

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

## RECOMMENDATION

1. a) That planning permission is granted subject to conditions and the applicant entering into an appropriate legal agreement by no later than 14 December 2012, and subject to referral to the Mayor of London;
- b) If it is resolved to grant planning permission, that it is confirmed that the environmental information has been taken into account as required by Regulation 3(4) of the Town and Country Planning (Environmental Impact Assessments) Regulations 2011;
- c) That it is confirmed that, following issue of the decision, the head of development management should place a statement on the statutory register pursuant to Regulation 24 of the Town and Country Planning (Environmental Impact Assessments) Regulations 2011 which contains the information required by Regulation 21 and that for the purposes of Regulation 24(1)(c) the main reasons and considerations on which the planning committee's decision was based shall be set out as in this report;
- d) In the event that the requirements of (a) are not met by 14 December 2012, the head of development management be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 263.

## **BACKGROUND INFORMATION**

### **Site location and description**

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

### **Implemented scheme**

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

### **Details of proposal**

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

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

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

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

### **Planning history**

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

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

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

28. 20 Blackfriars Road (07-AP-0301): demolition of existing buildings and redevelopment to provide a mixed use development comprising 286 residential flats (Class C3), 25,769sqm of office floorspace (Class B1), 1,710sqm of retail floorspace (Class A), 562sqm of Class D1 (community) uses, creation of new open space, reconfigured vehicular and pedestrian access and works to the public highway together with associated works including landscaping and the provision of a basement car park for up to 82 cars, plus servicing and plant areas. The development consists of two towers: an office tower of 23 storeys (maximum height 105m Above Ordinance Datum), a residential tower of 42 storeys (maximum height 148m Above Ordinance Datum) and lower rise buildings of up to 7 storeys fronting Stamford Street and Paris Gardens.
29. Planning permission was granted in March 2009 following a joint public inquiry with the implemented 1 Blackfriars scheme. The permission has been implemented by the demolition of buildings on the site, and this was confirmed by the Council by the issue of a Certificate of Lawful development (12-AP-0413).
30. 240 Blackfriars (06-AP-1800): planning permission granted for erection of a 15-storey building (plus a basement) comprising 25,293m<sup>2</sup> of office (Use Class B1) floorspace, with 468m<sup>2</sup> retail/ restaurant use (Class A1/A3) floorspace at ground floor level; Erection of a separate 5-storey building (plus basement) comprising 10 residential flats with retail/ restaurant (Class A1/A3) at ground floor level; provision of car parking, landscaping and ancillary works. This development is currently under construction.
31. Sea Container's House (11-AP-1955): planning permission granted for erection of a new nine storey building in the rear parking/servicing area (maximum height AOD 42.895m) to provide retail at ground and offices above; refurbishment of existing Sea Containers House and change of use of floors 5-14 of the rear wing plus three floors of the main building from offices to a 358 bedroom hotel, including the erection of new roof extension at part 12th floor level to provide a bar ancillary to the hotel use. Extension and conversion of the ground floor area to provide new restaurant (Class A3), cafe (Class A3), service (Class A2) and retail uses (Class A1) together with new service bay, landscaping, new access arrangements and associated car and cycle

parking. This development is currently under construction.

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

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

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

### **Planning policy**

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

- 3 Stamford Street (Mad Hatter Hotel)

#### Core Strategy 2011

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

#### Southwark Plan 2007 (July) - saved policies

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

#### London Plan 2011

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

Policy 2.13 Opportunity Areas and Intensification Areas  
Policy 2.15 Town Centres  
Policy 3.1 Ensuring equal life chances for all  
Policy 3.3 Increasing housing supply  
Policy 3.4 Optimising housing potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.6 Children and young people's play and informal recreation facilities  
Policy 3.8 Housing choice  
Policy 3.10 Mixed and balanced communities  
Policy 3.11 Definition of affordable housing  
Policy 3.12 Affordable housing targets  
Policy 3.13 Negotiating affordable housing on individual private residential and mixed use schemes  
Policy 3.14 Affordable housing thresholds  
Policy 4.1 Developing London's economy  
Policy 4.7 Retail and town centre development  
Policy 4.8 Supporting a successful and diverse retail sector  
Policy 4.12 Improving opportunities for all  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.5 Decentralised energy networks  
Policy 5.6 Decentralised energy in development proposals  
Policy 5.7 Renewable energy  
Policy 5.9 Overheating and cooling  
Policy 5.10 Urban greening  
Policy 5.11 Green roofs and development site environs  
Policy 5.12 Flood risk management  
Policy 5.13 Sustainable drainage  
Policy 5.15 Water use and supplies  
Policy 5.18 Construction, excavation and demolition waste  
Policy 5.21 Contaminated land  
Policy 6.1 Strategic approach (Transport)  
Policy 6.3 Assessing transport capacity  
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.11 Smoothing traffic flow and tackling congestion  
Policy 6.12 Road network capacity  
Policy 6.13 Parking  
Policy 7.1 Building London's neighbourhoods and communities  
Policy 7.2 An inclusive environment  
Policy 7.3 Secured by design  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.7 Location and design of tall and large buildings  
Policy 7.8 Heritage assets and archaeology  
Policy 7.11 London View Management Framework  
Policy 7.14 Improving air quality  
Policy 7.15 Reducing noise and enhancing soundscapes  
Policy 7.18 Protecting local natural space and addressing local deficiency  
Policy 7.19 Biodiversity and access to nature  
Policy 8.2 Planning obligations  
Policy 8.3 Community infrastructure levy.

### Supplementary planning guidance

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

### National Planning Policy Framework (NPPF)

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

### **Changes in the scheme from the Implemented planning permission**

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

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

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

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

### Principle of development

49 Opportunity Area

London South Central is a strategic regeneration priority area identified in the London Plan. It stretches across the northern part of three boroughs of central London south of the Thames (Southwark, Lambeth, and Wandsworth) and contains four Opportunity Areas, one of which is the Borough and Bankside Opportunity Area within which the application site is located.

- 50 Policy 2.13 of the London Plan states that developments within opportunity areas in London should:

- a) support the strategic policy directions for the opportunity areas and intensification areas
- b) seek to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses
- c) contribute towards meeting (or where appropriate, exceeding) the minimum guidelines for housing and/or indicative estimates for employment capacity
- d) realise scope for intensification associated with existing or proposed improvements in public transport accessibility, such as Crossrail, making better use of existing infrastructure and promote inclusive access including cycling and walking
- e) support wider regeneration (including in particular improvements to environmental quality) and integrate development proposals to the surrounding areas

- 51 Annex 1 of the London Plan provides the following for London Bridge, Borough, and Bankside Opportunity Area:

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

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

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

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

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

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

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

#### Hotel

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

#### Employment use

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

address the shortfall in employment compared with the implemented scheme.

#### Conclusion on land use

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

#### **Environmental impact assessment**

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

#### **Affordable housing**

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

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

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

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

86. On site provision

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

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

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

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

90. Off site provision

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

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

91. In terms of delivery, the draft SPD requires:
  - The applicant to have secured planning permission for the required amount of offsite affordable housing before any occupation of the market housing;
  - No more than 50% of the development will be occupied before the affordable housing units are completed and handed over to the registered provider;
  - The off-site affordable housing to be built and ready for occupation at the same time as the on-site market housing;
  - That off-site affordable housing is additional to what would have come forward through a standard development on that site.
92. The only example where off-site delivery by a developer has occurred in Bankside has been the affordable housing delivery for Bankside 4 (Neo Bankside) which was granted permission in June 2007 (06-AP-1481). No sites were identified for off-site affordable housing delivery prior to permission being granted, so the procurement, design, planning process, and construction have to be carried out in tandem with the main development. So far 5 sites have been identified or delivered to accommodate affordable housing. The delay in securing sites post planning has resulted in variations to the legal agreement to adjust occupation restrictions, and accept the provision of a proportion of the affordable homes through an in lieu payment. The experience illustrates that the mechanism only works effectively if sites are identified and secured before planning permission is granted, and that without identified sites, there is a risk to the programme to deliver the main development.
93. This issue is recognised in the Affordable Housing SPD, and in the GLA’s Stage I report which states: “the off-site provision of affordable housing should be confirmed before any consent is granted. Once a suitable site is identified, the applicant should complete a feasibility study to demonstrate how it is able to accommodate the agreed number of affordable units on the identified site.”
94. Taking account of the formula in the SPD for calculating the number of habitable rooms in a development, a 35% affordable housing delivery off-site would equate to 355 habitable rooms. Given the highly urbanised nature of the northern part of the borough, it is unlikely that such a quantum could be delivered on one site – particularly since these rooms would be in addition to the 35% affordable housing required as standard.
95. The applicant’s site search utilised databases such as the council’s strategic housing land assessment, and listings from commercial agencies. Reports on the potential of a long-list of sites were produced during pre-application discussions, and investigations have continued concurrently with the consideration of the application. Currently, although a number of sites have been listed and explored, no suitable sites have been firmly identified as available and deliverable within the required timescale, or secured by the applicant. St George have stressed that, if planning permission is granted, they would commence development in 2013. Failure to secure sufficient sites prior to commencement could delay the delivery of this major investment in Southwark, including the delivery of a significant number of new homes and jobs which will act as a catalyst for development in the wider area. It is therefore recommended that, in the exceptional circumstances of this case, the council accepts a commuted sum in lieu of affordable housing units. Funds from an in lieu payment, paid in stages from

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

Commuted sum payment (Direct Delivery programme)

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

plan.

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

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

#### The mechanism for calculating the commuted sum

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

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

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

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

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

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

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

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

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

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

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

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

### Affordable housing summary

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

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

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

111. Taking each of these in turn:

#### i) Makes a positive contribution to the landscape

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

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

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

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

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

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

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

116. iii) Is of the highest architectural standard

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Design Review Panel

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

the amount of space available for movement within the plaza.

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

#### Summary on design

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

#### **Housing mix and density**

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

138. The proposed development is made up of the following mix of units:

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

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

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

### Quality of accommodation

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

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

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

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

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

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

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

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

### **Wheelchair housing**

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

### **Viewing lounge**

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

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

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

### **Impact on the amenities of occupiers of adjoining properties**

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

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

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

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

#### Sunlight/daylight

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

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

### Wind

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

### **Landscape and public realm**

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

### Plaza

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

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

#### Public highway

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

#### Trees

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

acceptable.

### Summary on landscape and public realm

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

### **Flood risk**

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

### **Transport**

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

### Parking

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

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

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

#### Cycle parking

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

#### Servicing

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

standard blacktop.

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

### **Archaeology**

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

### **Sustainable development implications**

204. The energy statement demonstrates how the energy hierarchy has been applied to the proposed development in order to achieve the carbon reduction targets set out in strategic Policy 13 of the council's adopted Core Strategy (2011) and the London Plan. Policy 13 sets a target of major development achieving a 44% saving in carbon dioxide emissions above the building regulations (2006) from energy efficiency, efficient energy supply and renewable energy generation. This equates to a 25% reduction over the 2010 building regulations.
205. The energy statement sets out the proposal will achieve a 25% saving in carbon dioxide (CO<sub>2</sub>) emissions above the Building Regulations (2010) from energy efficiency, efficient energy supply and renewable energy generation. This is compliant with core strategy policy.
206. The energy statement has looked at the feasibility of connecting to an existing heat network, with reference made to the London Heat Map, and discounted this option as there are no other buildings to connect to in the vicinity. However, with the future development in the surrounding area there is potential for a district heating/cooling network to be introduced. The applicants have indicated through their energy strategy that space is available in the basement plant room to include future plant and infrastructure should a network be available in the future. There needs to be thorough consideration given to future proofing the proposed CHP system to have the ability to quickly switch to the public CHP or CCHP system if and when it is completed. The energy statement only refers to the space for connection rather than the practical measures that may need to be taken/considered if a network does come forward in the area. The future proofing of the energy centre to connect to a district-wide network should be secured by a s106 planning obligation to ensure the objective for a district wide network is achieved in the future.

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

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

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

213.

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

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

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

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

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

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

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

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

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

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

### **Mayoral Community Infrastructure Levy (CIL)**

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

### **Other matters**

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

### **Conclusion on planning issues**

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

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

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

### **Community impact statement**

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

### **Consultation**

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

## Human rights implications

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

## BACKGROUND DOCUMENTS

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

## APPENDICES

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

## AUDIT TRAIL

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

### Consultation Undertaken

**Site notice date:** 12/06/2012

**Press notice date:** 07/06/2012

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

**Neighbour consultation letters sent:** 08/06/2012

#### Internal services consulted:

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

#### Statutory and non-statutory organisations consulted:

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

#### Neighbours and local groups consulted:

- Bankside Residents Forum

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

### **Member presentations**

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

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

### **Re-consultation:**

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

### **Applicant's consultation**

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

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

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

### Consultation Responses Received

#### Internal services

Environmental Protection Team: no objection, subject to conditions

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

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

Archaeology Officer: no objection subject to conditions.

Ecology Officer: no objection, subject to conditions.

#### Statutory and non-statutory organisations

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

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

Transport for London:

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

English Heritage:

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

Royal Parks: raise objection:

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

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

Natural England: no objection subject to mitigation

Greater London Authority – Stage I report:

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

Thames Water: no objection, subject to conditions

Environment Agency: no objection, subject to conditions

Design Review Panel:

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

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

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

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

BAA Heathrow: no objections.

London City Airport: no objection

Sport England: no comments to make regarding the proposals.

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

## **Neighbours and local groups**

### **In support**

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

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

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

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

### **For comment/concern**

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

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

64 River Court: concerned over construction noise and disruption.

### **In objection**

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

**Environmental Impact Assessment**

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

Construction

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

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

#### Waste Management

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

#### Socio-economics

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

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

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

#### Transportation and Access

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

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

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

#### Air Quality

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

#### Noise and Vibration

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

#### Wind (Microclimate)

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

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

#### Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare

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

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

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

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

#### *Sunlight*

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

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

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

*Permanent Overshadowing to Amenity Areas Surrounding the Proposed Development*

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

*Permanent Overshadowing to Amenity Space within the Proposed Development*

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

*Transient Overshadowing*

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

*Solar Glare*

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

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

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

#### *Comparison with implemented scheme*

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

#### 58. Water Resources and Flood Risk

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

#### Ground Conditions

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

#### Archaeology – Buried Heritage

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

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

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

#### Ecology

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

#### Aviation

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

#### Electronic Interference

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

#### Townscape, Conservation and Visual Impact Assessment

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