

Item No: 7.1; 7.2 and 7.3	Classification: Open	Date: 03 September 2018	Meeting Name: Planning Committee
Report title:		Addendum report Late observations, consultation responses, and further information	
Ward(s) or groups affected:		Borough & Bankside, Newington & Old Kent Road	
From:		Director of Planning	

PURPOSE

1. To advise members of observations, consultation responses and further information received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the recommendation stated.

RECOMMENDATION

2. That members note and consider the late observations, consultation responses and information received in respect of each item in reaching their decision.

FACTORS FOR CONSIDERATION

3. Late observations, consultation responses, information and revisions have been received in respect of the following planning applications on the main agenda:

Item 7.1 – Application 17/AP/4289 for: Full Planning Application – 33-38 Rushworth Street, London SE1 0RB

4. Consideration of this application has been DEFERRED, to allow officers to further consider and present additional information relating to the design of the scheme and its impact on the Conservation Area.

Item 7.2 – Application 18/AP/0737 for: Full Planning Application – 1 Kennington and Walworth Delivery Centre, 111-123 Crampton Street, London SE17 3AA

Additional objections

5. Since the report was published, objections were received from 3 properties raising the following summarised issues:
 - The building is too high for the surrounding area and proximity to the Pullens Estate conservation area, and the grade II listed Manor Place Baths.
 - Loss of light to the surrounding buildings. It will have an overbearing presence over homes and Pullens Gardens.
 - The loss of the parcel collection service. There are plenty of vacant units in this area where it could be relocated. Mandela Way is too far (two buses, or a long walk - difficult with large parcels) from this area. Another location in walking distance is needed.
 - The blank walls at ground floor are depressing.
 - The media and printing company in the adjacent arches is worried how the proposal would affect the small business's future, with access, business rates, rent, local customers.

6. These objections came from 71 Iliffe Street, 93 Iliffe Street and Arches 183-184 Manor Place.
7. Officer response: The loss of the parcel collection facility, the height of the proposed buildings, its impacts on the setting of the listed building and conservation area, daylight to surrounding properties and sunlight to the park were issues previously raised in objection comments and have been addressed in the assessment section of the report. There is no policy which would prevent the loss of the parcel collection point. The design, heritage and neighbour amenity and overshadowing impacts are all considered to be acceptable. The access to the adjacent arches would remain (and be widened with the proposal) with the proposed layout, and any temporary restrictions during the build would need to be agreed between landowners outside the planning process; the impact on business rates is not a material planning consideration.

Viability

8. Paragraphs 62 to 68 of the published report set out the affordable housing and viability considerations. With 35% of habitable rooms as affordable housing, the profit level on the scheme is 7.63% - below the typical profit levels of 17.5% on the private residential, 6% on the affordable residential and 15% on the commercial premises.

Change to the recommended conditions and heads of terms

9. Following advice from the legal team, condition 33 (CPZ permit exclusion) set out on the draft decision notice in appendix 3 should be deleted. Instead, the restriction on CPZ permits would be secured as a planning obligation, and so included as an additional item in the list of planning obligations in paragraph 129 of the report.

Item 7.3 – Application 17/AP/4596 for: Full Planning Application – Nyes Wharf, Frensham Street, London SE15 6TH

Definition of social rented housing

10. The scheme includes a policy compliant level of affordable housing which at 37% exceeds the minimum target of 35%. Of that 37%, 72% would be social rented.
11. Social rented housing is defined in our legal agreements as:

“Housing owned and let by local authorities and Registered Providers for which guideline target rents are determined through the national rent regime (meaning the rent regime under which the social rents of tenants of social housing are set by the Regulator with particular reference to the Guidance for Rents on Social Housing May 2014 and the Rent Standard Guidance April 2015)”
12. The applicant has confirmed that the rents for the social rented housing would fully comply with this definition.

Update on Transport for London S106 contributions, paragraph 158

13. Transport for London have still not confirmed acceptance of the applicant's s106 offer in relation to buses, healthy streets, legible signage and cycle hire. As the scheme will be referred back to the GLA, this will provide the opportunity for Transport for London to confirm whether they are acceptable.

Controlled parking zones and additional head of term for the S106

14. The site is located within Controlled Parking Zone T (Trafalgar) and accordingly as per paragraph 151 of the report, occupiers will not be eligible for parking permits.

15. The report does state that a condition is recommended to control this, but following further advice from the council's legal team, it is more appropriate to enforce an obligation of this nature against successive occupiers within the S106 agreement. It is therefore recommended that condition 34 be deleted, and for this matter to be controlled by the S106.

Carbon targets (Be green)

16. One of the main reasons the scheme is unable to meet the carbon emission reduction targets is because a combined heat and power plant (CHP) is not appropriate for the development. GLA policy acknowledges this unsuitability in their Energy Strategy Guidance 2016 and confirms that a CHP is generally not suitable for developments less than 500 units. Other reasons include the lack of available space to install photovoltaic panels.
17. It should be noted in particular that the centralised heating installation proposed for the development could facilitate ease of connection to a future district heating network, and feasibility work is underway to consider the potential connecting up developments in the Old Kent Road Opportunity Area to the SELCHP plant in Lewisham. Depending on the efficiency and carbon performance of the SELCHP plant, the connection of the development to this system could allow for performance closer to the required London Plan carbon zero targets. As per paragraph 161 of the main report, the S106 would secure connection to any future district heating system.

Corrections

18. In paragraph 150 of the report, it is stated that the transport bond will be calculated at £100 per 5,000 sqm of non residential floorspace. This is incorrect. The report should read £100 per 500sqm of non residential floorspace. Despite this error, it is however confirmed that the figure given in the report of £15,538.00, is correct.
19. At paragraph 162 of the report, it is recommended that if the legal agreement has not been completed by 16 March 2018, it may be appropriate to refuse permission. The date should read 16 March 2019.

Amendment to condition 20

20. It is recommended that the following words in underline be deleted from the condition.

“Before the commencement of any works above grade, section detail-drawings at a scale of 1:5 through:
the facades;
parapets and roof edges; and
heads, cills and jambs of all openings, including bi folding glazed doors to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced; and the development shall not be carried out otherwise than in accordance with any such approval given”.

Comments from the Director of Planning

21. Taking into account the above, the recommendation remains that planning permission be granted with conditions and the completion of a legal agreement, and subject to referral to the Mayor of London.

REASON FOR URGENCY

22. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this

meeting of the planning committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting

REASON FOR LATENESS

23. The new information, comments reported and corrections to the main report and recommendation have been noted and/or received since the committee agenda was printed. They all relate to an item on the agenda and members should be aware of the objections and comments made.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Individual files	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403