

<b>Item No.</b> 6.3	<b>Classification:</b> OPEN	<b>Date:</b> 3 September 2013	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>	<b>Development Management planning application:</b> Application 11/AP/2012 for: Full Planning Permission  <b>Address:</b> BRANDON HOUSE, 180 BOROUGH HIGH STREET, LONDON SE1 1LW  <b>Proposal:</b> Demolition of existing building and erection of a building (with basement) up to eight storeys in height (maximum 28.50m at corner) fronting Marshalsea Road and Borough High Street comprising office / retail floorspace (Class B1 / Class A use) and 96 residential units; erection of a four storey mews building to the rear (13.10m) comprising 4 residential units; provision of open space with ancillary plant, car parking and servicing, works of hard and soft landscaping and new pedestrian access to Borough High Street together with other associated and enabling works		
<b>Ward(s) or groups affected:</b>	Cathedrals		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 01/07/2011		<b>Application Expiry Date</b> 30/09/2011	
<b>Earliest Decision Date</b> 07/07/2013			

## RECOMMENDATION

- 1 That planning permission is GRANTED subject to conditions and the applicant entering into an appropriate legal agreement.

## BACKGROUND INFORMATION

### Site location and description

- 2 The application site is prominently located at the north-eastern corner of the junction of Borough High Street, Marshalsea Road, and Great Dover Street. It is approximately 0.4 hectares in size and comprises a linear four storey building built in the 1980s with long frontages onto both Borough High Street and Marshalsea Road. It is currently in office (Class B1) use. To the rear is hardstanding used for vehicle parking and servicing. The rear of the site is bounded by a large brick wall which forms a boundary with Little Dorrit Park. The park is designated Borough Open Land.
- 3 The main pedestrian access to Brandon House is located on the corner of Borough High Street and Marshalsea Road with a ramped access further north on the Borough High Street frontage. Vehicular access is via Disney Place leading to the rear car park and service area.
- 4 The surrounding area is mixed in character with a wide range of land uses present, including various commercial, educational and residential uses. The principal commercial frontage is along Borough High Street where buildings are typically five

and six storeys high. Marshalsea Road has less of a commercial presence with larger warehouse style buildings generally of four and five storeys in height.

- 5 The Church of St. George the Martyr is located at the centre of the Borough High Street / Marshalsea Road / Great Dover Street junction. This is a Grade II\* listed building dating from 1734. St. George's Churchyard and Gardens is designated Borough Open Land. Borough High Street Conservation Area adjoins the application site along its Borough High Street frontage.

### **Details of proposal**

- 6 A five year consent is sought to demolish the existing building and provide a mixed use scheme comprising 5,869 sqm (GEA) of Class B1 office and Class A retail floorspace and 100 new residential units. The development would comprise:
  - Borough High Street building (Building 1)
  - Office building located on the corner of Borough High Street and Marshalsea Road (Building 2)
  - Marshalsea Road building (Building 3)
  - The yard building located to the rear of Borough High Street building (Building 4)
  - 5 mews style houses facing onto the eastern edge of the Park (Buildings 5 and 7)
  - 4 mews style houses along the southern edge of the Park (Building 6)
- 7 The residential accommodation would be located on the upper floors of both Borough High Street and Marshalsea Road buildings as well as within a new courtyard building and mews style houses to the rear. 20 affordable units are proposed and these would be located in the Borough High Street building. The commercial Class B / Class A floorspace would be located on the ground and basement levels of the Borough High Street and Marshalsea Road blocks and on the upper floors of the corner office building.
- 8 A new pedestrianised route would be created through the site linking Borough High Street and Disney Place. To the rear of the buildings would be a new landscaped courtyard, including dedicated child play space.
- 9 Vehicular access to the site would be from Disney Place. 11 disabled car parking spaces are proposed, of which 9 are provided at basement level with the remaining 2 spaces located at grade. Cycle spaces for all the uses are provided within dedicated stores at basement and ground level.
- 10 Revised plans  
In order to respond to a number of issues and concerns raised on the original submission, a series of revisions have been made to the scheme and updated documentation and plans were submitted in May 2013. In summary, these changes comprise the following:
  - reduction in number of residential units to 100 in total (previously 108 units);
  - a revised residential dwelling mix to increase the number of three bedroom flats;
  - revised internal layouts to the flats;
  - extension of basement area to provide 9 disabled parking spaces (11 in total on site) as well as cycle storage, refuse, and plant;
  - increase in number of cycle parking spaces.

All other aspects of the scheme, including height, massing, and external appearance of the buildings, remain unchanged.

- 11 The above revised plans and updated application documents were consulted upon and the responses are summarised in the appendix to this report.
- 12 As a result of ongoing negotiations, further updated documents were submitted in August 2013 as follows:
  - Revised Overshadowing Note for Little Dorrit Park
  - Revised Energy Note
  - Addendum to Service Waste and Management Plan
  - Amenity Space Briefing Note
  - Note on Boundary Treatment to Little Dorrit Park
  - Revised Accommodation Schedule (showing internal room / unit sizes)
  - Amended upper floor layout plans (1st-7th floors) to reflect minor changes to residential accommodation.
- 13 The latest information detailed above has been consulted on. Further responses to the reconsultation will be included in the Addendum Report to Committee.

### **Planning history**

- 14 Application Reference 09-AP-2042  
An application for a Screening Opinion was made under Regulation 5 of the then Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulation 1999 for: Demolition of existing building and redevelopment to provide a mixed use development ranging from five to eight storeys in height (plus basement) comprising office, retail, and residential floorspace. The council confirmed, by letter dated 15 September 2009, that the proposal did not fall within a defined EIA development category and would not be likely to give rise to environmental effects of more than local significance. An EIA would therefore not be required.
- 15 Application Reference 10-AP-3241  
Application WITHDRAWN on 11 March 2011 at the request of the applicant. The proposal was for: Demolition of existing building and erection of a part five storey / part six storey / part eight storey building (plus basement) fronting Marshalsea Road and Borough High Street (30.44m AOD maximum height) comprising 5,394 sqm (GEA) of office (Class B1) and retail (Class A) floorspace and 123 residential units; erection of a four storey 'mews' building to the rear (17.66m AOD maximum height) comprising 4 residential units; provision of open space with ancillary plant, car parking and servicing, works of hard and soft landscaping and new pedestrian access to Borough High Street, together with other associated and enabling works.

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

- 16 10 Marshalsea Road - Application Reference 12-AP-2661  
Planning permission GRANTED on 4 December 2012 for: New shopfront, single storey rear extension and additional storey at third floor level with roof terrace; and change of use at basement and ground floor from A1 retail to A1 retail or B1 office, with self containment of residential unit on the upper floors which is re-configured and extended from a two bedroom to a three bedroom flat.
- 200 Great Dover Street
- 17 Application Reference 09-AP-2128  
Planning permission REFUSED on 24 February 2010 for: Demolition of existing building and erection of one six storey building, plus basement, (maximum height 29.05m AOD) comprising 163 sq.m of commercial floorspace (Class A retail / B1 office / D1 community uses) and 3,131 sq.m of office (Class B1) floorspace and one part seven / part seventeen storey (including mezzanine floor) building, plus basement,

(maximum height 53.75m AOD) comprising 370 sq.m of commercial floorspace (Class A retail / B1 office / D1 community use) and 237 beds for student accommodation together with landscaped courtyard, bicycle and refuse storage. The application was later dismissed on appeal by decision dated 18 February 2011.

18 Application Reference 12-AP-0617

Planning permission GRANTED on 30 March 2012 for: Erection of two additional storeys of accommodation, plus erection of plant at seventh floor level (maximum height 30.675m AOD), together with refurbishment and re-cladding of existing building, and use of entire building for office (Class B1) purposes, with landscaping, disabled parking, and cycle storage. To date, the permission has not been implemented.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

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

- principle of the proposed development in terms of land use and conformity with strategic policies;
- environmental impact assessment;
- housing mix and density
- affordable housing;
- quality of accommodation;
- impact on the amenities of occupiers of adjoining properties;
- design issues, including layout, heights, massing and elevations;
- impact on local views and the setting of listed buildings and conservation areas;
- transport matters;
- archaeology;
- flood risk;
- planning obligations; and
- energy and sustainability.

### **Planning policy**

20 The development plan for the borough comprises the London Plan 2011, the Core Strategy 2011, and saved policies of the Southwark Plan 2007. The following designations apply to the site:

- Central Activities Zone (CAZ)
- Bankside and Borough District Town Centre
- Bankside, Borough and London Bridge Opportunity Area
- Archaeological Priority Zone (APZ)
- Air Quality Management Area (AQMA)
- Public Transport Accessibility Level (PTAL) 6a
- Flood Zone 3

21 The site is located adjacent to Borough High Street Conservation Area and opposite the Grade II\* listed St. George the Martyr Church. Little Dorrit Park to the north is designated Borough Open Land. The site lies within the backdrop assessment area of the protected view of St. Paul's Cathedral from Alexandra Palace.

### Core Strategy 2011

22 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 different 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

- 23 The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
- 24 Policy 1.1 Access to employment opportunities  
Policy 1.4 Employment sites outside the Preferred Office Locations and Preferred Industrial Locations  
Policy 1.7 Development within town and local centres  
Policy 2.5 Planning obligations  
Policy 3.1 Environmental effects  
Policy 3.2 Protection of amenity  
Policy 3.3 Sustainability assessment  
Policy 3.4 Energy efficiency  
Policy 3.6 Air quality  
Policy 3.7 Waste reduction  
Policy 3.9 Water  
Policy 3.11 Efficient use of land  
Policy 3.12 Quality in design  
Policy 3.13 Urban design  
Policy 3.14 Designing out crime  
Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites  
Policy 3.19 Archaeology  
Policy 3.22 Important local views  
Policy 3.28 Biodiversity  
Policy 4.1 Density of residential development  
Policy 4.2 Quality of residential accommodation  
Policy 4.3 Mix of dwellings  
Policy 4.4 Affordable housing  
Policy 4.5 Wheelchair 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

- 25 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 3.9 Mixed and balanced communities  
Policy 3.10 Definition of affordable housing  
Policy 3.11 Affordable housing targets  
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes  
Policy 3.13 Affordable housing thresholds  
Policy 4.1 Developing London's economy  
Policy 4.2 Offices  
Policy 4.3 Mixed use development and offices  
Policy 4.7 Retail and town centre development  
Policy 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 5.14 Water quality and waste water infrastructure  
Policy 5.15 Water use and supplies  
Policy 6.1 Strategic approach  
Policy 6.3 Assessing effects of development on transport capacity  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.13 Parking  
Policy 7.1 Building London's neighbourhoods and communities  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.9 Heritage led regeneration  
Policy 7.13 Safety, security and resilience to emergency  
Policy 7.14 Improving air quality  
Policy 7.15 Reducing noise and enhancing soundscapes  
Policy 7.18 Protecting local open space and addressing local deficiency  
Policy 7.19 Biodiversity and access to nature  
Policy 7.21 Trees and woodland  
Policy 8.2 Planning obligations  
Policy 8.3 Community Infrastructure Levy

Regional Supplementary Planning Documents (SPDs) and Guidance

- 26 Sustainable Design and Construction (2006)
- Mayor's Energy Strategy (2010)
- Mayor's Transport Strategy (2010)
- Mayor's Climate Change Mitigation and Energy Strategy (2011)
- Housing (2012)
- London View Management Framework (2012)
- Providing for Children and Young People's Play and Informal Recreation (2012)

Southwark Supplementary Planning Documents (SPD)

- 27 Section 106 Planning Obligations (2007)
- Design and Access Statements (2007)
- Affordable Housing (2008)
- Sustainable Design and Construction (2009)
- Sustainability Assessment SPD (2009)
- Sustainable Transport Planning (2010)
- Residential Design Standards (2011)
- Draft London Bridge, Borough and Bankside (2010)
- Draft Affordable Housing SPD (2011)

National Planning Policy Framework (NPPF)

- 28 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

**Principle of development**

- 29 At the heart of the NPPF is a presumption in favour of sustainable development. The framework sets out a number of key principles, including a focus on driving and supporting sustainable economic development to deliver homes, business, industrial units, infrastructure and thriving local places. It encourages the effective use of land by reusing land that has been previously developed (brownfield sites) and promotes mixed use developments.
- 30 The site is located within the Central Activities Zone (CAZ), the Bankside, Borough and London Bridge Opportunity Area, and the Bankside and Borough District Town Centre. In these locations London Plan and Southwark plan policies seek to provide for higher density, high quality mixed use developments which will help to address the need for new homes as well as increase the range of employment opportunities.
- 31 The footprint of the existing building extends along the frontages of the site with a large area of hardstanding to the rear. Local residents have queried why the existing building cannot be re-used and refurbished but it is considered that the existing building doesn't maximise the efficient use of the site, particularly in this central location. The applicant advises that the current office accommodation is limited with relatively long and narrow outmoded floorplates. Furthermore, the building does not engage with the street having no activity at ground floor level aside from the main entrance. The opportunity to redevelop this under utilised site with a high quality mixed use scheme incorporating active frontages is viewed positively.

### Provision of offices and retail uses

- 32 Core Strategy Strategic Policy 10 protects existing business floorspace and supports the provision of around 25,000 sqm - 30,000 sqm of additional business floorspace in areas such as the CAZ and town centres. Saved Policy 1.4 advises that development will be permitted provided that the proposal would not result in a net loss of floorspace in Class B use. The policy advises that if the site is located within a town or local centre, suitable Class A or other town centre uses would be permitted in the place of Class B uses. It also advises that where an increase in floorspace is proposed, the additional floorspace may be used for suitable mixed or residential use.
- 33 The existing building provides 5,386 sqm GEA of office floorspace. The application documentation advises that the building has been 50% vacant since 2009, however it is understood that the building is now fully occupied. This confirms that there is the demand for office space in this location and therefore any new development on the site must ensure that the existing quantum of Class B floorspace is re-provided.
- 34 The proposed development has the capacity to provide 5,869 sqm of Class B1 office floorspace on the site which represents an increase in office provision on the site. The offices would be located in the basement and ground floors of the buildings fronting Marshalsea Road and Borough High Street (Buildings 3 and 1) and on the upper floors of the corner building (Building 2). The accommodation will comprise large floorplates to ensure it could be let to a single large business or else sub let to smaller businesses to ensure the space is attractive to a wide range of potential occupiers.
- 35 The proposal does however seek a dual use consent for the basement and ground floors for either Class A retail or Class B1 offices to provide greater flexibility for the occupation of these units. The provision of Class A uses on the ground floor in place of office space complies with Saved Policy 1.4 which permits suitable retail uses in place of Class B uses in town centre sites as they help provide active and engaging street frontages. The provision of high quality retail frontages represents a significant improvement to the existing situation where the current building presents a rather unattractive frontage to the street. The upper floors of Building 2 would be dedicated office space which is accessed separately via a reception area prominently located at the road junction. This will ensure that office space is secured within the development.
- 36 A concern has been raised about the amount of vacant retail units already existing in the locality. The new retail space could be occupied by a range of A Class uses including shops, financial and professional services, cafes, restaurants, bars, and takeaways to ensure maximum flexibility to encourage take-up. The retail units will be of high quality to ensure they are attractive and the provision of a mix of ground floor uses will add to the vitality and viability of this side of Borough High Street and Marshalsea Road.

### Residential use

- 37 A key objective of Core Strategy Strategic Policy 5 is to provide as much new housing as possible and create places where people will want to live. The policy sets a target of 24,450 new homes to be provided between 2011 and 2026. Within the Bankside, Borough and London Bridge Opportunity Area, 1900 new homes are sought. The proposed 100 new residential units would contribute towards meeting an identified housing need and therefore the provision of housing on this site as part of a larger mixed used scheme is welcome.

### Conclusion

- 38 The redevelopment of this brownfield site provides an opportunity to provide new office



and retail space as well as good quality homes in line with current policy objectives. The principle of development for these uses is therefore acceptable.

### **Environmental impact assessment**

- 39 The Council issued a Screening Opinion on 15 September 2009 confirming that the proposed development did not fall under a EIA development category as defined by the then Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. Furthermore, the proposal is not likely to have significant environmental effects upon the environment by virtue of factors such as its nature, size or location and potential impacts would be of only local significance. An EIA would therefore not be required. The updating of the 1999 EIA Regulations by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 does not affect the original screening decision.

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

#### Density

- 40 Saved Policy 3.11 of the Southwark Plan requires development to maximise the efficient use of land whilst ensuring a number of criteria are met including safeguarding neighbouring amenity, making a positive response to local context and ensuring a satisfactory standard of accommodation. Policy clearly states that permission will not be granted for development that is considered to be an unjustified underdevelopment or an overdevelopment of the site. Strategic Policy 5 of the Core Strategy sets out the density ranges that residential and mixed use developments would be expected to meet. As the site is located within the Central Activities Zone, a density range of 650 to 1100 habitable rooms per hectare would normally be expected. Appendix 2 of the Southwark Plan sets out guidance for how density should be calculated which includes commercial floorspace. Based on a site area of 0.4 hectares, the density of the proposed scheme is 1,216 habitable rooms per hectare which significantly exceeds the expected density.
- 41 Density gives a numerical measure of the amount (intensity) of development and provides an indication of whether the scale of development is likely to be appropriate in different parts of the borough. A density above the expected range would not of itself necessarily lead to a conclusion that the scheme should be judged unacceptable. Indeed, the Core Strategy advises that within opportunity areas, densities may be exceeded when developments are of an exemplary standard of design. If this can be demonstrated, and there are no adverse impacts arising, then the high density of the scheme would not be a reason to warrant refusing permission.

#### Housing mix

- 42 Strategic Policy 7 of the Core Strategy requires major developments to have at least 60% 2 or more bedrooms and at least 20% 3, 4 or 5 bedrooms. Developments should have a maximum of 5% studios and 10% of the units to be suitable for wheelchair users. The proposed residential mix is set out below.

<b>Unit Type</b>	<b>Total Units</b>	<b>% Units</b>
Studio	7	7%
1-bedroom	33	33%
2-bedroom	40	40%
3-bedroom	20	20%
<b>TOTAL</b>	<b>100</b>	<b>100%</b>

- 43 The proposal is compliant in respect of the larger two and three bedroom units. There is a small over-provision of studios but this wouldn't warrant a refusal of permission when considering that the scheme will provide a mix of dwelling sizes and types to help towards delivering a range of housing choices in the borough, including larger family units.
- 44 All homes will be designed to meet Lifetimes Homes and 10% of the units (3 x 2-bed and 7 x 3-bed) will be wheelchair accessible. Five of the 3-bed accessible units would be affordable which is welcome as there is a need for more family size affordable wheelchair accommodation in the borough.

### **Affordable housing**

- 45 Policy 3.8 of the London Plan requires new development to offer a range of housing choices and the provision of affordable family housing. Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought having regard to a number of factors including the need to encourage rather than restrain residential development, the need to promote mixed and balanced communities, and the specific circumstances of individual sites. The policy also advises that negotiations should take account of a number of factors including development viability and the availability of public subsidy.
- 46 Core Strategy Strategic Policy 6 requires as much affordable housing on developments as is financially viable. For this part of the borough, a minimum 35% affordable housing (by habitable room) would normally be expected. In the CAZ the affordable housing should be split 70% social rented and 30% intermediate housing.
- 47 Saved Policy 4.5 of the Southwark Plan concerning wheelchair affordable housing, states that for every affordable housing unit which complies with the wheelchair design standards one less affordable habitable room will be required.
- 48 The scheme proposes 20 affordable units (5 x 1-bed, 10 x 2-bed, and 5 x 3-bed wheelchair accessible) or 60 habitable which equates to 22% affordable housing (including the wheelchair habitable room allowance). However, it should be noted this doesn't take into account the fact that there are a number of rooms within the development that exceed 27.5 sqm. The adopted and draft Affordable Housing SPDs state that rooms which are more than 27.5 sqm in size should be counted as two habitable rooms. When this is taken into account, the affordable housing offered would reduce to 20% provision. Of this, 70% would be delivered as social rent and 30% shared ownership by habitable room which complies with the tenure normally sought in this area.
- 49 An Affordable Housing Statement (using the GLA's Development Control Toolkit) has been submitted to demonstrate that the proposed 20% affordable provision is the maximum quantum that the scheme can support. The appraisal considers the existing use value (EUUV) of the existing office site as the benchmark against which to assess the assumed development costs and end values of the scheme. As is the case with any development, the ability to make an affordable housing contribution is dependent on its ability to produce a financial surplus over and above a reasonable profit level.
- 50 The appraisal and its assumptions have been assessed by the borough valuer who concludes that it offers an accurate assessment of the viability of the scheme. It is agreed there are factors which could affect viability such as the provision of an extensive basement and underground disabled parking which significantly increases the build costs of the development.
- 51 A further factor for consideration is that the tenancy lease for the existing Brandon

House will not end until July 2016 and hence the applicant is seeking a 5-year planning consent. During this time it is reasonable to anticipate that both residential and commercial values will rise over time and therefore a review mechanism should be secured by legal agreement to ensure that the viability of the scheme is re-appraised in 24 months time to see how changing values impact on the viable provision of affordable housing.

- 52 Whilst the offer is below the 35% policy target required for the scheme, both the London Plan and Southwark Core Strategy require as much affordable housing on-site as is financially viable. Officers consider that it has been adequately demonstrated that the scheme could not support a higher level of provision than the 20% offered. In addition, the scheme offers toolkit compliant S106 contributions as well as the Mayoral Community Infrastructure Levy (CIL) and this needs to be taken into account in assessing the proposal.
- 53 A key consideration is that the scheme offers the required tenure split of 70:30 provision between social rented and intermediate housing. As such the majority of the affordable units would comprise social rented housing offered at target rents rather than affordable rents where up to 80% of market rents can be charged. Furthermore, the affordable provision contains a good mix of unit types where the provision of larger affordable family accommodation is supported. Taking all matters into account, the affordable provision proposed is accepted, subject to the aforementioned review if the development doesn't commence within 24 months of the permission being issued. It should be noted that the overall quantum of 20% would remain as the minimum level of permission. The review mechanism would capture any increase should the development be able to support it.

#### **Quality of accommodation**

- 54 The Residential Design Standards SPD (2011) advises that for a development to be considered as being of an exemplary standard of design, applicants will be expected to demonstrate that their proposed scheme exceeds the residential design standards set out in the SPD and includes features such as:
- significantly exceed minimum floorspace;
  - provide for bulk storage;
  - include a predominance of dual aspect units;
  - have natural light and ventilation in kitchens and bathrooms;
  - exceed amenity space standards
  - meets good daylight and sunlight standards.
- 55 As the scheme has a raised density level it will need to be demonstrated that the scheme is exemplary in terms of residential quality. Local concerns have been raised about the quality of the proposed residential units, including the outdoor amenity spaces and lack of on-site child play space provision.

#### Internal space standards

- 56 The SPD sets out the minimum internal space standards for residential units, including those for overall unit sizes as well as individual rooms. The table below details the range of proposed unit sizes compared to the SPD standards.

<b>Unit size (bedroom / person)</b>	<b>SPD Minimum Unit Area (GIA - sqm)</b>	<b>Proposed Unit Range (GIA - Sqm)</b>
Studio	36	41.54 - 41.56
1-bed 2p	50	50.04 - 53.30
2-bed 3p	61	65.8 - 160.20
2-bed 4p	70	
2-bed average	66	

3-bed 4p	74	92.03 - 174.70
3-bed 5p	86	
3-bed 6p	95	
3-bed average	85	

- 57 All the units exceed the required minimum unit size standards with some of the two and three bed units significantly in excess, particular in the case of the mews buildings and top floor villa in Building 4. It should be noted that the ground floor of the mews units (Buildings 5, 6, and 7) will be used as media rooms or storage rather than habitable accommodation which must be located on the upper floors of the development because of flood risk. However, the ground floors have been included in the overall unit calculation. The rooms within all the units either meet or exceed minimum sizes, again with some of the rooms significantly exceeding the minimum standard. All the units are provided with ample bulk storage. It is preferred that the family 3-bedroom units have kitchens separate from living areas to allow for a separation of activities. The 3-bedroom affordable units have separate kitchens and most of the market units have open plan living areas that exceed minimum sizes and therefore allow some separation. 68% of the units would be dual aspect and therefore the scheme meets the requirements for a predominance of dual aspect flats.

#### Internal daylight

- 58 An assessment of the expected daylight within the proposed residential units has been undertaken. The assessment was carried out in accordance with the BRE Guidance 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' 2011. To check adequate daylight is provided in new rooms, the Average Daylight Factor (ADF) may be calculated. This calculation assesses the quality and distribution of light within a room served by a window. The BRE recommends minimum ADF values of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 59 The results show that 84.3% of habitable rooms within the development would meet or exceed the target ADF values. The 15.7% of non compliant rooms comprise either separate living rooms or open plan living / kitchens / diners which have deep floorplates, in addition to balconies which restrict the amount of light reaching a window. Whilst it is desirable that a greater number of rooms achieve the required ADF minimum target when considering any new build scheme, it is recognised that the BRE guidance has been drafted for use in both urban and suburban areas and that it needs to be applied with flexibility, particularly in urban areas where the character of higher density accommodation will inevitably have different impacts to lower density suburban areas.
- 60 The report advises that the daylight analysis has been undertaken for the first, second and third floors only (there being no habitable accommodation on the ground floor) and that if a room was found to fall short of the recommended ADF values it is assumed that it would fall short on all the floors above. This represents a worst case scenario as the daylight potential would be higher at the upper floors. The applicant has advised that a full analysis of all the upper floors will be carried out in order to provide a more accurate assessment. The updated analysis will be set out in the Addendum report to Committee.

#### Sunlight

- 61 The BRE guidance states that sunlight is most appreciated within living areas and so all windows serving living rooms within 90 degrees of due south have been assessed for Annual Probable Sunlight Hours (APSH). The assessment requires that a window should receive 25% of annual probable sunlight hours during summer and at least 5%

of sunlight hours in the winter months between 21 September and 21 March.

- 62 The results show that where balconies have been provided for the flats on the front facades facing Borough High Street and Marshalsea Road, lower levels of sunlight (ranging from 8 hours to 20 hours) will be achieved during the summer; during winter all windows will comply. This is partly due to balconies being provided in front of living rooms where they act as shading devices. The first and second floor windows facing the courtyard will experience lower levels of sunlight throughout the year. It is often the case where there is a dense pattern of development that such standards can be difficult to achieve.

#### Amenity space provision

- 63 All new residential development must provide an adequate amount of useable outdoor amenity space. The Residential Design Standards SPD sets out the required amenity space standards which can take the form of private gardens and balconies, shared terraces and roof gardens. Policy 3.6 of the London Plan requires new developments to make provision for play areas based on the expected child population of the development. Children's play areas should be provided at a rate of 10 sqm per child bed space (covering a range of age groups).
- 64 In terms of the overall amount of amenity space required, the following would need to be provided:
- minimum 50 sqm communal amenity space per development
  - units of 3 or more bedrooms - 10 sqm of private amenity space
  - units of 2 bedrooms or less - ideally 10 sqm of private amenity space and where this is not possible the remaining amount be added to the communal amenity space total area
  - balconies and terraces should be a minimum 3 sqm to count towards private amenity space
  - For houses, a garden of 50sqm
  - 10 sqm of child play space for every child space in the development
- 65 All the residential flats have access to good sized, useable private balconies or terraces of at least 4.1 sqm in size with a number of units having access to more than one balcony. The 3-bed units have at least one balcony of a minimum 10 sqm in size. The mews houses adjoining the park are each provided with roof terraces (circa 27 sqm). Although these roof terraces don't meet the requirement for houses to provide a 50 sqm garden, the mews buildings form part of the wider flat development, sharing the same access and servicing arrangements as the other flats. It is therefore considered more appropriate that the standards for flats should be applied to the mews houses. They will also have direct access to the communal landscaped courtyards. The fact that every unit in the scheme has access to private, useable amenity space that is well in excess of minimum requirements is particularly positive.
- 66 At the rear of the buildings there would be a large landscaped space (1,262 sqm). This space comprises the new pedestrian link through the site which also leads to the entrances for the new flats, car access and parking, as well as a courtyard to the front of Building 4 and a soft landscaped area adjoining Little Dorrit Park. The area would have step free paving and be laid out with a combination of setts and stone slabs together with soft landscaping, seating and trees. Certain parts of this area are considered unsuitable for recreation, such as the areas with building above, entrance areas, car parking and car access areas. When these areas have been discounted there would be 697 sqm of courtyard and landscaped space available for communal recreation, including child play space. This is in excess of the 557 sqm needed to cover the shortfall in private space provision (303 sqm) as well as 254 sqm child playspace

required to accommodate 25 children within the development.

- 67 An enclosed dedicated child play space (64 sqm) for the under 5-years would be provided adjacent to the park. The remainder of the play space would be on the general courtyard area which provides the opportunity for 'incidental' play. In addition, children of all ages will have easy access to Little Dorrit Park as well as Mint Street Park which is nearby. Although the on-site dedicated play space area is small, the scheme does provide the required total quantum of provision with the courtyard acting as a multi-functional space.

#### Noise and vibration

- 68 Saved Policy 3.2 of the Southwark Plan advises that planning permission will not be granted where it would cause a loss of amenity, including disturbance from noise. The submitted Noise and Vibration Impact Assessment advises that road traffic noise in the surrounding area is the dominant source of noise. As the site is located on a busy road junction, the scope for separation from traffic sources and reducing noise sources is limited, although the facades to the north and the west (rear) of the site would be shielded from road traffic noise by the building itself.
- 69 Sound insulation treatment will be utilised to ensure that the development is suitable for residential use and capable of meeting the Council's preferred noise standards for indoor space. The external balconies on the rear facades will be shielded from traffic noise but the balconies on the front facades will be exposed to high traffic noise and therefore measures such as optimising the height of balustrades and applying sound absorbing finishes to balcony soffits will be necessary. Although these measures will help reduce traffic noise levels, it is unlikely that the council's standards for external spaces will be met. This in itself would not justify a reason for refusal, particularly as the internal spaces will be adequately insulated from noise. Further, it is noted that there are other open residential balconies facing onto Borough High Street, such as the Maple Building (128 Borough High Street).
- 70 Four main plant rooms are proposed within the development. It will therefore be necessary to ensure that existing adjacent occupiers as well as future occupiers of the development are protected from noise generated by the plant.
- 71 In terms of vibration, the levels measured on site were found to be within acceptable limits and therefore no adverse impact is expected.
- 72 The Environmental Protection Team have advised they are satisfied with the submitted Noise and Vibration Assessment and recommend conditions to ensure compliance.

#### Air quality

- 73 Saved Policy 3.6 of the Southwark Plan states that planning permission would not be granted for development that would lead to a reduction in air quality. The site falls within the Air Quality Management Area (AQMA) due to the high levels of nitrogen dioxide (NO<sub>2</sub>) and particulate matter attributable to road traffic emissions. Accordingly, an Air Quality Assessment has been submitted.
- 74 The scheme proposes that the residential units will be mechanically ventilated via ventilation louvres on the facade of the building with openable windows. However, the air quality survey results indicates that the air quality at the building facade is likely to be poor, especially at lower levels, and therefore further mitigation is required. Measures might include relocating the ventilation inlets to roof level. The Environmental Protection Team are satisfied that with appropriate mitigation the matter of air quality can be dealt with. A condition requiring further details of how the units will be

adequately ventilated is therefore recommended.

### Conclusion

- 75 The proposed development provides accommodation that is considered to be of a good standard. The sizes and types of the units and the amount and quality of amenity space are all considered to be positive aspects of the scheme. Some of the units would not meet the minimum standards for internal daylight and sunlight but the predominance of dual aspect units will help mitigate this. Further information on internal daylight is expected which will contain an analysis of all the floors. It has been demonstrated that noise and air quality matters can be adequately dealt with, albeit further details of the proposed mitigation will need to be secured by conditions. Accordingly, it is considered that the standard of accommodation proposed is on balance sufficient to justify the high level of density on the site.

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

- 76 Saved Policy 3.2 relates to the protection of amenity and states that permission would not be granted where a loss of amenity to present occupiers would be caused.

### Daylight and sunlight

- 77 A Daylight and Sunlight Report has been submitted with the application. The report assesses the scheme based on the Building Research Establishments (BRE) guidelines on daylight and sunlight.
- 78 The analysis uses the Vertical Sky Component test (VSC) which considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that daylight can be reduced by about 20% of their original value before the loss is noticeable.
- 79 The No Sky Line (NSL) or Daylight Distribution method has also been used which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of 20% in the area of sky visibility, daylight may be affected.
- 80 The daylight impacts on the following adjoining residential properties has been considered:
- 1-14 Disney Place;
  - 168 Borough High Street;
  - 10 Marshalsea Road; and
  - 12-14 Marshalsea Road.

### 1-14 Disney Place

- 81 A number of residents in Disney Place have raised concerns about loss of daylight and sunlight to their properties. This building is located to the east of the application site where main habitable windows and balconies face the entrance to the development site. The report assesses a total of 34 windows within this building of which the vast majority would experience no noticeable change to daylighting with the proposed development in place. The exception to this are two first floor windows where VSC values would be reduced by significantly more than the recommended 20% (by 25.35% and 65.45%). Both the windows are located beneath deep recessed balconies and

therefore the ability of natural light to reach these windows is already compromised by the design of the building. This is reflected in the existing VSC values of 2.88% and 1.65% which are considerably below the BRE target of 27%. The actual amount of light lost to these windows is small (being 0.73% and 1.08%) and in reality the change to VSC levels are unlikely to be noticeable. It is noted that the no sky-line analysis shows that the alteration in direct skylight to both windows remain within BRE recommended levels for both windows. It is therefore considered that the additional reductions would not reduce daylight to unacceptably harmful levels.

#### 168 Borough High Street

- 82 This property is located to the north of the application site and contains residential accommodation on the upper floors. Again, an objection has been received from the owner of this property about loss of light. Nine windows at the rear of the property have been tested and all but two of the windows (which are at first floor level) would experience VSC reductions of less than 20% and therefore no noticeable change to daylight. Again, the two windows which exceed the recommended 20% alteration have low existing VSC values and therefore in reality the change to daylighting would be minimal. The no sky-line analysis shows that the alteration in direct skylight would be within BRE recommended tolerances.

#### Nos. 10 and 12-14 Marshalsea Road

- 83 These buildings are located to the east of the application site and have rear (north facing) windows which would face the proposed mews houses (Building 6). 10 windows in each building have been assessed and all would experience no noticeable change as the resultant VSC reductions are considerably less than the BRE recommended 20%.

#### Sunlight

- 84 In relation to sunlight, the test is to calculate the annual probable sunlight hours (APSH) taking into account the amount of sun available in both the summer and winter for each given window which faces within 90 degrees of due south. The assessment requires that a window should receive a quarter of annual probable sunlight hours in the summer and at least 5% of sunlight hours during the winter months. The impacts of the scheme on sunlight have been considered with respect to 1-14 Disney place as this is the only building where windows face within 90 degrees of due south.
- 85 23 out of the 26 relevant windows tested satisfy the BRE APSH criteria. The three that fail are located at first floor level. Two of the windows would experience only minor reductions and the third window already experiences low sunlight levels as it is located within a deep recessed balcony.
- 86 The occupiers of No. 6-8 Marshalsea Road and No. 215-221 Borough High Street have raised concerns about the loss of light to their properties. However, these buildings are in office and education uses and therefore there is no formal requirement for a daylight and sunlight assessment to be undertaken. The BRE guidance considers residential properties as being more important in receiving adequate levels of daylight and sunlight compared with commercial buildings. As such there are no daylight standards for commercial properties.
- 87 Nos. 215-221 Borough High Street is located about 28m from the application site and its main windows are angled towards St George's Church rather than towards the development site. Nos. 6-8 Marshalsea Road have north facing windows that directly face the proposed mews houses (Building 6) and it is likely that there will be some loss of light to this office building which is unfortunate. However, as there are no daylight



standards for commercial properties it is considered that the potential loss of light wouldn't justify a reason for refusal when considering the overall regenerative benefits of the proposed scheme.

- 88 In summary, it is considered that the impacts of the proposal on the daylight and sunlight to neighbouring residential properties is acceptable and will not result in a material change to levels currently experienced.

#### Overshadowing

- 89 A large number of objections have been received in relation to the potential overshadowing of the development on the adjacent Little Dorrit Park. The revised Overshadowing Assessment (August 2013) details the effects of the proposal on Little Dorrit Park amenity space. The BRE guide advises that for an amenity space to appear adequately sunlit throughout the year, at least half of the amenity area should receive at least 2 hours of direct sunlight on 21 March (Spring Equinox). If, as a result of a new development, an amenity area cannot meet these guidelines, a loss of 20% would be allowed before it could be considered noticeable.
- 90 The updated analysis shows that on the 21 March in the existing condition, 91.7% of the park would receive more than 2 hours of direct sunlight. The areas of the park (8.3%) which receive less than 2 hours are concentrated along the edge of the southern park boundary and around the boundary with Lyon House. With the proposed development in place, 80% of the park would still receive in excess of 2 hours of direct sunlight, notably this area comprises the main useable part of the park which contains seating and the children's play area.
- 91 This analysis doesn't make a distinction between an amenity space receiving 6 hours of direct sunlight or 2 hours, and so a separate "Gradient Shadow" assessment has been undertaken to show the levels of direct sunlight in 30 minute intervals on 21 March, 21 June, and 21 December.
- 92 With the proposed scheme in place, on 21 March about 50-60% of the park would receive more than 5 hours of direct sunlight (the play area receiving approximately 6 to 9 hours). In June about 90% of the park would receive more than 10 hours of direct sunlight, with the central area receiving over 14 hours. In the December analysis the entire park would achieve about 1-30 minutes of direct light, whereas currently the north-western corner of the park receives in excess of 3-4 hours, reducing to the 1-30 minutes the remainder of the park. The proposal therefore would result in reduction in sunlight hours for a section of the park but there wouldn't be a substantive change in sunlight for a large proportion of the park. It is recognised that the park is well used throughout the year but trips in the winter months are likely to be less frequent and of shorter duration as compared with those in the summer.
- 93 Overall, the proposal will result in some increased shading to Little Dorrit Park but it would remain adequately sunlit throughout the year with light levels shown to be comfortably within the BRE recommended guidelines for outdoor amenity and open spaces. The impacts of the proposal in terms of overshadowing are therefore considered acceptable.

#### Light pollution

- 94 A desk-top study has been submitted to assess the likely impact of the proposed external lighting on the surrounding environment. The site is located in an area of high district brightness given the urban location. Various sensitive receptors to lighting have been identified, including:

- wildlife in Little Dorrit Park;
- St. George's Church;
- residents in the surrounding area; and
- motorists and pedestrians using the adjacent roads and walkways.

95 External lighting is proposed along the incoming road way to the basement car lift facilities; pedestrian courtyard; and bicycle storage areas in the form of lighting columns, recessed floor and wall lights and lighting bollards. Lighting within the site will be operational from sunset, switching on and off by photocell. The report advises that the potential impact on identified receptors has been mitigated using natural and designed features such as landscaping and that the lighting levels and cut off angles will ensure that light spill remains within the site. A condition requiring submission of a detailed lighting strategy, including lighting contour diagrams to show light spillage, is recommended.

#### Overlooking and outlook

96 In order to prevent against harmful overlooking between neighbouring residential properties, the Residential Design Standards SPD 2011 requires developments to achieve a distance of 12m at the front of the building and any elevation that fronts a highway and a minimum of 21m at the rear. Residents from residential properties in Disney Place and No. 168 Borough High Street as well as the occupier of the office premises at 6-8 Marshalsea Road are concerned about loss of privacy and outlook.

97 The separation between the proposed scheme and buildings on the opposite side of Borough High Street and Marshalsea Road would be well in excess of 20m. There are no windows in the proposed development that would directly face the rear windows of the upper floor flats in No. 168 Borough High Street and only oblique views would be possible between the habitable windows in Disney Place and the front facing windows of the new mews houses (Building 6) adjacent to the southern boundary of the park. The mews houses do have roof terraces but the closest one to Disney Place would be 11m away which is just marginally short of the recommended separation distance.

98 The proposed front facing windows of these mews houses (Building 6) would directly face the rear of Nos 6-8, 10, and 12-14 Marshalsea Road which are in a mix of commercial and residential uses. The windows closest to the new mews houses would be those of Nos. 6-8 which is in office use and therefore not as sensitive as residential use when considering overlooking issues. The mews houses have been designed to have their main outlook towards the park and so main habitable windows on the southern facade have been kept to a minimum with most of the windows on the upper floors being high level windows serving stairs and bathrooms. It is therefore considered that no intrusive overlooking would result from the scheme.

99 Some local residents have raised a concern about overlooking towards Little Dorrit Park. However this is a public open space which is already overlooked by a large number of properties. Indeed, this is a benefit as it provides passive surveillance to the park.

#### Impacts during construction

100 A number of local residents and businesses are concerned about the potential impacts and disruption during demolition and construction phases. It is accepted that there will be some amount of disruption to nearby occupiers prior to the development being operational and this will need to be managed very carefully to ensure that all impacts (such as noise, dust, and vibration) are kept to a minimum. A condition will be required which requires the submission of an Environmental Management Plan prior to any works being carried out on site which will detail the measures to be taken to minimise

the impacts of demolition and construction.

## **Transport**

### Trip generation and highway impacts

- 101 The proposed development would be 'car-free' (other than disabled parking provision) as the site benefits from excellent access to public transport having a Public Transport Accessibility Level (PTAL) rating of 6a. The office floorspace of the existing building will be re-provided in the new development through new office / retail floorspace and therefore trip generation will not substantially change. The applicant has agreed to pay S106 contributions towards transport mitigation to ensure enhanced public transport improvements. The proposal will therefore have limited impact on the highway.

### Access

- 102 The existing vehicular access located off Disney Place will be retained to provide access for the disabled car parking, small delivery vehicles, and emergency vehicles. This is acceptable given that the access is at the end of a lightly trafficked road. Adjustments to the kerb line in Disney Place may be required which will be funded by the applicant. Such works will need to be approved by the Highway Authority before construction and therefore a S278 Agreement will be required.

### Car parking

- 103 Ten disabled parking spaces are provided within the development to serve the residential element which constitutes 10% of the overall number of units. Nine of the spaces would be provided in the basement, accessed via a car lift whilst the further space is provided at grade within the courtyard. One disabled parking space is also provided at grade for the new offices. The site is within a Controlled Parking Zone (CPZ) and therefore a condition will be required to prevent occupiers of the development (aside from blue badge holders) from obtaining car parking permits, ensuring they will not be eligible to park on the surrounding roads that are within the CPZ.
- 104 One on-street car club space is proposed within the vicinity of the site. This level of provision is considered acceptable and would provide an alternative to those who do not have use of the car. This space would be available for use by all local residents and not just future occupiers of the development. Car club membership can suitably mitigate against the possibility of overspill parking and the need for car ownership. The applicant has offered to provide 3 year membership for all eligible occupiers of the residential units which is welcome.

### Cycle parking

- 105 192 cycle spaces are proposed within bicycle stores in the development. This quantum exceeds the minimum standards and so is welcomed. The majority of spaces will be provided within the basement but there are separate stores at ground floor level to serve the offices /retail elements. All the cycle spaces would be in the form of Sheffield stands which is the council's preferred type of cycle parking as it secure and accessible for all users, including children's cycles.

### Servicing and refuse collection

- 106 A draft Service and Waste Management Plan (and Addendum) has been submitted. It is proposed to service the development on-street via an existing loading bay on Borough High Street as well as a new loading bay to be provided on Marshalsea Road

(to be funded by the developer). It had originally been proposed to upgrade the existing bay on Borough High Street but TfL have confirmed that these works are no longer required. It is normally preferred for new developments to be serviced on-site, however it is recognised that the site is constrained and if the scheme is to deliver a new public route through the site then servicing on-site would be difficult. TfL and the council's Transport Planning Team have advised that on-street servicing in this case is accepted.

107 A management company will be appointed to ensure that refuse collection for both the residential and commercial elements will be appropriately managed. The refuse stores and routes to the stores will be maintained and kept clear to ensure free access and bins will be moved by the management company to the designated collection points on days of collection.

108 It is intended that most deliveries will take place via the on-street loading bays, but it is recognised that these bays cannot be secured for the sole use of the development. A managed arrangement for some on-site servicing for small delivery vehicles associated with the residential units would be facilitated, controlled by a pre-booking system administered by the sites 24-hr concierge system. A detailed Service and Waste Management Plan will be secured by legal agreement.

#### Travel plan

109 The Framework Travel Plan sets out initiatives and measures to change travel habits and reduce reliance on the car. Full travel plans, including monitoring, for the commercial and residential elements of the scheme will be secured by legal agreement.

#### **Design issues**

110 The NPPF stresses the importance of good design and states in paragraph 56 that: *"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* It further states in paragraph 58 that development should *"respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation."*

111 Strategic Policy 12 of the Core Strategy advises that development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. Saved Policy 13 of the Southwark Plan asserts that the principles of good urban design must be taken into account, including height, scale and massing, and consideration of local context. Saved Policy 12 seeks to ensure that developments achieve a high quality of architectural and urban design.

112 A large number of objections have been received raising concerns about the excessive height and massing of the proposal, the lack of architectural quality and design, and the impact of the proposal on Little Dorrit Park and St. George's Church.

#### Local context

113 The local context varies in its scale and massing but displays a high level of consistency of scale set at around five / six storeys on Borough High Street and four/ five storeys (occasionally with set-back top floors) on Marshalsea Road. Consequently, a proposal that considerably exceeds these heights will dominate the cohesive and predominantly local townscape of the immediate area.

- 114 The site is located outside Borough High Street Conservation Area but forms an important point of entry and approach to this area. In addition, the site has the potential to shape the western flank of the wider setting of the Grade II\* listed St. George the Martyr. Whilst it is appropriate for a building on this site to establish a wider setting for the church, it should remain subservient to the church and ensure that the Borough High Street frontage is more important than that on Marshalsea Road.
- 115 The existing four storey building marks a reduction in height from the prevailing heights on Borough High Street to the north and it has a poor relationship with the street. Whilst the existing building is not engaging in its design, its overall height is subservient to the body of the church and ensures a prominence of the church spire in local views. The spire and clock are important features of the church, which stands as a marker not only within the local townscape but in local and distant views.

### Design and layout

- 116 The footprint of the proposed development addresses the two principal streets and establishes an active and engaging street frontage. To the rear, the proposal overlooks Little Dorrit Park which is a well-used local amenity.
- 117 The proposed development comprises six components:
- Office block at the corner of Borough High Street and Marshalsea Road;
  - Pedestrianised link to Disney Place and the activation of the perimeter;
  - Residential block onto Borough High Street;
  - Residential block onto Marshalsea Road;
  - Mews houses flanking Little Dorrit Park; and
  - Yard building and elevated villa.

### *Office block (Building 2)*

- 118 The proposed office block is the most important element of this development from which the two principal frontages will flow. In addition, this building articulates the relationship of the development to its historic context as it features in many of the local views of St. George's Church. The building rises up to its 6-storey corner with a three-dimensional turret-like top storey. Its form has been sculpted as a consequence of its relationship with the church in that the corner has been cut away to open up views of the church from both approaches and as a result, presents a narrow vertical profile to the church which will emulate the proportions of the church's distinctive spire.
- 119 Whilst the main body of the office building appears functional, the quality of the design will rely on the articulation of the corner and the quality of the raised turret which is the culmination of this development in local views. The views submitted with the application illustrate a form that has some articulation and depth. The gap between the upper storeys of the office block and residential block to the north (Building 1) gives the development a highly articulated roofline and places greater emphasis on the corner turret which has windows that are set-back at the top and awnings which emulate the ventilation grilles of a typical church spire. This element lacks the lightness and elegance of a 'spire' but complements the church through its simple form and carefully proportioned face. From the park, the gap between the upper floors of the office and residential blocks allow glimpses of the church and spire and ensures that this local landmark retains its pre-eminence.
- 120 The materials for the office block are robust and are a direct reference to the church with red brick contrasted with natural stone delineation to echo the church's facing materials. The building has a well proportioned, if slightly repetitive, module of fenestration which is expressed through the deep reveals and generous proportions of the windows. Whilst the main body of the building may appear plain, the depth of reveals, its confident geometry, and detailed execution will bring out its inherent

architectural qualities. The quality of this design will rely on the quality of its detailing and the choice of facing materials. These are matters which should be reserved by condition to ensure that the chosen brick and stone compliment the materials of the church.

#### *Pedestrianised link to Disney Place*

121 An important feature of the design is the new pedestrianised link from Borough High Street to Disney Place. Yards and pedestrianised links are typical of the area, and historic maps demonstrate that there was a yard or alleyway in this location. The new permeability across the site is expressed by a deliberate gap in the Borough High Street frontage which offers access to the rear of the site and the park beyond and in this way the yard plays an important role in the proposed development.

122 The yard establishes a new heart to the development and offers a new urban model, and new way of experiencing the city. In this model, the city is defined by strong edges to streets with yards offering an informal permeability which compliments the main frontages. Added to this, the proposal considerably improves the two primary road frontages. Active frontages in this location will draw activity south from Borough High Street and round to the shopping parade on Marshalsea Road.

#### *Residential block onto Borough High Street (Building 1)*

123 The height of the proposed development is sensitive in this historic context. This block not only faces St. George's Church and therefore forms part of its setting, but also forms the southern edge of the Borough High Street Conservation Area. The massing of this block is carefully considered and steps in height to relate to the prevailing 5-6 storey height of Borough High Street. The block is faced in brick and establishes a 6-storey 'shoulder' height with a set-back at the upper two levels which are designed as a row of glazed double-height houses. The northern end of the scheme is carefully articulated with the roof-top pavilion expressed as a pure cube form to reduce the leap in scale between the proposed scheme and its unusually low neighbour (No. 168 Borough High Street).

124 The views demonstrate that this block complements the historic setting both from the churchyard to the north and the public space to the south. Whilst this is a large block, its proportions and confident use of a repeated module help to subdivide the block face and introduce rhythms that echo the plot-widths of the western side of the conservation area. Its careful choice of materials, strong and confident geometry as well as its sensitive scale and massing ensure that it gives the setting of the church a good sense of enclosure, without overwhelming it. The submitted images suggest a dark brick with glass and metal features forming the framed balconies and the roof-top pavilion. The chosen materials will need to be compared with the prevalent material of the conservation and need to be reserved by condition.

125 To the rear, the scale of this 8-storey block has been broken down by the stepped form of the elevated villa and the mews houses which means this block does not have an overbearing presence onto Little Dorrit Park.

#### *Residential block to Marshalsea Road (Building 3)*

126 This block has been designed as a 7-storey highly articulated block. Here the design establishes a 'shoulder' height at 5-storeys that responds to the lower prevailing height and character of Marshalsea Road. Further, the block has been subdivided into three bays which more closely emulate the plot-widths that are prevalent on this road. The set-back upper floors and central bays reduce the visual impact of this block in the oblique views and introduces a civic scale to the development as it reaches the corner

with Borough High Street. At the far western end of the scheme, the scale and massing has been stepped further where it shares a boundary with its lower three-storey neighbour (6-8 Marshalsea Road).

- 127 The proposed materials are contextual with a strong and well articulated brick facade. Here the architectural expression is more about the warehouse aesthetic of the area with deep-cut openings in the brick facade. The roof line is more articulated on this prominent face with deep recesses balanced with protruding bays to give the block an elegantly modulated and mannered appearance.
- 128 The views of the church along Marshalsea Road demonstrate that this block successfully frames the view of the church and has a subservient relationship with it. The proposed design directs the view towards the church and establishes a parapet height that relates to and complements the church's proportions. The views also show that the office block on the corner is the culminating feature of this development with the Marshalsea Road block being deliberately lower.
- 129 To the rear this block reflects the informal setting of Little Dorrit Park. The rear facade is delicate and well structured, with the receding forms of coupled balconies stepping back to reflect the character of this side of the scheme. The attention given to this rear facade has given this elevation the equal importance it requires.

*Mews houses flanking Little Dorrit Park (Buildings 5 and 6)*

- 130 The proposal seeks to provide mews houses in two groups at the western and northern ends of the site. These mews houses are lower in scale, at 4-storeys in height, and not only give the park a stronger edge but also give the development a layered appearance when viewed from the park. The 4-storey scale compliments the intimate character of the park and the layered massing of the development ensures that the mews houses mediate between the civic scale of the two street frontages and that of the park. At the centre of the scheme is a smaller mews house (Building 7) which acts as the visual 'pivot' for the yard. This is lower in scale and designed as a three-dimensional feature which will direct pedestrians to various parts of the development.
- 131 The materials of the mews houses continues the theme of the main development but takes a more intimate and tactile character. They are proposed to be articulated in framed masonry with lattice-like roof-top terraces and timber panels which can be moved by the occupiers to give the elevations added movement and interest. This is appropriate in this context and gives a natural feel to those parts of the development that have a direct relationship to the park.

*Yard building (Building 4) and elevated villa (Building 7)*

- 132 This building connects the mews houses at the northern end of the site to the Borough High Street block. At 5-storeys high it is a small step up from the scale of the mews houses and is topped by a distinctive urban villa - a one-off elevated residence. This part of the scheme has been reduced in scale from previous iterations to give a more appropriate scale to this more intimate corner of the site and improve the relationship of the proposed residential units with its neighbours to the north. The urban villa is an unusual feature and gives the development its 'layered' appearance. In this way distinctive buildings peer over lower buildings in the foreground and the development reveals itself to the viewer in a dynamic way. The villa is designed as a light and elegant geometric form that works well in the round with privacy screens that echo the lantern-like appearance of the office block.
- 133 The materiality of this building is lightweight and contemporary with a simple ridded appearance within a strong overall frame of glass and steel. The residential units are

designed to maximise the light in this complex arrangement to manage the restricted outlook of this part of the development.

### Conclusion

- 134 The most important impact of this proposal is on the character and amenity of the park and views of the listed church. The submitted views demonstrate that the scheme does not overly dominate the park. Indeed, the reduction in scale, the complex and highly articulated roof-line and the layered character of the proposed townscape does not intrude on the parks' sense of openness and offers glimpses of the church spire from various locations both at the entrance to the park and as one walks through it.
- 135 On balance, the proposed scheme complies with Saved Policies 3.12 and 3.13 due to its careful scale, height and massing as well as its confident arrangement, materiality, and its use. Questions remain over the detailed design of the corner turret to the office block (as well as the residential amenity of some of the residents in the yard building) but officers are satisfied that the scheme compliments its historic setting and is an appropriate and sensitive addition to the Borough High Street townscape.

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

- 136 The NPPF requires LPAs to assess the architectural and historic significance of a heritage asset and its setting. Paragraph 129 states that LPAs should when considering the impact of a proposal on a heritage asset seek *"to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal."*
- 137 Saved Policy 3.18 of the Southwark Plan requires that any development that is located close to a conservation area must preserve or enhance the views into or out of the conservation area. The application documentation illustrates how the proposal reinforces the setting of the Borough High Street Conservation Area and on the listed St. George's Church. This rich historic setting is sensitive to scale and height but could benefit from the improved sense of enclosure which this site offers.
- 138 English Heritage have made no comment on the proposal, other than that it should be determined in accordance with planning policy and on the basis of the council's specialist conservation advice.
- 139 Due to its height and design, the scheme plays an important role in the setting of St. George's Church. The significance of the church lies not only in its spire but in its form, its massing, and its relationship with the main approaches where the spire is its most visible local landmark. The church's massing and form is defined by the parapet height of the body of the church with the spire standing proud and dominating local views. As such the parapet height of the body of the church needs to be carefully considered on the application site to ensure that the development establishes a subservient relationship to the church. An important assessment of the impact of any scheme on the setting of a heritage asset is through the assessment of its impacts on views of the church.
- 140 The form of the corner office building addresses the church through its sculptured form. It establishes the edge of the 'urban space' around the church but cuts back at the corner to open up views of the prominent spire from the principal approaches. This careful deployment of scale and height on the two frontages has ensured that it remains below the parapet line of the church in the views and ensures that the church retains its primacy in many of the views, including those from Long Lane.
- 141 Views of the church and spire are currently enjoyed from Little Dorrit Park which enhances the setting of the church as a landmark. Officers have identified particular views from within the park and consider that local views of the spire from within park



should be preserved by a proposal on this site.

- 142 Views of the church unfold dynamically as the viewer approaches from various directions. These views range from glimpses gained from the park to the enhanced axial views from the main approaches. In all these views the church spire retains its primacy as a local landmark. The newly framed view of the church spire from Redcross Way is incidental in character, but offers an important reference point of this important landmark. The proposal reflects this dynamic experience of the church when it is approached from the park. From this location the proposed massing at the corner of the scheme has been stepped down to offer a sequence of glimpses of the church and its spire as the viewer crosses the park. This sequence of glimpses reinforces the importance of this heritage asset and preserves local views of the spire.

### Conclusion

- 143 The proposed development compliments its historic setting through its use and careful deployment of scale, height, and mass as well as its materiality and detailed design. It therefore complies with policy and is considered acceptable.

### **Trees and landscaping**

- 144 The submitted Tree Report advised that two Lime trees would need to be removed but that these trees are already dead or dying. There are no trees or shrubs within the development site that are of any visual public amenity. Furthermore, the potential for roots from trees and shrubs located in the park to be present within the site is limited due to the foundations of the large boundary wall. The council's Tree Officer agrees that the trees proposed for removal do not contribute to amenity. Trees and vegetation within the park will need to be pruned back to the boundary but their actual retention wouldn't be affected by the proposal.
- 145 Local concerns have been raised about the lack of landscaping details in the application documents and also lack of clarity over the boundary treatment with Little Dorrit Park and whether the existing boundary wall would be retained.
- 146 Further information has been submitted to clarify the proposed boundary treatment. This confirms that the existing boundary wall would be retained with the exception of one section of wall at the eastern end of the site which will need to be removed to facilitate the proposed mews houses (Building 6). There would be no impact on existing trees or the main park area as this wall adjoins the ball court. The existing gated access from Brandon House to the park will also be retained. The retention of the boundary wall is welcome as there are sections of the wall which have very large climbing plants that provide significant screening benefits.
- 147 The updated information includes an indicative landscape masterplan which shows new deciduous, semi-mature trees to be planted in the main courtyard area and along the boundary with the park, close to the dedicated play area and parking bays. At the time of planting these would be 6-7m tall and have a 30-35 cm girth. The Tree Officer has advised that as a total of 307 cm girth of vegetation would be lost on the site, replacement planting should be a minimum 45cm girth for each replacement specimen tree. It is recommended the matter of tree specimens needs to be further considered that full details of the proposed landscaping scheme needs to be submitted and this can be dealt with by condition.
- 148 It is acknowledged that due the north facing aspect of the proposed amenity space that it will not benefit from direct sunlight. The landscaping will therefore need to incorporate species which can grow in these conditions. Although the proposed development will result in an increased amount of shading to both the site and the southern extent of the

park a suitable design and planting schedule is feasible which can both maximise screening whilst providing an enhanced amenity within areas of the park which are not currently well used. The applicant has offered a contribution towards open space which they would prefer to be directed towards Little Dorrit Park. These monies could be spent on making enhancements to areas such as the grassed 'kickabout' space which could be landscaped with paths to provide a native woodland edge species or shade loving plants such as tree ferns.

- 149 The proposal also shows well established roof terrace landscaping provided for the office building. Again, details regarding the landscaping of this roof terrace will be required, including planter dimensions and maintenance information. It is noted that the proposal shows large roof areas which are not used for any purpose but, notwithstanding the details submitted, green roofs should be provided to enhance biodiversity. A condition requiring green roof details is therefore recommended. Overall, the proposed landscape and tree strategy is acceptable, subject to further details being secured by condition.

### **Archaeology**

- 150 Policy 3.19 for sites within an Archaeological Priority Zone (APZ) there is a presumption in favour of preservation in situ, to protect and safeguard archaeological remains. Strategic Policy 12 of the Core Strategy states that APZs are areas where there is significant potential for archaeological remains and that it is important that proposals on sites in APZs assess any remains which may be on site. The application site is within an APZ where the primary archaeological interest is the remains of Brandon House / Suffolk Place. An Archaeological Assessment has been submitted.

- 151 The assessment provides much detail over the potential impacts upon the archaeology of Brandon House / Suffolk Place. An archaeological evaluation has been undertaken but this was based upon the impacts of an earlier and different scheme than that currently proposed. The applicant has advised that they are unable to undertake further archaeological work on site until they have secured vacant possession of the building. Officers have recommended that a further trench be opened in the car park area to the rear but the applicant has said they are unable to agree this with the existing tenant of the building. Alternatively, they have agreed that archaeological work will be undertaken prior to implementation and if structural remains attributable to Brandon House / Suffolk Place are found then this will require a re-design of the basement area (with relevant planning consent) to ensure the preservation in situ of structural remains related to the 15th/16th century house and palace. Even without the need to excavate the area of the building to identify remains related to the palace, due to the importance of the site, the extensive post-medieval archaeology, Roman archaeology identified during the earlier work on site, and geoarchaeological potential should be investigated and recorded. The area of the site proposed for housing which is outside the basement area will also require archaeological work to determine where surviving material may be and to ensure it is preserved in situ. The Written Scheme of Investigation will need to present ideas for the interpretation of archaeological remains on site. Conditions are therefore recommended to secure the implementation of a programme of archaeological site works.

### **Flood risk**

- 152 Strategic Policy 12 of the Core Strategy allows development to occur in the protected Thames flood zone as long as it is designed to be safe and resilient to flooding and meets the Exceptions Test. The policy also requires major developments to reduce surface water run-off by at least 50%. 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 River Thames. However the site is protected by the Thames Barrier and related defences.

153 A Flood Risk Assessment (FRA) has been submitted which sets out various flood mitigation measures which include raised finished floor levels for habitable accommodation within the residential units to 5.53m AOD and that main habitable areas will be located on the upper floors. The ground floor layout of Buildings 5,6, and 7 will form 'non-habitable' areas (i.e. not bedrooms or living areas). It is proposed that the existing surface water drainage system will be replaced by a new system which will be a conventional design, collecting runoff from hard standings and roof areas. The final design will include the use of features such as permeable paving, and underground attenuation tanks. The Environment Agency have confirmed they have no objection to the scheme subject to conditions to ensure that the mitigation measures set out in the FRA are undertaken.

154 A significant part of Southwark is within Flood Zone 3 and there are no sites at a lower risk of flooding for some distance. Although the application site is not designated for housing purposes, the development of brownfield sites is encouraged so to maximise the efficient use of land with the provision of much needed housing as well as providing local employment opportunities. The proposal is therefore considered to meet the Exceptions Test and overall it would have social, economic, and environmental benefits that outweigh the potential risk from flooding.

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

155 Saved Policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 of the Southwark Plan is reinforced by the 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. Strategic Policy 14 – Implementation and delivery of the emerging Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments.

156 The following table sets out what the applicant has agreed to provide in order to mitigate the impacts of the development.

<b>Planning Obligation</b>	<b>Toolkit Standard Charge</b>	<b>Applicant Contribution</b>
Education	£154,789	£154,789
Employment in the development	£25,905	£25,905
Employment during construction	£102,250	£0 Developer elected to provide own WPC to value of £102,250
Employment during construction management fee	£8,013	£8,013
Public open space	£46,790	£46,790
Child play equipment	£12,174	£12,174
Sports development	£114,181	£114,181
Transport strategic	£70,696	£70,696
Transport site specific	£76,355	£76,355 + funding to provide new loading bay on Marshalsea Rd
Transport for London	£150,000	£150,000
Public Realm	£101,355	£0 in-kind works to create

		new public access route through site
Archaeology	£5,363	£5,363
Health	£112,889	£112,889
Community facilities	£15,633	£15,633
Administration charge (2%)	£23,020	£18,948*
<b>Total</b>	<b>£1,174,030</b>	<b>£966,354*</b>

The total contributions are as per those listed in the table above.

157 Transport for London have advised that contributions (£150,000) towards highway improvements at the Borough High Street, Marshalsea Road, Great Dover Street and Long Lane junction. The applicant has agreed to this request. A new loading bay in Marshalsea Road will also be provided to facilitate on-street servicing of the development.

158 Although no monies have been offered in respect of public realm improvements in the vicinity of the site, the applicant intends to carry out in-kind works to deliver a new publicly accessible route through the site linking Borough High Street and Disney Place. The value of these works is estimated to be £450,000 which significantly exceeds the standard toolkit figure.

*\*The final agreed sum along with the administration charge will be confirmed and set out in the Addendum Report to Committee.*

159 In addition to the terms set out above, the legal agreement would also secure the following:

- the provision of one car club parking space in the vicinity of the site;
- travel plans for both the residential and commercial elements;
- 3 years free car club membership;
- public realm plans;
- loading bay plans;
- 10% wheelchair housing;
- 22% affordable housing by habitable room (70% social rent and 30% shared ownership);
- mechanism after 24 months (if scheme not implemented) to secure an increased proportion of affordable housing if viability has improved.

160 The Community Infrastructure Levy (CIL) 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:

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

It is considered that the planning obligations sought meet the planning tests of Circular 05/05 and the CIL regulations. The contributions would be spent on delivering new school places as a result of the development; job creation during construction and once operational; improvements to open spaces, child play facilities, and sports facilities; improvements to increase the capacity of transport provision across the borough; improvements to health provision; and improvements to community facilities.

161 A neighbour has raised a concern over the impact upon local infrastructure, particularly schools and public transport. However, as described above, the development would make financial contributions to provide upgrade facilities and infrastructure to mitigate the impacts of the new population.

#### Community Infrastructure Levy (CIL)

162 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL is a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. The levy is applied to all developments at a rate of £35 per square metre in Southwark. Based on the uplift in floorspace, a CIL payment of £399,650 will be required.

#### **Sustainable development implications**

163 Policy 5.2 of the London Plan requires developments to make the fullest contribution to minimising carbon dioxide (CO<sub>2</sub>) emissions and that they should provide an assessment of their energy demands, demonstrating how they have taken steps to apply the Mayor's energy hierarchy. Major developments are expected to achieve a 25% improvement above the 2010 Building Regulations. Strategic policy 13 of the Core Strategy also requires development to meet the highest possible environmental standards, as well as achieving a reduction in CO<sub>2</sub> of 20% from on-site or low and zero carbon sources of energy, as well as achieving Code Level 4 based on Code for Sustainable Homes and a BREEAM rating of 'Excellent' for commercial uses. An Energy Strategy and Sustainability Assessment has been submitted as part of the application. An update to the conclusions of the Energy Strategy was submitted in August 2013.

#### 164 Be lean - use less energy

A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed scheme. Features include solar reflective coatings with high transmission factors to reduce solar heat gains; variable speed drives on all central pumps and boosters; and energy efficient lighting.

#### 165 Be clean - supply energy efficiently

No existing heating networks have been identified within 200m of the site and therefore there is currently no ability for the scheme to connect economically to an existing district heating scheme in the area. The applicant has confirmed they will provide the necessary infrastructure to allow future connection with other potential district heating schemes which may come forward following completion of their development. A Combined Heat and Power (CHP) unit will be installed in the basement to heat and power the building with conventional gas boilers providing a top up during peak winter heating requirements.

#### 166 Be green - use renewable energy

A variety of renewable energy technologies have been investigated with the most feasible option being to incorporate air source heat pumps to heat and cool the office / retail spaces as well as rooftop Photovoltaic (PV) panels on the corner Building 2 which utilise sunlight to provide electricity. It is advised that the roof can accommodate a panel area of 65 sqm. Together these technologies would reduce emissions by around 3.4%. At this stage it is unclear why rooftop PV panels can't be accommodated

elsewhere within the development and this matter has been raised with the applicant. The response will be detailed in the Addendum Report to Committee.

167 Taking the above measures into account the proposal would achieve a reduction of 244 tonnes of carbon emissions compared to a 2010 Building Regulations compliant development. This is equivalent to an overall saving of 31% which significantly exceeds the 25% policy target. The estimated 3.4% renewable carbon saving falls short of the 20% Southwark Core Strategy but it is considered that the Mayor's energy hierarchy has been followed. When taking account of the overall carbon savings of the scheme a refusal on this basis could not be substantiated.

168 Code for Sustainable Homes and BREEAM

The Sustainability Assessment advises that the residential units will be designed to achieve a CFSH 'Level 4' and BREEAM 'Excellent' for the office / retail spaces. CFSH and BREEAM Pre-Assessments have been carried out which confirm that the scheme is capable of achieving these targets. A condition requiring post-construction reviews to ensure these targets have been met is recommended. A range of sustainability measures are proposed, including sustainable construction practices and green and brown landscaped roofs.

**Other matters**

Period of consent

169 As noted above, the applicant is seeking to extend the timeframe for consent to 5-years. This is because the current head lease on the building expires in July 2016 and while the applicant intends to enter into early negotiations to secure vacant possession should permission be granted, it is possible this will prove unsuccessful. In this case, the permission would expire not long after vacant possession of the building was secured. Furthermore, the commercial considerations and timing of putting in place development finance against a fixed price development contract would only be able to be progressed post vacant possession which could take 9 to 12 months. The applicant would not be able to finance the scheme until all vacant possession matters are settled and a main contract is ready to be signed. There are also archaeological works that need to be undertaken post vacant possession but before the consented scheme could be implemented. As such, the 5-year consent would provide the applicant with a "fall-back" position in the event that vacant possession isn't secured until 2016.

170 Officers would prefer the development to be implemented within the usual 3-year timeframe (subject to outstanding archaeological matters being resolved) so that the regenerative benefits could be delivered sooner rather than later. However, it is considered there are material and valid reasons why this may not be possible and under the circumstances a 5-year consent is agreed.

**Conclusion on planning issues**

171 The redevelopment of the site to provide a mixed use development in this central location is supported as it makes a much more efficient use of the site than currently exists. The scheme would result in an increase in the amount of commercial floorspace which will be of economic benefit to the local and wider area. The inclusion of a range of uses at ground floor level will activate the street frontage and increase the vitality and viability of this part of the town centre. The provision of 100 new homes will significantly contribute towards meeting the borough's housing targets, including the addition of much needed family homes. The level of proposed affordable housing has been considered very carefully as there is a large shortfall from the 35% normally required on development sites in this area. However, policy advises that viability

matters should be taken into account and it is agreed that the 20% offered (measured by habitable room) is the most the scheme could deliver. This would be subject to review as it may be possible to secure additional affordable units if market conditions improve.

172 The development has the potential to deliver a high quality of design. The overall site layout is acceptable and it would provide a new public pedestrianised route linking Borough High Street and Disney Place which will increase the permeability of the area. The new landscaped courtyard at the heart of the development would provide an amenity for existing local neighbours as well as future occupiers. The proposed height, scale and massing of the new buildings and the impacts they would have on Borough High Street Conservation Area, the Grade II\* listed St. George the Martyr Church and Little Dorrit Park have been considered and it is felt that the scheme compliments its historic setting and sits well in local townscape views. The proposed new housing is considered to be of high quality and would on balance justify the high density which is above the range expected for this area.

173 The impacts on local amenities, including sunlight and daylight to neighbouring properties as well as overshadowing to Little Dorrit Park has been assessed and it was found that the scheme and no substantial harm has been identified which could not be mitigated through measures secured by conditions. No adverse impacts on the highway network have been identified. Accordingly, it is recommended that planning permission is granted for 5 years, subject to conditions and the applicant entering into an appropriate legal agreement.

#### **Community impact statement**

174 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.

175 A Statement of community involvement has been submitted with the application. The document sets out the programme of consultation carried out by the applicant with local residents through a public exhibition; local schools, adjoining neighbours including the church, Bankside Open Spaces Trust and Southwark Living Streets.

#### **Consultation**

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

#### **Consultation replies**

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

178 Summary of consultation responses

- Existing building should be retained and refurbished
- Excessive and inappropriate building height, bulk, and massing of proposed development
- Height will set a precedent for future schemes in the area
- Addition of a mews building leads to a cramped form of overdevelopment
- Mews houses are out of character with the area
- Elevations lack the high quality of design and architecture required for such an important site

- Potential for retail units to remain vacant / Borough High Street has too many empty retail spaces
- Detrimental relationship with the listed St. George's Church / will overdominate the church and diminish its importance as a landmark and focal point
- Loss of views of the church from Little Dorrit Park and Redcross Way and Redcross Gardens
- Loss of daylight / sunlight to neighbouring occupiers
- Loss of outlook and privacy to neighbouring occupiers
- Overlooking to children's playground
- Overshadowing to Little Dorrit Park and children's play area, with consequent impact on plants and biodiversity
- Lack of clarity about proposed boundary wall treatment adjacent to Little Dorrit Park
- Lack of clarity about the size and location of proposed child play space within the development site
- Deficiency of useable external amenity space within the development site
- No landscaping details submitted
- Pressure on existing infrastructure, including schools and public transport
- Disruption during demolition and construction phases
- Missing information from the submitted historical analysis of the site
- Inaccurate and misleading CGI's
- Applicant's lack of consultation with BOST / local community regarding revised scheme.

### **Human rights implications**

- 179 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.
- 180 This application has the legitimate aim of providing a mixed use redevelopment scheme comprising office, retail and residential uses. 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/1140-170 Application file: 11/AP/2012 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: 020-7525-5349 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	Images
Appendix 4	Recommendation

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Helen Goulden, Team Leader, Strategic Applications	
<b>Version</b>	Final	
<b>Dated</b>	20 August 2013	
<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, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	<b>22 August 2013</b>	

# APPENDIX 1

## Consultation Undertaken

**Site notice date:** 15/07/2011 and 11/06/2013

**Press notice date:** 14/07/2011 and 13/06/2013

**Case officer site visit date:** Numerous visits during application period

**Neighbour consultation letters sent:** 12/07/2011, 04/06/2013, and 16/08/2013

**Internal services consulted:**

Archaeology Officer; Design and Conservation Team; Environmental Protection Team; Parks and Sports; Planning Policy; Public Realm; Transport Planning; Urban Forester; Waste Management

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

Metropolitan Police; EDF Energy; English Heritage; Environment Agency; Scotia Gas Networks; London Fire & Emergency Planning Authority; London Underground; Transport for London; Thames Water

**Neighbours and local groups consulted:**

Over 1,000 consultation letters were sent out to properties within 100m radius of the site. List of consultee addresses on file.

**Re-consultation:**

Full round of consultation carried out in June 2013, including press, site and neighbour letters. Neighbour letters also sent in August 2013 as set out above.

## APPENDIX 2

### Consultation Responses Received

#### Internal services

##### Archaeology

The primary archaeological interest on this site are the remains of Brandon House/Suffolk Place. This is a mansion built by the Brandon Family, that has been on site since, at least, 1465, when it is referred to in a document as Brandon Place in Southwark. The family made land purchases in the early 16th century, from the Bishop of Winchester, purchasing part of the park of the Clink Estate and obtaining other leases. Charles Brandon obtained the house in 1510. He was a favourite of Henry VIII and was created Duke of Suffolk in 1514. Brandon married Henry VIII's younger sister in 1515 and in 1516 he purchased 11 messuages and gardens in Southwark. The house was rebuilt on a palatial scale between 1518 and 1522.

As a major property on Borough High Street Brandon House is depicted upon a number of the earliest plans, generally dating from the 1540s, but specifically Wyngaerde's Panorama of 1544 shows the building in enough detail to enable some comment to be made on its architectural form.

The Panorama's perspective is from the south and these parts of the building, in the drawing, therefore, contain the most detail, but this does suggest that the complex is an agglomeration of buildings of different periods, with good historic evidence for the existence of the complex in the 15th century and its expansion and development in the 16th century. Later in the 16th century the complex was sold off and demolition started. Terracotta panels presumed to be from this site have been found at a number of sites within the borough in contexts generally relating to the 17th century. Following this period the site has been redeveloped.

The applicant's archaeologists have provided much detail over the potential impacts upon the archaeology of Suffolk Place/ Brandon House. They have also undertaken an archaeological evaluation that was based upon the impacts of a different scheme than that presented here. The applicants have stated that they are unable to undertake further archaeological work on site until they have secured vacant possession of the building. It has been recommended by the council that a further trench be opened in the clear, open grounds to the rear of the building. The applicants have stated they are unable to agree this with the present tenants of the building and have agreed to redesign the basement area to ensure the preservation in situ of structural remains related to the 15/16th century house and palace. Even without the need to excavate the area of the building to identify remains related to the palace, due to the importance of the site, the extensive post-medieval archaeology, and Roman archaeology identified during the earlier work on site and geoarchaeological potential should be investigated and recorded. The area proposed for housing, outside the area of the basement, will also require archaeological work to determine where surviving material may be and to ensure it is preserved in situ. The Written Scheme of Investigation will need to present ideas for the interpretation of archaeological remains on site.

##### Planning Policy

Principle of a mixed use development is acceptable in general policy terms. Policy 1.4 seeks to retain B class use on sites with an established B class use. The existing B1 floorspace is 5,386 sqm. This will be replaced with 5,394 of B1 and A uses. The proposal will provide an active ground floor frontage and therefore the inclusion of Class

A uses in the employment floorspace re-provision is acceptable. The scheme should provide the maximum reasonable proportion of affordable homes. The applicant proposes 18% affordable provision which is below 35% required by policy and will need to be supported by a viability assessment.

### Public Realm

Current eastern entrance to the site (Marshalsea Road) is unsuitable for daily operations as it is too small for HGV and general deliveries. If this were to be used it would impact on congestion in the area and increase the risk to pedestrians and other road users. We therefore require the developer to use the northern entrance to the site (in Disney Place). This would require both the footways and carriageway in Disney Street being resurfaced and to widen the southern footway along Disney Street and reinstate the crossover (eastern entrance) on Marshalsea Road to footway (dependent on the final submitted design scheme and use of the building). These measures will be acceptable to accommodate the increased pedestrian and vehicle attributed activities in this area due to the proposal.

Immediately adjacent to the proposal there is an area of highway between the Church and Churchyard (Tabard Street) which is in need of refurbishment before additional trips and visits can be safely and accessibly accommodated. Request that the developer carries out drainage and resurfacing improvement works to this area. The developer will also need to enter into S278 / 38 agreement for any and all highway works. The information needed about the works will consist of a full Safety Audit, construction details, vehicle turning circle / swept path drawings, details of hard and soft landscaping, and a layout plan including verges, visibility splays, plot boundary, traffic calming features, vehicle crossing. The details and extent of the work should be secured through schedule of works or contributions delimited by S106 Agreement.

### Urban Forester

Further to my earlier comments below, the applicant's response to BOST confirms that trees of greatest amenity value to the park are unaffected, whilst the most important sections of wall which have large climbing plants that provide significant screening benefits are also retained. Although the tall Cherry Laurel hedging within the park is of little value to amenity or biodiversity, this will need to be replaced as part of any proposed landscaping. Given its strongly north facing aspect, amenity space to the rear will not benefit from direct sunlight. This is also similarly diminished to a lesser degree within the park itself. Landscaping would therefore need to provide species which can grow in these conditions. Although development will result in an increased amount of shading, a suitable design and planting schedule is feasible which can maximise screening whilst providing an enhanced amenity within areas which are not currently well used. The grassed kick-about space could be landscaped with paths to provide native woodland edge species or shade loving plants, such as tree ferns. However, as above, this will require significant investment whilst the overall effect on the park would be adverse without such improvements.

Tree report conforms to the relevant BS in terms of the correct identification of tree condition and suitability for retention. Trees proposed for removal to facilitate the proposed development do not contribute to amenity such that they'd constitute a reason for refusal. Trees and vegetation within the park will need to be pruned back to the boundary, although their retention is not affected. However, the plans show semi-mature tree planting. A condition is required to ensure appropriately sized replacement of any lost amenity. A total 307 cm girth of vegetation will be lost, replacement planting should therefore be a minimum of 45cm girth for each replacement specimen tree. Well established roof terrace landscaping is also shown and greater detail is required via conditions to include planter dimensions and maintenance information. Planters will

need to be sufficiently large and robust to provide the extensive landscaping proposed. This is essential in order to soften the outline of elevations, particularly opposite the church.

Given the relatively poor design of the adjacent park, S106 payment would be suitable to enhance its design. The desired opening up of the park to residential use and access is welcome. However, the existing screening provided by the evergreen Cherry Laurels (G5) which backs onto the proposed development on the other side of the brick wall may conflict with this. Consideration is therefore required as to how access can be improved whilst retaining a green screen along the park boundary. Replacement of the Laurel may be an acceptable solution, but this will require investment.

### Transport Planning Team

*Access:* It is proposed to keep and use the existing vehicular access off Disney Place. Any new or altered access must have the approval of the Highways Authority before construction. The re-use of the existing entrance is acceptable given that it is at the end of a lightly trafficked road.

*Cycle storage:* Sheffield stands provided. Number of stands is welcome.

*Car parking:* Developments in areas with a high PTAL rating (6a) are required to be car-free in order to promote more sustainable transport choices. The development is in a Controlled Parking Zone (CPZ) and it is recommended that new residents and businesses are excluded from eligibility for on-street parking permits.

*Disabled parking:* The proposal provides adequate disabled parking provision.

*Car clubs:* In order to mitigate the likelihood of private car ownership, we recommend that a S106 contribution is sought to provide one car club bay within 500m of the site, along with one free membership per dwelling to the car club for a period of 3-years. The car club bay should be provided on street as it would then be beneficial to the wider community.

*Servicing and refuse:* Applicant will need to provide a Service Management Plan detailing how the on-site servicing will be managed. Loading bays - Marshalsea Rd and Borough High St - detailed plans are required with regards to their location. No objections are raised to on-street servicing. Some adjustment may need to take place on Disney Place to the kerb line. This will need the approval of Southwark's Highway Team. The proposal suggests that it will be possible to allow smaller vehicles to load at the rear of the development and this will be managed on a pre-booking system. However, no dedicated loading/servicing bay has been proposed; this needs to be addressed.

*Trip generation / highway impacts:* Proposal will not have an impact on the highway as it is car free.

*Travel Plan:* A framework travel plan has been submitted outlining the strategy and content to be developed and included in the full travel plans. These are proposed for each of the proposed uses. Full travel plans for each of the proposed uses should be secured by legal agreement. S106 contributions should be sought using the S106 SPD standard charge formula. S106 monies should be secured for cycle, pedestrian and traffic improvements in the area.

### Environmental Protection Team

*Air Quality* - Fully satisfied with the revised AQ Assessment, findings, and recommendations. Suggest a condition referring to compliance with report

recommendations.

*Noise and Vibration* - Generally satisfied with the revised Assessment. Suggest a tailored condition referring to compliance with report recommendations.

*Contamination* - suggest standard conditions for exploration and remediation.

*Construction Management Plan* - There is a reference in the AQ Assessment for mitigation measures for the construction phase. These should be brought forward in the report addressing the other environmental impacts of construction.

Lighting - there is no apparent light spillage.

## **Statutory and non-statutory organisations**

### English Heritage

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

### Transport for London

- Support the non-provision of car parking, bar disabled parking. It is further recommended that future occupants be excluded eligibility for on-street parking spaces.
- All disabled bays should be designed to comply with DDA Standards.
- Number of cycle spaces are in accordance with TfL's cycle parking guidelines.
- Note the proposals to upgrade the existing loading bay on Borough High Street. Given the lack of submitted information, the proposal would need to be discussed further with TfL.
- Borough High Street forms part of the TLRN and any proposals to alter the highway are subject to S278 agreement with the Highway Authority (TfL).
- No skips or construction materials shall be kept on the footway or carriageway on the TLRN at any time.
- Request that a Construction Logistics Plan which identifies efficiency and sustainability measures to be undertaken during construction is submitted to and approved by the Council in conjunction with TfL prior to work commencing.
- Request that a Delivery and Servicing Management Plan which identifies efficiency and sustainability measures to be undertaken once the development is operational is submitted to and approved by the Council in conjunction with TfL prior to occupation.
- Support the inclusion of a framework travel plan and request that a S106 obligation / condition be imposed requiring submission of a full Travel Plan.
- Request £150,000 for highway improvements at the Borough High Street, Marshalsea Road, Great Dover Street and Long Lane junction to improve conditions for pedestrians and cyclists.

### London Underground

No objections in principle but there are a number of potential constraints on the redevelopment of the site situated close to underground tunnels and infrastructure. It will need to be demonstrated to the satisfaction of LULL engineers that:

- the development will not have a detrimental effect on our tunnels and structures in the short and long-term;
- the design must be such that the loading imposed on our tunnels and infrastructure is not increased or removed;

- we offer no right of support to the development or land.  
Request that the grant of permission be subject to conditions to secure submission of detailed design and method statements for all foundations, basement, and ground floor structures.

#### London Fire & Emergency Planning Authority

The development should comply with the requirements of B5 of Approved Document B.

#### Environment Agency

Does not object to the proposed development subject to conditions concerning flood risk. Note that all sleeping accommodation will be located above the ground floor level and that the finished floor levels will be set at a minimum of 5.53m above Ordnance Datum as stated in the FRA. Pleased with the inclusion of flood resilient measures.

Surface water management - pleased with the proposed use of Sustainable Drainage Systems in order to reduce surface water run-off as stated in the FRA. Fully support the inclusion of permeable paving, storage tanks, and/or surface ponding. Applicant may wish to consider including green roofs which incorporate rainwater harvesting.

#### Thames Water

*Waste:* requests that the applicant incorporates within their proposal protection to the property by installing, for example, a non-return valve or other device to avoid the risk of backflow at a later date on the assumption that the sewerage network may surcharge to ground level during storm conditions. There are public sewers crossing or close to the development. Approval will be needed from Thames Water for buildings within 3m of a public sewer.

No impact piling shall take place until a piling method statement has been submitted and approved and this should be dealt with by condition.

*Water:* recommends an informative concerning water pressure.

#### Metropolitan Police

Have no issues with this application.

#### Southern Gas Networks

Presence of our low/medium/intermediate pressure gas main in the proximity to the site. There should be no mechanical excavations taking place above or within 0.5m of the low pressure system, 2m of the medium pressure system and 3m of the intermediate pressure system. You should where required confirm the position of mains using hand dug trial holes.

#### **Neighbours and local groups**

Dalton Warner Davies LLP - on behalf of The Christian Medical Fellowship (CMF), 6-8 Marshalsea Road

#### Principle of development

Principle of redeveloping the site is welcomed, as are the additional residents and community facilities. Proposed ground floor retail units would provide additional active frontage and contribute to the vitality of this part of Borough High Street. It is noted that

there are existing vacant retail units in the area and there is a concern that retail units may remain empty due to the lack of demand. Further vacant units would detract from the vitality of the area.

### *The Mews (Building 6)*

Relationship between the proposed mews house and the rear of No. 6-8 is unacceptable. Mews Houses are not characteristic of this part of the Borough. Typical mews developments are inward facing and follow historic building footprints. Proposal would lead to an overdevelopment of the site, introducing an alien feature which does not respect its context and the occupants of which would experience unacceptable levels of overlooking to and from existing and proposed neighbouring properties as well as introducing a poor outlook from south-facing windows at ground floor level of the mews. Use of the term 'mews' should not be utilised to excuse a cramped form of development where it is not acceptable in terms of design and amenity but is incongruous with its surroundings.

### Protecting the amenity of users of No. 6-8

*Loss of daylight/sunlight:* Height of proposal will lead to an overall loss of daylight (and complete loss of sunlight at some parts of the year) to Little Dorrit Park. The submitted GIA Internal Daylight and Sunlight Report does not address loss of daylight/sunlight to surrounding properties and spaces. Reduced daylight levels to the park will impact on the park itself and have a knock-on effect to buildings which received direct or reflected light through this green open space. Reflection of light from buildings on the north side of the park is a light source which will be reduced by the additional height of the proposal. This is particularly pertinent to the outlook from the limited number of rear facing windows of No. 6-8. Height of the proposal will also have an impact upon the level of light reflected into the courtyard to the west of No. 6-8. Impact of the loss of daylight to No. 6-8 has not been assessed by the developer and it is considered that permission cannot be granted without an appropriate assessment being submitted.

*Sense of enclosure:* Flank wall of proposed Building 3 will bring about a sense of enclosure given its additional depth and its height. Such an added presence will erode the enjoyment of the amenity space to the rear of No. 6-8. Will significantly reduce the outlook from the rear of the property and appear overdominant to its users.

*Loss of outlook and increased overlooking:* Rear elevation of No. 6-8 would suffer from a loss of outlook due to the height of the proposed mews (Building 6). Park would no longer be in sight from the rear windows and amenity space to the rear of No. 6-8, but it is likely that Southwark Cathedral, St. Paul's Cathedral and other iconic buildings would also be removed from these viewpoints by the height of the proposed mews. While the impact on this private view may not be a planning concern in its own right, the buildings within this view have strategic visual importance. The loss of iconic buildings in the outlook from this side of No. 6-8 will have an adverse impact on the amenity of the office space primarily during the day. This will be further compounded by overlooking from the proposed mews roof terraces towards the rear windows and amenity space enjoyed by users of No. 6-8. Brandon House site falls within a 'background assessment' area for views from the Viewing Terrace of Alexandra Palace to St Paul's Cathedral. Although unlikely to be of strategic concern, Southwark Council will need to assess the impact of this development in the background of this strategic view.

*Disruption during construction work:* Proposal could cause a significant level of disruption to residents and businesses in the area during its construction period. Should planning permission be granted, the amenity of nearby residents and businesses should be protected through the imposition of conditions, which as a minimum should request a Construction Management Plan to control heavy traffic movements, construction staff



movements, and other activities generating noise, vibration and dust. CMF would expect to be consulted on such measures and also informed on the likely timing of such activities.

*Emerging Residential Design Standards SPD:* Development fails three of the tests set out in Section 2.2 of the SPD:

- *include a predominance of dual aspect units* = overall the development achieves an acceptable level (65%) but Building 6 (mews) should be considered separately given its isolation from other buildings and its self-contained nature. Mews houses do not provide dual aspect units.
- *meet good sunlight and daylight standards* = the scheme fails on internal and external factors.
- *makes a positive contribution to local context, character and communities, including a contributing to the streetscape* = proposed development represents a significant increase in height compared to that existing and represents a significant departure from the vernacular. Views of the church spire from the park will be available from only a small proportion of the park. The proposed design and layout requires further consideration to afford sufficient deference to the Church and surrounding streetscape, and to maintain key views.

*Meet standards of privacy and outlook as set out in Section 2.8 of the SPD:* Mews building (Building 6) will impact to an unacceptable extent on properties on Marshalsea Road. No distinction is made in the SPD between residential and commercial properties and the close proximity of buildings will lead to a conflict between users at different times of the day. This is pertinent for residents on the upper floors of No. 10 Marshalsea Road. Proposed footprint which extends towards the park will alter the current level of surveillance to an unacceptable extent. It will be overbearing as a consequence of the number of windows and balconies facing it at close proximity. Close proximity of the park to future residents could give rise to complaints on grounds of noise and disturbance.

*Meet standards of daylight and sunlight as set out in Section 2.7 of the SPD:* SPD does not differentiate between residential and commercial properties and the impact on existing neighbouring occupiers is significant. Main impact is associated with the extension of the footprint to the current rear building and the introduction of the mews houses. Lower floors of properties on Marshalsea Road will receive little daylight due to the proximity of the mews houses. No. 10 Marshalsea Road which has residential properties above ground level is already largely enclosed by CMF to the east and No. 12-22 Marshalsea Road to the west. Addition of the mews houses will create a courtyard of development which will block out daylight to this property. The flats above No. 168 Borough High Street will be impacted on by Buildings 1, 4, and 5.

*New development should not cause excessive overshadowing of existing communal amenity spaces or neighbouring properties:* Proposal will cause significant overshadowing to No. 168 Borough High Street. It will impact on Little Dorrit Park. Shadowing of the park will reduce its usability and will lead to degradation of its environment as trees and vegetation receive less direct light and associated heat.

*At least 60% of units suitable for three or more occupants (containing two or more bedrooms):* Development proposes only 51% of units with two or more bedrooms and only 13.6% provision of three or more bedrooms which fails policy.

Bryan O'Conner & Co on behalf of freeholders of 168 Borough High Street

No. 168 trades from the ground and basement floors of those premises as Nelsons (the three upper floors being used as residential accommodation). Application states that the proposed use is as residential units together with office (Class B1) and retail (Class A).

Class A covers Class A1 shops, Class A2, professional and financial services, Class A3 restaurants and cafes, Class A4 drinking establishments, Class A5 hot food takeaways. It is submitted that this is unusual and totally unacceptable to apply for such a wide and varied user.

Brandon House when developed should not have been permitted to overwhelm No. 168 to the extent that it has been. If new building is to be allowed then the opportunity should be taken of correcting this mistake in that the height of the building adjoining No. 168 should be reduced not increased. Proposed new building would be even more overwhelming than it is at present in that the increased height will reduce sunlight to the residential element and particularly to the skylight on the top through which the occupants of the new building will be able to look down into the top floor flat at No. 168 and the proposed development of the block back in towards Little Dorrit Park will diminish the light to No. 168 even further. No attention has been given to the effect of the new building in reducing light to the north.

Air quality assessment - para 6.2 states that the demolition and construction is likely to last some 22 months and so the restaurant at No. 168 is concerned that the report indicates that during this period there are likely to be considerable "emissions from the exhausts and also from lorry movements around the site if proper control measures are not employed". Assurances should be obtained, as a condition that appropriate measures will be taken to monitor air quality and the effect of fine particle generation during construction and emissions from construction vehicles.

2 disabled parking spaces are provided. Those purchasing flats with two bedrooms or more are likely to want them for family purposes. It seems unlikely that such persons would not own, and therefore need to park, private motor vehicles.

Brandon House is a relatively new building of brick construction. It seems a massive waste of resources to knock it down. Need to be assured that there is no viable alternative such as internal alterations and refurbishment before giving consent to demolition and reconstruction. There is no reference in the application to affordable housing.

#### CIPFA Education and Training Centre, 215-221 Borough High Street

- Noise during building works: we have been subjected to continual road and development works on Borough High Street and Tabard Street for the last 18 months. Impact on our business is significant and has resulted in several complaints as classes and exams have been disturbed. Demolition and construction works across the road would place an unacceptable strain on our ability to carry out our primary function as an education and training centre.
- Daylight / sunlight: An 8 storey building is far too high for this area and it would impact significantly on the daylight and into our building. The front facade of our building is comprised primarily of windows and an 8 storey building would block sunlight and daylight and make our classrooms quite dark. This would impact negatively on classes, forcing a higher reliance on artificial lighting and increased energy bills.

#### 3D Planning Ltd on behalf of 5-7 Marshalsea Road

Design is not of an appropriate standard for this significant and prominent location. The proposal, in particular its relationship to Marshalsea Road is not successful and does not respect local context. Design of the Marshalsea Road elevation is not appropriate in relation to its scale, fenestration and detailing. It is too high and out of scale with the immediately adjoining built form and has an adverse impact upon the aspects of

properties on the opposite side of Marshalsea Road.

#### Flat 11, Disney Place

##### a) Proposed change of use from commercial/office to majority residential

Brandon House provides 5,386 sqm of Class B floorspace. Only 4,614 sqm of Class B floorspace is reprovided and contravenes the Bankside, Borough & London Bridge SPD. Reducing the office/commercial floorspace is destructive in terms of helping to facilitate regeneration and increasing the number and range of employment opportunities. Scheme represents an opportunity to reinvigorate the area with landmark high quality office space and retail outlets. Current scheme destroys employment opportunities.

##### b) Quality of design & failure to preserve and enhance character and appearance of the historic environment

Scheme proposed is much larger than current and does nothing to enhance the appearance of the Church, the focal symbol of the environment. It diminishes it and sets a precedent that would see the Church lost within its current setting when some of the surrounding space is redeveloped. Commend the fact that the design itself pays reference to the narrow building fronts that historically compose the area. However, the rather bland glass frontage does nothing to enhance the character of the area and serves as a bland gateway to Borough High Street.

##### c) Height & size of the proposed scheme

The SPD states that the parapet height of the main body of the church establishes a prevailing height in the immediate area. Proposed development is significantly above the height of the main body of the church. SPD states that development should maintain local views of the spire from Little Dorrit Park. Proposal diminishes views of the spire from every angle of Little Dorrit Park. Proposal represents a significant increase in height on the existing streetscape. It represents overdevelopment and as a result creates an even more monolithic building compared to its surroundings and greater loss of amenity to light.

##### d) Inappropriate consideration for access and convenience

Proposal provides no car parking beyond 2 disabled spaces. The area is under stress in terms of parking with overspill parking on double yellow and red lines. Development will increase congestion. Many families will have large cars that need to be parked. Overspill parking is commonplace, reduces access (esp emergency vehicles) and reduces safety. The area has good transport links but it is naive to think families / occupiers will not have multiple cars/friends with cars.

Transport Assessment acknowledges the confined nature of Disney Place and that servicing by larger vehicles took place on Marshalsea Road. Concerned to see the proposal promotes further use of this confined space as the only entrance. The current width of the access of Disney Place will be halved by the Mews houses creating a dangerous bottleneck. Impact of 100 new dwellings, retail outlets, waste and amenity traffic and use of Disney Place as the main access point is unacceptable.

##### e) Loss of amenity to light

Scheme results in a loss of light to residents on Marshalsea Road and Disney Place. Both schemes receive very low levels as light as it is, to have these levels lowered any further is unacceptable. Scheme would result in a much lower level of light in Little Dorrit Park.

## 1 Disney Place

- Noise pollution created by the construction period.
- Proposed height will obscure already limited views and will reduce the already limited amount of natural light, especially in the evening.
- Little Dorrit Park is open to all residents and object to it being used to enhance the aesthetics of the new development.
- Will overshadow the historic St George's Church and will destroy its view from many local residents.
- Proposed building doesn't add anything to the rich architectural value of the area.
- Development is oversized in relation to the available land space.
- Will overshadow and destroy the sense of privacy for local residents.
- Will destroy the sense of local community.
- My flat will be unlivable during construction period and will severely hamper my sense of privacy.

## Flat 8, 1 Disney Place

- Proposed height will obscure already limited views and reduce the amount of natural light..
- Building won't blend in with the general height, size, bulk and appearance of other existing buildings.
- Building is going to be a dominating and intimidating sight to children who play in the school playground and Little Dorrit Park.
- Children will not be able to play in sunlight in the park as the development will reduce the amount of available sunlight in the park and the length of time its present.
- The park's plants, trees, and wildlife will suffer due to increased overshadowing.
- Size of the building is inappropriate for the land available.
- Object to the park being used as a means to further enhance the aesthetics of proposal. A clear segregation should be maintained between the park and the proposed development.
- Area already has a high volume of traffic and a development of this size will exacerbate this.
- Construction period is lengthy and will result in an increase in traffic, noise pollution, construction waste and restriction of access to local roads due to construction traffic.
- Building is oversized in relation to St. George's Church and will obstruct views.
- The proposed architecture will not add any value to the local area and skyline.
- Do not understand why an already functional building needs to be demolished. Would prefer a design which utilises the existing structure.

## 8 Disney Street

We are in the ground floor at No. 8 and raise concerns regarding the 4 mews houses.

- Building is 4 storeys high, not set back from the road, and will obscure light and views from our windows.
- Townhouses will directly look over the adjacent school playground.
- Area is inappropriate for a townhouse development and will stick out like a sore thumb as it is a dull block and designed without any level of sophistication.
- Will obscure light from the ally to the school playground and children's playground.
- Building is overdeveloping this end of the site. A much smaller building from the road would be more in-keeping.

## 7 Babington House, Redcross Way

### 1) Scheme is inappropriate in its surrounding context

#### *1.01 Scheme is oversized in relation to neighbouring streetscape*

Proposal is contrary to CABE guidance that successful projects will "Respect important views" and "Respect the scale of neighbouring buildings". Due to its height, scale, and massing the scheme dominates its surroundings inappropriately. Has no regard to existing development patterns and densities.

#### *1.02 Scheme is oversized in relation to St George the Martyr Church*

Height of the proposed scheme in relationship to the church is out of kilt; it does not follow any of the historic lines of its architecture. The bulk of the building is now much taller than the parapet of the church.

### 2) Scheme harms heritage assets

Existing building preserves the setting of the surrounding conservation area and enhances the historic setting by creating an inoffensive backdrop to the church. It makes a neutral contribution to its surroundings. New development will visually compete due to its bulk and height, neither preserving nor enhancing its setting. Scheme will obliterate every view of the church clock tower and spire from the northwest of the site, retaining only a slither glimpse within a tiny footprint of a reduced section of the spire. Church is an important historic and wayfinding landmark and views from sites within Redcross Way Conservation Area are unique and should be preserved. Scheme will result in a harmful and irreversible impact on the heritage of the area, ruining the character of the conservation areas to the north-west.

### 3) Scheme is harmful to public & community amenities

It will result in a dramatic increase in overshadowing of Little Dorrit Park, both the school's playground, Cathedral School's outdoor space and the community gardens of Babington House. These open spaces are invaluable for the community and are rare open spaces which benefit from direct sunlight throughout the year. Proposal will seriously impact the quality of this rare amenity. Increased overshadowing will be harmful to the planting in these spaces and result in an unacceptable sense of enclosure in the park.

### 4) Local parking stress

Development cannot stop people from owning their own vehicles but there is no framework in place for this. Other smaller and more recent developments in the area were all required to build underground parking. Local parking conditions around the southern end of Redcross Way is already of concern to residents. An increase on cars with no parking provision will accentuate this.

## Resident of Pattison House, Redcross Way

### 1) impact on Little Dorrit Park

- Usability of the park / S106 monies. Overshadowing issues.
- Is Surveillance necessarily good for residents or those using the park.
- Use by residents as an amenity space. This shouldn't be the primary use of the park due to lack of space within the design.
- Conflict between users and residents.

### 2) design

- Height obscures views and conflicts with the Listed St George's Church as the visual cue for the area.
- Reduces importance of local landmarks and conflicts with the streetscape.

- Creates overlooking due to inappropriate scale and bulk
- Impact on daylight / sunlight to properties and park.
- Proposed footprint is much greater than the original - as a high density site it has a negative impact on parking and traffic congestion.
- Design is considerably uglier than the existing building.

### 3) Residential Design Standards SPD

Fails to meet a number of standards set out in the SPD in terms of dual aspect flats; daylight and sunlight; privacy and outlook; dwelling mix.

#### Flat 17, Kingfisher Court, 8 Swan Street

Concerned about the height of the proposed development compared to the surrounding buildings on Borough High Street and Marshalsea Road.

#### 8-10 Lant Street

Represents a massive overdevelopment of the site. Southwark recommended density levels (700 hab rooms per hectare) are nearly doubled at 1356 hrh. It will be the tallest building on Borough High Street and is out of context at 8 storeys on the edge of the conservation area. It will dominate Little Dorrit Park in an overbearing and unacceptable way and will create unacceptable levels of shadowing to the park. Overlooking and overbearing nature of the development will negatively transform this open space. It will dominate the listed St George's Church and will result in a loss of significance of a heritage asset. Gap in the building at high level to reveal the Church spire from a small area in the park is ludicrous and draws attention to the fact that the building is too big.

Proposal is unable to match the employment generating space of the existing building. Ground floor is big enough for several large shops which could be serviced from the rear. Instead we have a series of left over truncated spaces from a top down designed scheme. The many residential cores land on the ground floor in positions which favour the residential above rather than the retail spaces. Layout is compromised and further they are not exclusively retail, but are also B1 in an attempt to make up the lack of proposed employment space. They are designed to be serviced from Borough High Street which is a red route and Marshalsea Road which is also congested.

Not all the flats reach or exceed space standards. Only a small proportion are dual aspect. Some flats have internal bedrooms with no windows. Wheelchair units don't comply with Greenwich Standards. Not all flats have private external amenity space. There is no useable communal amenity. Land to the rear is a pedestrian and vehicular access route and therefore not useable amenity. It is in permanent shadow. There is no child play space within the scheme. Two disabled car spaces hardly match the 19 wheelchair unit provision. Insufficient affordable housing provision.

#### 57A Lant Street

Whilst current building is hardly an architectural masterpiece, its suggested replacement leaves much to be desired. Location is in a key position being opposite the historic St George the Martyr church and Borough underground station. Disagree with the proposed extra height against the church. The building should be no higher than the current one. It should also be of some architectural interest that compliments its position and adds to the area.

Not a fan of there being retail space opposite the church. Would like to know if there are any limitations on the type of retail business. Borough High Street already has too many fast food outlets or empty retail space.

Height of the proposed building will cause a full shadow over Little Dorrit Park. This will affect the whole atmosphere, quality and amenities of the park. The height of the building on Borough High Street will dominate this historically listed church and landmark crossroads, it would impair the view further of the Church spire from the parks and schools to the west and north-west. The proposed building should be no higher than the current building. Being opposite the Church, any proposed designs should be a great long-term addition architecturally. The current proposal has a short design life and will soon be a scar on the area.

#### Flat 8, Hatters Court, 99 Redcross Way

8 stories is quite high - the morning sun won't reach the playground until late morning.  
110 new residential units - there's going to be student accommodation being built within half a mile of this redevelopment; more attention on making it family orientated given it's next door to two of the most popular schools in the borough would be in order, more family sized ones. Brandon House is a very ugly building and this isn't much of an improvement aesthetically.

#### 145 Bermondsey Street

Proposal represents an overdevelopment of the site.

##### a) Impact on existing townscape

*St George the Martyr* - the church spire is an important landmark and is part of the views which can be enjoyed from Little Dorrit Park. The effect of the development proposal will be to block views of the spire. Remaining views will be limited to a narrow view corridor from Redcross Way.

*Little Dorrit Park* - the proposal will have a permanent and significant adverse impact on the existing trees and grass, and reduce the area of useable space. Developer proposes to make a financial contribution to 'enhance' the park but a more meaningful contribution would be to ensure that the proposals do not damage the microclimate of the park and the green infrastructure to which it provides.

##### b) Public realm and amenity space

Proposed on-site public realm, amenity, and play space will be in shade most of the time. This will provide a poor quality environment for all users.

##### c) Residential standards SPD

Proposal fails to satisfy a number of standards in respect of density; dwelling mix; amenity space; daylight/sunlight; privacy and security.

#### 7 Ciba Apartments, 101 Union Street

Proposal fails to adhere to the standards that this prominent site merits and the bulk of the development is in the financial interest of the developer and the consideration of the protection of the neighbouring park are overlooked. Proposal should be the same as the height of the existing building or lower.

It will have a seriously detrimental effect on the neighbourhood, especially on the playground Little Dorrit Park and the playground of Cathedral School. Proposed development would have a negative affect on the landscaping, as the increased height of the building would overshadow the grass/tree area of the playground longer and some of the winter months totally. Will result in the vegetation suffering and dying. Concerned that opening the park would increase accidents and the existing exits of the park should be kept. Sports and playground of Cathedral School would be equally affected due to the lack of direct sunlight.

Scheme is oversized in relation to the neighbouring streetscape and does not take the

historic setting into account. St. George the Martyr Church is a historic view from Redcross Way and it would be obliterated by the proposal. Scale of the proposal would create an offensive sense of enclosure to the adjacent open spaces and dwarf the prominent church. Proposed design lacks style and inspiration and is not appropriate for the area.

#### Flat 7, 6 Vine Yard

Height is inappropriate for its setting and context of St George the Martyr and Borough High Street. Such a reduction in the attractiveness of the area will impede regeneration as such a clumsy, ugly building of such disproportionate scale will deter people from investing in the area. Addition of such a large number of residential units is inappropriate. Design of the facades is insensitive to the character of the Marshalsea Road conservation area. Design of the mews building is more appropriate in scale, and the varied facades are an improvement to the visual amenity current rear of the site.

#### 4 Maple Building, 128 Borough High Street

Proposed height will obscure view of the Church spire and clock from Little Dorrit Park. More damaging is the loss of light and increased shade that it will cause. It will make the grassed area less attractive and often unusable for large parts of the year. It will impact on the planting in the park which will not flourish and will cause further deterioration in its community value and use.

#### 6 Maple Building, 128 Borough High Street

Proposal is twice the height of the existing building and other properties on Borough High Street. This will have the effect of closing in the existing sense of space and visibility around the junction with Marshalsea Road. In addition to reducing light and space, and the quality of the appearance of the area, it will have an adverse impact on safety for pedestrians. Concerns about the appearance of the building at street level, design appears dull and solid. This will have an intimidating, alienating effect on the local environment. Need to take into account the impact of 106 additional residential units on the environmental and other services in the area. This increase should mean a higher priority for the quality of the street environment for pedestrians. Not convinced by the proposed office and retail space given existing vacant office and retail space.

#### Flat 3a, 53 La Gare, Surrey Row

Concerned about the impact on Little Dorrit Park and playground. Proposal is two storeys too high. It will affect the park with its size, its encroachment with a larger footprint than existing, and will lead to increased sun shading. Proposed footprint must be the same or smaller than the existing building in order to protect the park. It will mean less light and warmth will fall upon the trees. Its visual impact is too large when viewed from the park and Marshalsea Road and detracts from St. George's Church.

#### Trustee of St George the Martyr Church, Borough High Street

Had previously objected to the previous application (10-AP-3241) on the grounds of its height to the Church, a Grade II star listed building. The revised plans have not changed those objections.

#### Bankside Open Spaces Trust (BOST)

##### *Little Dorrit Park*

1) Submitted shadow diagrams indicate a dramatic reduction in sunlight, particularly in



the autumn, winter and spring. Without direct sunlight in winter, frost and snow remain for longer periods rendering the play equipment unusable. Increase in shade and reduction in sunlight will have an impact on the plants and biodiversity in the park. A small part of the park is presently in permanent shadow. Proposal will bring more areas of the park into permanent overshadow with disastrous results on planting.

2) Would like the building to be set back further from the boundary with the park. Large number of windows and balconies overlooking the children's playground indicate an increased likelihood of inappropriate interaction between flat dwellers enjoying their domestic space and children / families enjoying the playground. Further, noise issue could result in complaints from and conflict with future residents of the flats.

3) Maintenance vehicles access the park via a padlocked gate on the southern side from the grounds of Brandon House. No evidence that this access is maintained in the proposals as the existing gate is redrawn and made narrower on the ground floor plan.

4) Residents have expressed concern over whether or not there is access between the park and the development.

5) No evidence that the proposed play area is sufficient. Proposed small amenity space will be in permanent shade and inappropriate for a child play area. Assume that children of the new flats would use the park, which is already heavily used, and will be heavily overshadowed some parts of the year.

6) Severe deficiency in the amount of useable amenity space proposed. Rear ground floor appears designed as a pedestrian and car access route from Disney Place to Borough High Street. Only external amenity are the balconies and roof terraces, most of which are north-facing providing no direct sunlight.

7) Welcome greater clarity on how S106 monies would be spent to improve the park and also Marshalsea Road junction.

8) Church will only be visible from a section of the park and from a small part of Little Dorrit Court. View of the church from Red Cross Garden or Redcross Way will be substantially reduced.

#### *St George's the Martyr and Junction*

1) Proposal ignores this prevailing height. It dominates the listed church and surrounding area. Church's importance as the focal point will be diminished to an unacceptable extent. It is too an important a building for this to happen.

2) Proposal will be the tallest building on Borough High Street which is generally of 5 / 6 storey buildings. It dwarfs the buildings on either side.

3) Welcome that the building is broken up into separate units which is keeping with the traditional character of Borough High Street.

4) There is information missing from the submitted historical analysis.

#### Trinity Newington Residents Association (TNRA)

- Overshadowing of Little Dorrit Park is much improved by the current planning application.
- Bulk and lack of articulation on both frontages remain. Borough High Street is by origin Roman and its form is largely medieval with long thin plot sizes which have been lost or eroded in many places. Proposal is more articulated than the present

Brandon House but does not go far enough. They do not reflect the site's key position on Borough High Street.

- Proposal constitutes over-development. It is too high on both frontages.
- Welcome the re-introduction of shopping in this section of the high street, and the mix of housing, shopping and office use. However, the overly large shop windows are more suitable for a Bluewater-type development.

### **Reconsultation responses**

#### Dalton Warner Davies on behalf of Christian Medical Fellowship (CMF), 6-8 Marshalsea Road

A number of concerns remain and whilst we re-iterate the key concerns below, detailed analysis of the impacts of the proposal are contained in our previous representations which remain valid.

#### *Design*

External appearance of the building remains unaltered in terms of bulk, scale and mass. This is disappointing given the level of local opposition to this aspect of the scheme. Our key concerns in respect of the main building therefore remain.

#### *Creation of Mews Building (Building 6)*

Development of a mews building is not supported in principle as this is considered to lead to a cramped form of development which is incongruous to the built form of the surrounding area. External appearance of the mews building remains unaltered and our concerns relating to its relationship with the rear of No. 6-8 remain.

#### *Protecting the amenity of users of No. 6-8 Marshalsea Road*

A number of concerns remain with regard to the potential impact on the amenity levels currently enjoyed by the occupiers of No. 6-8:

- loss of daylight/sunlight
- increased sense of enclosure
- loss of outlook and increased overlooking
- disruption during construction.

#### *Compliance with Residential Design Standards SPD.*

Our previous letter set out concerns in respect of the schemes failure to meet the then draft SPD requirements.

- Mews building (Building 6) will still fail to meet the need for a predominance of dual aspect units.
- Revised Internal Daylight and Sunlight Report shows 15.7% fall short of BRE which is significant for a redevelopment scheme of this nature.
- Concerns with regard to the need to make a positive contribution to local context, character and communities, including streetscape remain as previously outlined.
- Concerns with regard to standards of privacy and outlook remain.
- Layout of the proposed units, whilst altered to take into account changes to unit mix, are still considered to poorly address the requirements of the SPD and therefore previous concerns in respect of daylight/sunlight remain.
- As the general scale, bulk and mass of the proposal remains unaltered, the issues raised previously with regard to excessive overshadowing of existing communal amenity spaces of neighbouring properties remain a key concern.

### 8 Disney Street

- 4 town houses will reduce the light and views for businesses and residents in Disney Street and Disney Place. Rooftop balconies will exacerbate this problem.
- Size of the townhouses will overshadow the adjacent school playground. It will leave much of the playground in shade during winter months resulting in frost and snow not melting, creating danger for children.
- Roadway opening into the site is not large enough for waste vehicles to enter and leave the site.
- House nearest Disney Place should be omitted from the scheme as this would resolve all out issues.

### 57A Lant Street

Still vehemently opposed to the proposed application for the same reasons as last time.

### 8 Swan Street

Concerned that the height of the building has not changed, and the impact this will have on Borough High Street / Marshalsea Road compared to other buildings in the area. Continue to have concerns about the loss of sunlight in the winter to Little Dorrit Park and children's play area.

### 201 Empire Square

- Area is very busy and proposal will put a strain on public schools.
- Public transport is already suffering congestion, the tube station is small and proposal will put further stress on Borough Station entry and facilities.
- Height of the building is out of proportion with any other surrounding building and will shadow the park and damage park eco life.
- The historical church will be shadowed by a building twice its size.

### Resident in Sanctuary Street

Proposed heights are inappropriate. Such high construction will degrade the community, limiting the amount of sunlight, and constitute a precedent for future planning applications that will also want to maximise profits.

### Flat 6, 14 Weller Street

Proposed building will be too high and will have a detrimental impact on natural sunlight to Little Dorrit Park and adjoining schools. Open play and green spaces are precious, with the constant development and building works encroaching on such spaces, the local communities will feel the impact most.

### 145 Bermondsey Street

Object on the grounds that the overbearing scale and density of the proposals will have an unacceptable and permanent impact on Little Dorrit Park and the quality of proposed amenity space for the development. Disappointing to note that the current scheme has not been modified to address any of the significant adverse and permanent impacts on Little Dorrit Park of the previous scheme.

### *Play space*

On-site play space - drawings do not provide detail about the proposed play space, its location, size, enclosure detail, or play content.

On the basis of the child yield given in the Planning Statement, 640 sqm of dedicated

play space should be provided on site.

Off-site play space - documents do not provide details about the proposals for enhancement of Little Dorrit Park to accommodate the needs of the additional child population. This would clarify whether the park can absorb the additional play provision and allow for costing for the S106 Agreement based on a realistic assessment of what the park would need to cater for the additional children.

#### *Shading effects of the development proposal*

- Effects on Little Dorrit Park - proposal will have a significant adverse impact on existing trees and vegetation on the boundary and the informal kickabout area. These areas currently enjoy full sun from circa 10am to sundown on March equinox. Proposals will adversely change this such that these areas will be in shade all day. This will have an adverse impact on microclimate and growing conditions for existing vegetation and biodiversity.

- Effects on proposed on-site amenity space - all the proposed amenity spaces will be overshadowed such that all of it will be in shade all day on March equinox and in December. In June the majority of amenity space will be in shade from 12-6pm. This level of shading would be oppressive and will not provide reasonable growing conditions. It fails the BRE criteria that 'no amenity space on March 21 should be in permanent shadow over more than 40% of its area and ideally under 25%'.

#### *Existing trees and vegetation*

Inclusion of a tree survey and tree constraints plan is helpful, but the report does not state whether or not the proposals will adversely impact the safe retention of these trees and if they will be retained. It is possible to conclude from the submitted information that existing trees on the boundary will be affected and it is more than likely might be removed at some point as a consequence of the development.

If the boundary wall is to be modified or replaced a short term impact will occur during demolition and construction of a new wall; in the long term, the new building will cast shade over the vegetation for significant periods. The CGI's appear to show these trees and climbers retained but the applicant needs to provide information to demonstrate that this can be achieved.

#### *Boundary wall with Little Dorrit Park*

- Proposed treatment is ambiguous and needs to be clarified because any changes to the wall will potentially adversely impact the root systems of the adjacent trees in the park. If the wall is to be replaced the existing climbers will be lost.

- Intentions for the gate are ambiguous and the applicants should define the proposed management of the gate to ensure parents that it will remain locked and won't become a risk to child safety.

- lack of detail about the landscape proposals is remarkable.

- accuracy of CGI's - are misleading and should be re-submitted to ensure that the visual impact of the proposals can be accurately assessed.

#### Bankside Open Spaces Trust (BOST)

Has earlier welcomed the efforts of the applicant to contact ourselves, and during 2010, through our events, to provide information to parents in Little Dorrit Park over the development proposal. BOST are however concerned that there has been no further communication with ourselves or the local community (other than statutory consultation) regarding the revised bid and now have to object to this due to its likely impact upon Little Dorrit Park, its additional impact on Red Cross Garden and its interaction with the historic St George the Martyr Church.

We would be likely to give support to a future proposal which reduced the height, did not bring the building so close to the park on the eastern and southern edge, gave more details about boundary treatment and trees, and developed a more meaningful relationship with the Church and surrounding context. Reiterates previously submitted comments but with the additional following points:

- CGI Images of the back of the building (View 05 Little Dorrit Court proposed views p13) includes an area of vegetation which doesn't exist to apparently soften the rear view of the development. Developers are concerned that this rear view is inappropriate and seek to obscure this with trees that don't exist.
- The Planning Application Form Point 15 (Trees and Hedges) includes incorrect information which flaws the application. It states 'no' to question on whether there are trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the landscape character. There are two lime trees and a line of laurels adjacent to the boundary wall.
- Lack of clarity about the boundary wall treatment between the park and the new amenity space and whether these will be the existing walls or new ones.
- View of the church: the church will be only partially visible from only a small section of the park. The view of the church from Red Cross Garden or Redcross Way will be substantially reduced.
- Landscaping and proposed play space: inconsistent presentation of the number of expected children - between 34 and 64 which should be clarified. Between 300-640 sqm of playspace should be provided. There is no information presented regarding the size and nature of the on-site play space. The small amenity space proposed will be in permanent shade and inappropriate for a child's play space. There is severe deficiency in the amount of useable amenity space proposed. There is no detail about the proposed landscaping and the application should be withdrawn.