so we can inspect the roof and record the habitat created.

#### Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff, it in accordance with The National Planning Policy Framework 2012, Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity; 3.12 Quality in Design, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

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

- 20 Details of External Lighting and Security  
 Details of any external lighting [including design, power and position of luminaries] and security surveillance equipment of external areas surrounding the building shall be submitted to and approved by the Local Planning Authority in writing before any such lighting or security equipment is installed. The development shall not be carried out otherwise in accordance with any such approval given.

#### Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.14 Designing out crime of the Southwark Plan 2007.

- 21 Before the first occupation of the buildings hereby permitted, the refuse storage arrangements shown on the approved drawing referenced T(20)P00 P5, shall be provided and made available for use by the occupiers of the residential and commercial units facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

#### Reason

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

- 22 Service Management Plan  
 Prior to occupation of any of the residential or commercial units, a Service and Delivery Management Plan detailing how each of the uses are to be serviced including the forecast number of delivery vehicles, the nature of vehicles and where the applicant intends delivery vehicles to load/un-load from has been submitted to and approved in writing by the Local Planning Authority. This should include details of refuse collection. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

## Reason

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

- 23 Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the Local Planning Authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

## Reason

Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and that the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

- 24 Prior to their occupation, the 9 no. wheelchair accessible units hereby approved (Unit No's 2, 3,15, 38, 61, 80, 90, 91 and 93) as shown on the drawing/s hereby approved referenced shall be constructed and fitted out to the South East London Wheelchair Design Guide.

## Reason

To ensure the wheelchair units approved are delivered to the relevant standard in accordance with The National Planning Policy Framework 2012, Policy 7.2 An inclusive environment of the London Plan 2011, Strategic Policy 2 Sustainable Transport of the Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.

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

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

## 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.

- 26 Restriction on permitted development rights  
Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no B Class accommodation shall be converted to C3 Class Residential accommodation without the prior written approval of the Local planning Authority.

## Reason

To safeguard employment land and quality of residential accommodation in accordance with Strategic Policy 13 High environmental standards and Strategic Policy 12 Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.12 Quality in Design of the Southwark Plan 2007.

- 27 Residential standard- internal noise levels  
The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms- 30dB LAeq, T \* and 45dB LAFmax  
Living rooms- 30dB LAeq, T\*\*

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

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

## Reason

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

environmental standards' of the Core Strategy (2011) and NPPF 2012.

- 28 Prior to occupation any of the residential units hereby approved, the 9 wheelchair accessible residential parking spaces as shown on the drawing referenced T(20)P00 P5 hereby approved, shall be made available, and retained for the purposes of car parking for the disabled for as long as the development is occupied.

Reason

To ensure that the parking spaces for disabled people are provided and retained in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.7 Parking standards for disabled people and the mobility impaired of the Southwark Plan 2007.

- 29 All residents within the development shall have equal access to the proposed communal amenity area at first floor (podium) level, as shown on approved drawing T(20)P01 P5.

Reason:

In accordance with Strategic Policy 5 'Providing New Homes' of the Core Strategy (2011), saved Policy 4.2 'Quality of Residential Accommodation' of the Southwark Plan (2007) and in accordance with guidance as set out in the Residential Design Guidelines SPD (2011).

- 30 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Scott White & Hookins LLP (dated August 2013 with reference C678) and the following mitigation measures within the FRA:  
all 'more vulnerable' residential accommodation should be located at the first floor level and above, as stated in the approved FRA (Sections 2.8 and 6.5);  
other flood resistant and resilient measures should be incorporated and implemented within the development, wherever possible, in accordance with the approved FRA (Sections 6.5, 6.6, 6.7 and 7.0), Approved Document Part 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 (DCLG);  
A Sustainable Drainage Systems (SuDS) strategy should be implemented, incorporating the measures recommended within the approved FRA (Sections 5.0 and 6.0) which consist of the use of underground tanks to limit flows to 50% of existing rates of discharge for the 1 in 30 year and 1 in 100 year events, as outlined in the approved FRA (Section 5.1); during the detailed design stage, the possibility of adopting infiltration-based SuDS techniques should be further investigated with respect to soakage tests and groundwater contamination.

Reason

To reduce the impact of flooding on, and risk of flooding to, occupants; to reduce the impact of flooding on the development and occupants; to reduce the impact of flooding both to and from the development and third parties.

- 31 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

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. It is recommended that where soil contamination is present, a risk assessment is carried out in accordance with Environment Agency guidance 'Piling into contaminated sites'. It is noted that the Environment Agency will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

- 32 Whilst the principles and installation of Sustainable Drainage Systems (SuDS) are to be encouraged, no infiltration of surface water drainage in to 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. The development shall be carried out in accordance with the approval details.

Reason

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil or made ground which could ultimately cause pollution of groundwater.

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

implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

**Reason**

There is always the potential for unexpected contamination to be identified during groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters

**Other condition(s)** - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

**34 BREEAM**

i). Before any fit out works to the commercial premises hereby authorised begins within each relevant phase, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'excellent' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;

ii). Before the first occupation of the building hereby permitted in each relevant phase, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

**Reason**

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

**35** 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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

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

The application was determined in a timely manner. Pre-application advice was given prior to the submission of the application. The applicant was given the opportunity to make amendments to the application prior to the determination date.

**Informative**

You are advised that prior to the commencement of works you must obtain approval from Highways for any changes, alterations or other works to the highway or footway, including the provision of the visitor cycle parking on Long Lane.



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OPEN

MUNICIPAL YEAR 2013/14

COMMITTEE: PLANNING COMMITTEE

NOTE: Original held in Constitutional Team; all amendments/queries to Sarah Koniarski, Constitutional Team,  
Tel: 020 7525 5824.

**OPEN**

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Councillor Adele Morris	1	<b>Total</b>	<b><u>2</u></b>
Councillor Nick Stanton	1		
Councillor Mark Williams	1		
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Councillor Chris Brown	1		
Councillor Martin Seaton	1		
<b>Total</b>	<b><u>5</u></b>		
<b>LEGAL SERVICES</b>			
Jonathan Gorst	1		
<b>Total</b>	<b><u>1</u></b>		
<b>CONSTITUTIONAL TEAM</b>			
Sarah Koniarski	25		
<b>Total</b>	<b><u>25</u></b>		
		<b>Total Print Run: 40</b>	
		List Updated: 14 March 2014	