

<b>Item No:</b> 6.1 & 6.2	<b>Classification:</b> Open	<b>Date:</b> 24.02.2020	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		<b>Addendum report</b> Late observations and further information	
<b>Ward(s) or groups affected:</b>		Borough and Bankside North Walworth	
<b>From:</b>		Director of Planning	

## PURPOSE

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

## RECOMMENDATION

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

## FACTORS FOR CONSIDERATION

**Item 6.1 – Application - 18/AP/1603 – Sampson House, 64 Hopton Street, London SE1 9JH**

### Corrections to case officer report

1. The following correction is made to the Case Officer's report:

- Paragraph 115 -The London Living Rents quoted are the rent levels for 2018/2019. The London Living rent levels for 2019/2020 for Borough & Bankside are £1141 for a one bed flat and £1268 for a two bed flat.

### **Additional comments received**

- An additional objection has been received from a resident of Falcon Point in relation to the daylight and sunlight assessment. The resident states that they have commissioned environmental consultants to review the submitted Daylight and Sunlight report. Officers have not been provided with a copy of the review, so cannot comment on its accuracy. However it appears that whilst the review accepts that the methodology and data calculations set out in the applicants daylight and sunlight assessment are correct, he disagrees with their conclusions. The disagreement between the specialists at GIA (for the applicant) and the objectors own commissioned report is the interpretation of the results, which is a difference of professional opinion. Officers have reviewed the daylight and sunlight assessment and consider that the interpretation of the results is correct and the detail is set out in the main report.
- It should also be noted that four letters of support have been received for the application. Two letters of support are from members of the public on the basis

that the development would be an improvement and will lead to jobs, play space for children and open spaces. Two letters of support have been received from BOST and United Saint Saviours Charity.

4. BOST support the application on the basis that the proposed scheme is an improvement to the consented scheme in the following areas:
  - Opening up of the North South 'Low line' pedestrian route to full public access
  - Significant increase in publically accessible urban realm compared to that in the consented scheme.
  - New landscaped open space opened up on Hopton Street
  - Increased permeability North-South through to the river and East-West through the viaduct.
  - Landscaping and shared surface proposals to Hopton Street.
5. United Saint Saviours Charity supports the application on the basis that the changes to the approved scheme are a considerable improvement. United Saint Saviours Charity are also in discussion with the applicant about taking control of the affordable housing in order to provide additional accommodation to complement the existing alms houses on Hopton Street. This would be the subject of a future planning application to amend the internal layouts to suit the model of housing that USSC provides.
6. An additional representation has been received from Living Bankside (formerly known as Bankside Residents Forum). The representation summarises the main points of concern of local residents as well as the main points of support for the application. The main points of objection have been covered in the Committee Report. The representation also sets out some requested conditions/S106 obligations which are being considered by Officers and the applicant.

#### Conclusion of the Director of Planning

The additional comments received do not raise new material planning issues which would affect the recommendation, which remains that planning permission should be granted, subject to conditions, referral to the Mayor of London and completion of the s106 agreement.

**Item 6.2 - 19/AP/1166** – Plot H7 Heygate Street within Land bounded by Elephant Park to the North, Plot H2 to the west, Heygate Street to the South and H11B to the East, London SE17

#### Corrections to case officer report

7. The following corrections are made to particular paragraphs in the published case officer report, to be consistent with the correct figures elsewhere in the report:

- Paragraph 90 refers to 8,133 habitable rooms when it should state 8,142 habitable rooms (to match the correct figure in the 'Affordable Housing' section paragraph 120).
- Paragraph 93 refers to 1,987 affordable habitable rooms when it should state 1,988 affordable habitable rooms (to match the correct figure in the 'Affordable Housing' section paragraph 121).
- Paragraph 136 refers to 10.6% wheelchair housing across the scheme but the correct figure is 10.5% (to match the correct figure in the 'Conformity with the outline planning permission' section, paragraph 90).

### **Additional information**

#### **Additional comments received**

8. One comment received from the 35% Campaign (confirming that the earlier objection is maintained), summarised as:
  - The 220 increase in the total number of homes would improve the viability of the scheme and therefore there should now be a viability assessment.
  - Public funding should have been sought to maximise the amount of affordable housing, and should still be sought. The provisions of the Regeneration Agreement would allow both courses of action.
  - The overall density of the scheme may exceed that of the Outline Planning Permission a relevant matter for the committee to consider in the context of the increased number of units.
  - The Mayor's estate regeneration requirement, that there be no net loss of affordable homes and that any demolished are replaced on a like-for-like basis, (set out in the Guide to Good Practice Guide to Estate Regeneration) should be applied in considering the Plot H7 application.
9. Officer response to these comments:
  - As set out in paragraph 129 of the report, there is no mechanism to insist on a viability review with the increased number of units, which are within the maximum area of residential floorspace permitted.
  - The 2013 section 106 agreement obligation sets out how any public funds are to be applied "*In the event that the Developer secures Public Funds*"; it does not oblige the developer to seek public funds.
  - The Regeneration Agreement between the Council and Lendlease sits outside the outline planning permission. It was signed in 2010 at a point at which the then coalition Government had taken decisions to very significantly reduce the availability of social housing grant. The outline planning permission for Elephant Park was granted in 2013 when schemes that secured the affordable housing through a section 106 agreement were expected to be delivered without the benefit of housing grant. Lendlease signed a framework agreement with L&Q in 2014 for L&Q to purchase the affordable housing at Elephant Park. L&Q does not

receive grant funding for this purchase; RPs subsidise their acquisitions from internal funds given the position under the grant funding programmes is that all schemes where affordable housing is secured by a planning obligation should assume nil grant.

- As required by the Regeneration Agreement, the availability of grant has been kept under review. Given the limits in the two grant funding programmes in place since the outline permission was granted, as well as the terms of the s106 agreement, Lendlease and the Council are not aware of any realistic prospect that Elephant Park could have been successful in obtaining grant funding. The focus has therefore been on delivering 25% affordable homes across the masterplan and the proposals within this latest RMA will allow Lendlease to fulfil that commitment.
- The applicant has calculated the site-wide density of the current masterplan (with the maximum non-residential floorspace assumed for the remaining Plot H1) to be 961 habitable rooms per hectare. This is below the indicative density of 1,054 habitable rooms per hectare of the outline permission. As set out in paragraph 108 of the report, the site is within the Central Activities Zone and Opportunity Area and benefits from an excellent PTAL level; it is therefore a suitable location for a high density scheme. The design, quality of accommodation, transport impacts etc have all been found to be acceptable and do not indicate that the proposed H7 RMS would be an over-development.
- The Mayor of London's 2018 document and its 2016 draft were published after the outline permission was granted, the Heygate Estate demolished and the permission implemented. It does not alter the requirements of the 2013 section 106 agreement in terms of the required percentage of affordable housing, and the tenure split of the affordable housing.

### **CIL estimate**

10. The Mayoral CIL (pre-relief) has been estimated at £2,280,504.28. No Southwark CIL is due at the outline permission was issued before this CIL came in.

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

The additional comments received do not raise new material planning issues which would affect the recommendation, which remains that approval of the Reserved matter should be granted, subject to conditions.

### **REASON FOR URGENCY**

- Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the planning committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting.

## REASON FOR LATENESS

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

## BACKGROUND DOCUMENTS

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