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Item No. 7.1	Classification: Open	Date: 19 November 2019	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 19/AP/1150 for: Full Planning Application		
	Address: DOUGLAS BENNETT HOUSE, MAUDSLEY HOSPITAL, WINDSOR WALK, LONDON, SE5 8AZ		
	Proposal: Demolition of the existing building and erection of a new five storey building to accommodate a new in-patient mental health facility comprising 8 wards together with landscaping works		
Ward(s) or groups affected:	St Giles		
From:	Director of Planning		
Application Start Date	15/04/2019	Application Expiry Date	15/07/2019
Earliest Decision Date	26/08/2019		

RECOMMENDATION

1. That the Planning Sub-Committee grant planning permission, subject to conditions and a unilateral undertaking being provided.
2. In the event that a unilateral undertaking is not provided by 31 January 2020, the Director of Planning be authorised to refuse planning permission for the reason detailed in paragraph 65 of this report.

BACKGROUND INFORMATION

Site location and description

3. The site is located on the northern side of Windsor Walk and comprises a H shaped brick built four storey building previously in use as a health care facility. The site forms part of the Maudsley Hospital campus.
4. Windsor Walk is a residential street of mid-late nineteenth century brick houses. The newly completed Fetal Institute lies to the west of the application site with a modern building set behind the original buildings at 16-20 Windsor Walk.
5. The site is within the Camberwell Grove Conservation Area. Denmark Hill Station, a Grade II listed building lies to the south of the site.

Details of proposal

6. Permission is sought to demolish the existing 4 storey building, known as Douglas Bennett House and some ancillary buildings within the hospital site at the rear and to replace it with a 5 storey building, including a lower ground floor level, with the fifth floor set back from the Windsor Walk façade.
7. The proposal is for a new in-patient block with six adult mental health wards, and two specialist wards. The ground floor would provide ancillary spaces associated with the unit including a reception and waiting area, a gym and staff facilities. The proposed new building would occupy a greater proportion of the site when compared with the existing building, as a result it extends almost to the boundaries of the site which would be filled with building with the exception of two lightwells that would extend upwards through the northern and southern corners of the proposed building.
8. The building is laid out over 5 storeys with the top floor set back from the Windsor Walk elevation. The existing building measures 14.5 m and increases to 16.5 m when taking account of the plant on the roof. The proposed building would measure 17.8 m with an additional 2.5 metres height where the building extends to accommodate the plant.
9. The application has been subject to two pre application enquiries prior to its submission, notwithstanding there were still concerns from officers about the elevation treatments on Windsor Walk. As a result the elevations were altered during the course of the application.
10. The proposal, whilst providing a new facility is a rationalisation of the Trust's existing buildings and six of the wards will be moved from existing buildings within the campus and two of the wards would be relocated from other locations. The increase to the site overall would be 35 new bed spaces. It is estimated that the addition of 35 beds will result in one medical professional will be employed for every two patients and 2 support staff would be employed per additional ward. This would equate to 17.5 nurses and 8 support staff for the proposed development (25.5 in total).

Relevant planning history

11. 10/EQ/0072 Application type: Pre-Application Enquiry (ENQ)

Framework proposal for a comprehensive masterplan outlining the key principles of the phased redevelopment of the Maudsley Hospital site and position of the first phase building.

Pre-application response issued: 24/01/2011

12. 10/EQ/0181 Application type: Pre-Application Enquiry (ENQ)

Masterplan framework document for the Maudsley Hospital Site

Pre-application response issued: 07/01/2014

13. 15/EQ/0246 Application type: Pre-Application Enquiry (ENQ)

Refurbishment of Douglas Bennett House

Pre-application response issued: 23/12/2015

14. 16/AP/0430 Application type: Full Planning

Erection of two four storey extensions with enclosed balconies to internal courtyard areas;

alterations to the roof comprising an enlarged front parapet and mansard screen; alterations to windows; boundary treatment and landscaping

Decision: Granted Planning Permission 31/03/2016

Planning history of adjoining sites

15. 11/AP/2320 - Retention of existing buildings fronting Windsor Walk and erection of 4-storey plus basement building to rear to provide a new medical facility for Women's Services comprising Fetal Medicine Centre, Ante Natal Clinic, Assisted Conception Unit and Early Pregnancy Clinic for Kings College Hospital, with new access and servicing arrangements (Use Class D1). 13/01/2012.

Decision: Granted

Dated: 13/01/2012

KEY ISSUES FOR CONSIDERATION

Summary of main issues

16. The main issues to be considered in respect of this application are:
 - a) The principle of the development in terms of land use and conformity with strategic policies.
 - b) The impact on the amenity of neighbours.
 - c) Design Quality
 - d) Impact on the listed building and conservation area.
 - e) All other relevant material planning considerations

Adopted planning policy

National Planning Policy Framework (NPPF)

17. The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
18. Paragraph 212 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
19. Chapter 2 Achieving sustainable development
 - Chapter 8 Promoting healthy and safe communities
 - Chapter 9 Promoting sustainable transport
 - Chapter 11 Making effective use of land
 - Chapter 12 Achieving well-designed places
 - Chapter 14 Meeting the challenge of climate change, flooding and coastal change

Chapter 15 Conserving and enhancing the natural environment

Chapter 16 Conserving and enhancing the historic environment

London Plan 2016

20. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.16 Protection and enhancement of social infrastructure

Policy 5.13 Sustainable drainage

Policy 6.9 Cycling

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.21 Trees and woodland

Mayoral SPGs

21. Shaping Neighbourhoods: Play and informal recreation SPG 2012
Sustainable Design and Construction SPG 2014 Carbon dioxide off-setting

Core Strategy 2011

22. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

Strategic Policy 1 Sustainable development

Strategic Policy 2 Sustainable transport

Strategic Policy 4 Places for learning, enjoyment and healthy lifestyles

Strategic Policy 11 Open spaces and wildlife

Strategic Policy 12 Design and conservation

Strategic Policy 13 High environmental standards

Southwark Plan 2007 (saved policies)

23. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

Policy 2.1 - Enhancement of community facilities

Policy 2.5 Planning obligations

Policy 3.1 - Environmental effects

Policy 3.2 - Protection of amenity

Policy 3.11 - Efficient use of land

Policy 3.12 - Quality in design

Policy 3.13 - Urban design
Policy 3.15 - Conservation of the historic environment
Policy 3.16 - Conservation areas
Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
Policy 5.2 - Transport impacts
Policy 5.3 - Walking and cycling

Southwark SPDs

24. Sustainable design and construction SPD February 2009
2015 Technical Update to Residential Design Standards SPD 2011
Waste management guidance notes for residential developments February 2014
Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD 2015

Emerging planning policy

Draft New London Plan

25. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. The Inspectors report was published on the 8th October 2019 and the final version of the plan is expected to be published in December 2019, given the stage of preparation it can only be attributed some weight to certain policies.

New Southwark Plan

26. For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) in February 2018 and some Amended Policies were consulted on between January and May 2019. It is anticipated that the plan will be adopted in early 2020 following an Examination in Public (EIP). As the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.
27. As the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.
28. Policies considered in the context of this planning application include:

SP5: Healthy active lives

P12: Design quality

P15 Efficient use of land

P16 Listed buildings and structures

P17 Conservation areas

P18 Conservation of the historic environment and natural heritage

P42 Healthy developments

P46 Public transport

P47 Highway impacts

P48 Walking

P50 Cycling

P53 Parking standards for disabled people and mobility impaired people

Consultations

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

Summary of consultation responses from internal, statutory and non-statutory consultees

30. Transport for London – No objections but request an informative be applied to allow them to be consulted on the construction of the building.

Metropolitan Police - Have had discussions directly with the applicant and highlighted area suffers from high levels of violence/sexual offences and anti-social behaviour. Suggest that a condition is imposed to ensure security measures are incorporated to minimise the risk of crime.

London Fire Brigade – Comment raised relevant to Building Regulations.

Environment Agency – No objection to the proposed development. The Flood Risk Assessment submitted provides an accurate assessment of the tidal and fluvial flood risks associated with the proposed development.

Flood and Drainage Team – Satisfied that the proposal would not give rise to any flood risk. No objection.

Design and Conservation Team – Following revisions to the elevations, in particular that of Windsor Walk, overall the scheme would positively contribute to the conservation area and remove the unattractive building to replace it within a better fitting building.

Highways – No comments.

Environmental Protection Team - No objections subject to conditions.

Tree Services – The proposed development requires the loss of 9 trees. In order for there to be no net loss of canopy cover conditions should be recommended to ensure that there would be no net loss of canopy cover within the vicinity of the proposal.

Archaeology Officer – No further archaeological assessment, fieldwork or conditions are required in association with this application.

Summary of public consultation responses

31. One comment has been received in support of the application.

59 objections have been received in response to the application. Of these 57 of the objections received have come from staff based at the foetal unit adjoining the site, including the architect

of the fetal building. One has been received from a local resident and one from the Camberwell Society.

The scheme was revised during the course of the application and this resulted in a further 6 objections, these were attributed to the Fetal Unit.

32.	<u>Objections from Fetal Unit</u>	<u>Response</u>
	Undue sense of overbearing for the users of the Fetal Medicine Clinic building and the courtyard area adjacent to the western boundary	The two buildings will sit closer together, whilst it is acknowledged there would be an impact to this building, it is noted that they it is not in residential use and in that the impacts are to staff and users of the building who are not there over extended periods of time.
	Loss of daylight to the Fetal Medicine Clinic building	This is discussed further under heading impact of the proposed development upon the amenity of adjoining occupiers and the surrounding area.
	Increased overlooking and loss of privacy for the users of The Fetal Medicine Clinic	The windows facing directly towards the Fetal Clinic would be obscure glazed and fixed shut and this is recommended as a condition.
	Plant should be put in the basement area.	The existing plant is currently located on the roof, and plant was previously approved in 2016 on the roof. The proposal would retain the existing situation.
	Noise and air pollution during construction and drilling may all impact on the environment within the Foetal Unit.	A construction management plan has been provided setting out how work will be undertaken, it is not envisaged that there will be no significant impact to the foetal unit during construction phase but it will be kept to a minimum.
	The proposal would result in the loss of openness within the site with the removal of the existing courtyard spaces.	Noted the proposal would enclose its site in order to maximise the development potential. The landscaping proposed is to contribute to the creation of a green spine that would run through the site benefitting all users.
	If approved on entering the Foetal unit there would be a building adjoining double the height without any setback or interesting features.	The proposed building would not be double the height of the building. The focus of detail to the elevations has been to the improve the more public views of the building. The eastern and western elevations have been kept simpler and given their proximity to the boundary there is no objections to this approach.

Objections from neighbour	Response
Concern over the proximity of the building to the property boundary and potential for light and noise pollution.	It is noted that the building would be positioned closer to this property than currently exists but it is not considered that the impacts arising from this would be significantly harmful to the residential amenity to warrant refusal of the scheme.
Decorative treatments to the wall and windows discussed with the applicant have not been included within the plans.	The application has been assessed on the submission. It is not considered that
The design show pleached trees in our garden and we would like to consider an alternative solution.	This is a private matter to be resolved between the neighbour and the applicant, as the land is not part of the application site.
Number of trees being removed from land to the rear of site which are an important screen and should not be removed to accommodate site huts.	The number of trees removed is reduced from the original submission, in particular the trees proposed to be removed to accommodate huts would now remain.
Objections from Camberwell Society	
The building is unacceptable in terms of scale and design, the 5 storey building and plant on roof is out of scale with the Victorian terrace. The Windsor Walk elevation is not sympathetic to the existing buildings adjacent.	The scale of the building is noted, however it is considered that in its revised form the impact upon Windsor Walk is addressed.
Response to reconsultation 4/10/2019	
There are fewer materials but the design is still out of scale with adjacent buildings along Windsor Walk. The elements are repetitive and out of keeping along the eastern side, where the sloping glass construction spanning 3 storeys adjacent the Victorian terrace is half-heartedly hidden away by a "semi" temporary trellis construction. Suggest reverting back to previously approved scheme and removing additional height from the Fetal Institute building.	Noted, identical points were raised by 5 other objectors.
The building proposed with the current number of floors is far too imposing and not in keeping with the current aesthetics of the road and area. Light will be lost to those properties adjacent.	Noted identical points raised by 1 other objector
Demolishing the building will create enormous amount of dust and pollutants which will affect the air quality of our lab,	Noted, this is a matter that will have to be dealt with directly with the Trust.

detrimental to the growth and outcomes of the human embryos we culture.	
Impact on lab due to air handling unit being located on the side of the building adjacent DBH.	Noted, this is a matter that will have to be dealt with directly with the Trust.
Previous concerns exist regarding access for liquid nitrogen supplies to our building and vibrations and air quality during the building work.	Noted, this is a matter that will have to be dealt with directly with the Trust.
Close to adjoining properties. This building will cover the nice view of the building that I am working in.	Noted, the right to a view is not a planning consideration.

Principle of development

33. No change of use is proposed, the proposal would result in improvements to the existing D1 provision and the creation of additional D1 floorspace. The proposal would therefore accord with saved policy 2.1 of the Southwark Plan.

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

No.11 Windsor Walk

34. This property was until fairly recently within the applicant's ownership and during initial discussions officers were able to view the property. To the rear it shares a brick boundary wall with the application site. A daylight, sunlight and overshadowing study has been completed to assess the physical impact the proposed development would have on this property.
35. The study shows that there would be four habitable room windows on the rear elevation affected to the extent that they would have a loss in daylight with the Vertical Sky Component (VSC) falling to 0.67, 0.76, 0.69 and, 0.76. of their present values with the resultant VSCs being 14.2%, 17.9%, 17% and 21.2%
36. The rooms themselves are open plan and served by other windows, consequently the loss of light to these rooms is not be significantly harmful as suggested by the daylight distribution test which shows all rooms would retain good daylight distribution; none would be less than 0.8 times its present value.
37. All of the windows that face 90 degrees of due south were tested for impact upon sunlight. All habitable windows passed the BRE guide for both the annual sunlight hours and winter sunlight hours.
38. In terms of overshadowing to the garden of this property the results show that 35% of the garden area at 11 Windsor Walk will receive two hours of sunlight on 21 March after the proposed development. This is below the BRE recommendation which states that at least 50% of any garden or amenity area should receive at least two hours of sunlight on the 21st March. It is relevant however, that under the previously approved scheme, the garden at 11 Windsor Walk was also still below the BRE recommendation of 50%. Given the urban context of the site location where the BRE Guide is intended to be used flexibly, it should be considered as

acceptable especially as some sunlight will continue to be enjoyed by residents following implementation of the proposal.

39. The resulting building will sit almost on the boundary with this property with 5 storeys extending down the length of the garden and protruding opaque windows facing onto the garden elevation. Whilst there is visual dominance to the west from the existing building, this will be more obvious with the current application. The applicant has worked and continues to discuss the proposals with this neighbour to overcome some of their objections.

Impact upon the Fetal Clinic

40. The majority of objections to the scheme have come from staff at the Fetal Clinic, which lies to the west of the application site. Currently there is a symmetry between the two buildings with the courtyard spaces opening at the same point.
41. A daylight study has considered the impact of the proposal upon the Fetal Institute and found that in terms of Vertical Sky Component (VSC) whilst a number of windows fall short of the VSC test there are mitigating factors. The windows most affected are flank windows where any development would have an impact. A daylight distribution analysis was undertaken that showed only the embryologists offices and a scan room have their daylight reduced to less than 0.8 its present value. While there would be an impact on these rooms, there is less expectation of natural light for office and other non-residential spaces and it is likely that artificial light would be used for a good proportion of the time the rooms are in use.
42. The windows within the building have projecting wings on one or both sides of them or have overhangs directly above them. The BRE Guide recognises that a larger impact can occur as a result. It should be noted that there is no requirement for daylight in non residential buildings and the impact to this building does fall upon rooms serving hallways, bathrooms etc.
43. In terms of sunlight the tests undertaken demonstrate that the only rooms which do not meet the recommendations are a bathroom, a hallway and a scanning room, where there is no requirement for sunlight.
44. Another concern raised by objectors using this space is the overbearing nature of the building. Whilst it is acknowledged that the proposal would be more dominant when compared with the existing building its impact needs to be considered in a wider context and in this case weight is given to the wider benefits to the community resulting from the improvements to mental health care.

Land to the rear of the site

45. The hospital campus lies to the rear it is not thought that the proposal would result in significant harm affecting the continued use of these buildings.

Remaining terrace along Windsor Walk

46. Having assessed the impact upon no. 11 Windsor Walk, which immediately joins the application site it is considered that the impact from the proposed development to the remaining terrace further eastwards would be less. It is noted however that the garden area of no. 10 Windsor Walk would have reduced sunlight to their garden, being slightly under the 50% requirement for 2 hours of sunlight on 21 March. This slight breach, (around 10%) is not considered to diminish the enjoyment of the garden which is considered to still enjoy good levels of sunlight from the east.

Transport issues

Refuse storage

47. The proposal would include storage for refuse and recycling. The Maudsley Hospital campus has its own waste and recycling management facilities which currently serve the hospital. This arrangement will be continued for the new Douglas Bennett House. Waste and recyclable materials will be collected on the site and stored in a dedicated secure waste area, accessible to service vehicles via the servicing route.

Car parking

48. A Travel Plan is already in existence across the hospital campus, which encourages walking and cycling to the Maudsley Hospital as well as the use of public transport. This Travel Plan is also applicable to Douglas Bennett House, and has been submitted as part of this application. The Site is located within easy walking distance of several public transport nodes, including Denmark Hill Railway station, and multiple bus routes along Denmark Hill and Champion Park. The Travel Plan will set out a strategy to encourage further use of public transport.
49. There is currently no car parking on the site, and no car parking is proposed as part of the development. There is existing car parking provided for staff and visitors across the campus in separate barrier controlled car parks.

Cycle Parking

50. Cycle parking is provided for both staff and visitors across the Maudsley Hospital campus and managed on a site wide basis. A further 20 cycle spaces are provided within the proposed development (10 cycle stands). This would meet the quantity requirements as set out within Policy 6.9 of the London Plan.

Servicing and Deliveries

51. The servicing of the premises would be as currently arranged across the campus with access from Grove Lane, the building would be serviced in line with other buildings within this location. It is not considered given the former use of the building that this will give rise to any issues.

Design issues

52. The existing building on site is not particularly attractive. It has been unused for a number of years and as demand for mental health services grow the option for just extending the existing building fails to make the most of the site. In design terms there is no objection to the proposal for the demolition of the existing building on site and the redevelopment to provide a more accessible and complementary building for its setting.
53. The elevation on Windsor Walk is a highly significant and cohesive element of the conservation area for which the existing building detracts. This historic townscape extends from the recently completed Fetal Research Institute (which preserved the properties at 18-20 Windsor Walk) and extends to Grove Lane in the east. Across the way is the Grade II listed Denmark Hill Station. The properties on Windsor Walk form the backdrop to the listed station when viewed from Champion Hill and contribute positively to its setting. As a consequence this development will have an impact on both the setting of the conservation area and the listed station - both heritage assets.
54. Windsor Walk is a residential street of mid-late 19th century brick houses. The street elevation submitted with the application demonstrates that the historic character of the street is defined

by its strong parapet and vertical articulation set by the plot widths. The main disruptive element in this streetscape is the building on the site at the moment. The published conservation area appraisal highlights the opportunities for modern design in Sub-area 5 which is where this proposal is located. In particular it states: that: "In such locations the basic geometric disciplines that the classical designs followed should be observed, to assure a sympathetic reflection of the urban morphology, scale and proportion of the original surroundings. Such proposals need to demonstrate that there is no detrimental effect on the character of the Conservation Area."

55. Changes have been made to the elevations including changes to the ratio of window to brick and providing arch brick detailed panels and brick vertical columns to break up the elevation; the window areas at their largest due to constraints of safety and the location and design of the balcony area has been explained further. The addendum to the design and access statement demonstrates the reasoning behind the scale and location of the building, including assessing options for pushing the building back to the green way behind any detrimental impacts.
56. Concerns were initially raised by officers in relation to the elevations. However following further discussions the current proposal is considered to have responded positively to the conservation area, like the height of the parapet on Windsor Walk and the choice of a yellow-stock brick which matches that of the nearby houses. More importantly, the current design now reflects the proportions, articulation and rhythm of the historic street instead of having a monolithic singular expression. The projecting winter garden, and the perforated metal fins have been softened by aluminium stick curtain walling with single glazed fritted panels allowing climbing plants to grow upwards.
57. In conclusion, the proposal is acceptable in height and scale, its detailed design, and in particular the design of the south-facing elevation onto Windsor Walk is now sensitively articulated allowing for the conservation and enhancement of the character and appearance of the conservation area and the setting of the Grade II Listed Denmark Hill Station.

Impact on character and setting of a listed building

58. The application site is opposite Denmark Hill Station, a Grade II listed building, set on a higher level than the proposed building. The new building whilst larger, would retain an appropriate step down in height, respecting the scale of the station. It is considered that the proposed design by way of its materiality, positioning would enhance and respect the character of the listed building and would also be in keeping with the wider surrounding area.
59. It is considered that the proposed development would not adversely impact on the character and setting of the nearby listed station. Passing streetscape views and the immediate historic setting of the station would be improved when compared with the existing building.

Planning obligations (S.106 undertaking or agreement)

Construction phase jobs / skills and employment requirements

60. This development would be expected to deliver 20 sustained jobs to unemployed Southwark residents, 20 short courses, and take on 5 construction industry apprentices during the construction phase, or meet the Employment and Training Contribution.

[As per: Section 106 Planning Obligations and Community Infrastructure Levy (CIL); Supplementary Planning Document (SPD); and the HCA employment densities guide].

61. The maximum Employment and Training Contribution is £96,500 (£86,000 against sustained jobs, £3,000 against short courses, and £7,500 against construction industry apprenticeships).
62. An employment, skills and business support plan should be included in the obligation. LET

would expect this plan to include:

1. Methodology for delivering the following:
 - a. Identified 'construction workplace coordinator' role(s) responsible for on-site job brokerage through the supply chain and coordination with local skills and employment agencies;
 - b. Pre-employment information advice and guidance;
 - c. Skills development, pre and post employment;
 - d. Flexible financial support for training, personal protective equipment, travel costs etc;
 - e. On-going support in the workplace;
 - f. Facilitation of wider benefits, including schools engagement, work experience etc.
 2. Targets for construction skills and employment outputs, including apprenticeships, that meet the expected obligations;
 3. A mechanism for delivery of apprenticeships to be offered in the construction of the development;
 4. Local supply chain activity - we would expect methodologies with KPIs agreed to:
 - a. provide support to local SMEs to be fit to compete for supply chain opportunities;
 - b. develop links between lead contractors, sub-contractors and local SMEs;
 - c. work with lead contractors and sub-contractors to open up their supply chains, and exploration as to where contract packages can be broken up and promote suitable opportunities locally.
63. In addition to the employment contribution, an offset carbon contribution is calculated at £180,000 based on the shortfall as set out in paragraph 72 of this report.
64. Should the unilateral undertaking not be provided, it is proposed that the development be refused for the following reason:

The development would fail to provide mitigation in respect of carbon off-set in line with the London Plan Policy 5.2. Additionally the proposal would fail to make provision for employment training and experience contrary to the Section 106 Planning Obligations and Community Infrastructure Levy SPD 2015.

Impact on trees

65. A total of 23 trees were surveyed as part of the proposal, these have been categorised as 4 Grade B trees, (trees of moderate value, with a life expectancy of more than 20 years) and 19 Grade C trees, (trees of low quality and value, with a life expectancy of more than 10 years). The proposal originally required the loss of 7 trees, following comments made by the arboriculturist and Members of the Public it is now proposed to reduce the loss to a maximum of 5 trees, including 2 x category B trees, a common Lime and a Popular and 3 x category C trees, a Sycamore, a Whitebeam and 1 unspecified.
66. Accordingly, the applicant would be required to replace the trees as part of the landscaping within the vicinity of the new centre or alternatively, elsewhere within the campus. This is to be

secured via condition, ensuring that a high quality landscaping scheme is incorporated into the proposal. A condition has also been recommended that the recommendations of the Arboricultural Method Statement submitted ensure that there would be no damage to existing trees both on the site and within the vicinity of the site

67. Subject to the imposition of the abovementioned conditions, the proposed development would be considered acceptable with regard to its impact on trees.

Sustainable development implications

68. The applicant has submitted an Energy Statement which sets out how the proposed development would meet the requirements of Policy 5.2 of the London Plan in terms of the energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

69. The statement sets out that the development has been designed to ensure that the building would be lean and use less energy. However, Due to the need to implement a high level of mechanical ventilation to the building to comply with the latest health care environmental criteria , a mixed mode ventilation system has been incorporated into the design which has had a significant impact on the lean performance of the building.

70. Whilst the proposal seeks to reduce energy demand and introduce low and zero carbon technologies, due to the specialist clinical nature of the building the required London Plan targets can not be achieved.

71. The proposed development would incorporate a Combined Heat and Power plant (CHP) for heating, hot water and some of the electrical demand, as well as solar photovoltaic panels for electricity.

72. As a result of the above measures, it is identified that the proposed development would result in a reduction of 14% in regulated Carbon Dioxide over Part L2A 2013 Building Regulations. The proposed shortfall of CO2 would represent 100 tonnes of CO2 per annum in accordance with the Section 106 SPD a financial contribution is sought to mitigate the shortfall at £1,800 per tonne of CO2. This would equate to a payment of £180,000. .

73. The proposed development, as a community facility, would however be expected to achieve a BREEAM rating of 'Very Good'; the BREEAM pre-assessment has been undertaken and demonstrates that this could be achieved. A condition has therefore been recommended to ensure that this is met.

Other matters

Flood Risk

74. The application site lies within flood risk zone 1. It is considered that the risk of the flooding at the application site from tidal/ coastal groundwater, sewer and drainage is very low. The risk proposed development exacerbating flood risk from coastal and tidal, groundwater, sewer and drainage infrastructure is very low. To mitigate the risk of the proposed development exacerbating flood risk to a neighbouring property a surface water drainage strategy utilising sustainable drainage infrastructure sources.

Contaminated land

75. A ground investigation assessment report has been submitted by the applicant. In line with this, a condition has been recommended to ensure that if, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted

Archaeology

76. The application site does not lie within a designated Archaeological Priority Area. Assessment but was the site of a church. The archaeologist attended site and was satisfied that it was unlikely that archaeological interest would be harmed as a result of the proposal. Accordingly, no further archaeological assessment, fieldwork or conditions are required to ensure that the proposed development would not give rise to any impacts upon archaeology.

CIL

77. Section 143 of the Localism Act states that any financial contribution received in terms of 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.
78. In Southwark the Mayoral CIL was established at a rate of £35 per sq. m. of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development and in this instance it would be £218 per sq. m. as the proposal is for residential floorspace within Zone 2, subject to the indexation.

Land contamination

79. The applicant has submitted a Phase 1 and Phase 2 Ground Condition Assessment which identifies that limited remediation is required in open landscape areas and in trenches for the purpose of receiving services. The report did not reveal any concentrations of contaminants that would represent a significant risk to Controlled Waters. Notwithstanding this, a condition has been recommended to ensure that in the event of contamination being present a detailed remediation strategy shall be submitted.

Air quality

80. The application site is located within an Air Quality Management Area. Accordingly, the applicant has submitted an Air Quality Assessment which identified that concentrations of all pollutants are below the air quality objectives, with the exception of NO₂. The report therefore identifies the use of filters to ensure compliance as a mitigation measure.

Construction management

81. A condition has been recommended to ensure that the applicant submits a Construction Management Plan.

Conclusion on planning issues

82. The proposed development would replace the existing vacant facility on site which is considered to no longer meet the needs of modern mental health care. The new building would be substantial however the key frontage along Windsor Walk has been designed to complement this attractive terrace and would be an improvement on the existing building.

83. There have been a number of objections to the scheme, notably from people adjoining the building, as well as the Camberwell Society. It is acknowledged that there are impacts to both the users of the Fetal institute and the residents at no. 11 Windsor Walk and whilst the applicant has endeavoured to address these concerns following the second consultation it is clear that many of those objections remain.
84. The impact of the building arises as a consequence of the need to increase capacity and provide better facilities for patients. In weighing up the impacts of the proposed development against the harm to amenity it is considered that the proposal, subject to conditions would provide wider benefits to the community and as such should be supported.
85. The proposal has been designed to respond more positively to its setting within the Camberwell Grove Conservation Area and the Grade II Listed Denmark Hill Station and would provide for future mental health care requirements within a modern legible building. The application is therefore recommended for approval.

Community impact statement / Equalities Assessment

86. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
87.
 - a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 - b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
 - c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
88. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
89. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
90. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. No matters pertaining to the impact of this development on people with protected characteristics have been raised through the consultation and no impact above in that detailed above in the 'planning assessment' is expected.
91. Throughout the consultation process no information was received to indicate that any members

of the public falling under the protected characteristics would be affected by the development, and thus no specific mitigation measures are required in this regard.

Human rights implications

92. 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.
93. This application has the legitimate aim of providing a new Athletics Centre. 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/2511-C	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403
Application file: 19/AP/1150		Planning enquiries email: planning.enquiries@southwark.gov.uk
Southwark Local Development Framework and Development Plan Documents		Case officer telephone: 0207 525 0254 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	Sonia Watson, Planning Officer	
Version	Final	
Dated	6 November 2019	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	7 November 2019	

APPENDIX 1

Consultation undertaken

Site notice date: 30/04/2019

Press notice date: 02/05/2019

Case officer site visit date: 30/04/2019

Neighbour consultation letters sent: 08/05/2019

Internal services consulted:

Ecology Officer

Environmental Protection Team Formal

Flood Risk Flood Risk Management & Urban Drainage

Highways Licensing

Transport

Archaeology

Design and Conservation Team [Formal]

Urban Forester Management & Urban Drainage

Statutory and non-statutory organisations consulted:

Environment Agency

Transport for London

Network Rail

Thames Water

Metropolitan Police Service

Historic England

Metropolitan Police Service (Designing out Crime)

Thames Water - Development Planning

Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

Camberwell Society

UNIT 3 93 GROVE LANE LONDON SE5 8SN

UNIT 4 93 GROVE LANE LONDON SE5 8SN

UNIT 1 93 GROVE LANE LONDON SE5 8SN

UNIT 2 93 GROVE LANE LONDON SE5 8SN

UNIT 7 93 GROVE LANE LONDON SE5 8SN

UNIT 8 93 GROVE LANE LONDON SE5 8SN

UNIT 5 93 GROVE LANE LONDON SE5 8SN

UNIT 6 93 GROVE LANE LONDON SE5 8SN

FLAT 4 HULL COURT GROVE LANE LONDON SE5 8SL

FLAT 5 HULL COURT GROVE LANE LONDON SE5 8SL

FLAT 2 HULL COURT GROVE LANE LONDON SE5 8SL

FLAT 3 HULL COURT GROVE LANE LONDON SE5 8SL

FLAT 8 HULL COURT GROVE LANE LONDON SE5 8SL

FLAT 9 HULL COURT GROVE LANE LONDON SE5 8SL

FLAT 6 HULL COURT GROVE LANE LONDON SE5 8SL

FLAT 7 HULL COURT GROVE LANE LONDON SE5 8SL
93 GROVE LANE LONDON SE5 8SN
FIRST FLOOR FLAT 91 GROVE LANE LONDON SE5 8SN
THE PHOENIX WINDSOR WALK LONDON SE5 8BB
5 WINDSOR WALK LONDON SE5 8BB
OFFICES ADJACENT DENMARK HILL RAILWAY STATION WINDSOR WALK LONDON SE5 8BB
GROUND FLOOR FLAT 91 GROVE LANE LONDON SE5 8SN
SECOND FLOOR FLAT 91 GROVE LANE LONDON SE5 8SN
DENMARK HILL RAILWAY STATION WINDSOR WALK LONDON SE5 8BB
83C GROVE LANE LONDON SE5 8SN
4 WINDSOR WALK LONDON SE5 8BB
16 WINDSOR WALK LONDON SE5 8BB
DOUGLAS BENNETT HOUSE 12-15 WINDSOR WALK LONDON SE5 8BB
RESEARCH CENTRE 1-3 WINDSOR WALK LONDON SE5 8BB
FETAL MEDICINE RESEARCH INSTITUTE 16-20 WINDSOR WALK LONDON SE5 8BB
ASSEMBLY HALL WINDSOR WALK LONDON SE5 8BB
UNIT 2B 93 GROVE LANE LONDON SE5 8SN
91D GROVE LANE LONDON SE5 8SN
111 DENMARK HILL LONDON SE5 8AQ
APARTMENT 1 91C GROVE LANE LONDON SE5 8SN
APARTMENT 2 91C GROVE LANE LONDON SE5 8SN
UNIT 12 93 GROVE LANE LONDON SE5 8SN
UNIT 13 93 GROVE LANE LONDON SE5 8SN
UNIT 10 93 GROVE LANE LONDON SE5 8SN
UNIT 11 93 GROVE LANE LONDON SE5 8SN
UNIT 9 93 GROVE LANE LONDON SE5 8SN
FLAT 1 HULL COURT GROVE LANE LONDON SE5 8SL
UNIT 14 93 GROVE LANE LONDON SE5 8SN
UNIT 15 93 GROVE LANE LONDON SE5 8SN
113 DENMARK HILL LONDON SE5 8AQ
FLAT 11 HULL COURT GROVE LANE LONDON SE5 8SL
FLAT 12 HULL COURT GROVE LANE LONDON SE5 8SL
FLAT 10 HULL COURT GROVE LANE LONDON SE5 8SL
FLAT 15 HULL COURT GROVE LANE LONDON SE5 8SL
FLAT 16 HULL COURT GROVE LANE LONDON SE5 8SL
FLAT 13 HULL COURT GROVE LANE LONDON SE5 8SL
FLAT 14 HULL COURT GROVE LANE LONDON SE5 8SL
RONALD MCDONALD HOUSE 6 WINDSOR WALK LONDON SE5 8BB
115 DENMARK HILL LONDON SE5 8AQ
11 WINDSOR WALK LONDON SE5 8BB
89 GROVE LANE LONDON SE5 8SN
85 GROVE LANE LONDON SE5 8SN
87 GROVE LANE LONDON SE5 8SN

Re-consultation: 04/10/2019

APPENDIX 2

Consultation responses received

Internal services

Flood Risk Management & Urban Drainage
Highways Development and Management
Archaeology
Design and Conservation Team [Formal]
Urban Forester
Employment Team

Statutory and non-statutory organisations

Environment Agency
Metropolitan Police Service (Designing out Crime)
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

11 WINDSOR WALK LONDON SE5 8BB
9 Tyndale Terrace London N1 2AT
126 the whitehouse apartments london SE1 8YP
32 Holly Court Romford RM1 3AP
16-20 Windsor Walk Denmark Hill SE5 8BB
41 Sherriff Road London NW6 2AS
42 Perry avenue London XXXX
Flat 3, 27 De Crespigny Park London SE5 8AB
121 Camberwell Grove London SE5 8JH
De crespigny Road 27 London SE5 8AB
27 De Crespigny Park Flat 4 London SE5 8AB
360A London Road Isleworth TW7 5AJ
King's Fertility Windsor Walk London SE5 8BB
27 De Crespigny Park London SE5 8AB
1 De Crespigny Park London SE5 8AB
FLAT 1, 39 WHITEHALL LONDON SW1A 2BX
16-20 Windsor Walk London SE5 8BB
805, PINNACLE TOWER 23, FULTON ROAD LONDON HA9 0GB
Minchenden court London N14 6ED
16-20 Windsor walk London SE5 8BB
21 Loeden Road London London SE24 0BJ
11 Hammersmith Road London W14 8XJ
119 Camberwell Grove London SE5 8JH
161 Coldharbour Lane London SE5 9PA
235 Lordship Lane London SE22 8JF
SE5 8JH London SE5 8JH
121 Camberwell Grove London SE5 8JH
16-20 Windsor Walk London SE5 8BB
Lordship lane Gloucester court London SE22 8GB
133 Wigmore Road Gillingham ME8 0TH
17 Percy Road London SE20 7QJ
Kings college Hospital London SE5 9RS
20 St Margarets Rd Brockley London SE4 1YU
83 Lppard London SE11 6PX
Burrow Road London SE22 8EJ
121 Camberwell Grove London SE5 8JH

Flat 55, Sherston Court London SE1 6SG
12, Primrose court Hydethorpe road London SW12 0JQ
Congers house bronze street deptford, london SE8 3DT
1 Decrispigny park 2nd floor flat London SE5 8AB
THE FETAL MEDICINE FOUNDATION 16-20 Windsor Walk LONDON SE5 8BB
119 Camberwell grove London SE5 8JH
36 Lincoln St London N2 9DL
The Fetal Medicine Research Institute 16-20 Windsor Walk London SE5 8BB
57 Crawford Road Hatfield AL10 0PF
FIRST FLOOR 159 COLDHARBOUR LANE LONDON SE5 9PA
18 Beaulieu Close London SE5 8BA
97A Grosvenor Park London SE5 0NJ
10 Rathmell Drive London SW4 8JH
27 De Crespigny Park Flat 5 London SE5 8AB
Coldharbour Lane London SE5 9PA
159 Coldharbour Lane London SE5 9PA
161 coldharbour lane London SE5 9PA
121 Camberwell Grove 121 Camberwell Grove London SE5 8JH
42 Perry Avenue London W3 6YH
5B Burston Road London SW15 6AR
72 Grove Vale London SE22 8DT
235 Lordship Lane London SE22 8JF
190 Rock Avenue Gillingham ME7 5PR
81A Grove Park London SE5 8LE