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Item No. 6.1	Classification: Open	Date: 3 March 2020	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 17/AP/3281 for: Full Planning Application Address: 11-13 SPA ROAD LONDON SE16 3RB Proposal: Demolition of existing buildings and construction of a part 4,5, and 6 storey building to form 185 students rooms (sui generis), communal student facilities, plant room, cycle storage, gym, recycling & refuse facilities and associated works		
Ward(s) or groups affected:	London Bridge & West Bermondsey		
From:	Director of Planning		
Application Start Date 18/09/2017		Application Expiry Date 18/12/2017	
Earliest Decision Date 23/12/2019			

RECOMMENDATION

1.
 - a) That planning permission be granted, subject to conditions and the applicant entering into an appropriate legal agreement.
 - b) That in the event that the requirements of a) are not met by 3 June 2020, the director of planning be authorised to refuse planning permission (if appropriate) for the reasons set out in paragraph 255.

EXECUTIVE SUMMARY

2. This application is for decision by the committee as it is a major application for which five or more objections have been received.
3. The proposal is for the redevelopment of this light industrial site with a student housing building of four to six storeys. It would provide 185 student bedrooms as well as the associated communal rooms, reception, laundry, cycle and refuse storage. Landscaped courtyard spaces, roof terraces and boundary treatments would be provided.
4. The proposed student housing development would be a direct let scheme, that is, it is not linked to any specific university or college. While the site is outside a town centre, it is in a comparatively central part of the borough, and the location requirement is removed in the emerging student housing policy P5 of the New Southwark Plan. A payment in lieu of £6.5m is proposed for affordable housing as it is not practical to include conventional housing on site and a feasible amount of student housing on this relatively small site. This payment in lieu is above the maximum reasonable payment

for a viable development as agreed by the council's expert assessor, and is equivalent to 35% affordable housing.

5. The massing of the building is considered appropriate fronting onto Bermondsey Spa Gardens, in its architectural treatment and in terms of its impact on the setting of the adjacent and nearby Grade II listed buildings. It would provide good quality student housing and would not cause unacceptable harm to the amenity of neighbouring properties. Planning obligations would secure the necessary highway works, transport improvements, travel plan and management arrangements. Proposed conditions would ensure the proposal accords with policies on sustainability, archaeology, biodiversity and flood risk.

BACKGROUND INFORMATION

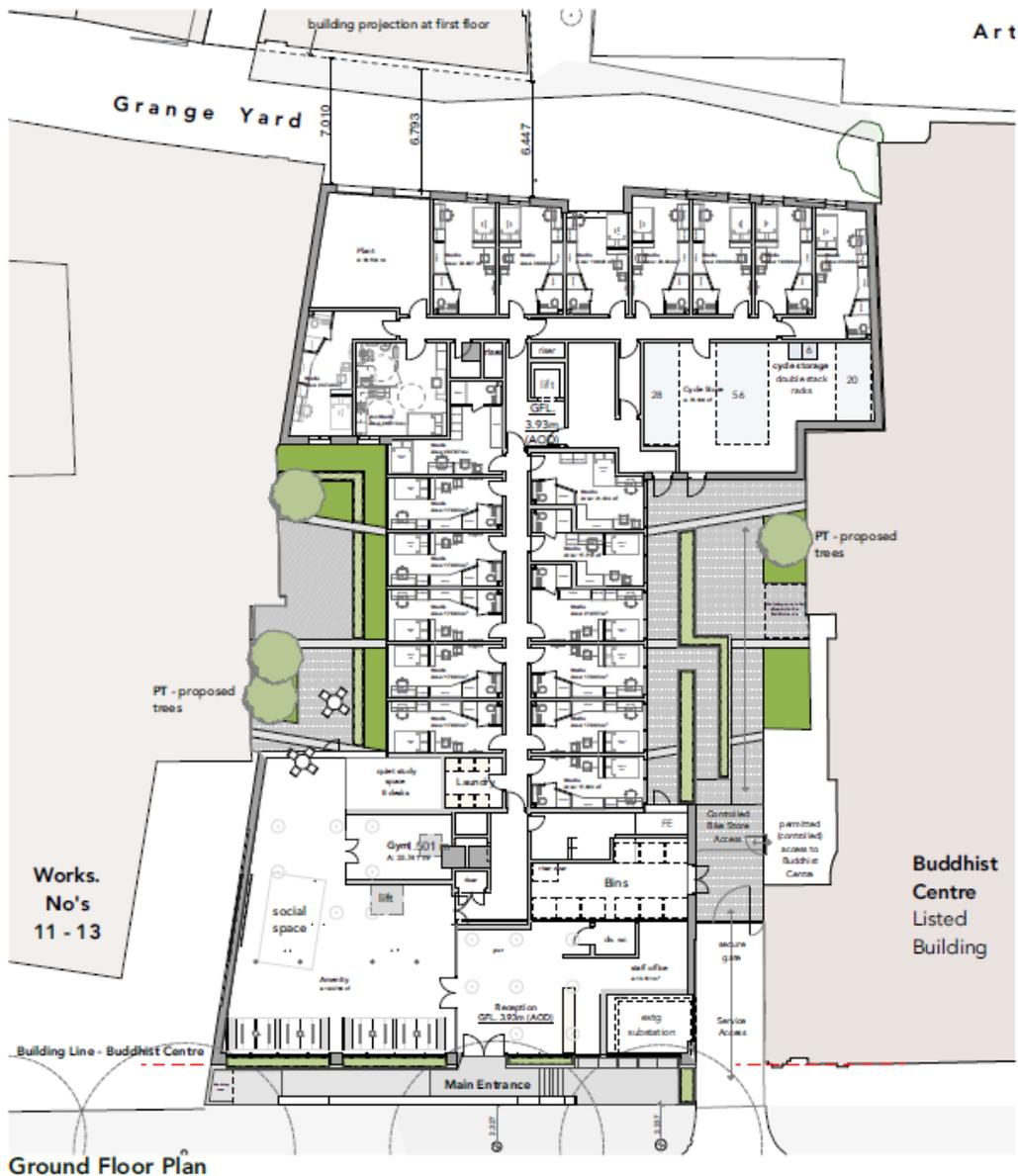
Site location and description

6. The application site comprises approximately 0.156ha and is located in the Bermondsey Spa area of the borough. It fronts a southerly aspect onto Spa Road and overlooks the large green open space of Bermondsey Spa Gardens, and fronts onto Grange Yard to the north. The site comprises low rise former industrial buildings and vehicular access from Spa Road. It also has a substation in the south eastern corner of the site which would be retained in the redevelopment.
7. The site is bounded by further low rise industrial buildings to the west and a grand Grade II listed Victorian-built former public library to the east. This neighbouring building is currently occupied by the Kagyu Samye Dzong London Tibetan Buddhist Centre.
8. To the north beyond the bounding Grange Yard/Arts Lane are residential-led developments of between four and seven storeys. These sites have been developed in the past 5 – 10 years as part of the Bermondsey Spa regeneration masterplan area, of which the application site is also a part.
9. The site is located within:
 - the air quality management area (AQMA)
 - the urban residential density zone
 - the 'Borough, Bermondsey and Rivers' Archaeological Priority Zone
 - flood zone 3
 - PTAL of 2.
10. As well as bounding the Grade II listed former public library building (now the Buddhist Centre), the site is within the setting of the Grade II listed former municipal offices of the Bermondsey Metropolitan Borough Council, located approximately 60m to the east also overlooking Spa Gardens, within the same stretch of streetscape as the application site and former library building. The site is not located in a conservation area; the closest is the Bermondsey Street Conservation Area which is 110m to the west.
11. The site is not designated as a site allocation for development within the development plan, nor the emerging New Southwark Plan. The site is identified in the Bermondsey Spa regeneration masterplan (as part of 'Site C') which was adopted by the council in 2010. However the masterplan is not a planning document and does not hold planning weight.

12. The surrounding area comprises predominantly residential use in the form of inter- or post-war blocks of flats of generally between four - seven storeys or low rise twentieth century houses of two - three storeys. Non-residential uses are interspersed throughout the immediate area, including shops and services at ground floor in a number of nearby locations. Other sites in the immediate area have been redeveloped into relatively substantial residential-led blocks of five – seven storeys as part of the regeneration programme in the past five – fifteen years.

Details of proposal

13. The proposed development comprises demolition of the existing buildings on the site and construction of a new part four-, part five- and part six-storey building fronting Spa Road to provide new student accommodation. It would comprise 185 student studio units (185 bed spaces) with associated amenity, communal social and study spaces and other ancillary facilities, secure cycle parking, refuse store and on-site servicing access. The student housing would be direct let, rather than having a nomination agreement with a particular higher education institution.
14. The Spa Road frontage of the building would be four storeys high plus a set back fifth storey (with a roof height of 16.5m). It would extend across almost the full width of the plot, except to allow for a servicing access on the eastern side. The ground floor level would be slightly raised with boundary treatment and the reception and communal facilities behind, overlooking Spa Road through glazing within a wider brick-led façade. A communal roof terrace would be provided wrapping around the western-most corner at fourth floor level. Another communal roof terrace would be provided above the fifth floor.
15. Towards the centre of the site, the building would step up to six storeys (to the maximum roof height of 21m) and the width of the building would reduce to step in from the boundaries. PV panels would be provided in the middle portion of the building at roof level. At the northern end, the building would face onto Grange Yard, where it would widen to the width of the site. The building would step back at fourth and fifth floor levels on this side.



16. The building would primarily be clad in brick; using a light grey colour on the Spa Road facing main element and a darker grey for the set back fourth floor above. Detailing and fenestration would be through a mix of concrete panels and anodised aluminium window frames, with these elements paired with more extensive glazing on the side elevations. The rear elevations would see a mix of the two palettes in distinct building volumes.



17. The accommodation would comprise studio units of a variety of sizes averaging at 20sqm. Five wheelchair accessible units of approximately 26sqm are proposed on ground – fourth floor levels. The proposed studio accommodation would otherwise comprise:
- Ground floor: 20 standard units ranging between 18 – 24sqm
 - First - third floor: 38 standard units ranging from 17 – 30sqm
 - Fourth floor: 29 units ranging 17 – 30sqm
 - Fifth floor: 18 units ranging from 16 – 26sqm.
18. The courtyard area in the western portion of the site would provide ground floor level communal amenity space. The courtyard space to the east of the site would provide access to the secure cycle parking provision located within the ground floor of the building to the rear of the site.
19. The service access on the eastern side would link to the retained substation, the bin store and through to the cycle store. No on-site car parking is proposed.

Amendments

20. The proposal has seen a number of relatively substantial amendments following the receipt of feedback through the consultation process both with the council and the local community. Feedback and resultant amendments were primarily aimed at reducing the impact of the development on the setting of the adjacent listed building to the east and residential occupiers to the north in terms of townscape, heritage and amenity impacts.
21. The changes include:
- Reduction in the scale of the building from seven to six storeys, and reduction in total number of student studio units proposed from 206 to 185.
 - Alterations to the building volume and massing, including
 - reducing the set back on the Spa Road frontage at fourth floor level (i.e. bringing forward the 5th floor building line) and
 - reducing the building volume and increasing the set backs at the rear and eastern elevations at third, fourth and fifth floor levels.
 - Introduction of roof terrace amenity spaces at fourth and fifth floor levels.
 - Minor alterations in proposed brick specification.

- Minor alterations to layout and access arrangements.
- The applicant has also revised the affordable housing offer, committing to provide a 35% equivalent payment in lieu (of £6.5m) affordable housing contribution.

Planning history

22. See Appendix 3 for the relevant planning history of the application site.

Planning history of near by sites

23. 77-89 Alscot Road – current application, 160m to the south-east of the site:

18/AP/2295 – Redevelopment of site to provide 143 student bedrooms in a building ranging from 3- to 7-storeys (plus basement) and ancillary bin store, cycle store, laundry and office/reception, car parking, substation, associated landscaping, and alterations to the vehicle access. Removal of a street tree on Alscot Road and works to the highway.

15 Spa Road adjacent to the east of the site:

09/AP/0306, Listed Building Consent for:

Internal and external alterations in connection with the change of use of the library building from offices (Use Class B1) to Buddhist centre (Use Class D1) with ancillary residential accommodation. Granted 11/06/2009.

08/AP/2985, Full planning permission for:

Change of use from offices (Use Class B1) to a Buddhist Centre (Use Class D1) with ancillary residential accommodation, external alterations and a disabled car space, 5 visitors bicycle parking and 21 bicycle parking spaces for residents.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

24. The main issues to be considered in respect of this application are:

- Principle of development in terms of land use;
- Environmental impact assessment;
- Design and impact on heritage assets;
- Density;
- Quality of accommodation;
- Affordable housing;
- Impact of proposed development on the amenity of adjoining occupiers;
- Archaeology;
- Sustainable development implications;
- Trees, landscaping and ecology;
- Transport and highways issues;
- Planning obligations and community infrastructure levy (CIL);
- Community involvement and engagement;
- Community impact and equalities assessment;
- Human rights and;
- Positive and proactive statement

25. These matters are discussed in detail in the 'Assessment' section of this report.

Legal Context

26. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007.
27. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Adopted planning policy

National Planning Policy Framework (NPPF)

28. 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.
29. Paragraph 212 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications. The following sections are relevant:

Chapter 2 Achieving sustainable development
Chapter 5 Delivering a sufficient supply of homes
Chapter 6 Building a strong, competitive economy
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.

The London Plan 2016

30. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:
- Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing
Policy 3.11 Affordable housing targets
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds
Policy 3.18 Education facilities
Policy 4.4 Managing industrial land and premises

Policy 4.10 New and emerging economic sectors
 Policy 4.12 Improving opportunities for all
 Policy 5.2 Minimising carbon dioxide emissions
 Policy 5.3 Sustainable design and construction
 Policy 5.7 Renewable energy
 Policy 5.9 Overheating and cooling
 Policy 5.10 Urban greening
 Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.14 Water quality and waste water infrastructure
 Policy 5.15 Water use and supplies
 Policy 5.21 Contaminated land
 Policy 6.3 Assessing effects of development on transport capacity
 Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.13 Parking
 Policy 7.1 Lifetime neighbourhoods
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.5 Public realm
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology
 Policy 7.14 Improving air quality
 Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
 Policy 7.19 Biodiversity and access to nature
 Policy 8.2 Planning obligations
 Policy 8.3 Community Infrastructure Levy.

Core Strategy 2011

31. 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 5 – Providing new homes
 Strategic Policy 6 – Homes for people on different incomes
 Strategic Policy 8 – Student homes
 Strategic Policy 11 – Open spaces and wildlife
 Strategic Policy 12 – Design and conservation
 Strategic Policy 13 – High environmental standards
 Strategic Policy 14 – Implementation and delivery.

Southwark Plan 2007 (July) - saved policies

32. 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 1.1 Access to Employment Opportunities
Policy 1.4 Employment sites outside the Preferred Office Locations and Preferred Industrial Locations
Policy 2.5 Planning Obligations
Policy 3.1 Environmental Effects
Policy 3.2 Protection of Amenity
Policy 3.3 Sustainability Assessment
Policy 3.4 Energy Efficiency
Policy 3.6 Air Quality
Policy 3.7 Waste Reduction
Policy 3.9 Water
Policy 3.11 Efficient Use of Land
Policy 3.12 Quality in Design
Policy 3.13 Urban Design
Policy 3.14 Designing Out Crime
Policy 3.18 Setting of listed buildings, conservation areas and World Heritage Sites
Policy 3.19 Archaeology
Policy 3.28 Biodiversity
Policy 4.2 Quality of residential accommodation
Policy 4.4 Affordable Housing
Policy 4.7 Non self-contained housing for identified user groups
Policy 5.1 Locating Developments
Policy 5.2 Transport Impacts
Policy 5.3 Walking and Cycling
Policy 5.6 Car Parking
Policy 5.7 Parking Standards for Disabled People and the Mobility Impaired
Policy 5.8 Other Parking.

Southwark Supplementary Planning Documents

33. The following Supplementary Planning Documents issued by the council are material considerations:

2015 Technical Update to the Council's Residential Design Standards SPD 2011
Design and Access Statements SPD (2007)
Development Viability SPD (2016)
Draft Affordable Housing SPD (2011)
Section 106 Planning Obligations and CIL SPD (2015)
Sustainable Design and Construction SPD (2009)
Sustainability Assessment SPD (2009).

GLA Supplementary Planning Guidance

34. The following Supplementary Planning Guidance issued by the GLA are material considerations:

Mayor of London Housing Supplementary Planning Guidance (2017)
Homes for Londoners: Affordable Housing and Viability SPG (2017)

Emerging planning policy

35. The draft development plan documents of the draft New London Plan and draft New

Southwark Plan are material considerations that can be given weight.

Draft London Plan

36. The draft New London Plan was published by the GLA on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Minor suggested changes to the plan were published on 13 August 2018 and an Examination in Public (EIP) began on 15 January 2019 and closed in May 2019.
37. The Inspector's report and Panel Recommendations were issued to the Mayor of London in October 2019. The Mayor then issued his intentions to publish the London Plan along with a statement of reasons for not including all of the Inspector's recommendations to the Secretary of State. The Secretary of State was due to respond to the Mayor before 17 February 2020. Until the London Plan reaches formal adoption it can only be attributed limited weight.
38. The draft New London Plan is the strategic plan which sets out an integrated economic, environmental, transport and social framework for the development of London for the period from 2019 to 2041. However the annual housing targets are set for the first 10 years only of the Plan. A range of consultation responses were received to the draft policies from London councils, individuals, businesses, campaign groups, community groups, government bodies etc.
39. Due to the stage it has reached, just before its adoption, the New London Plan can be given weight in decision making, and it is noted that the GLA when commenting upon referable applications does accord substantial weight to many of the emerging policies. The following policies are relevant to this proposal:

GG4: Delivering the homes Londoners need

D1: London's form, character and capacity for growth

D2: Infrastructure requirements for sustainable densities

D3: Optimising site capacity through the design-led approach

D4: Delivering good design

D5: Inclusive design

D6: Housing quality and standards

D7: Accessible housing

H1: Increasing housing supply

H4: Delivering affordable housing

H15: Purposed built student accommodation

E4: Land for industry, logistics and services to support London's economic function

HC1: Heritage conservation and growth

G5: Urban greening

G6: Biodiversity and access to nature

G7: Trees and woodlands

SI1: Improving air quality

SI2: Minimising greenhouse gas emissions

SI12: Flood risk management

SI13: Sustainable drainage

T4: Assessing and mitigating transport impacts

T5: Cycling.

New Southwark Plan

40. 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) on 27 February 2018. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 consultation closed in May 2019.

41. The New Southwark Plan Submission Version – Proposed Modifications for Examination was submitted to the Secretary of State in January 2020 for Local Plan Examination. It is anticipated that the plan will be adopted in late 2020 following an Examination in Public. 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.
42. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging development plans according to the stage of preparation, the extent to which there are unresolved objections to the policy and the degree of consistency with the NPPF. As the NSP is not yet adopted policy, it cannot be attributed full weight as a whole, but individual policies can be given weight (as set out below).
43. The evidence base to support the NSP is substantially complete. The NPPF states that the more advanced the preparation of the plan, the more weight can be given. The NSP has been subject to six rounds of consultation and comprehensive consultation reports have been prepared at each stage in response to representations. The council received 332 representations to the Proposed Submission Version (2018) and as a result some policies were amended and further consultation took place in 2019. The council received 131 representations to the Amended Policies consultation. A full consultation report incorporating comments from both stages of the Regulation 19 consultation was prepared alongside Submission. The council is meeting various community planning interest groups, as well as preparing Statements of Common Ground with individuals and organisations who will be taking an active part in the EiP.
44. In response to the various rounds of consultation on the NSP, a variety of comments and objections were received from individuals, groups and businesses. Where no objections were received a draft policy can be given more weight than for policies where objections were received and have not been resolved, particularly where there is little change from current adopted policies. For example, the following NSP policies can be given moderate weight as no objections were received or they are very similar to policies in the development plan:
 - P12 Design of places
 - P13 Design quality
 - P14 Residential design – objections were received to the earlier version of this policy titled ‘Optimising the delivery of new homes.’ The changes made in the 2019 version relate to the removal of the density matrix in line with the draft New London Plan. The draft policy uses standards which are the same as adopted policy and the Residential Design Standards SPD.
 - P15 Designing out crime
 - P17 Efficient use of land
 - P22 Archaeology
 - P32 Business relocation
 - P48 Public transport

- P49 Highway impacts
 - P50 Walking
 - P52 Cycling
 - P53 Car parking (no substantial objections were received, comments related to minimising residential car parking)
 - P55 'Protection of amenity
 - P58 Green infrastructure
 - P59 Biodiversity
 - P60 Trees
 - P61 Reducing waste
 - P63 Contaminated land and hazardous substances
 - P64 Improving air quality
 - P67 Reducing flood risk
 - P68 Sustainability standards.
45. Where draft policies are different from the adopted policy (or are completely new policies) and objections were received, the specifics of those objections and the differences from the adopted policy need to be considered for each planning application proposal. For example,
- P27 Access to employment and training – objection was received relating to the financial burden.
 - P29 Office and business development – objections related to the two year marketing justification and differentiation of B Class uses.
 - P65 Reducing noise pollution and enhancing soundscapes – the agent of change principle in the NPPF must also be considered.
46. Where objections were received to a draft policy and these have not been resolved through revisions, that policy can have only limited weight. In these instances, the degree of change from adopted policy on these topics should also be considered. Examples of these policies include:
- P1 Social rented and intermediate housing – this amends the tenure split in the saved Southwark Plan policy 4.4. The amended policy in 2019 introduced a fast track method for schemes at 40% affordable housing, although this is linked to the draft New London Plan.
 - P5 Student homes – objections were received to the December 2017 version P24 regarding the viability of providing affordable housing or a payment in lieu.
 - P54 Parking standards for disabled people and mobility impaired people.
 - P69 Energy – objections that the December 2017 version P62 being too onerous for the carbon reductions.
47. The NSP responds positively to the NPPF, by incorporating area visions, development management policies and 82 site allocations which plan for the long term delivery of housing. The NSP responds to rapid change which is occurring in Southwark and London as a whole, and responds positively to the changing context of the emerging New London Plan.
48. In line with paragraph 48 of the NPPF, as both the New London Plan and the New Southwark Plan are at an advanced stage of preparation (the New London Plan further progressed) both can be afforded some material weight and this is detailed in the report where relevant to particular policy issues.

Consultation

49. Details of consultation undertaken in respect of this application are set out in paragraph 257 onwards below and Appendices 1 and 2.
50. Statutory consultation was undertaken on the proposed development including neighbour letters, sites notices and a press notice in Southwark News. The applicant undertook community engagement consulting on the proposals prior to the submission of the planning application, and during the course of the application, resulting in several amendments to the scheme. Further information can be found in paragraph 20 - 21 above and 256 below.

Summary of consultation responses

51. Three rounds of consultation were undertaken by the council following the first receipt of the initial application in 2017, and two rounds of reconsultation undertaken in 2019 on the amendments made. Just under 400 representations were received from members of the public across these three rounds of consultation.
52. The overwhelming majority of these, approximately 390, objected to the proposal. Of the 190 objections received during the second round of consultation, many would have been submitted by members of the public who submitted the 176 objections as part of the first 2017 consultation. 24 objections were received in response to the final, third round of consultation which related to the final proposal as described in this report.
53. In addition to these, the Bermondsey Spa Preservation Group (BSPG) and the adjacent Buddhist Centre each submitted detailed objections in response to the first iterations of the scheme. However following the applicant's revisions and the council's reconsultation on the most recent version of the scheme, both groups notified the council of their withdrawal of the previous objections providing particular conditions on design, implementation and management of the development were met.
54. In addition to the handful of supporting comments submitted, early on in the application process evidence of support from a 19 of local businesses was provided. 13 of these subsequently withdrew their support however, and requested to have their interest declared neutral, so these have not counted into the above figures.
55. Similarly not counted in the above totals was the submission by the applicant of 149 signed leaflets from students in attending university in Southwark supporting the principle of provision of additional purpose built student accommodation and in particular the proposed development.
56. The issues raised by the submitted objections are summarised as:
 - *Excessive scale, height, massing and density*
This is discussed in further detail in the 'Density' and 'Design and heritage impacts' sections below
 - *Development would harm the setting of the listed building*
This is discussed in further detail in the 'Design and heritage impacts' section below
 - *Harm to amenity including to privacy and overlooking, outlook and sense of enclosure, noise and daylight, sunlight and overshadowing to neighbouring*

occupiers

This is discussed in further detail in the 'Impacts on the amenity of adjoining occupiers' section below

- *Harm to trees*
This is discussed in further detail in the 'Trees, landscaping and ecology' section below
- *Student population would negatively impact the existing residential character of the area with concerns raised regarding a transient population and anti social behaviour and particularly when the site could be used to deliver conventional affordable housing*
This is discussed in further detail in the 'Principle of the proposed development' and 'Impact on the amenity of the adjoining occupiers' sections below
- *Impact on community services and facilities, including the doctor's surgery and transport infrastructure, including nearest bus routes being at capacity*
This is discussed in further detail in 'Transport and highways issues' and 'Section 106 Planning Obligations and Community Infrastructure Levy (CIL)' sections below
- *Increase in air and noise pollution associated with both completed occupied development and demolition and construction impacts.*
This is discussed in further detail in the 'Impact on amenity of adjoining occupiers' and 'Sustainable development implications' sections below

57. Objections which were not taken into account included impact on values of surrounding properties and 'right to light' issues. These are not planning considerations.
58. The comments received supporting the application saw the provision of additional students to the local population as a positive potential change and would support the local economy. The principle of the provision of purpose built student accommodation was also supported acknowledging that there was a need for housing of all kinds in Southwark.

ASSESSMENT

Principle of the proposed development in terms of land use

Loss of employment space on the site

59. The employment use Class B1c that comprises the existing lawful use of the site is not protected by adopted development plan policy. The site is outside any Strategic Industrial Location or Preferred Industrial Location designation, and it does not meet the criteria of saved policy 1.4 of the Southwark Plan (as it does not have direct access to a classified road, is not within the Central Activities Zone nor a Strategic Cultural Zone). The light-industrial use of the site is not protected by adopted planning policies, and there is no in principle objection to the redevelopment of this brownfield site.
60. It is noted that emerging London Plan policy E7 'Industrial intensification, co-location and substitution' seeks to protect industrial sites. Part c of the draft policy states that

non-designated industrial sites should only be redeveloped for mixed use or residential development where there is: 1) no reasonable prospect of the site being used for industrial and related purposes, storage, waste management, utilities etc; or 2) it has been allocated in the development plan for residential or mixed use development; or 3) industrial floorspace is provided as part of the mixed-use intensification. This strategic London-wide policy is in draft, but has been through its Examination in Public and has weight.

61. This 0.156 hectare Spa Road site might be suitable for redevelopment for light industrial use, however the proximity of the neighbouring residential properties to the north and community use to the east would require careful design and mitigation to protect neighbour amenity. It is also noted that this site is within the wider context of change in the immediate area as part of the Bermondsey Spa regeneration programme, of which the site is one of the final parts, and which has informed the approach to the development proposals to date. The site is not allocated in the current or emerging development plan (so part 2 of the draft policy is not applicable), and no industrial floorspace is proposed in the planning application (so part 3 of the draft policy is not addressed). Officers are of the view that the adopted policies within the Council's planning documents for the borough, particularly saved policy 1.4 of the Southwark Plan, carry more weight than this draft policy within the emerging regional-level London Plan. Therefore, the redevelopment of this site for a student residential use, instead of a light industrial use or mixed use that re-provides industrial space, should not be refused for this reason.
62. Turning to the emerging New Southwark Plan, draft policy P29 'Office and business development' at part 3 states that development resulting in a loss of employment floorspace must provide a financial contribution towards training and jobs for local people. Part 3 is a recent addition in the January 2020 submission version. Objections were received to the earlier version of this draft policy, however the thrust of the policy is similar to adopted policy 1.4 of the Southwark Plan and the reference in the Planning Obligations SPD (for payments on schemes which reduce employment space in protected employment locations). As set out above, this Spa Road site does not meet the locational requirement of policy 1.4 and so is not in a protected employment location where the loss of employment floorspace triggers a payment. On this basis, officers consider the adopted policy to have more weight than the emerging policy, and a payment is not required.
63. Draft New Southwark Plan policy P32 'Business Relocation' requires a relocation strategy where small or independent businesses would be displaced by a development. The strategy must demonstrate how potential options have been explored to support existing businesses on sites subject to a planning application for redevelopment that are at risk of displacement as a result of potential redevelopment.
64. The site has been vacant since 2018 when the previous business operating within the warehouses on the site was sold on the owner's retirement. The firm which bought the business once operating on the site has since independently re-located to Charlton in South East London. The requirements of this policy have not therefore been applied.

Provision of student accommodation

65. The site has no allocation in the adopted development plan or draft New Southwark Plan, and is outside any AAP or Opportunity area. Planning policies within the London Plan, Core Strategy and saved Southwark Plan, and within the draft New Southwark Plan and draft New London Plan where they can be given weight, apply to the consideration of this application.

66. Objections were received to the proposed student housing use of the site on the grounds that the location is inappropriate for students and out of character in this residential area, and the cumulative impact of this proposal and the current student housing proposal on Alscot Road. Concerns were raised that local services and infrastructure would not be able to cope with the additional population. Comments were received that luxury student developments do not address the need for housing, and cause rising rental charges in London.
67. Student housing is considered as non self-contained accommodation and a “sui generis” use in the Use Classes Order. Student housing is however considered as housing for monitoring purposes through the Council’s and GLA’s monitoring reports. The Core Strategy sets a target of providing at least 24,450 net new homes between 2011 and 2026. The Council’s London Plan (2016) target is a minimum ten year target of 27,362 homes between 2015 and 2025, i.e. a rate of 2,736 per year. It is noted that the draft New London Plan sets lower targets for the borough (of 23,550 over 10 years) compared with the adopted London Plan of 27,362 over ten years.
68. The proposed student housing would contribute towards the borough’s housing, at a rate of 2.5 student bedrooms being counted as a single home (as set out in the December 2019 draft London Plan, paragraph 4.1.9). With 185 student rooms proposed, the development would count as 74 homes towards meeting the council’s housing targets.
69. The Council can demonstrate a five year supply of housing land, plus the necessary 20% buffer required by the housing delivery test. Through its assessment of the deliverable housing sites in the borough, the five year housing land supply with an additional 20% buffer has been identified (and exceeded). This Spa Road site is not an identified proposal site in any current AAP nor the emerging NSP, therefore its redevelopment for housing has not been anticipated by the borough-wide assessment of deliverable housing sites.
70. While this application site would be appropriate for Class C3 residential development to contribute to the council’s general housing supply as part of the windfall allowance for small sites, it has not been assumed for such development in calculating the five year housing land supply and buffer. The proposed student housing scheme would not compromise the council’s ability to meet its strategic housing targets set in the Core Strategy and London Plan, particularly as student housing contributes towards the borough’s housing and given the relatively small size of the site.
71. There is support for student housing in the adopted Southwark policies, London Plan and Mayor of London’s Housing SPG, and within the emerging New Southwark Plan and draft London Plan. These policies are summarised below.
72. London Plan policy 3.18 ‘Education facilities’ requires boroughs to support and maintain London’s international reputation as a centre of excellence in higher education, and policy 4.10 ‘New and emerging economic sectors’ at part b requires borough to “*give strong support for London’s higher and further education institutions and their developments, recognising their needs for accommodation*”. London Plan policy 3.8 ‘Housing choice’ requires local planning authorities to identify the ranges of needs likely to arise within their areas and ensure that (h) “*strategic and local requirements for student housing meeting a demonstrable need are addressed by working closely with stakeholders in higher and further education and without compromising capacity for conventional homes*”. The supporting text in paragraphs 3.52-3.53C set out further detail, including reference that there could be a requirement

for some 20,000-31,000 student places over the ten years to 2025, but that “addressing these demands should not compromise capacity to meet the need for conventional dwellings”. The supporting text also notes that Southwark is one of four central boroughs where 57% of provision for new student accommodation has been concentrated, reflecting the clustering of the HEIs in and around central London.

73. The Mayor of London’s Housing SPG in section 3.9 states that specialist student accommodation makes an essential contribution to the attractiveness of London as an academic centre of excellence.
74. Core Strategy strategic policy 8 ‘Student homes’ is consistent with the London Plan and acknowledges there is a need for student housing in Southwark, by stating that development will meet the needs of universities and colleges for new student housing whilst balancing the building of student homes with other types of housing, such as affordable and family housing. This would be achieved by 1) allowing student homes within the town centres and places with good access to public transport services, providing that these do not harm the local character, and 2) requiring 35% of student developments as affordable housing, with a cross reference to strategic policy 6 ‘Homes for people on different incomes’.
75. Saved policy 4.7 of the Southwark Plan relates to non-self contained accommodation (including student accommodation), and states that it will normally be permitted where 1) the need for and suitability of the accommodation can be demonstrated; 2) its provision does not result in a significant loss of amenity to neighbouring occupiers; 3) there is adequate infrastructure in the area to support any increase in residents and; 4) a satisfactory standard of accommodation, amenities and facilities are provided.
76. These requirements of saved policy 4.7 link into the Residential Design Standards SPD, which sets out at section 4.3 sets out the further information required of a student housing scheme:

“Student housing can be in the form of halls of residence, cluster flats or self-contained units. To ensure that the appropriate levels of student accommodation are supplied in the borough without prejudicing the development of general needs housing, planning applications for student accommodation will have to be accompanied with evidence that there is an identified need for this type of housing, including:

 - *A letter from a recognised educational establishment*
 - *Confirmation that the accommodation will be affordable to the identified user group*
 - *Details of security arrangements*
 - *Details of the long-term management and maintenance arrangements of the student accommodation.”*
77. In terms of emerging policy, both the draft London Plan and draft New Southwark Plan have specific student housing policies.
78. Draft London Plan policy H15 ‘Purpose-built student accommodation’ states in part A that boroughs should seek to ensure the local and strategic need for purpose-built student accommodation is addressed provided that; 1) the development contributes to a mixed and inclusive neighbourhood; 2) it is secured for students; 3) the majority of bedrooms and all affordable student accommodation is secured through a nomination agreement for occupation by students of one or more higher education providers; 4)

the maximum level of accommodation is secured as affordable student accommodation and; 5) the accommodation provides adequate functional living space and layout. Part B of emerging policy H15 states that boroughs, student accommodation providers and higher education providers are encouraged to deliver student accommodation in locations well-connected to local services by walking, cycling and public transport, as part of mixed-use regeneration and redevelopment schemes.

79. The supporting text for draft policy H15 states that purpose built student accommodation contributes to meeting London's overall housing need, and is not in addition to need. It requires 3,500 student bed spaces to be provided annually across London; this is a higher annual figure than the range of the adopted London Plan, suggesting that the need for student housing has increased since 2016. This strategic London-wide need has not been broken down into borough-level targets in the draft London Plan. To demonstrate there is a need for new student housing development; accommodation must be operated directly by an HEI or have an agreement in place with one or more HEIs to provide housing for its students (i.e. a nomination agreement).

80. The draft New Southwark Plan policy P5 states:

“Development of purpose-built student housing must:

- 1. Provide 10% of student rooms as easily adaptable for occupation by wheelchair users; and*
- 2. When providing direct lets at market rent, provide 35% of the Gross Internal Area of the floorspace as conventional affordable housing, as per policy P4, as a first priority. In addition to this, 27% of student rooms must be let at a rent that is affordable to students as defined by the Mayor of London; or*
- 3. When providing student rooms for nominated further and higher education institutions at affordable student rents as defined by the Mayor of London, provide 35% conventional affordable housing subject to viability, as per policy P4.”*

81. The first reason listed in support of this policy is that there is a need for more student accommodation across the whole of London which needs to be balanced with making sure Southwark has enough sites for other types of homes, including affordable and family homes. The affordable housing element of the current application is considered in a separate section below.

82. The evidence base behind the NSP includes a background paper on student housing (dated December 2019). It refers to the Council's Strategic Housing Market Assessment (SHMA) Update 2019 which found over 21,000 students aged 20 or over reside in the borough during term time, and 23,500 places at HEIs in Southwark. At least 50% of these students live in private rented accommodation, and 15% live with their parents. There are some 7,800 bed spaces in purpose built student accommodation in the borough for London South Bank University, King's College, University of the Arts, and in independent halls of residence. The evidence base background paper also refers to the SHMA confirming an acute need for affordable homes in the borough of 2,077 net affordable homes annually, which is a significant increase from the 2014 SHMA of 799 affordable homes annually.

83. When assessing the principle of a student housing scheme, these policies require consideration of the need for student housing, the location of the proposal, and management of the student accommodation. Later sections of this report will consider the affordable housing, quality of accommodation and transport aspects of this

proposal that are referred to in these policies as well.

Need for student housing

84. There are several HEIs in the borough, including London South Bank University, Kings College London, UAL and LSE with teaching facilities and student accommodation. There are a number of developments providing direct let student housing in the borough. The proposed accommodation in this scheme would be 'direct let' to students, rather than associated with one particular HEI. Nonetheless it would contribute towards the borough's and London's stock of purpose built student accommodation. In this respect, the application addresses London Plan policy 3.8 and draft London Plan policy H15.
85. The council's student housing background paper in the NSP evidence base notes there are eight live planning applications that include student housing. Of these eight applications: two are this Spa Road scheme and the Alscot Road scheme; two have resolutions to grant (Capital House and Canada Water Masterplan); 1 at 272 St James Road is awaiting its appeal decision; and three are current 2019 applications at 89-111 Borough High Street, Paris Gardens and Eagle Wharf. The seven schemes total 2,162 student rooms, with no figure put to the Canada Water outline scheme given the inherent flexibility within the masterplan.
86. From the Spa Road site, 23 HEIs are within a 40 minute journey by public transport or cycle. The report concludes the Spa Road site would be able to serve students at the following locations:
 - HEIs in the central and eastern areas of London such as Goldsmiths, Kings, LSE and Queen Marys.
 - Campuses within the borough at Elephant and Castle, Camberwell and London Bridge.
 - Future HEI campuses in Elephant and Castle and any established through the redevelopment of Canada Water and Old Kent Road.
87. Many of the public objections received refer to the proposal changing the character of the quiet residential neighbourhood. The site is not within the vicinity of other purpose built student housing schemes in the borough. The nearest sites hosting student housing are located approximately 800m to the west around Great Dover and Tabard Streets in the Borough area, or 800m north at Butler's Wharf. The next nearest scheme is located over 1,600m east on Lower Road in Rotherhithe.
88. There is however another application for 143 student bedrooms currently under consideration (ref. 18/AP/2295) for a site located 160m to the south across Spa Gardens. However, given the lack of other purpose built student housing schemes within the wider area, were both schemes to be granted planning consent and implemented, it is not considered that together they would impact the neighbourhood in terms of the mix of uses and inclusivity. On this basis the proposed land use is considered to be broadly in conformity with the new London Plan policy. While the objections are noted, introducing a modest amount of student housing into a mainly residential area is not considered to cause harm.
89. The proposal is considered to address a need for student housing within London and could be used to serve students of HEIs within the borough. Providing student housing in this location may also assist in freeing up private rental housing which is currently occupied by students for conventional housing needs.

Location

90. The site is not within a town centre, and has a relatively low PTAL of 2; however as set out in more detail below it is in a relatively accessible location to relative to a number of HEIs.

University	Distance from the site
LSBU	1.5 miles
Kings College	2.6 miles
Goldsmith's	2.7 miles
LSE	2.8 miles
Queen Mary's	3.2 miles
University of Greenwich	3.4 miles
UCL/Birkbeck/SOAS	3.8 miles
Imperial	5.3 miles

91. The site is approximately 10 minutes walk from Bermondsey Underground station with the Jubilee line providing access to Waterloo (to walk to the LSE campus or change for Charing Cross), and there are 7 bus routes within a 10 minute walk of the site (routes 1, 78, C10, 381, 188, 47 and N199).
92. Draft policy P5 of the New Southwark Plan removes the reference in Core Strategy policy 8 part 1 to siting student housing in town centres and places with good access to public transport. Without such a locational restriction, the draft policy allows in principle for student housing to be located anywhere in the borough. The December 2019 student housing document of the evidence base for the NSP notes that the draft policy does not have a location and accessibility point, commenting that “*the borough is considered to be very accessible and therefore the restriction on location and accessibility is not necessary*” and that “*we would encourage students to use active travel as well as public transport which therefore limits the need for a location requirement within the policy.*”
93. This proposal is in line with the emerging NSP policy direction for the acceptability of student housing on this site outside a town centre and without an especially high PTAL rating. While the weight that can be given to policy P5 is limited due to the objections received to it, these objections were in terms of the affordable housing and viability aspects rather than no longer directing student housing to town centres and places with good access to public transport. The proposal would comply with emerging policy P5 in terms of part 1 (set out further in the Quality of Accommodation section), and part 2 in terms of the affordable housing contribution which is considered in a later section of this report.
94. There are public transport, cycle links and walking routes around the site and the associated journey times to HEIs, and the local facilities in the area that students could make use of, as well as attractions and places of interest in Bermondsey such as the parks, markets and pubs. While not in a town centre the site is relatively close to central London, with public transport links towards HEIs.
95. Public transport and cycling options in the area include:
- The Bermondsey Underground station being a 10 minute walk. The Jubilee line would link the site with King's College, LSE and Courtauld Institute at Waterloo,

Ravensbourne at North Greenwich, University of East London at Stratford. Other higher education establishments can be reached by changing from the Jubilee Line to:

- the Overground at Canada Water to reach Goldsmiths at New Cross Gate.
- London South Bank University at Elephant and Castle, and the various universities in Bloomsbury (e.g. UCL, SOAS, Birkbeck) via the Northern line.
- University of Westminster via the Bakerloo line.

- There are 7 bus routes within a 10 minute walk from the site:

Bus route	Closest bus stop to the site	Destinations of that route
1 (and N1)	Grange Road	New Oxford Street – Canada Water
47	Jamaica Road	Shoreditch – Bellingham/Catford Bus Garage
78	Grange Road	Shoreditch – Nunhead
188	Jamaica Road	Russell Square – North Greenwich
381 (and N381)	Jamaica Road	Waterloo – Peckham
C10	Abbey Street/Jamaica Road	Victoria – Canada Water
N199	Abbey Street/Jamaica Road	Trafalgar Square – Bromley

- Cycle links – the Cycle Superhighway along Jamaica Road to the north of the site (currently under construction), and the Quietway cycle route along Willow Walk is to the south of the site, linking Greenwich to Bloomsbury. London South Bank University would be approximately 12 minutes by cycle, and other HEIs in central London and Southa 20-30 minute cycle ride away.

96. The site is considered to be sufficiently accessible by various means to a range of HEIs and local shops and amenities. In view of the changes to the council’s student housing policy by the draft New Southwark Plan policy P5, the location of student housing in this location is considered acceptable in principle.

Management

97. A student management strategy has been provided, to address two requirements of the Residential Design Standards SPD. Homes for Students would be the accommodation managers for the site, and currently manage over 12,000 residential and student accommodation units in the country – including in Camberwell. The site would be managed by a dedicated property manager who would lead the management team, to include customer service assistants, maintenance and cleaning staff, on site Monday – Friday during office hours. Student wardens would be employed to attend the site out of office hours. Feeds from CCTV cameras in and around the building would be fed to the staffed reception 24/7. There would be an electronic access control to prevent unauthorised access to the building. Kitchen areas of the studio units would be inspected monthly using a traffic light system and students charged for any deep cleans. Homes for Students would maintain the landscaping, be responsible for day to day repairs and health and safety equipment, and longer-term redecoration and building fabric works. Homes for Students would engage with the local community through regular meetings, at minimum annually, to discuss and address any issues. External amenity areas would be subject to a curfew at night (considered further below in the ‘impact to neighbour amenity’ section). Further comment on the student management plan is set out in the transport section

below, but for this consideration section, sufficient information has been provided to address the requirements of the SPD.

98. In conclusion, the use of this site for student housing is considered acceptable in principle. The provision of 185 student bed spaces would contribute towards achieving the student housing target in the London Plan, and contribute towards the borough's housing supply (equivalent to 74 homes). While it is not within a town centre to comply with part 1 of Core Strategy policy 8, it is within a relatively central location in the borough to be close to HEIs, public transport, shops and services. With the direction of travel in the emerging New Southwark Plan student housing policy that removes this location restriction, and in view of the relatively modest scale of this scheme, it is considered acceptable in principle. The use for student accommodation only (in term time and summer holiday) and the management plan would be secured by planning obligations.

Environmental impact assessment

99. The scale of development proposed by this application does not reach the minimum thresholds established in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 that would otherwise trigger the need for an environmental impact assessment. The proposal's location and nature do not give rise to significant environmental impacts in this urban setting sufficient to warrant a requirement for an EIA. An EIA for this proposed development is not required.

Design and impact on heritage assets

100. The NPPF stresses the importance of good design and states in paragraph 124 that: *"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* Policy SP12 of the Core strategy states that *"Development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in."* Saved policy 3.12 of the Southwark Plan asserts that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit. When considering the quality of a design, the fabric, geometry and function of the proposal are included as they are bound together in the overall concept for the design. Saved policy 3.13 asserts that the principles of good urban design must be taken into account, including the height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape. Saved policy 3.18 seeks to preserve or enhance the settings of heritage assets.
101. Objections were received from members of the public regarding the scale, height, massing, density, architectural quality and impact on the listed building.

Scale, height, massing and layout

102. The proposal's subdivision into the three building volumes including 1) the Spa Road frontage element, 2) the thinner spinal element in the centre of the site and 3) the rear element fronting Grange Yard is a logical response to the physical constraints imposed by neighbouring buildings and the site's boundaries. It would help reduce the bulk and mass of the scheme within its context, from the perspective of the public realm surrounding the site, and occupiers of neighbouring buildings.

103. The Spa Road frontage would be in line with that of the Buddhist Centre and other buildings comprising the streetscape to the east, having been set back relative to the existing boundary wall on the site. The set back fourth floor on the Spa Road frontage would feature a darker brick with a view to relating to the slate roof tiles of the adjoining Buddhist Centre. This level, and the top fifth floor level further into the site, would have limited visibility from Spa Road and would be visible from within and across Spa Gardens during winter between the mature trees.
104. As viewed from the northern context of the site, the scheme would be differentiated vertically into two distinct building volumes. This would be achieved through both variation in massing and the use of set backs and differentiation in materials, detailing and fenestration.
105. The taller, six-storey element would relate to seven-storey Grange Yard development across Arts Lane to the north east, while the smaller five and six storey element would relate to the Haven Way block which comprises the same massing (at four storeys with progressively set back fourth and fifth floor level floors above) to the immediate north west.
106. The overall approach to the scale, height and massing have resulted in a proposed building that forms an appropriate response to its context and would not appear dominant or out of character with the surrounding area. This is particularly in relation to the Buddhist Centre to the immediate east and the mixture of new build and older buildings of a similar scale located to the north of the site.

Architectural composition, materials and detailing

107. The ground floor of the Spa Road frontage would be slightly raised and recessed below the floors above. It would have full height glazing across a large portion of its frontage, providing outlook from and views of activity into the main social space provided for the student occupiers behind, with minor instances of the brick which is the primary material on the floors above.
108. The frontage would have soft landscaping elements and low level stone boundary treatments to the access ramp and small set of stairs up to the raised entrance. The eastern portion of this ground floor level elevation would host a large bronzed-coloured anodised aluminium panel with the name of the development (indicated as 'the Tannery').
109. The main massing of the Spa Road frontage would be subdivided into 8 bays with full height windows in a pale grey or buff coloured brick façade. These windows would be surrounded by a similarly sized coloured cement panel on alternating sides of the windows providing a degree of interest to the brick-led façade in terms of both elevation rhythm and materials. Window frames would be provided as bronze-coloured anodised aluminium. Horizontal demarcation would additionally be provided by soldier coursing of bricks at each floor level within this façade.
110. The exception to the window design would be for the windows within the bay above the ground floor entrance, providing a point of demarcation and orientation for people approaching or moving past the building. The proposed rhythm of panels means that this front façade would not have a symmetrical composition, unlike the strong element of the adjacent listed building's Spa Road frontage.
111. The overall approach to the design of the proposed Spa Road frontage is considered to be of a high standard. The building would provide a well proportioned and

articulated contribution to the wider streetscape and, as a building with a more contemporary, reserved, architectural treatment would be a respectful neighbour of an appropriately urban character to the more elaborate adjacent listed building frontage. That it is not symmetrical in the context of the adjacent building is not therefore objected to.

112. The side elevations of this front building would be subject to similar brick-led treatment and include recessed areas and patterned detailing to provide some variation from the perspective of neighbouring occupiers.
113. The central part of the building would comprise a lighter range of materials including a greater amount of glazing elements, some of which would be obscured for privacy purposes, combined with cladding panels.
114. The rear building would be brick-led, incorporating the same elements of detailing and material variation as the front building. The rear elevation itself, facing onto Grange Yard/Arts Lane would use differentiated detailing materials and rhythm of fenestration (including the box bay windows). The architectural treatment of this elevation would sit comfortably in the surrounding streetscape where the contemporary character of surrounding developments dominates.
115. It is important that the design quality is maintained through to the finished building, and conditions regarding materials and detailed drawings are included in the recommendation.

Impact on heritage assets

116. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' when determining planning applications which affect a listed building or its setting.
117. Paragraphs 190, 192 and 193 – 196 of the NPPF set out the obligations of decision makers in considering heritage assets, such as listed buildings, in the context of determining planning applications for development proposals. Considerations include identifying and assessing significance of any heritage asset and the impact a proposal may have on this or its setting.
118. Paragraph 193 requires the decision maker to place great weight on the conservation of a heritage asset. Heritage significance is defined in the NPPF as 'the value of a heritage asset to this and future generations because of its heritage interest [that] may be archaeological, architectural, artistic or historic.'
119. Paragraph 195 sets out considerations in the event an impact that a development proposal would have on the significance of a heritage asset would amount to 'substantial harm or total loss of significance.' Paragraph 196 sets out that where a proposed development's impact would incur less than substantial harm to the significance of a heritage asset, the harm should be weighed against the public benefits of the proposal.
120. The impact of the proposal on the setting of two nearby listed building needs to be carefully considered.

1) *Former public library building*

121. The Grade II listed former public library building, now housing the Buddhist Centre, is a building of distinguished late Victorian civic character, architectural composition and detailing particularly from the Spa Road frontage. It largely retains its original layout and spaces internally, including the reception hall and staircase to the first floor above, the ground floor former lending library (retained as a library within the Buddhist Centre) on the western side of the building's plan, and the prominent former central reading room (now prayer room) at first floor level.
122. The Spa Road frontage of the building comprises a relatively substantial raised ground floor, similarly generously proportioned first floor and smaller supplementary second floor, forming a solid base-body-top composition. The frontage is vertically subdivided into five bays with the second floor level further subdivided with two smaller windows per bay. This is topped by a strong cornice and small parapet.
123. The top is crowned by a modest, decorated tower within the centre of the roof profile, itself flanked by two tiled roof turrets at the either edge of the building. The material within the façade is primarily red terracotta brick on upper floors with lighter buff masonry used on the ground floor and in highlights and detailing above. Externally, this Spa Road frontage is an aspect of the application site's context that comprises a key positive contributor to its surrounding character.
124. In the context of the proposed development it is this Spa Road frontage which is considered to be the aspect of the building which has the greatest heritage significance. Due regard must be had to the preservation of the building, its setting and the impact of the proposed development on it.
125. Consideration has also been given to the significance of the original design's emphasis in maximising natural light to internal spaces, including the former reading room (now prayer room), as evidenced by the original design brief and winning competition response, in the context of a historic public library building.

2) Former municipal offices

126. The application site is also within the wider setting of the Grade II listed former Bermondsey municipal offices building, comprising two generously sized storeys (plus basement) when viewed from the street. This is a 1930s building now converted to residential use built in a Greek revival style with bright Portland stone.
127. It is located approximately 60m to the east of the application site, within the same stretch of streetscape and following the building line established by the former library, and an adjacent contemporary development situated in between these two listed buildings.

Setting of the heritage assets

128. From the Spa Road frontage, the current setting of the former library building includes the existing industrial warehouse plots to the immediate west, including the application site. These are utilitarian buildings of little townscape value, bounded by high walls along their frontages which do not contribute anything positive to the streetscape or setting of the listed buildings.
129. To the east of the former library building is a recent four- and five-storey residential-led scheme (featuring ground floor retail). Located between the two listed buildings, with the former municipal offices to the immediate east, it has clearly sought to take a

respectful approach to overall design and composition to quietly mediate between the two prominent heritage assets.

130. The former library frontage is primarily viewed from Spa Road itself rather than Spa Gardens due to the screening that the trees provide to views of this adjacent townscape for the majority of the year.

Assessment of the impacts on heritage assets

131. The impact of the proposed development on the setting of the adjacent former public library would be positive, as an improvement on the existing setting. The frontage of the proposal would provide a neighbouring façade of an urban character at an appropriate scale, height, mass, rhythm of fenestration, palette of materials and overall composition which would not compete with or distract from the adjacent listed building. The proposal is considered to be an improvement in the context of the existing blank wall and light industrial buildings currently on the site, which do not contribute positively to the setting of the building.
132. The proposed building respects its immediate neighbour. The height of the proposed building's four storeys, as read from Spa Road would not exceed the established line set by cornice of the top second floor level and would sit below the small parapet wall, giving the brick volume of the former library adequate prominence.
133. The proposed building's set back fifth floor on the frontage would be set lower than, and remain subservient to, the crowning points of the turret roof forms of the former library building. This would ensure that, where visible, the Buddhist Centre's distinct roofscape would retain prominence in terms of presence on the local skyline when viewed from Spa Gardens.
134. Similarly, the proposal's frontage would respect and conform to the adjacent former library building in terms of the primary building line. This is a building line which is established by this and the other existing buildings running along to Spa Road, meaning it would sit comfortably in the wider setting of the former municipal offices also.
135. A part of the architectural and historic significance of the building is acknowledged to stem from both the original design brief of the public library building and the responding winning architectural competition entry in emphasising and seeking to design in the maximum access to natural light. The reduction in access to light incurred by the proposed development therefore could be said to harm the significance of the heritage asset to some degree.
136. It is not however an aspect of the design that is considered unusual or unique for a publically accessible civic building of this period. Therefore, as well as the consideration that the original library function of the site having long ceased, any harm to the significance of this aspect of the heritage asset is considered not to be less than substantial. It must also be considered with the overall improvement in the setting of the listed building. The public benefits of providing new student accommodation to meet an identified need in a sustainable location, and affordable housing are considered to outweigh any harm noted in this regard.
137. The proposal would sit well within the frontage context surrounding Bermondsey Spa Gardens and within the setting of the Grade II listed buildings. Subject to the conditions, the proposal would comply with policies 7.4, 7.5 and 7.6 of the London Plan, Core Strategy policy 12, and saved policies 3.12, 3.13 and 3.18 of the

Southwark Plan.

Density

138. London Plan (2016) policies 3.3 and 3.4 seek to increase housing supply and optimise housing potential through intensification and mixed use redevelopment. Table 3.2 of the London Plan suggests a density of 200-450 habitable rooms per hectare for a site in the urban area with a PTAL of 2-3. Core Strategy policy 5 “Providing new homes” sets the expected density range for new residential development across the borough. This site is within the urban density zone, where a density of 200-700 habitable rooms per hectare is anticipated. Southwark Plan policy 3.11 requires developments to ensure they maximise efficient use of land.
139. The Residential Design Standards SPD sets out the method for calculating density on primarily conventional residential developments and mixed use schemes. Counting each student bedroom as a habitable room and counting each student bedroom as a habitable room, in the absence of communal shared spaces, gives a total of 185 habitable rooms in the proposal.
140. With a site area of 1,560sqm, and a total of 185 habitable rooms, the proposed density is 1,186 habitable rooms per hectare. This exceeds the maximum of the expected range for the urban density zone.
141. Core Strategy policy 5 states that “*within the opportunity areas and action area cores the maximum densities set out above may be exceeded when developments are of an exemplary standard of design*”. The site is neither within an opportunity area nor an action area core; however the Council often applies the requirement to achieve an exemplary standard of design in other areas where the expected density range is exceeded. The Residential Design Standards SPD sets out a list of criteria for demonstrating an exemplary standard in a conventional housing scheme: some are not as relevant to a student housing scheme, such as the provision of bulk storage.
142. Density gives a numerical measure of the amount (intensity) of development and provides an indication of whether the scale of development is likely to be appropriate in different parts of the borough. A density above the expected range would not of itself necessarily lead to a conclusion that the scheme should be judged unacceptable. If it can be demonstrated that the scheme would achieve a high standard of design, including quality of accommodation, and there are no adverse impacts arising to neighbour amenity for example, then the higher density of the scheme would not be a reason to warrant refusing planning permission. The emerging New Southwark Plan and New London Plan both reduce the emphasis on numeric density ranges (and remove the density table 3.2 of the adopted London Plan) and instead put more emphasis on the quality of design.
143. As explored elsewhere in this report, the quality of the proposed student rooms, the design of the building, and its resulting impacts are considered acceptable and do not suggest an overdevelopment of the site. Subject to the conditions and obligations identified the proposal would not cause harm in these regards or indicate the proposed density is unacceptable. Therefore the proposal is considered to comply with the above mentioned policies for density, and would make efficient use of land as required by saved Southwark Plan policy 3.11.

Quality of accommodation

Rooms

144. The proposed student accommodation would comprise studio units of a variety of sizes. The smallest would be approximately 16sqm while the largest would be 30sqm. The average size across all the units would be approximately 20sqm. Each unit would accommodate a bed, toilet and shower room, kitchenette area, two-person dining table, desk and wardrobe.
145. The smaller 17sqm sized units would be toward the front of the site and afforded outlook over Spa Gardens. The two smallest units at 16sqm would be located on the top fifth floor and also afforded a southerly aspect. The 18sqm units would primarily be located around the central block with larger units located in the wider building volumes to the front or rear of the site. The lower levels of the building have stacked floorplans up to the fourth floor where the recesses change the layouts.

Accessibility

146. Five 26sqm units (as 3% of the proposal) are proposed as fully wheelchair accessible units. A further 14 (7%) of the larger units would also be constructed to an adaptable standard. This would achieve the minimum of 10% required by policy. Level access would be provided to the building, and two lift cores would provide access across the building and terraces.

Outlook

147. Units would all generally be single aspect. Most units would have outlook either south, west or east however 35 of the 185 units would be north facing. All units would host a large floor-to-ceiling element of glazing as their window providing outlook with adequate access to daylight and in most instances sunlight.

Daylight and sunlight

148. The BRE does not set target daylight levels for student accommodation, but it is considered appropriate to use the standards advised by the BRE for self-contained residential units.
149. 56 windows and rooms were tested according to generic BRE methodology for self contained residential units. The 56 windows and rooms were all those at ground and first floor level, with the others omitted from the study on the basis that those on the ground and first floors would be most constrained and, should these meet BRE thresholds, those on the floors above would meet or exceed the thresholds too.
150. An average daylight factor (ADF) of 1.5%, which the BRE recommends is achieved for living rooms in self contained residential units (with kitchens at 2% and bedrooms at 1%) was chosen as the benchmark against which to test the student room's access to daylight. Of the 56 tested 42 (75%) passed, and 14 (25%) had an ADF of below 1.5%. Across the scheme of 185 student rooms, this would be acceptable particularly given the average ADF across the rooms below 1.5% would be 1.3%, close to the target level.
151. Twenty rooms facing within 90 degrees of due south were tested against the BRE recommended sunlight levels (Annual Probable Sunlight Hours) for living rooms. Of these, 19 would meet or exceed the BRE recommended level of sunlight access for the year, while 13 would meet the recommended level across the winter period. Given the built up nature of the site, it is considered that the rooms would have a good level of access to daylight and sunlight and which would be acceptable for student

accommodation.

Privacy

152. Glazing on the ground floor overlooking the adjoining courtyard spaces and Grange Yard/Arts Lane would be treated with privacy film to protect the occupiers from overlooking. The courtyard facing units would be set behind a low level hedge planting to provide some defensible space.

Amenity space

153. There are no specific requirements set out in development plan policy or supporting guidance for amenity space provision for student accommodation. The studio units would not be afforded their own private amenity space, which is not unusual for development of this type.
154. The scheme incorporates a number of communal external amenity spaces for the student occupiers. A landscaped courtyard area approximately 70sqm would provide a ground floor amenity space in addition to the approximately 87sqm and 23sqm communal roof terraces at fifth and fourth floor levels, respectively. This equates to a total of approximately 181sqm of amenity space for the student occupiers which, in conjunction with the internal communal facilities is considered adequate.
155. A fourth floor communal social room (approximately 31sqm) would overlook the park, a ground floor social room (approximately 147sqm) overlooking Spa Road, a small gym (approximately 24sqm) and a quiet study room (14sqm) would also be included.
156. In total the communal internal facilities provided for use by the students (excluding the shared laundry room) would amount to approximately 216sqm which, in conjunction with the proposed level of communal external amenity space is considered to be adequate. Spa Gardens in front of the site would be readily accessible by the occupiers. To mitigate the impact of increased use, a payment of £73,500 has been proposed by the applicant. This would allow for the additional maintenance cost to the Council from increased use of the park and to allow for improvement works (such as planting, seating, additional bins, paths and potential entrance changes), in the Spa Gardens.
157. In conclusion, the proposal would provide high quality living accommodation for students, with a range of room sizes, with good consideration of accessibility, shared facilities, good daylight and outlook, and sufficient amenity space. It would provide good functional living spaces and layout for future student occupiers as required by the draft London Plan policy.

Affordable housing

158. London Plan policy 3.8 states that the provision of affordable family housing should be a strategic priority for borough policies, and policy 3.9 promotes mixed and balanced communities (by tenure and household income). Further details on the definition of affordable housing, targets, and requiring the maximum reasonable amount of affordable housing on major schemes are included in policies 3.10, 3.11, 3.12, and 3.13 of the London Plan. Core Strategy policy 8 'Student homes' requires 35% of student developments as affordable housing, in line with policy 6 'Homes for people on different incomes' which requires as much affordable housing on developments of 10 or more units as is financially viable, and at least 35%. Saved policy 4.4 "Affordable housing" of the Southwark Plan seeks at least 35% of all new housing as

affordable, and a tenure split of 70% social rented to 30% intermediate in the urban zone. The Council's adopted Affordable Housing SPD and the draft Affordable Housing SPD clarify the Southwark Plan and Core Strategy policy framework, and set out the approach in relation to securing the maximum level of affordable housing in proposed schemes, with a sequential test for delivering affordable housing.

159. Emerging New Southwark Plan policy P5 "Student homes" in part 2 states "*when providing direct lets at market rents, provide 35% of the Gross Internal Area of the floorspace as conventional affordable housing, as per policy P4, as a first priority. In addition to this, 27% of student rooms must be let at a rent that is affordable to students as defined by the Mayor of London*". The reason for the policy is clear that this is to balance the need for student accommodation with the provision of other types of housing such as affordable and family homes.
160. Planning policies and emerging development plan documents also refer to affordable student housing, such as NSP policy P5 mentioned above. The London Plan (2016) at paragraph 3.53B requires an element of affordable student accommodation where a provider of student accommodation does not have a nominations agreement. The Mayor of London's Housing SPG provides further information on student housing, including affordable student accommodation. The draft London Plan policy H15 has a requirement for purpose built student accommodation schemes to provide the maximum level of affordable student accommodation (of at least 35% or subject to the viability tested route). It should be noted that the London Plan does not require purpose built student housing schemes to provide a contribution to affordable general needs housing.
161. The lack of affordable housing was referred to in the objections received to this application.
162. Taking the affordable student accommodation first, none is proposed in this application. While the draft London Plan specific requirement for affordable student housing is noted (policy H15 part 4), the borough's priority is for conventional affordable housing. Officers consider that although there would be some benefit to providing affordable student housing, this benefit would be significantly outweighed by the borough's pressing need for general needs affordable housing, and that this should take priority over the provision of affordable student accommodation. Southwark is one of the top four London Boroughs in terms of the provision of student housing, and already contributes significantly to London's student housing needs. In reviewing the viability of the scheme therefore the payment in lieu has been considered in terms of a contribution towards general needs affordable housing, rather than for use in reducing the rent levels of students occupying the site. Including affordable student housing within the development would adversely affect the overall viability, and therefore the contribution the development could make to general needs affordable housing.
163. When taking account of the habitable rooms in the scheme (185 studio room student bedrooms) and counting any rooms that are over 27.5sqm as two rooms, there are a total of 187 habitable rooms in the proposal. To comply with the Core Strategy policy a 35% on-site provision would be 65 habitable rooms of affordable housing (split as 46 social rent and 19 intermediate tenure). This method of calculation has been carried out in accordance with that described in the December 2019 student housing evidence base document. The Affordable Housing SPD and draft Affordable Housing SPD set out the sequential test of firstly on-site provision, then if this is not possible off-site provision, and finally if off-site provision is not possible, requiring an in lieu payment in exceptional circumstances.

164. No on-site affordable housing is proposed in this application. Providing affordable housing on site was not considered to be the optimum solution as the site is relatively small. On-site provision would require a separate access and core (plus cycle and refuse storage) to the affordable, self contained housing from Spa Road as the only available option for the location; this would further reduce the viability of the scheme by reducing the floorspace for the student aspect of the scheme. As residential habitable rooms would generally be larger than the student rooms in the scheme, a 35% provision by habitable room would result in the affordable housing taking a proportionally larger floor area than the student housing. This consideration, in conjunction with maximum viable level of possible on-site provision (considered to be 20% on the original scheme) being substantially below the 35% minimum requirement, was considered to justify an off-site approach to affordable housing provision.
165. The applicant, Urban Student Living, has other student housing sites in London and across the country that are occupied. As a student housing provider, it does not have alternative sites in the borough where off-site affordable housing could be provided.
166. The Council's draft Affordable Housing SPD states at 6.3.9 that "*New housing developments in Southwark may, in exceptional circumstances, provide affordable housing by making a pooled contribution instead of providing the affordable housing on-site or through the developer securing their own off-site affordable housing site. The sequential test must be followed to justify that at least as much affordable housing as would have been provided if the minimum 35% affordable housing requirement were achieved on-site. A minimum of £100,000 of pooled contribution per habitable room of affordable housing will be required. To ensure that the maximum reasonable proportion of affordable housing is negotiated on each development we will determine the exact amount required (above £100,000 per affordable habitable room) using a robust viability assessment.*"
167. As set out in paragraph 6.3.9 of the draft SPD, the viability appraisal must justify that at least as much affordable housing is being provided as would have been provided if the minimum 35% affordable housing requirement were achieved on-site. The requirement for a financial appraisal for any application that has an affordable housing requirement is further established under the Council's Development Viability SPD.
168. For this scheme, a 35% provision would be 65 habitable rooms, resulting in a minimum expected contribution of £6.5m as an in lieu payment to the council to use for providing affordable housing.
169. In line with the Affordable Housing SPD, a financial appraisal was submitted to allow an assessment of the maximum level of affordable housing that could be supported by the development. The appraisal was reviewed by Avison Young on behalf of the Council. Following the review of the appraisal, Officers have concluded the most beneficial approach for this proposal would be to accept a payment in lieu for the affordable housing. The Core Strategy requires as much affordable housing as is financially viable and the London Plan requires the maximum reasonable amount. The in lieu payment proposed by the applicant, as justified through the financial appraisal, would need to meet both of these criteria.
170. The applicant is proposing a payment in lieu of £6.5m which is equivalent to 35% affordable housing using the £100,000 per habitable room rate set out in the draft Affordable Housing SPD. The payment in lieu exceeds the maximum reasonable amount of affordable housing that the development can provide. Therefore Officers

are satisfied that the proposed approach to affordable housing is acceptable and would maximise the provision of affordable housing.

171. By providing the maximum viable payment in lieu, the proposal accords with Core Strategy policy 8 part 2 and policy 6 part 1 which require 35% affordable housing and as much affordable housing as is financially viable. The payment in lieu and viability reviews would be secured by a planning obligation. A viability review would be secured through the s106 agreement should the scheme not be implemented within two years of the permission. A further late stage viability review would be required to ensure the maximum payment in lieu is provided; as the student housing is not typical for sale housing and the value relies on the rent levels achieved it is proposed that this late stage review be carried out after the first full academic year of occupation of the development.

Conclusion on affordable housing

172. The London Plan, Core Strategy and saved Southwark Plan contain policies which seek the maximum reasonable and financially viable amount of affordable housing in proposed developments. These policies at national, London and borough levels allow for a commuted sum in exceptional circumstances, and the NPPF acknowledges that there may be circumstances where an in lieu payment can be justified. Where it is clear that a payment in lieu approach would deliver more (and more appropriate) affordable housing, a commuted sum is acceptable.
173. The council would use a payment in lieu in its New Council Homes Delivery Programme to deliver truly affordable housing. The payment in lieu of £6.5 million offered by the applicant is substantial and could deliver a number of new affordable homes, and a higher number than could be provided on site. The acceptability of the offered payment in lieu is based on the specific merits of this proposal, taking account of all the material considerations highlighted above. It is also consistent with the approach taken on other consented purpose built student housing schemes. It is considered that the council's own New Council Homes Delivery Programme is the most effective way to provide affordable housing, to the extent that any departure from the on-site preference of the NPPF, London and Southwark Plan is justified (for the above reasons based on the specific merits of this student housing proposal).

Impact on the amenity of the adjoining occupiers

174. Core Strategy policy 13 "High environmental standards" seeks to avoid amenity and environmental problems. Saved policy 3.1 "Environmental effects" of the Southwark Plan seeks to prevent development from causing material adverse effects on the environment and quality of life. Saved policy 3.2 "Impact on amenity" of the Southwark Plan states that planning permission for development will not be granted where it would cause a loss of amenity to present and future occupiers in the surrounding area, or on the application site.
175. References to the proposal causing harm to neighbouring properties, particularly to the Buddhist Centre, were included in the objections received.

Daylight and sunlight

176. A daylight and sunlight report was submitted that considered the daylight and sunlight impacts to the residential habitable rooms in the following surrounding properties:
- Haven Way 'block C'
 - Grange Walk, Ockham Building (also known as 'Block A')

- Buddhist Centre

177. The submitted report follows the Building Research Establishment's (BRE's) 2011 guidance. The calculations are based on computer models of the massing of existing and proposed buildings. The BRE guidance states that it is intended as advisory guidance for building designers and planners, but is not mandatory and should not be seen as an instrument of planning policy. Although it gives quantitative guidelines these should be interpreted flexibly as daylight and sunlight levels are only one aspect of site layout design. The Residential Design Standards SPD refers to the BRE methodology for daylight and sunlight tests as the appropriate means of assessing impacts on neighbouring properties.
178. The submitted report assesses values according to the vertical sky component (VSC) and the no sky line (NSL) tests (the latter where room layouts are known), and the annual probable sunlight hours (APSH) to the windows and rooms of these neighbouring properties. A reduction in daylight is likely to be noticeable if the resulting VSC or NSL levels are lower than 0.8 of the existing levels (i.e. more than a 20% loss). Similar, although more nuanced criteria are used for sunlight impacts for windows which face within 90 degrees due south.
179. The following tables provide a summary of the windows to residential habitable rooms tested and whether they passed the BRE criteria:

Vertical sky component (VSC)

	Windows assessed	Pass	Fail
Haven Way	64	44	20
Grange Walk	40	32	12
Buddhist Centre (residential only)	10	8	2
Total	114	84 (74%)	30 (26%)

Daylight distribution (no sky line – NSL test)

	Rooms tested	Pass	Fail
Haven Way	40	38	2
Grange Walk	23	23	0
Buddhist Centre (residential only)	8	7	1
Totals	71	68 (96%)	3 (4%)

Sunlight (annual probable sunlight hours – APSH test)

	Windows tested	Passes both tests	Fail Total annual	Fail Winter hours
Haven Way	37	34	3	2
Grange Walk	34	29	4	2
Buddhist Centre (residential only)	0	n/a	n/a	n/a
Total	71	63 (89%)	7	4

Daylight and sunlight impacts to the adjacent Buddhist Centre

180. In a number of instances for the Buddhist Centre’s windows, the levels are below the advised values set out in BRE guidance. The applicant has sought to minimise the impact of the proposed development on the shrine room’s access to light by way of reducing the total number of storeys of the building and removing portions of the proposed building massing closest to these affected windows.
181. The windows in the Buddhist centre comprise a mix of those affording light to domestic spaces and those to non-domestic spaces (such as the central shrine room or circulation spaces). The BRE guidance regarding planning for daylight and sunlight is primarily for impact on neighbouring residential occupiers. Windows to habitable rooms providing living accommodation for the complex are primarily located on the southern and eastern boundaries, although there are several bedrooms lit only by roof lights on the western side of the building near the site boundary
182. In the instance of this adjacent, largely non-residential property it was considered appropriate to undertake a full technical daylight and sunlight assessment on all the windows/rooms potentially impacted by the development for a number of reasons. These include the proximity of the proposed development to this neighbouring building, and to the two considerations of a) the building’s original design emphasis (the surviving fabric of which has merited listing) in maximising access to natural light as a public library, particularly to the former reading room, and b) that this former reading room is now the shrine room, and by extension a central aspect of the Buddhist Centre that is operational on this site.
183. The form of the shrine room is square in plan with large windows approximately 3m tall on the western and eastern elevations. These large windows are also present on the northern elevation although they are abutted externally by an adjoining building (part of the complex to the north) and internally by the shrine wall, limiting the light-admitting function. The shrine room also has a secondary run of six clerestory windows on each of its four elevations.
184. The large windows in the western elevation of the shrine room that face towards the proposal would lose over half their access to daylight, according to the Vertical Sky

Component (VSC) tests undertaken. Similarly the clerestory windows above would be subject to a proportional loss of access to daylight of around 30 – 40% for their VSC values.

185. While this is a relatively substantial reduction in VSC terms, it should be noted that due to the total number, size and distribution of orientation of windows, the proposed development would not impact on the room's daylight distribution (No Sky Line), with 100% of the room's area receiving daylight under the NSL metric. The room overall would remain well-lit, as indicated by the excellent performance in the daylight distribution test.
186. The same set of the larger, primary windows on the western elevation would also be affected with a reduction in access to sunlight, measured in Annual Probable Sunlight Hours (APSH). They would be subject to a relatively substantial reduction on the annual figure from approximately 50% APSH to between 20 – 25%, broadly in line with the BRE recommendation of 25%. There would be a similarly relatively substantial reduction in the access to sunlight across winter months from between 11 – 19% across the windows to between 2 – 6%, where three of the five windows would be subject to sunlight levels below the BRE advised 5% winter value.
187. The impact on the reduction of sunlight on these west-facing windows would be noticeable for the occupiers of the shrine room, although the set of 6 smaller clerestory windows on the southern and western elevations would still benefit from access to sunlight levels in significant exceedance to the BRE thresholds, which would lessen the impact. It is noted that the BRE guidance is primarily for residential daylight and sunlight, and needs to be applied with some flexibility in urban areas and for non-residential uses. This room in the Buddhist Centre is considered to retain relatively good sunlight levels.
188. The proposed development would see a reduction in access to daylight and sunlight to a limited extent for the residential rooms located within the western portion of the rear building volume of the complex which hosts bedrooms. Planning permission for the change of the use of the building to the Buddhist Centre saw these rooms approved as 'retreat rooms' rather than habitable rooms (bedrooms). As they lack a vertical window and outlook, the spaces would not conform to quality of residential accommodation standards set by the Council. Under the subsequently approved listed building (LBC) consent application however, these rooms are labelled as bedrooms. This LBC application was not subject to assessment against planning policy, including quality of accommodation standards to which applications for planning permission are subject. It is not clear the extent that the rooms provide permanent residences to occupiers of the centre but it is understood that there is the possibility they house permanent residents based on consultation feedback.
189. Nonetheless, due to their position on a flat roof of this building, the impact of the proposed development on the rooflights' access to daylight and sunlight would be marginal due to the open aspect to the sky facing directly up. The impact on these residential rooms therefore would be acceptable.
190. There would be a reduction in daylight for a west facing dining room that is connected to significantly more substantial living spaces and bedrooms located in the front portion of the building overlooking the Spa Gardens. Given this is a minor aspect of the residential part of this building, and that the impact on daylight in NSL terms is not especially low (retaining a value of 67%) the impact on this space is considered to be acceptable.

191. In the majority of the instances of reduction noted above the tested windows and rooms would be close to or above the advised BRE levels. Taking into account the urban character of the site, the impact of the proposed development on the Buddhist Centre's window's access to daylight and sunlight is considered to be acceptable.

Daylight and sunlight impacts on the residential blocks to the north

192. 104 windows and 63 residential habitable rooms within the neighbouring Haven Way and Grange Walk blocks to the north of the site were tested according to VSC and NSL methods. Of these, 76 windows (for VSC) and 61 habitable rooms (for NSL) would pass BRE guidelines.
193. 28 windows would be subject to a reduction in daylight levels below BRE thresholds according to the VSC test. 8 of these windows would be subject to reductions of between 20 – 30%. Of these:
- 5 windows have existing high VSC values (avg. 26% VSC) and would retain a good VSC with the proposal (av. 20% VSC) and
 - 3 windows currently have low VSC values where a relatively small change in VSC is a high percentage change.
194. 20 are subject to proportionally higher reduction in VSC. Of these 20, 11 would be to a room that hosts at least one other window that complies with BRE standards in terms of VSC. For the remaining 9 windows:
- 4 would be subject to good VSC levels for a built up urban area, with an average across them at 22% (range between 21 – 24%)
 - 5 would be subject to relatively low retained VSC, with the average across them at approximately 13% (range between 9 – 16%).
195. Where the highest level of reductions occur, these are partially borne of the design of the neighbouring property - where overhangs above the affected windows already limited daylight levels - and the affected windows are all to rooms hosting a number of other windows which meet the BRE criteria.
196. Using the daylight distribution test which assesses the distribution of light across the whole of the affected room, two rooms in the Haven Way block (a bedroom and a kitchen/living/dining room) would be subject to a noticeable reduction. The proposed development would result in a 27% reduction (to the bedroom) and a 37% reduction (to the K/L/D) to the area that currently has direct access to daylight at working plane level.
197. As the existing daylight distribution of the rooms is near 100%, the resultant area of each room that has direct access to daylight following the construction of the proposed development would be relatively good for a built up urban area, at 69% and 60%, respectively.
198. Rooms in the Grange Walk block would not be subject to a noticeable daylight distribution impact as a result of the proposed development.
199. The proposed development would cause reductions to sunlight, in most instances in

accordance with BRE thresholds. Of the 71 windows tested for sunlight impacts, 7 would fall short of the advisory thresholds in terms of Annual Probable Sunlight Hours.

200. Two of these would be located the Haven Way block and subject to total retained APSH of 22%, close to the 25% advised value. These windows would meet the winter recommended winter values. Both windows serve a kitchen/living/dining room that has 6 other windows that meet BRE standards.
201. Three windows within the Grange Walk block would not meet the BRE sunlight values. One window would fail both the summer and winter levels, although is subject to very low levels of access to sunlight as existing. The other two windows would meet recommended BRE levels in winter but be subject to a reduction of approximately 50% for the total annual values. In all instances however the windows are serve kitchen/living/dining rooms which have two further windows that meet BRE criteria for sunlight.
202. Overall, it can be seen that the windows which see a noticeable reduction in sunlight serve rooms which have other windows that remain unaffected, so the room would retain good levels of sunlight access.

Overshadowing

203. Three roof terrace amenity spaces located on the fourth and fifth floor levels of the Haven Way block were tested for overshadowing impacts given the proposed development would be located to the south. Because of their elevated position however, the proposed development would not have any impact on the overshadowing to these spaces.
204. Given the proposed development is located north of Spa Gardens, it would not overshadow the park.

Privacy, overlooking and sense of enclosure

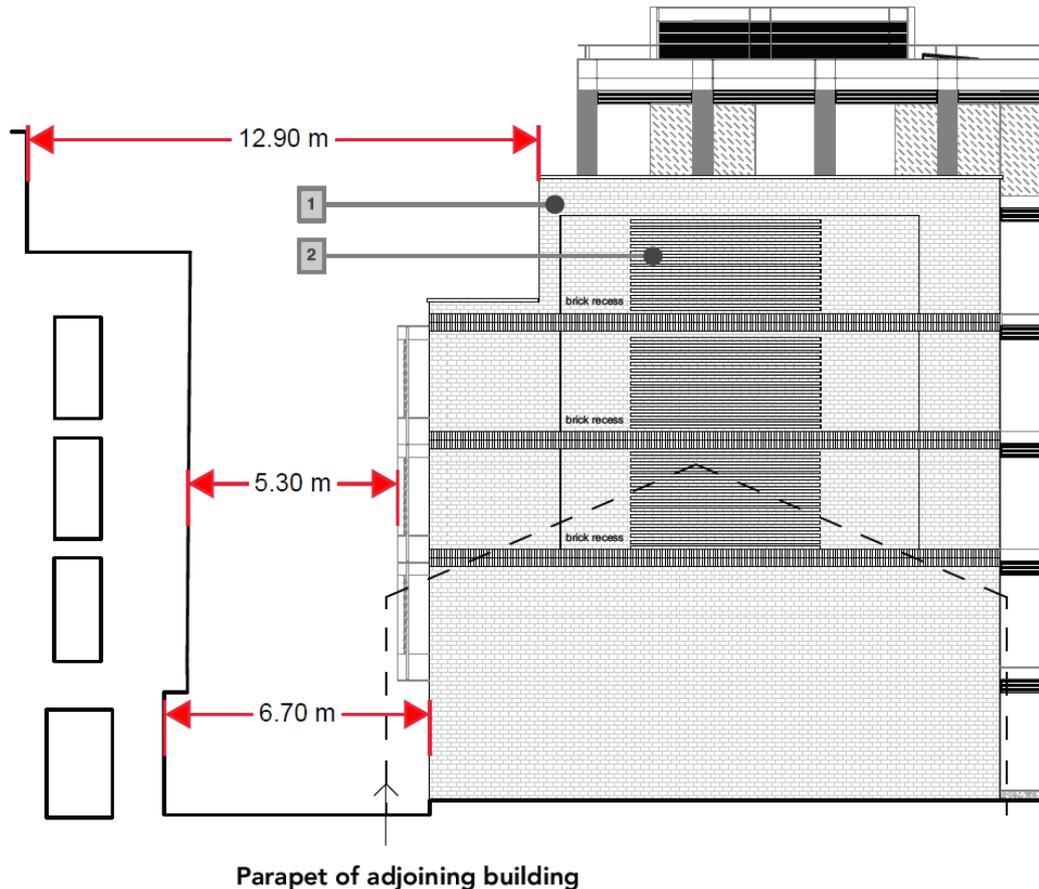
205. Any redevelopment of this site would have a larger massing and would introduce new overlooking to neighbouring properties from upper floor windows. The Residential Design Standards SPD seeks separation distances of a minimum of 12m at the front of the building (and any elevation that fronts onto a highway) and a minimum of 21m at the rear of the building; where these minimum distances cannot be met, the applicants must provide justification through the Design and Access Statement.
206. The Buddhist Centre has one window to a residential habitable room on its facing western elevation at second floor level that would be subject to overlooking from the proposed development. The window serves a small dining room. The room is associated with other substantially larger bedrooms and living room spaces that overlook Spa Gardens within this floor of the Buddhist Centre. As the other living spaces would retain access to with full privacy, this minor instance of overlooking to a dining room is considered not to cause such harm to the privacy of these residential rooms that would warrant refusal.
207. There would be no overlooking issues from the proposal's windows to the west as the adjacent site being an industrial depot shed.
208. The existing residential neighbours within the facing Haven Way block to the north would have a close relationship to the rear elevation of the proposed development. These blocks extend up to the pavement. The ground floor of the Haven Way block

is slightly set back into its site plan, with the first to third floors above overhanging this and is topped with a set back fourth (and fifth) floor level.

209. The ground floor of the proposed development is by comparison flat with first to third floors having angled box window elements protruding from the elevation. The proposed arrangement would see a facing distance between the proposed development and the Haven Way block to the north of:

- between 6.5 – 7m between ground floor elements of the two elevations
- 5.3m between facing first to third floors and
- 13m+ between facing fourth floor levels.

210. Therefore at the lower levels the relationship between these two buildings would be substantially below the minimum 12m across-street distance set out in the Residential Design Standards SPD. It can be noted that for floors 1 – 3 noted above, the windows of the Haven Way block are either dual aspect, set back approximately 1.7m further than the main elevation due to inset balcony amenity spaces (themselves dual aspect) or a bedroom.



211. The primary facing glazing elements of the proposed box windows would be obscured to protect the privacy of the occupiers of the Haven Way block in close proximity to the north. Side elements of the windows would be clear glazed to provide outlook for student occupiers away from the neighbours. The fourth and fifth floor levels in the proposed development would be set back from the floors below by approximately 2.7m and 3.5m from the primary building line, respectively to exceed the minimum separation distance across a highway. These design features mean that the

neighbouring occupiers would not be impacted by intrusive overlooking.

212. Taking the built up nature of the area into account and the development pattern borne of past land uses, these distances are not unusual where there are similar facing distances across Grange Yard and Arts Lane. The relationship to neighbours and the impact on privacy, overlooking and their sense of enclosure is therefore considered to have been adequately addressed and is acceptable.

Noise and disturbance

213. The days when students move in or out are likely to cause the most disturbance with vehicles arriving and unpacking. If not effectively managed, this would likely disturb neighbouring properties; this is considered further in the transport section below.
214. The larger communal roof terrace amenity space would be approximately 86sqm and located at the top the building fronting Spa Gardens. This space itself would be set back within the roof area and bounded by an approximately 1.8m high glazed balustrade.
215. The eastern boundary of the larger fifth floor level roof space would be approximately 10.5m away from the facing elevation of the Buddhist Centre to the east, and so close to the residential rooms, albeit a dining room only, with the other living and bedroom spaces located on the southern elevation of the building.
216. The terrace would have a more direct relationship with the large single glazed windows to the facing prayer room 15m away to the north west. The size of the terrace space means it has the potential to accommodate a significant number of student occupiers simultaneously and by extension the potential to generate a relatively substantial level of noise. It is on this basis that is considered appropriate to limit the hours of occupation for this roof terrace to 7am to 9pm in order to minimise the impact on the amenity of the adjoining occupiers.
217. This larger terrace would be approximately 40m distance away from the residential occupiers to the north in the Haven Way block, with fifth floor level student accommodation within the proposal providing an element of separation and screening. The proposed roof terrace amenity space is not considered to have the potential to harm the amenity of these nearby occupiers in terms of noise and disturbance, to any significant extent.
218. The smaller wrap-around communal roof terrace amenity space on the south western corner would measure approximately 22sqm. It is not considered that this would have the potential to impact on the amenity of nearby occupiers by virtue of its size and position relative to neighbouring residential occupiers (set 50m away).
219. The courtyard on the western side of the site would be enclosed by the massing of the proposed building, and being set away from the Buddhist Centre boundary and behind the Grange Yard frontage would not raise neighbour amenity issues.
220. Conditions are proposed requiring a demolition and construction environmental management plan to be submitted for approval, and regarding plant noise, in the interest of neighbour amenity.
221. Subject to proposed conditions to require obscure glazing and limit the hours of use of the terraces, the proposal is considered not to cause significant harm to the amenity of surrounding residential properties through loss of privacy, daylight or sunlight, nor

overbearing impact. The proposal would comply with strategic policy 13 of the Core Strategy, and saved policies 3.1 and 3.2 of the Southwark Plan.

Archaeology

222. The site is located within the 'Borough, Bermondsey and Rivers Archaeological Priority Zone (APZ). A desk based assessment and archaeological evaluation were submitted as part of the application. The field work did not reveal archaeology on the small sample of the site. The report concluded however that it is possible archeologically remains may survive on the site.
223. The surviving nineteenth century building from the historic tannery complex once on the site has the potential to have local industrial and social history interest. Conditions regarding both recording this building to be demolished on the site, and works below ground regarding wider archaeological investigations are recommended to be included on any grant of planning permission. Subject to these conditions, the proposal would accord with London Plan policy 7.8, strategic policy 12 of the Core Strategy, and saved policy 3.19 of the Southwark Plan.

Sustainable development implications

Energy and BREEAM

224. The proposed development would achieve an on-site carbon emissions saving of 40% on 2013 Building Regulations Part L which would exceed the 35% minimum reduction required by the adopted policy requirement of the London Plan. This saving would be achieved through a number of measures following the GLA's energy hierarchy, including fabric efficiencies and use of an air source heat pump and PV panels on the roof. Compliance with the approved energy assessment would be secured by condition.
225. As a scheme providing non-self contained residential accommodation, it is appropriate to apply the requirement for BREEAM level 'excellent'. A pre-assessment has indicated that this policy requirement would be achieved and pre-fit out and post-completion verification assessments are recommended to be required by a suggested condition. This would ensure compliance with Core Strategy policy 13 for sustainable construction, and draft NSP policy P68.

Air quality

226. An air quality assessment submitted with the application identified that, under a worst case scenario (i.e. no improvement to NOx concentration levels) the development would be subject to poor air quality in certain parts of the site and therefore mechanical ventilation would be required to protect occupant health. Details of this ventilation, including air intake points and associated plant requirements and information, are recommended to be secured by condition. The development was also assessed as having transport and building emissions below the 'air quality neutral' benchmarks. The development would therefore comply with London Plan policy 7.14 'Improving air quality.'
227. Details of demolition and construction in the form of a Demolition and Construction Management Plan are recommended to be secured by condition in order to ensure each process has acceptable impacts and where required adequate mitigation to maintain an acceptable air quality in terms of dust and emissions.

Ground conditions and contamination

228. Given the history of industrial uses on the site, the potential for contamination being present on the site is high. An initial assessment identified an elevated level of lead and sulphates that would require remediation. A condition requiring submission of findings of further intrusive ground investigations and a remediation strategy is therefore recommended.

Flood risk

229. The site is located in flood zone 3 and benefits from the Thames flood defences. A site specific flood risk assessment and drainage strategy were submitted to support the application and reviewed by the council's Flood and Drainage Team. Revisions were made to ensure the ground floor was raised marginally on the request of the Flood and Drainage Team and the Environment Agency. Compliance with the revised flood risk assessment and finished floor level would be required by a condition.
230. The submitted drainage strategy sets out how greenfield run off rates would be achieved by utilising a number of measures including green roof areas, permeable paving, water butts and underground storage. Further technical details regarding this are recommended to be required by condition, including a greater allowance for climate change under the submitted strategy.
231. Subject to the conditions highlighted above to secure the different aspects of sustainable development, the proposal would comply with policies 5.2, 5.3, 5.7, 5.9, 5.12, 5.13, 5.14, 5.15, 5.21 and 7.14 of the London Plan, policy 13 of the Core Strategy, saved policies 3.1, 3.2, 3.3, 3.4, 3.6 and 3.9 of the Southwark Plan.

Trees, landscaping and ecology

232. The courtyard spaces either side of the central part of the proposed building would be landscaped, including green buffers and low level hedges in front of the ground floor studio units with outlook facing onto the courtyards to provide an element of defensible space. A selection of trees and ground cover planting would be provided in the courtyards with the species to be confirmed by condition in consultation with the council's Urban Forester.
233. Three substantial mature street trees are located in the footway in the immediate vicinity of the site's Spa Road boundary. Conditions to ensure they are adequately protected during demolition and construction are recommended. The crowns of the trees would require pruning to accommodate the four storey Spa Road frontage of the proposal, the details of which will be secured by condition in consultation with the council's urban forester. A financial contribution will be secured as part of the S106 agreement to cover the cost of the pruning and any other maintenance works required as a result of the development.
234. Sedum roofs were initially proposed by the applicant however conditions regarding provision of full green roofs are recommended to maximise biodiversity benefits. Submission of details of bird bricks in the façade would be secured by condition.
235. Subject to the conditions relating to tree protection measures, tree planting, landscaping, green roofs, bird and bat boxes, the proposal would comply with policies 5.10, 5.11 and 7.19 of the London Plan, policies 11 and 13 of the Core Strategy, and saved policies 2.5 and 3.28 of the Southwark Plan.

Transport and highways issues

236. London Plan policies on transport seek to ensure major developments are located in accessible locations, and support improvements to sustainable transport modes. Core Strategy policy 2 encourages sustainable transport to reduce congestion, traffic and pollution. Policies 5.1 “Locating developments”, 5.2 “Transport impacts”, 5.3 “Walking and cycling”, 5.6 “Car parking” and 5.7 “Parking standards for disabled people and the mobility impaired” seek to direct major developments towards transport nodes, provide adequate access, servicing, facilities for pedestrians and cyclists, and to minimise car parking provision while providing adequate parking for disabled people.
237. The site is to the north of Bermondsey Spa Gardens and the Spa Road footways connect with Bermondsey tube station (a 10 minute walk), the bus routes on the nearby Grange Road and to the walking routes running through the neighbouring Bermondsey Spa Gardens. The footways also links northwards with the riverside walk/riverboat service along River Thames. This site is close to various cycle routes in this locality including the contiguous LCN22 on Grange Road/Crimscott Street and Quietways on Willow Walk. The site is within Grange CPZ which operates weekdays from 0800hrs to 1830hrs. Grange CPZ provides parking control in this vicinity on weekdays. There are a few car club spaces close to this development on Henley Drive, Spa Road, Balaclava Road, Grange Walk and Enid Street.

Car parking

238. The development would be car free with no on-site car parking spaces provided. Given the location and proposed use of the site this would be acceptable. With the exception of disabled occupiers, students living in the development would be restricted from having a car and parking in the vicinity of the site as part of the terms of their tenancy agreement. A planning obligation would prevent future occupiers from being eligible for CPZ parking permits, except for blue badge holders.
239. The existing cross over to service the industrial buildings on the site would be made redundant and therefore the footway would need to be made good as part of the highway works. The carriage way space in front would be given over to on street parking spaces as part of S278 works associated with the servicing and refuse arrangements (detailed further below) and result in a net gain of one on-street space. This would be provided as a disabled-only space.
240. There would be adequate parking capacity in the immediately surrounding on-street parking network during move-in and move-out days, indicated in the indicative student management plan as being managed over a two week period. Further detail of this would be required by a planning obligation.

Cycle parking

241. The development would provide 124 cycle parking spaces for use by the student occupiers, housed within the ground floor of the building ensuring they would be secure and weatherproof.
242. The number of spaces would exceed the London Plan 2016 minimum standards which require 1 space for every two bed spaces (equating to a minimum of 93 spaces). The total proposed 124 spaces would substantially exceed the minimum requirement set out in adopted policy and be relatively close to the new London Plan requirement (that would require 139 cycle spaces).

The level of dedicated cycle parking for the student occupiers is therefore considered to be acceptable.

243. The development would also accommodate a fold up bicycle scheme for use by the student occupiers to encourage sustainable travel. The bikes would be stored in dedicated lockers within the cycle store area in ground floor plan, with details being secured by both a condition regarding cycle parking provision and the travel plan, to include monitoring, in the S106 agreement.
244. The applicant would also contribute a sum towards the cost of a Santander cycle hire docking station (£56,402) in order to further encourage the uptake of sustainable travel to and from the site particularly towards central London where most HEIs are located. This will be secured by the S106 agreement.

Public transport

245. Although this site is in an area with a low PTAL rating, with the nearest bus route on Grange Road providing 24 two-way buses per hour, it is within practical walking distances of Bermondsey tube station. A contribution towards improving the bus service would be secured (£76,143 indexed) which is considered a proportionate amount for the number of students in the development. A travel plan would be required by any permission to detail how sustainable transport modes would be encouraged. Further financial contributions (totalling £40,000 indexed) would be secured to provide the one bus stop on Grange Road near the site with the countdown passenger information system, and new longer shelter to improve the infrastructure.

Servicing and highways issues

246. The development would be subject to on-street servicing from Spa Road, including refuse collection and deliveries. An internal refuse store would be located within eastern portion of the ground floor plan of the building. Refuse containers would be bought out and left prior to collection times in the servicing alley located within the eastern portion the site.
247. A dropped kerb would be provided in the footway in front of this part of the site to ensure the bins can be carried to and from the refuse collection vehicle, and to aid cyclists accessing the cycle store. The dimensions of the dropped kerb would be specified to ensure vehicular movements that would reduce pedestrian safety (such as three point turns) cannot be accommodated in this space. A condition to ensure the refuse storage is provided, and subject to this the proposal would comply with saved policy 3.7 of the Southwark Plan.
248. Subject to the items to be secured by planning obligations in terms of the highway works, travel plan, contributions to bus frequency, bus infrastructure and cycle docking station, student management plan for the moving in/out periods and preventing the issue of CPZ permits, and conditioning the provision of the cycle parking, the proposal does not raise significant transport or highway safety issues. It would comply with transport policies in the London Plan, Core Strategy policy 2, saved policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the Southwark Plan.

Planning obligations and Community Infrastructure Levy CIL)

249. 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.

250. The Mayoral CIL2 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. The rate for Southwark CIL for this development is £109 per sqm (indexed) while for Mayoral CIL it is £60 per sqm. In this instance Mayoral CIL2 payment of £249,096 and Southwark CIL payment of £537,272 would be payable in the event planning permission is granted. Payment of the Mayoral CIL would accord with policy 8.3 of the London Plan.
251. A recurring issue raised in consultation responses was the lack of capacity of local services; in particular doctor's practices and the associated long wait times for appointments and the impact of an additional residential student population would have on these. The council's adopted CIL Regulation 123 list identifies health facilities as one type of infrastructure that CIL could fund to mitigate the impact of the development in this regard.
252. The following table sets out the required site specific mitigation to be secured by a section 106 agreement, and the applicant's position with regard to each point:

Planning obligation	Mitigation	Applicant's position
Student housing use only	Restrict to only student housing occupation (and summer lets only to students)	Agreed
Student housing management	Management plan for day to day operation of the student housing and to detail the moving in/out arrangements to minimise disruption to the public highway.	Agreed
Affordable housing contribution	Payment in lieu of £6.5m (indexed) to be paid in phases on implementation (25%), practical completion (50%) and occupation (25%).	Agreed
Affordable housing contribution viability review	Require a viability review if the scheme is not implemented within two years of the permission date Late stage review at first full year of occupation.	Agreed
Delivery and servicing plan	And the associated servicing deposit (£9,250 indexed) and monitoring fee (£1,600	Agreed

	indexed).	
Parking permit restriction	Prevent future occupiers from being eligible for permits in the CPZ (except blue badge holders).	Agreed
Construction phase jobs and training	<ul style="list-style-type: none"> • 11 jobs lasting a minimum of 26 weeks for unemployed Southwark residents • Where this is not possible to meet this requirement, a charge of £4,300 per job not provided will be applied • 11 Southwark residents trained in pre- or post-employment short courses • Where this is not possible to provide a payment a charge of £150 per resident will be applied • Three new apprenticeship start or in work NVQ • Where this is not possible to provide a payment a charge of £1,500 per apprenticeship will be applied 	Agreed
Employment and enterprise	Allow for local procurement and supply chain measures during construction and after construction.	Agreed
Highway works	<p>Section 278/38 agreement for highway works including:</p> <ul style="list-style-type: none"> • Remove existing redundant westerly cross over fronting site and reinstate footway • Shift existing on-street car parking spaces west to occupy space within carriage way previously retained for access to redundant cross over • Provide net gain in parking space as dedicated disabled space • Single yellow lines on carriage way • Reconfigure and make good existing easterly cross over and footway per approved plans including narrowing to restrict car access • Repave and make good existing footway in front of the site 	Agreed
Street tree	Contribution of £6,400 (indexed) for the	Agreed

additional maintenance fee	additional maintenance of the street trees close to the façade of the proposal.	
Spa Gardens contribution	£73,500 (indexed) towards improvement works in the Gardens and the enhanced maintenance costs from the students using the park	Agreed
Transport and travel measures	<p>Securing the provision of sustainable travel measures - e.g.</p> <ul style="list-style-type: none"> • Brompton cycle hire scheme • £40,000 (indexed) contribution for bus shelter replacement and countdown installation • £76,143 (indexed) contribution to bus service improvements • £56,402 (indexed) contribution to cycle hire docking station. 	Agreed
Archaeological monitoring	£6,778 (indexed) as required for this scale of development, set out in the Planning Obligations and CIL SPD.	Agreed
Administration and monitoring fee	Payment to cover the costs of monitoring these necessary planning obligations, calculated as 2% of £259,233 = £5,185 (Plus the £1,600 monitoring fee for delivery and servicing as mentioned above).	Agreed

253. These obligations are necessary in order to make the development acceptable in planning terms, and to ensure the proposal accords with policies 2.5 of the Southwark Plan, Core Strategy policy 14 and London Plan policy 8.2, and the Section 106 Planning Obligations and CIL SPD.

254. In the absence of a legal agreement to secure the items and mitigation listed in the table above, the proposal would be contrary to saved policies 2.5 and 4.4 of the saved Southwark Plan 2007, Core Strategy policy 13, London Plan policies 3.12 and 8.2, and section 5 of the NPPF.

255. In the event that a satisfactory legal agreement has not been entered into by 3 June 2020, the director of planning be authorised to refuse planning permission (if appropriate) for the following reason:

“The proposal fails to provide an appropriate mechanism for securing the in lieu payment for affordable housing, the highways works and financial contributions towards transport mitigation. The proposal therefore fails to demonstrate conformity with strategic planning policies and fails to adequately mitigate the particular impacts associated with the development in accordance with saved policies 2.5 'Planning

obligations' and 4.4 'Affordable Housing' of the Southwark Plan (2007), Strategic Policies 8 'Student Housing' and '14 'Delivery and implementation' of the Core Strategy (2011), and London Plan (2016) policies 3.12 'Negotiating affordable housing' and ' 8.2 'Planning obligations', as well as guidance in the Council's Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015)."

Community involvement and engagement

256. The applicant submitted a Statement of Community Involvement with the initial application submission in 2017. This was updated several times across the application process, most recently in November 2019. The report, including the updates, sets out the additional consultation and community engagement that the applicant had undertaken outside of the statutory consultation undertaken by the Council as the local planning authority. It reported on the feedback received and how this was taken on board and the scheme amended in response.
257. The Council advertised the application by neighbour letters, site and press notices in line with the requirements for a major development next to a listed building. Two rounds of reconsultation were undertaken on the amended scheme. Further detail on the feedback was received through consultation responses as part of the statutory consultation process undertaken by the Council is summarised below.

Consultation responses, and how the application addresses the concerns raised

Consultation responses from members of the public

258. Summarised below are the material planning considerations raised in the objections and support comments made by members of the public.
259. Principle of development and proposed land uses:
- Objection to introduction of student accommodation residential use onto the site
 - Support regarding introduction of student accommodation residential use onto the site
260. Affordable housing and viability:
- Objected to on the grounds that student accommodation would take from land that should go towards providing affordable housing
261. Design quality and site layout:
- Too large a scale, height, mass and density for the site
262. Neighbour amenity impacts:
- Disturbance from student occupiers
 - Reduction in access to daylight and sunlight and privacy for neighbouring occupiers
263. Transport, parking, highways, deliveries and servicing matters:
- Impact on local bus capacity
264. Environmental impact during the construction phase (noise, dust and dirt etc.):
- Concerns regarding unacceptable noise and dust emissions during construction

265. Ecology and biodiversity:
- Concern regarding impact on local mature street trees requiring pruning
266. Security and prevention of anti-social behaviour:
- Objections based on concern of risk of antisocial behaviour from student occupiers
267. Other matters:
- Impact on property values
 - Right to light issues
268. These matters are addressed comprehensively in the relevant preceding parts of this report.

Consultation responses from internal and divisional consultees

269. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response.
270. Environmental Protection Team:
- Acceptable subject to conditions

Officer response to issue(s) raised: Incorporated in the recommendation.

271. Local Economy Team:
- Acceptable subject to S106 employment obligations/contributions

Officer response to issue(s) raised: Included in the heads of terms table above.

272. Flood Risk Management Team:
- Acceptable subject to conditions

Officer response to issue(s) raised: Noted

273. Ecologist:
- Acceptable subject to conditions

Officer response to issue(s) raised: Noted

Consultation responses from external consultees

274. Summarised below are the material planning considerations raised by external consultees, along with the officer's response.

275. Environment Agency:
- Acceptable subject to conditions regarding groundwater protection.

Officer response to issue(s) raised: Included in the recommendation.

276. Historic England:
- Advised that consultation was not necessary and provided no comment.

Officer response to issue(s) raised: Noted

277. Metropolitan Police:
- Acceptable subject to condition regarding Secured by Design

Officer response to issue(s) raised: Included in the recommendation.

278. These matters are addressed comprehensively in the relevant preceding parts of this report.

Community impact and equalities assessment

279. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights

280. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

281. 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:

1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act

2. 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

282. 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

283. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

Human rights implications

284. 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.

285. This application has the legitimate aim of providing student housing through the redevelopment of a brownfield site. 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.

Positive and proactive statement

286. The council has published its development plan and Core Strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
287. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

Positive and proactive engagement: summary table

Was the pre-application service used for this application	Yes
If the pre-application service was used for this application, was the advice given followed?	Yes
Was the application validated promptly?	Yes
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	Yes
To help secure a timely decision, did the case officer submit their recommendation in advance of the statutory determination date?	No

Conclusion

288. There is no policy objection to the loss of the light industrial use of this site as it is outside the strategic and preferred industrial locations, and does not meet the criteria of saved policy 1.4 of the Southwark Plan.
289. There is support in the London Plan, Core Strategy and Southwark Plan for student housing and it counts towards the borough's housing delivery. Core Strategy policy 8 part 1 directs student housing to town centres and places with good access to public transport services. The site is not within a town centre and while it has a low PTAL rating of 2 it is next to sites with higher PTAL ratings and is in a relatively accessible part of the borough for students to travel to HEIs. It is noted that emerging NSP policy P5 'Student homes' removes the location restriction on student housing. Whilst the weight ascribed to the NSP is limited, given the Council's stated intention, through the submission of the NSP, to remove the locational requirements for student housing, it would be difficult to justify refusal of planning permission based on the site being outside one of the areas identified under the Core Strategy.
290. No affordable housing is proposed within the redevelopment due to the size of the site and the impact it would have on the size of a student housing scheme. A payment in lieu is proposed of £6.5m, which equates to 35% affordable housing by habitable room. In this regard the proposal complies with part 2 of Core Strategy policy 8.

291. The design of the building is appropriate for this site fronting onto Bermondsey Spa Gardens, sitting comfortably in scale, height, massing and architectural treatment in the context of the adjacent and nearby Grade II listed buildings and newer developments to the north.
292. The proposal would provide a high standard of accommodation for student residents, by the size of rooms, daylight provision, outlook, communal facilities and amenity spaces. It would not cause significant harm to the amenity of neighbouring properties, nor to the sunlight levels of the Gardens, and a condition is proposed relating to the use of outdoor spaces in the interest of neighbour amenity.
293. Conditions are proposed to secure the sustainability aspects (e.g. carbon reduction, BREEAM excellent, flood risk), potential archaeological impacts, biodiversity and flood risk mitigation. Highway works, management plan and transport contributions would be secured by the legal agreement to ensure the development makes appropriate improvements to the local area to mitigate its impacts.
294. Subject to the proposed conditions and completion of an appropriate legal agreement to secure the necessary planning obligations, the proposal is considered to accord with the development plan and emerging policies, and a grant of planning permission is recommended.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 3841 Planning enquiries email: planning.enquiries@southwark.gov.uk 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	Relevant planning history
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Tom Weaver, Planning Officer	
Version	Final	
Dated	19 February 2020	
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		20 February 2020