

Item No. 6.3	Classification: Open	Date: 3 November 2015	Meeting Name: Planning Committee
Report title:	<p>Development Management planning application: Application 15/AP/3515 for Approval of Details - Article 30 DMPO</p> <p>Address: SITE OF THE FORMER LONDON PARK HOTEL, 80 NEWINGTON BUTTS, LONDON, SE1 4QU</p> <p>Proposal: PARTIAL DISCHARGE of Details of external materials pursuant to Condition 22 of planning permission 14-AP-2207 for: Variation of the approved drawings condition of planning permission 07-AP-0760 (as amended by 14-AP-1017) granted on 1 April 2008 [for: Erection of buildings comprising 1 building of up to 44 storeys (145.5 metres AOD) and a terrace of up to 7 storeys in height to provide 470 residential units (Class C3), theatre (Class D2) and cafe (Class A3 uses) and a pavilion building for retail/marketing suite purposes (Class A1/Sui Generis) with associated public open space, landscaping, underground car parking for 30 cars and servicing space] to secure the following minor material amendments:</p> <p>Increase the height of the main building to 152.8 metres Above Ordnance Datum (AOD); and</p> <p>Removal of the two storey building fronting Newington Butts to be used as a marketing sales suite and future retail unit.</p>		
Ward(s) or groups affected:	Cathedrals		
From:	Mumtaz Shaikh		
Application Start Date 01/09/2015		Application Expiry Date 27/10/2015	
Earliest Decision Date 24/09/2015			

RECOMMENDATIONS

1. That the approval of the submitted details for Condition 22 of planning permission ref: 14-AP-2207 be Granted in respect the Tower including Southwark Playhouse Theatre.
2. That the approval of the submitted details for Condition 22 of planning permission ref: 14-AP-2207 be Granted delegated authority to officer's in respect of terrace.

3. This application is reported to Planning Committee because there is a note attached to this application condition stating that "*Condition to be referred to Planning Committee*".

The detailed background information relating to this development is set out in the report on the original planning application 14-AP-2207 granted 05/11/2014 for:

Variation of the approved drawings condition of planning permission 07-AP-0760 (as amended by 14-AP-1017) granted on 1 April 2008 [for: Erection of buildings comprising 1 building of up to 44 storeys (145.5 metres AOD) and a terrace of up to 7 storeys in height to provide 470 residential units (Class C3), theatre (Class D2) and cafe (Class A3 uses) and a pavilion building for retail/marketing suite purposes (Class A1/Sui Generis) with associated public open space, landscaping, underground car parking for 30 cars and servicing space] to secure the following minor material amendments:

Increase the height of the main building to 152.8 metres Above Ordnance Datum (AOD); and Removal of the two storey building fronting Newington Butts to be used as a marketing sales suite and future retail unit.

Details of proposal

4. Condition 22 of the planning permission ref: 14/AP/2207 states as follows:

"Material samples and section detail-drawings - submit details

Unless previously discharged under permission reference 07/AP/0760: Details of the external materials to be used in the carrying out of this permission, including samples of these materials, as well as 1:5/10 section detail-drawings through all principal elements/details to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out above grade and the development shall not be carried out otherwise than in accordance with any such approval given. Details required include:

- a) *Typical sections (scale 1:10) of the tower roof structure;*
- b) *Typical sections (scale 1:5) and axonometric view of the tower corner-balcony and framing system*
- c) *Typical sections (scale 1:10) of the tower entrance canopies*
- d) *Elevations (scale 1:50) of the tower base*
- e) *Details of the colour and texture (and in the case of glass opacity) of all elevations and facades.*

Reason

In order that the Local Planning Authority may be satisfied as to the design and details of the external materials in the interest of the appearance of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007. (Note: Condition to be referred to Planning Committee)."

5. In respect of the above condition, the following have been submitted:

- Photographs and photomontages of CGI Balcony Underside
- Proposed Materials and Section Detail Drawings document by Axis Architects dated 25/08/2015
- 0200-TW-ZZ-DR-S-0078 Revision C1
- 0200-TW-ZZ-DR-S-00780 Revision C1
- 31038-0100-TW-ZZ-DR-A-21201-S3-P1 Revision A
- 31038-0100-TW-ZZ-DR-A-21202-S3-P1
- 31038-0100-TW-ZZ-DR-A-21203-S3-P1

- 31038-0100-TW-ZZ-DR-A-21205-S3-P1
- 31038-0100-TW-ZZ-DR-A-21206-S3-P1
- 31038-0100-TW-ZZ-DR-A-21207-S3-P1
- 31038-0100-TW-ZZ-DR-A-21208-S3-P1
- 31038-0100-TW-ZZ-DR-A-21209-S3-P1
- 31038-0100-TW-ZZ-DR-A-21210-S3-P1
- 31038-0100-TW-ZZ-DR-A-21211-S3-P1
- 31038-0100-TW-ZZ-DR-A-21212-S3-P1
- 31038-0100-TW-ZZ-DR-A-21213-S3-P1
- 31038-0100-TW-ZZ-DR-A-21214-S3-P1
- 31038-0100-TW-ZZ-DR-A-21121-S3-T1 Revision A
- 31038-0100-TW-ZZ-DR-A-21122-S3-T1 Revision A
- 31038-0100-TW-ZZ-DR-A-21123-S3-T1 Revision A
- 9091-31038-0100-TW-ZZ-DR-A-20151-S4-C1 Revision G
- 9091-31038-0100-TW-ZZ-DR-A-20152-S4-C1 Revision G
- 9091-31038-0100-TW-ZZ-DR-A-20153-S4-C1 Revision G
- 9091-31038-0100-TW-ZZ-DR-A-20201-S4-C1
- 9091-31038-0100-TW-ZZ-DR-A-20202-S4-C1
- 9091-31038-0100-TW-ZZ-DR-A-20203-S4-C1
- Letter from DP9 (ref: JS/SH/DP3759) dated 08/10/2015.

6. In addition to the above, the following "Material samples" have been submitted for Tower element and the Southwark Playhouse Theatre:

Material Sample Spreadsheet: Tower

Sample no.	Material	Application	Colour	Texture Reference
1) 31038-3200- TW-ZZ-SA-X- 0074-00	Glassfibre Reinforced Concrete (GRC)	Solid vertical elements of the Tower	grey as per sample	textured as per sample
2) 31038-3200- TW-ZZ-SA-X-	Dark PPC coated Aluminium sheet	Window and curtain walling frames, slab spandrels and 1. Floor soffit.	RAL 7016 matt	n/a

0025-00				
3) 31038-3200- TW-ZZ-SA-X- 0090-00	Light PPC coated Aluminium sheet	"Picture frames" around central window band	RAL 9006 matt	n/a
4) 31038-3200- TW-ZZ-SA-X- 0022-00	Painted balcony steel structure	Balcony structural members	RAL 1023	n/a
5) 31038-3200- TW-46-SA-A- 00004	Louvers	Level 46 plant enclosure	RAL 9006 matt	Colt 1UL shallow louvre
6) 31038-3200- TW-ZZ-SA-X-	Spandrel panel	Spandrel panel as part of the central window band	RAL 7044	n/a

0009-00				
7) 31038-3200- TW-ZZ-SA-X- 0004-00	Glass balustrade	Balcony glass balustrade		n/a
8) 31038-3200- TW-ZZ-SA-X- 0062-00	Balcony decking	Balcony decking Outdure Kwickbuild Ecodecking	Ebony	n/a

Material Sample Spreadsheet: PlayhouseTheatre

Sample no.	Material	Application	Colour	Texture Reference
1) 31038-3200- TW-ZZ-SA-A- 00001	Glassfibre Reinforced Concrete (GRC)	Solid cladding panels	Off White	Rieder MA Matt
2)	Glassfibre Reinforced Concrete (GRC)	Solid cladding panels	Off White	Rieder FL Ferro Light

31038-3200- TW-ZZ-SA-A- 00002				
3) 31038-3200- TW-ZZ-SA-A- 00003	Glassfibre Reinforced Concrete (GRC)	Solid cladding panels	Off White	Rieder FE Ferro
4) 31038-3200- TW-ZZ-SA-X- 0025-00	Dark PPC coated Aluminium pressings	Horizontal cladding dividers and escape metal doors	RAL 7016 matt	n/a
5) 31038-3200- TW-ZZ-SA-A- 00005	Acoustic louvers	Ventilation grille on goods lift face	RAL 7016 matt	n/a

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- The main issue to be considered in respect of this application is:

a) are the details submitted acceptable in terms of policy and are they sufficient to discharge the terms of the condition and reason for the imposition of the condition.

Planning policy

8. The Council's cabinet on 19 March 2013, as required by paragraph 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.
9. The detailed planning policy relating to this development is set out in the report on the original planning application. Any specific policy considerations relating to the submitted details are set out below.

Acceptability of the submitted details

10. This application is seeking planning permission for partial discharge of condition 22 of planning permission ref: 14/AP/2207 in respect of Tower element, including the Southwark Playhouse Theatre.
11. The proposed sample materials and architectural details provided and proposed for Tower element including the Southwark Playhouse Theatre is found to be consistent with the approved scheme.
12. The proposed architecture detailing and the use of the following proposed materials for the Tower:
 - Grey Glass fibre Reinforced Concrete (GRC) of different shades and texture
 - Dark PPC coated Aluminium sheet for window and curtain walling frames, slab spandrels and first floor soffit for the Tower
 - Light PPC coated Aluminium sheet for "Picture frames" around central window band
 - Painted balcony steel structure
 - Louvers
 - Spandrel panel as part of the central window band
 - Balcony glass balustrade and
 - Ebony Balcony decking Outdure Kwickbuild Ecodecking.

and the Southwark Playhouse Theatre:

- Glass fibre Reinforced Concrete (GRC) Solid cladding panels, off white in colour of different texture
- dark PPC coated Aluminium pressings providing Horizontal cladding dividers and escape metal doors and
- Acoustic louvers for ventilation and grilles.

is considered to be of a high quality which will give a high-quality permanence and solidity to the buildings appearance. The composition of the proposed Tower building which takes the form of glazing and balconies unified by "glass blades" on each corner of the tower would result in a light and elegant structure which is considered to be appropriate for its Newington Butts location and it has the capability to establish as a landmark building on this key gateway to the centre of the Elephant and Castle.

13. Accordingly Partial Discharge of this condition is recommended.

14. An application for the remaining elements and proposed design and materials will follow. However, an informative to remind the applicant/developer to this effect is attached.

Community impact statement

15. In line with the Council's Community Impact Statement the impact of this development was considered at the planning application stage. It is not considered that the submitted details raise any issues in this respect that have not already been considered and taken into account when granting planning permission.

Consultation

16. None

Consultation replies

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

Summary of consultation responses

18. Design and Conservation Team

The proposed architecture detailing and materials are considered to be consistent with the approved scheme and to a high quality of detailing and materiality. It therefore recommended that the above condition be partially discharged in respect of Tower including Southwark Playhouse Theatre.

Human rights implications

19. This application may engage 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.
20. This application has the legitimate aim of providing details required by a condition imposed on a grant of planning permission. The HRA implications of the development were considered at the original planning application stage. 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/1044-A Application file: 15/AP/3515 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 enquires email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0585 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Mumtaz Shaikh, Planning Officer	
Version	Final	
Dated	22 October 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance and governance	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and modernisation	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	22 October 2015	

APPENDIX 1

Consultation undertaken

Site notice date: n/a

Press notice date: n/a

Case officer site visit date: n/a

Neighbour consultation letters sent: n/a

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

n/a

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None