

<b>Item No:</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 6 February 2019	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		<b>Addendum report</b> Late observations and further information	
<b>Ward(s) or groups affected:</b>		North Bermondsey	
<b>From:</b>		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

### **Item 6.1 – Application 17/AP/4088 for: Full Planning Application – Tower Bridge Business Complex, 100 Clements Road AKA The Biscuit Factory & Bermondsey Campus Site, Keetons Road, London SE16 4DG**

#### **Grosvenor’s Response to the Committee Report**

3. Grosvenor have submitted a written response following the publication of the committee report.
4. The letter re-emphasises the benefits of the proposal and makes reference to their Local Legacy Strategy and how it accords with the Council’s wider Social Regeneration objectives. The applicants request that the wider benefits of the proposal, in conjunction with the applicant’s long term active management approach are treated as significant benefits of the proposal.

#### *Officer response*

5. The benefits of the proposal including the improvements to pedestrian routes through the site, the benefits of the replacement school, skills and jobs and new business space are covered in various sections of the report.
6. Their letter then responds to the four recommended reasons for refusal.

#### **Affordable Housing**

7. The applicants re-iterate that they are unable to deliver P4 compliance and that GVA, acting for the Council, also accept that P4 compliance cannot be delivered. They stated that post completion review would allow the Council to share in any upside if it arises in the future.

#### *Officer response:*

8. The Council’s position with regard to affordable housing and viability is set out in paragraphs 167-213 of the officer’s report. This concludes that the development should be able to viably support deeper discounts below market rents than are currently offered and potentially a greater overall quantum of affordable housing.

## Quality of Accommodation

9. The proposed quality of accommodation has arisen from the design-led approach and also reflects Grosvenor's research into the needs and priorities of renters.

### Private Amenity

10. Grosvenor emphasise that private amenity space deficit largely impacts 1-bed and studio units. It is their view that the communal amenity provision and considerable area of high quality public realm should be given significant weight when considering amenity and would compensate for the under provision of private amenity space.

### Officer Response

11. The units without balconies are split between the following unit sizes:

Unit Size	No. of units without usable amenity space	% of unit types without usable amenity space
Studio	119	82.5
1-bed	208	47.5
2-bed	42	8.7
3-bed	6	3.9

12. All wheelchair units would have access to usable private amenity space. The 3-bed units would all have access to private amenity space. However 6 of the units would have balconies with a depth of less than 1.5m. Standard 27 of the Mayor's Housing SPG states that a minimum depth of all balconies and other private external spaces should be 1.5m.
13. The minimum standards of amenity provision for new development were set out in paragraph 260 of the original report. The criteria for exemplary residential accommodation states that development will be expected to exceed the amenity space standards. While there is a high proportion of communal amenity space provided across the site as a whole, this does not compensate for the under-provision on some plots. The provision of internal amenity space is a positive aspect of the proposed development however it does not serve the same function as outdoor amenity space.
14. Paragraph 307 of the officer's report notes that the provision of the large area of public realm and the improved permeability around the site would make a positive contribution towards landscaping, one of the 5 key policy requirements for tall buildings. However this space is not considered to serve the same function as communal amenity space. It should also be noted that the requirement for such a high level of communal amenity space arises from the deficit in private amenity space for each unit. The applicants have taken the decision not to provide private amenity space for a significant proportion of the units in a development where there are no exceptional circumstances or site constraints which make it impossible to provide.

### Dual Aspect

15. The applicants re-emphasise their position with regards to dual aspect units highlighting the number of buildings that would have a pre-dominance of dual aspect units. They also state that the officers report focuses on units which are not typical across the Masterplan. Where units are single aspect they consider these to be of high quality, referencing high compliance rate of development with internal daylight and sunlight guidelines, limited number of north facing single aspect units and noise and vibration mitigation measures for single aspect units facing the railway.

#### *Officer Response*

16. Paragraphs 231 to 244 of the officer's report cover the issue of dual aspect units while paragraphs 248 to 256 relate to sunlight.. The Council's Residential Design Standards SPD states that where dual aspect units cannot be provided, the applicant must prove that the single aspect [unit] is of a standard not inferior to multiple aspects and that a high quality of design is achieved. The officer's report therefore considers the quality of accommodation provided in the single aspect units. While some single aspect units would have access to private amenity space and have large internal areas there are also many that would not have private amenity space and would have internal floor areas close to the minimum for the respective number of bedrooms. Officers are of the view that the units identified would provide an inferior quality of accommodation.

#### **Highway Safety**

17. The applicants' letter confirms that they have undertaken Road Safety Audits and that all recommendations from these have been incorporated, including traffic calming measures along the Low Line. There would be 63 vehicle trips along this route across the pinch point and many of these could be arranged to take place outside of peak pedestrians and cycling times.
18. In relation to the second area of Highway concern, the servicing yard between buildings BF-V and the Workspace buildings, it is stated that the primary purpose of this area is to ensure that servicing and deliveries can take place off the adopted highway. They are also of the view that the level of footfall through this area would be minimal.

#### *Officer Response*

19. Council Transport officers are of the view that the development would generate 168 and 169 two-way vehicle movements in the morning and evening peak hours respectively, which are comparable to those predicted for the existing business use of this site. This would result in significant numbers of vehicle movements through the pinch point and service yard during peak hours.
20. The applicant's consultants' Road Safety Audit recommended that this pinch point segment be established 'as a shared zone with associated limited speed limit and self-enforcing features or provide an alternative route from the rail underpass to direct pedestrians and cyclists away from the area using urban design features / wayfinding information'. The 3.5metre-wide section of road cannot serve as a shared pedestrian/cyclist/vehicle environment as the applicant has not proposed a suitable safe, logical and visible alternative route for pedestrians and cyclists. The proposed rumble strips aimed at slowing vehicle speeds, in their entirety, would therefore not be sufficient to address concerns with pedestrian-vehicle conflict.
21. Pedestrians and cyclists are expected to move freely around this site without unnecessary hindrance. In the absence of obvious immediate logical routes, pedestrian and cyclist movements would occur through this service yard despite the highway safety implications highlighted in the officer's report. Without adequate physical mechanisms in the form of dedicated footways along the service yard, it is deemed that this convoluted route alongside its blind spots would be unsafe for pedestrians and cyclists. We would also emphasise that pedestrian routes should be made conspicuous without the need for undue clutter that is associated with excessive/avoidable signage.

#### **Pedestrian Routes**

22. Grosvenor have held initial discussions with the prospective new owners of the railway arches (Telereal Trillium) to ensure that an agreed framework can be put in place to deliver the routes through the Arches. This has been confirmed in a letter from the Group Property Director of Telereal Trillium, who has stated that his team

will be reviewing the arches' viability so that they can re-engage with Grosvenor on the heads of terms including the provision of the two arch cut throughs.

*Officer Response*

23. While the comments in relation to the Arches are noted, it is imperative that the pedestrian routes through the two arches are secured as these would serve as safe pedestrian routes to and from The Blue, to local public transport infrastructure and to communities at the southern side of the viaduct. The letter from Telereal Trillium confirms that they are in discussion with Grosvenor regarding the proposed pedestrian routes but that there is no formal agreement in place, at the moment, that would secure their provision. Should an agreement be reached between the two landowners to guarantee the routes, then this would address the fourth reason for refusal.

**Further representations**

24. Letters of support have been received from Bermondsey Community Kitchen (a local charity) and Kingsley Interiors (a local business). These highlight the following benefits of the proposal:

- Grosvenor's support for local charities and local training initiatives
- Opportunities for employment for local people
- Increasing footfall to the Blue
- The applicants active involvement in The Blue BID and Local Economy Group
- The integration of the proposed development into the local area
- Provision of a school and other community infrastructure
- The proposal will boost the local economy for the benefit of small businesses in the area.

25. One additional representation has been received from a member of the public raising the following concerns:

- 1) This proposal out of scale with the local area;
- 2) The recently renovated, nearby St James's Church (on St James's Road) would be dwarfed by the proposed building on the corner of St James's Road and Clements Road. The staggering of heights and carefully cropped drawings on Grosvenor's website and other publicity materials masks the true scale of this project and the disastrous effect it will have on the skyline and general character of the local area;
- 3) The proposal fails to provide enough affordable and social housing;
- 4) The increase in heavy traffic during construction and due the increased density of population afterwards would only intensify existing highway and traffic problems;
- 5) The existing underground station and trains are already oversubscribed;
- 6) Proposal would not address existing parking problems. Dangers during construction for cyclists. The environmental impact during construction would be huge for local residents, especially since there seem to be three or four concurrent sites of construction together with street re-modelling; and
- 7) Local infrastructure will not be able to cope with a development of this scale.

*Officer Response*

26. The concerns raised are all covered in Table 21 in paragraph 621 of the officer's report.

**Community infrastructure levy**

27. The officer's report covered the range of terms that would have to be secured through a section 106 agreement to mitigate the impacts of the development. In addition to the measures covered the application would also be liable for a CIL contribution.

28. Section 143 of the Localism Act states that any financial contribution received as Community Infrastructure Levy (CIL) is a material “local financial consideration” in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark’s CIL will provide for infrastructure that supports growth in Southwark.
29. In this instance the CIL contributions for each phase are set out in the table below.

Phase	Mayoral CIL	Southwark CIL
1	£1,734,413.93	£8,496,463.91
2	£1,458,587.02	£5,986,375.40
3	£666,388.23	£3,236,976.04
4	£1,588,573.25	£7,558,851.85
<b>Total</b>	<b>£5,447,962.43</b>	<b>£25,278,667.20</b>

30. These are pre-social housing relief figures and accordingly would be reduced when the CIL Social Housing Relief claim is submitted after the grant of planning permission

#### **Conclusion of the Director of Planning**

31. Having taken into account the additional submissions, and the information relating to CIL contributions, the recommendation remains that, on balance, planning permission should be refused for the four reasons set out in the original officers report.

#### **REASON FOR URGENCY**

32. 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**

33. 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**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Individual files	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403