

Item No: 5.1	Classification: Open	Date: 25 September 2019	Meeting Name: Planning Committee
Report title:		Addendum report Late observations, clarifications and further information	
Ward(s) or groups affected:		Rotherhithe and Surrey Docks	
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

Item 7.1 – Application 18/AP/1604 for: Hybrid Planning Application – Canada Water Masterplan

Draft Decision Notice

3. The draft decision notice setting out the full range of recommended planning conditions will be provided to Committee Members and made available for the general public on Thursday 26 September and it is suggested that any comments in relation to conditions are discussed at the second Planning Committee on Monday 30 September.

Additional consultation responses

4. As of Tuesday 24 September 2019, an additional 23 comments have been received since the publication of the Committee Report: 12x support, 2x commenting and 11x objections.
5. Submissions in support of the application have been received from: the Head teacher of Redriff School, The Dockland Settlements (x2), Kalmars, London South Bank University, Bede House, Rotherhithe Area Housing Forum, Toronto and Montreal House Residents Association and from several individuals (x3). Response from groups or organisations are summarised below.
6. Objections have been received from: Canary Wharf Group, Tesco, Stave Hill Ecological Park, 35% Campaign, a number of individuals (x6) and from Richard Buxton Solicitors on behalf of a number of stakeholders in the vicinity of Plot K1
7. Comments have been received from the Southwark Park Cricket Club supporting British Land's role in the local area, but not necessarily the application before the Committee and from the Friends of Southwark Park, as described below.
8. Additional comments in support of the application generally cite the aims and the ambitions of the Masterplan and identify the opportunities for new homes,

employment, training, community and cultural activities that it would deliver. Supporters set out that there was a clear opportunity to better use this space at the centre of Canada Water. The focus of the objections varies depending on the organisation or individual, but generally concerns raised focus on the potential transport impacts (both public transport and highway), overshadowing and the affordable housing proposal.

9. Summaries of the detailed responses from local interest groups or organisations are set out below:

Canary Wharf Group

10. A comprehensive further objection has been received by Canary Wharf Group (CWG) stating that the application should be refused or deferred by Planning Committee until such time as British Land commit to making a significant financial contribution in the order of £200m to the Jubilee Line. A detailed technical assessment is submitted by Steer Group on behalf of CWG. CWG state that this transport assessment is flawed because the “Canada Water Strategic Transport Study” has not been published and because the Transport Assessment does not include an assessment of the evening peak. CWG’s view is that the development will have a negative impact on local residents at Canada Water and at nearby areas with stops on the Jubilee Line. CWG note that similar sized projects at Kings Cross, Battersea and Canary Wharf have made more significant investments in strategic transport infrastructure. CWG state that TfL should re-visit the recent decision to cancel a planned purchase of additional trains that would have increased the frequency and capacity of the Jubilee Line.
11. Steer’s technical report addresses the existing conditions, proposed upgrade and the effect of the Elizabeth Line, the transport impacts of the Canada Water scheme and the results of their technical review. The response cites TfL comments on the transport modelling that have been provided at different times throughout the pre-application and application process. Steer contend that the absence of the Canada Water Strategic Transport Study means that the full impacts of the Canada Water development cannot be fully understood. Steer present data suggesting that Canada Water Station will be busier in 2031 than anticipated in the submitted Transport Assessment. Steer suggest that the submitted Transport Assessment is updated to reflect 32 trains per hour on the Jubilee Line in the morning and evening peaks, that sensitivity analyses are conducted with a reduced service and that the transport mitigation package is increased to include substantial investment in the Jubilee Line.

Transport for London

12. TfL have provided an initial response to the Canary Wharf objection and it is anticipated that further detail will be provided in advance of the second Committee session. Their response states that while they acknowledge the public transport concerns, as with many parts of London, development in the Canada Water Opportunity Area is enshrined in policy and long planned and a series of planned strategic interventions are intended to facilitate this. TfL note that growth is planned throughout the Jubilee Line corridor.
13. TfL believe that CWG underplay the importance of the Elizabeth Line, which they believe will be transformative in terms of transport capacity serving Canary Wharf, providing a closely matched alternative to the Jubilee Line and, as a result, providing relief at Canada Water.
14. As expressed in their formal comments on the application, TfL reiterate their belief that (approximately) £32.5m package of transport mitigation measures that will be secured in the s106 agreement are proportionate to the impacts associated with the development. TfL point to committed strategic transport interventions including enhanced DLR capacity, additional trains on the London Overground serving Surrey

Quays & Canada Water, the delivery of Cycle Superhighway 4 and the expansion of cycle hire as benefiting the transport context at Canada Water.

15. While CWG have drawn attention to other large-scale developments in London, TfL opine that this comparison is overly simplistic given that the developments cited, such as Battersea Power Station, have very different characteristics and, ultimately, have each been determined by their respective planning authorities based on their individual merits. TfL suggest that CWG's own Wood Wharf development is a better comparator and that the financial package between these two schemes – s106 obligations, s278 highways works, CIL – is comparable.
16. For these reasons, TfL confirm their view that, from a strategic transport perspective, a high density, mixed used development on a site that is currently car dominated represents a far more sustainable development that could be achieved at other locations.

Tesco

17. The initial Tesco objection was received after the Committee Report had been completed and so there was only an opportunity to briefly summarise its content. A second objection has since been submitted, reiterating the original points and requesting that they be brought to the attention of Committee Members. The original objection has been available online, in its entirety, since its receipt. Tesco's specific objections are:
 - That no commercial agreement has yet been reached between Tesco and British Land on the replacement store. As such, references to the new Tesco store in Zone G are premature. As such, Committee Members are advised that while the scheme has been designed to accommodate a new Tesco store in Zone G, for the time being this Zone should be regarded as making provision for a large format food store, that could be Tesco, subject to them agreeing commercial terms with BL;
 - Tesco are concerned that there are insufficient safeguards to allow for the continuity of the wider retail offer at Canada Water and that, without this, the vitality of the town centre could be harmed. Tesco state that they are unaware as to whether BL has made any meaningful progress in discussions with retailers who would be affected;
 - Tesco remain unconvinced that Zone G is an appropriate location for a new store and that by positioning a store here it could undermine the wider retail offer in the town centre. Further they state that the proposed design of the new store has a number of weaknesses compared to the existing. They do however note that a Memorandum of Understanding is in place to address parking concerns.

Stave Hill Ecology Park

18. Further comments have been submitted in relation to the overshadowing of Russia Dock Woodland as a result of K1. The response outlines that as well as a loss of light, the overshadowing will result in a loss of warmth and that this will impact soil ecosystems and wildlife. The response states that overshadowing images do not show the full extent of the overshadowing impact because they are overlaid with existing trees. They state that the focus on the hop garden, orchard and butterfly area is misleading because the Local Nature Reserve is managed as a single landscape and that wildlife/value is not confined to these spaces. The response states that Waterman have not identified the habitats present in the correct manner and that the council's consultants, LUC, should have sought further information directly from the volunteers at the Ecology Park. The objection states that while the development of K1 is not objected to, the block should be re-designed.

Richard Buxton Solicitors

A response has been received on behalf of the Friends of Russia Dock Woodland, Friends of Stave Hill Ecology Park, local residents around the K1 Development Plot and parents and governors of St John's Roman Catholic Junior School and Alfred Salter School. The response selectively quotes London Plan policy 3.9 'Mixed and Balanced Communities' and states that the division of housing tenures between Plots A1 and K1 are contrary to this policy. The response draws attention to the points raised in the further submission by representatives of Stave Hill Ecological Park and states that the K1 is not compliant with the Area Action Plan given that it has a higher number of dwellings than was anticipated in the Plan and fails to step down towards the Woodland.

35% Campaign

19. The 35% campaign object to the level of affordable housing that is proposed, raising the following specific points:
 1. Any reviews of the viability of the scheme should be of all elements of the development, not just the residential element as proposed;
 2. The cap on any affordable housing uplift should be 50%, in line with policy, not 40% as proposed;
 3. The 20% policy compliant level of family housing should be strictly maintained across all zones of the development, and not relaxed as proposed;
 4. The limit of 5% studio housing should be strictly maintained, and not doubled to 10% for market housing, as proposed.

Rotherhithe Area Housing Forum

20. The Rotherhithe Area Housing Forum (RAHF) have provided further comments in addition to those referenced in Paragraph 132 of the Committee Report. RAHF continue to support the proposed application, subject to a number of conditions. While the response is very detailed and can be read online in its entirety, new points raised in response to the Committee Report include:
 - That in the absence of an educational establishment being provided, land allocated for student accommodation should be instead used to deliver homes for the elderly;
 - It should be acceptable for studio flats to be provided as part of the affordable housing mix;
 - A commitment should be made, via condition or s106 obligation, to invest £77,490 (the payment required due to a shortfall in private amenity space in Plot A1 that is referenced in Paragraph 774) at Kind George's Field Park;
 - A community safety hub should be secured in the s106 agreement that could be used by the Metropolitan Police
 - More specific investments in youth facilities should be secured
 - Detailed comments are provided on the potential highways impacts. While the response states an acceptance that the traffic impacts associated with the first phase of the development will not be significant, concern is raised around the impacts of later phases, particularly for the roads in the vicinity of the Lower Road gyratory. The response draws attention to some of the specific modelling assumption and traffic flows, as well as the potential impacts of interventions being consulted on (separately) as part of the council's Movement Plan. The responses emphasises that highways impacts must be mitigated and that the impacts must be monitored throughout the construction programme and for a

period of time once Plots are completed. As part of this monitoring, the responses states that a Community Liaison Group should be established and that the applicant commits to continue to work with the local community to ensure that they have a voice in the delivery of the development and clearly benefit from the opportunities that the development would deliver.

Friends of Southwark Park

21. The Friends of Southwark Park confirm that they neither support nor object to the proposed development, but suggest that above mentioned £77,490 payment that will be secured to compensate for the shortage of private amenity space in Plot A1 is invested at King George's Field Park. The response welcomes improvements to Canada Water Dock and sets out that Southwark Park would benefit from further investment in sporting infrastructure.

Toronto and Montreal House Residents Association

22. Comprehensive document received on 24 September. The response elaborates on points previously raised by TMHRA and provides a detailed commentary on the officer report. Like RAHF, the response is broadly supportive but raises a wide range of questions, clarifications and conditions. The detailed response is available on the Planning Register for review and a summary of this response will be provided for Committee Members prior to the next Committee Meeting on Monday 30 September.

Corrections and clarification to the Committee Report

23. Members' attention is drawn to the following series of corrections and clarifications in the Committee Report that was published on Friday 13 September 2019:
24. Paragraph 255 – should state that where the viability review indicates an improvement in the viability of the scheme such that more affordable housing can be delivered, this will be provided in the next 500 unit tranches of homes, but not necessarily the next Development Plot.
25. Paragraphs 297 and 314 – As described above, while the scheme has been designed to allow the retention of a Tesco store in Zone G, this remains subject to commercial terms being agreed between Tesco and British Land
26. Paragraph 316 – The reference to affordable retail units having a 15 year term should be revised to 10 year term.
27. Paragraph 317 – Reference to 10% of retail units being “small units” should be read as 10% of retail floorspace since this is quantified but the number of individual units is unknown.
28. Paragraph 345 – the wider business support package has been updated following further discussion with officers in the local economy team. The community credit union finance initiative has been omitted given that this facility is already available.
29. Paragraph 453 – This should be clarified to state that: “The development is expected to generate between 1,800 and 2,500 bus trips in the three hour morning peak”. The 230-450 two-way trips currently referenced are the additional journeys that are projected in addition to the existing number of trips
30. Paragraph 458 – reference is made to 270 public parking spaces at the Printworks, these are private car parking spaces
31. Paragraph 460 – References to rapid charging and the as yet unpublished Mayoral SPG superseded by agreement that a minimum of 20% of all car parking will be active electric vehicle charging (i.e. all infrastructure provided) and the remaining 80%

will be 'passive' i.e. future-proofed and ready to be used as Electric Vehicle Charging Points.

Daylight and Sunlight

32. The tables on pages 179 to 190 of the Committee Report are updated as follows:

Vertical Sky Component

Property	No. windows tested	No. where impact meets BRE guidance	Impacts beyond BRE guidelines			No. of windows meeting alternative target values
			20-30%	30-40%	40%+	
Baltic Court	78 77	78 77	-	-	-	78 77
Canada Water Site C1	217	152 154	20 19	24	20	162
Landale House	173	47 46	46 47	43	37	112
Claremont House	149	78 79	13	20	38	117 120
Quebec Quarter	566 666	277 325	46 62	63 79	179 200	393 485
Total	3,161 3,160	1,828				2465 2,676

No Sky Line/Daylight Distribution Table

Property	No. windows tested	No. where impact meets BRE guidance	Impacts beyond BRE guidelines			No. of windows meeting alternative target values
			20-30%	30-40%	40%+	
Hothfield Place	126	77 81	10 9	8 9	29 27	104
Lower Road	209	161 165	26	10	5 8	201
Orchard House	133 132	119	3 2	1	10	120
Quebec Quarter	282	203 204	20 19	5	54	236
Total	1,785	1,402 1,398	117 116	65	206	1,615

Annual Probable Sunlight Hours

Property	No. windows tested	No. where impact meets BRE guidance	Impacts beyond BRE guidelines Annual			Impacts beyond BRE guidelines Winter			Compliance with Alternative Target Values
			20-30%	30-40%	40%+	20-30%	30-40%	40%+	

Total	1,564	1,190	0 27	2 50	249 243	28 0	50 2	244 246	1,363
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33. These corrections need to be repeated in the paragraphs that summarise the results: paragraphs 843, 845, 847 and, particularly in 867 with regard to Quebec Quarter. In paragraph 872, in relation to the No Sky Line test, the statement in the second sentence should read “97% of the rooms tested”, rather than “96% of windows”. In paragraph 878, a correction is required to the final sentence to state that all windows at Columbia Point would meet the suggested Alternative Target Value.
34. The daylight and sunlight tables contained in the report summarise the impacts for a number of properties, notably those at Baltic Court, Brunswick Quay, Hothfield Place, Lower Road, Redriff Road, Quebec Quarter. Tables setting out the detailed impacts on individual buildings are included in the Appendices.

CIL

35. Paragraph 1046 of the Committee Report sets out the anticipated CIL contribution that would arise as a result of the Detailed Plots. Given the nature of this hybrid application with a large part of it in outline it is only possible to give a rough estimate of the amount of CIL it would generate over the life of the project. The applicant has suggested that the total in Southwark CIL would be approximately £60 million. Officers will consider whether this is a reasonable guideline for the level of CIL that can be expected and report in time for the second session of the Planning Committee meeting.

REASON FOR URGENCY

36. 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

37. 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	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403