

Planning Committee

Tuesday 3 December 2019

6.30 pm

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

Membership

Councillor Martin Seaton (Chair)
Councillor Kath Whittam (Vice-Chair)
Councillor Barrie Hargrove
Councillor Adele Morris
Councillor Margy Newens
Councillor Damian O'Brien
Councillor Catherine Rose
Councillor Cleo Soanes

Reserves

Councillor Eleanor Kerslake
Councillor Sarah King
Councillor Richard Livingstone
Councillor James McAsh
Councillor Hamish McCallum
Councillor Darren Merrill
Councillor Jason Ochere
Councillor Jane Salmon

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

Everton Roberts on 020 7525 7221 or email: everton.roberts@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 25 November 2019



Planning Committee

Tuesday 3 December 2019

6.30 pm

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

Order of Business

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	PART A - OPEN BUSINESS	
	PROCEDURE NOTE	
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 12 November 2019.	
6.	RELEASE OF £898,959.07 FROM S106 AGREEMENTS TO INCREASE ACCESSIBLE HOUSING ACROSS THE BOROUGH	7 - 11

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

EXCLUSION OF PRESS AND PUBLIC

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

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

PART B - CLOSED BUSINESS

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

Date: 25 November 2019



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 Clerk, Constitutional Team
Finance and Governance
Tel: 020 7525 5485



Planning Committee

MINUTES of the OPEN section of the Planning Committee held on Tuesday 12 November 2019 at 6.30 pm at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT:

Councillor Martin Seaton (Chair)
Councillor Darren Merrill (Reserve)
Councillor Kath Whittam
Councillor Adele Morris
Councillor Margy Newens
Councillor Damian O'Brien
Councillor Catherine Rose
Councillor Cleo Soanes

**OFFICER
SUPPORT:**

Simon Bevan, Director of Planning
Tim Cutts, Senior Regeneration Manager
Jon Gorst, Legal Services
Pip Howson, Transport Policy
Wing Lau, Team Leader
Everton Roberts, Constitutional Team

1. APOLOGIES

Apologies for absence were received from Councillor Barrie Hargrove.

2. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as the 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 6.1 and 6.2

- Members pack relating to item to 6.1 and 6.2

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 14 October 2019 be approved as a correct record and signed by the Chair.

6. 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 agenda be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the 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.

6.1 301-303 ILBERTON ROAD, LONDON SE15 1NW

PROPOSAL:

Demolition of existing buildings and construction of a 12-storey building (+45.3m AOD) (plus basement) comprising 46 residential dwellings (Class C3) and commercial floorspace (Class B1(c)), creation of a new vehicular access from Hornshay Street with landscaping (including a communal roof garden), cycle parking and associated ancillary development.

The committee heard the officers' introduction to the report. Members of the committee asked questions of the officers.

There were no objectors present.

The applicant's agent addressed the committee, and answered questions from the committee.

There were no supporters who lived within 100 meters of the development site present at the meeting that wished to speak.

There were no ward councillors present.

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

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

RESOLVED:

1. That planning permission be granted subject to conditions in the report and addendum report and referral to the Mayor of London and the applicant entering into an appropriate legal agreement by no later than 12 February 2020.
2. That in the event that the requirements of 1 above are not met by 12 February 2020 the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 194 of the report.

At this juncture, Councillor Cleo Soanes joined the meeting and confirmed that she had no disclosures of interests.

6.2 2 VARCOE ROAD, LONDON SE16 3DG

PROPOSAL:

Demolition of existing buildings and erection of a new mixed use development comprising a part 7, part 9 storey (maximum height above ground of 29.99m) building of 288sqm commercial floor space (Use Class B1) and 74 residential dwellings (Use Class C3) with associated bin stores, cycle stores, plant rooms and hard and soft landscaping.

The committee heard the officers' introduction to the report. Members of the committee asked questions of the officers.

There were no objectors present.

The applicant's agent addressed the committee, and answered questions from the committee.

There were no supporters who lived within 100 meters of the development site present at the meeting that wished to speak.

There were no ward councillors present.

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

A motion to grant the application was moved, seconded, put to the vote and declared lost.

Motion of Exclusion

It was moved, seconded and,

RESOLVED:

That the press and public be excluded from the meeting to enable a discussion on reasons for refusal.

The committee discussed reasons for refusal. During the discussion the committee was informed by an officer that that the applicants representative had subsequently indicated that the applicant was agreeable to reconsidering the distribution of tenure across the two cores.

Following further discussion, the press and public were re-admitted to the meeting.

A motion to defer the application was moved, seconded put to the vote and declared carried.

RESOLVED:

That the application be deferred to enable the applicant and officers to:

- Engage in negotiation as to how to best spread the tenures across the two cores.
- Look at the design generally and consider the requirement that the development must be excellent in relation to housing quality.
- Look at habitable rooms, to ensure that they are fully compliant with council policy.

The meeting ended at 10.00pm

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 3 December 2019	Meeting Name: Planning Committee
Report title:		To release £898,959.07 from Section 106 agreements to increase Accessible Housing across the borough	
Ward (s) or groups effected		All	
From:		Private Sector Housing & Adaptations Manager	

RECOMMENDATION

1. That the Planning Committee approve the release of £898,959.07 from the following Section 106 agreements to increase the accessible housing provision across the borough:

Permission Ref	Account No	Address	Amount
16/AP/5235	827	1 Varcoe Road	71,675.73
15/AP/1062	802	Manor Place Depot	431,558.79
15/AP/2864	810	91-93 Queens Road, Peckham	20,000.00
16/AP/1650	008	Tavern Quay Business Centre, Rope Street	60,000.00
13/AP/3059	720	6-14 Melior Street, Our Lady Of La Salle	120,000.00
13/AP/3815	729	Octavia House, 235-241 Union Street	90,000.00
14/AP/2948	754	240 and 252 Camberwell Road	80,724.55
13/AP/1123	684	Land South of Evans Granary, 38 Stoney Street	25,000.00
TOTAL			£898,959.07

BACKGROUND INFORMATION

2. The Housing Adaptations Team (HAT) manage the installation of major adaptations to enable vulnerable, older, and disabled Southwark residents to continue living independently at home and increase the number of accessible homes across the borough.
3. The range of works includes wet rooms/level access showers, stair lifts, through floor lifts, ramps, door widening, improving external access to a property, installing accessible kitchens for wheel chair users, improving lighting for people with sight impairments, grab/hand rails, hoists and more. Residents requiring adaptations are assessed by an Occupational Therapist (OT). Following the assessment, the OT will send through their recommendations setting out the requirements for the necessary adaptations.
4. The demand for adaptations to meet the needs of people with mobility/disabilities and increase the accessible housing provision across the borough is substantial and outstrips the available resources. For 2019-20 the adaptations budget of £1.6m is already committed with agreed work programmes. Currently, the HAT team has a waiting list of 120 cases where people are waiting for urgent

adaptations. The S106 funding will help to address the HAT waiting list and carry out urgent adaptations whilst increasing the number of accessible homes.

5. The £898,959.07 of S106 money will be used to fund a number of adaptation programmes. The initial programme of 54 schemes (all supported with OT recommendations) to the homes of Southwark residents will be completed by December 2019. 24 of the schemes will be managed by our in-house Building Surveyors. However, due to capacity of work within the Building Surveyors team, 30 schemes will be managed by our external specialist Building Surveying partners Frankham's. All works go through a procurement exercise in line with the council's standing orders. Further cases have already been identified from the waiting list and will form part of a series of follow up adaptation programmes, which will spend the full allocation.

KEY ISSUES FOR CONSIDERATION

6. The Council secures wheelchair accessible housing contributions in exceptional circumstances. This is where the development proposals demonstrate that it is not viable or feasible to meet the wheelchair accessible unit policy requirement (10% of new units) and on-site disabled car-park spaces. The S106 SPD provides for a wheelchair accessible housing offset fund which is to contribute towards the adaptation of other homes in the borough to meet the needs of people with a range of disabilities.
7. The Section 106 money will help to reduce the HAT waiting list where vulnerable residents have had to wait for urgent and necessary adaptations and improve their quality of lives.
8. The Section 106 money will increase the number of accessible homes across the borough, which are available to those who are often the most vulnerable people in society.
9. The work of the HAT team has a wider impact on other key services such as Health and Social Care. The work of the HAT team supports Hospital discharge and falls prevention, reducing the risk of falls and early admission to hospital.

Policy implications

10. The following Acts/legislation provides a legal duty on local authorities in the provision of welfare services which includes adaptations to the homes of vulnerable residents. These are:
 - Chronically Sick and Disabled Persons Act 1970
 - Housing Act 1985
 - Disability Discrimination Act 1995
 - NHS & Community Care Act 1990
 - Children's Act 1989 & 2000
 - Housing Health and Safety Rating Act
11. The housing strategy vision which includes becoming "more than a landlord" under principle 4 states "we will help vulnerable individuals and families to meet their housing needs and live as independently as possible."
12. The service helps to deliver on the council's Fairer Future Commitments theme of "A place to call home".

Community impact statement

13. The increased provision of accessible homes across the borough helps to support those who are most vulnerable to continue living independent and safely at home.
14. The work of the HAT team supports other key front line services across health, housing and social care. The service also works closely with other key/local organisations such as Age UK, Careers/support organisations.
15. The Section 106 money will help to reduce waiting times and enable urgent adaptations to be installed which will improve the quality of lives of the vulnerable resident and their family members/carers.
16. Wider impact and cost benefit of adaptations to Health and Social Care. A number of significant research programmes have confirmed the cost benefit and savings to health and social care following the intervention of adaptations to the homes of disabled and vulnerable people. Key savings include:
 - Home adaptations can help prevent or defer entry into Residential Care for older people. One year's delay can save £26,000 per person.
 - An estimated cost of poor housing to the NHS is £1.4 billion per year or which 31% is attributed to falls. The advice, information and adaptations delivered through the service reduce the risk of falls on a daily basis.
 - The average cost to the state of a fractured hip through falling is £28,665. This is 4.7 times the average cost of a major housing adaptation and 100 times the cost of fitting hand and grabs rails to prevent falls.

RESOURCE IMPLICATIONS

17. This Section 106 funding will cover all costs for the designated schemes which include any professional fees charged by Frankhams, the external consultants.
18. Once the report is approved, the Section 106 sums will be added to the Adaptations capital budget, code H-7610-1405.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance CAP 19/017

19. This report seeks approval from the planning committee to release the sum of £898,959.07 from the agreements listed at paragraph 1, towards the delivery of urgent adaptation schemes, details at paragraphs 2.2 to 2.4.
20. 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 agreements.
21. The strategic director of finance and governance notes the resource implications at paragraphs 6.1 and 6.2, confirms that the council has received the related section 106 funds, and they are available for the purposes outlined in this report.
22. Staffing and any other costs associated with this recommendation are to be contained within existing departmental budgets.

Director of Law and Democracy

23. This report seeks the release of an amount of £898,959.07 from the 8 (eight) planning obligations agreements ("section 106 Agreements") listed at paragraph 1.1. The intention is to allow the Council to undertake various adaptations as outlined at paragraph 2.2 in order to make improvements to the homes of assessed residents who might otherwise struggle to continue to live independently.
24. As members have been previously advised, it is essential that monies held in accordance with section 106 Agreements are expended in accordance with both the terms of the specific agreement and also Regulation 122 of the Community Infrastructure Regulations. Each section 106 Agreement mentioned has been reviewed and it is considered that the proposed expenditure is in accordance with its terms and also the relevant Regulation mentioned above and is otherwise reasonable in all other respects.
25. Paragraph 5 of the report assesses the overall benefits of the scheme which should reassure Members that they will safely comply with the Public Sector Equality Duty if they decide to reach this decision
26. The decision to consider and approve the expenditure of section 106 monies is a matter reserved to the Planning committee in accordance with the Council Constitution.

Background Papers	Held At	Contact
Copies of S106 Legal Agreements	Planning Division, 160 Tooley Street, London SE1	Martha Dankwa 020 7525 3734

APPENDICIES

Appendix	Description
Appendix 1	Adaptation case studies

AUDIT TRAIL

Lead Officer	Keith Kiernan, Specialist Services Manager		
Report Author	Mike Scarlett Private Sector Housing & Adaptations Manager		
Version	Final		
Dated	21 November 2019		
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			21 November 2019

APPENDIX 1

ADAPTATION CASE STUDIES

Ms. E

Ms E (36) has Devics disease; a neurological condition which leads to loss of eyesight and eventual paralysis. Ms E had been in the National Neurological in hospital for over a year and could not be discharged until her flat was adapted to enable her to be cared for. Following the Occupational Therapist's assessment, the following adaptations were installed: a level access shower and automated door openers fitted.

MS E returned home from hospital for the first time in over a year.

Mrs M

Mrs M (86) very frail with a heart condition, COPD*, arthritis and lives alone. Adaptations to the value of **£15,760.98** which included a Closomat (assisted personal cleaning) toilet and a level access shower. Following the work, Mrs M telephoned to say her confidence and dignity have been restored.

In addition to her quality of life being improved and bathing more accessible, she has reduced her care package from 2x carers, six days a week to three days a week.

MRS F

Mrs F is 78 and a wheelchair user. She is now really struggling to cook and the kitchen is no longer accessible, bathing is a problem and accessing her home is very difficult. Without adaptations to her home, Mrs F would no longer be able to maintain her independence and continue living there. Mrs F received an Occupational Therapy assessment with the following works agreed: internal & external ramps, door widening, automated door openers, level access shower. The Housing Adaptations Team managed the building work from start to finish ensuring the works were completed to the specification and Mrs F's needs were considered throughout the whole process from start to finish. The property is now fully wheelchair accessible for Mrs F to ensure she can continue to live independently. The property will also provide additional housing for a wheel chair user in the future.

Mr & Mrs F

Mr F (82) has chronic and unstable diabetes resulting in his suffering falls and blackouts. Mrs F (80) is also unwell but is Mr F's main carer, also caring for their disabled adult son. They are private tenants living in the same flat for 50 years. They were referred to the HIA by their son-in-law. We applied for a Disabled Facilities Grant, sought permission from the Landlord and supervised all work on site. Mr F now has handrails to help him from his front door to the gate, a level access shower and central heating, which provides a more stable temperature than the gas fires that previously heated the property. The HIA Counsellor applied for Council Tax Benefit, Housing Benefit and Attendance Allowance for Mr F. This has resulted in an increase in income of £154.50 per week.

Without this intervention it is certain that all three of the residents would have had to go into care.

* COPD is Chronic Obstructive Pulmonary Disease: an umbrella term used to describe progressive lung diseases including emphysema, chronic bronchitis, and refractory (non-reversible) asthma. This disease is characterized by increasing breathlessness.

Item No. 7.	Classification: Open	Date: 3 December 2019	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 Housing, 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 planning practice guidance (PPGs) and planning policy statements (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	Virginia Wynn-Jones 020 7525 7055
Each planning committee item has a separate planning case file	Development Management 160 Tooley Street London SE1 2QH	Planning Department 020 7525 5403

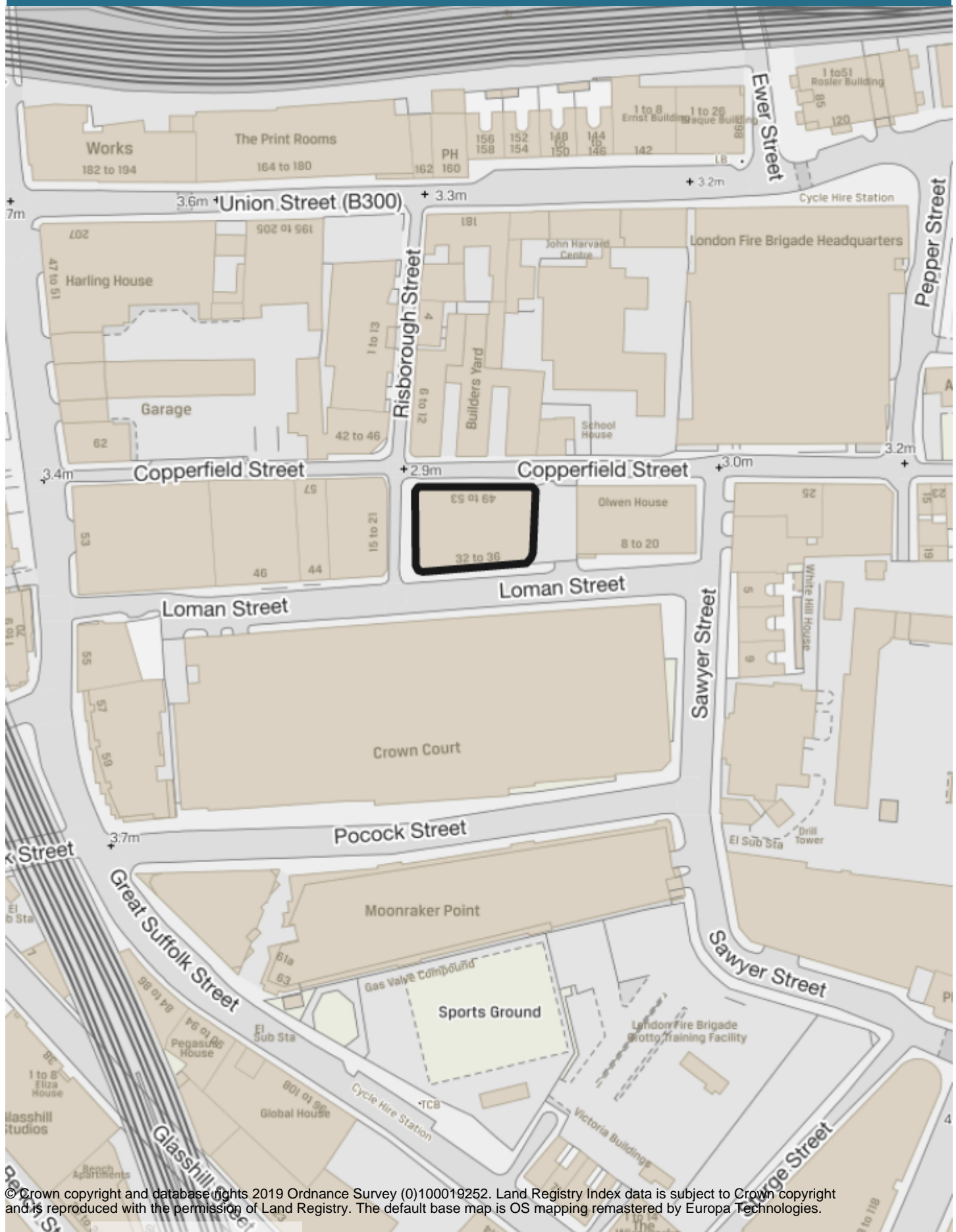
APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services		
Report Author	Everton Roberts, Principal Constitutional Officer Jonathan Gorst, Head of Regeneration and Development		
Version	Final		
Dated	21 November 2019		
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		21 November 2019	

Agenda Item 7.1



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Item No. 7.1	Classification: OPEN	Date: 3 December 2019	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 19/AP/1404 for: Full Planning Application Address: 32-36 LOMAN STREET, LONDON, SE1 0EH Proposal: Demolition of the existing four storey office building with basement and redevelopment of the site to provide a new seven storey office building plus basement (Use Class B1)		
Ward(s) or groups affected:	Borough & Bankside		
From:	Director of Planning		
Application Start Date 25/04/2019		Application Expiry Date 25/07/2019	
Earliest Decision Date 22/06/2019			

RECOMMENDATION

1.
 - (a) The planning permission be granted, subject to conditions and the applicant entering into an appropriate legal agreement; and
 - (b) That, in the event that the requirements of (a) are not met by 28th February 2020 that the Director of Planning is authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 148 of this report.

UPDATED INFORMATION

2. . At the request of the applicant, the consideration of this application was removed from the agenda of the Planning Committee on the 8th October. This request followed concerns raised by neighbouring residents about the accuracy and reliability of the submitted daylight and Sunlight report. The concerns stemmed primarily from the assumptions in the Daylight and Sunlight report about room layouts, which had informed the conclusions on daylight distribution and 'No Sky Line'.
3. The applicants daylight and Sunlight consultants has now visited the closest residential properties to confirm the room layouts. This has enabled new 'No Sky Line' assessments to be carried out some affected rooms, and an updated report was submitted by the applicants.
4. The Daylight and sunlight section of this report has been revised to reflect the information in the updated report.

EXECUTIVE SUMMARY

5. The proposal comprises the redevelopment of the site to provide a new 7 storey office building with basement for office (Class B1) use to house CAN Mezzanine, a registered charity operating to provide workspace to charitable and social enterprise organisations.
6. The existing building provides 2,361sqm of office and ancillary floor space over four storeys. The proposed building would provide 4,675sqm of office space, an uplift of 2,314sm over the existing building.
7. The increase in employment space would meet the development plan requirement to re-provide Class B1 floorspace in the central area, and the uplift would make a contribution towards jobs target for the Opportunity Area as set out in the London Plan. The development would enable CAN to offer more affordable office space, and better, more inclusive facilities for its charity tenants and users. As such it complies with the development plan, and makes a positive contribution to the objective to support the economic health of the borough and central London.
8. The development would provide desk space plus meeting rooms, cycle storage with associated showers and lockers, and bin stores. A central core will provide lift access to all floors.
9. At the time of writing a total of 11 consultation responses have been received in objection to the proposed development. In addition, there has been ongoing correspondence with a specialist consultant engaged by local residents, raising concerns about the daylight and sunlight assessment. There have also been three letters of support.
10. The main concerns raised relate to the scale of the development and loss of amenity in terms of daylight and sunlight to residential properties on Copperfield Street.
11. A series of energy efficiency measures and renewable technologies are proposed to reduce its carbon dioxide emissions making the building notably more energy efficient than the existing building.
12. The benefits of providing low cost office space in the central area should be given weight; whilst the CAN model is different to that set out in the emerging New Southwark Plan it has clear benefits in terms of the quantum of space which can be provided, and the shared facilities which benefit the occupiers. However it is recommended that, in the event that CAN dispose of the building within 30 years, that any successor be obliged to provide at least 10% of the floorspace as affordable for the balance of the 30 year period.
13. Having taken all issues into account,, it is recommended that planning permission be granted, subject to conditions and the signing of a S106 legal agreement.

BACKGROUND INFORMATION

Site location and description

13. The existing building has four storeys plus basement towards Loman Street and a lower two storey plus basement section towards Copperfield Street. The existing building provides 2,361sqm of Class B1 office floorspace and is bounded by Copperfield Street to the north, Loman Street to the south and Risborough Street to

the west. To the east it is bounded by the external service yard to the adjacent building known as Olwen House.

14. The building entrance is on Loman Street with a secondary entrance/emergency exit on Copperfield Street. There is no vehicular access to the site; servicing currently takes place on-street, in Loman Street.

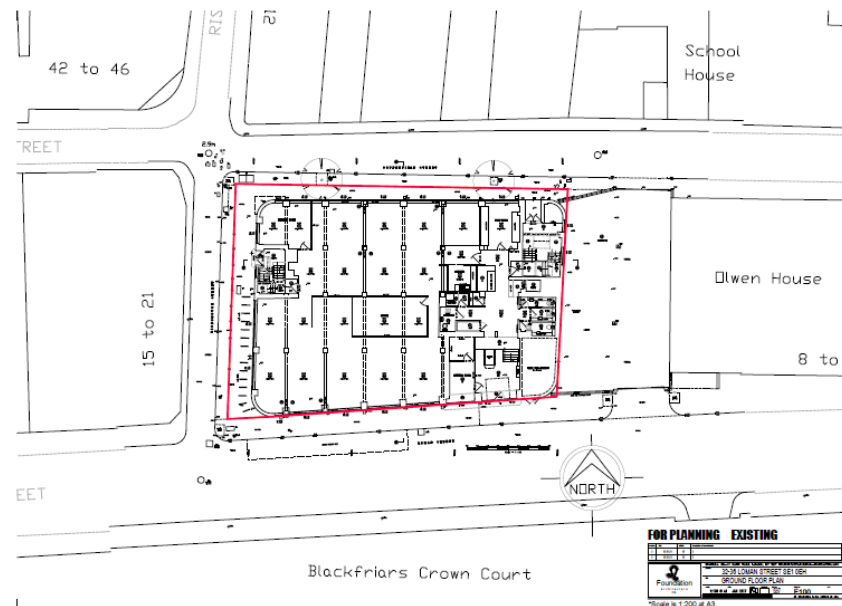
15.



View from Copperfield Street

16. Existing ground floor plan

GROUND FLOOR PLAN SHOWING SITE OWNERSHIP



Existing building

17. The existing building is thought to have been constructed in the 1930's for a light industrial use. It has various deficiencies for its users including poor disabled access, a lift too small for wheelchair access and a core that could not be modified, and ageing plant.
18. The site is located within the following designations:
 - a) Central Activities Zone (CAZ)
 - b) Bankside, Borough and London Bridge Opportunity Area
 - c) Borough, Bermondsey and Rivers Archaeological Priority Zone
 - d) Air Quality Management Area
 - e) Bankside Borough and District Town Centre
 - f) Bankside, Borough, London Bridge Strategic Cultural Area
19. There are no heritage assets within the site boundary area however there are heritage assets in the surrounding area including:
 - a) Union Street Conservation area; and
 - b) 55 Great Suffolk Street (Grade II listed).
 - c) Kings Bench Conservation Area;
20. The Site is occupied by The Helen Thompson Taylor Foundation (operating as "CAN Mezzanine"), a registered charity and Company Limited by Guarantee set up in Southwark 20 years ago, which provides workspace to charitable organisations.
21. CAN Mezzanine's primary objective is to provide high quality collaborative office space and to build communities of social interest for third sector organisations in prime locations.
22. The Helen Thompson Taylor Foundation's Charitable objectives are:
 - "1. To promote and improve efficiency and effectiveness of charities and voluntary groups, community groups and not for profit organisations in the London Borough of Southwark by the provision and management for such organisations of office accommodation, conferences, training and other facilities, services and support.
 2. To improve the efficient administration of charities in direct pursuit of their objectives by the provision of training and information, particularly in the field of information technology".
23. 2. To improve the efficient administration of charities in direct pursuit of their objectives by the provision of training and information, particularly in the field of information technology".
24. CAN delivers on its objectives by tackling the three key barriers for charities. These are the availability of premises, skill and finance.
25. The tenants of the building have recently been relocated to other CAN properties, but at maximum capacity the building accommodated around 274 users covering 50 organisations overall.

The surrounding area

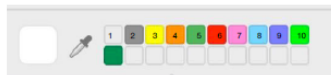
26. The surrounding area is mixed use comprising offices, warehouses and some residential buildings. Building styles are varied however there is a predominance of former industrial buildings and conversions. Brick is the dominant material employed on most buildings within the area, and the immediate context has maximum building

heights of around six storeys, albeit there are taller buildings in the wider area including the student and residential developments on Pocock Street. Immediately to the south of the site is Blackfriars Crown Court building which occupies the entire urban block that it sits within.

27. *Surrounding area and scale of buildings*



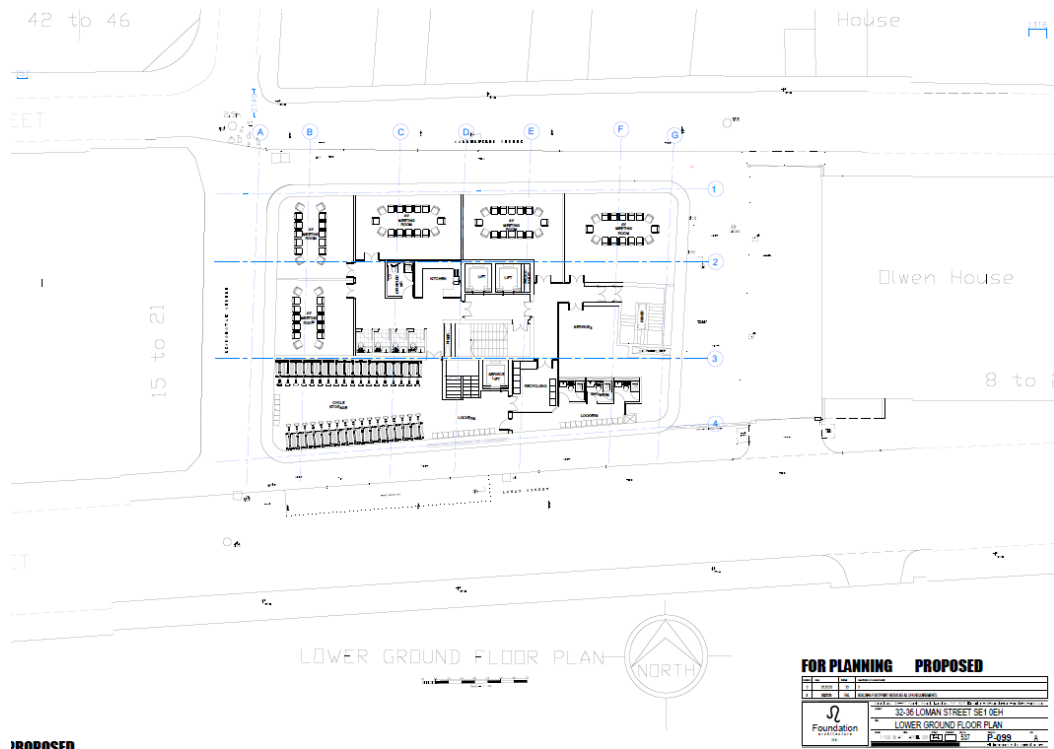
Loman Street Building heights - No floors based on 3.8 F/F
Approx measured from model.



Details of proposal

28. The application seeks to demolish the existing building and construct a new 7 storey office building with basement for office (Class B1) use. This will result in 4,675sqm of office space, an uplift of 2,314sm over the existing building. The sixth floor will be setback by over 2 metres on the Copperfield, Risborough and Loman Street elevations, and by 0.45m on the western boundary adjacent to Olwen House. This set back would be used as an outdoor amenity space for the office workers on the Loman Street and Risborough Street frontages, but on the Copperfield Street frontage it is limited to service/maintenance access only.
29. The building will provide open plan office space from ground floor to fifth floor level, accessed from Loman Street. The basement/lower ground floor level will provide meeting rooms plus cycle storage with associated showers and lockers, and bin stores. A central core will provide lift access to all floors.

30. *Basement floor showing cycle storage, showers and refuse stores*



31.



View of western elevation



North Elevation facing Copperfield Street

32.



View from Loman Street

Planning history

17/EQ/0433: Pre-application advice was sought for the development of a 7 storey office building. The advice given stated that the use was supported, and the massing was broadly acceptable. Comment was made about the narrow footpaths, and the need for clarification on the cycle stores. The initial design was found unacceptable, and was changed significantly during the pre-application discussions.

Planning history of nearby sites

33. Application 00/AP/0329 for: Full Planning Application

Address:

46 LOMAN STREET LONDON SE1

Proposal:

Demolition of two existing part 1/2 storey buildings. Erection of a new part four, part three storey office building.

Decision: Permission Granted

34. Application 00/AP/1575 for: Full Planning Application

Address:

46 LOMAN STREET LONDON SE1

Proposal:

Demolition of two existing buildings and erection of a new part five, part three storey office building.

Decision: Granted

35. Application 02/AP/2220 for : Full Planning Application

Address:

UNIT 5, 38 COPPERFIELD STREET, LONDON, SE1 0EA

Proposal:

Subdivision of the existing live/work unit to form two separate live/work units.

Decision: Granted

36. Application 11/AP/3893 for Cert. of Lawfulness - existing

Address:

UNIT 5, 38 COPPERFIELD STREET, LONDON, SE1 0EA

Proposal:

Use as residential dwelling (Class C3).

Decision: Granted

37. Application 18/AP/3462 for: Full Planning Application

Address:

46 LOMAN STREET, LONDON, SE1 0EH

Proposal:

Erection of an infill extension at 3rd and 4th floors and the construction of an additional storey 5th floor level (with lift shaft and staircore above) for office use, together with changes to the Loman Street and Copperfield Street facades and the installation of a roof terrace at 6th floor level.

Decision: Granted

Summary of consultation

38. Consultation letters were sent to over 130 nearby properties and a number of site notices were mounted on columns along Loman Street, Risborough Street and Copperfield Street.
39. At the time of writing a total of 11 consultation responses have been received in objection to the proposed development. There have also been three letters of support.
40. Re-consultation letters were issued on the 08 August 2019 to advise of the following changes to the application :
- The building line to Risborough Street was adjusted to create a pavement width of 1.8m,
 - The existing lighting columns would be relocated onto the new building at 32-36 Loman St,
 - There would be an extension of the 6th floor at the eastern side of the building (adjacent to Olwen House) resulting in a 450mm setback from the main building edge.

The consultation raised the following concerns:

Height, Scale, massing and impacts on the character of the streetscape.

- 41.
- A seven storey new build will have a huge negative impact onto Risborough St which is already a narrow road.
 - The bulk and size of the proposed development is unacceptable in its proposed location. It is disproportionate to the site and height of local buildings and sets a dangerous precedent for such development works.
 - The proposed building would be 3 storeys higher and potentially 2 metres closer than where the existing building sits, this would reduce the width of the street even further.
 - There is no building this high in the locality, unless abutting larger roads outside the area. If this proposal is accepted, it will set a precedent, which will affect the character of the area.
 - The height of this site, and those surrounding it, should remain at 4 storeys.

42. Officer response

- It is noted that the building is higher than that of the immediate neighbouring buildings such as 15-21 Risborough Street and 8 -20 Olwen House or the properties to the rear including 38 and 42-46 Copperfield Street which range from 3 to 4 storeys, however the height is not out of keeping with the wider townscape, and the set-back top storey means that in most views the building will be read as 6 storeys. In the context of the Central Activities Zone this height appears reasonable. It is recognised that local context is an important factor in assessing scale, but when taken as a whole it is not considered that this building would appear oppressive or out of character.

Daylight

- 43.
- There is concern regarding the rights of light and the lack of daylight and sunlight into the adjacent buildings, including 15-21 Risborough Street.
 - These significant changes are unlikely to comply with BRE daylight standards. The applicants have submitted a daylight study that contends that the BRE guidance for daylight does not apply to office accommodation to justify its finding that the development will not comply with the guidance with respect to our buildings. In fact, the BRE guidance indicates that it can be applied to some offices. It is suggested that it should be applied to the existing small offices in Risborough Street.
 - An attempt should have been made to contact neighbouring properties residents affected by the development to explore the room layout to get a more accurate measurement of daylight distribution.

44. Officer response

- The daylight assessment has been considered in full in this report. The majority of residential windows do meet the BRE tests for daylight. It is noted that a small number of windows do not meet the VSC test but the shortfall in most cases are only slightly beyond the recommendations of the BRE. It is noted that, particularly on Risborough Street several windows to commercial premises do fall below the 0.8 retention of VSC; this is assessed in the report, and should be set in the context of the area and the land use.
- The applicants consultant has now visited a number of neighbouring properties to verify room layouts and uses.

Sunlight

- 45.
- Sunlight impacts to neighbouring properties have been unfairly disregarded due to attributing less importance to terraces as a form of amenity than private gardens.

46. Officer response

- The sunlight assessment has been considered in full in the paragraphs below. A number of windows do not meet the BRE thresholds for sunlight, particularly during winter when the sun is lower in the sky.
- Although the applicant's submitted report does refer to the terraces not being conventional back gardens, for the purposes of this report officers have assessed the impact in the same way as would have been done for rear gardens.

Loss of amenity caused by the construction process

- 47.
- The loss and damage as a result of this proposed development and disruption to surrounding businesses throughout the construction period needs to be taken into account.
 - The environmental impact of the construction works on buildings in Risborough Street and the adjoining areas needs to be taken into account.
 - Temporary structures for two to three years will reduce light and access to Risborough Street for the duration of the build. This needs to be carefully managed and presented.
 - The proximity of the building works to the properties in Risborough Street will make occupation of these properties unacceptably disturbed.
 - Vehicular management needs to be put forward in the form of a plan both for demolition and construction.

48. Officer response

- The impacts which would arise during construction are noted and will be carefully managed by a construction environmental management plan to ensure that neighbouring properties do not suffer a significant loss of amenity by reason of noise, pollution and nuisance,
- Remedy of any damage caused as a result of the construction would be a private matter between the developer and any neighbouring owner.

Sense of enclosure

- 49.
- The rear (north side) of the proposal is approximately 7 metres from the end of 38 Copperfield Street's terrace. The design of the 7 storey flat fronted building will be like having a prison wall 12 metres away and all the associated windows will result in a loss of privacy.
 - The height and mass of this structure will have a huge impact on Copperfield Street as the street is so narrow, making the impact even greater. It would also be the tallest building within a large radius this could also result in a wind tunnel effect.

50. Officer response

- The building maintains the existing main building line on Copperfield Street and Loman Street. The height of the building is discussed elsewhere in this report.

Consultation comments in support of the proposal

- 51.
- Three consultation comments offering general support to the application have been submitted, from charities which use CAN offices to deliver their services. They comment that CAN Mezzanine's provision of affordable work space rental is essential for their organisations whose desk space requirements are based on available funding streams. A larger building could also provide more conference and meeting facilities.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

52. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use;
 - Design, layout, heritage assets
 - Transport and highways;
 - Noise and vibration;
 - Energy and sustainability;
 - Ecology and biodiversity;
 - Air quality;
 - Ground conditions and contamination;
 - Water resources and flood risk;
 - Archaeology;
 - Socio-economic impacts;
 - Planning obligations (S.106 undertaking or agreement);
 - Mayoral and borough community infrastructure levy (CIL);
 - Community involvement and engagement;
 - Consultation responses, and how the application addresses the concerns raised;
 - Community impact and equalities assessment;
 - Human rights, and;
 - Other matters
53. These matters are discussed in detail in the 'Assessment' section of this report.

Legal Context

54. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007.
55. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Planning policy

National Planning Policy Framework (NPPF)

56. The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
57. Paragraph 212 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

Section 2 – Achieving sustainable development

Section 6 – Building a strong, competitive economy
 Section 7 – Ensuring the vitality of town centres
 Section 11 – Making effective use of land
 Section 12 – Achieving well designed places
 Section 14 – Meeting the challenge of climate change, flooding and coastal change
 Section 16 – Conserving and enhancing the historic environment

London Plan 2016

58. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:

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 4.1 Developing London's economy
 Policy 4.2 Offices
 Policy 4.3 Mixed use development and offices
 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 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.15 Water use and supplies
 Policy 5.18 Construction, excavation and demolition waste
 Policy 5.21 Contaminated land
 Policy 6.1 Strategic approach (Transport)
 Policy 6.2 Providing public transport capacity and safeguarding land for transport
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.11 Smoothing traffic flow and tackling congestion
 Policy 6.12 Road network capacity
 Policy 7.3 Secured by design
 Policy 7.4 Local character
 Policy 7.5 Public realm
 Policy 7.6 Architecture
 Policy 7.7 Location and design of tall and large buildings
 Policy 7.8 Heritage assets and archaeology
 Policy 7.14 Improving air quality
 Policy 7.15 Reducing and managing noise
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy

Core Strategy 2011

59. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 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 12 - Design and conservation
Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (saved policies)

60. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

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 3.19 Archaeology
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

Southwark Supplementary Planning Documents

61. Sustainable Design and Construction (SPD, 2009)
Sustainable Transport (SPD, 2010)
Section 106 Planning Obligations and CIL (SPD, 2015)
Sustainability Assessment (SPD, 2009)
Design and Access Statements (SPD, 2007)

Greater London Authority Supplementary Guidance

Mayor of London: Sustainable design and construction (Saved SPG, 2006)
Mayor of London: Accessible London, achieving an inclusive environment (Saved SPG, 2004)
Mayor of London: Central Activities Zone (SPG, 2016)
Greater London Authority: Use of planning obligations in the funding of Crossrail (SPG, Updated 2016)
Mayor of London: Character and Context (SPG, 2014)

Emerging planning policy

Draft New London Plan

62. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. The examination in public commenced on 15th January 2019 and concluded in May 2019. At this stage of the assessment it can only be attributed limited weight. Key policies include:
63. D1 London's form and characteristics
E3 Affordable workspace

New Southwark Plan

64. For the last 5 years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. The consultation on the New Southwark Plan Proposed Submission Version: Amended Policies January 2019 was completed on 17 May 2019. The Plan is expected to be submitted for Inspection very shortly, for Examination in Public (EiP) in 2020. As the NSP is not adopted policy it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

ASSESSMENT

Principle of the proposed development in terms of land use

65. The proposed development would increase the amount of Class B1 office space and as such would comply with policies in the Core Strategy and saved Southwark Plan, as well as the London Plan, to support business and employment in the Central Activities Zone. It would also contribute to meeting the target for 25,000 new jobs in the Borough Bankside and London Bridge Opportunity Area, CAN have indicated that, dependent on the desk space arrangement used by their tenant charities, the new building could provide between 540 and 650 jobs.
66. Although the site lies within a designated town centre, it is not considered appropriate to require active retail frontages on this site. It is some distance from the main road frontages where the service and retails activities are concentrated. Given the more limited footfall in this location, it is more appropriate to maximise the office space within the building.
67. Similarly, there is general support in the London Plan for providing housing as part of new office developments in the CAZ. However, given the limited size of this site, and the priority to create workspace, the inclusion of residential use would severely compromise the layout of the site. Given the scale of the building, and in recognition that it is not an allocated site under the development plan, it is reasonable to support a purely office development on this site.

Affordable workspace

68. Both the emerging New London Plan (at policies E2 and E3) and the New Southwark Plan (at policy P28) require new Class B1 developments to provide a

proportion of the floor space as affordable workspace.

69. As noted above, The Helen Thompson Taylor Foundation (operating as "CAN Mezzanine") are the occupiers and are delivering affordable workspace in accordance with their social enterprise aims.
70. CAN Mezzanine specifically provide affordable workspace for the charitable sector under their charitable objectives. The council's Local Economy Team are satisfied that the operation of the building under the terms proposed by CAN would be a positive response to the emerging policies, and enable not for profit organisations to access workspace and support facilities in central London. However in the event that CAN decided to dispose of the building, any planning permission issued would, unless controls were in place, allow the building to be used without reference to affordable workspace. It is therefore recommended that the s106 agreement contain a clause that in the event the building is disposed of within 30 years of the permission, 10% of the office floor space would have to be provided as affordable workspace for the balance of the 30 year period. 30 years is the term being suggested as an appropriate period to secure affordable workspace under the emerging policy P28 of the New Southwark Plan.

Business relocation

71. CAN Mezzanine have confirmed that the existing employees have already been relocated to their other buildings.
72. Prior to the development plans CAN Mezzanine initiated a consultation with all customers, advising of the plans. They saved space in their nearby Borough building and offered to assist customers with moving costs, and to keep their rent as per Loman Street. They agreed to continue design engagement and return them to the new building on completion. 90% of the existing customers moved to the Borough or Old Street buildings. One organisation chose to move to a building closer to Loman Street with a request to advise them on redevelopment, allowing them to return in the future. Two customers chose to relocate. The Borough building is currently full. CAN envisages the new building will be able to house all of the existing customers in Borough on completion and hope to have the ability to house some more based on fire assessment and desk size preferred by customers.

Conclusion on land use

73. The proposed office use would accord with relevant planning policies. The increase in employment space would make a contribution towards the floor space required to meet the existing and emerging jobs target for the Opportunity Area as set out in the London Plan. The development would enable CAN to offer more affordable office space, and better, more inclusive facilities for its charity tenants and users. As such it complies with the development plan, and makes a positive contribution to the objectives to support the economic health of the borough and central London.

Environmental impact assessment

74. The development is not considered to constitute EIA development, based on a review of the scheme against the EIA Regulations 2017 and the European Commission guidance. In summary, the proposed development would not be likely to have significant effects upon the environment by virtue of factors such as its nature, size or location of more than local significance, and therefore an EIA would not be required.

Design, layout, heritage assets

75. The area is a mixed area with a mixture of former industrial buildings of different heights up to maximum of about six storeys. Brick is prevalent as the main building material and buildings are in general built right up to the edge of pavement. The Crown Court forms a bulky and somewhat relentless presence on the other side of Loman Street.

76.



View looking east on Loman Street

77. The proposed building follows broadly the same footprint as the existing building, although on Risborough Street the building does step forward of the current building line. However the effective pavement width is maintained because the street currently contains cycle stands on the private forecourt land.
78. The proposed building has a brick 'warehouse style' to a height of ground plus five storeys with the same curved corners as existing building. A lightweight metal and glass sixth floor is set back a little from the main façades below. Above this and set back again is a plant enclosure. Due to the narrowness of surrounding streets, the sixth floor will not be conspicuous with limited visibility from street level in short range views, whilst the plant enclosure is unlikely to be visible from street level.
79. The main brick building is higher than its immediate context but within an area which is designated as an Opportunity Area where intensification is expected. The impact on the streetscene is not unduly overbearing and the recessive top floor will have limited visibility. On balance, the height and massing, delivered in a warehouse style, is considered acceptable.

80.



View looking South on Risborough Street.

81. The main facades feature deep-set crittal-style windows, with a 'giant order' of glazed openings providing some interest at ground floor. Stone plat bands divide the facades into a base, a middle and a top. The topmost sixth floor is deliberately lightweight in order to distinguish it from the main masonry facades below.
82. The entrance will be formed by a recessed double height bay facing onto Loman Street. This will again fit in with the warehouse aesthetic.
83. Overall, the design will create a credible warehouse feel that compliments the townscape of the area. It is therefore acceptable. Bay studies within the Design and Access statement indicate that the building facades will have sufficient depth to create the deep reveals and modelling that will be essential for a convincing façade. A condition requiring the submission of typical facade construction details at a scale of 1/5 should nevertheless be applied to ensure the quality of the finer detailing.

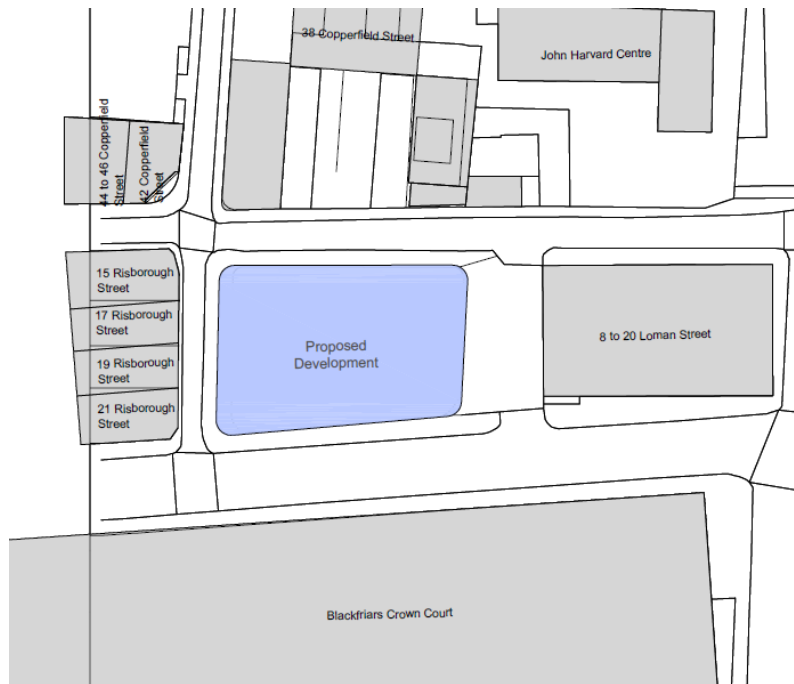
Impact of proposed development on amenity of adjoining occupiers and surrounding area

84. Strategic policy 13 of the Core Strategy 'High environmental standards' seeks to ensure that development sets high standards for reducing air, land noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work. Saved Policy 3.2 relates to the protection of amenity and states that permission would not be granted where a loss of amenity to present occupiers would be caused.

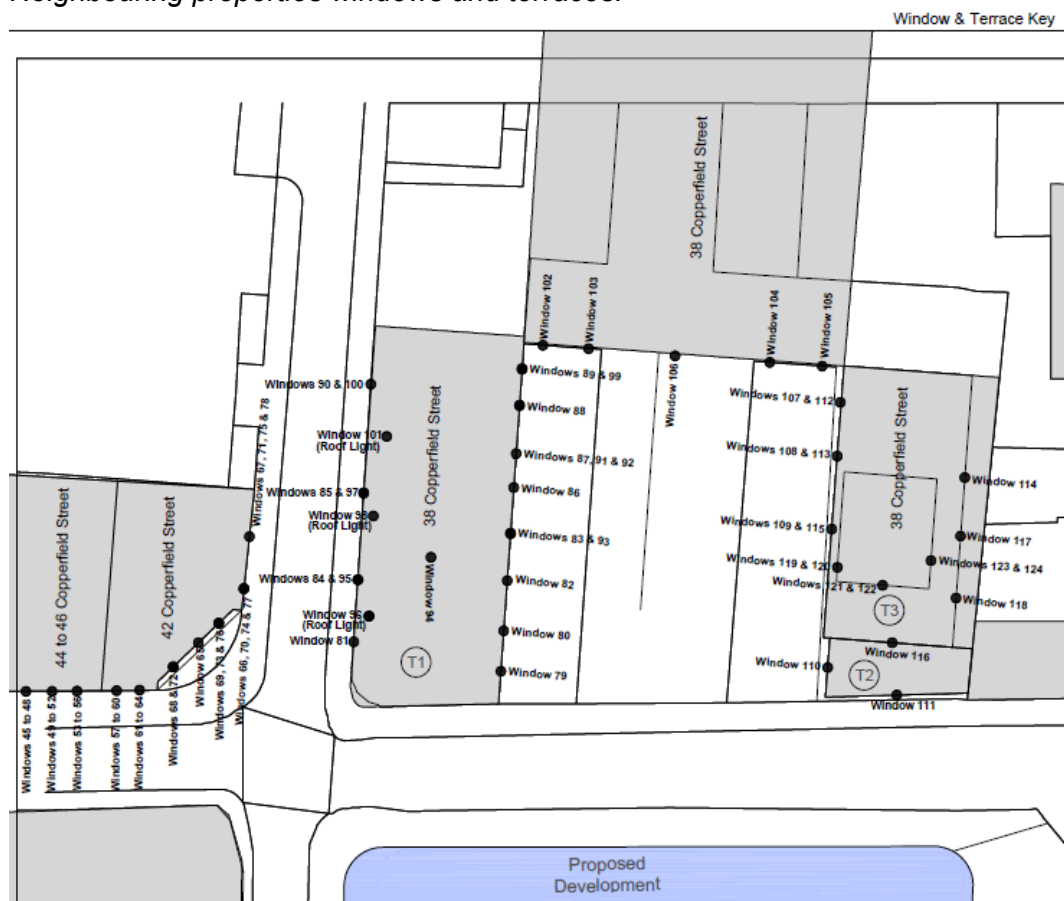
Daylight/Sunlight

85. A daylight and sunlight report was submitted with the application. Following consultation, a number of neighbouring occupiers raised concerns about the accuracy of the report, and about the assumptions which underpinned the Daylight Distribution (also known as 'No Sky Line') tests. The applicant's consultant visited a number of properties at 38 Copperfield Street, which lies immediately to the north of the application site, to view the internal layouts. An updated daylight and sunlight report was then submitted in November; the assessment within this officer's report is based on the revised applicant's report. The report assesses the scheme based on the Building Research Establishments (BRE) guidelines on daylight and sunlight.

86. *Location plan of neighbouring properties*

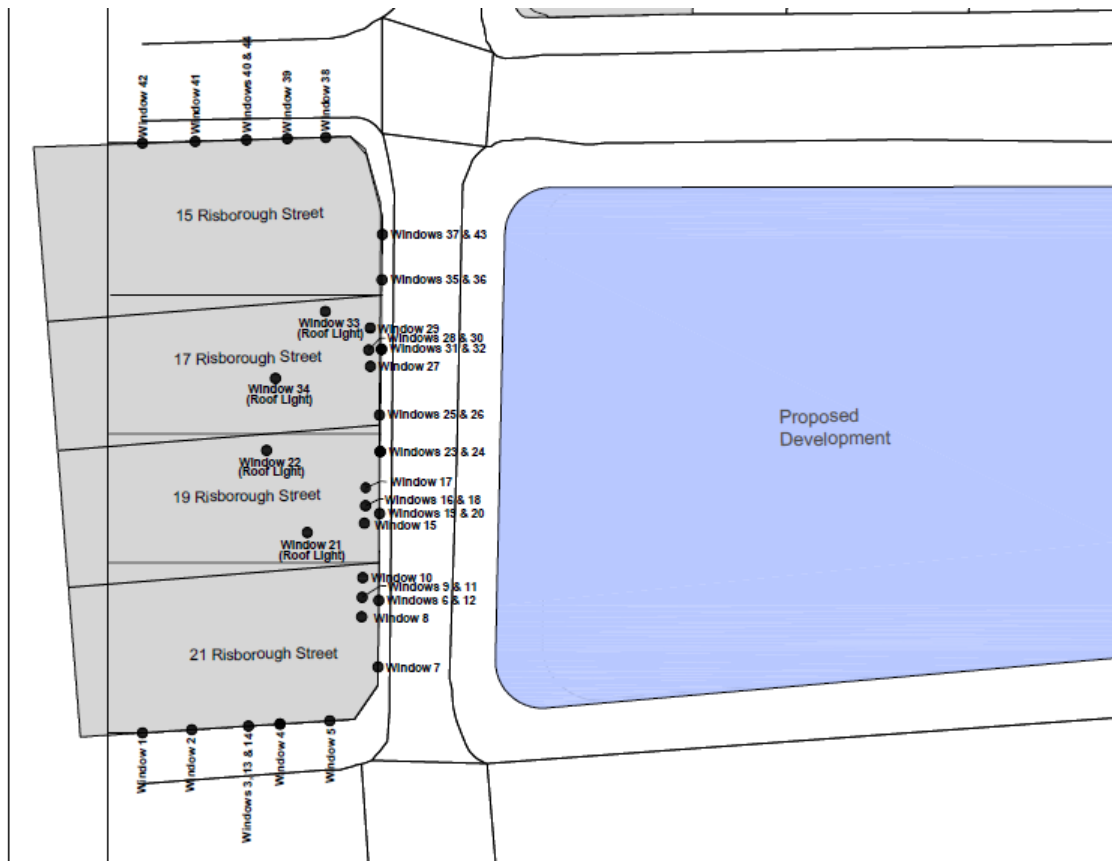


87. *Neighbouring properties windows and terraces.*

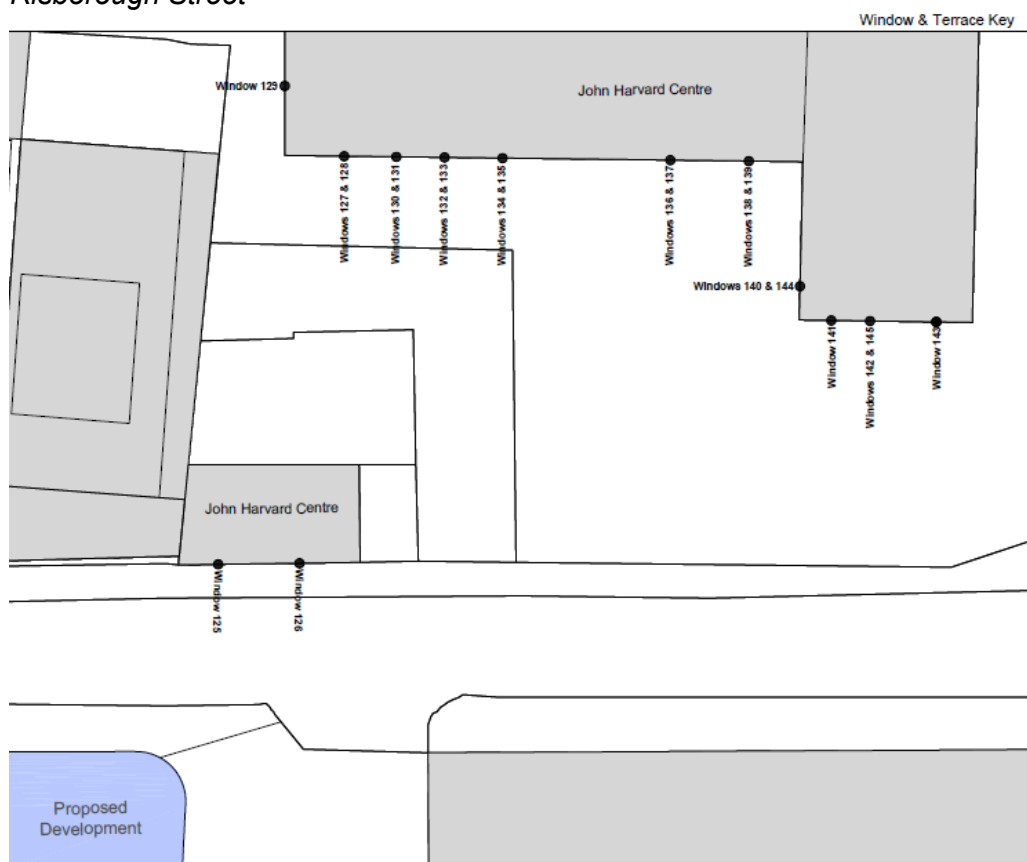


Copperfield Street

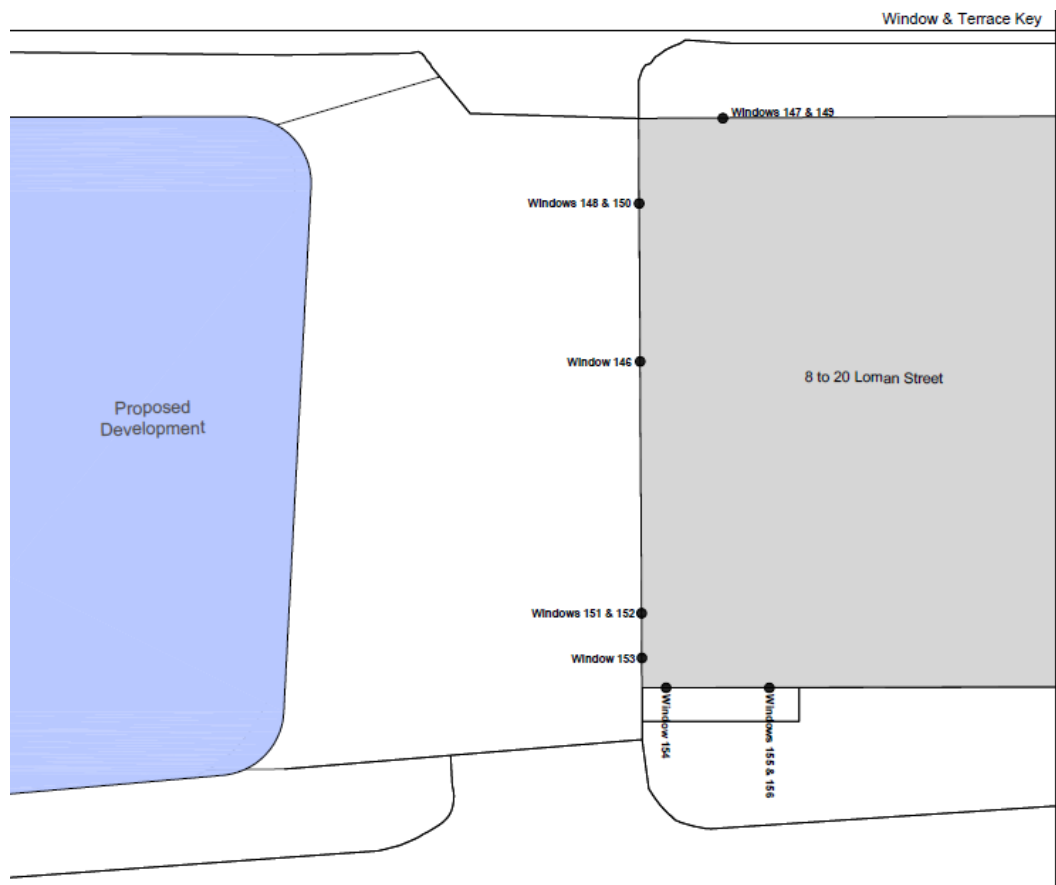
88.

*Risborough Street*

89.

*John Harvard Centre*

90.



8 to 20 Loman Street.

91. The BRE Guidance provides technical reference for the assessment of amenity relating to daylight, sunlight and overshadowing. The guidance within it is not mandatory and should be applied flexibly recognising the characteristics of the place.
92. The BRE sets out the methodology for a number of 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 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. The BRE have determined that the daylight can be reduced by about 20% (or retain 0.80) of their original value before the loss is noticeable.
93. The second method is the No Sky Line (NSL) or Daylight Distribution 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 20% in the area of sky visibility, daylight may be affected. Although this test is widely used, it is less reliable when the layout of rooms is not known, either from an internal inspection, or confirmed internal layout plans.
94. In relation to sunlight, the test is to calculate the annual probable sunlight hours (APSH) taking into account the amount of sun available in both the summer and winter for each given window which faces within 90 degrees of due south. The assessment requires that a window should receive a quarter of annual probable sunlight hours in the summer and at least 5% of sunlight hours during the winter months.

95. The applicant's daylight assessor visited the application site and carried out a photographic survey of the immediately neighbouring properties, being;
- 15 to 21 Risborough Street,
 - 8 to 20 Loman Street,
 - Blackfriars Crown Court,
 - 38 to 46 Copperfield Street,
 - The Cottage on Copperfield Street
 - John Harvard Centre.
96. Following concerns raised by neighbours, who had commissioned their own daylight consultant, the applicant's consultant visited a number of flats and live/work units at 38 Copperfield Street to verify rooms layouts and window positions relative to those rooms. This enabled a more reliable No Sky Line assessment for those properties.
97. In addition, that visit also confirmed the residential use of The Cottage on Copperfield Street which was then included in the amended report.
98. 15 to 21 Risborough Street, 8 to 20 Loman House according to the report appear to be non-residential buildings. The John Harvard Centre and Blackfriars Court are not residential properties. BRE can be applicable to non-residential premises, however judgement needs to be exercised as to how to apply the standards reflecting the expectations for daylight for specific non-residential uses
99. The daylight and sunlight impacts on the following adjoining residential properties have been considered in the submitted daylight report. Some of the key residential windows which were assessed are shown on the images below
100. Results from daylight and sunlight report dated 4th November 2019

Residential Buildings Assessed	Windows Tested	Non-BRE Compliant (VSC)	Non-BRE Complaint Rooms(NSL)
38 Copperfield Street	65	10	3
42 Copperfield Street	22	6	N/A
44-46 Copperfield Street	12	0	N/A
The Cottage Copperfield Street	2	1	N/A

101.	Non-residential buildings assessed	Windows tested	Non-BRE compliant for VSC
	15 Risborough Street*	10	3
	17 Risborough Street	10	7
	19 Risborough Street	10	7
	21 Risborough Street	14	6
	John Harvard Centre	19	0
	8-20 Loman Street	11	5
	Blackfriars Crown Court	55	18

102. * for 15 Risborough Street, No Sky Line (NSL) results have also been given since the layouts are known from plans held by the Council. These results show that 3 of the 4 rooms at the property (served by the 10 windows) meet the BRE guidelines for NSL.

Vertical sky component

38 Copperfield Street

This building has a broadly U-shaped layout behind a brick wall fronting Copperfield Street. It is immediately opposite, and to the north of, the application site. Most of the units are laid out as live/work space, with studio workspaces linked to living accommodation. As the most directly affected residential property, the applicant's consultant has verified room layouts and uses, and provided NSL results as well as VSC results.

The unusual layout of the units, with some deep rooms, and rooms served by high level secondary windows does make the assessment here more complex.

103. All main habitable room windows tested pass the Vertical Sky Component test with the exception of windows 82, 94, 102 to 105, 111, 116, 121 and 122. The retained levels of VSC range from 0.65 to 0.76 which are which are not significantly below the BRE expectations, when seen in the context of a central London location.. The applicants report suggests that part of the reason for these levels is the impact of the side wings of the building, and an overhanging canopy.
104. For windows 121 & 122, these windows appear to be part of an open plan room, and each retains a level of 0.64 of the existing value
105. Several of the rooms are served by large windows looking south towards the application site, and smaller side or high levels windows on alternative faces. These factors have improved the NSL results, in part mitigating the deep floor plans of the rooms. The BRE notes that where an existing building contains rooms lit from one side only and with a depth greater than 5metres, then a greater movement in NSL may be unavoidable. These rooms do benefit from additional windows but the depth of the rooms, over 11 metres in some cases, would mean that the daylight from the main windows would be unable to penetrate to the furthest parts of the room.
106. Whilst the proposed building does impact on these properties, the impacts would not in themselves warrant refusal. Special circumstances stated by the occupiers, relating to their work as artists, could be material, but not of such weight that this would warrant withholding permission.

107.

**38 Copperfield Street**

108.

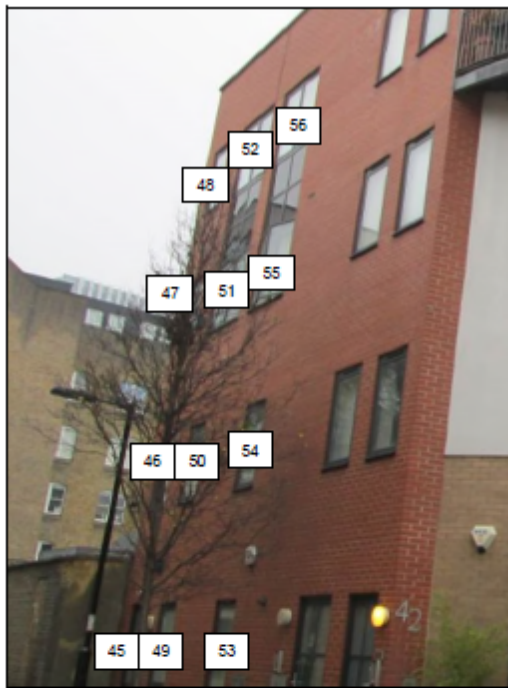
**38 Copperfield Street**

109.

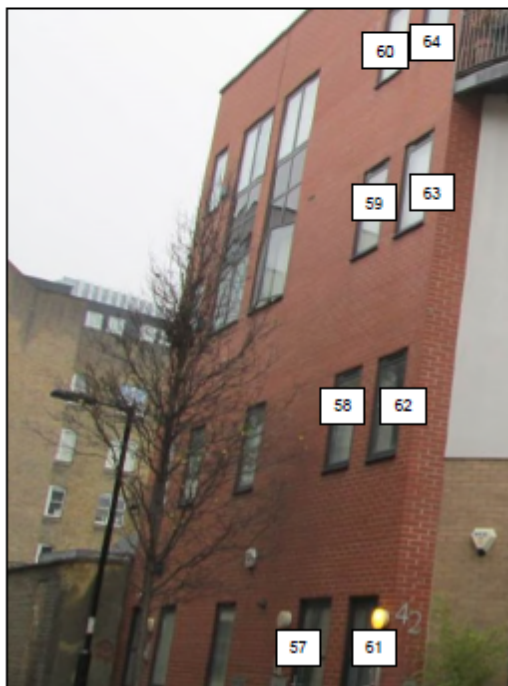
**38 Copperfield Street**42 Copperfield Street

110. All main habitable room windows tested pass the Vertical Sky Component test with the exception of windows 68, 69, 72, 73, plus window 65 which according to the report serves a non-habitable space. The retained levels range from 0.61 to 0.75 of the existing values. If tested without the balconies above, windows 68, 69 and 71 only fall marginally short of the 0.8 BRE recommendation. No verified NSL information was provided for 42 Copperfield Street in the November report.

111.



44 to 46 Copperfield Street



42 Copperfield Street



42 Copperfield Street

44 to 46 Copperfield Street

112. All main habitable room windows tested comfortably pass the Vertical Sky Component test.

The Cottage, Copperfield Street

The amended results confirm a VSC result of 0.79 for window 125 and 0.81 for window 126. In this case, therefore, the one window which fails the VSC test does so by only a marginal amount and the impact is unlikely to be noticeable.



The Cottage

Sunlight to Windows

<u>Residential Buildings assessed</u>	<u>Domestic Windows tested</u>	<u>Non-compliant annual probable hours</u>	<u>Non-compliant winter sun hours</u>
38 Copperfield Street	37	8	13
42 Copperfield Street	17	2	6
44-46 Copperfield Street	12	0	0
The Cottage, Copperfield Street	2	0	0

38 Copperfield Street and 42 Copperfield Street

113. A number of windows at these properties fall short of the sunlight recommendations. At 42 Copperfield Street these include windows 72 and 73 which fall short of the expected annual probable sunlight hours. 6 windows also fall short of the annual winter sunlight hours.
114. At 38 Copperfield Street there are a number of windows that do not meet the BRE requirements for annual probable hours, and a larger number that fail in relation to winter sun.
115. The BRE sets out that sun is important in main living rooms but that kitchens and bedrooms are less important in relation to sunlight. The affected rooms are in a range of uses including living spaces and circulation spaces. The failures in relation to winter sun reflect the fact the access to direct sunlight is more difficult in winter in urban sites due to the low elevation of the sun and the longer shadows cast by dense building forms.
116. All windows tested at 44-46 Copperfield Street passed in terms of annual sunlight and winter sun hours.

Overshadowing to Gardens and Open Spaces

117. The BRE guide recommends that at least 50% of the area of each amenity space listed above should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sunlight on 21 March is less than 0.8 times its former value, then the loss of light is likely to be noticeable.
118. The report suggests that terraces should not be treated in the same way as rear gardens; however, in a city where few have the benefit of conventional gardens, terraces are an important amenity so suggest they should be recognised as such.
119. The results of the overshadowing test show that sunlight availability after the development for one of three terrace areas (terrace 1) at 38 Copperfield Street will be reduced to less than 0.8 times the former value and will not receive 2 hours of direct sunlight to 50% of its area on 21 March. Garden 4 at The Cottage meets the BRE recommendations. The shortfalls overall are therefore marginal within the context of an urban area.

120. Since the level of overshadowing is relatively small in absolute area terms, It is deemed that the proposed development will not have a significantly harmful effect.

121.



38 Copperfield Street



38 Copperfield Street

122. In addition to the above buildings, the tests did consider the neighbouring non-residential buildings at Risborough Street, Loman Street and the Crown Court. The impacts on neighbouring amenity are a material consideration, but must be read in the context of the character of the area and the reasonable expectation of daylight and sunlight for the particular uses. Whilst a number of the commercial occupiers have raised objections based on loss of light to their premises, the impacts could not justify refusal of planning permission. The buildings exist in a dense central area and the remaining light levels, whilst impacted by the development, are not unreasonable in this context.

123. Conclusion on daylight, sunlight and overshadowing

124. It is noted that the majority of windows to neighbouring residential building do retain daylight levels in compliance with BRE recommendations. Where reductions occur beyond the BRE threshold levels, the shortfalls are relatively modest. The BRE cautions that its guidance should be applied flexibly and the retained daylight and sunlight levels for the residential properties are not untypical for a central area. Only limited verifiable information has been submitted to show impact on No Sky Line although it is available for the closest residential buildings. On balance, the impact on neighbours amenity is not sufficiently harmful to warrant refusal of the application when balanced against the benefits of the scheme.

Noise and vibration

125. Proposed plant will result in consequential noise increase and as such noise mitigation is required this will be covered by condition.
126. The proposal would also result in a more intensive use on the site with the likelihood of increased vehicular and pedestrian movement to and from the site. Whilst the nature and usage of the site would be more intensive, it is not considered that this would be unreasonable. As such any deliveries or collections to the commercial units shall only be between the following hours: 08.00 – 20.00hrs on Mon – Sat and 10.00 – 16.00hrs on Sun & Bank Holidays to limit the amenity of neighbouring properties.
127. Given the proximity of the roof top terrace to 15-21 Risborough Street the use of the terrace will also be limited to restricted hours between the hours of 08:00 – 22:00, unless used as a means of escape where the restrictions do not apply.

Transport Issues

128. Core Strategy Strategic Policy 2 encourages walking, cycling and the use of public transport rather than travel by car. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; saved policy 5.3 requires that the needs of pedestrians and cyclists are considered and saved policy 5.6 establishes maximum parking standards.

Accessibility

129. The site has PTAL (public transport accessibility level) of 6b indicating excellent access to public transport. This proposed development is within a short walking distance of Southwark tube station, Waterloo East national rail station and the bus routes on Blackfriars Road at its western side plus the bus routes on Marshalsea Road at its immediate eastern side. Concerning the vehicular trips relating to this development, analysis of comparable sites' travel survey using TRICS database has shown that in the morning or evening peak hours, around 3 net additional two-way vehicle movements would be generated by this development.
130. Footways would be resurfaced under a s278 agreement with the Council, which would create a more safe and comfortable pedestrian environment, and the commitment to attach street lights to the building face would reduce obstructions on the footways. These matters would be secured through the s106 agreement.

Servicing

131. Servicing and delivery activity is proposed to be maintained as on-street from Loman Street. Refuse will be stored at basement level and operatives will have access to the basement via a lift to transfer waste to ground level for collection. The applicant has provided a detailed Construction Management Plan which includes a commitment for its transport contractors to have a 'Silver' standard FORS which covers pedestrian/cyclist safety. A final construction management plan will be submitted for review by condition.

Cycling

132. Cycle parking is required in line with the Draft London Plan standards for long stay spaces. This equates to 1 space per 75 sqm (Long Stay) and 1 space per 500 sqm for visitors. Based on the proposed floor area this equates to 65 long term spaces and 10 visitor spaces. A total of 5 visitor spaces are provided which is a slight reduction on the visitor standards. Given that the visitor and long term parking is provided in the same location, there is plenty of opportunity for visitor demand to be accommodated on the site. Two tiered racks are provided which are on balance acceptable although the council's preferred 'Sheffield' style racks have not been provided. A condition is recommended to secure the full level of visitor parking on site.

Energy and sustainability

133. Policy 5.2 of the London Plan Minimising Carbon Dioxide Emissions that requires development proposals should make the fullest contribution to minimising carbon dioxide and that they should provide an assessment of their energy demands and demonstrate how they have taken steps to apply the Mayor's energy hierarchy. The policy requires commercial development to achieve a 35% saving in regulated carbon emissions relative to the baseline in Part L of the Building Regulations 2013.L. An Energy Strategy and Sustainability Statement have been submitted as part of the application.
134. A series of energy efficient measures are proposed for the development; these include building fabric and optimal g-values to reduce the cooling load, an air handling plant, maximised use of LED and low energy fixtures elsewhere, the use of Air Source Heat Pumps (ASHP) to provide low energy and low carbon heat to the building and provision of onsite Photovoltaics.
135. In accordance with the revised GLA carbon factors as used in their calculations, the development is shown to achieve a total cumulative 45% reduction in carbon emissions compared to the Part L 2013 baseline scheme.
136. In addition to the 45% reduction, the Energy statement also confirms a further 22% reduction in carbon saving is achieved via the use of on-site photovoltaics and the use of Air source heat pumps.
137. An initial BREEAM pre-assessment has been undertaken to develop a strategy for achieving the relevant targets for the proposed building. It has been demonstrated that the development has a strategy in place to achieve a BREEAM 'Excellent' rating with a number of additional initiatives identified to potentially elevate the performance pending further investigations and detailed development. The development is currently targeting a BREEAM score of circa 71% equating to an 'Excellent' rating.

Ecology and biodiversity

138. Due to the nature of the development which is for a larger office building there is limited scope for a range of biodiversity measures, however the applicant has agreed to install either a blue roof or a combination of a blue and green roof to both manage urban water as well as encourage natural habitat.

Trees

139. There are two existing trees located on Copperfield Street, these will be retained as part of the development. To ensure damage is avoided to these trees, an arboricultural statement is required showing the means as to how these trees will be protected from harm caused by the demolition, excavation and all related works associated with the development

Air quality

140. Policy 3.6 of the Southwark Plan states that permission will not be granted for a development that would lead to a reduction in air quality. The site falls within an Air Quality Management Area (AQMA) due to high levels of nitrogen dioxide concentrations attributable to road traffic emissions. Accordingly, an Air Quality Assessment has been submitted which assesses the impact of the scheme in terms of its effect on local air conditions and neighbouring amenity. The council's Environmental Protection Team have advised that any external doors are fitted with automatic closers and that any air intake for ventilation purposes is situated on the rear façade of the development or the façade furthest from emissions sources such as busy roads, although none of the adjoining roads are highly trafficked.

Ground conditions and contamination

141. An Applied Geology Desk Study Report (ref: AG2977-19-AH53, dated: March 2019) has been submitted as part of this application. Based on available information, including the presence of an existing partial depth basement which is likely to have resulted in previous removal of at least some of any plausible historic site contamination, there is considered to be a low to medium risk with regard to human health and Controlled Waters.
142. A phase 2 intrusive report is required to fully assess the ground conditions. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers and neighbours.

Water resources and flood risk

143. The site is located within Flood Zone 3a which is considered to be an area of high risk of flooding due to the proximity of the tidal River Thames. A flood risk assessment has been submitted and recommendations have been made to effectively manage water management as part of the development. Surface water and foul water is to drain by gravity and connect onto the existing combined sewers. Building Floor Levels will also be 300mm higher than the adjacent minimum road channel level where possible to mitigate against localised flooding caused by heavy/intense rain. The applicant has agreed for a green roof to be installed underneath the PV panels to enable effective water management.

Archaeology

144. The site is not within a current Archaeological Priority Zone (APZ) or within the soon to be adopted new Archaeological Priority Area (APA) of 'North Southwark and Roman Roads', but it is immediately adjacent to it. This area of Southwark is known to contain several post-medieval burial grounds and recent excavations at the Old Fire Station on Southwark Bridge Road by PCA (2016) have revealed human burials associated with the St Saviour's Workhouse 'Burying Ground' (shown on Horwood's map of 1813). There are a cluster of burial grounds in the immediate area and some caution must be exercised.
145. An archaeological desk based assessment has been submitted. The assessment shows evidence that *'previous development activities on the Site may have removed the archaeological potential'* and the risk of finding archaeology in this location is reduced. The evidence for this is that the current building is basemented and the site is located on a former feature known as 'Lowmans Pond' - which appears to have been a large gravel extraction quarry, the 'pond' is shown on several historic maps including Morgan (1682), Rocque (1746) and John Strype, in his 1720 Survey of the Cities of London and Westminster refers to 'Lowmans Pond' *"as so called as dug at his Charges, out of a large Peece of Ground"*. On Horwood's map of 1799 the pond appears to be infilled and the site is covered by tenements. The late 18th century infilling of the pond is not deemed to be of high archaeological significance. The historic map evidence does not suggest that any of the nearby burial grounds extend into the site area.
146. In conclusion, appraisal of this application using the submitted desk based assessment, historic map regression, and the Greater London Historic Environment Record (GLHER) indicates that, in this instance, it can be concluded that the archaeological resource would not be compromised by these works. As such no further archaeological assessment, fieldwork or conditions are required because the site lies outside of an APZ, has seen significant development from the historic map record and is outside of the area where significant burial archaeological remains are anticipated.

Planning obligations (S.106 undertaking or agreement)

147. A section 106 agreement is required to ensure that should CAN Mezzanine cease to operate according to their existing charitable objectives to provide affordable workspace to charities and the third sector within a period of 30 years, any subsequent occupier would be obligated provide at least 10% of the floorspace as affordable for the remainder of the 30 year term.
148. The applicant will also be required to enter into a s278 agreement with the Council to renew surfacing on the adjoining footways following construction, including dropped kerbs where needed to facilitate waste collection. An agreement will be required to locate street lamps on the face of the building.
149. Future occupiers would be prevented from being able to obtain parking permits for on street parking (with the exception of Blue Badge holders).
150. In the event that a satisfactory legal agreement has not been entered into by 10th January 2020 it is recommended that the Director of Planning be authorised to refuse planning permission, if appropriate, for the following reason:

The proposal, by failing to secure appropriate planning obligations secured through

the completion of a s106 agreement fails to ensure the protection of the affordable workspace in the event of disposal, and also the secure highway works to mitigate the impacts of development in accordance with saved policy 2.5 of the Southwark Plan 2007, strategic policy 14 of the Core Strategy and policy 8.2 of the London Plan, and the Planning Obligations and Community Infrastructure Levy SPD 2015.

Mayoral and borough community infrastructure levy (CIL)

151. 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.
152. In this instance it is likely that the proposal would not generate MCIL or SCIL as the applicant is a charity and the affordable workspace provision meets their charitable objectives. However, the applicant must submit CIL charitable claim after the grant of planning permission in order to benefit from CIL charitable relief. If not brought forward by CAN under their charitable objectives, the development would be subject to a CIL charge.

Community involvement and engagement

153. Community engagement has focused on residents who lived near or around the site, local councillors, other key stakeholders and CAN customers prior to the submission of the this application. This included three days of public consultation from Thursday 14th February until Saturday 16th February, individual meetings and local media activity to raise the profile of the project.
154. Letters were issued to over 1179 households, inviting feedback through a questionnaire to be filled on the day or to send via a freepost address.
155. CAN Mezzanine offered 30 immediate neighbours individual appointments to discuss the plans with the CEO of CAN, the architect and other members of the project team.
156. All ward members, Planning Committee members and relevant Cabinet Members were also invited to informal briefings in advance of the exhibitions, and to the exhibitions themselves. Details of the consultation have been appended to the report.
157. Following consultation responses, the applicant's daylight consultant visited a number of neighbouring properties to verify room layouts.

Consultation responses, and how the application addresses the concerns raised

Consultation responses from internal and divisional consultees

158. Summarised below are the material planning considerations raised by internal and divisional consultees.

159. Environmental Protection Team:

- A condition is requested to manage the levels of plant noise so that it does not cause unacceptable noise to amenity.
- The external terrace(s) shall not be used, other than for means of escape, between the hours of 08:00 – 22:00.
- 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).
- Any deliveries or collections to the commercial units shall only be between the following hours: 07.00 – 22.00hrs on Mon – Sat and 10.00 – 17.00hrs on Sun & Bank Holidays.
- A Phase 1 sampling strategy shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.

160. Highways and Development Team:

- The applicant will be required to enter into a section 278 agreement to undertake the highway works as stated in detail below.
- All developers are required to renew and upgrade the kerb and footway adjacent to their development to the appropriate materials as specified in our regulating plan and materials palette.
- Repave the footway including new kerbing fronting the development on Copperfield Street, Risborough Street and Loman Street in accordance with the SSDM requirements.
- Reconstruct existing tree pits in accordance to Southwark Street Design Manual (SDSDM) requirements.
- Change all utility covers on footway areas to recessed type covers.
- Provide appropriate dropped kerbs at Loman Street for waste collection purposes.
- Upgrade street lighting to current LBS standards, including on private roads.
- Rectify any damaged footways, kerbs, inspection covers and street furniture due to the construction of the development.

161. Local Economy Team:

- The Local Economy Team confirm support of the redevelopment as it will provide additional affordable office workspace for charities.

162. Ecologist:

- A request has been made that a green roof is installed underneath pvs to encourage biodiversity and natural habitats within the area

Officer response to issue(s) raised:

The applicant originally proposed a blue roof, which would have sustainable urban drainage benefits, however agreement has been sought for a blue roof and green roof combination on the pavilion floor can be provided for the development.

Consultation responses from external consultees

163. Summarised below are the material planning considerations raised by external consultees, along with the officer's response.

164. Environment Agency:

- The Environment Agency were initially concerned that the finished floor levels were not provided for in the assessment and information on finished floor levels to be provided. These have now been provided.

Officer response to issue(s) raised:

The finished floor levels have now been provided and the proposed finished floor levels are now deemed acceptable.

165. Thames Water:

Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Officer response to issue(s) raised:
These comments are noted.

166. Historic England:

- No requirement for comment.

Officer response to issue(s) raised:

Noted.

167. Metropolitan Police:

- The development is suitable to achieve Secured By Design accreditation. It is requested that a **'Secured by Design' condition** for the whole development, is attached to any permission that may be granted in connection with this application and that the wording is such that 'The development must adhere to the principles and physical security requirements of Secured By Design'

Officer response to issue(s) raised:

This is noted and has been agreed by the applicant.

168. These matters are addressed comprehensively in the relevant preceding parts of this report.

Community impact and equalities assessment

169. The Council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
170. The Council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
171. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 2. The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
 3. The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
172. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

Human rights implications

173. 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.
174. This application has the legitimate aim of providing additional office space. 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.

Other matters

175. The proposal was subject to reconsultation on 08th August to consult on the amendments to pavement widths and the reduced setback along the boundary of Olwen House.

CONCLUSION

176. The proposal will would provide additional affordable workspace within the Central Activities Zone within the Borough.
177. The impacts of the scheme in relation to daylight and sunlight are on balance considered acceptable, and whilst there would be departures from the BRE guidelines, the daylight and sunlight levels are still considered adequate for a dense urban area.
178. The scheme does not include any car parking and cycle parking would be provided in accordance with the London Plan (with the shortfall in visitor spaces rectified by condition).
179. A S106 agreement would be secured to ensure continuity of affordable workspace in the event that CAN vacated the premises, and to secure improvements to the neighbouring footways.
180. The development accords with the development plan in terms of providing re-providing and increasing workspace, and makes reasonable provision to protect neighbour amenity.
181. It is therefore recommended that planning permission be granted subject to conditions and the completion of a Section 106 Legal Agreement under the terms as set out above.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1462-32 Application file: 19/AP/1404 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 5840 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Yvonne Sampoh, Planning Officer		
Version	Final		
Dated	21 November 2019		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments sought	Comments included	
Strategic Director of Finance and Governance	No		
Strategic Director, Environment and Leisure	No		
Strategic Director of Housing and Modernisation	No		
Director of Regeneration	No		
Date final report sent to Constitutional Team		22 November 2019	

TP No	TP/1462-32	Site	32-36 LOMAN STREET, LONDON, SE1 0EH		
App. Type	Full Planning Application				
Date Started	25/04/2019	Target Decision Date	22/07/2019	Stat. Expiry Date	25/07/2019

Statutory Consultations

Date Printed	Consultee	Date Created
23/05/2019	Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]	10/05/2019
23/05/2019	Flood and Drainage Team	10/05/2019
23/05/2019	Highway Development Management	10/05/2019
23/05/2019	Ecology Officer	10/05/2019
23/05/2019	Economic Development Team	10/05/2019
23/05/2019	Archaeology Officer	10/05/2019
23/05/2019	Design and Conservation Team	10/05/2019
23/05/2019	Planning Policy	10/05/2019
23/05/2019	Transport Planning Team	10/05/2019
23/05/2019	Urban Forester	10/05/2019
23/05/2019	Environment Agency	10/05/2019
23/05/2019	Thames Water - Development Planning	10/05/2019
23/05/2019	London Fire & Emergency Planning Authority	10/05/2019
23/05/2019	Metropolitan Police Service (Designing out Crime)	10/05/2019
23/05/2019	HIGHWAY LICENSING	21/05/2019
23/05/2019	Waste Management	21/05/2019
23/05/2019	Housing Regeneration Initiatives	21/05/2019
23/05/2019	Transport for London (referable & non-referable app notifications and pre-apps)	21/05/2019
23/05/2019	Network Rail (Planning)	21/05/2019
23/05/2019	Greater London Authority	21/05/2019
23/05/2019	UK Power Networks	21/05/2019
23/05/2019	Historic England	21/05/2019
23/05/2019	London Underground Limited	21/05/2019
23/05/2019	Natural England - London Region & South East Region	21/05/2019

Neighbour Notifications

Date Printed	Address	Date Created
23/05/2019	47-51 GREAT SUFFOLK STREET LONDON SE1 0SR	20/05/2019
23/05/2019	4 RISBOROUGH STREET LONDON SE1 0HE	20/05/2019
23/05/2019	UNIT C 25 COPPERFIELD STREET LONDON SE1 0EN	20/05/2019
23/05/2019	46B COPPERFIELD STREET LONDON SE1 0DY	20/05/2019
23/05/2019	UNIT G 25 COPPERFIELD STREET LONDON SE1 0EN	20/05/2019
23/05/2019	UNIT F 25 COPPERFIELD STREET LONDON SE1 0EN	20/05/2019
23/05/2019	46A COPPERFIELD STREET LONDON SE1 0DY	20/05/2019
23/05/2019	44 LOMAN STREET LONDON SE1 0EH	20/05/2019
23/05/2019	5 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	9 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	7 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	PART FOURTH FLOOR HARPERS 47-51 GREAT SUFFOLK STREET LONDON SE1 0BS	20/05/2019
23/05/2019	1 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	24 PEPPER STREET LONDON SE1 0EB	20/05/2019
23/05/2019	FLAT 18 WHITEHILL HOUSE 9 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 17 WHITEHILL HOUSE 9 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 2 WHITEHILL HOUSE 5 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 19 WHITEHILL HOUSE 9 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 16 WHITEHILL HOUSE 9 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 14 WHITEHILL HOUSE 7 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 12 WHITEHILL HOUSE 7 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 15 WHITEHILL HOUSE 9 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 1 WHITEHILL HOUSE 5 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 9 WHITEHILL HOUSE 7 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 8 WHITEHILL HOUSE 7 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	OLWEN HOUSE 8-20 LOMAN STREET LONDON SE1 0EH	20/05/2019
23/05/2019	FLAT 7 WHITEHILL HOUSE 7 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 4 WHITEHILL HOUSE 5 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 3 WHITEHILL HOUSE 5 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 6 WHITEHILL HOUSE 7 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 5 WHITEHILL HOUSE 5 SAWYER STREET LONDON SE1 0EQ	20/05/2019

23/05/2019	BASEMENT AND GROUND FLOOR REAR 181 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	G32 JERWOOD SPACE 171 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	SECOND FLOOR 181 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	GROUND FLOOR 181 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	111 JERWOOD SPACE 171 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	PART GROUND FLOOR FRONT 47-51 GREAT SUFFOLK STREET LONDON SE1 0SR	20/05/2019
23/05/2019	BASEMENT AND GROUND FLOOR 47-51 GREAT SUFFOLK STREET LONDON SE1 0SR	20/05/2019
23/05/2019	THIRD FLOOR NORTH BLOCK 47-51 GREAT SUFFOLK STREET LONDON SE1 0BS	20/05/2019
23/05/2019	PART FIRST FLOOR 47-51 GREAT SUFFOLK STREET LONDON SE1 0BS	20/05/2019
23/05/2019	GROUND FLOOR 195-205 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	BASEMENT AND FIRST TO FIFTH FLOORS 195-205 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	UNIT E THE COPPERFIELDS COPPERFIELD STREET LONDON SE1 0EN	20/05/2019
23/05/2019	UNIT 3 38 COPPERFIELD STREET LONDON SE1 0EA	20/05/2019
23/05/2019	UNIT 2 38 COPPERFIELD STREET LONDON SE1 0EA	20/05/2019
23/05/2019	UNIT 5 38 COPPERFIELD STREET LONDON SE1 0EA	20/05/2019
23/05/2019	UNIT 4 38 COPPERFIELD STREET LONDON SE1 0EA	20/05/2019
23/05/2019	UNIT 1 38 COPPERFIELD STREET LONDON SE1 0EA	20/05/2019
23/05/2019	13 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	ROGER KING HOUSE 44 COPPERFIELD STREET LONDON SE1 0DY	20/05/2019
23/05/2019	FLAT 11 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	183-185 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	UNIT A THE COPPERFIELDS COPPERFIELD STREET LONDON SE1 0EN	20/05/2019
23/05/2019	FIFTH FLOOR FLAT 47-51 GREAT SUFFOLK STREET LONDON SE1 0SR	20/05/2019
23/05/2019	THIRD FLOOR SOUTH BLOCK 47-51 GREAT SUFFOLK STREET LONDON SE1 0BS	20/05/2019
23/05/2019	UNIT D 25 COPPERFIELD STREET LONDON SE1 0EN	20/05/2019
23/05/2019	171 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	169 UNION STREET LONDON SE1 0LL	20/05/2019
23/05/2019	6 RISBOROUGH STREET LONDON SE1 0HE	20/05/2019
23/05/2019	SECOND FLOOR 1 RISBOROUGH STREET LONDON SE1 0EH	20/05/2019
23/05/2019	SECOND FLOOR AND THIRD FLOOR FLAT 13 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	FIRST FLOOR 1 RISBOROUGH STREET LONDON SE1 0EH	20/05/2019
23/05/2019	GROUND FLOOR 1 RISBOROUGH STREET LONDON SE1 0EH	20/05/2019
23/05/2019	FOURTH FLOOR SOUTH BLOCK 47-51 GREAT SUFFOLK STREET LONDON SE1 0SR	20/05/2019
23/05/2019	FLAT 1 25B COPPERFIELD STREET LONDON SE1 0EN	20/05/2019
23/05/2019	SECOND FLOOR SOUTH BLOCK 47-51 GREAT SUFFOLK STREET LONDON SE1 0SR	20/05/2019
23/05/2019	PART FIRST FLOOR NORTH BLOCK AND PART FIRST FLOOR SOUTH BLOCK 47-51 GREAT SUFFOLK STREET LONDON SE1 0BS	20/05/2019
23/05/2019	FIRST FLOOR 46 COPPERFIELD STREET LONDON SE1 0DY	20/05/2019
23/05/2019	GROUND FLOOR 46 COPPERFIELD STREET LONDON SE1 0DY	20/05/2019
23/05/2019	FIRST FLOOR 5 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	GROUND FLOOR 5 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	FLAT 4 25B COPPERFIELD STREET LONDON SE1 0EN	20/05/2019
23/05/2019	1M03 JERWOOD SPACE 171 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	PART FOURTH FLOOR TRIGRAM PARTNERSHIP 47-51 GREAT SUFFOLK STREET LONDON SE1 0BS	20/05/2019
23/05/2019	FLAT 3 25B COPPERFIELD STREET LONDON SE1 0EN	20/05/2019
23/05/2019	FLAT 2 25B COPPERFIELD STREET LONDON SE1 0EN	20/05/2019
23/05/2019	FIRST FLOOR 181 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	SECOND FLOOR 46 LOMAN STREET LONDON SE1 0EH	20/05/2019
23/05/2019	GROUND FLOOR 46 LOMAN STREET LONDON SE1 0EH	20/05/2019
23/05/2019	THIRD FLOOR 46 LOMAN STREET LONDON SE1 0EH	20/05/2019
23/05/2019	FOURTH FLOOR 46 LOMAN STREET LONDON SE1 0EH	20/05/2019
23/05/2019	GROUND FLOOR 53 GREAT SUFFOLK STREET LONDON SE1 0BS	20/05/2019
23/05/2019	UNIT 7 38 COPPERFIELD STREET LONDON SE1 0EA	20/05/2019
23/05/2019	FIRST FLOOR 46 LOMAN STREET LONDON SE1 0EH	20/05/2019
23/05/2019	SECOND FLOOR 53 GREAT SUFFOLK STREET LONDON SE1 0DB	20/05/2019
23/05/2019	SECOND FLOOR 7 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	BASEMENT 181 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	113 JERWOOD SPACE 171 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	FIRST FLOOR 7 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	12 RISBOROUGH STREET LONDON SE1 0HE	20/05/2019
23/05/2019	GROUND FLOOR 11 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	SECOND FLOOR NORTH BLOCK 47-51 GREAT SUFFOLK STREET LONDON SE1 0SR	20/05/2019
23/05/2019	PART BASEMENT AND PART FIRST FLOOR 169 UNION STREET LONDON SE1 0LL	20/05/2019
23/05/2019	SECOND FLOOR AND MEZZANINE 19 RISBOROUGH STREET LONDON SE1 0HG	20/05/2019
23/05/2019	CELLS CROWN COURT 1 POCOCK STREET LONDON SE1 0BT	20/05/2019
23/05/2019	PART BASEMENT GROUND PART FIRST AND SECOND FLOORS 169 UNION STREET LONDON SE1 0LL	20/05/2019
23/05/2019	GROUND AND FIRST FLOOR 19 RISBOROUGH STREET LONDON SE1 0HG	20/05/2019
23/05/2019	FIRST AND SECOND FLOORS 21 RISBOROUGH STREET LONDON SE1 0HE	20/05/2019
23/05/2019	GROUND FLOOR 21 RISBOROUGH STREET LONDON SE1 0HE	20/05/2019
23/05/2019	SECOND FLOOR AND MEZZANINE 17 RISBOROUGH STREET LONDON SE1 0HE	20/05/2019
23/05/2019	GROUND AND FIRST FLOOR 17 RISBOROUGH STREET LONDON SE1 0HE	20/05/2019
23/05/2019	55 GREAT SUFFOLK STREET LONDON SE1 0BB	20/05/2019
23/05/2019	32-36 LOMAN STREET LONDON SE1 0EH	20/05/2019
23/05/2019	FLAT 11 WHITEHILL HOUSE 7 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	FLAT 10 WHITEHILL HOUSE 7 SAWYER STREET LONDON SE1 0EQ	20/05/2019
23/05/2019	CROWN COURT 1 POCOCK STREET LONDON SE1 0BT	20/05/2019
23/05/2019	UNIT 1 3 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	MAISONETTE FLAT 5 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	FLAT 3 3 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019

23/05/2019	FLAT 2 3 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	201 195-201 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	GROUND FLOOR 15 RISBOROUGH STREET LONDON SE1 0HE	20/05/2019
23/05/2019	UNIT F THE COPPERFIELDS COPPERFIELD STREET LONDON SE1 0EN	20/05/2019
23/05/2019	SECOND FLOOR FLAT 15 RISBOROUGH STREET LONDON SE1 0HE	20/05/2019
23/05/2019	FIRST FLOOR 15 RISBOROUGH STREET LONDON SE1 0HG	20/05/2019
23/05/2019	FIRST FLOOR 53 GREAT SUFFOLK STREET LONDON SE1 0DB	20/05/2019
23/05/2019	FRONT 47-51 GREAT SUFFOLK STREET LONDON SE1 0BS	20/05/2019
23/05/2019	G38 171 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	GROUND FLOOR FRONT 181 UNION STREET LONDON SE1 0LN	20/05/2019
23/05/2019	19 RISBOROUGH STREET LONDON SE1 0HE	20/05/2019
23/05/2019	ADVOCATES CROWN COURT 1 POCOCK STREET LONDON SE1 0BT	20/05/2019
23/05/2019	JURY RESTAURANT CROWN COURT 1 POCOCK STREET LONDON SE1 0BT	20/05/2019
23/05/2019	FIRST FLOOR 9 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
23/05/2019	FOURTH FLOOR MAIN PART 47-51 GREAT SUFFOLK STREET LONDON SE1 0BS	20/05/2019
23/05/2019	21 RISBOROUGH STREET LONDON SE1 0HG	20/05/2019
23/05/2019	SECOND FLOOR 9 RISBOROUGH STREET LONDON SE1 0HF	20/05/2019
10/06/2019	108 Great Guildford St London SE1 0ES	10/06/2019
12/06/2019	Els Correls La Cortinada Ordino, Principat d'Andorra XXXX	12/06/2019
14/06/2019	Brightside 7-14 Great Dover Street SE1 4YR	14/06/2019
14/06/2019	CAN Mezzanine 7-14 Great Dover Street London SE1 4YR	14/06/2019
18/06/2019	5a 38 Copperfield Street London SE1 0EA	18/06/2019
18/06/2019	Studio 4 38 Copperfield Street London SE1 0EA	18/06/2019
18/06/2019	Unit 1 38 Copperfield Street London SE1 0EA	18/06/2019
20/06/2019	Unit 4 38 Copperfield Street London SE1 0EA	20/06/2019
20/06/2019	Fosse House 182 High Street Tonbridge TN9 1BE	27/06/2019

Neighbour Consultee Response List for Application Reg. No. 19/AP/1404

TP No	TP/1462-32	Site	32-36 LOMAN STREET, LONDON, SE1 0EH
App. Type	Full Planning Application	Printed:	03/10/2019 Total: 16

Total number of representations: 14					
In favour:	3	Against:	10	Neutral:	1
Petitions in favour:	0	Petitions against:	0		

Date Received	Address	
17/06/2019	111 JERWOOD SPACE 171 UNION STREET LONDON SE1 0LN	General Comments
13/06/2019	UNIT 3 38 COPPERFIELD STREET LONDON SE1 0EA	Objects
13/06/2019	UNIT 5 38 COPPERFIELD STREET LONDON SE1 0EA	Objects
13/06/2019	UNIT 1 38 COPPERFIELD STREET LONDON SE1 0EA	Objects
17/06/2019	171 UNION STREET LONDON SE1 0LN	
20/08/2019	19 RISBOROUGH STREET LONDON SE1 0HE	Objects
06/06/2019	108 Great Guildford St London SE1 0ES	Objects
10/06/2019	Els Correls La Cortinada Ordino, Principat d'Andorra XXXX	Objects
16/08/2019	Els Correls La Cortinada Ordino, Principat d'Andorra XXXX	Objects
14/06/2019	Brightside 7-14 Great Dover Street SE1 4YR	Supports
14/06/2019	CAN Mezzanine 7-14 Great Dover Street London SE1 4YR	Supports
13/06/2019	5a 38 Copperfield Street London SE1 0EA	Objects
13/06/2019	Studio 4 38 Copperfield Street London SE1 0EA	Objects
14/06/2019	Unit 1 38 Copperfield Street London SE1 0EA	Objects
20/06/2019	Unit 4 38 Copperfield Street London SE1 0EA	Objects
24/06/2019	Fosse House 182 High Street Tonbridge TN9 1BE	Supports

PLANNING PERMISSION

LBS Registered Number: 19/AP/1404

Date of issue of this decision:



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LBS Reg. No.: 19/AP/1404

Date of Issue of Decision:

Applicant The Helen Taylor Thompson Foundation Limited

Planning Permission was GRANTED WITH LEGAL AGREEMENT for the following development:

Demolition of the existing four storey office building with basement and redevelopment of the site to provide a new seven storey office building plus basement (Use Class B1)

At 32-36 Loman Street London SE1 0EH

In accordance with the valid application received on 25 April 2019 and supporting documents submitted which can be viewed on our Planning Register.

For the reasons outlined in the case officer's report, which is also available on the Planning Register.

The Planning Register can be viewed at: <https://planning.southwark.gov.uk/online-applications/>

CONDITIONS

Permission is subject to the following Approved Plans Condition:

- 1 The development shall be carried out in accordance with the following approved plans:

Reference no./Plan or document name/Rev.

Received on:

P-300 PROPOSED EAST ELEVATION	
P-201 PROPOSED SECTION B-B	
P-200 PROPOSED SECTION A-A	
P-101 FIRST FLOOR PLAN (Rev: REV B)	
P-102 SECOND FLOOR PLAN (Rev: REV A)	
P-103 THIRD FLOOR PLAN (Rev: REV A)	
P-104 FOURTH FLOOR PLAN (Rev: REV A)	
P-105 FIFTH FLOOR PLAN (Rev: REV A)	
P-106 SIXTH FLOOR PLAN (Rev: REV A)	
P-107 PLANT ROOM LEVEL (Rev: REV A)	
P-108 ROOF LEVEL RENEWABLES (Rev: REV A)	
P-200 SECTION AA (Rev: REV B)	
P-301 PROPOSED NORTH ELEVATIONS (Rev: REV A)	

Continued overleaf...

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DRAFT**PLANNING PERMISSION****LBS Registered Number:** 19/AP/1404**Date of issue of this decision:**

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P-303 PROPOSED SOUTH ELEVATION (Rev: REV A)
P-100 GROUND FLOOR PLAN (Rev: REV C)
P_099 LOWER GROUND FLOOR (Rev: REV A)
P-304 PROPOSED ELEVATION (Rev: REV A)

Reason:

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

Permission is subject to the following Time Limit:

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.

Permission is subject to the following Pre-Commencements Condition(s)

3. SITE CONTAMINATION - PRE-APPROVAL

a) Prior to the commencement of any development (excluding demolition), a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.

i) A Phase 1 sampling strategy shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.

ii) Any subsequent Phase 2 (site investigation and risk assessment) shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.

b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development, other than works required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

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PLANNING PERMISSION

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c) Prior to the occupation of the development and following the completion of any required remediation works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed shall be submitted to and approved in writing by the Local Planning Authority.

d) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2019.

4. TREE PROTECTION MEASURES AND WORKS

Prior to works commencing, including any demolition, an Arboricultural Method Statement including an Arboricultural Survey shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

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The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

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

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2019 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

5. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

No development shall take place, including any works of demolition, until a written CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to construction site management and to use all best endeavours to minimise off-site impacts, and will include the following information:

- o A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
- o Site perimeter continuous automated noise, dust and vibration monitoring;
- o Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
- o Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
- o A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;
- o Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.

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To follow current best construction practice, including the following:-

- o Southwark Council's Technical Guide for Demolition & Construction at <http://www.southwark.gov.uk/noise-and-antisocial-behaviour/construction-noise>
- o S61 of Control of Pollution Act 1974,
- o The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition',
- o The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',
- o BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
- o BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration,
- o BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- o Relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended & NRMM London emission standards <http://nrmm.london/>
- o The Party Wall Act 1996
- o Relevant CIRIA practice notes, and
- o BRE practice notes.

All demolition and construction work shall be undertaken in strict accordance with the approved CEMP and other relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy (2011), Saved Policy 3.2 'Protection of amenity' of the Southwark Plan (2007), and the National Planning Policy Framework (2019).

Permission is subject to the following Grade Condition(s)

6. SAMPLE MATERIALS/PANELS/BOARDS

Prior to above grade works commencing, material samples/sample-panels/sample-boards of all external facing materials to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

PLANNING PERMISSION**LBS Registered Number:** 19/AP/1404**Date of issue of this decision:**www.southwark.gov.uk**Reason:**

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

7. CONSTRUCTION DETAILS

Prior to commencement of works above grade (excluding demolition), detail drawings at a scale of 1:5 or 1:10 through:

- i) all facade variations; and
- ii) all parapets and roof edges

to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing.

The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with the National Planning Policy Framework 2019, Policy 7.7 Location and Design of Tall Buildings of the London Plan 2016, Strategic Policy SP12 'Design & Conservation - of the Core Strategy (2011) and Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; and 3.20 Tall buildings of The Southwark Plan (2007).

8. GREEN AND BLUE ROOFS

i) Before any above grade work (excluding demolition) hereby authorised begins, details of the green and blue roofs proposed for that Block shall be submitted to and approved in writing by the Local Planning Authority. The green or blue roofs 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 green, or blue roofs shall be carried out strictly in accordance with the details approved and shall be maintained as such thereafter. Discharge of this condition will be granted on receiving the details of the green, brown and blue roofs and Southwark Council agreeing the submitted plans.

ii) Once the roofs 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

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of habitats and valuable areas for biodiversity in accordance with policy 5.11 of the London Plan 2016, Saved Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

9. HARD AND SOFT LANDSCAPING

Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason:

So that the Council may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2019; Strategic Policies 11 (Open Spaces and Wildlife), 12 (Design and conservation) and 13 (High Environmental Standards) of The Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) 3.13 (Urban Design) and 3.28 (Biodiversity) of the Southwark Plan 2007.

10. CYCLE STORAGE

Before any above grade work hereby authorised begins (excluding demolition), the following shall be submitted to and approved in writing by the Local Planning Authority:

a) 1:50 scale drawings of the facilities to be provided for the secure and covered storage of cycles.

Thereafter the cycle parking 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:

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of

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transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2019, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

11. SECURE BY DESIGN APPLICATION

Prior to any works above grade, evidence of the submission of an application for Secure By Design Accreditation from the Metropolitan Police, along with details of security measures proposed, shall be submitted and approved in writing by the Local Planning Authority.

Reason:

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark Plan 2007.

Permission is subject to the following Pre-Occupation Condition(s)**12. SECURE BY DESIGN ACCREDITATION**

Before the first occupation of the building hereby permitted evidence that Secure By Design Accreditation has been awarded by the Metropolitan Police and that all approve security measures have been implemented shall be submitted to and approved by the Local Planning Authority.

Reason:

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark Plan 2007.

Permission is subject to the following Compliance Condition(s)**13. PLANT NOISE - PRE-APPROVAL**

The Rated sound level from any plant, together with any associated ducting shall not

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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. Prior to the plant being commissioned a validation test shall be carried out following completion of the development. The results shall be submitted to the LPA for approval in writing. The plant and equipment shall be installed and constructed in accordance with the approval given and shall be permanently maintained thereafter.

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 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

14. SERVICING HOURS

Any deliveries or collections to the commercial units shall only be between the following hours:

07.00 - 22.00hrs on Mon - Sat, and;
10.00 - 17.00hrs on Sun & Bank Holidays.

Reason:

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

15. COMMERICAL TERRACE HOURS OF USE

The external terrace(s) shall not be used, other than for means of escape, between the hours of 08:00 - 22:00.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with Strategic Policy 13 High Environmental Standards of the Core Strategy 2011, Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007), and the National Planning Policy Framework 2019.

16. ENERGY EFFICIENCY

The development hereby permitted shall be constructed to include the energy

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efficiency measures and photovoltaic panels as stated in the Energy Statement submitted in support of the application. All measures and technologies shall remain for as long as the development is occupied.

Reason:

To ensure the development complies with the National Planning Policy Framework 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy and Policy 5.7 Renewable Energy of the London Plan 2016.

17. EXTERNAL LIGHTING

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 2019, 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.

Permission is subject to the following Special Condition(s)

18. BREEAM REPORT AND POST-CONSTRUCTION REVIEW

i) Prior to 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.

ii) Before the first occupation of the commercial use within the development 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 have been met.

Reason:

To ensure the proposal complies with The National Planning Policy Framework 2019, 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

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2007.

Signed:

Simon Bevan

Director of Planning

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IMPORTANT NOTES TO THE APPLICANT RELATING TO THE COUNCIL'S DECISION	
<u>Conditions</u>	
1.	If permission has been granted you will see that it may be subject to a number of planning conditions. They are an integral part of our decision on your application and are important because they describe how we require you to carry out the approved work or operate the premises. It is YOUR responsibility to comply fully with them. Please pay particular attention to those conditions which have to be met before work commences, such as obtaining approval for the siting and levels of buildings and the protection of trees on the site. If you do not comply with all the conditions in full this may invalidate the permission.
2.	Further information about how to comply with planning conditions can be found at: https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12
3.	Please note that there is a right of appeal against a planning condition. Further information can be found at: https://www.planningportal.co.uk/info/200207/appeals/108/types_of_appeal
<u>National Planning Policy Framework</u>	
4.	In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.
<u>Appeal to the Secretary of State</u>	
5.	If you are aggrieved by this decision of the council as the local planning authority to grant permission subject to conditions you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
6.	If you appeal you must do so within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
7.	If you do decide to appeal you can do so using The Planning Inspectorate's online appeals service. You can find the service through the appeals area of the Planning Portal at www.planningportal.gov.uk/pcs . You can also appeal by completing the appropriate form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN [tel. 0117-3726372]. The form can also be downloaded from the Inspectorate's website at www.planning-inspectorate.gov.uk . The Planning Inspectorate will publish details of your appeal on the internet on the appeals area of the

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<p>Planning Portal. This may include a copy of the original planning application from and relevant supporting documents supplied to the council by you or your agent, together with the completed appeal form and information you submit to The Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information belonging to someone else please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.</p>	
<p><u>Purchase Notice</u></p>	
8.	If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.
<p><u>Provisions for the Benefit of the Disabled</u></p>	
9.	Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides: (i) Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act]. (ii) Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act]. (iii) Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
10.	Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DfEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.
<p><u>Other Approvals Required Prior to the Implementation of Planning Permission</u></p>	
11.	The granting of planning permission does not relieve the developer of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities [including the London Borough of Southwark] entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property.
<p><u>Works Affecting the Public Highway</u></p>	
12.	You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.

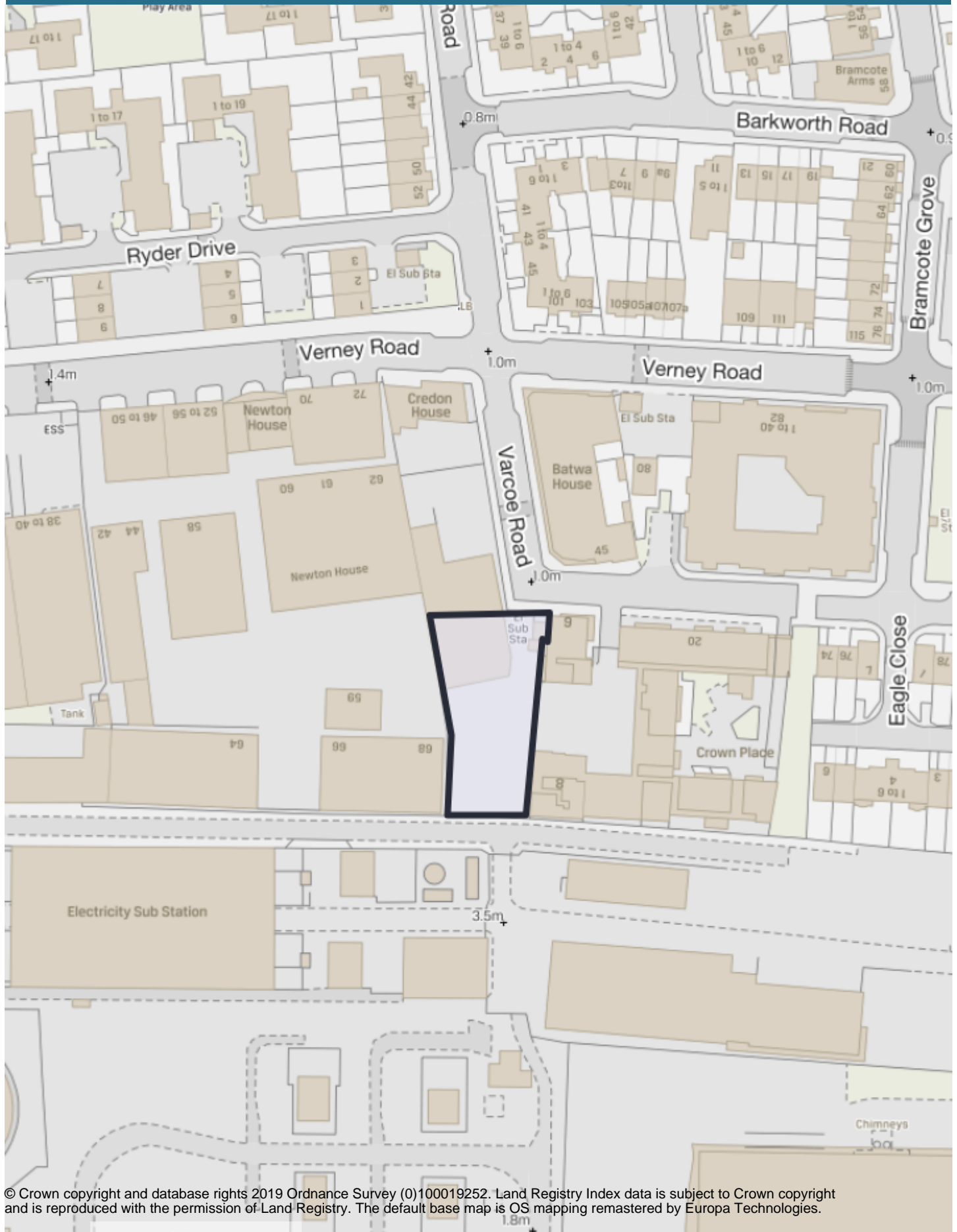
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<u>The Dulwich Estate Scheme of Management</u>	
13.	Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].
<u>Building Regulations</u>	
14.	You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].
<u>The Party Wall Etc. Act 1996.</u>	
15.	You are advised that you must notify all affected neighbours of work to an existing wall or floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a neighbouring building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].
<u>Important:</u>	
16.	This is a PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.

32-36 Loman Street London SE1 0EH (ref 19/AP/1404) ;

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Item No.	Classification:	Date:	Meeting Name:
7.2	Open	3 December 2019	Planning Committee
Report title:	Development Management planning application: Application 18/AP/2895 for: Full Planning Application Address: 2 VARCOE ROAD, LONDON, SE16 3DG Proposal: Demolition of existing buildings and erection of a new mixed use development comprising a part 7, part 9 storey (maximum height above ground of 29.99m) building of 288sqm commercial floor space (Use Class B1) and 74 residential dwellings (Use Class C3) with associated bin stores, cycle stores, plant rooms and hard and soft landscaping.		
Ward(s) or groups affected:	Old Kent Road		
From:	Director of Planning		
Application Start Date 19/09/2018		Application Expiry Date 19/12/2018	
Earliest Decision Date 28/10/2018			

RECOMMENDATION

1. That the Planning Committee grant planning permission, subject to:
 - a) Conditions and the applicant entering into an appropriate legal agreement by no later than 3 March 2020
 - b) In the event that the requirements of (a) are not met by 3 March 2020. that the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 202 of this report.

EXECUTIVE SUMMARY AND UPDATE

2. This major application seeks to redevelop an existing industrial yard and storage building on the south eastern side of Varcoe Road to provide a mixed-use commercial and residential development of 74 units and 288sqm of B1 commercial floorspace. The scheme is located in a Strategic Preferred Industrial Location and would represent a departure from policy by virtue of proposing the introduction of residential accommodation to a Preferred Industrial Location.
3. This item was heard at the last Planning Committee meeting on 12th November 2019 and was deferred as a number of issues needed to be addressed. There are

four main points and these are:

- Improve the outlook and access to natural light to the “galley” kitchens located in the northern core;
- Distribution of affordable housing across both northern and southern cores and;
- Proportion of social rented and intermediate units to be fully policy compliant.
- - North boundary with the adjoining Pocket Living development (1 Varcoe Road).

4. Since the meeting, the applicant has reviewed these issues that Members raised and have made revisions to the plans to overcome the concerns. This item is therefore being reported back to Members and a summary is provided below to explain these amendments.

Outlook of the galley kitchens

5. The applicant has reviewed the internal layouts of the 12 units at the north end of the building next to the Pocket Living site with separate “galley” kitchens; with a view to provide open plan ‘living/dining/kitchen’ space where possible. Further illustrative information has been provided to clarify the nature and appearance of the separation between the living space and the galley kitchens, which shows the glass opening walls proposed providing enhanced visual openness and the ability of the future occupier to open or close the kitchen to the living space. Two of the flats on the fifth and sixth floor levels (Unit No. 48 and 59) have also been revised to show open plan living/kitchen/dining rooms and these achieve the daylight values for an urban location.

Distribution of affordable housing

6. The proposal now achieves a mixed distribution of the affordable provision across both cores. The seven units of intermediate provision are now proposed within that part of the block served by the south core. Correspondingly, seven private market units have been allocated to that part of block served by the north core. The north core would continue to serve 24 homes, of which 17 are social rented and 7 are private market, whilst the south core would continue to serve 50 homes, of which 7 would be of intermediate tenure. The 7 market rate units in the northern core have been distributed within the core with a minimum of one market rate unit and one social rented unit per floor. Similarly, the 7 affordable units introduced into the southern core have been distributed over 7 floors. The revised housing mix results in every floor accessed from each core (bar one) having a minimum of one private market and one affordable unit.
7. The revised distribution would achieve a more inclusive mix of tenures and encourage community cohesion without giving rise to any long-term management issues that could undermine the long-term affordability of the social rented homes. The overall number of affordable homes remains unchanged at 24 dwellings.

Proportion of social rented and intermediate units

8. Members questioned if the proposal could be amended to achieve the emerging New Southwark Plan Policy P1 in regard to the percentages of 25% social rented and 10% intermediate across all proposed floorspace. The percentage of social rented was previously proposed at 24.5% and with the revisions now proposed this would be 25.3% social rented and 10% intermediate when calculated by habitable rooms. The total affordable offer is at 35.3%.

9.

Units	No. Social rented	No. Intermediate
1B2P	7	2
2B3P/2B4P	7	5
3B4P	3	0

North boundary

10. Members raised concerns about the gap at the northern boundary of the application site with the adjacent Pocket Living development. The gap falls outside of the application site and control of the applicant. There is no public access proposed into this space and the design passes "Secure by Design" criteria. In addition, the applicant has secured a licence to access the space for construction and future building maintenance purposes.
11. These revisions to the proposal follow from the comments made by the Members of the Committee during the course of their consideration of the application; and the proposal has been revised to accord with the points enumerated by the Chair at the 12 November committee meeting. Officers consider that these points have been addressed and the scheme is considered to be acceptable and the recommendation remains as that set out previously for the 12 November meeting.

Structure of this report

12. The main report is appended to this update and Members should note that certain paragraphs would be superseded and updated accordingly. These paragraphs are as follows: 30, 87, 89, 91.
13. The applicant has committed to providing 35.3% affordable housing by habitable rooms which equates to 24 affordable units, with a proposed tenure split of approximately 25% social rented and 10% intermediate by habitable rooms. There would be the potential for uplift in jobs on the site through the re-provision of good quality commercial space that would be more compatible with the neighbouring uses, which comprise residential to the north and east of the site.
14. The proposed building is part 7/part 9 storeys and would be of a high quality design and deliver the master-planning and aspirations of the draft Old Kent Road Area Action Plan. The ground floor provides an active frontage.
15. The proposed development would have limited impacts on neighbouring properties in terms of privacy and outlook. Daylight and sunlight impacts are not considered to

be so adverse to significantly impact on the amenity of neighbouring residents.

16. The proposed units would have good standard residential accommodation with appropriate mitigation measures to ensure noise levels internally are met as well as ensuring noise complaints against future commercial occupiers are minimised.
17. The proposal would be car free and future occupiers would be prevented from obtaining parking permits on the surrounding streets should a controlled parking zone be introduced. A s106 contribution would be required to improve local bus infrastructure.
18. The proposal would incorporate measures to reduce its carbon dioxide emissions, and a contribution to the Council's Carbon Off-set Green Fund would be secured through a s106 agreement. Conditions are recommended to ensure that ground contamination, surface water drainage, archaeology and ecology would be adequately dealt with.
19. Overall, the clear benefits of the proposal are considered to outweigh the limited harm caused, and it is recommended that planning permission be granted, subject to conditions and a s106 agreement.

Site location and description

20. The application site currently comprises an industrial yard and storage building (B8 Class use). The existing building is a single storey pitched roof brick shed with access from Varcoe Road. The whole site measures 0.12 hectares.
21. It falls within a mixed residential and industrial area. Immediately to the west of the site is an industrial yard with associated buildings, yard and car parking (occupied by the T Marchant Industrial Estate). To the east of the site are two blocks of flats, known as Crown Place. To the north of the site was a former service station (1 Varcoe Road) which had a building and an open yard used for vehicle storage whilst they await repair, but planning permission was recently granted (under ref 16/AP/5235 dated 28/09/2017) for a 6 to 8 storey residential building with commercial and retail at ground floor. Upon site visit, this development has been implemented and still under construction.
22. The south part of the site was historically part of the Surrey Canal. Further south of the site is Southwark's Integrated Waste Management Facility (IWMF) and the New Cross Electricity Substation.
23. The site is within the following policy designations:
 - Urban Density Zone
 - Preferred Industrial Location (Strategic)
 - Air Quality Management Area (AQMA)
 - Bermondsey Lake Archaeological Priority Zone (APZ)
24. The site is also within the Old Kent Road Opportunity Area: Sub Area 3 – Sandgate Street and Verney Road (specifically OKR13). The site also falls within a Site Allocation (NSP67) outlined in the emerging New Southwark Plan.

25. The site is also within the adopted London Plan's Strategic Industrial Land (SIL).
26. The site is not within a conservation area and buildings are not listed. There are no nearby heritage assets in its immediate setting. The Grade II listed gasholder to the south is not within immediate views of this application site. The site has an official PTAL rating of 1b and is also within Flood Zone 3.

Figure 1: Aerial view of the site

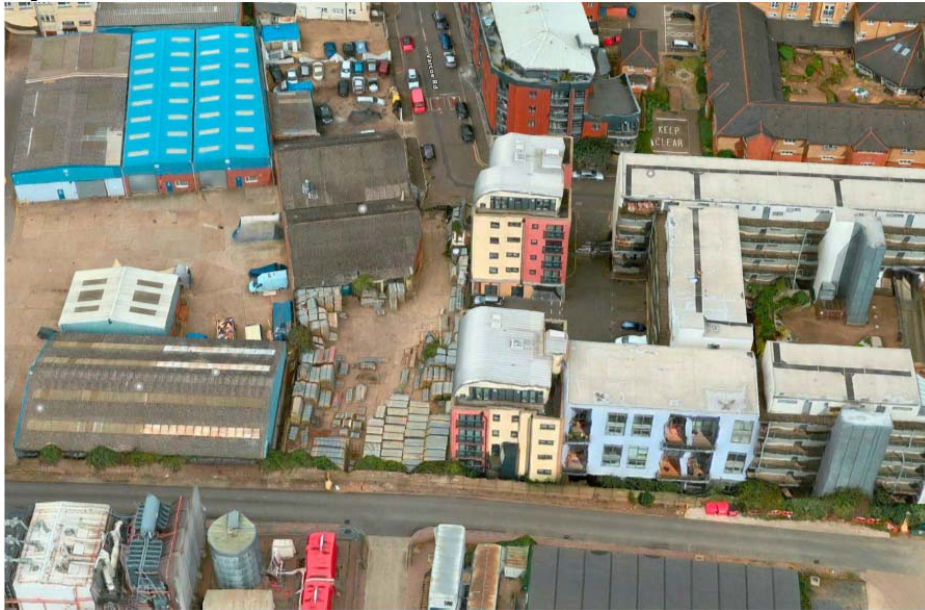
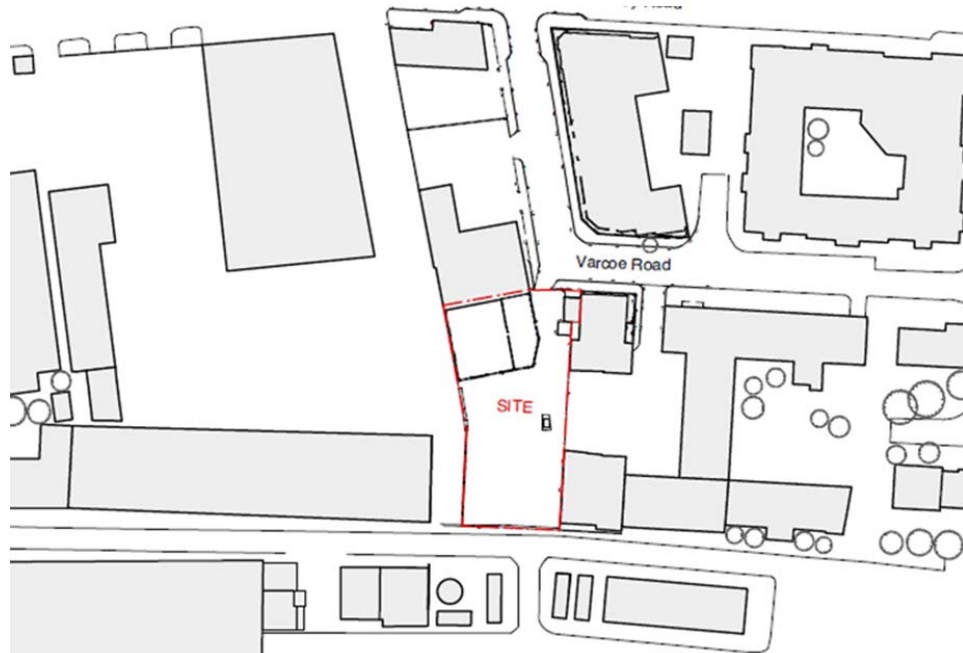


Figure 2: The site



Details of proposal

27. The application has been amended following discussions with the applicant. It is now proposed to demolish the existing building and redevelop the site to provide a part 7, part 9 storey building (max 29.99m high) to accommodate 288sqm commercial floor space (Use Class B1) and 74 residential dwellings (Use Class C3) with associated bin stores, cycle stores, plant rooms and hard and soft landscaping.

Table: The mix of dwellings are as follows:

	Number of units	Percentage (%)
1 bedroom unit	37	50
2 bedroom unit	34	45.9
3 bedroom unit	3	4.1
Total	74	100

28. The height of the building has been reduced so that the total maximum height of the building would be 29.99m from the finished ground level. There was a basement proposed, which has now been omitted from the proposal.
29. Private amenity space is provided in the form of balconies and a communal garden and play space on the 7th floor for all tenures.

30. The following paragraph has been amended in accordance with paragraphs 3 to 12 in the executive summary.

The scheme shall deliver 24 units as affordable housing to meet local housing needs, which represents 35.1% of all habitable rooms and 32.4% of all residential units as affordable. There shall be 17x social rented and 7x intermediate units which are accessed from the core in the northern part of the site with the private units accessed from the southern core.

31. Access to the commercial and residential uses would be from Varcoe Road, each with individual entrances, circulation space and cycle storage. The pick-up and drop-off area provided at the north eastern corner of the site off Varcoe Road allows for servicing to take place off-street and turn around within the development site to leave in forward gear. Refuse storage are proposed on the ground floor and collection will take place from the double yellow lines located in the immediate vicinity of the site access, off Varcoe Road.



Figure 3: CGI of development looking from the north west including adjoining development at 1 Varcoe Road.



Figure 4: CGI of development looking from the east including adjoining development 1 Varcoe Road.

Planning history

32. There is no relevant planning history on the site.

Planning history of adjoining sites

33. The most recent and relevant history on adjoining sites are at 1 Varcoe Road:

Ref 16/AP/5235 Planning permission granted 28/09/2017

Demolition of existing building and development comprising a part six, part 7 and part eight storey building to accommodate 57 new affordable residential units (Use Class C3) and provision of flexible employment / retail space on ground floor (Use Class B1, A1-A3).

Ref 18/AP/1535 Planning permission granted 26/07/2018

Non-material amendments to planning permission 16-AP-5235 for 'Demolition of existing building and development comprising a part six, part 7 and part eight storey building to accommodate 57 new affordable residential units (Use Class C3) and provision of flexible employment / retail space on ground floor (Use Class B1, A1-A3).' consisting of:

- a) Adjustment to the finished floor levels resulting in the overall building height increasing by 2 bricks.
- b) Enclosure of communal resident space by fire-rated partitions;
- c) Change two lower internal communal spaces from a triple storey stair and single storey communal room to a double storey stair and communal room; fenestration to west elevation amended accordingly.
- d) Internal layout of ground floor plant spaces reconfigured to accommodate further structural and services coordination.
- e) Internal layout of ground floor commercial spaces reconfigured to accommodate further structural and services coordination.

- f) Reconfiguration of ground floor fenestration to west elevation (rear light well) to accommodate new windows to the commercial space and adjacent louvers to plant areas adjusted following further services coordination.
- g) Podium terrace landscape updated with planters and furniture.
- h) Internal plan for Unit Type B amended following fire strategy update and further coordination with structure and services.
- i) Internal plan for Unit Type C (wheelchair housing unit) amended following fire strategy update and further coordination with structure and services.
- j) Layout of 6th and 7th floor rooftop amenity spaces amended to accommodate landscaping; planters and benches added, footprint of brick piers increased and aluminium cladding removed from rear of the terrace and replaced with brick.
- k) Boiler flue heights adjusted on roof.
- l) Size of window to top of stairs adjusted due to further structural and services coordination.
- m) Layout of high level roofs adjusted due to further services coordination.
- n) Addition of ground floor PPC mild steel gate at the end of the east elevation to control access to the rear of the building from the street.
- o) Refinement of the reconstituted stone façade profiles to coordinate with the brick coursing.

Ref 19/AP/1993 Planning permission granted 01/08/2019

Non-material amendment to planning permission 16/AP/5235 (Demolition of existing building and development comprising a part six, part 7 and part eight storey building to accommodate 57 new affordable residential units (Use Class C3) and provision of flexible employment / retail space on ground floor [Use Class B1, A1-A3]) for the following changes:

- Minor adjustment to the location of opening doors for the employment/ retail space on ground floor;
- Double doors along the rear elevation on the ground have been changed to single doors;
- Double door to bin store has been changed to single opening door and fixed panel;
- Change of the opening direction of the door into the escape stair on floor 1 to 5;
- Bathrooms in two of the dwellings have been adjusted to achieve a Building Regulations M4(3) compliant lay out; and
- Minor adjustments to the smoke shaft system with as a result the fans from the northern shaft being located on the roof.

Other permissions have been granted to discharge the conditions and s106 obligations of planning permission 16/AP/5235.

4-28 Varcoe Road (also known as Crown Place)

The most relevant planning history for this site is:

Ref 07/AP/2375 Planning permission granted 06/02/2008

Re-development of existing site with two blocks of part five / part six storeys comprising one commercial unit on the ground floor, and 18 self contained flats on upper floors with associated car parking and cycle storage.

There are other decisions relating to the amendments of the above planning permission.

Sumner Works, 76-78 Verney Road (also now known as Batwa House)

Ref 03/AP/1278 Planning permission granted 01/11/2004

Redevelopment of site to provide 45 residential units (comprising 8x1 bed, 31x2 bed and 5x3 bed flats) in a block of part three/ part six storeys together with associated car parking (14 spaces) and amenity space.

Ref 05/AP/2118 Planning permission granted 21/12/2006

Redevelopment of site to provide 45 residential units (comprising of 10 x 1 bed, 28 x 2 bed, 1 x 2 bed (wheelchair), 6 x 3 bed flats) in a block of part 3/part 6 storeys together with parking. Resubmission. Amendments to approved development 03-AP-1278 including a reduction in on-site car parking from 14 spaces to 13 spaces, modifications to elevational treatment and minor changes to the roof and window fenestration and alterations to the dwelling mix.

SUMMARY OF CONSULTATION RESPONSES

34. At the time of writing, a total of 2 neighbour responses have been received. The objections raised by the residents are summarised below:
- Concerns over the lack of car parking on site given the car free scheme approved to the north. Currently there is one access road which already presents parking difficulties and access to buildings.
 - Consideration of the height of the buildings and its compliance with the Area Action Plan.
 - Concern that there may be loss of light to Batwa House and Crown Place apartments and the two adjacent blocks.
 - No provision of jobs which is envisaged in the Area Action Plan.
 - Unaffordable high rise developments and would not meet the need for housing in London. The development should be in line with the Area Action Plan.
 - Neighbours have not received postal notification of this application.
 - Suggest that planting is required to the northern edge of the roof terrace in order to provide screening and prevent overlooking of the roof garden of 1 Varcoe Road which is currently in construction.

Officers response:

- 35.
- The site has a PTAL of 3 (under the manual assessment of the PTAL rating). The applicant has demonstrated in their Transport Assessment that there would not be any impact on the local highway network. This is further discussed in the Transport section of the report.
 - The height of the building at a maximum 9 storeys is considered to be appropriate given the changing townscape of the Old Kent Area. It is not considered to be excessive given the consented scheme immediately to the north and the immediate area is generally between 6 to 8 storeys.
 - Following review of the submitted daylight and sunlight assessment, there

would be impacts on the neighbouring buildings, but it is not considered to be of a level that would significantly impact on the neighbours' amenity.

- The proposed commercial unit on the ground floor would provide a greater employment density than the existing scaffolding yard.
- A policy compliant of at least 35% affordable housing (based on habitable rooms) is proposed.
- Letters sent to local residents, the display of a site notice and a notice in the local press has been undertaken and this satisfies consultation requirements by the Local Planning Authority.
- Details of the communal rooftop amenity space will be secured by condition and the northern boundary could have appropriate planting or other treatment to limit any overlooking onto 1 Varcoe Road.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

36. The main issues to be considered in respect of this application are:
- Principle in terms of land use, including consideration of emerging policy for the Old Kent Road Opportunity Area;
 - Environmental impact assessment;
 - Provision of commercial space
 - Affordable housing;
 - Design issues, including height, scale and massing;
 - Housing mix;
 - Quality of accommodation;
 - Impact upon the amenity of neighbouring residential and commercial occupiers and the surrounding area;
 - Transport issues;
 - Ecology
 - Planning obligations (Section 106 Undertaking or Agreement);
 - Sustainable development implications;
 - Other matters

Adopted planning policy

National Planning Policy Framework (NPPF)

37. The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
38. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
39. Chapter 2 Achieving sustainable development
Chapter 5 Delivering a sufficient supply of homes
Chapter 6 Building a strong, competitive economy]

Chapter 8 Promoting healthy and safe communities
 Chapter 9 Promoting sustainable transport
 Chapter 11 Making effective use of land
 Chapter 12 Achieving well-designed places
 Chapter 14 Meeting the challenge of climate change, flooding and coastal change
 Chapter 15 Conserving and enhancing the natural environment
 Chapter 16 Conserving and enhancing the historic environment

London Plan 2016

40. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:
41.
 - Policy 2.17 Strategic Industrial locations
 - Policy 3.3 Increasing housing supply
 - Policy 3.5 Quality and design of housing developments
 - Policy 3.6 Children and young people's play and informal recreation facilities
 - Policy 3.8 Housing choice
 - Policy 3.9 Mixed and balanced communities
 - Policy 3.10 Definition of affordable housing
 - Policy 3.11 Affordable housing targets
 - Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
 - Policy 3.13 Affordable housing thresholds
 - Policy 4.3 Mixed use development and offices
 - Policy 4.4 Managing industrial land and premises
 - Policy 5.7 Renewable energy
 - Policy 5.8 Innovative energy technologies
 - Policy 5.11 Green roofs and development site environs
 - Policy 5.12 Flood risk management
 - Policy 5.13 Sustainable drainage
 - Policy 5.21 Contaminated land
 - Policy 6.9 Cycling
 - Policy 6.10 Walking
 - Policy 6.13 Parking
 - Policy 7.2 An inclusive environment
 - Policy 7.3 Designing out crime
 - Policy 7.4 Local character
 - Policy 7.6 Architecture
 - Policy 7.8 Heritage assets and archaeology
 - Policy 7.21 Trees and woodlands
 - Policy 8.2 Planning obligations
 - Policy 8.3 Community infrastructure levy
42. The London Plan 2016 identifies the Old Kent Road as an Opportunity Area with "significant potential for residential - led development along the Old Kent Road corridor" and identified an indicative employment capacity of 1,000 and a minimum of 2,500 new homes. Opportunity areas are described in the London Plan 2016 as London's major reservoirs of brownfield land with significant capacity to accommodate new housing, commercial and other development linked to existing or potential improvements to public transport accessibility.

43. Policy 2.13 in the London Plan 2016 sets out the strategic policy for the development and intensification of opportunity areas. Annex 1 includes an indicative capacity for Old Kent Road of 2,500 homes and 1,000 jobs and supports the development of a planning framework to realise the area's full growth potential. It goes on to state that the employment and minimum homes figures should be explored further and refined in a planning framework for the area and through a review of the Strategic Industrial Location and capacity to accommodate a phased rationalisation of its functions in the opportunity area or a provision elsewhere.

Core Strategy 2011

44. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:
45. Strategic policy 1 - Sustainable development
 Strategic policy 2 - Sustainable transport
 Strategic policy 5 - Providing new homes
 Strategic policy 6 - Homes for people on different incomes
 Strategic policy 7 - Family homes
 Strategic policy 10 - Jobs and businesses
 Strategic policy 11 - Open spaces and wildlife
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards
 Strategic policy 14 - Implementation and delivery

Southwark Plan 2007 (saved policies)

46. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:
47. 1.1 - Access to employment opportunities
 1.2 - Strategic and local preferred industrial locations
 1.5 - Small businesses
 2.5 - Planning obligations
 3.2 - Protection of amenity
 3.3 - Sustainability assessment
 3.4 - Energy efficiency
 3.6 - Air quality
 3.7 - Waste reduction
 3.9 - Water
 3.11 - Efficient use of land
 3.12 - Quality in design
 3.13 - Urban design
 3.14 - Designing out crime

- 3.19 - Archaeology
- 3.28 - Biodiversity
- 4.2 - Quality of residential accommodation
- 4.3 - Mix of dwellings
- 4.4 - Affordable housing
- 4.5 - Wheelchair affordable housing
- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.6 - Car parking
- 5.7 - Parking standards for disabled people and the mobility impaired

Council's Supplementary Planning Document (SPD)

- 48. Sustainable design and construction SPD (2009)
- Sustainability assessments SPD (2009)
- Sustainable Transport SPD (2010)
- Affordable housing SPD (2008 - Adopted and 2011 - Draft)
- Residential Design Standards SPD (2015)
- Section 106 Planning Obligations and Community Infrastructure Levy (2015)
- Development Viability SPD (2016)

Greater London Authority Supplementary Guidance

- 49. Housing SPG (2016)
- Providing for Children and Young People's Play and Informal Recreation (2008)
- Use of planning obligations in the funding of Crossrail (2010)
- Affordable Housing and Viability SPG (2017)

Emerging planning policy

Draft New London Plan

- 50. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Minor suggested changes to the plan were published on 13th August 2018 and an Examination in Public (EIP) began on 15th January 2019. Further suggested changes to the Plan have been proposed by the Mayor and published in response to the EIP Panel of Inspector's matters at the examination sessions. The EIP continued until May 2019 and until the London Plan reaches formal adoption it can only be attributed limited weight. The draft New London Plan identifies the Old Kent Road as having a minimum capacity for housing of 12,000 and a jobs target of 5,000, which increases the capacity of the adopted London Plan of 2,500 homes and 1,000 jobs.

Old Kent Road Area Action Plan (OKR AAP)

- 51. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent Road area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. Consultation has been underway for 3 years, with a first draft published in 2016. A further preferred option of the Old Kent Road AAP (Regulation 18) was published in

December 2017 and concluded consultation on 21st March 2018. As the document is still in draft form, it can only be attributed very limited weight.

52. Whilst acknowledging this very limited weight, members are advised that the draft OKR AAP places the application site within the proposed Action Area Core, and within proposal site OKR 13 which covers the Sandgate Street, Verney Road and Old Kent road (South) area. Requirements for this allocation site include replacement of existing employment floor space and provision of housing.

New Southwark Plan

53. For the last 5 years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. It is anticipated that the plan will be adopted in 2019 following an Examination in Public (EIP). Similarly with the OKR AAP, as the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.
54. The site is within the part of the site allocation NSP67 'Sandgate Street and Verney Road'. The vision for this area is for new homes (Class C3), retail (Classes A1-A4 on the Old Kent Road frontage, community uses (Class D), employment (Class B uses), community uses (Class D) and public open space including Surrey Canal Linear Park.

Principle in terms of land use, including consideration of emerging policy for the Old Kent Road Opportunity Area

55. The site is located in the Core Strategy's Preferred Industrial Location-Strategic (SPIL) and also within the London Plan's Strategic Industrial Location (SIL) which is an industrial location of strategic importance as identified in the Core Strategy and the London Plan. Introducing housing here would therefore represent a departure from the adopted Southwark and London Plan.
56. Strategic policy 10 of the Core Strategy states that the SPIL will be protected for industrial and warehousing uses. The Core Strategy does, however, recognise that structural changes in the economy are resulting in a declining need for industrial land in London. The Core Strategy also recognises that diversifying the range of job opportunities in the industrial locations into new sectors would benefit local people. Further, it sets out the future direction of Old Kent Road as a growth and regeneration action area, subject to a future area action plan (AAP).
57. Saved Southwark Plan policy 1.2 states that the only developments that will be permitted in SPILs are B class uses and other sui generis uses which are inappropriate in residential areas.
58. Adopted London Plan policy 2.17 seeks to promote, manage and where appropriate, protect the Strategic Industrial Land as London's main reservoir of

industrial and related capacity, which includes general and light industrial uses. It states that developments on Strategic Industrial Land should be refused unless they provide for broad industrial type activities, are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework, meet the needs of small to medium sized enterprises or provide for small scale 'walk to' services for industrial occupiers such as workplace crèches or cafes.

59. The London Plan designates the Old Kent Road as an opportunity area, with an indicative capacity of 1,000 new jobs and a minimum of 2,500 new homes, which has been increased to a minimum of 12,000 in the emerging London Plan. It identifies the potential for residential-led development along the Old Kent Road corridor, with homes and jobs targets to be explored and further refined through the preparation of a planning framework and a review of the Old Kent Road Strategic Industrial Location.

The Old Kent Road Area Action Plan (OKR AAP)

60. The emerging OKR AAP sets targets of a total of 20,000 new homes and 10,000 new jobs as well as new infrastructure, including parks and schools. It proposes the release of a substantial part of the Preferred Industrial Location designation to allow for the creation of mixed use neighbourhoods, so that new and existing businesses are designed to co-exist with new homes.
61. The emerging AAP contains proposals for an innovative mix of industrial and residential uses in a detailed master planning approach across the Opportunity area, including phased rationalisation of and proposed new sites for SIL. While the draft new London Plan and OKR AAP currently have limited or very limited weight in planning decisions, it is important to note the future strategic direction envisaged for the Old Kent Road in the adopted London Plan as further policy is being developed in line with the aspirations of Southwark Council and the Mayor for the designated opportunity area.
62. As stated above, the OKR AAP places the site within the proposed Action Area Core, and within proposal site OKR 13 which covers the Sandgate and Verney Road area.
63. Emerging policy AAP6 of the OKR AAP states that development must retain or increase the amount of B Class floorspace on site, accommodate existing businesses on site or in the wider Old Kent Road Opportunity Area or provide relocation options for businesses that would be displaced by redevelopment and result in an increase in the number of jobs provided. It also requires the workspace to be managed by a specialist provider and for an element of affordable workspace to be provided.
64. Paragraph 48 of the NPPF states that weight can be afforded to relevant policies in emerging plans depending on the stage of preparation of the plan. The New Southwark Plan and OKR AAP have been subject to extensive consultation however they have yet to be subject to independent examination and therefore the documents have limited weight. They do, however, provide an indication of the direction of travel for planning policy in the opportunity area.

65. It is noted that the Draft London Plan Policy E5 confirms that non SIL uses within SIL should be refused unless there has been a strategically co-ordinated process of SIL consolidation carried out through a planning framework or Development Plan document review process (and adopted as policy in a Development Plan), or as part of a co-ordinated masterplanning process in collaboration with the GLA.
66. The OKR AAP and New Southwark Plan proposes the release of significant areas of OKR SIL and would have resulted in the loss of much important industrial capacity within the OKR AAP area. However, these concerns have subsequently been addressed with the GLA and the Council agreeing an approach to phasing the release of protected industrial land for mixed use development in the Old Kent Road Opportunity Area.
67. Although the proposed development is on SIL, given the coordinated approach to the managed release of industrial land set out above, the proposed land uses are considered appropriate in strategic planning terms and generally comply with London Plan Policies. Members should, however, note that even with this agreement in place the draft OKR AAP and New Southwark Plan (NSP) would still need to be subject to an Examination in Public (EiP) and the Secretary of State's approval before they become the adopted development plan position.
68. The site area is 0.12 hectares and currently accommodates 275sqm of existing industrial floorspace within a warehouse building. The remainder of the site is an open yard for scaffolds. The scheme had originally proposed residential on the ground floor, but following discussions with the applicant, this has been omitted and the central part of the ground floor would now provide 288sqm of B class floorspace, a slight increase over the existing provision.
69. Notwithstanding the above, in determining whether the principle of the proposed development would be acceptable in land use terms, specifically the introduction of housing in the SPIL, Members need to consider whether the wider regeneration benefits of the scheme would outweigh any harm caused, and whether those benefits would therefore justify a departure from the adopted planning policy.
70. Officers consider that the key benefits arising from the proposal would be as follows.

Regeneration of industrial areas

71. There is a need for the borough to balance the protection and enhancement of industrial sites with the delivery of other aspirations and requirements, including increasing housing provision.
72. It has been identified that future employment uses in the old Kent Road will require a mixture of spaces suitable for a broad mix of uses, including small –medium logistics, light industrial, small office and co-working space, which should be provided in a mixture of building typologies that should be well adapted with good servicing provision with access to upper floors and fit out.

Employment floorspace

73. As explained above, there would now be the provision of employment use on the ground floor level. This would be an enhanced B class space and would potentially increase the number of jobs created on the site. It has been calculated that a range of 6 to 24 Full-time Equivalent (FTE) jobs for managed workspace could be provided with the proposal over the potential 4 FTE jobs that a retained storage and distribution space could support. To meet the policy requirements and to improve the likelihood of B1(c) occupiers leasing the units, it is recommended that the internal B1(c) fit out of the proposed commercial units would be secured through condition and a clause in the Section 106 Agreement. The space will be conditioned to be used for B1(c) use only.

Business relocation and retention

74. The existing business and operation on the site is for a scaffolding company. It is understood that the company has been operating on the site since the 1960s and over time the business has grown and operations have been migrated to much larger sites in London. The site has therefore been made largely redundant and has been used as excess storage. It is therefore considered that there are no issues in respect of business relocation and retention.

Job creation

75. The proposed enhanced commercial floor space would result in an increase in both the number and quality of jobs when compared with the existing operations on site and is a positive aspect of the proposal as explained above.

Affordable workspace

76. The applicant has agreed to provide an element of affordable workspace within the scheme comprising 10% of the commercial floorspace. The applicant has agreed the rents to be at £11 per sqft over a 15 year period, which is considered appropriate and is marginally more than those levels that have been agreed on other sites in the Old Kent Road area. The applicant has accepted this level. The rents would be subject to inflation over this time. The level of rent would make the space affordable to creative industries and businesses and ensure businesses that require low rents have the opportunity to lease space within the area.

Specialist workspace provider

77. The employment space has been designed to be flexible so that it could accommodate a range of different unit sizes and shared workspaces. Details of a specialist workspace provider could be secured through a s106 planning obligation.

Provision of housing, including affordable housing

78. The scheme would provide 24 new residential units, including policy compliant affordable housing comprising social rented and intermediate units in terms of habitable rooms. There is a pressing need for housing in the borough. The adopted London Plan (2016) requires the provision of a range of housing and sets the

borough a target of 27,362 new homes between 2015 and 2025. This is reinforced through Strategic Policy 5 of the Core Strategy which requires development to meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive areas, particularly growth areas. It would also be in accordance with emerging policy for the Old Kent Road Opportunity Area and the expectation of significant new housing provision.

Impact of the proposed residential use

79. It is recognised that the introduction of residential units could restrict and prejudice the operation of existing businesses in the area. Given the changing nature of the uses now carried out within the area, it is not felt that these businesses would be prejudiced and they could continue to operate and co-exist with the introduction of new residential uses provided schemes are well designed for this mix. Residential accommodation within a mixed use context is already established within the immediate area. A residential development block is currently under construction at 1 Varcoe Road and to the east of the site are already established residential apartments. This mixed use development was considered to be a benefit to the area and the introduction of housing would not prejudice the operation of existing businesses of the area.

Prematurity

80. The most up to date development plan pertinent to the Old Kent Road area is the 2016 London Plan. This identifies the Old Kent Road Opportunity Area as having significant potential for housing lead growth. The AAP has been developed in response to this adopted plan and has also sought to address the emerging policy position of the draft New London Plan including the increased housing target for the opportunity area and the need to ensure that the New London Plan aspirations for industrial land and employment are addressed. This scheme is not considered to undermine either the strategic or local plan making process, and reflects the adopted statutory development plan position of the 2016 London plan and the direction of travel of the draft New Southwark Plan and the 2016 and 2017 draft AAPs and the 2018 draft New London Plan. It is not therefore considered to be premature.

Conclusion on land use

81. To conclude in relation to land uses, the proposed development would be contrary to strategic policy 10 of the Core Strategy and saved policy 1.2 of the Southwark Plan owing to the introduction of residential into the SPIL would represent a departure from the adopted development plan.
82. This must therefore be weighed against the benefits of the scheme which include:
 - the provision of housing, of which 35.1% would be affordable;
 - re-provision of enhanced commercial floorspace;
 - the provision of good quality, flexible commercial space;
 - job creation
 - active frontage

- delivery of affordable workspace
- Optimised use of the site.

83. Some limited weight can be attached to the NSP and OKR AAP at present, given that they have been subject of extensive consultation and the emerging policies would support the proposal. Given the changing character of the area, it is not felt that the introduction of housing would prejudice the operation of existing businesses in the area. Job creation and new housing would be in accordance with the London Plan (2016) requirements for the Old Kent Road Opportunity Area. For these reasons, officers consider that the principle of the proposed development in land use terms should be supported in this instance.

Environmental impact assessment

84. The applicant did not make a screening request to determine whether an Environmental Impact Assessment (EIA) is required in respect of the proposed development due to the size and scale of the proposed scheme. The proposed development would not constitute EIA development and accordingly does not need to be supported by an Environmental Statement.

Affordable housing

85. Strategic Policy 6 of the Core Strategy 'Homes for People on Different Incomes' requires at least 35% of the residential units to be affordable. For developments of 15 or more units affordable housing is calculated as a percentage of the habitable rooms and further information on this can be found in the Council's draft Affordable Housing SPD (2011). All of the affordable units should be provided on site and a mix of housing types and sizes is required. In accordance with Saved Policy 4.5 of the Southwark Plan, for every affordable housing unit which complies with the wheelchair design standards one less affordable habitable room will be required.
86. The Southwark Plan saved policy 4.4 requires at least 35% of all new housing as affordable housing. Of that 35%, there is a requirement for 50% social housing and 50% intermediate housing in the Old Kent Road Action Area. The adopted London Plan 2016 sets a strategic requirement of 60% social housing and 40% intermediate housing. The emerging NSP Policy P1 sets a requirement for a minimum of 25% of all the housing to be provided as social rented and a minimum of 10% intermediate housing to be provided, this equates to 71.5% social housing and 28.5% intermediate housing.
87. The following paragraph has been amended in accordance with paragraphs 3 to 12 in the executive summary.

In total, 188 habitable rooms would be provided in the development. The development would provide a total of 66 affordable habitable rooms which would equate to an overall provision of 35.1%. The level of provision is therefore acceptable and policy compliant. Viability information has been submitted which supports the delivery of the quantum of affordable housing proposed. Consultants acting on behalf of the Council have reviewed the assessment and concludes that the scheme is effectively in a breakeven position and is considered marginally viable on this basis.

88. A standard policy compliant 35% habitable rooms offer would equate to 65.8 affordable habitable rooms, with 25% social rent at 47 habitable rooms, and 10% Intermediate at 18.8 habitable rooms.
89. The following paragraph has been amended in accordance with paragraphs 3 to 12 in the executive summary.

The proposed 35.1% habitable rooms offered would have a split of 46 social rent habitable rooms (69.7%) and 10.6 Intermediate habitable rooms (30.3%) as seen in the table below. Whilst the above split falls short of the 71.5% social and 28.5 intermediate, this is only a very marginal deviation.

Table: Affordable mix

Number of bedrooms	Affordable tenure (habitable rooms)		Number of affordable units	Percentage (%)
	Social	Intermediate		
One bedroom	16	2	9	37.5
Two bedrooms	18	18	12	50
Three bedrooms	12	0	3	12.5
Total	46 (69.7%)	20 (30.3%)	24	100

90. Overall, the proposal would provide a total of 24 affordable units in a mix of unit sizes A Section 106 agreement is recommended to secure the delivery of these units, including a clause preventing more than 50% of the private units from being occupied until the affordable units have been completed.
91. The following paragraph has been amended in accordance with paragraphs 3 to 12 in the executive summary.

The affordable and private units each have their separate entrance, circulation and cores. The affordable is located in the northern section of the building (7 storeys), with the private units located in the southern element. The two tenures are separated by the ground floor commercial space.

Housing Mix

92. Core Strategy Strategic Policy 7, 'Family Homes', requires a housing mix of at least 60% dwellings with two or more bedrooms, with 20% having at least three bedrooms. No more than 5% of the units should be studios, and these can only be for private housing. This is reiterated in emerging policy in the draft OKR AAP and the NSP.

93. The proposed housing mix is summarised in the table:

Unit Type	Units	Percentage of total number of units
1 bed	37	50%
2 bed	34	45.9%
3 bed	3	4.1%
Total	74	100%

94. The proposal would also fall short of the above housing policy requirements with 50% of the dwellings having two or more bedrooms and 4% having three bedrooms. For the affordable housing however, the mix is much improved to the policy position, with 62.5% having two or more bedrooms and 12.5% having three bedrooms. This affordable mix is welcomed despite the shortfall for the scheme overall, which reflects the challenge of planning a relatively narrow site, which is constrained by the developments that immediately adjoin it.
95. Officers consider that the wider benefits of the scheme including an improved affordable rent level for workspace outlined in this report would outweigh any harm caused by this shortfall in the housing mix.

Wheelchair accommodation

96. The London Plan Policy 3.8 requires 10% of new housing to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Saved Policy 4.3 of the Southwark Plan support this, requiring 10% of new dwellings to be suitable for wheelchair users, except where this is not possible due to the physical constraints of the site.
97. The applicant has confirmed that a total of 7 units would be wheelchair accessible. Following review of the scheme and discussions with the applicant, 3 of the units would be allocated as intermediate with the remaining 4 in the private tenure.

Density

98. Policy 3.4 Optimising Housing Potential of the London Plan 2016 states that development should optimise housing output for different types of location within the relevant density range shown in Table 3.2 of the Plan. It also requires local context, the design principles and public transport capacity to be taken into account. Strategic Policy 5 - Providing new homes of the Core Strategy sets out the density ranges that residential and mixed use developments would be expected to meet.
99. As the site is located within the Urban Zone, a density range of 200 to 700 habitable rooms per hectare (HR/Ha) would be sought. In order for a higher density to be acceptable, the development would need to meet the criteria for exceptional design as set out in section 2.2 of the Residential Design Standards SPD 2015.
100. The development as a whole would have a density of approximately 1,633HR/Ha (including the commercial floorspace). Since the maximum upper limit of 700HR/Ha would be significantly exceeded, the development would need to demonstrate that it

would be excellent in relation to housing and design quality. If it can be demonstrated that an excellent standard of accommodation would be provided, makes an exceptional contribution to the regeneration of the area, and the response to context and impact on amenity to existing occupiers is acceptable, then it is considered that the high density in this Opportunity Area location would not raise any issues to warrant withholding permission. There is a pressing need to optimise the use of land in London, particularly in Opportunity Areas. The proposal would result in a good standard of accommodation, with many of the 'exemplary' requirements of the Southwark Residential Design Standards SPD 2015 met. This is summarised in the table below with full assessment and commentary provided in other sections of the report.

Exemplary residential design criteria from Southwark Residential Design Standards SPD	Commentary
Provide for bulk storage	Each of the proposed units would provide for built in storage that would meet or exceed the standards set in the Residential Design SPD.
Exceed minimum privacy distances	Minimum privacy distances would be exceeded between habitable rooms. The development is designed to avoid direct overlooking.
Good sunlight and daylight standards	The majority of the units would have good sunlight and daylight standards achieved. This is further explained in this report.
Exceed minimum ceiling heights of 2.3m	All rooms within the proposed dwelling would exceed the minimum 2.6 metre ceiling height.
Exceed amenity space standards (both private and communal)	The amenity space proposed is set out in the subsequent section on outdoor amenity space, <i>Children's Play Space and Public Open Space</i> section of this report. Where the recommended 10 sqm private amenity space has not been met, the shortfall has been included as communal amenity space in line with the Residential Design Standards SPD.
Secure by Design certification	This scheme would achieve Secured by Design Accreditation. Conditions to require this are recommended
No more than 5% studio flats	No studio flats are proposed.

Maximise the potential of the site	The potential of this site would be maximised, delivering improved commercial floor space, new dwellings achieving an exemplary standard of design, outdoor space and play space, without compromising local visual or residential amenity.
Include a minimum 10% of units that are suitable for wheelchair users	10% of the proposed units would be suitable for wheelchair users.
Excellent accessibility within buildings	The accessibility within the buildings would be excellent.
Exceptional environmental performance	The development is capable of achieving BREEAM "excellent" upon fit out of the commercial units; a condition to this effect has been included. The development would need to make a £111,168 carbon off set payment contribution as the residential element is not capable of delivering zero carbon homes. The applicant has agreed to make the payment which makes this aspect of the scheme fully policy compliant.
Minimised of noise nuisance between flats through vertical stacking of similar room types	The plans submitted demonstrate that a very good level of stacking has been achieved where kitchens are stacked above kitchens and bedrooms over bedrooms. There are just some instances where this stacking would not be achieved where the floorplans change. However, these instances are few and the noise impact assessment demonstrates that the internal noise levels could be achieved and as such is considered to be acceptable. This is explained in further detail in this report.
Make a positive contribution to local context, character and communities	The proposed development would make a positive contribution to local context, character and communities in terms of its quality of design and regeneration benefits including affordable housing, workspace and investment in local transport and public space.
Include a predominance of dual aspects units	59% of the total units (43 units) proposed would be dual aspect. 71% of the

	affordable units would have dual aspect and 50% of the private units would have dual aspect.
Have natural light and ventilation in all kitchens and bathrooms	All kitchens would benefit from natural light and ventilation due to their open plan configuration. Bathrooms on the other hand would not achieve this as all bathrooms would be internalised but will benefit from mechanical ventilation.
At least 60% of units contain two or more bedrooms	The proposed development proposes that 50% of the total number of units across all tenures would have two or more bedrooms, falling short of the 60% requirement. The dwelling mix within the affordable tenure is however at 72.5%, which is a positive aspect of the proposal.
Significantly, exceed the minimum floor space standards	All units would meet the minimum space standards.
Minimise corridor lengths by having additional cores	No more than 6 flats per core is proposed, complying with the Mayor's Housing Design SPG which advises no more than 8 flats per core.

101. For the reasons detailed in the above paragraph and table, the higher density proposed would not compromise the quality of accommodation and the impacts of the development would be acceptable. It is therefore considered that the exceedance of the density threshold would not warrant withholding permission.

Quality of accommodation

102. Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The standards in relation to internal layout are set out in the adopted Residential Design Standards SPD 2015 and include guidance on overlooking standards as well as requiring the predominance of dual aspect accommodation. The above table summarised some elements of the design and how it is considered to be of exemplary standard. The following paragraphs discuss the internal daylight within the proposed residential units, overlooking issues, amenity space, child play space and noise implications.



Figure 5: Typical layout on upper floors

Internal daylight within the proposed residential units

103. A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted which considers daylight to the proposed dwellings using the Average Daylight Factor (ADF). ADF is a measure of the overall amount of diffuse daylight within a room. It is the average of the daylight factors across the working plane within a room. ADF determines the natural internal light or daylight appearance of a room and the BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. This also adopts an ADF of 2% for shared open plan living room/kitchens/dining.
104. The submitted daylight and sunlight assessment provides two scenarios for the future internal daylight levels. Scenario one is based on the existing site situation, without the development of 1 Varcoe Road and with the existing warehouse building to the west on site (at T Marchants Estate). Scenario two is based on the future surrounding context with 1 Varcoe Road built and the warehouse to the west removed as per the OKRAAP.
105. The results indicate that 210 out of 217 (97%) rooms meet their target value for

daylight in terms of ADF for their room use. In the future context, this would be 201 out of 217 (93%) rooms.

106. There are two bedrooms on the first floor (in the private units) that have a low ADF value in the existing context. However, when the development of the adjoining site to the west eventually comes forward, the existing warehouse located on the boundary is likely to be removed which would improve the daylight levels for these bedrooms.
107. Those rooms that do not meet in the future context are mainly the kitchens in the northern section of the building and immediately adjoin the development at 1 Varcoe Road. The ADF levels for these kitchens (2 kitchens on each floor) are very low. However, Officers agree that these kitchens are galley style kitchens where preparation of food is the main purpose and the living dining room is the main living space. The associated living/dining room to these units do have a good ADF value. It is considered that on balance, given that 93% of the rooms in the future context would meet the minimum ADF, this is acceptable.

Overlooking

108. The proposed building would sit to the west of Crown Place. The windows at Crown Place facing this site are not main living spaces. However, there are some habitable room windows and balconies further into this neighbouring site and are at perpendicular angle to the east elevation of the proposed building. In any case, the proposed building has been designed to limit any direct overlooking. Habitable room windows in the proposed building do not have direct line of site into those windows at Crown Place. There are protruding bays to some of the proposed rooms that allow for views out to the north and south and thereby limiting direct overlooking into the Crown Place flats.

Amenity and play space

109. All new residential development must provide an adequate amount of useable outdoor amenity space. The Residential Design Standards SPD sets out the required amenity space standards which can take the form of private gardens and balconies, shared terraces and roof gardens. Policy 3.6 of the London Plan requires new developments to make provision for play areas based on the expected child population of the development. Children's play areas should be provided at a rate of 10sqm per child bed space (covering a range of age groups). The emerging OKR AAP requires 5sqm of public open space per dwelling as per AAP 10.
110. The following amount of amenity space would need to be provided:
 - For units containing 3 or more bedrooms, 10sqm of private amenity space as required by the SPD;
 - For units containing 2 bedrooms or less, ideally 10sqm of private amenity space, with the balance added to the communal space;
 - 50sqm communal amenity space per block as required by the SPD;
 - 10sqm of children's play space for every child space in the development as required by the London Plan;

- 5sqm of public open space per dwelling as required by the OKR AAP. If it is not feasible to deliver the open space on site, a financial contribution will be required.

Private amenity space

111. In this case, a total of 740sqm of private amenity space would need to be provided between the 74 units. In this instance 464sqm of private amenity space is proposed which is short of the required amount.

Where the full recommended provision of 10sqm per residential unit has not been provided, the shortfall has been added to the communal requirement. A provision of 276sqm of communal amenity space, plus the minimum of 50sqm would have been required (a total of 326sqm). The applicant has proposed a roof amenity space that has a total area of 466sqm at level 7, which is accessed by both tenures and includes sitting areas and landscaping. However, as discussed below there is also the requirement to provide children's play space which is 187sqm and should be in addition to communal amenity space. The roof amenity area would be part communal and part children's play space. 187sqm of the 466sqm area would be dedicated to play space, leaving an area of 279sqm of communal amenity space. There would therefore be a shortfall of 47sqm of communal amenity space, which would require a financial contribution of £9,635 (£205 per sqm) and will be secured by Section 106 agreement. This would go towards creating the Verney Road linear park, as part of the OKRAAP masterplan.

Children's play space

112. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG (using the June 2019 calculator) the development would be required to provide 187sqm of children's play space. Play space based on the New Southwark Plan calculations would be 156.4sqm.
113. Revised plans have been submitted to show 187sqm of play space within the communal amenity area, which meet this requirement.

Public Open Space

114. In addition to the existing amenity space requirements set out above, emerging Policy AAP10 of the draft OKR AAP requires the provision of 5sqm of public open space per dwelling or a financial contribution in lieu. This would equate to 370sqm of public open space for the scheme, but given the small area of the site and the development essentially occupying the whole area of the site, there is limited space available to provide public open space. It is also a no-through route and therefore limits its usability as a public open space.
115. The applicant has agreed to make the contribution of £75,850 based on the 74 dwellings proposed (at a cost of £205 per sqm as set out in the AAP) and can be secured by the legal agreement and can go towards the delivery of the Verney Road linear park.

Table 5 explaining the playspace and amenity space proposed against policy requirement:

	Policy requirement	Proposal	Difference
Communal	50sqm + shortfall of 276sqm	279sqm (inclusive of the 276sqm shortfall in private amenity space provided as communal amenity space)	47sqm
Private	740sqm	464sqm	276sqm
Dedicated children's play space	187sqm required by the June 2019 GLA calculator	187sqm	0sqm

Conclusions on outdoor amenity space, children's play space and public open space

116. Sufficient outdoor space has been designated to meet the private amenity, communal amenity and children play space requirements of the Residential Design SPD and the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG as outlined in the table above. Where this is not provided, off-set payments would be made.
117. In respect of the public open space as required by the draft AAP, and although the applicable policy of the OKR AAP currently has limited weight, a financial contribution in-lieu of providing such space on-site would be expected and will be secured through the Section 106 agreement.
118. All communal amenity space would be equally accessible to all tenures. Service charge costs to social rent tenants would be capped within social rent cap levels.

Noise

119. The site is located within the SPIL, and the proposed residential units would adjoin existing commercial units to the west and south, although these sites may come

forward with similar mixed schemes. A noise impact assessment has therefore been undertaken to assess whether the site would be suitable for residential development.

120. The report has been reviewed by the Council's Environmental Protection Team (EPT) and a condition to secure appropriate internal noise levels is recommended, which should minimise the likelihood of noise complaints against the existing industrial occupiers. Mitigation measures such as alternative ventilation for all habitable rooms and higher than standard specification glazing have been recommended by the applicants.
121. The rear balconies to the first and second floors are proposed as winter gardens which provide some protection from noise emitting from the neighbouring site.

Conclusion on quality of accommodation

122. The proposed development would provide generally well lit quality homes that meet the space requirements of the Residential Design Standards SPD. The units would have access to private amenity and communal amenity space and where this is not achieved a contribution is provided to offset the shortfall. Whilst a number of the units would be single aspect, these are not the family sized dwellings. Mitigation measures are proposed to ensure noise impacts from surrounding uses are limited.

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

123. Strategic Policy 13 of the Core Strategy 'High Environmental Standards' seeks to ensure that development sets high standards for reducing air, land, noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work. Saved Policy 3.2 of the Southwark Plan states that permission will not be granted for developments where a loss of amenity, including disturbance from noise, would be caused. The adopted Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.

Daylight and Sunlight impact to existing residential units

124. A daylight and sunlight impact assessment was submitted with the planning application to assess the impact on nearby existing residential properties. The assessment utilised the following methodologies.

25 degree line

125. To determine whether a neighbouring existing building may be adversely affected, the initial test provided by the BRE is to establish if any part of the proposal subtends an angle of more than 25° from the lowest window serving the existing building. If this is the case then there may be an adverse effect and a more detailed assessment involving the Vertical Sky Component of the affected window would need to be carried out.

Vertical Sky Component (VSC)

126. VSC is a measure of the direct skylight reaching a point from an overcast sky. It is the ratio of the illuminance at a point on a given vertical plane to the illuminance at a point on a horizontal plane due to an unobstructed sky. For existing buildings, the BRE guideline is based on the loss of VSC at a point at the centre of a window, on the outer plane of the wall. The BRE guidelines state that if the VSC at the centre of a window is less than 27%, and it is less than 0.8 times its former value (i.e. the proportional reduction is greater than 20%), then the reduction in skylight will be noticeable, and the existing building may be adversely affected.

No Sky Line (NSL)

127. 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 20% in the area of sky visibility, daylight may be affected.

Annual Probable Sunlight Hours (APSH)

128. In relation to sunlight, the BRE recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period (i.e. the proportional reductions should not be greater than 20%). The BRE guidelines state that *'...all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block out too much sun'*. The APSH figures are calculated for each window, and where a room is served by more than one window the contribution of each is accounted for in the overall figures for the room. The acceptability criteria are applied to overall room based figures.

Overshadowing, sunlight to amenity spaces

129. Open spaces should retain a reasonable amount of sunlight throughout the year. The BRE states that for an amenity space to "appear adequately sunlit throughout the year, at least half of the area should receive at least 2 hours of sunlight on 21 March". Where this is not achieved, the difference between the area achieving 2 hours of sun on 21 March should be no less than 0.8 times its former value.
130. The neighbouring residential units that have the potential to be impacted in terms of daylight and sunlight are located at:
- Batwa House, Varcoe Road
 - Crown Place, Varcoe Road
 - Consented scheme at 1 Varcoe Road

Assessment

131. It should be noted that the applicant has carried an impact assessment on three different scenarios as it is envisaged that future developments are likely to come forward on the adjoining sites. This sets alternative target values. The BRE guidelines does state that different targets may be used based on the special requirements of the proposed development or its location.
132. Furthermore, the BRE guidance comments that where existing buildings has windows that are unusually close to the site boundary and taking more than their fair share of light, then the targets for these windows could be set to those for a 'mirror-image' building of the same height and size, an equal distance away on the other side of the boundary. In this case, the Crown Place buildings to the east of the site are located on the boundary with the application site. It is considered appropriate to have alternative targets based on the 'mirror-image'. The applicant has therefore set out targets based on three scenarios:
133. Scenario one:
Existing surrounding context (drawings 11-01 to 11-03 in Appendix 1 of the assessment).
134. Scenario two:
Future surrounding context - consented and under construction 1 Varcoe Road scheme and the warehouses to the west of the development site replaced as per the OKRAAP (drawings 11-04 to 11-06 in Appendix 1 of the assessment).
135. Scenario three:
Mirror image massing of Crown Place (drawings 11-15 to 11-17 in Appendix 1 of the assessment). Existing and future surrounding context against the mirror image massing.
136. In terms of assessing the impact on the existing surrounding buildings, Officers have taken the view that scenario two is appropriate as the consented scheme at 1 Varcoe Road under construction, This considers the cumulative daylight impact.

Batwa House

Daylight

137. A total of 16 windows were assessed at Batwa House building. A summary of the effects on VSC and NSL is found in the table below.

Table: Summary of VSC impacts

Total no. of windows tested	Total no. of windows satisfying BRE %	No. of windows not satisfying BRE		
		20-29.9% reduction	30-39.9% reduction	>40% reduction
16	12	1	1	2

Table: Summary of NSL impacts

Total no. of rooms tested	Total no. of rooms satisfying BRE	No. of windows not satisfying BRE		
		20-29.9% reduction	30-39.9% reduction	>40% reduction
12	8	1	0	3

The NSL results show that of the 12 rooms tested, 8 would satisfy the BRE criteria.

138. The above demonstrates that there would be some significant, adverse impacts upon daylight to some of the residential units within Batwa House. However, it should be noted that the 1 Varcoe Road scheme had reduced the levels to Batwa House to a greater degree.
139. For the VSC test, where windows are not compliant there are at least two windows to those living rooms. The biggest loss in terms of NSL is to the first floor living room within Batwa House, but the ratio of VSC loss to these living room windows are not as significant. It should also be noted that those windows and rooms most affected have balconies facing the site and the BRE guidance notes that balconies to existing buildings can reduce levels of light to the rooms they serve. In summary, the impact upon the existing flats within Batwa House is considered to be acceptable.

Sunlight

140. The results show that out of the 16 south facing windows tested, 8 would satisfy the BRE criteria. The results indicate that 2 out of the 4 living rooms analysed would have at least one window that meet the BRE guidelines in terms of APSH. Of the remaining living rooms, the loss is not considered to be of a significant level.

Crown Place

141. In this instance, Officers consider it is appropriate to analyse the proposed scheme against the target values in the future surrounding context. Officers have also considered the results against the mirror-image massing in the future surrounding contexts. The tables below summarises the VSC and NSL impacts based on Scenario two (the future surrounding context).

Daylight

Table: Summary of VSC impacts

Total no. of windows tested	Total no. of windows satisfying BRE %	No. of windows not satisfying BRE		
		20-29.9% reduction	30-39.9% reduction	>40% reduction
87	29	13	5	40

Table: Summary of NSL impacts

Total no. of rooms tested	Total no. of rooms satisfying BRE	No. of windows not satisfying BRE		
		20-29.9% reduction	30-39.9% reduction	>40% reduction
67	34	2	4	27

142. It is noted that there would be windows that would experience a noticeable change in VSC levels. However, the significant losses are mainly to bathrooms and bedrooms and when assessing daylight levels within new developments the BRE guidance sets a lower target for bedrooms than for kitchens and living rooms, presumably because bedrooms are predominantly used at night and for sleeping. This can also be attributed to the fact that the existing building on the site is modest in size, being single storey and most of the site is an open yard. As such it has little, if any impact upon levels of light to the surrounding properties and the existing windows in Crown Place currently experience good daylight levels.
143. Officers have also analysed the results based on the mirror-image test. This considers what impact building a mirror image of Crown Place on the application site would have upon the existing Crown Place property. It demonstrates that if a mirror image were constructed on the site the VSC and NSL losses would not be as significant. This demonstrates that even though the proposed building would have a greater impact, a mirror image would also have significant impacts upon the neighbouring building.
144. There are balconies to some of the flats in Crown Place and the BRE guidance notes that balconies to existing buildings can reduce levels of light to the rooms they serve. The applicant has included an assessment with the balconies removed using the mirror-image test. This shows that the VSC and NSL losses would not be significant in such an urban location.

Sunlight

145. The results indicate that 23 out of the 24 living rooms analysed would meet the BRE guidelines in terms of APSH. The one window that fails would serve a living

room and this room has a total of 3 windows. It is therefore considered that the impacts on sunlight levels to Crown Place are not significant.

1 Varcoe Road

146. The consented building to the north would not have any habitable room windows that face the application site and therefore the applicant has not carried out an assessment of the daylight and sunlight impacts to this consented building. The proposed building at 2 Varcoe Road also does not sit significantly beyond the rear building line of 1 Varcoe Road and as such, there would be limited impacts on the future residents.

Impact on the T Marchant Industrial Estate

147. The site adjoining to the west is an industrial site so has not been subject to any BRE daylight and sunlight tests. The masterplan sets out the kind of development on the adjoining site and it is envisaged that the southern part would be low rise industrial units (Class B1 or B8) which would immediately adjoin 2 Varcoe Road. The northern part of the site is envisaged to comprise of mixed use development (residential and commercial). With this in mind, it is not considered that the proposed development would impact on the natural light to any future residential properties.

Fire safety

148. The applicant was asked to demonstrate how the scheme would comply with Building Regulations Part B (Fire Safety) as it is built on the western boundary and residential windows and balconies overlook this yard. This is to provide Officers with the confidence of the buildability and deliverability of the scheme so close to an industrial site. The applicant submitted a fire strategy and the Council's Building Control considered that whilst further calculations and technical information are required, the development could sit on the boundary. This would be subject to Building regulations control post-permission stage. Officers would highlight that the site is constrained and there would not be any possibility of moving this building back by 1m from the boundary. Any movement of the building to the east of the site would have an unacceptable impact on the adjoining neighbours' amenity without reducing the depth of the building. Furthermore, the potential loss of units if the building was to reduce would make the scheme unviable.

Overlooking

149. As noted above, the scheme has been designed to avoid direct overlooking into neighbouring properties. There are windows on the northern flank wall facing the 1 Varcoe Road scheme, but there are no windows on the adjoining consented scheme. Batwa House is located to the north east of the application site and is at an oblique angle, which means that there would not be direct views of these neighbours from the proposed habitable rooms.
150. The scheme has been designed to limit overlooking into Crown Place properties, as discussed above. The scheme does propose windows and balconies to the rear on the western elevation (only from first floor upwards). At present, the adjoining site to

the west is an industrial use and no residential properties are present. However, Officers acknowledge that this adjoining site is likely to be developed in the future as per the OKRAAP. The masterplan is that this area of the adjoining site would remain industrial. As such, those western windows proposed on the rear elevation would not impact on any residential units.

Outlook

151. It is considered that the proposed development will provide an improved outlook for nearby residential properties as the scheme would place a site that does not currently enhance the street townscape and is partly in a poor condition. The windows at Crown Place serve mainly non-habitable rooms or secondary windows to living rooms. The proposed development is of sufficient distance from neighbouring residential properties and would therefore not impact on their outlook or appear overbearing.

Air Quality

152. The site is located in an Air Quality Management Area and an Air Quality Assessment has been submitted, which considers the air quality impacts arising from the construction and use of the development.
153. The Council's Environmental Protection Team (EPT) has reviewed the submission and has not raised any objections.

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

154. The proposed non-residential floorspace in the form of B1(c) would be likely to be more compatible with residential uses than the existing use on the site. The noise transmission would be controlled by planning conditions, as recommended by the Council's EPT. Overall it is not considered that any of the uses proposed would result in any significant loss of amenity to neighbouring residential occupiers, nor would they hinder the operation of the neighbouring industrial and warehousing units.

Transport issues

155. Core Strategy Strategic Policy 2 encourages walking, cycling and the use of public transport rather than travel by car. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; 5.3 require that the needs of pedestrians and cyclists to be considered and 5.6 establish maximum parking standards.

Accessibility

156. The site has an official PTAL (public transport accessibility level) of 1b (low) and is not located in a controlled parking zone (CPZ). However, the applicant has carried out a PTAL manual assessment in their Transport Assessment which showed that the site realistically had a PTAL of 3 (medium). It is noted that the site to the north (1 Varcoe Road) was considered to have a PTAL 3 rating and therefore Officers

accept this assessment.

157. The submitted Transport Assessment (TA) was revised and is considered to provide an adequate appraisal of the relevant transport and highway related matters including an assessment of the potential for journeys to be made by sustainable modes of transport as well as detailed estimates of vehicular trips resulting from the development. As part of the TA they referred to surveys carried out from recent developments in the area that were still relevant.
158. The trip generation analysis demonstrates that the site would create a maximum of 7 vehicular movements for the residential and 13 for the commercial. These vehicle movements would not generate any significant adverse impact on the existing movements on the adjoining roads. Indeed, the type and size of the vehicles associated with the proposed development would be different to that entering the site for its current use and is considered to be more compatible with the surrounding residential uses to the north and east. It is not considered that the proposed development would impact on the local highway network in terms of trip generation.
159. The proposal is car free and does not provide off street disabled parking. Whilst it is not located within a CPZ, the council's programme for introduction and revision of CPZ's includes this area. Although the scheme does not provide any on-site wheelchair parking, a parking beat survey was undertaken in the vicinity of the site and there was spare capacity for an additional which demonstrated there is some capacity. This capacity could allow for applications for blue badge parking for wheelchair units if requested.
160. A condition would also ensure that no future residents or occupiers of the proposed development could obtain resident parking permits for any future CPZ. It is also recommended that a condition to ensure all marketing of the development promotes car free living, to ensure the occupants are well aware they will not be entitled to permits.
161. The site has a medium PTAL and the nearest bus stop on Ilderton Road has access to the P12 bus route a single decker linking Canada Water to Peckham via the Old Kent Road. It is also possible to walk through the Bramcote Estate to Rotherhithe New Road where the 381 can be accessed this is a double decker service that connects Waterloo to Peckham via Canada Water and the Blue (shopping centre).
162. The site is within walking distance of South Bermondsey Station. Within the next ten years the area is likely to benefit from the Bakerloo Line Extension and a new Bermondsey' station on the London Overground network 'New would be located on Surrey Canal Street.
163. As a borough the Council agree with Transport for London (TfL) that bus services will need to be increased in the area ahead of the BLE to accommodate the demand generated by additional homes and jobs generally in the Old Kent Road area in advance of the opening of the planned BLE which, subject to the granting of powers and availability of funding, would be 2029/2030 at the earliest. The requirement for TfL to provide evidence to prove both previous contributions has

been spent appropriately and the evidence for the further draw is the fairest way this could be managed. The proposal is that there is a maximum cap for TfL to call on which is £2,700 per unit. This will be able to be requested in stages between 3 - 5 years. The initial contribution will be £300 per unit which will equate to £22,200 and this will be secured by S106.

164. Highways and transport infrastructure requirements are covered under CIL and the public highway improvements in the OKR Action Area would be delivered from a combination of land gain, s278 and CIL.

Servicing

165. The residential refuse collections will take place from Varcoe Road. It is noted that the refuse store for the private units are located on the southern end of the development, which would mean more than 10m of dragging distance and is not ideal for refuse collectors. However, with a robust servicing and management plan this could detail the servicing arrangements.
166. The proposal for on-site servicing is welcome together with a pick-up/drop-off area. However, the pick-up/drop-off area will also be used for servicing vehicles as turning area. The strategy will only be beneficial if managed properly to avoid vehicles reversing into the public highway if the pick-up/drop-off area is occupied when another vehicle arrives.
167. For a light 4.6t light van, the area allows for vehicles to enter and exit in forward gear. The vehicle tracking movement for 8m rigid vehicle shows vehicle reversing into the site since there is insufficient room for it to turn around and exit in forward gear. This manoeuvre would need to be managed well.
168. As such, a condition requiring a comprehensive and robust servicing and management plan is recommended prior to occupation detailing how on site servicing will be managed and any adverse impacts on the public road network mitigated.
169. In order to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the Council is recommending that applicants in the Old Kent Road Opportunity Area enter into Delivery Service Plan Bonds against their baseline figures for all daily servicing and delivery trips. These bonds would be calculated at £100 per residential unit and £100 per 5000 sqm of non-residential floor-space. In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, this is not intended as a financial penalty, but as a means of mitigating any harmful impacts from the proposed development and ensuring a better quality of life for current and future residents. As such, it is considered to meet the CIL Regulations 122 test, in that it would be:
 - (i) necessary to make the development acceptable in planning terms;
 - (ii) directly related to the development; and
 - (iii) fairly and reasonably related in scale and kind to the development.
170. The proposal is for the management of the new development to monitor the daily vehicular activity of the site both commercial and residential, quarterly for a period

of 2 years from 75% occupancy. If the site meets or betters its own baseline target the bond will be returned within 6 months of the end of the monitoring period. If the site fails to meet its own baseline the bonded sum will be made available for the council to utilise for sustainable transport projects in the ward of the development. The council will retain £1,600.00 for assessing the quarterly monitoring. The bond in this instance would be £7,500.00 based on the 74 residential units and 288sqm of non residential floorspace. The applicant has agreed to the contribution which can be collected via the legal agreement.

Type	Quantum	Bond Amount
Residential	74	£7,400.00
Non Residential	288sqm	£100.00
Daily Trips	20	£7,500.00

Cycle parking

171. The site is located close to Quietway 1 and will be in close to the proposed new linear park.
172. The proposals will provide 116 secure and covered cycle parking spaces for residents of which 18 will be provided in the form of Sheffield stands (15% of total). The cycle parking spaces for the apartments will be available to residents in two separate stores at ground level near the building entrances. This adheres to London Plan standards with some room for growth and it is recommended that detailed design should be submitted, to be secured by condition. The visitor cycle parking to the south of the site is compliant with London Plan but it is considered that locations could be reviewed and to be agreed by condition.
173. The Council now has a programme to deliver the Santander cycle hire scheme for this site and a small contribution of £2,960 towards this is sought. There will be docking stations at South Bermondsey Station, and within the Liveable Neighbourhood which will be able to link to Bermondsey Tube, Canada Water, Surrey Quays and the Old Kent Road.

Highway improvements, walking and public realm

174. The area on Varcoe Road has generally narrow footways and are of a poor condition. The application provides for wider footways which will be delivered through the S278 agreement.

Construction management

175. This site is in a constrained location given that it is only accessed from Varcoe Road and close to residential areas. An obligation for a construction management plan is therefore to be secured.
to £1,480 for this application and will be secured through S106.
176. Due to the cumulative impact of construction in the Old Kent Road AAP area a contribution of £20 per residential unit will be required to enable the highway authority and councils environment protection team to manage this. This equates to

£1,480 for this application and will be secured through S106.

Design issues

177. Strategic Policy 12 of the Southwark Core Strategy states that all development in the borough will be expected to "achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in". Saved Policy 3.13 of the Southwark Plan asserts that the principles of good urban design must be taken into account in all developments which includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.
178. The emerging policy in the AAP sets out a vision for the Old Kent Road that would see substantial change in the area over the next twenty years, whilst seeking design that responds well to its existing character and sense of place. There are no conservation areas or listed buildings in the vicinity of the application site.

Height, Scale and Massing

179. The building is 29.99m in height (from finished ground level) and does not constitute a 'tall building'. However, Officers have acknowledged that it does only fall marginally short of the 30m threshold for a tall building. It is 7 storeys on the northern end of the site, stepping up to 9 storeys to the south. The surrounding buildings have the following heights:
180. Batwa House - 6 storeys
Crown Place - 6 storeys
1 Varcoe Road consented scheme - part 6, part 7 and part 8 storeys
181. Given this context, although at its highest point the building would be one storey taller than the consented 1 Varcoe Road scheme, it would not be significantly taller than its context and officers consider that it would be appropriate in the street scene and of a proportionate scale in relation to its neighbours.
182. The building steps up to 9 storeys to the south and provides a termination of this street before the waste facility to the south.
183. The ground floor commercial unit has a floor to ceiling height of approximately 3.65m, which falls short of the desired 4m that is required in the AAP. However, this is designed to align with the floor to ceiling height on the adjoining consented scheme at 1 Varcoe Road. This is considered to be a sensible and coherent design approach.
184. Overall, it is considered that the building form is acceptable in terms of the emerging and existing context. The siting, scale, mass and height of the proposal would be proportionate. The arrangement of the various heights have been carefully considered at street level and above, The proposal responds to the potential future development around the site, as illustrated in the draft OKR AAP.

Site layout

185. The development is a single block, though it is articulated into two blocks, optimising the site area. The building is located on the western part of the site, with the eastern part providing the main access to the building. This access comprises an area of soft and hard landscaping for pedestrian access. Towards the northern end of the site, a shared surface drop off area is immediately accessed from Varcoe Road, with the remaining part of the access to be pedestrian only. The 'lane' as described by the applicant is a no-through route and is terminated by the visitors cycle stands and an area of soft landscaping.
186. The building has been sited to align with 1 Varcoe Road and is also consistent with the OKR masterplan. This is also to provide adequate outlook and protect the daylight to Crown Place properties. This continuation of the building along the western side is a sensible and logical approach. To the south of the site, the facade is set back to align with the residential building to the east (Crown Place), bounded by a change in level and the retaining wall at ground floor.
187. Ground floor entrances to both the residential and commercial areas are all on the eastern elevation and the ground floor building line is recessed with the first floor slightly overhanging. However, it is considered that it would still create a generous approach to the residential lobby and commercial units.
188. The ground floor western façade would be blank to allow for future development on the adjoining site.

Detailed design, fenestration and materiality

189. Officers were originally concerned with the height, massing and layout, but this has been revised to address the concerns raised. The design proposed is of a high quality that responds well to the character of the surrounding context and the aspirations as set out in the AAP. The surrounding area is of mixed character and styles of architecture.
190. In terms of its composition, the two volumes combining to provide one building would be appropriate and would respond appropriately to the site's context. This is also seen at the consented scheme 1 Varcoe Road. The building is also designed with a base, middle and top. The ground floor is set back with the first floor overhanging slightly. The ground floor comprising the residential lobbies and a commercial unit in the centre provides an active frontage with its high floor-to-ceiling height glazed façade.
191. The building is well articulated and modulated with balconies and bay windows. The balconies would have open metalwork and bright coloured soffits, where details could be secured by a condition. The east elevation would have protruding window features in the form of angled bay windows adding variety and interest to this façade.
192. The ground floor western façade is left blank to ensure it does not compromise future development of the adjoining site. The two floors above would have 'wintergardens' that could open up as balconies.

193. Details such as coloured glazed bricks on some of the soldier course of the windows and sawtooth glazed brick stretched horizontally across the facades add life to this building. It is considered that this detailing would be appropriate for the building proposed, adding articulation and interest to the elevation on all floors. The predominant use of masonry for the whole building follows the design guidance of the draft AAP
194. In order to ensure that the depth of architectural expression and the quality and contrast of the materials achieved, a condition is to be imposed requiring materials samples to be presented on-site to and approved by the Local Planning Authority.

Conclusion on design

195. The building would be of an appropriate height and scale, being sympathetic with the consented scheme to the north and is accordingly considered acceptable. The revisions received satisfy Officer's original concerns. The design quality, and use of brick would ensure that a high quality of finish would be achieved and conditions are recommended in relation to detailed design and material samples.

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

196. The Grade II listed gasholder (No.13, Old Kent Road former gasworks) is located some distance away from the application site. It is not considered that the proposed development would harm the character, appearance of the setting of the heritage asset.

Impact on trees

197. There are no existing trees on the site and the plans indicate there would be the planting of trees in the landscaped forecourt. However, it is also noted that the majority of the site frontage is hard landscaping. In light of this and given the constraints of the site to provide any more tree planting, the opportunity exists for a contribution to be required to enhance amenity within the vicinity via street trees at a cost of £3,000 per tree. The Council's Urban Forester has confirmed that given the limited site frontage to Varcoe Road, 3 No. trees would be sufficient, totalling a £9,000 contribution.

Planning obligations (S.106 undertaking or agreement)

198. Saved Policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 of the Southwark Plan is reinforced by the recently adopted Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that qualifies for planning obligations. Strategic Policy 14 'Implementation and delivery' of the Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments. The NPPF which echoes the Community Infrastructure Levy Regulation 122 requires obligations be:

- necessary to make the development acceptable in planning terms;

- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

199. The application would be supported by the following s106 obligations:

Archaeology: £6,778

Affordable housing monitoring: £3,176.4

Carbon Offset – Green Fund: £111,168

Delivery and service bond: £7,500

Public open space: £75,850

Trees: 3,000 per tree (for 3 No. trees) totalling £9,000

Transport for London Buses: £22,200

Santander bicycle hire scheme: £2,960

Contribution in lieu of private / communal amenity space: £9,635

Construction management plan review and monitoring: £1,480

Section 106 admin charge at 2% of total

200. In addition to the financial contributions set out above, the following other provisions would be secured:

- Affordable housing provisions
- Appointment of workspace co-ordinator
- Affordable workspace – 10% of floorspace at 28.8sqm
- Terms for the affordable workspace – £11 per sq ft, over a 15 year period
- Jobs, skills and training during construction period (including fall-back financial contribution if targets not met). This includes targets of 13 No. jobs or max £55,900 offset, 13 No. Training courses or max £1,950 offset and 3 No. Apprenticeships or max £4,500 offset;
- Marketing, allocation and fit out of the 7 No. wheelchair units;
- Highway works – s278 agreement to repave the footway fronting the development including new kerbing on Varcoe Road using materials in accordance with Southwark's Streetscape Design Manual (precast concrete slabs and granite kerbs).
- Service management plan
- Car club membership for 3 years
- Parking permits exclusion zone for future occupants
- Connection to a future district heating system
- Off-set contribution will be secured in in event that there is a shortfall in attenuation required

201. In the event that an agreement has not been completed by 23rd January 2020, the Committee is asked to authorise the Director of Planning to refuse permission, if appropriate, for the following reason:
202. *In the absence of a signed S106 legal agreement there is no mechanism in place to secure adequate provision of affordable housing and mitigation against the adverse impacts of the development through contributions and it would therefore be contrary to 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 (2015) and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).*

Mayoral and Southwark Community Infrastructure Levy (CIL)

203. Section 143 of the Localism Act states that any financial contribution received as 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.
204. In this instance the scheme is liable to Mayoral CIL payment and Southwark CIL payment.

Sustainable development implications

205. Policy 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and policy 5.7 requires the use of on-site renewable technologies, where feasible. Energy statements should demonstrate how the zero carbon target for residential developments will be met, with at least a 35% on-site reduction beyond Part L 2013 and proposals for making up the shortfall to achieve zero carbon, where required. It should also demonstrate at least a 35% on-site reduction beyond Part L 2013 for non-residential development. An Energy statement based on the Mayor's hierarchy has been submitted.

Be lean (use less energy)

206. Energy efficiency measures include a range of passive measures such as solar shading, thermal mass and passive ventilation where possible to manage heat. Other measures include efficient building fabric, improved building air tightness and efficient lighting. The regulated carbon saving achieved in this step of the Energy Hierarchy is 27.8% over the site wide baseline level.

Be clean (supply energy efficiently)

207. The applicant has explored the use of a combined heat and power (CHP), but it was considered that the air source heat pump would be the better alternative

technology to provide both the heating and cooling of the development. Air source heat pumps being electric will also benefit from the decarbonisation of the UK power grid and improvement in carbon factors.

208. The site is located within an area where there are plans for the delivery of a district heating network, referred to as “SELCHP” energy system. The GLA has highlighted that connection to the network should be prioritised and evidence of correspondence with the network operator should be provided.
209. The applicant has committed to connect to SELCHP and it is standard that major developments in parts of the Council would be future-proofed for connection to a future district heating system which would be secured through the S106 agreement.

Be green (low or carbon zero energy)

210. A range of low or zero carbon technologies was considered and photovoltaics (PVs) and air source heat pumps were found as suitable technologies for the development. The regulated carbon saving achieved in this step of the Energy Hierarchy is 10% over the site wide baseline level. This would not meet the 20% target for Strategic Policy 13 of the Core Strategy, but it is noted the roof area provides communal amenity space and a small children’s play area which means utilising the whole roof would not be feasible.
211. Overall, the proposed measures would result in an overall reduction in carbon dioxide emissions when compared to a scheme compliant with the building regulations. Effort has been made to maximise savings at each step of the Energy Hierarchy as far as technically and financially feasible.
212. For the residential element, a 39.03% carbon reduction would be achieved meeting the minimum 35% requirements (against Part L of the Building Regulations 2013) as set out in policy 5.2 of the London Plan. For the commercial element, a 25.2% reduction in carbon emissions would be achieved, falling short of the 35%. However, the total savings across the whole site would be 37.8%. The London Plan does have a zero carbon homes target and would require the development to make a carbon offset payment for the remaining shortfall.

BREEAM

213. Strategic policy 13 of the Core Strategy requires the commercial units to achieve BREEAM ‘excellent’. A BREEAM Pre-assessment report has been undertaken which demonstrates that an ‘Excellent’ standard can be achieved, which meet the required “Excellent” standard that is required for the commercial element. A pre-fit condition for the commercial workspace to secure an ‘Excellent’ standard is therefore recommended.

Biodiversity

214. The site is an industrial scaffolding yard with hardstanding and in its current state there is little or no ecological value and therefore its redevelopment offers the opportunity to enhance biodiversity opportunities.

215. Ecological appraisal of the site comprises a desk study and an Extended Phase 1 Habitat survey with specific focus on bats and nesting birds. This report presented the findings of the above surveys and the Council's Ecology Officer agrees with the results. The report and planning statement make recommendations that ecological enhancement should be secured conditions. The Council's Ecology Officer has advised a number of conditions including swift bricks, sparrow terraces and bat tubes and biodiverse roof. A management plan is also required via a condition to cover those enhancements.

Flood Risk and Water Resources

216. The application site is located within Flood Zone 3, which is considered to be 'High Risk' but does benefit from the Thames tidal defences. Following amended plans, a revised Flood Risk Assessment (FRA) was submitted. The Environment Agency (EA) was re-consulted and has not made any objections to the proposals subject to their recommended conditions.
217. The Council's Flood and Drainage Team has also reviewed the application and notes that the development would seek to limit surface water discharges to the estimated greenfield runoff rate where practical, in line with Southwark's Strategic Flood Risk Assessment and Policy 5.13 of the London Plan.
218. A greenfield runoff rate offset of £366 per cubic metre will be secured in in event that there is a shortfall in attenuation required to limit surface water run off, which is required by the draft draft AAP 11.

Other matters

Archaeology

219. The site is within the Bermondsey Lake Archaeology Priority Zone (APZ) and a desk-based assessment of the site identifying any likely archaeological potential has been prepared by applicant, which has been reviewed by the Council's archaeologist.
220. It was originally considered by the Council's archaeologist that a small scale pre-determination evaluation was required particularly as a basement was previously proposed. The basement has since been omitted from the scheme and it has been accepted that as this is a small site and the adjoining site at 1 Varcoe Road did not produce nationally significant archaeological results, conditions would suffice, which would secure a programme of archaeological evaluation, mitigation and reporting prior to any demolition. It should be noted that Officers are taking a pragmatic stance in this instance as access to the area for a single geo-archaeological borehole is not possible. It does not set a precedent for any future developments on surrounding sites.

Contamination

221. The applicant has submitted a site investigation report. The Council's EPT and the EA has reviewed this and has recommended a condition to secure an intrusive site investigation and associated risk assessment to be completed to fully characterise

the nature and extent of any contamination on the site along with any remediation strategy.

Conclusion on planning issues

222. The proposed development would result in the introduction of residential uses into the SIL and would therefore represent a departure from the adopted development plan. However, the adopted London Plan clearly identifies the Old Kent Road as an opportunity area which will undergo significant transformation with substantial growth including new housing. In advance of emerging policy being adopted, and SIL being formally released, this proposal must be weighed against the wider regeneration benefits of the scheme.
223. The proposed development would potentially increase the numbers of jobs on the site and deliver new housing, including a policy compliant level of affordable housing in terms of habitable rooms. Affordable workspace has also been proposed. Recognising the changing character and uses carried out in the immediate area and in particular the surrounding block of flats, it is not felt that any harm to existing businesses would arise by the introduction of housing on this site. In light of this it is considered that the principle of the proposed development should be supported in this instance.
224. The proposal would deliver a good standard of accommodation with limited impacts on existing neighbours' amenity. It is noted that the impacts of the scheme in relation to daylight and sunlight, are on balance considered acceptable, and whilst there would be departures from the BRE guidelines, the daylight and sunlight levels are still considered adequate for a dense urban area. The design and materiality is considered to respond well to the existing character and surrounding context.
225. It is therefore recommended that planning permission be granted subject to conditions and the completion of a legal agreement under the terms as set out above.

Consultations

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

Consultation replies

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

Summary of consultation responses

228. At the time of writing, a total 2 No. consultation responses have been received from members of the public. The objections raised have been summarised above.

Summary of responses from external and statutory consultees

Environment Agency

229. No objection subject to conditions.

Health and Safety Executive (HSE)

230. The site lies within the consultation distance of a major hazard site - Old Kent Road Gas Holder Station. The HSE does not advise, on safety grounds, against the granting of planning permission.

Historic England

231. No comments to make.

London Underground Infrastructure Protection

232. No comments to make.

Metropolitan Police Designing Out Crime officer

233. This development is suitable to achieve Secured By Design accreditation and would seek to have a 'Secured by Design' condition for the whole development, attached to any permission that may be granted.

Natural England

234. No comments to make.

Thames Water

235. The proposed development is located within 15m of Thames Water's underground water assets and as such would like an informative attached to any approval granted.

Community impact statement / Equalities Assessment

236. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 - b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic

- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
237. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
238. The Council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
239. The Council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
240. The building and yard is currently used for a scaffolding company, though most of the site is now largely redundant. There are therefore no impacts on persons sharing relevant protected characteristics within the site. The immediate adjoining area comprises a mix of residential and industrial use. It is not considered that the proposed mixed use scheme would give rise to any equalities issues in respect of persons sharing the relevant characteristics set out above.

Human rights implications

241. 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.
242. This application has the legitimate aim of providing mixed use development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2324-72 Application file: 18/AP/2895 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5729 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	Wing Lau, Team Leader		
Version	Final		
Dated	21 November 2019		
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			21 November 2019

APPENDIX 1**Consultation undertaken****Site notice date:** 05/10/2018**Press notice date:** 04/10/2018**Case officer site visit date:** 05/10/2018**Neighbour consultation letters sent:** 27/09/2018**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
 Housing Regeneration Initiatives
 Property Division
 Public Health Team
 Waste Management

Statutory and non-statutory organisations consulted:

Council for British Archaeology
 EDF Energy
 Environment Agency
 Health & Safety Executive
 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 1 1 Barkworth Road SE16 3BY	404 Crown Place Apartments 20 Varcoe Road SE16 3AD
3 Barkworth Road London SE16 3BY	403 Crown Place Apartments 20 Varcoe Road SE16 3AD
45 Credon Road London SE16 3AA	408 Crown Place Apartments 20 Varcoe Road

Flat 4 1 Barkworth Road SE16 3BY	SE16 3AD
Flat 3 1 Barkworth Road SE16 3BY	407 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 2 1 Barkworth Road SE16 3BY	406 Crown Place Apartments 20 Varcoe Road SE16 3AD
41 Credon Road London SE16 3AA	402 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 1 43 Credon Road SE16 3AA	307 Crown Place Apartments 20 Varcoe Road SE16 3AD
46-50 Verney Road London SE16 3DH	306 Crown Place Apartments 20 Varcoe Road SE16 3AD
66 Verney Road London SE16 3DH	305 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 4 43 Credon Road SE16 3AA	401 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 3 43 Credon Road SE16 3AA	309 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 2 43 Credon Road SE16 3AA	308 Crown Place Apartments 20 Varcoe Road SE16 3AD
80 Verney Road London SE16 3DB	G06 Crown Place Apartments SE16 3AD
103 Verney Road London SE16 3DA	G05 Crown Place Apartments SE16 3AD
Flat 6 101 Verney Road SE16 3DA	G04 Crown Place Apartments SE16 3AD
1 Ryder Drive London SE16 3BB	G09 Crown Place Apartments SE16 3AD
64 Verney Road London SE16 3DH	G08 Crown Place Apartments SE16 3AD
Flat 1 Arundel Court SE16 3DB	G07 Crown Place Apartments SE16 3AD
Flat 5 101 Verney Road SE16 3DA	G03 Crown Place Apartments SE16 3AD
Flat 1 101 Verney Road SE16 3DA	501 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 6 1 Barkworth Road SE16 3BY	410 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 5 1 Barkworth Road SE16 3BY	409 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 4 101 Verney Road SE16 3DA	G02 Crown Place Apartments SE16 3AD
Flat 3 101 Verney Road SE16 3DA	G01 Crown Place Apartments SE16 3AD
Flat 2 101 Verney Road SE16 3DA	502 Crown Place Apartments 20 Varcoe Road SE16 3AD
2 Varcoe Road London SE16 3DG	304 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 5 6 Varcoe Road SE16 3DG	101 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 4 6 Varcoe Road SE16 3DG	10 Varcoe Road London SE16 3DG
Flat 3 6 Varcoe Road SE16 3DG	104 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 8 6 Varcoe Road SE16 3DG	103 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 7 6 Varcoe Road SE16 3DG	102 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 6 6 Varcoe Road SE16 3DG	201 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 2 6 Varcoe Road SE16 3DG	58 Verney Road London SE16 3DH
	68 Verney Road London SE16 3DH

Flat 25 Batwa House SE16 3BF	42 Verney Road London SE16 3DH
Flat 19 Batwa House SE16 3BA	108 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 18 Batwa House SE16 3BA	107 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 1 6 Varcoe Road SE16 3DG	106 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 8 8 Varcoe Road SE16 3DG	210 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 7 8 Varcoe Road SE16 3DG	209 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 6 8 Varcoe Road SE16 3DG	208 Crown Place Apartments 20 Varcoe Road SE16 3AD
70-72 Verney Road London SE16 3DH	303 Crown Place Apartments 20 Varcoe Road SE16 3AD
52-56 Verney Road London SE16 3DH	302 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 9 8 Varcoe Road SE16 3DG	301 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 5 8 Varcoe Road SE16 3DG	207 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 1 8 Varcoe Road SE16 3DG	203 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 9 6 Varcoe Road SE16 3DG	202 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 4 8 Varcoe Road SE16 3DG	105 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 3 8 Varcoe Road SE16 3DG	206 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 2 8 Varcoe Road SE16 3DG	205 Crown Place Apartments 20 Varcoe Road SE16 3AD
2 Ryder Drive London SE16 3BB	204 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 33 Arundel Court SE16 3DB	Flat 20 Batwa House SE16 3BA
Flat 32 Arundel Court SE16 3DB	Flat 2 Batwa House SE16 3BA
Flat 31 Arundel Court SE16 3DB	Flat 4 Batwa House SE16 3BA
Flat 36 Arundel Court SE16 3DB	Flat 3 Batwa House SE16 3BA
Flat 35 Arundel Court SE16 3DB	Flat 21 Batwa House SE16 3BA
Flat 34 Arundel Court SE16 3DB	Flat 38 Batwa House SE16 3BF
Flat 30 Arundel Court SE16 3DB	Flat 34 Batwa House SE16 3BF
Flat 26 Arundel Court SE16 3DB	Flat 33 Batwa House SE16 3BF
Flat 25 Arundel Court SE16 3DB	Flat 32 Batwa House SE16 3BF
Flat 24 Arundel Court SE16 3DB	Flat 37 Batwa House SE16 3BF
Flat 29 Arundel Court SE16 3DB	Flat 36 Batwa House SE16 3BF
Flat 28 Arundel Court SE16 3DB	Flat 35 Batwa House SE16 3BF
Flat 27 Arundel Court SE16 3DB	Flat 14 Batwa House SE16 3BA
Unit 59 42-72 Verney Road SE16 3DH	Flat 13 Batwa House SE16 3BA
Second Floor Credon House SE16 3DA	Flat 12 Batwa House SE16 3BA
Flat 39 Arundel Court SE16 3DB	Flat 17 Batwa House SE16 3BA
Flat 38 Arundel Court SE16 3DB	Flat 16 Batwa House SE16 3BA
Flat 37 Arundel Court SE16 3DB	Flat 15 Batwa House SE16 3BA

Part First Floor Credon House SE16 3DA
149 Ormside Street London SE15 1TF

Flat 40 Arundel Court SE16 3DB

Flat 23 Arundel Court SE16 3DB

Flat 6 Arundel Court SE16 3DB

Flat 5 Arundel Court SE16 3DB

Flat 4 Arundel Court SE16 3DB

Flat 9 Arundel Court SE16 3DB

Flat 8 Arundel Court SE16 3DB

Flat 7 Arundel Court SE16 3DB

Flat 3 Arundel Court SE16 3DB

5 Ryder Drive London SE16 3BB

4 Ryder Drive London SE16 3BB

3 Ryder Drive London SE16 3BB

Flat 2 Arundel Court SE16 3DB

1 Varcoe Road London SE16 3DG

6 Ryder Drive London SE16 3BB

Flat 19 Arundel Court SE16 3DB

Flat 18 Arundel Court SE16 3DB

Flat 17 Arundel Court SE16 3DB

Flat 22 Arundel Court SE16 3DB

Flat 21 Arundel Court SE16 3DB

Flat 20 Arundel Court SE16 3DB

Flat 16 Arundel Court SE16 3DB

Flat 12 Arundel Court SE16 3DB

Flat 11 Arundel Court SE16 3DB

Flat 10 Arundel Court SE16 3DB

Flat 15 Arundel Court SE16 3DB

Flat 14 Arundel Court SE16 3DB

Flat 13 Arundel Court SE16 3DB

405 Crown Place Apartments 20 Varcoe Road SE16
3AD

Flat 11 Batwa House SE16 3BA

Flat 7 Batwa House SE16 3BA

Flat 6 Batwa House SE16 3BA

Flat 5 Batwa House SE16 3BA

Flat 10 Batwa House SE16 3BA

Flat 9 Batwa House SE16 3BA

Flat 8 Batwa House SE16 3BA

Flat 31 Batwa House SE16 3BF

Flat 43 Batwa House SE16 3BF

Flat 42 Batwa House SE16 3BF

Flat 41 Batwa House SE16 3BF

62 Verney Road London SE16 3DA

Flat 45 Batwa House SE16 3BF

Flat 44 Batwa House SE16 3BF

Flat 40 Batwa House SE16 3BF

211 Crown Place Apartments 20 Varcoe Road
SE16 3AD

G10 Crown Place Apartments SE16 3AD

Flat 39 Batwa House SE16 3BF

West Newton House SE16 3DA

East Newton House SE16 3DA

Flat 27 Batwa House SE16 3BF

Flat 26 Batwa House SE16 3BF

Flat 25 Batwa House SE16 3BF

Flat 30 Batwa House SE16 3BF

Flat 29 Batwa House SE16 3BF

Flat 28 Batwa House SE16 3BF

Flat 24 Batwa House SE16 3BF

Ground Floor And Part First Floor Credon House
SE16 3DA

60-61 Verney Road London SE16 3DH

Flat 23 Batwa House SE16 3BF

Flat 22 Batwa House SE16 3BF

Flat 1 Batwa House SE16 3BF

Re-consultation: 10/07/2019

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

Economic Development Team
Flood and Drainage Team

Statutory and non-statutory organisations

Environment Agency
Health & Safety Executive
Historic England
Metropolitan Police Service (Designing out Crime)
Natural England - London Region & South East Region
Thames Water - Development Planning
London Underground Infrastructure Protection

Neighbour consultation

Two representations received from residents on Varcoe Road

APPENDIX 3

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	Mr Gertner End Game Capital (SE London) Ltd	Reg. Number	18/AP/2895
Application Type	Full Planning Application	Case Number	TP/2324-72
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Demolition of existing buildings and erection of a new mixed use development comprising a part 7, part 9 storey (maximum height above ground of 29.99m) building of 288sqm commercial floor space (Use Class B1) and 74 residential dwellings (Use Class C3) with associated bin stores, cycle stores, plant rooms and hard and soft landscaping.

This application represents a departure from strategic policy 10 'Jobs and Businesses' of the Core Strategy (2011) and Saved Policy 1.2 'Strategic and Local Preferred Industrial Locations' of the Southwark Plan (2007) by virtue of proposing to introduce residential accommodation in a preferred industrial location.

At: 2 VARCOE ROAD, LONDON, SE16 3DG

In accordance with application received on 04/09/2018

and Applicant's Drawing Nos.

414PL000_Site Plan_Rev A

Existing and demolition plans

414PL001_Site Plan Existing

414PL002_Existing Elevations

414PL010_Demolition Plan

414PL011_North Elevation

414PL012_East Elevation

414PL013_West Elevation

414PL014_South Elevation

Proposed plans

414PL100 Ground Floor Plan_RevA

414PL101 Ground Floor Plan_RevA

414PL102 First Floor Plan_RevC

414PL103_Second Floor Plan_ RevC
414PL104_Third Floor Plan_RevC
414PL105_Fourth Floor Plan_RevC
414PL106_Fifth Floor Plan_RevC
414PL107_Sixth Floor Plan_RevC
414PL108_Seventh Floor Plan_RevC
414PL109_Eighth Floor Plan_RevC
414PL110_Roof floor Plan_RevA
414PL300_Elevation East _Rev B
414PL301_Elevation West _Rev A
414PL302_Elevation South _Rev A
414PL303_Elevation North _Rev A
414PL200_Section AA_Rev A
414PL201_Section BB_Rev A
414PL202_Section CC_Rev A
414PL203_Section DD_Rev A
414PL204_Section EE_Rev A
414PL205_Section FF_Rev A
414PL500_Detail 01
414PL501_Detail 02
414PL502_Detail 03/04
414PL503_Detail 05
414PL504_Detail 06
414PL505_Detail 07
AccommodationSchedule_191115
190918_Detailed_Flat_Schedule_RevE
NIA_TenureSchedule_191119
GEA and GIA Schedule March 2019
Supporting documents

Covering Letter 15 April 2019, Planning Statement Supplemental April 2019, Design and Access Statement April 2019, Energy Statement March 2019, BREEAM Office Building Pre-assessment Report January 2019, Transport Assessment April 2019, Delivery and Servicing Plan October 2018, Daylight and Sunlight report June 2019, Archaeology and Heritage Assessment August 2018, Air Quality Assessment September 2018, Air Quality Neutral Update August 2019, Daylight and Sunlight Assessment June 2019, Ecological Appraisal August 2018, Flood Risk Assessment August 2018, Preliminary Risk Assessment April 2018, Noise Impact Assessment October 2019, Servicing and Refuse Management Plan October 2018, Consultation Statement September 2018, HCA Development Appraisal Tool February 2019, Affordable Housing Viability Appraisal Executive Summary May 2019

Subject to the following thirty-five conditions:

Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

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

414PL100 Ground Floor Plan_RevA

414PL101 Ground Floor Plan_RevA

414PL102 First Floor Plan_RevC

414PL103_Second Floor Plan_ RevC

414PL104_Third Floor Plan_RevC

414PL105_Fourth Floor Plan_RevC

414PL106_Fifth Floor Plan_RevC

414PL107_Sixth Floor Plan_RevC

414PL108_Seventh Floor Plan_RevC

414PL109_Eighth Floor Plan_RevC

414PL110_Roof floor Plan_RevA

414PL300_Elevation East _Rev B

414PL301_Elevation West _Rev A

414PL302_Elevation South _Rev A

414PL303_Elevation North _Rev A

414PL200_Section AA_Rev A

414PL201_Section BB_Rev A
 414PL202_Section CC_Rev A
 414PL203_Section DD_Rev A
 414PL204_Section EE_Rev A
 414PL205_Section FF_Rev A
 414PL500_Detail 01
 414PL501_Detail 02
 414PL502_Detail 03/04
 414PL503_Detail 05
 414PL504_Detail 06
 414PL505_Detail 07

Reason:

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

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

3 Archaeological evaluation

Before any work hereby authorised begins (excluding demolition to ground level only), the applicant shall secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

4 Archaeology mitigation

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

Reason: In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

5 Archaeology foundation design

Before any work hereby authorised begins (excluding demolition to ground level only), a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

6 Archaeology post-excavation

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

Reason: In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

7 Contamination

Prior to the commencement of development (excluding demolition to ground level only) approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) A site investigation scheme, based on the submitted Preliminary Risk Assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: For the protection of Controlled Waters. The site is located over a Principal Aquifer and it is understood that the site may be affected by historic contamination.

8 Contamination

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

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

9 SUDs

No works shall commence until the applicant has submitted full details of the proposed surface water drainage system incorporating Sustainable Drainage Systems (SuDS), including detailed design, size and location of attenuation units and details of flow control measures, plus supporting hydraulic calculation sheets, shall be submitted to and approved in writing by the Local Planning Authority. The strategy should achieve a reduction in surface water runoff rates in line with the Flood Risk Assessment & Indicative Surface Water Drainage Strategy prepared by RSK dated 21 August 2019 (Ref: 133317-R1(2)-FRA) for storm events up to and including the 1% Annual Exceedance Probability (AEP) event plus climate change allowance. Opportunities for biodiverse green roofs should be also maximised at the site. 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 Southwark's Strategic Flood Risk Assessment (2017), Policy AAP11 of the Old Kent Opportunity Area Action Plan, and Policy 5.13 of the London Plan (2015).

10 Verification remediation

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

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

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.

11 B1 fit out

Before any work above grade hereby approved begins, full particulars and details of a scheme for the fit out of the premises to an appropriate level for B1 (c) use shall be submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given. This should include details of the mechanical and electrical fit out of the units, showing heating and cooling provision, and the provision of kitchen and toilet facilities. The development shall not be carried out otherwise than in accordance with any approval given, and practical completion of the B1 (c) fit out for each phase shall be at the same time, or before the practical completion of the residential component of the same phase.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case in accordance with Strategic Policy 1.2 Strategic and local preferred industrial locations of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

12 Amenity space details

Before any above grade work hereby authorised begins on any of part of the development, the applicant shall submit details of all the communal amenity space and play spaces proposed for approval by the Local Planning Authority. The submission shall include soft and hard landscaping and boundary treatment including screening to the roof terrace. The development shall not be carried out otherwise than in accordance with any such approval given and thereafter the space shall be retained for play purposes.

No later than 6 months prior to the occupation of any of the residential units within the development hereby approved, details of the play equipment to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority. The play equipment shall be provided in accordance with the details thereby approved prior to the occupation of any of the residential units within the development hereby approved. All playspace and communal amenity space within the development shall be available to all residential occupiers of the development in perpetuity.

Reason:

In order that the Council may be satisfied with the details of the play strategy, in accordance with: the National Planning Policy Framework 2019, Policy 3.6 (Children and Young People's Play and Informal Recreation Facilities) of the London Plan 2016; Strategic Policies 11 (Open Spaces and Wildlife) and 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design), 3.13 (Urban Design) and 4.2 (Quality of Residential Accommodation) of the Southwark Plan 2007.

13 Biodiverse roof

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:

- a) biodiversity based with extensive substrate base (depth 80-150mm);
- b) laid out in accordance with agreed plans; and
- c) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

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

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: The National Planning Policy Framework 2019, 5.11 of the London Plan 2016, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

14 Birds and bats

Before any above grade work hereby authorised begins, details of bird and bat nesting bricks / tubes shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No less than 8 Sparrow terraces or internal bricks and 3 bat tubes shall be provided and the details shall include the exact location, specification and design of the habitats. The features shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

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

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: The National Planning Policy Framework 2019, 7.19 of the London Plan 2016, Saved Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

15 Swift bricks

Before any above grade work hereby authorised begins, details of no less than 10 internal Swift bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

Details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

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

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: The National Planning Policy Framework 2019, 7.19 of the London Plan 2016, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

16 Landscaping

Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including details of the play space, cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The play equipment shall be provided in accordance with the details thereby approved prior to the occupation of the residential units. All playspace and communal amenity space within the development shall be available to all residential occupiers of the development in perpetuity.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2019, Strategic policies 11, 12 and 13 of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity. of The Southwark Plan 2007:

17 Landscape management

Before any above grade work hereby authorised begins, a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

Reasons: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with policies: The National Planning Policy Framework 2019, 5.10 and 7.19 of the London Plan 2016, Saved Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

18 Materials

Samples of all external facing materials to be used in the carrying out of this permission shall be presented to the Local Planning Authority and approved in writing before any above grade works, in connection with this permission is commenced. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and saved Policies: 3.11 Efficient use of land; 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan 2007.

19 Bay studies

Bay studies at a scale of 1:20 of facades from parapet to ground, including window design, to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any above grade work (excluding demolition) in connection with this permission is commenced. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan 2007.

20 Sections

Section detail-drawings at a scale of 1:5 through:
the facades and balconies;
parapets and 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 in writing before any work in connection with this permission is commenced above grade; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and saved policies: 3.12 Quality in Design; 3.13 Urban Design; of the Southwark Plan 2007.

21 Secured by design

Before any above grade work hereby authorised begins, details of security measures including external lighting shall be submitted and approved in writing by the Local Planning Authority and any such security measures shall be implemented prior to occupation in accordance with the approved details which shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

Reason

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

22 Cycle storage

Before any above grade work hereby authorised begins details and drawings of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2019, Strategic Policy 2 -

Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

23 BREEAM

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 2019, 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.

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.

24 Refuse storage

Before the first occupation of the building hereby permitted, details of the arrangements for the storing of domestic and commercial refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities 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 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

25 Car free

Prior to occupation, details of the marketing materials for sale and rental properties shall be submitted and approved in writing by the local planning authority clearly identifying the development as car free and that all new residents should sign acknowledgement of the permit free status of their new home.

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.

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.

26 Fit out

The residential accommodation hereby approved shall not be occupied until the ground and first floor commercial units have been fitted out in accordance with the approved B1(c) fit out details including details for the units to be sprinklered , unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring residential properties do not suffer a loss of amenity by reason of noise

nuisance from fit out works after residential accommodation has been occupied and to ensure it meets fire safety regulations in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

27 Plant

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

Reason

In order to ensure that no additional plant is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with The National Planning Policy Framework 2019, 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

28 Internal noise

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

Bedrooms - 35dB LAeq T†, 30 dB LAeq T*, 45dB LAFmax T *

Living rooms- 35dB LAeq T †

Dining room - 40 dB LAeq T †

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

† - Daytime 16 hours between 07:00-23:00.

Reason: To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2019.

29 Sound from plant

The Rated sound level from any plant, including the air source heat pumps, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the plant Specific 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 in full 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 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007.

30 CPZ

No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within any future 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.

31 Energy measures

The development hereby permitted shall be constructed to include the energy efficiency measures air source heat pump and photovoltaic panels as stated in the Energy Statement prepared by DSA Engineering dated March 2019 and submitted with the application. All measures and technologies shall remain for as long as the development is occupied.

Reason:

To ensure the development complies with the National Planning Policy Framework 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy and Policy 5.7 Renewable Energy of the London Plan.

32 Surface water drainage

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.

33 Piling

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.

34 Servicing hours

Any deliveries, unloading and loading to the commercial units shall only take place between the following hours: 08.00 to 20.00hrs on Monday to Saturday and 10.00 to 16.00hrs on Sundays & Bank Holidays.

Reason:

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

35 Telecommunications

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 2019; 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.

OPEN**COMMITTEE:****PLANNING COMMITTEE****MUNICIPAL YEAR 2019-20****NOTE:**

Original held in Constitutional Team; all amendments/queries to Gerald Gohler/Everton Roberts, Constitutional Team, Tel: 020 7525 7055

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