

Item No: 5.1	Classification: Open	Date: 15 June 2020 2pm	Meeting Name: Planning Committee
Report title:		Addendum report Late observations and further information	
Ward(s) or groups affected:		Borough & Bankside	
From:		Director of Planning	

PURPOSE

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

RECOMMENDATION

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

FACTORS FOR CONSIDERATION

Item 6.1 – 19/AP/0830 - Landmark Court Land Bounded By Southwark Street
Redcross Way And Cross Bones Graveyard London SE1

Update to the summary of consultation responses

3. At the time of writing the Committee Report, 22 unique comments had been received: 13 in objection (of which one was a petition), 3 in support and 6 neutral. The Committee Report refers to these 22 representations in paragraphs 5, 6, 349 and 350. The representations are also listed in Appendix 1 of the Committee Report.
4. Since the Committee Report was published, 6 additional representations have been received, comprising 5 in objection and 1 in support.
5. No new material planning considerations were raised by these additional representations. The objections were concerned with:
 - the number of dwellings and affordable dwellings;
 - the massing, bulk, height, layout and detailed design of the development;
 - potential loss of daylight and sunlight;
 - an apparent conflict with local plan policies, and;
 - ecological impacts.
6. A summary of consultation responses is provided below to reflect these updates:

In Objection	Neutral	In Support	Total
18	6	4	28

Correction to paragraph 116 of the committee report

7. Paragraph 116 of the Report, which discusses the diversity of the retail offer, contains a sentence that was accidentally truncated. The sentence should have read as follows (amendment in bold):

*“The concerns about diversity of the retail offer **are noted**. To ensure there is no oversaturation of any one use, conditions are recommended to limit the number of units that can be used for Class A4 and D2 purposes, and optimise the number that can be used for Class A1 purposes.*”

Update to the carbon offset fund contribution

8. Paragraph 334 of the Committee Report summarises the shortfall in savings relative to London Plan targets. However, the applicant has since provided an addendum to the original energy strategy. The addendum, the findings of which are considered to be sound, demonstrates that the carbon associated with the non-domestic buildings would improve from 17 tonnes per year to 6 tonnes per year. This saving reduces the offset payment from £30,611 to £10,722.
9. As such, paragraph 334 should read (amendment in bold):

*“This generates a **£50,621** in-lieu payment, which breaks down as:*

- ***£10,722** for the non-domestic element (17 tonnes per year at a rate of £60/tonne for 30 years)*
- *£32,686 for the new-build domestic element (18 tonnes per year at a rate of £60/tonne for 30 years)*
- *£7,213 for the refurbished domestic buildings (4 tonnes per year at a rate of £60/tonne for 30 years)”*

10. These changes equally apply to the “CARBON OFFSET” contribution listed in the planning obligations table (paragraph 340 of the Committee Report).
11. The approved documents/drawings list at the beginning of the draft decision notice has also been updated to make reference to the addendum.

Riverboat obligation

12. Paragraph 375 of the committee report discusses the consultation and re-consultation responses from the council’s transport policy team. The team suggested that a financial contribution towards improvements to the riverboat service may be justified. At the time of completing the Committee Report, the matter was still under discussion with Transport for London.
13. In the interim, it has been confirmed that no contribution is required. This is because a methodology and charging formula for contributions towards riverboat services has not yet been agreed between the council and TfL.

Alternative archaeological approach

14. In May 2020, the applicant contacted the council expressing an interest in conducting the archaeological fieldwork at Landmark Court (involving excavating

the remaining localised pockets of archaeology that survive on the areas proposed for development) in advance of planning permission being granted.

15. The applicant set out their proposals in a Written Scheme of Investigation (WSI) and a statement of justification. Having now considered both of these documents, the council's Archaeologist is comfortable with the archaeological work starting early. He has advised the applicant to submit the WSI for the excavation together with a statement from MoLA confirming that agreement for the excavation and post excavation works have been reached, including a bond. The developer can then be bound to these commitments through a Unilateral Undertaking. The Unilateral Undertaking would be secured outside the planning process.
16. With this alternative archaeological approach now agreed, changes as follows are to be made to the draft conditions:
 - Condition 5 (Archaeological Evaluation) has been omitted from the updated draft decision notice. This is because, based upon the material in the planning file and the more recent work undertaken on site, the council's Archaeologist sees no need for more evaluation works.
 - Condition 13 (Archaeology Public Engagement Programme) has been re-worded to enable a more flexible community engagement methodology given the constraints presented by COVID-19.
 - The production of a Popular Publication has been incorporated into Condition 65 (Archaeology Reporting Site Work). A definition of 'Popular Publication' has been included as a new informative at the end of the updated draft decision notice.

Update from Historic England, and new recommended condition in response

17. As set out in the Committee Report, although Historic England was re-consulted on the design changes made by the applicant in November 2019, no response was received from this organisation. Historic England was notified upon publication of the Committee Report, to which Historic England replied. The full response has been uploaded in full to the Planning Register.
18. In summary, the response was broadly supportive, saying: "*we continue to support [the buildings'] design and proportions which we consider respond successfully to the commercial warehouse character found in this part of the conservation area*" and "*Overall, Historic England considers these revisions to be a slight improvement on what we previously reviewed*".
19. The response advised that "*in the event of planning permission being granted, we would urge your council to ensure that appropriate safeguards are in place to ensure that the unlisted warehouse at 15 Southwark Street (which we consider to be a non-designated heritage asset, and a positive contributor to the Borough High Street Conservation Area) will be retained and refurbished as part of the masterplan development and ideally prioritised as part of the phasing programme*".

20. The applicant has agreed to a condition (to be Condition 68) requiring that 15 Southwark Street is completed and ready for occupation not later than the new build homes. The recommended wording is as follows:

PRIORITISATION OF THE RESTORATION OF 15 SOUTHWARK STREET

BLOCK 02: THE RESIDENTIAL EAST BUILDING, 15 SOUTHWARK STREET AND ST MARGARET'S LANE WORKSPACE

Prior to first occupation of any of the dwellings within the Residential East Block, the restoration of no. 15 Southwark Street shall have been completed such that the commercial unit at ground/basement levels and all four dwellings are ready for occupation, and evidence of the Final Completion Certificate (or suitable alternative documentary evidence, as agreed with the Local Planning Authority) shall be submitted to for approval in writing by the Local Planning Authority.

Reason:

As empowered by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure the timely restoration of no. 15 Southwark Street, which makes a positive contribution to the Borough High Street Conservation Area, all in accordance with: the National Planning Policy Framework 2019; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policies 3.15 (Conservation of the Historic Environment), 3.16 (Conservation Areas), and 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) of the Southwark Plan 2007.

New recommended condition relating to the re-use of existing timber panelling

21. At the site visit on 10.06.2020, Members noted some historic wooden panelling and suggested the feasibility of incorporating it into the new build be explored. The applicant has agreed to a new condition (to be Condition 67) to achieve this end. The recommended wording is as follows:

CONDITION AND RELOCATION FEASIBILITY STUDY OF PANELLING

The applicant shall undertake a Condition and Relocation Feasibility Study of the wooden panelling located between 25-33 Southwark Street and the railway viaduct. The Study shall review the feasibility of removing the wooden panelling and incorporating it into the approved scheme.

Prior to any above grade works commencing, the Study shall be submitted for approval by the Local Planning Authority.

If the Study concludes that the panelling is capable of re-use, details of the removal, restoration and incorporation within the approved scheme shall be submitted to and approved by the Local Planning Authority prior to removal of the panelling.

If the Study concludes that the panelling cannot be re-used/retained, evidence justifying the removal shall be submitted to and approved by the Local Planning Authority prior to the removal of the panelling.

Reason:

In order that the Local Planning Authority may be satisfied that salvageable features of the site that are of historic and aesthetic value can be re-used in the construction of the development, in accordance with: Chapter 12 of the National Planning Policy Framework 2019; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Plan 2007.

Amendments to the wording of recommended conditions

22. The cycle hire temporary relocation condition (now Condition 14) has, for the avoidance of doubt, been re-worded to make reference to suspension and/or relocation of the docking points (the previous wording referred just to relocation).
23. The cycle storage condition (now Condition 30) has been amended to omit reference to specific number of cycle storage spaces, as this was an aspiration of the Transport Policy Team and GLA rather than a minimum policy requirement. Instead, the condition now focuses on quality of provision, stating that *“provision must comprise at least 10% in Sheffield cycle racks and must include at least 2 disabled and 2 cargo bicycle spaces”*.

Splitting some of the conditions to enable discharge in two phases

24. The developer intends to deliver Landmark Court as a single phase development. Notwithstanding, the LPA considers that there may be benefit to splitting some of the conditions into two parts to enable phased discharge. This will help avoid unnecessary delays should the developer wish to commence stages of certain buildings earlier than others.
25. The two parts in which the conditions would be split are:
 - BLOCK 01 – this comprises the Southwark Street Building, the Viaduct Building, the West Building and the Woods Yard Building together with the adjacent public spaces.
 - BLOCK 02 – this comprises the Residential East Building, 15 Southwark Street and St Margaret’s Lane Workspace together with the adjacent public spaces.
26. Crossbones Burial Ground will be treated as an element separate from Block 01 and Block 02, and all the conditions relating to Crossbones will remain as per the original wording to ensure the building programme prioritises the works to the garden.
27. The updated draft decision notice is provided in full at the end of this Addendum Report. A plan showing the how the scheme has been parcelled into Block 01 and Block 02 is provided below.



Figure 1: Subdivision of site for the purposes of phasing conditions, showing Block 01 edged in green and Block 02 edged in red. Crossbones is identified separately, edged in black.

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