

Planning Committee

Tuesday 7 November 2017

6.00 pm

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

Membership

Councillor Nick Dolezal (Chair)
Councillor Cleo Soanes (Vice-Chair)
Councillor Lucas Green
Councillor Lorraine Lauder MBE
Councillor Hamish McCallum
Councillor Darren Merrill
Councillor Michael Mitchell
Councillor Adele Morris

Reserves

Councillor James Barber
Councillor Catherine Dale
Councillor Sarah King
Councillor Jane Lyons
Councillor Jamille Mohammed
Councillor Kieron Williams

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

Babysitting/Carers allowances

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

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact Beverley Olamijulo on 020 7525 7234 or email Beverley.olamijulo@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly
Chief Executive
Date: 30 October 2017



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Planning Committee

Tuesday 7 November 2017

6.00 pm

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

Order of Business

Item No.	Title	Page No.
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	MINUTES	3 - 6
	To approve as a correct record the Minutes of the open section of the meeting held on 10 October 2017.	
6.	TO RELEASE £410,461.83 FROM THE S106 AGREEMENTS ASSOCIATED WITH THE BELOW DEVELOPMENTS, IN ORDER TO IMPROVE FACILITIES AT PECKHAM RYE PARK	7 - 14

Item No.	Title	Page No.
7.	DEVELOPMENT MANAGEMENT	15 - 19

7.1.	4-21 RUSHWORTH STREET, LONDON, SE1 0RB	20 - 54
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ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

EXCLUSION OF PRESS AND PUBLIC

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

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

Date: 30 October 2017



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. The role of members of the planning committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the committee (if they are present and wish to speak) for **not more than 3 minutes each**.

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

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

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the 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.
6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.

8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants.
9. This is a council committee meeting which is open to the public and there should be no interruptions from the audience.
10. No smoking is allowed at committee.
11. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

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

Contacts: General Enquiries
Planning Section, Chief Executive's Department
Tel: 020 7525 5403

Planning Committee Clerks, Constitutional Team
Finance and Governance
Tel: 020 7525 7234/7420



Planning Committee

MINUTES of the OPEN section of the Planning Committee held on Tuesday 10 October 2017 at 6.00 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Nick Dolezal (Chair)
 Councillor Cleo Soanes (Vice-Chair)
 Councillor Sarah King (Reserve)
 Councillor Lorraine Lauder MBE
 Councillor Hamish McCallum
 Councillor Darren Merrill
 Councillor Michael Mitchell
 Councillor Adele Morris

OTHER MEMBERS PRESENT: Councillor Damian O'Brien

OFFICER SUPPORT: Simon Bevan (Director of Planning)
 Jon Gorst (Legal Services)
 Sonia Watson (Development Management)
 Pip Howson (Transport Policy)
 Michael Tsoukaris (Design & Conservation)
 Jack Ricketts (Development Management)
 Gerald Gohler (Constitutional Officer)

1. APOLOGIES

There were apologies for absence from Councillor Lucas Green.

2. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as voting members for the meeting.

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

The chair gave notice of the following additional papers which were circulated at the meeting:

- Addendum report relating to item 7.1 and;
- Members' pack relating to item 7.1.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 19 September 2017 be confirmed as a correct record and signed by the chair.

6. MAYFLOWER PARK - TO RELEASE £264,138.42 FROM THE S106 AGREEMENT ASSOCIATED WITH THE BELOW DEVELOPMENT, TOWARDS THE NEW PUBLIC PARK MAINTENANCE FUND

An officer introduced the report, and responded to questions from members of the committee. The officer confirmed that paragraph 14 of the report contained an erroneous reference to "site specific transport and strategic transport improvements" which should be stricken from the report.

RESOLVED:

1. That paragraph 14 of the report be amended to only refer to public realm improvements.
2. That the release of £264,138.42 of Section 106 funding, from the developments set out in the report (including the amended paragraph 14), towards a new public park maintenance fund, as set out in paragraphs 5-6 of the report, be approved.

7. DEVELOPMENT MANAGEMENT

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.

7.1 GUINNESS COURT, SNOWFIELDS STREET, LONDON SE1 3TA

Planning application reference: 16/AP/3819

Report: see pages 12 to 40 of the agenda and pages 1 to 3 of the addendum report.

PROPOSAL

Erection an external lift core to Block C from ground to 4th floor level and double mansard roof extension over Blocks A, B and C to provide 30 residential units (2 x 1bed, 24 x 2bed, 4 x 3bed) together with associated ancillary works.

The committee heard an officer's introduction to the report and addendum report. Councillors did not ask questions of the officer.

The objectors addressed the meeting. The committee asked questions of the objectors.

The applicant and their agent addressed the committee, and answered questions by the committee.

There were no supporters who lived within 100m of the development site present and wished to speak.

Councillor Damian O'Brien addressed the meeting in his capacity as a ward councillor, and answered questions by the committee.

The committee put further questions to officers and discussed the application.

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

RESOLVED:

1. That planning permission be granted subject to:
 - a. The completion of a S106 legal agreement which is to also specify that payment in lieu of on-site amenity space be ring-fenced for Leathermarket Gardens community park, and
 - b. The conditions set out in the report and the addendum report, and subject to the following additional conditions:
 - i. That the construction management report include: a tree protection statement covering the duration of the construction period; acceptable hours in which construction work will take place; adequate community and resident liaison to be undertaken during the construction period.
 - ii. That any additional waste bins are to be located on the estate only and not on-street.
 - iii. That any additional cycle-stands are to be installed on the estate only and not on-street.

- iv. Three-year car club membership is to be offered to new residents by the applicant.
2. That in the event that the requirements of 1a) are not met by 31 January 2018, the director of planning be authorised to refuse planning permission for the reasons set out under paragraph 68 of the report.

The meeting ended at 8.35pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 7 November 2017	Meeting Name: Planning Committee
Report title:		<u>Revitalise Peckham Rye Park</u> To release £410,461.83 from the S106 agreements associated with the below developments, in order to improve facilities at Peckham Rye Park	
Ward(s) or groups affected:		Project: Peckham Rye Funds: Peckham, Nunhead & Peckham Rye	
From:		Director of Planning	

RECOMMENDATION

That Planning Committee

1. Agree that funds totalling £410,461.83 are released from the legal agreements (listed below and in paragraph 17) associated with developments in and around Peckham, to deliver improved facilities at Peckham Rye Park.

Permission Ref	Account No	Address	Amount
11/AP/0914	320A	143-149 Rye Lane, London, SE15 4ST	£83,000.00
08/AP/0685	370	187-189 Gordon Road, London, SE15 3RT	£28,772.28
09/AP/1342	447	Site Adjacent To 19 Rosenthorpe Road And 22 Fernholme Road, London, SE15 3EG	£5,118.64
13/AP/0561	679	Land East Of Crown Street Between Wyndham Road And Bethwin Road Including The Former Crown Street Depot And The Bethwin Road Adventure Playground Crown Street Camberwell SE5 OUR	£80,280.34
13/AP/1738	706	83-89 Queens Road and 2 A-C Carlton Grove, London, SE15 2EZ	£98,875.00
13/AP/1767	708	Land Bounded By Scylla Road, Nunhead Green And Nunhead Lane And Land Bounded By Nunhead Lane, Linden Grove And	£14,813.00

		Candle Grove, London SE15	
14/AP/1872	751	Site Of The Former Tuke School, 2-4 Woods Road, London, SE15 2PX	£20,468.00
14/AP/3276	759	Land At Camberwell Area Housing Office, Harris Street, 1-27 Benhill Road And 29-59 Benhill Road, London SE5	£79,134.57
TOTAL			£410,461.83

BACKGROUND INFORMATION

2. Planning obligations are used to mitigate the negative impacts caused by a development and contribute towards providing infrastructure and facilities necessary to achieve sustainable communities. In order to achieve this, the Council enters into a legal agreement with a developer whereby the developer agrees to provide planning contributions and/or enters into various planning obligations.
3. In 2010 it was decided to rebuild the Peckham Park playroom as it is currently housed in a dilapidated building that is not fit for purpose. At this time, discussions took place within different council departments regarding the provision of other facilities within the park.
4. In 2013 to coordinate the various proposals the project manager was tasked with taking forward the proposals and consolidating the budgets from across the teams.
5. Significant community engagement was then undertaken in 2013/14 and the outcome was reported back to officers and members in May 2014. The response to the community engagement reinforced a need to provide new fit for purpose changing rooms (to replace the existing changing room containers) and a new combined play area. These, in addition the provision a new play room, formed the basis of the proposals for the area.
6. The November 2014 capital refresh report confirmed the elements of the project to be delivered as:
 - A modern, fit for purpose playroom to replace the 1940s prisoner of war hut currently used
 - Football changing rooms located closer to the football pitches
 - A large, high quality playground appropriate for one of our largest parks which serves neighbourhoods where there have been substantial increases in the number of children
 - A more appropriately located car park and the removal of contaminated ground from the park
7. At this time the project was fully funded with all funds currently available from a combination of:

- Capital refresh budget
 - Olympic legacy funding
 - Environment and leisure capital programme
8. In December 2016 phase 1 (new location of car park) was completed, which enabled work to commence on the next phases of the project. In June 2017, following the clearance of the old car park, low grade asbestos was discovered throughout phase 2 (new children's playground). A thorough assessment of all options has now been completed and a remediation strategy has been submitted for formal approval.
9. This report deals with a request for additional funding of £410,461.83 from the legal agreements listed in Table 1 at paragraphs 1 and 17 and will contribute to the overall project budget that now includes full remediation of the phase 2 (new children's playground) site.

Phase 3 – New Changing Rooms and Play Room



KEY ISSUES FOR CONSIDERATION

10. In order to match available section 106 funding to potential projects, a mapping exercise was carried out to understand the distribution of unspent section 106 monies by "purpose".

Community impact statement

11. The proposed redevelopment of the Peckham Rye Park and Common is intended to provide a range of public services of benefit to the local community. One of the main objectives of the design brief for the revitalisation of Peckham Rye will be to ensure the facilities are accessible to all members of the community regardless of age, disability, faith/religion, gender, race and ethnicity and sexual orientation.

Consultation

12. Public consultation on this project commenced in 2013 and continued into 2014 to confirm a new play room, changing rooms and play area. Further consultation was

conducted in September 2015 regarding the car park and preferred location of the new facilities. Following the appointment of the design team, public consultation events were also held in May and June 2016, where the proposals were well received.

13. All ward councillors have been consulted on spend within the Peckham Rye ward. The chair and vice chair of Peckham and Nunhead Community Council have also been consulted.

Resource implications

General Resources

15. An initial budget of £1.92m was allocated to this project, however, following the commitment to deliver the new facilities, Cabinet approved an increase to £4.02m via the 18 November 2014 [Quarter 2 Capital Monitoring for 2014/15](#) and [Capital Programme Refresh for 2014/15-2023/24](#) report. This was increased again to a final total of £4.17m via the Month 8 Capital Monitoring for 2016-17 and Capital Programme Refresh for 2016-17 to 2025-26 report presented to cabinet in Feb 2017.
16. The capital works and development team, within the Chief Executive's department, are responsible for leading the project through the pre-planning and design process and for securing planning consent. Costs incurred will be contained within the team's revenue budget. The team has extensive experience of this work in Southwark. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

Original Budget Allocation	£1,920,000	Capital Receipts: Funding approved through 13/14 capital programme refresh
Olympic Legacy Fund	£250,000	Olympic Legacy residual budget transfer
E&L Budget transfer	£1,000,000	Q4 2014/15 Budget virement from E&L
Capital Funding	£1,000,000	Additional Capital Funding confirmed Feb 2017
Total Budget	£4,170,000	
S106 Funding	£410,461.83	S106 funding (this report)

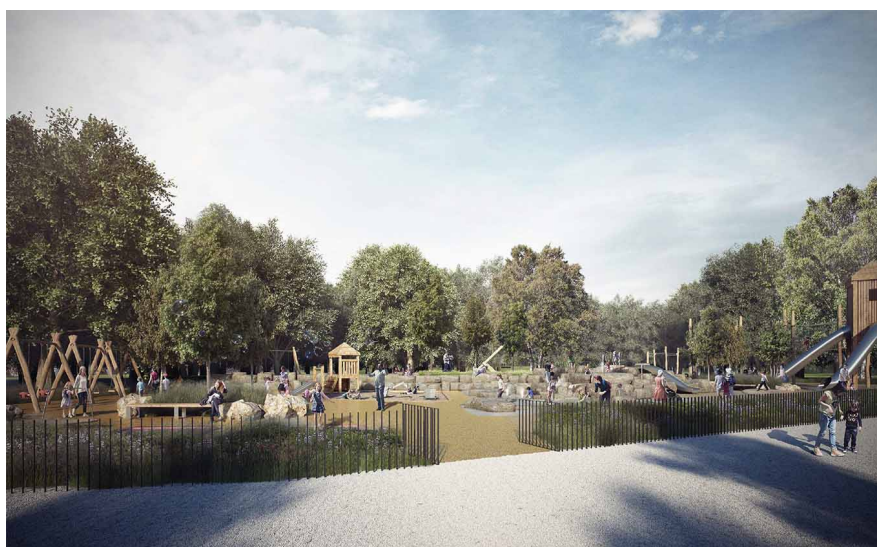
S106 Resources

Project Proposal	Planning application	Agreement No.	Funding available
Public parks and open space	11/AP/0914	320A	£83,000.00
Public parks and open space	08/AP/0685	370	£28,772.28
Parks, children's play and sports development	09/AP/1342	447	£1,807.00
Public realm improvements			£3,311.64
Parks, children's play and sports development	13/AP/0561	679	£80,280.34
Community development	13/AP/1738	706	£7,536.00
Public realm improvements			£35,250.00
Parks, children's play and sports development			£56,089.00
Local play improvements	13/AP/1767	708	£5,153.00
Public parks and open space			£9,660.00

Community development	14/AP/1872	751	£20,468.00
Parks, children's play and sports development	14/AP/3276	759	£79,134.57
			£410,461.83

17. The above mentioned developments secured £410,461.83, combined, in contributions towards the above mentioned mitigation measures. All £410,461.83 is currently unallocated and available.
18. The proposed allocations accord with the relevant agreements and would provide appropriate mitigation for the impacts of the specific and future developments.
19. All costs arising from implementing the recommendations above will be met from the S106 agreements attached to the planning permission for the development.

Phase 2 – New Children's Play Area



Policy implications

21. The delivery of this project fits with the council's objectives as outlined in the fairer future promises stated in the Council Plan 2014-18, specifically:

Promise 1: Value for Money
 Promise 6: A Greener Borough
 Promise 9: Revitalised Neighbourhoods

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

22. Members of the Planning Committee are being requested to authorise the release of £410,461.83 from a number of legal agreements towards the continuing improvement works which are taking place at Peckham Rye Park.

23. These improvements have been a major undertaking going back over a number of years. The report refers to the on-going work required and also mentions at paragraph 9 that low grade asbestos has been found when clearing the old car park.
24. The section 106 Agreements listed in paragraph 16 have been checked and the contributions are being spent in accordance with the specific terms of each agreement and also in accordance with the tests as set out in regulation 122 of the Community Infrastructure Levy Regulations.
25. It is confirmed that the expenditure of sums exceeding £100,000 held under section 106 Agreements is reserved to Members of the Planning Committee in accordance with Part 3F of the Council Constitution.
26. The history of this particular part of the Peckham Rye is interesting since the technicalities relating to the restrictions on building on common land were largely ignored at a time when prisoner of war huts were urgently required. Over the years, these have largely been removed and only one now remains. However, the site has been blighted by the provision of a number of containers which have served a variety of purposes. The proposed funding will have the ancillary advantage of returning some of the areas of the Common to their original purpose of open land protected by the designation as common land. The replacement facilities have been carefully sited outside the Common and as part of Peckham Rye park. This protection has been provided to common land by statute dating back to the 19th century and is quite separate from the requirements contained within the Town and Country Planning Act 1990. The current legislation is contained within section 38, Commons Act 2006.

Strategic Director of Finance and Governance

27. This report requests the Planning Committee to approve the release of £410,461.83 from legal agreements listed at paragraph 1 of this report, towards the delivery of improved and modern facilities at Peckham Rye Park.
28. Total budget required for the delivery of this project is currently estimated at approximately £4m, details provided in table 1 at paragraph 15.
29. The director of planning confirms the section 106 receipts associated with the agreements listed in this report have not been allocated to other projects, and the proposed allocation accords with the terms of the relevant agreements.
30. The strategic director of finance and governance notes the council has received the related section 106 funds and they are available for the project outlined in this report. Contributions from other funding streams are also noted.
31. Staffing and any other costs associated with this recommendation are to be contained within existing departmental budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Copies of S106 Legal Agreements	Planning Division, 160 Tooley Street, London SE1	Jack Ricketts 020 7525 5464
Quarter 2 Capital Monitoring for 2014/15 and Capital Programme Refresh for 2014/15-2023/24	Southwark Council	

APPENDICES

No	Title
Appendix 1	Plans for phases 2, 3 & 4
Appendix 2	Consultation Reports <ul style="list-style-type: none"> • May 2014 • Sep 2015 • May 2016 • July 2016 (available online: See note at the end of Appendix 1)

AUDIT TRAIL

Lead Officer	Bruce Glockling, Head of Regeneration for Capital Works and Development	
Report Author	Laura Wannop, Project Manager	
Version	Final	
Dated	14 September 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Date final report sent to Constitutional Team		27 October 2017

APPENDIX 1**Plans for Phases 2, 3 and 4****Phases 2 & 4 – New Children’s Playground and Landscape works****Phase 3 – New Changing Room and New Playroom**

Note: Appendix 2 – consultation reports will be circulated under a separate cover.

tem No. 7.	Classification: Open	Date: 7 November 2017	Meeting Name: Planning Committee
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		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 Law and Democracy

12. A resolution to grant planning permission shall mean that the director of planning 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 director of planning 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 director of planning 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 law and democracy, and which is satisfactory to the director of planning. 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 law and democracy. 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	Gerald Gohler / Beverley Olamijulo 020 7525 7420/7234
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 the Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidi Agada, Constitutional Manager (Acting)	
Report Author	Beverley Olamijulo, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	30 October 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		30 October 2017

ITEMS ON AGENDA OF THE PLANNING COMMITTEE
on Tuesday 07 November 2017

Appl. Type Full Planning Application
Site 14-21 RUSHWORTH STREET, LONDON, SE1 0RB

Reg. No. 17-AP-1959
TP No. TP/1445-33
Ward Cathedrals
Officer Kiran Chauhan

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT

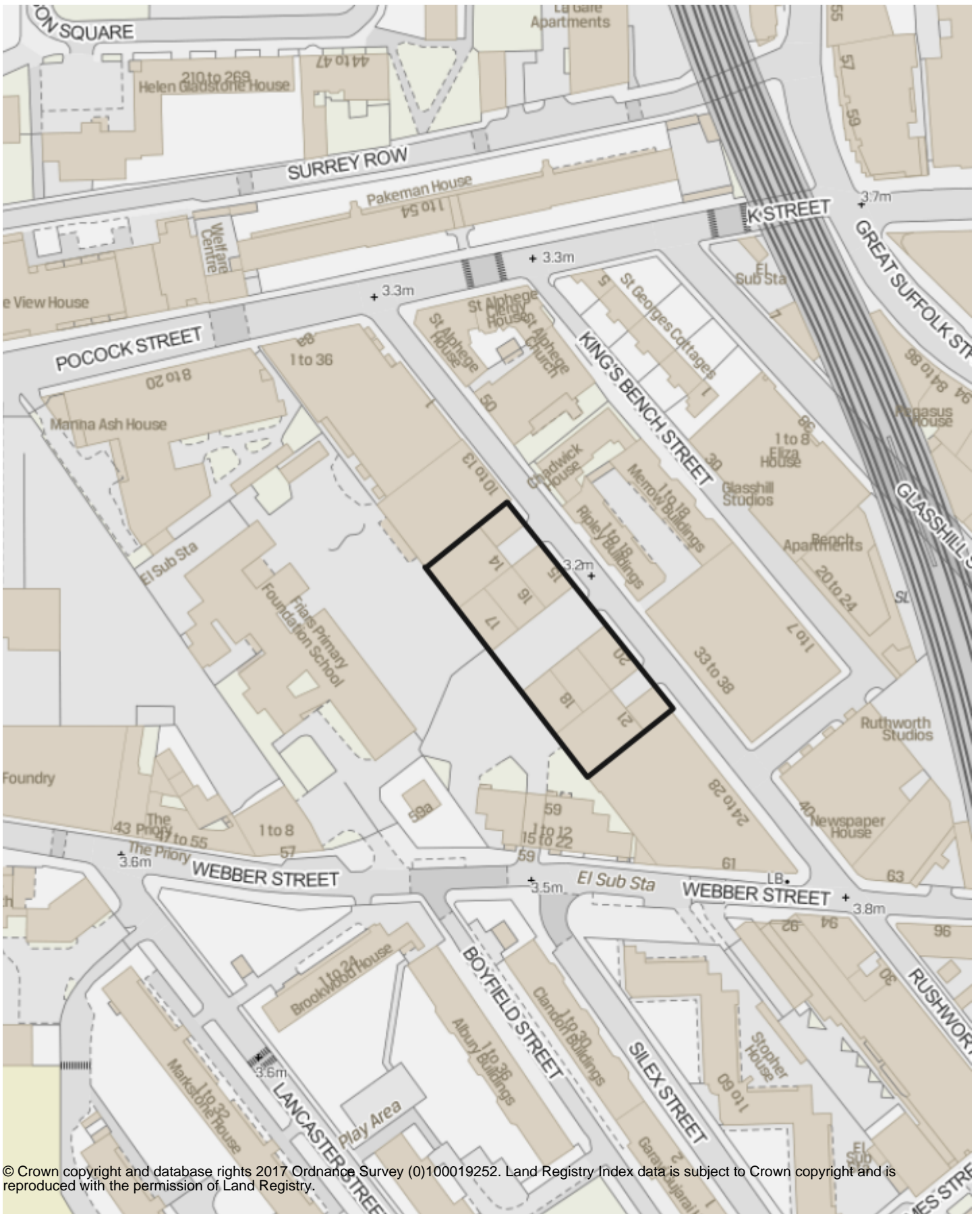
Proposal

Construction of a new part five, part six storey building to provide commercial floorspace (Use Class B1), associated servicing, cycle parking and landscaping.

Item 7.1

Agenda Item 7.1

14-21 RUSHWORTH STREET SE1 0RB



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Item No. 7.1	Classification: Open	Date: 7 November 2017	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 17/AP/1959 for: Full Planning Application Address: 14-21 RUSHWORTH STREET, LONDON, SE1 0RB Proposal: Construction of a new part five, part six storey building to provide commercial floorspace (Use Class B1), associated servicing, cycle parking and landscaping.		
Ward(s) or groups affected:	Cathedrals		
From:	Director of Planning		
Application Start Date 14/06/2017		Application Expiry Date 13/09/2017	
Earliest Decision Date 30/07/2017			

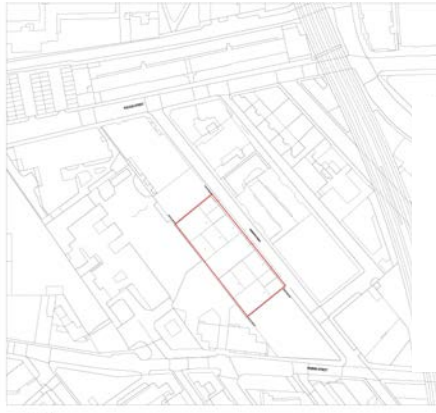
RECOMMENDATION

1. a) That planning permission be granted, subject to conditions and the applicant entering into a satisfactory legal agreement.
- b) In the event that a satisfactory legal agreement is not entered into by 31 January 2018 that the Director of Planning refuses planning permission, if appropriate, for the reason set out in paragraph 105 of the officer report.

BACKGROUND INFORMATION

Site location and description

2. The site is located on the south-western side of Rushworth Street, to the east of Blackfriars Road. It comprises two, two storey brick buildings known as Friars Court which are used for light industrial purposes. There is an off street service and parking area between the two buildings, accessed directly from Rushworth Street. The building is currently occupied by a courier company, a media company, a catering company and as an artist studio/storage unit. There are no trees on the site or on the adjacent highway.



Site Plan and Existing Elevation

3. The surrounding area contains a mix of uses including residential, commercial and educational. Immediately adjoining to the north is 10-13 Rushworth Street, a recently constructed 5 storey building providing offices on the basement, ground and first floors and residential above. To the south, at 24-28 Rushworth Street/61 Webber Street, is a part 3, part 4 storey office building which also has a frontage onto Webber Street. It is known as the Colorama Building and has an extant planning permission for redevelopment. Opposite the site on the other side of Rushworth Street are two residential buildings known as Chadwick House and Ripley House, both of which are Grade II listed. Also opposite, at 33-38 Rushworth Street is a two storey brick building occupied by St Mungo's charity. At 40 Rushworth Street is a site recently redeveloped as a five storey building for commercial use on the lower floor and 9 flats above. A further residential building exists to the south, fronting onto Webber Street, known as Waterloo Mansions. To the west is the Friars Primary School whose playground abuts the boundary of the application site.
4. The site is not within a designated conservation area, but lies immediately opposite the Kings Bench Conservation Area.

Details of proposal

5. The proposal is for a new six storey plus basement office building to provide 8,504sqm of office floorspace. The building would be six storeys high with set backs at 4th and 5th floor levels. The building would be predominantly constructed in brick, with projecting bays onto Rushworth Street. It would have one main office entrance on Rushworth Street with two sets of secondary doors. A small rear courtyard and rooflights would provide daylight to the basement offices. The proposal does not include any car parking. The refuse, cycle and changing facilities would be located at basement level. A single loading bay would be provided within the ground floor of the development. Balconies and terraces would be provided from 1st to 5th floor levels.

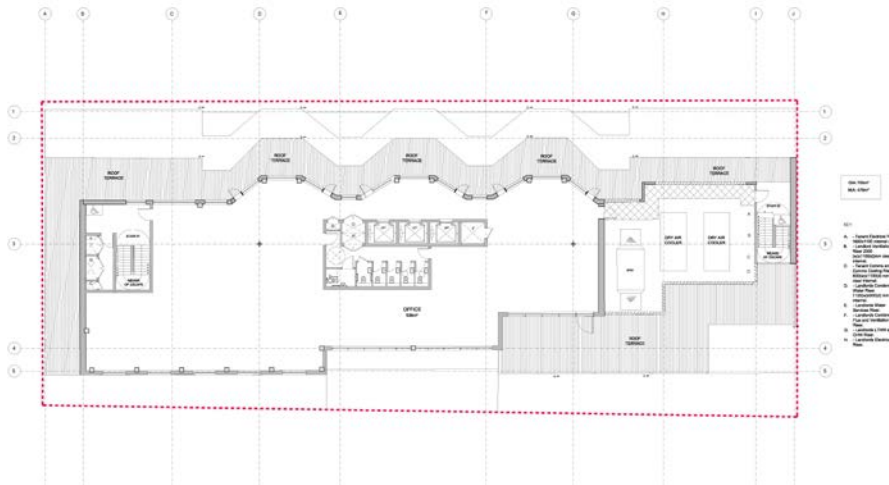


Front Elevation

6. In 2016 the Council granted planning permission to redevelop the site for a building up to six storeys high providing office/commercial space at basement, ground and part of the first floor level, and 47 residential flats above. Like the current application this building was arranged as four floors onto the street with two further set back floors, and constructed in brick with vertical bays on the frontage. The main differences between the approved scheme (15/AP/4000) and the current application are as follows:
 - The current proposal is entirely for office/commercial use;
 - The building is taller than that previously approved (by 2.28 metres at the front parapet line, and 2.66 metres maximum)
 - The alignment of the building at the rear has been simplified, with the closest elements pulled further away from the playground boundary, but with a shallower central recess;
 - The 6th storey extends further across the length of the building.

7. Revised drawings were submitted during the course of the application to make the following changes:
 - The height of the building was very slightly reduced to improve daylight for the residents in Ripley and Chadwick House;
 - The parapet design above the third floor on the Rushworth Street frontage was changed from brick to railing to lighten its appearance and further improve light levels;
 - The 6th storey has been set in from the north side of the building to reduce the apparent massing; and
 - The stair enclosure at the southern end of the 6th storey has been removed to reduce the massing on this part of the building.

8. The above changes were made to improve daylight levels of the residents of Chadwick House and Ripley House, and have also slightly benefitted residents of 10-13 Rushworth Street and Waterloo Mansions.



Top Floor

9. In addition, green roofs were introduced, and the railing details on the front elevation set slightly back to reduce their prominence on the elevations.

Planning history

10. 15/AP/4000 – Planning permission granted with legal agreement on 31 March 2016 for the erection of a new part five, part six storey building to provide commercial floorspace at lower ground, ground and first floor level (Use Class B1) and 47 residential units (Use Class C3) on first to fifth floor levels, associated disabled car parking, cycle parking and landscaping.
11. 16/AP/0444 – Prior approval granted on 23 March 2016 for demolition of the existing buildings.
12. Pre-application advice was provided in advance of the application. A number of meetings were held with the applicant prior to the submission of this application. The discussions centred around the quality of the office provision, the acceptability of the design, the daylight impact to neighbouring properties and servicing.

Planning history of adjoining sites

10-13 Rushworth Street

13. 13/AP/0943 Planning permission granted with legal agreement on 2 July 2013 for the Demolition of existing building and erection of a five storey plus basement building comprising of office floorspace (B1) on lower ground, ground and first floors with 9 (3x 1 beds, 4x 2 beds, 2x 3 beds) residential apartments above, amenity space, refuse/recycling stores, cycle storage and plant/equipment. This development has now been completed.

24-28 Rushworth Street and 61 Webber Street

14. 15/AP/2705 Planning application granted with legal agreement on 4 August 2016 for the Demolition of the existing building and erection of part six part eight storey (plus basement) mixed use building comprising 40 residential units (15 x 1 bed, 18

x 2 bed & 7 x 3 bed) (use class C3) and 2241 sqm (GIA) flexible commercial space (use class B1) and associated works. This development has not yet commenced.

40 Rushworth Street

15. 13/AP/4404 Planning permission granted with legal agreement on 2 May 2014 for the construction of a ground plus three/four storey building to provide 1163 sqm (GEA) of Class B1 employment floorspace and nine residential units comprising 5 x 2 bedroom apartments and 4 x 3 bedroom maisonettes, shared courtyard and garden space, ancillary plant and equipment. This development is complete.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

16. The main issues to be considered in respect of this application are:
- i) principle of the proposed development in terms of land use;
 - ii) design issues including acceptability of height and massing;
 - iii) impact on the amenities of occupiers of adjoining properties, particularly in traffic issues including servicing;
 - v) flood risk;
 - vi) planning obligations; and
 - vii) sustainable development implications.

Planning policy

17. The statutory development plan for the borough comprises the London Plan 2016, the Southwark Core Strategy 2011, and saved policies of the Southwark Plan (2007). The site falls within the area covered by the Blackfriars Road SPD 2014.
18. The site is located within the:
- Central Activities Zone (CAZ)
 - Bankside, Borough and London Bridge Opportunity Area
 - Air Quality Management Area
 - Borough and Bankside District Town Centre
 - Blackfriars Road SPD area
19. It has a Public Transport Accessibility Level (PTAL) of 6b where 1 is the lowest level and 6b the highest, indicating excellent access to public transport.
20. The following Grade II listed buildings are opposite the site:
- Ripley House, Rushworth Street; and
 - Chadwick House, Rushworth Street.
21. The site falls outside of a designated conservation area, but lies immediately opposite the Kings Bench Conservation Area.

National Planning Policy Framework (the Framework)

22. The NPPF came into effect on 27 March 2012 and is a material planning

consideration. Relevant sections are:

Section 1: Building a strong, competitive economy

Section 2: Ensuring the vitality of town centres

Section 4: Promoting sustainable development

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

The London Plan 2016

23.

Policy 2.5 Sub-regions

Policy 2.10 Central Activities Zone – Strategic priorities

Policy 2.11 Central Activities Zone – Strategic functions

Policy 2.13 Opportunity Areas and intensification areas

Policy 2.15 Town Centres

Policy 4.1 Developing London's economy

Policy 4.12 Improving opportunities for all

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.21 Contaminated land

Policy 6.1 Strategic approach (Transport)

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

Policy 7.3 Secured by design

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Core Strategy 2011

24.

The relevant policies of the Core Strategy are:

Strategic Targets Policy 1 - Achieving growth

Strategic Targets Policy 2 - Improving places

Strategic Policy 1 - Sustainable development

Strategic Policy 2 - Sustainable transport

Strategic Policy 10 - Jobs and businesses

Strategic Policy 11 - Open spaces and wildlife

Strategic Policy 12 - Design and conservation

Strategic Policy 13 - High environmental standards

Strategic Policy 14 - Implementation and Delivery

Southwark Plan 2007 (July) - saved policies

25. The council's cabinet on 19 March 2013, as required by para 215 of the NPPF,

considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. 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. The relevant policies include:

Policy 1.1 Access to Employment Opportunities
 Policy 1.4 Employment Sites
 Policy 1.7 Development within Town and Local Centres
 Policy 2.5 Planning Obligations
 Policy 3.1 Environmental Effects
 Policy 3.2 Protection of Amenity
 Policy 3.3 Sustainability Assessment
 Policy 3.4 Energy Efficiency
 Policy 3.6 Air Quality
 Policy 3.7 Waste Reduction
 Policy 3.9 Water
 Policy 3.11 Efficient Use of Land
 Policy 3.12 Quality in Design
 Policy 3.13 Urban Design
 Policy 3.14 Designing Out Crime
 Policy 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites
 Policy 3.28 Biodiversity
 Policy 3.31 Flood Defences
 Policy 5.1 Locating Developments
 Policy 5.2 Transport Impacts
 Policy 5.3 Walking and Cycling
 Policy 5.6 Car Parking
 Policy 5.7 Parking Standards for Disabled People and the Mobility Impaired

Relevant SPDs/SPGs

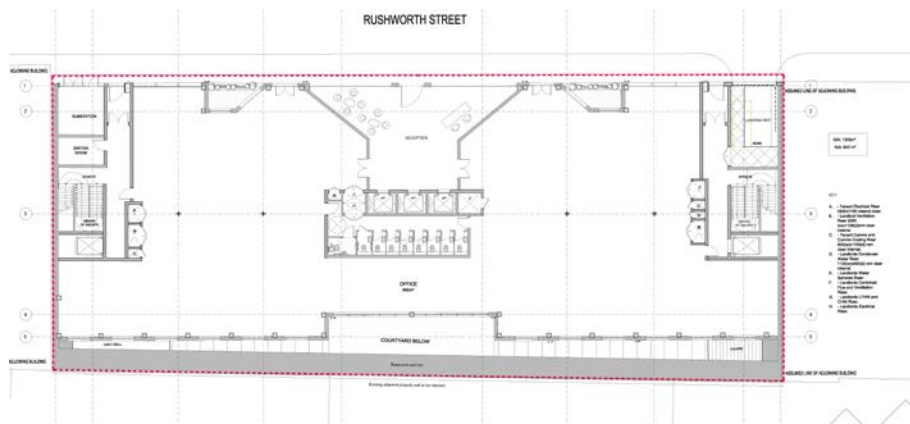
27. Section 106 Planning Obligations and CIL SPD 2015 and 2017 Addendum
 Draft Bankside, Borough and London Bridge SPD February 2010
 Blackfriars Road SPD 2014
 Use of planning obligations in the funding of Crossrail 2010
 Kings Bench Conservation Area Appraisal 2010
 Central Activities Zone SPG 2016 (SPG to the London Plan)

Principle of development for office/business purposes

28. The site is currently in use for Class B1 purposes, and saved policy 1.4 'Employment site' of the Southwark Plan, and policy SP10 'Jobs and business' of the Core Strategy would require this floorspace to be re-provided in any redevelopment of the site. The 2016 planning permission (15AP400) replaced the 2,048sqm currently on site with a small uplift to 2,566sqm. It then provided residential flats on the upper floors. The site owners (Taylor Wimpy Central London) have recognised the increased demand for commercial space in Bankside

and now wish to pursue an option of a fully commercial scheme.

29. The site is located within the Bankside, Borough and London Bridge Opportunity Area, as designated by the London Plan. The London Plan supports office developments and employment generating uses in the Opportunity Area.
30. The site is also located within the CAZ which covers a number of central boroughs and contains London's geographic, economic, and administrative core. Strategic Targets Policy 2 – Improving Places of the Core Strategy states that development in the CAZ will support the continued success of London as a world-class city as well as protecting and meeting the more local needs of the residential neighbourhoods.
31. The site is also within the Borough and Bankside District Town Centre where saved policy 1.7 of the Southwark Plan states that within the centre, developments will be permitted providing a range of uses, including employment uses.
32. Core Strategy Strategic Policy 10 Jobs and Businesses states that the council will increase the number of jobs in Southwark and create an environment in which businesses can thrive. The policy goes on to state that the provision of around 400,000sqm-500,000sqm of additional business floorspace would be supported over the plan period in the Bankside, Borough and London Bridge Opportunity area to help meet central London's need for office space.
33. The Blackfriars Road SPD was adopted in 2014. It states that opportunities to increase the amount and type of development will be maximised, particularly opportunities for business space which is designed flexibly to accommodate a range of unit sizes. The SPD also requires existing business floorspace to be retained or replaced.
34. The policies for this area therefore clearly support schemes which can expand business floorspace and harness the potential for new jobs. The current application would provide 8,438sqm (GIA) of business space, a very significant uplift on the current floorspace, and that provided in the 2016 permission. This is a very positive aspect of the scheme, and would reinforce the role of Bankside as a major employment hub for a diverse range of business types.
35. The office space has been provided with one large main entrance and two further secondary entrances and is capable of being used by a range of small to medium sized businesses. It has the potential to be used flexibly either for a single large occupier, or subdivided into smaller units. The office workers would have access to amenity space in the form of a small courtyard at rear basement level as well as terraces/balconies fronting Rushworth Street. Depending on the configuration of the internal spaces, the building could provide up to 800 jobs, a very significant uplift on the c20 people currently employed on the site.



Ground Floor

36. The scheme has not included retail or other A Class uses which are often provided to enliven the ground floor frontages of commercial schemes. Although the site is within the large area of north Southwark defined as a town centre, it is not a street with a high level of footfall and retail uses may not be viable or appropriate here. Given the desire to reinforce the nearby Blackfriars Road as a focus for shops and services the absence of retail on this site is acceptable.
37. The permitted scheme included 47 flats, including affordable units, which would not be provided under the current proposal. Over recent years there have been a large number of schemes across north Southwark which have sought to maximise new residential rather than office or commercial floorspace. In order to meet the targets for new employment space a balance has to be struck with the clear need for new housing. In this case, the site is in an area which could be attractive to smaller businesses which are contributing to the character and economic diversity of Bankside. As such, the loss of potential new residential units is acceptable.
38. In conclusion, the creation of an entirely commercial building is welcomed here and is in accordance with adopted policy.

Environmental impact assessment

39. No request under Regulation 5 of the Town and Country Planning (EIA) (England) Regulations 2011 (as amended) has been submitted seeking confirmation as to whether the proposed development would require an environmental impact assessment. It is noted that the 2015 EIA regulations raise and amend the thresholds at which certain types of development project will need to be screened in order to determine whether an environmental impact assessment is required. The development could be considered an urban development project under schedule 2 of the regulations.
40. In the case of urban development projects, the 2015 regulations raised and amended the 0.5 hectare threshold such that a project will need to be screened if:
- the development includes more than 1 hectare of development which is not dwellinghouse development; or
 - the development includes more than 150 dwellinghouses; or
 - the area of the development exceeds 5 hectares.

41. None of the above are applicable in this instance, therefore no screening is required and the proposal is not considered to comprise of EIA development.

Design issues including acceptability of height and massing

42. The site currently comprises of two two-storey brick industrial units and a central parking and servicing area. Whilst it is not located in a conservation area, the buildings on the opposite side of Rushworth Street form part of the Kings Bench Conservation Area. Ripley House and Chadwick House opposite are both Grade II listed buildings. It is recognised that the existing buildings are of low architectural quality, and it is accepted that there is potential to develop the site and create a building which provides more interaction with the street, as well as responding appropriately to the Kings Bench Conservation Area and listed buildings. Prior approval was granted in March 2016 (16AP0444) to demolish the existing buildings, and the previous consent agreed the principle of redevelopment

Height, scale and massing

43. The current proposal broadly retains the plan form of the previously consented mixed use scheme onto Rushworth Street with the main body of the building rising to four floors, with two further floors set back behind a parapet.
44. Like the consented scheme, the design attempt to break up the massing of this very long building frontage by the division of the block into 3 elements, two 'bookend' blocks and a central articulated block with three large bays that are designed to echo the architectural language of the listed building on the opposite side of the street.
45. To the rear of the site is the Friars Primary School. Where the consented scheme extended back to the party wall on the two wings with a set back central bay, the current application takes on a simple linear form which is more appropriate given its commercial use but does appear as a more singular form when viewed from the rear.
46. In terms of height, the building is now a total of 2.66m taller than the extant scheme, and 2.28m taller at the main parapet line to Rushworth Street. This is a direct consequence of the higher floor to ceiling heights required for the commercial use when compared to the previous residential floors. Commercial buildings generally have taller floor to ceiling heights to incorporate additional mechanical and electrical services, not normally necessary in residential units. This increase in height in the context of the consented scheme is not considered to harm to the setting of the conservation area or the setting of the listed buildings. The impact on the scale of the building on the amenity of neighbours is set out later in paragraphs 51 to 94 of this report.



Elevation design

47. The front elevation of the building responds to the prevailing building height in the street with four storeys up to the parapet line. The visualisations provided with the application demonstrate that the narrow nature of Rushworth Street and the deep set back at the upper floors means that the upper most floors are less visible from the street. As a consequence, the building sits comfortably in this sensitive street frontage.
48. The composition is calm with a prominent and highly glazed frontage framing the base, a middle which is defined by the repeating pattern of the deep-set bays and balconies, and the upper-most floors which are set back. The proposal was amended during the course of the application to reduce the height of the brick parapet to the street to allow for railings to be introduced which reduces the apparent bulk of the building and gives the parapet a lighter edge. This amendment also addresses the comments made by the Conservation Area Advisory Group who felt that the upper storeys appeared too heavy.

Materials

49. The use of brick as the principal facing material is appropriate for the context of the development, especially where it faces onto the conservation area. However, some of the 3D images give the impression that the brick work is rather dark and it should not be any darker than the high quality red brickwork of Ripley Buildings opposite. The choice of materials should be reserved by condition to ensure that the selected brick at the construction stage responds appropriately to the setting of the listed building and the character of the Conservation Area across the street.
50. Overall it is considered that the building would be of a high quality design which follows the principles of the consented scheme.

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

Daylight

51. A daylight and sunlight report has been submitted as part of the application, based on the Building Research Establishments (BRE) guidelines on daylight and

sunlight.

52. The BRE sets out three detailed daylight tests. The first is the Vertical Sky Component test (VSC), which is the most readily adopted. This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. However, it is generally accepted that the BRE is more directly applicable to a suburban-style pattern of development, and 27% will often not be achievable in densely built-up urban areas; the BRE acknowledges the limitations of the guidance in this respect. The BRE have determined that the daylight can be reduced by about 20% of their original value before the loss is noticeable.
53. The second method is the No Sky Line (NSL) or Daylight Distribution (DD) method which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of more than 20% in the area of sky visibility, daylight may be affected.
54. Another method of calculation is the Average Daylight Factor (ADF) which is a more detailed assessment and considers the amount of sky visibility on the vertical face of a window, but also the window size, room size and room use. The recommendations for ADF in dwellings are 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. The BRE recommends that whilst ADF is an appropriate measure for new buildings and master planned areas, VSC/NSL should be principally used to assess impact on existing buildings.
55. In addition, the BRE states that the analysis will usually only apply to habitable rooms, which exclude hallways, bathrooms and small kitchens.

Sunlight

56. The BRE guide states that if a window can receive 25% of the available annual sunlight, including at least 5% of winter sunlight between the hours of 21 September and 21 March, then the room would be adequately sunlight. Only windows that are orientated to face within 90 degrees of due south need to be considered.
57. The submitted report has taken into account the daylight and sunlight impacts for the following buildings:
 - Chadwick House, Rushworth Street;
 - 1-18 Ripley House, Rushworth Street;
 - 1-18 Mellow Buildings, King's Bench Street;
 - Waterloo Mansions, 59 Webber Street;
 - 59A Webber Street;
 - 40 Rushworth Street;
 - 10-13 Rushworth Street;
 - Friars Primary School, Webber Street;
 - Manna Ash House, Pocock Street; and
 - 61 Webber Street.

58. The remaining surrounding properties are either too far away to be affected by the proposed development or are in commercial use, where daylight and sunlight are less sensitive.
59. As referred to earlier in the report, the site benefits from an extant planning permission for a six storey building. The current application is also for a six storey building but it is higher by 2.28m at the parapet level and 2.66m at roof level, and the top floor extends across more of the roof area. The existence of the extant permission is a material consideration when determining the current application, since it remains capable of implementation. For that reason, the applicants have compared the impact of the current proposals with those of the permitted development, as well as with the existing situation.
60. The approved scheme did result in daylight losses to surrounding buildings with Chadwick House, Ripley House and Waterloo Mansions particularly affected. In determining that application, the Committee took into account a number of factors specific to the location including the dense urban environment, the narrow street, and the low height and the gap between the existing buildings. Accordingly, the existing light levels enjoyed by the residential properties which directly overlook the site, such as Ripley House, Chadwick House and Waterloo Mansions are relatively high for a central London location and consequently reductions in daylight and sunlight to neighbouring properties would occur if the site is redeveloped to a scale that is more consistent with other building heights on the street.
61. The daylight and sunlight reports submitted with the application showed impacts beyond those which would arise from the consented scheme. It is noted that loss of daylight was cited in objections received from neighbouring residents. The applicants therefore sought to make amendments to the application to address these concerns. Given the headroom needed within the commercial floors, there was limited scope to reduce the overall height of the building. However, changes were made which did slightly reduce the height of the ground floor, reduced the extent of the 6th floor, and replaced the solid brick parapet with an open railings. These changes cumulatively improved the daylight levels to rooms in Ripley House, Chadwick House and Waterloo Mansions, albeit not by a significant degree.
62. It is noted that the impact arises primarily from the four storey main body of the building and not the set back 5th and 6th storeys. It is therefore relevant to consider the appropriateness of this height in the streetscene, and relative to the heights of surrounding buildings. As set out above, it is concluded that the building would make a positive contribution to the townscape at the submitted height.

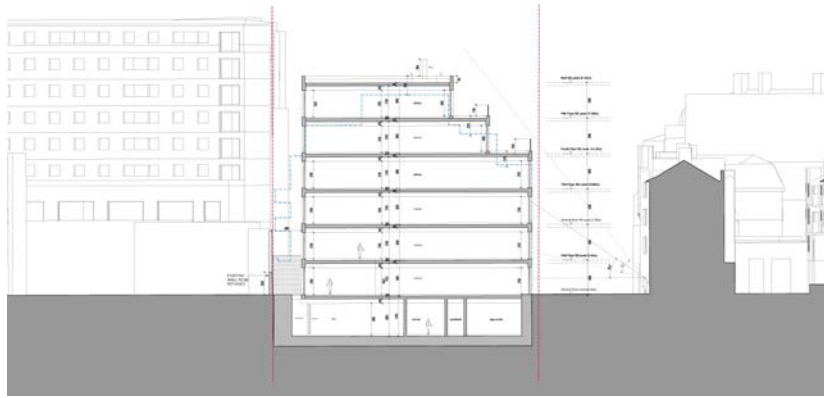


Chadwick House

63. This property is located to the north-east of the site, on the opposite side of Rushworth Street and has residential windows at lower ground to second floor level. The property has a partial outlook over the site, towards the existing two storey buildings. In the approved scheme, there were 15 windows which would experience reductions in VSC of between 20% and 34%. Under the current proposals 17 windows experience losses above 20%, with losses of up to 43.5% when compared to current levels.
64. The daylight distribution analysis showed a less marked change from the consented scheme, and the rooms (all of which are bedrooms) would still retain adequate daylight when considered against the ADF methodology.
65. In terms of sunlight, the results show that only four rooms would retain less than the recommended 25% of sunlight hours. This is just one more than the approved scheme. All affected rooms are bedrooms. The worst affected room would retain 14% and the other three in excess of 17%. The impacts in relation to sunlight are therefore acceptable.

Ripley House

66. This property is located on the eastern side of Rushworth Street, directly opposite the site. It contains residential accommodation from ground to third floor level. The floor plans for the building show that the living rooms in each of the flats face away from the site and the rooms facing the site are a mix of bedrooms, bathrooms and small kitchens. The plans also make clear that the bedrooms at ground floor level are served by two windows. The bathrooms have frosted glazing across the windows and since they are not habitable space, have not been included in the submitted daylight assessment. The kitchens are relatively small, comprising galley type rooms with floor areas that are less than 7.5sqm, and so are not considered habitable rooms for the purposes of the BRE.
67. The building enjoys an open outlook due to the relatively low scale massing of the existing buildings and the servicing area creating a gap in the middle. Under the consented scheme, this building would experience large losses of VSC of up to 50% VSC; under the current proposal 31 of the 33 windows assessed would experience losses above 20% VSC, with a maximum loss of 57.5%.



Section

68. The bedrooms in Ripley House all fall below the expected ADF standard for bedrooms, although the achieved levels of ADF are not significantly different than those found under the consented scheme.
69. The sunlight effect on this property is very similar to the approved scheme. The worst affected rooms are stated to be small kitchens, and would retain between 12% and 17% annual sunlight hours.

1-18 Merrow House

70. Merrow House is a residential building located to the rear of Ripley House but has a partial view of the proposed development on the upper floors and at the south-eastern end of the property, where windows look through the gap between Ripley House and 33-38 Rushworth Street.
71. Under the consented scheme, all windows here met the BRE guidelines in terms of having a reduction in VSC of less than 20%. Under the current proposals 4 of the 42 windows experience losses of VSC above 20% albeit only marginally. For the windows that would experience a change the reductions are minimal and unlikely to be perceptible to residents.
72. In relation to sunlight, there is very little material loss beyond that agreed under the approved application. There are only two rooms where any further loss occurs and both of these rooms would retain 18% of total annual sunlight. The daylight and sunlight impacts to this property are therefore considered acceptable.



Waterloo Mansions, 59 Webber Street

73. This property is located to the south-west of the site, fronting Webber Street and contains residential accommodation across four floors. The building has a number of balconies overhanging the windows overlooking the application site. The floorplans indicate that the overhung windows are living rooms and in one instance a kitchen. The BRE guidelines recognise that windows below a balcony typically receive less daylight as the balcony cuts out light from the top part of the sky. The BRE guidelines also suggest that it is appropriate to carry out an additional calculation of the VSC without the balcony in place in order to understand the true impact of the development. Accordingly, the submitted assessment has included results with the balcony in place, and with the balcony removed.
74. Under the consented scheme, 18 of the 41 windows tested experienced losses above 20%. Under the current proposal, this would increase to 37 windows, with maximum losses of up to 53.9%.
75. For the few in this property that are relevant for sunlight analysis, the results show that there is no change whatsoever to the sunlight potential beyond that of the approved development.

59A Webber Street

76. This property is located to the south west of the site and is currently in use as accommodation for the caretaker for the school. The analysis shows that all of the windows and rooms would only experience small losses in VSC beyond the consented scheme. There would be no further loss of sunlight beyond the approved scheme.

40 Rushworth Street

77. 40 Rushworth Street includes residential development at second floor level and above. The results show that the residential windows in this development would only experience very minor reductions when compared to the consented scheme, In relation to sunlight, there would be no further loss beyond the approved scheme. The daylight and sunlight impacts to this scheme are therefore considered acceptable.

10-13 Rushworth Street

78. This building is located adjacent to the site and has windows facing in a north-east and south-west direction with an oblique view of the development. The results show that there would be an improvement in the daylight amenity to many of the residential windows in this development when compared to the consented scheme. Where windows does experience a further loss, this in in the context of vey high levels of existing VSC, so the impact is not harmful. The scheme also has a satisfactory impact in relation to sunlight. The impacts to this building are therefore considered acceptable.

Friars Primary School

79. This building is located to the west of the site and has been assessed for daylight and sunlight due to the use of the building for educational use. Of the 75 windows tested only 13 experienced losses above 20% VSC, and in many cases these were multiple windows serving the same room, where the overall light levels in the room remained good. There would be no material loss in relation to sunlight, beyond the consented scheme. The impacts to this building are therefore considered acceptable.

Manna Ash House

80. This property is located to the north west of the site and is used as student accommodation. It would have a partial view of the development. There would be a negligible loss of daylight to this property, and no material loss to the sunlight received by this building; with all rooms retaining 25% of annual sunlight hours. The impacts to this building are therefore considered acceptable.

61 Webber Street

81. This building is immediately adjacent to the southern boundary. The existing building is in commercial use but permission has been granted for a mixed use development including offices and residential. The daylight analysis shows full compliance with the BRE apart from one window which is a single aspect bedroom at sixth floor level. However, the NSL and ADF analysis show full compliance. In relation to sunlight, all windows meet the sunlight guidance. The impacts to this consented scheme are therefore acceptable.

Conclusion on daylight and sunlight

82. The results of the daylight assessment reveal that there would be a number of rooms that would not meet the relevant daylighting standards of the BRE, with flats at Ripley House, Chadwick House and Waterloo Mansions particularly affected. The additional impacts arise due to the increase in height of the building of up to 2.28m. to the main parapet and 2.66m to roof level.
83. As discussed elsewhere in the report, the height of the development is considered acceptable and is of an appropriate massing in the streetscape. Rushworth Street is also a fairly narrow street, which has had an impact on the extent of daylight loss.
84. The reductions in daylight set out above are expressed in most cases as a percentage reduction of existing daylight levels (in terms of VSC). If these reductions were assessed in terms of absolute retained VSC (ie the amount of

daylight availability to the face of the window) then the impact of the new massing is less significant. The table below sets out the average retained VSC for the most affected buildings (Chadwick House, Ripley House and Waterloo Mansions)

	Average Retained VSC		Variance
	Consented scheme	Current Proposal	
Ripley Building	16.81%	14.86%	1.95%
Chadwick House	17.2%	15.86%	1.34%
Waterloo Mansions	20.99%	18.70%	2.29%

85. Amendments were received during the course of the application which led to some improvements to the daylight to the above buildings. It is recognised that the existing levels of light enjoyed by the surrounding properties is untypical for a central London area due to the very low height of the existing industrial buildings. Weight must be given to the impact of the consented scheme, and the need to optimise the use of land in a highly accessible location. Given that the proposed building is of a scale that is appropriate in the townscape, and that the narrow street is part of the established character of the area, on balance the impact in terms of daylight and sunlight is acceptable. The neighbour objection in relation to daylight is noted, as are the small changes made by the applicant to mitigate the impacts. It is recommended that daylight and sunlight impacts should not be a reason to withhold planning permission given the wider benefits of the development.

Sun on ground

86. A sun on ground overshadowing analysis has been carried out to establish the effect of the proposed development on adjoining external amenity areas. The BRE guidelines recommend that on 21st March ideally at least 50% of any given amenity area should receive 2 hours of sunlight.
87. The principle amenity space surrounding the site is the Friars Primary School playground. With the proposed development in place, the playground would have 98.3% of its area receiving at least 2 hours of sun on 21st March. Therefore the proposal meets the BRE recommendations.
88. The four adjoining terraces belonging to the 10-13 Rushworth Street development have also been considered for sun on ground. The analysis shows that all four terraces would retain in excess of 50% of their area receiving 2 hours of sun on 21st March. This would be in accordance with the recommendations of the BRE.

Overlooking/outlook

89. In order to prevent harmful overlooking, the Residential Design Standards SPD 2011 requires developments to achieve a distance of 12m at the front of the

building and any elevation that fronts a highway and a minimum of 21m at the rear.

90. Across Rushworth Street, there would be a distance of 10m to Ripley and Chadwick House, which falls 2m short of the expected 12m at the front of the building and across a street. Rushworth Street is fairly narrow, and building line of the proposed development is consistent with buildings either side of it. The building has been set back slightly behind the line of the existing buildings, and that of 10-13 Rushworth Street. Setting the building back by a further 2 metres would be inappropriate in this townscape, and in this context the distance to the facing windows is acceptable, and reflects the distance between opposing windows elsewhere in the street.
91. To the south-west, there would be an approximate 11m distance to Waterloo Mansions at 59 Webber Street, falling short of the required 21m. However the windows on the proposed development would not directly look onto the mansion block, being orientated such that they would face predominantly west rather than south west. Accordingly, it is not considered that the proposed development would give rise to any significant harmful impacts by way of loss of privacy.
92. To the west, there would be almost 25m to the Friars Primary School, achieving compliance. The building does overlook the school playground, but this relationship is not unusual in central London locations and is replicated in several recent developments in Southwark.
93. There are no directly facing windows to the north, but some balconies and terraces belonging to the flats at 10-13 Rushworth Street do exist on the shared boundary; however it is not felt that there would be significant overlooking here due to the differences in level. An occupier of 10-13 Rushworth Street has objected to the impact on light and view/outlook from the terraces. The building in its proposed form is higher than the permitted scheme, but the upper floors are set slightly further back at the rear which mitigates the impact of the additional height.
94. In conclusion, whilst the overlooking distances to Ripley House, Chadwick House and Waterloo Mansions would not be achieved, factors such as the narrow street width and orientation of the windows would make the development acceptable in this regard.

Noise

95. The noise impacts from the site would be highest during the demolition of the existing buildings, the basement excavation and substructure works. Traffic noise from construction would increase noise levels, however these impacts would be short term in nature. When considering the existing (light industrial) warehouse, the proposed development could be considered as a less noisy form of development, although it is accepted that there would be more comings and goings because of the increase in workers. However it is unlikely that there would be any demonstrable harm caused to residential amenities from the increased movement. A condition will be attached to the recommendation to ensure that noise from plant and machinery would fall below background noise levels and therefore would protect residential amenities. Conditions are also recommended in relation to construction management and servicing and delivery hours.

Transport issues

96. Saved policy 5.1 of the Southwark Plan seeks to ensure that development is located near transport nodes, or where they are not it must be demonstrated that sustainable transport options are available to site users, and sustainable transport is promoted. In addition, saved policy 5.6 of the Southwark Plan requires development to minimise the number of car parking spaces provided and include justification for the amount of car parking.

Public transport accessibility

97. The site has the highest level of public transport accessibility with a PTAL level of 6b, rated on a scale of 1-6 where 1 represents low accessibility and 6b the highest accessibility. There are several railway and London Underground stations located within the vicinity of the site. Blackfriars South, Southwark and Blackfriars, Waterloo and London Bridge stations are all relatively close by. The site is well connected to the London bus network, cycle routes and walking routes. It is therefore appropriate for a more dense commercial development.

Servicing

98. Servicing is proposed directly from a new bay provided within the ground floor of the development. The provision of this bay within the site would reduce the impact of service and delivery vehicles stopping on Rushworth Street.

Car parking

99. The proposal does not include any car parking and this is appropriate for this location.

Cycling

100. The site is well served by designated cycle routes, Blackfriars Road and Southwark Street are part of the National Cycle Network and connect to Westminster Bridge to the west to the Cycle Super Highway on Southwark Bridge to the east.
101. The proposals include a basement bicycle store that can accommodate 84 bicycles and 21 foldable bike lockers. The level of provision is considered acceptable and in line with the latest Transport for London standards. The basement also provide showers and lockers for cyclists.

Flood Risk

102. The site is located in Flood Zone 3 which is defined as having a 'high probability' of river and sea flooding and accordingly the applicant has submitted a Flood Risk Assessment. The Environment Agency were consulted on the application but have not yet provided a response at the time of writing. It is recommended that the Director of Planning be authorised to attach any conditions they request to the decision notice.
103. The council's flood and drainage team have requested that a surface water drainage strategy condition be attached to the decision notice.

Planning obligations (S.106 undertaking or agreement)

104. Saved policy 2.5 'Planning obligations' of the Southwark Plan and policy 8.2 of the London Plan advise that Local Planning Authorities should seek to enter into planning obligations to avoid or mitigate the adverse impacts of developments which cannot otherwise be adequately addressed through conditions, to secure or contribute towards the infrastructure, environment or site management necessary to support the development, or to secure an appropriate mix of uses within the development. Further information is contained within the Council's adopted planning obligations and community infrastructure levy SPD. A s106 agreement is currently being drafted which should include clauses to secure the following:
- site specific highway works involving the repaving of the Rushworth Street footway, reinstatement of redundant vehicle crossings and formation of new; and
 - employment and training provisions during construction and in the completed development.
 - Contribution to Crossrail totalling £603,677.
105. In the event that a satisfactory legal agreement has not been entered into by 31 January 2018, it is recommended that the Director of Planning refuses planning permission, if appropriate, for the following reason:
106. The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of mitigation against the adverse impacts of the development through projects or contributions in accordance with saved policy 2.5 'Planning Obligations' of the Southwark Plan (2007), strategic policy 14 'Delivery and Implementation' of the Core Strategy (2011), policy 8.2 'Planning obligations' of the London Plan (2016), the 'Use of planning obligations in the funding of Crossrail SPD 2010 and the planning obligations and community infrastructure levy SPD (2015).

Sustainable development implications

Carbon emissions and renewable technologies

107. London Plan Policy 5.2 requires a reduction in carbon emissions of 35% below Part L 2013 target. A detailed energy assessment has been submitted as part of the application to demonstrate how the targets for carbon dioxide emissions reduction are to be met. Overall, the development would achieve a carbon saving of 36%, which just exceeds the policy requirement. This has been achieved using passive measures and energy efficiency measures. A 9% renewable energy contribution is proposed with the use of photovoltaic panels to the roof area. The energy strategy is therefore acceptable and it is recommended that a condition be imposed to secure the details for the development.

BREEAM

108. The offices are predicted to achieve a BREEAM rating of "Excellent" which meets the standard required by Core Strategy Policy 13 High Environmental Standards. It is recommended that a post construction review be submitted by condition to confirm that the standard has been met.

Amended plans were submitted during the course of the application to introduce areas of green roofs, which will provide ecological and environmental benefits including a reduction from rainwater run off.

Other Matters

109. The site is not within an Archaeological Priority Zone, and the proposed new build is of limited below ground impact. In this instance the archaeological resource would be compromised by these works. Therefore no further archaeological assessment, fieldwork or conditions are required in consideration of this application.

Mayoral and Southwark Community Infrastructure Levy (CIL)

110. Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.
111. In this instance the contribution required under the Mayoral CIL is £284,903, and an additional £603,677 plus indexation would need to be secured through the s106 agreement under the Crossrail SPD. No Southwark CIL is due as the rate is nil for zone 2 offices.

Conclusion on planning issues

112. The redevelopment of the site is supported and welcomed in principle. The increased commercial space will generate up to 800 jobs on the site, and the building is designed to be attractive for either a single let, or multiple lets to smaller companies who want to locate in Bankside. As such, the application accords with policies to protect and increase employment space, and would reinforce the role of Bankside as an employment hub.
113. The proposal would be of a high quality design and of an appropriate height and massing. It would preserve the setting of the adjoining Kings Bench Conservation Area and the listed buildings of Ripley House and Chadwick House.



114. The impacts of the scheme in relation to daylight and sunlight are, on balance, considered acceptable. The extant permission, which remains capable of implementation, is a material consideration in the determination of this current application. That permission resulted in the loss of daylight, and to a lesser degree sunlight, to nearby residential properties, most notably at Ripley House, Chadwick House and Waterloo Mansions. The applicant has made changes to the scheme to reduce the extent to which the impacts are worsened, and the impacts are now only marginally worse than the extant scheme. Given the form of the building, the extent of further changes needed to materially reduce the impacts would be significant. On balance, therefore, it is concluded that the impacts on daylight and sunlight to adjoining properties is acceptable.
115. It is therefore recommended that permission be granted, subject to conditions as set out in the attached draft decision notice and the completion of a s106 legal agreement on terms as set out above.

Community impact statement

116. In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- a) The impact on local people is set out above.

Consultations

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

Consultation replies

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

Summary of neighbour consultation responses

119. 5 objections have been received on the following grounds.
120. Objection: Loss of daylight and sunlight to Ripley House.

Response: A daylight and sunlight report has been submitted which states that there would be losses to Ripley House. Changes have been made to the building in order to mitigate these impacts. Whilst the impacts relative to the existing situation would be noticeable in the case of several rooms, the degree of change above the consented scheme is more limited and this is a relevant issue in the overall assessment. It is noted that the primary habitable rooms for Ripley House face away from the street, into their shared courtyard. An assessment of these losses can be found in the main body of the report.

121. Objection: The proposal will spoil the beauty of the conservation area.

Response: The proposal is considered to be an appropriate and acceptable response to the adjacent conservation area and is substantially similar to the mixed use building previously permitted.

122. Objection: The building height is excessive; it should be no more than three to four storeys.

Response: The front elevation of the building responds to the prevailing building height in the street with four storeys up to the parapet line and additional set back floors. The 6 storey building permitted in 2016 is a material consideration, and the increase in height is not so significant as to be harmful to the streetscene. The neighbouring building at 24-28 Rushworth Street has been permitted (but not yet implemented) at a height of up to 8 storeys.

123. Objection: Object to the use as commercial only. Should include residential accommodation as well.

Response: The proposal provides full replacement plus an uplift on the existing commercial floorspace which is supported by planning policies. Whilst the delivery of housing is a key objective of the council, flats are being brought forward in developments across Bankside and the need for flats must be balanced with the need for high quality commercial space.

124. Objection: No. 10 Rushworth Street have glazed balconies to both elevations. If the proposed development projects forward of the existing building lines, these balconies will suffer not only obstruction of outlook but also loss of light. Thus, loss of view (amenity) would be aggravated by overshadowing. The application should be refused for this reason.

Response: The four adjoining terraces belonging to the 10-13 Rushworth Street development have also been considered for sun on ground, to consider the impact of any shadow cast by the development. The analysis shows that the balconies would retain in excess of 50% of their area receiving 2 hours of sun on 21 March. This would be in accordance with the recommendations of the BRE and accordingly considered acceptable. At the rear, the proposed building is taller than the permitted, but the building line is set further back so the view from the terraces improves at its outer edge.

125. Objection: Lights should be switched off when the building is not in use and the use of any machinery should be silent.

Response: It is recommended a condition be attached to ensure noise from machinery would not be harmful to residential amenities.

126. Objection: The proposal should incorporate planting and it should be adequately maintained.

Response: Green roof planting is proposed and the green roof condition will require ongoing maintenance.

Summary of consultee responses

Conservation Area Advisory Group

127. CAAG commend the scheme and think it is interesting, is the right scale and has nice articulation. They do not like the top storey and the slit windows and consider that the top storey should be lighter.

Transport for London

128. The cycle parking provision should be in line with London Plan Policy 6.13 and Table 6.2. The design should accord with TfL Cycle Design Standards and provision should be made not only for residents and office employees, but also visitors to the building. Therefore we request details of the on-street provision required for this building. This application does not impact the Transport for London Road Network (TLRN) or other TfL assets. TfL supports Southwark's requirement for the applicant to provide a Travel Plan and Construction and Logistics Plan.

Designing out crime

129. The scheme should be able to achieve the security requirements of Secured by Design which would help to reduce the opportunity for crime, creating a safer, more secure and sustainable environment.

Historic England

130. This application should be determined in accordance with your national and local policy guidance and on the basis of your specialist conservation advice.

Human rights implications

131. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
132. This application has the legitimate aim of providing a new six storey office building. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1445-33	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403
Application file: 17/AP/1959		Planning enquiries email: planning.enquiries@southwark.gov.uk
Southwark Local Development Framework and Development Plan Documents		Case officer telephone: 020 7525 5513
		Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Kiran Chauhan, Team Leader	
Version	Final	
Dated	25 October 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Governance	No	No
Strategic Director, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		27 October 2017

Consultation undertaken**Site notice date:** 07/07/2017**Press notice date:** 22/06/2017**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 20/06/2017**Internal services consulted:**

Ecology Officer
 Economic Development Team
 Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]
 Flood and Drainage Team
 HIGHWAY LICENSING
 Highway Development Management
 Waste Management

Statutory and non-statutory organisations consulted:

EDF Energy
 Environment Agency
 Historic England
 London Fire & Emergency Planning Authority
 London Underground Limited
 Metropolitan Police Service (Designing out Crime)
 Natural England - London Region & South East Region
 Network Rail (Planning)
 Thames Water - Development Planning
 Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

Flat 5 59 Webber Street SE1 0RD
 Flat 4 59 Webber Street SE1 0RD
 Flat 7 59 Webber Street SE1 0RD
 Flat 6 59 Webber Street SE1 0RD
 Flat 3 59 Webber Street SE1 0RD
 35-37 Rushworth Street London SE1 0RB
 Unit 7 33 Rushworth Street SE1 0RB
 Flat 2 59 Webber Street SE1 0RD
 Flat 1 59 Webber Street SE1 0RD
 Flat 12b 59 Webber Street SE1 0RD
 Flat 12a 59 Webber Street SE1 0RD
 Flat 16 59 Webber Street SE1 0RD
 Flat 15 59 Webber Street SE1 0RD
 Flat 12 59 Webber Street SE1 0RD
 Flat 9 59 Webber Street SE1 0RD
 Flat 8 59 Webber Street SE1 0RD

Flat 15 Sharpley Court SE1 0BJ
 Flat 18 Sharpley Court SE1 0BJ
 Flat 17 Sharpley Court SE1 0BJ
 Flat 14 Sharpley Court SE1 0BJ
 Flat 11 Sharpley Court SE1 0BJ
 Flat 10 Sharpley Court SE1 0BJ
 Flat 13 Sharpley Court SE1 0BJ
 Flat 12 Sharpley Court SE1 0BJ
 Flat 25 Sharpley Court SE1 0BJ
 Flat 24 Sharpley Court SE1 0BJ
 Flat 27 Sharpley Court SE1 0BJ
 Flat 26 Sharpley Court SE1 0BJ
 Flat 23 Sharpley Court SE1 0BJ
 Flat 20 Sharpley Court SE1 0BJ
 Flat 19 Sharpley Court SE1 0BJ
 Flat 22 Sharpley Court SE1 0BJ

Flat 11 59 Webber Street SE1 ORD
 Flat 10 59 Webber Street SE1 ORD
 Unit 11 33 Rushworth Street SE1 ORB
 Flat 3 Ripley House SE1 ORA
 Flat 2 Ripley House SE1 ORA
 Flat 5 Ripley House SE1 ORA
 Flat 4 Ripley House SE1 ORA
 Flat 12 Ripley House SE1 ORA
 Flat 1 Ripley House SE1 ORA
 Flat 9 Merrow House SE1 OQZ
 Flat 11 Ripley House SE1 ORA
 Flat 10 Ripley House SE1 ORA
 Unit 12 33 Rushworth Street SE1 ORB
 Unit 9 33 Rushworth Street SE1 ORB
 Unit 17 33 Rushworth Street SE1 ORB
 1-3 Kings Bench Street London SE1 OQX
 Friars Primary School Webber Street SE1 ORF
 Flat 7 Ripley House SE1 ORA
 Flat 6 Ripley House SE1 ORA
 Flat 9 Ripley House SE1 ORA
 Flat 8 Ripley House SE1 ORA

 Flat 17 59 Webber Street SE1 ORD
 Third Floor 24-28 Rushworth Street SE1 ORB
 Second Floor 24-28 Rushworth Street SE1 ORB

 Ground Floor 61 Webber Street SE1 ORF
 37 Rushworth Street London SE1 ORB
 First Floor 24-28 Rushworth Street SE1 ORB
 The Convent 48 Rushworth Street SE1 ORB
 59a Webber Street London SE1 ORF
 Ground Floor 24-28 Rushworth Street SE1 ORB
 Manna House 8-20 Pocock Street SE1 OBW
 20 Pocock Street London SE1 OBW
 Second Floor 61 Webber Street SE1 ORF
 First Floor 61 Webber Street SE1 ORF
 18 Pocock Street London SE1 OBW
 Rushworth And Friars Primary School Webber Street SE1 ORF
 33 Rushworth Street London SE1 ORB
 50 Rushworth Street London SE1 ORB
 St Alphege Church Kings Bench Street SE1 OQX
 21 Rushworth Street London SE1 ORB
 15-16 Rushworth Street London SE1 ORB
 Flat 22 59 Webber Street SE1 ORD
 Flat 19 59 Webber Street SE1 ORD
 Flat 18 59 Webber Street SE1 ORD
 Flat 21 59 Webber Street SE1 ORD
 Flat 20 59 Webber Street SE1 ORD
 14 Rushworth Street London SE1 ORB
 Unit 23 33 Rushworth Street SE1 ORB
 20 Rushworth Street London SE1 ORB
 Unit 21 33 Rushworth Street SE1 ORB
 Unit 8 33 Rushworth Street SE1 ORB
 Unit 15 33 Rushworth Street SE1 ORB
 Unit 14 33 Rushworth Street SE1 ORB
 17 Rushworth Street London SE1 ORB
 Unit 16 33 Rushworth Street SE1 ORB
 Flat 8 Merrow House SE1 OQZ
 Flat 16 Sharpley Court SE1 OBJ

 Flat 21 Sharpley Court SE1 OBJ
 Flat 9 Sharpley Court SE1 OBJ
 Unit 22 33 Rushworth Street SE1 ORB
 Unit 20 33 Rushworth Street SE1 ORB
 Flat 14 59 Webber Street SE1 ORD
 Unit 24 33 Rushworth Street SE1 ORB
 Unit 19 33 Rushworth Street SE1 ORB
 7b Kings Bench Street London SE1 OQX
 7a Kings Bench Street London SE1 OQX
 Unit 13 33 Rushworth Street SE1 ORB
 Unit 10 33 Rushworth Street SE1 ORB
 Flat 6 Sharpley Court SE1 OBJ
 Flat 5 Sharpley Court SE1 OBJ
 Flat 8 Sharpley Court SE1 OBJ
 Flat 7 Sharpley Court SE1 OBJ
 Flat 4 Sharpley Court SE1 OBJ
 Flat 1 Sharpley Court SE1 OBJ
 Flat 3 Sharpley Court SE1 OBJ
 Flat 2 Sharpley Court SE1 OBJ
 Flat 28 Sharpley Court SE1 OBJ
 Excluding Part Ground And Part First Floor 1 Rushworth Street SE1 ORB
 Flat 1 Merrow House SE1 OQZ
 5 Kings Bench Street London SE1 OQX
 Part Ground And Part First Floor 1 Rushworth Street SE1 ORB
 Apartment 8 10 Rushworth Street SE1 ORB
 Apartment 7 10 Rushworth Street SE1 ORB
 9 Rushworth Street London SE1 ORB
 Apartment 9 10 Rushworth Street SE1 ORB
 Flat 5 Merrow House SE1 OQZ
 Flat 4 Merrow House SE1 OQZ
 Flat 7 Merrow House SE1 OQZ
 Flat 6 Merrow House SE1 OQZ
 Flat 3 Merrow House SE1 OQZ
 Flat 11 Merrow House SE1 OQZ
 Flat 10 Merrow House SE1 OQZ
 Flat 2 Merrow House SE1 OQZ
 Flat 12 Merrow House SE1 OQZ
 Apartment 6 10 Rushworth Street SE1 ORB
 Flat 35 Sharpley Court SE1 OBJ
 Flat 34 Sharpley Court SE1 OBJ
 Flat 36 Sharpley Court SE1 OBJ
 Flat 33 Sharpley Court SE1 OBJ
 Flat 30 Sharpley Court SE1 OBJ
 Flat 29 Sharpley Court SE1 OBJ
 Flat 32 Sharpley Court SE1 OBJ
 Flat 31 Sharpley Court SE1 OBJ
 Apartment 3 10 Rushworth Street SE1 ORB
 Apartment 2 10 Rushworth Street SE1 ORB
 Apartment 5 10 Rushworth Street SE1 ORB
 Apartment 4 10 Rushworth Street SE1 ORB
 Apartment 1 10 Rushworth Street SE1 ORB
 18-19 Rushworth Street London SE1 ORB
 Church Hall St Alphege Church SE1 OQX
 12 Rushworth Street London SE1 ORB
 8 Ripley House Rushworth Street SE1 ORA
 20 Waterloo Mansions 59 Webber Street SE1 ORD
 5 Waterloo Mansions 59 Webber Street SE1 ORD

Re-consultation: n/a

APPENDIX 2**Consultation responses received****Internal services**

Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]

Statutory and non-statutory organisations

Environment Agency
London Underground Limited
Metropolitan Police Service (Designing out Crime)
Natural England - London Region & South East Region

Neighbours and local groups

Apartment 5 10 Rushworth Street SE1 0RB
Flat 16 59 Webber Street SE1 0RD
20 Waterloo Mansions 59 Webber Street SE1 0RD
5 Waterloo Mansions 59 Webber Street SE1 0RD
8 Ripley House Rushworth Street SE1 0RA

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant	Taylor Wimpey Central London	Reg. Number	17/AP/1959
Application Type	Full Planning Application	Case Number	TP/1445-33
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a new part five, part six storey building to provide commercial floorspace (Use Class B1), associated servicing, cycle parking and landscaping.

At: 14-21 RUSHWORTH STREET, LONDON, SE1 0RB

**In accordance with application received on 17/05/2017 16:00:43
and revisions/amendments received on 29/08/2017**

and Applicant's Drawing Nos.

Existing Site Plans

RS-E-00-0S-01-01 P1 Existing Site Plan
RS-E-00-0S-01-02 P1 Existing Site Plan

Existing plans

RS-E-20-0G-01-01 P1 Existing Ground Floor Plan
RS-E-20-01-01-01 P1 Existing First Floor Plan

Existing Elevations

RS-E-25-MF-01-01 P1 Existing Front Elevation
RS-E-25-MF-01-02 P1 Existing Rear Elevation
RS-E-25-MF-01-03 P1 Existing Site Elevations

Proposed Site Plans

RS-P-00-0G-01-01 P2 Proposed Site Plan

Proposed Plans

RS-P-20-LG-01-01 P5 Proposed Lower Ground Floor Plan
RS-P-20-0G-01-01 P4 Proposed Ground Floor Plan
RS-P-20-01-01-01 P5 Proposed First Floor Plan
RS-P-20-02-01-01 P5 Proposed Second Floor Plan
RS-P-20-03-01-01 P5 Proposed Third Floor Plan
RS-P-20-04-01-01 P7 Proposed Fourth Floor Plan
RS-P-20-05-01-01 P7 Proposed Fifth Floor Plan
RS-P-20-0R-01-01 P8 Proposed Roof Plan

Proposed Elevations

RS-P-25-MF-01-01 P12 Proposed Front Elevation
RS-P-25-MF-01-02 P7 Proposed Rear Elevation

Proposed Sections

RS-P-26-MF-01-01 P6 Proposed Section 01
RS-P-26-MF-01-02 P6 Proposed Section 02

Proposed Schedules

RS-P-80-MF-01-01 P3 Proposed Area Schedule

Documents

Design & Access Statement as amended

Updated Flood Risk Assessment
 Daylight and sunlight assessment as amended
 Basement Impact Assessment
 Energy and BREAAAM assessment
 Statement of Community Involvement
 Townscape, Heritage and Visual Impact Assessment as amended
 Phase I and II Geo Environmental Site Investigation
 Basement Impact Assessment
 Draft Service Management Plan
 Travel Plan
 Transport Assessment
 Planning Statement
 Acoustic Design Report
 Air Quality Report

Subject to the following seventeen conditions:

Time limit for implementing this permission and the approved plans

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

Proposed Site Plans

RS-P-00-0G-01-01 P2 Proposed Site Plan

Proposed Plans

RS-P-20-LG-01-01 P5 Proposed Lower Ground Floor Plan P5

RS-P-20-0G-01-01 P4 Proposed Ground Floor Plan P4

RS-P-20-01-01-01 P5 Proposed First Floor Plan P5

RS-P-20-02-01-01 P5 Proposed Second Floor Plan P5

RS-P-20-03-01-01 P5 Proposed Third Floor Plan P5

RS-P-20-04-01-01 P7 Proposed Fourth Floor Plan

RS-P-20-05-01-01 P7 Proposed Fifth Floor Plan7

RS-P-20-0R-01-01 P8 Proposed Roof Plan

Proposed Elevations

RS-P-25-MF-01-01 P12 Proposed Front Elevation 2

RS-P-25-MF-01-02 P7 Proposed Rear Elevation

Proposed Sections

RS-P-26-MF-01-01 P6 Proposed Section 01 P6

RS-P-26-MF-01-02 P6 Proposed Section 02

Proposed Schedules

RS-P-80-MF-01-01 P3 Proposed Area Schedule P3

Reason:

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

- 2 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.

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 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 [LPA]) 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 LPA.

Reason

There is always the potential for unexpected contamination to be identified during development ground works. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters (the site is located over a Secondary Aquifer).

- 4 No below grade works shall commence until details of a surface water drainage strategy, incorporating sustainable drainage principles, which achieves a reduction in surface water run-off rates as detailed in the Flood Risk Assessment (prepared by Iesis Special Structures, Revision E) during a 1% Annual Exceedance Probability (AEP) event has been submitted to and approved in writing by Local Planning Authority. The drainage strategy must include full details of ongoing operation and maintenance arrangements. The site drainage must be constructed to the approved details.

Reason: To minimise the potential for the site to contribute to surface water flooding in accordance with saved policy 3.9 Water of the Southwark Plan, Strategic policy 13 of the Core Strategy (2011) and guidance in the Sustainable Design and Construction SPD (2009).

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.

- 5 1:5/10 section detail-drawings through:
the facades;
patterned brick panels;
balconies;
parapet edges;
roof edges; and
heads, cills and jambs of all openings,
to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out; 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 that the design and details reflect the quality of design in its urban and historic context in accordance with parts 7 and 12 of the NPPF (2012) Strategic Policy SP12 of the Core Strategy (2011) and saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (2007).

- 6 Before any fit out works to the commercial premises hereby authorised begins, 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;

Before the first occupation of the building hereby permitted, 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 The National Planning Policy Framework 2012, 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.

- 7 Sample panels of all and external facing materials, and surface finishes at the ground floor including 1 sq. m panels of the brick/s and patterned brick/s and mortar to be used in the carrying out of this permission shall be presented on site and approved by the Local Planning Authority before any work in connection with this permission is carried out; the development shall not be carried out otherwise than in accordance with any such approval given. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and its cladding responds to its urban and historic context in accordance with parts 7 and 12 of the NPPF (2012) Strategic Policy SP12 of the Core Strategy (2011) and saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (2007).

- 8 Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority.

The biodiversity (green/brown) roof(s) shall be:

biodiversity based with extensive substrate base (depth 80-150mm);
laid out in accordance with agreed plans; 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 will be granted on receiving the details of the green/brown roof(s) and Southwark Council agreeing the submitted plans, and once the green/brown roof(s) are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 2.18, 5.3, 5.10, and 511 of the London Plan 2011, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

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.

- 9 Before the first occupation of the building/extension the cycle storage facilities shall be provided and thereafter such facilities 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

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 10 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawings shall be provided and made available for use by the occupiers of the building and the 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

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.

- 11 Any external lighting system installed at the development shall comply with the Institute of Lighting Professionals (ILE) Guidance for the Reduction of Obtrusive Light (January 2012)

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 amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with The National Planning Policy Framework 2012, 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.

- 12 The Rated sound level from any plant, together with any associated ducting shall not exceed the background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location.

For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014

Reason

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

- 13 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 the controlled parking zone in Southwark in which the application site is situated.

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.

- 14 Any deliveries, unloading and loading to the commercial units shall only be between the following hours: Monday to Saturday - 08:00 - 20:00, Sundays/ Bank Holidays - not at all.

Reason

To ensure that and occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity of The Southwark Plan 2007

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

Reason

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.13 Urban Design of the Southwark Plan 2007.

- 16 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. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

- 17 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are 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/made ground which could ultimately cause pollution of groundwater.

Statement of positive and proactive action in dealing with the application

The council offers a pre-application advice service which the applicant engaged with prior to submission of the application. During the course of the application the applicant was given the opportunity to amend the scheme in order to address concerns which had been raised, and enable the application to be recommended for approval.

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