

Item No: 7.1 & 7.2	Classification: Open	Date: 17 November 2020	Meeting Name: Planning Sub Committee A
Report title: Final		Addendum report Late observations and further information	
Ward(s) or groups affected:		Old Kent Road & North Bermondsey	
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

3. Late observations, consultation responses, information and revisions have been received in respect of the following planning applications on the main agenda:

**Item 7.1 – Application 20/AP/1390 for: Full Planning Permission –
SOUTHWARK PARK DAY CENTRE, 345 SOUTHWARK PARK ROAD,
LONDON, SOUTHWARK, SE16 2JN**

Objections

4. 122 objections received by members of the public.
5. One late objection was received from a local resident representing the Southwark Park Residence Action Group. This was regarding the daylight and sunlight assessment which was placed on the register at the end of August and for which a re-consultation was undertaken. The matters raised with an officer comment where appropriate are below.
 - 1) Reference to alternative daylight and sunlight targets set by Southwark Council
Officer comment: No alternative targets have been set by planning.

- 2) The report indicates a large pass rate but more than 25% fail the VSC methodology.
- 3) No sky lines and VSC should be looked at together to properly assess daylight impacts.
Officer comment: correct and this is what the report does.
- 4) Weight should not be attributed to Average Daylight Factor
Officer comment: agreed for this assessment and ADF is not referenced in the report.
- 5) The addendum report does not contain floorplans for NSL
Officer comment: these are not always provided; the information used by the consultant to assess NSL is referenced in the appendix.
- 6) Residents did offer to provide access to their dwellings for the daylight and sunlight consultant.
- 7) The addendum shows a two storey reduction would have a beneficial effect on daylight and sunlight and all impacts are not available.
Officer comment: this was an illustrative exercise undertaken by the consultant to show effect of reducing the height. It is of limited relevance to the decision before members for this committee who need to consider this scheme and not an alternative one.
- 8) The conclusion that a minority of rooms transgress the NSL is misleading because only a selection of rooms have been tested.
Officer comment: the analysis was undertaken on rooms where the consultant could be confident of the layout- for example, where plans were available on the planning register or on property websites.

CIL

6. Based on the floor areas provided in the agent's CIL Form1 dated 15-May-20, the gross amount of CIL is approximately £1,169,623.59 consisting £265,612.00 of Mayoral CIL and £904,011.59 of Borough CIL.
7. If CIL relief procedures have been followed correctly after grant of planning permission, it is expected around £530,119.83 of Social Housing Relief might be claimed, of which £99,763.21 of MCIL relief and £430,356.62 of Borough CIL relief.
8. Thus, the anticipated CIL receipt for this proposed development is circa £639,503.76 net of relief. It should be noted that this is an estimate, and the floor areas including ancillary areas will be checked when related CIL Assumption of Liability Form is submitted after planning approval has been obtained.

Urban Greening Factor

9. The current proposal meets a factor of 0.22 and is short of the residential use target of 0.4 in draft policy G5 of the New London Plan. With the introduction of a green roof the applicant will use their best endeavours to reach the target of 0.4. Details of the green roof are required under condition 11.

Canopy Cover

10. The existing tree canopy cover on the site is 89.5m.sq. and the proposed cover would be 138.sq.m.

Amendment to condition 6:

11. It is recommended that condition 6 be amended to require details of playspace to be provided to the following:
12. Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme including 14 trees, *details of playspace* and showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.
13. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason:

So that the Council may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2019; Strategic Policies 11 (Open Spaces and Wildlife), 12 (Design and conservation) and 13 (High Environmental Standards) of The Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) 3.13 (Urban Design) and 3.28 (Biodiversity) of the Southwark Plan 2007.

**Item 7.2 – Application 19/AP/6395 for: Full Planning Permission
– CHEVRON APARTMENTS, 294-304 ST JAMES'S ROAD,
LONDON, SE1 5JX**

14. That the date for the completion of the legal agreement be 17 May 2021
15. This application was subject to a round of statutory consultation. At the time of writing the report, a total of 19 consultation responses had been received from members of the public, two of which were letters signed by a group of people. Of the 19 responses, 17 objected to the proposal. It should be noted that a number of respondents have submitted more than one comment although officers have not sought to quantify it in that way. Summarised below are the material planning considerations raised by members of the public. These matters are addressed comprehensively in the relevant parts of the officer report but a summary has been provided below alongside a short response.

Objections	Officer response summary
Height, scale and massing and impact on residential character	The response of the design to the character of the area, including its Opportunity Area status, is addressed in the section of this report on design considerations. The design is considered to be of very high quality, complies with draft AAP guidance and is subject to a number of conditions.
Loss of daylight and sunlight and privacy	A full daylight, sunlight and overshadowing assessment has been submitted and is summarised in the section of this report on the impact of the proposed development on the amenity of adjoining occupiers. Following review of the submitted daylight and sunlight assessment as outlined in the relevant paragraphs it is not considered to be of a level that would significantly impact on the neighbours' amenity.
The proposal would increase demand on existing local infrastructure and facilities	The draft OKR AAP looks holistically at the overall impact of increased population growth in the Old Kent Road area and how social infrastructure needs to be increased and improved as part of that growth, to ensure that sufficient infrastructure and facilities benefit new and existing communities equally. A number of contributions have been secured which have been detailed in the previous paragraphs which are commensurate to the scale of the proposal by using a standard methodology applied across all schemes. This is in addition to CIL contributions that will ensure that the cumulative impact of the development schemes locally provide sufficient contribution to infrastructure.
It would increase traffic and parking strain on the area.	Traffic impacts are considered in greater detail in the Transport section of this report. The scheme is proposed to be car free and financial contributions would be made to the cycle hire expansion scheme and bus services to

	accommodate further growth in the opportunity area in advance of the delivery of the BLE.
Insufficient disabled car parking	It is normally the Councils preference to have off-street disabled parking. Although the scheme does not provide any on-site wheelchair parking, a parking bay survey was undertaken in the vicinity of the site which demonstrated there is some capacity along the road network to accommodate the small demand arising as part of this application. This capacity could allow for applications for blue badge parking for wheelchair units if requested.
Location and bin and bikes to the forecourt	This has been the subject of a number of comments and the applicant has amended the proposed refuse location.
Clarification on waste management	A waste management plan will be requested as part of a condition.
Details on materials	Details of materials will be required by condition and required to be maintained as such thereafter.
Impact of construction on amenity of existing and neighbouring residents	A Construction Environment Management Plan is required by the Section 106 Legal Agreement. The CEMP would oblige the applicant and contractors to commit to current best practice with regard to site management and to use all best endeavours to minimise on site impacts.
Lack of consultation	Letters sent to local residents, the display of a site notice and a notice in the local press has been undertaken and this satisfies consultation requirements by the Local Planning Authority. The consultations undertaken by the applicant has been detailed in other sections of the report.
Density	The exceedance of density thresholds is not unacceptable as a point of principle. The appropriateness of the site to sustain further residential growth is determined by both policy and a qualitative assessment of the resulting accommodation which are discussed in greater detail in the main body of the report.
Architecture	The merits of the architectural design are established in the design considerations section of this report. The architectural design is considered to be of the highest quality
Landscaping of the forecourt	The forecourt will remain largely as is with the exception of a new boundary treatment which is considered to be a positive element of the scheme.
It would increase noise	Issues pertaining to noise will be controlled by condition.
Affordable housing provision	38.1% affordable housing is proposed. This is outlined in the Affordable Housing section of this report.

The site cannot accommodate further growth	A detailed policy breakdown is provided in earlier stages of the report. The ability for a site to sustain (additional) residential growth is set by national and regional policy alike and which is followed by a qualitative assessment on the practicalities of accommodating further residential units.
Contrary to policy	Although this particular point was vague as to which policies precisely, a detailed policy breakdown is provided in earlier stages of the report,
Lack of a full FVA	In line with the affordable Housing SPD, the full FVA will be made available 10 days prior to the application being presented to committee member. The executive summary is however uploaded onto the Council Website.
Objection to rooftop communal amenity	The provision of green roofs and communal amenity is a benefit of the scheme the positioning and design of which has been given careful consideration being placed furthest away from the terrace. All other green space not marked as communal space will be biodiverse green roofs only with appropriately worded conditions to restrict its use for any other than maintenance.
The Sunlight Results of the Daylight Assessment omits the results for W3 and W4	Sunlight assessments are only required when windows face within 90 degrees of due south and is assessed for horizontal windows.

16. Two comments were received neither supporting nor objecting to the proposals, both from residents of the Chevron building. Where these raised concerns these have been included in the above table. Comments of support are as follows:
- The applicant proposes method of construction will minimise disruption to existing residents
 - Provision of new communal areas for existing residents.
 - The applicant has made positive changes to the design through discussions with residents.
 - Preference for this application when compared to the last.
17. In addition to those that have been listed above, a number of comments have been received that are considered to be non material as they relate to issues with the existing building. For avoidance of doubt, these have been listed below.
18. Existing issues with the building including:
- Security measures
 - Roller Shutter
 - Existing maintenance of the building

- Existing cycle storage
- Rear pond not functioning
- Market value of the properties
- Management of the building
- General issues with parking on St James's Road including unauthorised vehicular parking on the forecourt of the application site and along St James's Road.
- Use of the amenity on the adjacent estate by Chevron Residents.

Appendices:

19. Since the publishing of the committee report, it was noticed that the Appendices to the report were not correct. The following paragraphs will supersede the appendices 2 and 3 in the case officer report. One modification is made in relation to appendix 4 which is also set out below.

Appendix 2: Consultation responses received

Internal services

Design and Conservation Team [Formal]
 Ecology
 Environmental Protection
 Highways Development and Management
 Urban Forester

Statutory and non-statutory organisations

26 Chevron Apartments, 294 St James Road
 flat 14 chevron apartments 294 St James road
 12 Fern Walk Bermondsey London
 292 St James Road London SE1 5JX
 12 Chevron Apartments 294 St. James's Road
 1 Culloden Close London SE16 3JH
 815 Eastern Avenue Newbury Park London IG2 7RY
 282 St James's Road London SE1 5JX
 26 Chevron Apartments St James Road London SE164ED
 1 Chevron apartment 294 St. James's road London Se1 5jx
 5 Chevron Apartments 294 St James's Road London SE1 5JX
 4 Chevron Apartments 294 St James's Road London SE1 5JX
 49 Sherwood Gardens London SE16 3JB

Appendix 3: Relevant planning history

Reference and Proposal	Status
13/AP/4263	Prior approval required - refused

<p>Change of use from offices (Class B1a) to residential apartments (Class C3) comprising 34 apartments (20 x1 bedroom and 14 x 2 bedroom)</p>	
<p><u>14/AP/0790</u> Change of use from Class B1(a) offices to Class C3 (residential apartments). The proposed development consists of the conversion of all three floors within the existing building into 34 apartments(8 x studios, 9 x 1 beds and 17 x 2 beds), No material external alterations to this building form part of these proposals.</p>	<p>Prior approval required - Approved</p>
<p><u>14/AP/2658</u> Construction of third and fourth storey extensions to the existing building to accommodate 15 new apartments (C3) residential units (4x 1 beds, 10x 2 beds, 1x 3 bed).</p>	<p>Refused</p>
<p><u>15/AP/2968</u> Installation, relocation and creation of new windows, including replacement of front entrance screen</p>	<p>Approved</p>
<p><u>16/AP/2190</u> Discharge of Planning Obligation in relation to the developers obligations for a Car Club scheme.</p>	<p>Agreed - for App Types VLA & VNMC</p>
<p><u>17/AP/3129</u> Construction of a roof level extension to accommodate 9 residential apartments (Class C3), in a mix of 2 x 1 bedroom units, 6 x 2 bedroom units and 1 x 3 bedroom unit.</p>	<p>Refused 11/10/2017</p>
<p><u>18/AP/0930</u> Construction part one, part two storey roof level extension (fourth and fifth floor) to create 8 residential apartments (Class C3) comprised of 3 x 1 bedroom units and 5 x 2 bedroom units</p>	<p>Granted with Legal Agreement 04/12/2018</p>

19/EQ/0087 Proposed extension to building for residential use	Pre-Application Enquiry Closed 06/08/2019
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Appendix 4:

20. The following change is to appendix 4 which is an amendment to condition 28.

Contamination

- a) Prior to the commencement of any development, a phase 1 desktop study of the historic and current uses of the site and adjacent premises shall be carried out together with an associated preliminary risk assessment. This shall include a site walkover survey, identification of potential contaminants of the land and controlled waters and production of a conceptual model of the site with conclusion and recommendations whether a Phase 2 intrusive investigation is required. This report shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.
- b) If the phase 1 site investigation reveals possible presence of contamination on or beneath the site or controlled waters, then, prior to the commencement of development works, an intrusive site investigation and associated risk assessment shall be completed to fully characterise the nature and extent of any contamination of soils and ground water on the site.
- c) In the event that contamination is found that presents a risk to future users or controlled waters or other receptors, a detailed remediation and/or mitigation strategy shall be prepared and submitted to the Local Planning Authority for approval in writing. The strategy shall detail all proposed actions to be taken to bring the site to a condition suitable for the intended use together with any monitoring or maintenance requirements. The scheme shall also ensure that as a minimum, the site should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out and implemented as part of the development.
- d) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed, together with any future monitoring or maintenance requirements shall be submitted to and approved in writing by the Local Planning Authority.
- e) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification

report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-d above.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2019.

REASON FOR URGENCY

21. 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

22. 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	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries Telephone: 020 7525 5403