

# Planning Committee

Tuesday 28 May 2019

6.30 pm

Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

## Supplemental Agenda No. 1 Addendum Report

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Date: 29 May 2019

<b>Item No:</b> 5.1	<b>Classification:</b> Open	<b>Date:</b> 28 May 2019	<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>		London Bridge & West Bermondsey & Old Kent Road	
<b>From:</b>		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 5.1 – Application 18/AP/3551 for: Hybrid Planning Application – SOUTHERNWOOD RETAIL PARK, 2 HUMPHREY STREET, LONDON, SE1 5JJ**

### Transport for London / Bakerloo Line Extension

#### **Draft Heads of Terms for s106**

3. Following the receipt of a written objection from Transport for London prior to the planning committee meeting on 14 May 2019, regarding the potential impact the proposed hotel and Phase 2 development could have on the delivery of the Bakerloo Line Extension as a result of the Extension design not being finalised, LBS Officers met with TfL and the applicant to reach agreement on draft terms for the S106 legal agreement and revised conditions that would ensure the development could only proceed following written agreement by LBS and TfL on approved details submitted by the applicant. Details would be submitted once the final detailed design of the Bakerloo Line Extension was confirmed and the Transport Works Order Act (TWAo) for the Extension submitted to and made by the Secretary of State and the contract for the construction of the BLE has been signed.
4. LBS Officers and TfL have reached broad agreement that provided the proposed S106 Heads of Terms, Grampian condition and revised conditions are agreed and met by the applicant, the proposed development would not impede the delivery of the Bakerloo Line Extension and therefore the recommendation to approve the application as described stands. A letter from TfL confirming their position is expected prior to committee meeting.

#### **Grampian Condition**

5. The following Grampian condition is proposed to limit the commencement of hotel and Phase 2 until the BLE construction contract has been signed to mitigate any impact on BLE delivery.. This would be scheduled to take place after the Secretary of State has made the Transport Work Order Act circa 2023.

TfL/LBS Proposed Grampian condition

No development, other than surface level site preparation and demolition, shall be commenced on the Southernwood Phase 2 and the Hotel part of the Development until the contract for the construction of the Bakerloo Line Extension serving the site has been signed by Transport for London.

**Reason:**

To ensure the transport impacts of the development are acceptable including safeguarding the delivery of the BLE in accordance with Strategic Policy 2 – Sustainable Transport and Strategic Policy 14 – Implementation and Delivery of The Core Strategy 2011, Policies 6.1, 6.2 and 6.4 of the London Plan (2016), Proposal 85 of the Mayor's Transport Strategy and Policies GG2, GG5, SD1, T1 and T3 of the draft London Plan

**Revised conditions relating to this matter**

6. In response to the above BLE matters the proposed conditions in the Recommendation have been updated and these are set out in Appendix 1 of this addendum. A high proportion of the new and amended conditions set out in Appendix 1 are similar conditions for the two phases (Hotel, northern blocks) of Phase 1 development.

**Additional Consultation Responses**

7. The following public representations were received once the original committee report for the 14 May 2019 was finalised. 26 representations have been received that consisted of 24 objections and 2 representations of support. This includes a representation from Friends of Burgess Park.

**SUPPORT**

8. The matters of support raised were:
- New homes including affordable homes
  - New jobs and investment
  - The site is an appropriate location for tall buildings and a high density scheme as it is next to the proposed Underground Station and close to all the bus routes.
  - The hotel is supported.
  - Better landscaping and greening.
  - The site is underutilised and the car park has antisocial behaviour
  - The underground car parking and servicing is supported

**OBJECTIONS**

<b>Objection Summary</b>	<b>Officer Response</b>
Loss of retail	<i>This matter is covered in committee report. Negotiations as to the type of retailers who will lease space are ongoing with the developer and retailers. As the proposal is phased two retail units will remain in situ until the mid 2020s.</i>
Impact on heritage buildings	<i>This matter is covered in the main committee report</i>
Excessive building heights and negative impact on the skyline	<i>This matter is covered in the main committee report</i>
Impact on Burgess Park, changing the views and its character for the worse	<i>This matter is covered in the main committee report</i>
The scheme is over development	<i>This matter is covered in the main committee report</i>

Loss of privacy to neighbours	<i>This matter is covered in the main committee report</i>
Harmful Impact on daylight and sunlight	<i>This matter is covered in the main committee report</i>
Number of affordable homes and accessible homes	<i>This matter is covered in the main committee report</i>
Hotel is not required and not policy compliant.	<i>This matter is covered in the main committee report</i>
Landscaping and trees	<i>This matter is covered in the main committee report</i>
Design of buildings does not match the character of the area and is not exemplary.	<i>This matter is covered in the main committee report</i>
Bakerloo Line Extension station and plans are not confirmed and the Transport Infrastructure not yet delivered to enable the scheme	<i>This matter is covered in the main committee report and within this addendum.</i>
Does not deliver the OKR AAP masterplan, public realm and building heights	<i>This matter is covered in the main committee report and below.</i>
Negatively impacts the protected LVMF Serpentine view and draft New Southwark Plan view from Nunhead Cemetery.	<i>This matter is covered in the main committee report</i>
Impact on local services for new residents, including HNS.	<i>This matter is covered in the main committee report. Infrastructure will be upgraded using community infrastructure funding. The OKR AAP plans for the required improvements to services.</i>
Parking Issues	<i>This matter is covered in the main committee report</i>
Concerns over construction management impacts including noise, pollution and dust.	<i>This matter is covered in the main committee report</i>
Does not achieve zero carbon	<i>This matter is covered in the main committee report</i>
Cause traffic congestion	<i>This matter is covered in the main committee report. Scheme is car free.</i>
Servicing vehicles to use Rolls Road and Rowcross Street close to existing homes.	<i>Once complete, servicing is to take place from a basement accessible from Rolls Road and not Rowcross Street. A Delivery and Service Strategy will ensure the use of Rowcross Street for heavy service vehicles is minimised.</i>
Publication of Financial Viability Assessment	<i>Objections were received requesting a delay in the determination of the planning application as the Financial Viability Assessment had been publically published on the planning register for 5 days rather than the 7 days as stipulated in the guidance in the council's Development Viability SPD. As the scheme was deferred from 14 May 2019 to 28 May 2019, the requisite</i>

### Southwark Law Society

An objection was received from the Southwark Law Society regarding a number of issues. These are addressed below:

## Design issues

9. Objection: The Hotel (fronting onto OKR) is 16 storeys is not in conformity with either adopted or emerging policy in the AAP.

*Officer response: The site of the hotel is shown as having a tier 3 building up to 16 storeys on it in the draft AAP. This is because the position of the site at the end of an axial view west to east across Burgess Park is considered a significant townscape location. So the proposals sit entirely within the draft plan process.*

10. Objection: The new urban square must be visible from the Old Kent Road and the hotel does not provide enough footway width to the Old Kent Road and is not enough space for the aspiration of a new modern high street

*Officer response: The new urban square shown in OKR4 would be formed by closing part of the existing gyratory (Page 74-75), so that the existing road space would become part of the public realm. This can still be achieved with this scheme. The distance between the kerb and the hotel staircase is 3.25m. This is sufficient space. Given that pavement turns along a curve at this point we don't think this creates a blind corner.*

11. Objection: OKR4 recommends removal of the Humphrey Street gyratory, however the OKR at para 141 (page 221) only refers to a "potential future" removal.

*Officer response: The detailed modelling work in respect of the gyratory will be commissioned over the next month. The traffic issues are complex hence the reference in the AAP to the "potential" for this to happen.*

## Hotel & land use principles

12. Objection: There is no demonstrated need for a hotel in this area and should only be provided in areas with very good transport connections. The PTAL for the site is currently 4. Whilst it is hoped this will improve following the BLE, there is no safeguarding of this as yet. The provision of the hotel in phase 1 of the scheme is therefore unsound in planning terms. It should at a minimum be in phase 2 and with a Grampian condition relating to the improvement of local transport being at least safeguarded through either: i) BLE safeguarding, or ii) an agreement with TfL to improve the bus services in the area.

*Officer response: As set out in the main report (para 120) we don't think there is an overconcentration of hotels in this area. The public transport accessibility is already good and the site would be directly opposite the new BLE station. The hotel would provide employment and would contribute to the vitality and diversity of the town centre offer. The proposed Grampian condition will ensure delivery of the hotel will take place once the BLE TWAO is made by the Secretary of State.*

## Viability & affordable housing

13. Objection: The applicant makes a 35% affordable housing offer on the basis of a profit of 2.24% GDV. Southwark's consultants estimate a much higher profit of 16.37% (OR 170, 171). While the Applicant may argue that the profit benchmark it has set for itself of 18.84% is not reached by either of these figures, we object that the 35% affordable housing offer is not the reasonable maximum amount, if it can be delivered on 2.24% GDV, when 16.37% can be realised. The applicant's FVA states a policy compliant scheme is 'potentially' viable, if only 20% of affordable housing is delivered in first stage (application is hybrid), with 35% being made up in second stage (FVA para 16), which will be many years hence – vacant possession cannot be secured until 2025-2030 (FVA para 6). The GLA do not support the approach of delivering the affordable element across two phases (see the GLA Stage 1 Report, paragraph 32). Phase 1 would in fact only deliver 104 out of the 219 affordable units.

As the GLA Report states, it is not clear how the higher percentage of affordable housing in Phase 2 could be secured.

*Officer response: We have had the FVA independently assessed and our advice is that 35% is the maximum deliverable. The majority of the social rented housing is delivered in the first phase: 104 of 148 social rent units with 44 in Phase 2. Of the 219 affordable units, 104 (47.5%) would be delivered in Phase 1 and 115 (52.5%) in Phase 2.*

### **Public land**

14. Objection: The developer is Glasgow City Council – this land therefore falls within the definition of public sector land, as set out in “the Mayor’s Affordable Housing and Viability Supplementary Planning Guidance, the DLP and the ‘Threshold Approach to Affordable Housing on Public Land’ Practice Guidance Note July 2018. If this was the case the scheme would only qualify for the Fast track Route if it proposed 50% policy compliant affordable housing” [see para 30 in GLA stage 1 Report]. As the scheme presently does not provide 50% affordable housing, it must be considered under the viability tested route, and as per the Mayor’s Affordable Housing and Viability SPG, must have both early and late stage reviews. There is no proposed late stage review: as a bare minimum, there must be in order to be policy compliant.

*Officer response: This has been addressed at paragraphs 170 – 177 in the main report. The GLA have confirmed that the land is not considered in public ownership.*

### **Grant funding**

15. Objection: No grant funding to increase to 40% a/h has been applied for, contrary to the expectations of the local plan, on the grounds that it would make the scheme less viable (with no evidence provided), and could and could not come from current funding round, ). A condition is proposed to try later, but this is not sufficient.

*Officer response: The applicant has investigated grant funding and in this instance it has not been possible to increase the schemes offer to 40% without further impacting viability. However the applicant has undertaken to review this position as per the Cantium Retail Park decision.*

### **Housing mix**

16. Objection: The proposed scheme has an unhealthy division between affordable and market housing. Only Block 2A has a mixture of affordable/market tenures: and even then the affordable tenure properties are intermediate category. All social rent dwellings are in separate blocks from the market dwellings. This is unfortunate and flies in the face of Southwark’s commitment to encourage ‘tenure-blind’ schemes. Furthermore, the ‘Intermediate’ housing category has an oversupply of 1 bed units (36 out of a total 71 intermediate units). In addition, there is an insufficient quantum of 3+ bed units in the scheme (both affordable and market).

*Officer response: The affordable being located in separate blocks is not unusual. It makes the blocks easier to manage for Registered Providers. The blocks would be tenure blind in terms of external appearance. The podium space is entirely shared, there will be no separate play space for the affordable and private homes. The affordable housing 3 bed provision is above 20%, with the social rent being above 30%.*

### **Retail and Industrial**

17. Objection: There will be a net loss retail floorspace on site. OKR4 states that on this site there should be no net loss of retail floorspace. There is also a failure to re-

provide and relocate existing businesses, and therefore no attempt to protect the jobs.

*Officer response: The retail offer will be a different one to the large sheds on site at present. There will be space for one large retailer and initial discussions are underway with potential tenants. There is the ability to grow the retail offer over the wider masterplan area, including the Tesco site within OKR4 and other sites that don't currently have retail and this should ensure the town centres growth. The High Street will be improved by this development.*

18. Objection: Industrial accommodation is not proposed within the scheme.

*Officer response: This site isn't identified for industrial in the draft AAP. It has no industrial on it at present.*

### **Environmental impact**

19. Objection: Council has pledged to become carbon neutral by 2030. Big schemes should be taking the lead in exemplifying and satisfying this. Developments such as this are inconsistent with these aspirations, and represent a missed opportunity.

*Officer response: Our aspiration is to link this site to a wider energy/heat network linked to SELCP. We are currently working with GLA and Veolia to develop this.*

### **Amendments and Corrections**

20. Paragraph 148. Reference to EIA Regulations 2011. This should be EIA Regulations 2017.
21. Paragraphs 1 and 611. Deadline for entering into a S106 agreement is updated to 28 November 2019 to reflect new committee date (28 November 2019).

### **REASON FOR URGENCY**

22. 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**

23. 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**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Individual files	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403

## **APPENDIX 1: NEW AND REVISED CONDITIONS**

### **New conditions**

24. The following new conditions are recommended:

- FULL (PHASE 1: HOTEL) - Piling and other below ground works

*Piling or any other foundation designs using penetrative methods and any other works below ground level shall not be permitted other than with the express written consent of the Local Planning Authority, in consultation with TfL, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater or to the construction or operation of the BLE at or in the vicinity of the site. The development shall be carried out in accordance with the approved details.*

*Reason:*

*The developer should be aware of the potential risks associated with the use of piling where contamination is an issue or at or in the vicinity of the BLE tunnels and/or station or other structures.. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters. To safeguard the delivery of the BLE at and in the vicinity of the site in accordance with Strategic Policy 2 – Sustainable Transport and Strategic Policy 14 – Implementation and Delivery of The Core Strategy 2011, Policies 6.1, 6.2 and 6.4 of the London Plan (2016), Proposal 85 of the Mayor's Transport Strategy and Policies GG2, GG5, SD1, T1 and T3 of the draft London Plan.*

- FULL (PHASE 1: HOTEL) - TREE PLANTING

*Prior to works commencing, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.*

*If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.*

*To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.*

- FULL (PHASE 1) – Hotel Residential Noise Levels

*The hotel hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise, including that from the construction and operation of the BLE and in particular the station in the vicinity of the site:*

*Bedrooms - 35dB LAeq T\*\*, 30 dB LAeq T\*, 45dB LAFmax T \**

*\* - Night-time - 8 hours between 23:00-07:00*

*\*\* - Daytime - 16 hours between 07:00-23:00*

*Reason:*

*To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from construction, environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2018.*

- VIBRATION

*Prior to the commencement of works relating to Southernwood Phase 1, the Hotel and/or Southernwood Phase 2 each as identified on drawing xyz (excluding 'Early Works' as defined below), full details for each of these parts of the development shall be submitted to and approved by the Local Planning Authority in consultation with Transport for London which must:*

*(i) Mitigate the effects of vibration arising from the operation of Bakerloo Line Extension at the station and within its tunnels and any other structures at and in the vicinity of the site;*

*(ii) Mitigate the effects of vibration and air quality impacts arising from the construction of Bakerloo Line Extension at and in the vicinity of the site*

*The development of each part of the site shall be carried out in all respects in accordance with the approved details for that part of the site and shall be completed prior to the occupation of the relevant part of the site. No alteration to these aspects of the development shall take place without the approval of the Local Planning Authority in consultation with Transport for London.*

*Reason:*

*To safeguard the amenities of occupiers of the development during construction and operation of the proposed Bakerloo Line Extension in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and the National Planning Policy Framework 2012.*

- FULL (PHASE 1: HOTEL ) - Construction Management Plan

*No development shall take place, including any works of demolition, until a written construction environmental management plan (CEMP) for the site has been devised and submitted for the approval of the Local Planning Authority for Phase 1 of the development. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to site management and to use all best endeavours to minimise off site impacts. A copy of the CEMP shall be available on site at all times and shall include the following information:*

*A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures, including continuous monitoring of noise and airborne particulates;*

*Engineering measures to eliminate or mitigate identified environmental impacts e.g. acoustic screening, sound insulation, dust control, emission reduction, location of specific activities on site, etc.;*

*Arrangements for direct responsive contact for nearby occupiers with the site management during demolition and/or construction (signage on hoardings, newsletters, resident's liaison meetings);*

*A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one way site traffic, lay off areas, etc.;*

*Waste Management - Accurate waste identification, separation, storage, registered waste carriers for transportation and disposal to appropriate destinations.*

*To follow current best construction practice, including the following:*

*Southwark Council's Technical Guide for Demolition & Construction 2016, available from <http://southwark.gov.uk/air-quality/the-main-causes-of-air-pollution>*

*S61 of Control of Pollution Act 1974,*

*The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition', The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',*

*BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',*

*BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration, BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting, Greater London Authority requirements for Non-Road Mobile Machinery, see: <http://nrmm.london/>, Relevant CIRIA and BRE practice notes.*

*All demolition and construction work shall then be undertaken in strict accordance with the plan and relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.*

*Reason:*

*To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of unnecessary pollution or nuisance, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and the National Planning Policy Framework 2012*

- FULL (PHASE 1: HOTEL) - TREE PLANTING

Prior to works commencing, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2018 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity

- FULL (PHASE 1: HOTEL ) - Contamination

*a) Either prior to or as part of the re-development works following demolition of site structures, 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.*

*b) In the event that contamination is found that presents a risk to future users or controlled waters or the wider environment, 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 by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The approved remediation/mitigation strategy shall be implemented as part of the development.*

*c) Following the completion of the works and measures identified in the approved remediation strategy, a verification report shall be submitted to and approved in writing by the Local Planning Authority providing evidence that all works required by the remediation strategy have been completed and that the site is suitable and safe for the developed uses and in respect of the wider environment.*

*d) In the event that potential contamination is found at any time during development works that was not previously identified, then a scheme of investigation and risk assessment, and a remediation strategy (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c 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 2018.*

- FULL (PHASE 1: HOTEL) - Foundation Design - Archaeology

*Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.*

*Reason:*

*In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy*

*Framework 2018.*

- FULL (PHASE 1: HOTEL) - Archaeological Mitigation

*Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.*

*Reason:*

*In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2018.*

- FULL (PHASE 1: HOTEL) - Archaeological Evaluation

*Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority.*

*Reason:*

*In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2018*

- FULL (PHASE 1: HOTEL) - Tree Survey

*Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.*

*a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.*

*b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.*

*c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.*

*The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and*

BS3998: (2010) Tree work - recommendations.

*If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.*

- FULL (PHASE 1: HOTEL) - Secure By Design Application

*Prior to any works above grade, evidence of the submission of an application for Secure By Design Accreditation from the Metropolitan Police, along with details of security measures proposed, shall be submitted and approved in writing by the Local Planning Authority.*

*Reason:*

*In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2018, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark Plan 2007.*

- FULL (PHASE 1: HOTEL) - TV and radio signals

*Prior to the commencement of the above ground superstructure, a Construction Methodology that includes the siting of construction cranes and high structures shall be submitted and approved in writing to the local planning authority, and the development shall not be carried out otherwise than in accordance with any such approval given. This is to minimise interference to link operations*

*To ensure that the adjoining occupiers do not suffer a loss of amenity in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.*

- FULL (PHASE 1:HOTEL) - Light Pollution

*Prior to the commencement of works above grade (excluding demolition) of the development hereby permitted, a detailed lighting strategy and design for all internal and external lighting relating to that phase, demonstrating compliance with the Institute of Lighting Professionals (ILP) Guidance Notes, shall be submitted to and approved by the Local Planning Authority in writing. If mitigation is required it shall be implemented prior to the first use of the building and retained as such thereafter.*

*Reason:*

*In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with The National Planning Policy Framework 2018, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.14 Designing out crime of the Southwark Plan 2007.*

- FULL (PHASE 1:HOTEL) - Cycle Storage

*Before any above grade work hereby authorised begins (excluding demolition), the following shall be submitted to and approved in writing by the Local Planning*

*Authority:*

- a) 1:50 scale drawings of the facilities to be provided for the secure and covered storage of cycles; and
- b) details of the any area within the development for publicly accessible cycle hire in the form of "a cycle hub".

Thereafter the cycle parking facilities and cycle hub provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

*Reason:*

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2018, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- FULL (PHASE 1:HOTEL) - Landscape Management Plan

Before each phase of above grade work hereby authorised begins (excluding demolition), a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include soft landscaping, ecological enhancements, SUDS, nesting boxes and roofs.

*Reason:*

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site. This is also an mandatory criteria of BREEAM (LE5) to monitor long term impact on biodiversity a requirement is to produce a Landscape and Habitat Management Plan

- FULL (PHASE 1: HOTEL) - Green, Brown and Blue Roofs

i) Before any above grade work (excluding demolition) hereby authorised begins, details of the green, brown and blue roofs proposed for that Block shall be submitted to and approved in writing by the Local Planning Authority. The roofs shall be:

biodiversity based with extensive substrate base (depth 80- 150mm); laid out in accordance with agreed plans; and planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The green, brown and blue roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The green, brown and blue roofs shall be carried out strictly in accordance with the details approved and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the green,

*brown and blue roofs and Southwark Council agreeing the submitted plans.*

*ii) Once the green, brown and blue roofs are completed in full in accordance to the agreed plans a post completion assessment will be required to confirm the roof has been constructed to the agreed specification.*

*Reason:*

*To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policy 5.11 of the London Plan 2016, Saved Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.*

- FULL (PHASE 1: HOTEL) - Mock Ups

*Prior to the commencement of works above grade (excluding demolition), full-scale mock-ups of the façades to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given. The facades to be mocked up should be agreed with the Local Planning Authority and should demonstrate how the proposal makes a contextual response in terms of materials to be used.*

*Reason:*

*In order that the Local Planning Authority may be satisfied as to the design and details in accordance with the National Planning Policy Framework 2018, Policy 7.7 of the London Plan 2016, Strategic Policy SP12 ¿ Design & Conservation - of the Core Strategy (2011) and Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; and 3.20 Tall buildings of The Southwark Plan (2007).*

- FULL (PHASE 1: HOTEL) - Detail Drawings

*Prior to commencement of works above grade (excluding demolition), detail drawings at a scale of 1:5 or 1:10 through:*

- i) all facade variations; and*
- ii) shop fronts and residential entrances; and*
- iii) all parapets and roof edges; and*
- iv) all balcony details; and*
- v) heads, cills and jambs of all openings*

*to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing. The development shall not be carried out otherwise than in accordance with any such approval given.*

*Reason:*

*In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with the National Planning Policy Framework 2018, Policy 7.7 of the London Plan 2016, Strategic Policy SP12 ¿ Design & Conservation - of the Core Strategy (2011) and Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; and 3.20 Tall buildings of The Southwark Plan (2007).*

- FULL (PHASE 1: HOTEL) - Material Samples

*Prior to the commencement of works above grade (excluding demolition), samples of all external facing materials to be used in the carrying out of this permission shall be presented on site to the Local Planning Authority and approved in writing. The development shall not be carried out otherwise than in accordance with any such approval given.*

*Reason:*

*In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used,*

*and achieve a quality of design and detailing in accordance with the National Planning Policy Framework 2018, Policy 7.7 of the London Plan 2016, Strategic Policy SP12 Design & Conservation - of the Core Strategy (2011) and Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; and 3.20 Tall buildings of The Southwark Plan (2007).*

- FULL (PHASE 1: HOTEL) - Signage Strategy

*Prior to any works above grade, a signage strategy for all commercial uses shall be submitted and approved in writing and the works shall only be carried out in accordance with the approved details:*

*Reason: In order that the Local Planning Authority may be satisfied as to the quality of the design and details, and to ensure a satisfactory townscape environment along Old Kent Road in accordance with Strategic Policy SP12 Design & Conservation - of the Core Strategy (2011) and Saved Policies: 3.2 Protection of amenity, 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan (2007).*

- FULL (PHASE 1: HOTEL) - HARD AND SOFT LANDSCAPING

*Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme 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.*

*Samples of the hard landscape materials must be submitted to and approved in writing by the local planning authority.*

*The lighting design for the landscaped areas should also be submitted and approved in writing by the local planning authority.*

*Any lawned areas should be planted in a species rich grass, details of which shall be agreed in writing with the local planning authority.*

*The landscape scheme must be designed to mitigate against the adverse impacts of wind, and the submitted details must demonstrate that the appropriate Lawson Safety Method and Lawson Comfort Method criteria shall be achieved.*

*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 The National Planning Policy Framework 2018 Chapters 8, 12, 15 & 16 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of*

amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- FULL (PHASE 1: HOTEL) - Odour

*Before any hotel use hereby permitted commences the detailed design of the kitchen extract system, including all emissions abatement equipment and flue, shall be submitted to the local planning authority for approval.*

*Reason:*

*To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of odour in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.*

- FULL (PHASE 1: HOTEL) - BREEAM

*i) Prior to any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'excellent' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.*

*ii) Before the first occupation of each block within the development hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards have been met.*

*Reason: To ensure the proposal complies with The National Planning Policy Framework 2018, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.*

- FULL (PHASE 1: HOTEL) - Thames Water - Piling

*No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.*

*Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>.*

*Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)*

- FULL (PHASE 1: HOTEL) - Thames Water - Water mains

*No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.*

*Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.*

*<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>*

*Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk).*

- FULL (PHASE 1: HOTEL) - Thames Water - Network

*No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.*

*Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development' The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.*

- FULL (PHASE 1: HOTEL ) - Secure By Design Certification

*Before the first occupation of the building hereby permitted evidence that Secure By Design Accreditation has been awarded by the Metropolitan Police and that all approve security measures have been implemented shall be submitted to and approved by the Local Planning Authority.*

*Reason:*

*In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2018, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark Plan 2007.*

- FULL (PHASE 1: HOTEL) - Remediation Report Verification

*Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the*

effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

*Reason: Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.*

- FULL (PHASE 1: HOTEL) - Noise

*The Rated sound level from any plant, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014. Prior to the plant being commissioned a validation test shall be carried out following completion of the development. The results shall be submitted to the LPA for approval in writing. The plant and equipment shall be installed and constructed in accordance with the approval given and shall be permanently maintained thereafter.*

*Reason*

*To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2018, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).*

- FULL (PHASE 1: HOTEL ) - SUDs

*Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.*

*Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.*

- FULL (PHASE 1: HOTEL) - Roof Plant, Equipment or Other Structures,

*No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the buildings as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosures of any buildings hereby permitted.*

*Reason:*

*In order to ensure that no additional plant is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with The National Planning Policy Framework 2018, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.13 Urban Design of the Southwark Plan 2007.*

## INFORMATIVE

- *Early works is defined as: site preparation and demolition.*
- Applicants are required to contact Transport for London in the course of preparing detailed design and method statements required pursuant to conditions to piling and basement to determine their (Transport for London) requirements as to these details in respect of the future construction and operation of a Bakerloo Line Extension on, under and adjacent to the site and to work closely with Transport for London in development of these detailed design and method statements.

## Amendments to proposed conditions

25. The proposed Phase 1 FULL planning conditions 12, 16, 18, 20, 25, 28, 30, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 56, 59, 67, 69, 71, 73, 76 in the draft Recommendation do not now relate to the Hotel. The wording of these conditions are amended to exclude the hotel in the final decision notice.

26. The following amended conditions are recommended. Text that is struck through would be deleted and bold text added to the condition.

- Condition 2: OUTLINE (PHASE 2) - Time Limit

Submission of all reserved matters in respect of **Southernwood Phase 2 ( as shown on plan ...)** including details of the internal layouts and external appearance (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority within twelve years from the date of this permission ~~of but no earlier than the making of the TWAO for the BLE by the Secretary of State at and in the vicinity of the site and.~~ The development of Southernwood Phase 2 hereby permitted shall be begun within three years from the approval of such details or the last such approval if the details are submitted in phases. The development shall not be carried out otherwise than in accordance with this permission and any such approvals given.

Reason As required by Section 92 of the Town and Country Planning Act 1990.

- Condition 3. FULL (PHASE 1) - Time Limit

*The development hereby permitted shall be begun before the end of **three five** years from the date of this permission.*

*Reason As required by Section 91 of the Town and Country Planning Act 1990 as amended.*

- Condition 5: OUTLINE (PHASE 2) - Foundation design (Bakerloo Line Extension) and Condition 6 : FULL (PHASE 1) - Foundation design (Bakerloo Line Extension)

Both conditions deleted.

- Condition 10: FULL (PHASE 1) - Construction Management Plan

*No development shall take place (**except the Hotel**), including any works of demolition, until a written construction environmental management plan (CEMP) for the site has been devised and submitted for the approval of the Local Planning Authority for Phase 1 of the development. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to site management and to use all best endeavours to minimise off site impacts. A copy of the CEMP shall be available on site at all times and shall include the following information:*

*A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures, including continuous monitoring of noise and airborne particulates;*

*Engineering measures to eliminate or mitigate identified environmental impacts e.g. acoustic screening, sound insulation, dust control, emission reduction, location of specific activities on site, etc.;*

*Arrangements for direct responsive contact for nearby occupiers with the site management during demolition and/or construction (signage on hoardings, newsletters, resident's liaison meetings);*

*A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one way site traffic, lay off areas, etc.;*

*Waste Management - Accurate waste identification, separation, storage, registered waste carriers for transportation and disposal to appropriate destinations.*

*To follow current best construction practice, including the following:*

*Southwark Council's Technical Guide for Demolition & Construction 2016, available from <http://southwark.gov.uk/air-quality/the-main-causes-of-air-pollution>*

*S61 of Control of Pollution Act 1974,*

*The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition', The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',*

*BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',*

*BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration, BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting, Greater London Authority requirements for Non-Road Mobile Machinery, see: <http://nrmm.london/>, Relevant CIRIA and BRE practice notes.*

*All demolition and construction work shall then be undertaken in strict accordance with the plan and relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.*

*Reason:*

*To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of unnecessary pollution or nuisance, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and the National Planning Policy Framework 2012*

- Condition 24: FULL (PHASE 1: **Except Hotel**) – Piling

*Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority,, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.*

*Reason:*

*The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.*

- Condition 26: FULL (PHASE 1: **Except Hotel**) - TREE PLANTING

*Prior to works commencing, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.*

*If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.*

*To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.*

- Condition 83: FULL (PHASE 1) - Residential Noise Levels

*The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise, including that from the construction and operation of the Bakerloo Line Extension and in particular the station in the vicinity of the site:*

*Bedrooms - 35dB LAeq T\*\*, 30 dB LAeq T\*, 45dB LAFmax T \* Living rooms- 35dB LAeq T \*\* Dining room - 40 dB LAeq T \*\**

*\* - Night-time - 8 hours between 23:00-07:00*

*\*\* - Daytime - 16 hours between 07:00-23:00*

*Reason:*

*To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from construction, environmental and*

transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2018.

Condition 98: OUTLINE (PHASE 2) - Piling

*Piling or any other foundation designs using penetrative methods and any other works below ground level shall not be permitted other than with the express written consent of the Local Planning Authority in consultation with TfL, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater or to the construction and operation of the BLE at or in the vicinity of the Site. The development shall be carried out in accordance with the approved details.*

*Reason:*

*The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters. To safeguard the delivery of the BLE at and in the vicinity of the site in accordance with Strategic Policy 2 – Sustainable Transport and Strategic Policy 14 – Implementation and Delivery of The Core Strategy 2011, Policies 6.1, 6.2 and 6.4 of the London Plan (2016), Proposal 85 of the Mayor's Transport Strategy and Policies GG2, GG5, SD1, T1 and T3 of the draft London Plan.*

- Condition 82: OUTLINE (PHASE 2) - Residential Noise Levels

*The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise, including that from the construction and operation of the Bakerloo Line Extension and in particular the station in the vicinity of the site:*

*Bedrooms - 35dB LAeq T\*\*, 30 dB LAeq T\*, 45dB LAFmax T \* Living rooms- 35dB LAeq T \*\**

*Dining room - 40 dB LAeq T \*\**

*\* - Night-time - 8 hours between 23:00-07:00*

*\*\* - Daytime - 16 hours between 07:00-23:00*

*Reason:*

*To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2018.*

- Condition 4. Bird and Bar boxes amended to “prior to commencement “of any work above grade”
- Conditions 7, 8,13, 14, 15, 16, 17, 18, 20, 21, 30, 31, 32, 49, 50, 51, 52. Amend to allow no works “other than demolition or site clearance preparation”
- Condition 14. Add title Archaeological Evaluation.

- Condition 30. Amended wording from “above ground superstructure” to “works above grade”
- Condition 63, 70, 71, 72, 73, 74, 78, 79 are amended to to “residential” occupation.
- Condition 47 and 65 removed as blank



Our ref: 190514\_Southernwood\_TfLRep

By e-mail only  
Simon Bevan, London Borough of Southwark

Transport for London  
City Planning

Floor 9, Endeavour Square  
Stratford  
LONDON  
E20 1JN

Phone 020 3054 5651  
tfl.gov.uk

28 May 2019

Dear Simon,

## **SOUTHERNWOOD APPLICATION (18/AP/3551) – TFL REPRESENTATION**

I write further to my letter of 14 May in respect of the Southernwood Retail Park site application to be considered at Southwark Council's Planning Committee meeting today, 28 May 2019.

Over the past two weeks we have had positive discussions with Southwark officers and the applicant. I can now confirm that the issues I raised on 14 May regarding the proposed development's potential impact on the future delivery of the Bakerloo Line Extension (BLE) have been adequately addressed, **subject to** Members agreeing (in the event that there is a resolution to grant) the s106 Heads of Terms, Grampian condition and consequential revisions to the other recommended conditions which I understand are to be set out in today's addendum to the Committee report. I have appended the s106 Heads of Terms and Grampian condition wording to this letter.

As you are aware there are also other outstanding transport matters raised by the development in terms of compliance with strategic transport policies and delivery of the Healthy Streets scheme for Old Kent Road. In our assessment, whilst the revised details provided by the applicant earlier this month, along with the proposed approach to the BLE related provisions, reduce our concerns on these matters, they are not fully resolved. These must be addressed during the next stage of the process and we will work with your officers and the applicant to ensure this happens – but our priority at this stage has been resolving the time critical BLE issues before it is too late, whilst enabling the development of this site to progress, should members so decide.

If you require any further information please contact me or the case officers Mike Welch and Anne Crane.

Yours sincerely



Lucinda Turner

**Director of Spatial Planning, TfL**

Email: [lucindaturner@tfl.gov.uk](mailto:lucindaturner@tfl.gov.uk)

Direct line: 020 3054 7133

Copy to: Anne Crane, Mike Welch, Chris Porter, Mark Welch (all of TfL), Lyndon Fothergill, Kate Randall, Tina Jadav (all of GLA), Colin Wilson, Tom Buttrick, Pip Howson, Sadia Hussain (all of Southwark Council).

**TfL/LBS S106 HoT's**

- a) Notwithstanding the Planning Permission for the Development, the Developer shall submit Details for approval by both TfL and LBS prior to commencing any works, other than surface level site preparation and demolition, for the Southernwood Phase 2 and for the Hotel. Each of these parts of the Development shall be carried out in all respects in accordance with the Details approved by both TfL and LBS having satisfied themselves that the aforementioned Details can adequately and appropriately accommodate the BLE Scheme. No alteration to these approved Details shall take place without the prior written approval of both TfL and LBS.
- b) The Details must:
- (i) Accommodate the BLE Scheme
- (ii) Accommodate ground movement arising from the construction of the BLE Scheme.
- c) The Developer shall not submit Details for approval for the Southernwood Phase 2 and/or the Hotel parts of the Development before the TWAO for the BLE has been submitted to the Secretary of State. The TfL and the LBS decision on the Details will be based on the BLE Scheme.
- d) Development of the Southernwood Phase 2 and/or of the Hotel can only be commenced on the later of approval of all the Details for the relevant part of the Development or the contract for the construction of the BLE serving the Site has been signed.
- e) TfL to provide regular updates to the Developer on the progress of the BLE, in particular the date on which the TWAO is submitted to the Secretary of State and the construction programme for the BLE. TfL also to provide the Developer with the BLE Scheme at the time of TWAO submission.
- f) All sides must act reasonably and in good faith, and use reasonable endeavours to expedite all decisions.
- g) Nothing within this agreement to overrule the rights of the landlord or its tenants under the Planning and Compulsory Purchase Act 2004 or other such legislation.

Definitions needed for:

- BLE
- BLE Scheme (as set out in the TWAO submitted to the Secretary of State)
- Development
- Phase 2 Southernwood
- Hotel
- Details
- TWAO
- Planning Permission
- Developer
- Site

**TfL/LBS Grampian condition**

No development, other than surface level site preparation and demolition, shall be commenced on the Southernwood Phase 2 and on the Hotel parts of the Development until the contract for the construction of the BLE serving the site has been signed.

Reason:

To ensure the transport impacts of the development are acceptable and to safeguard the delivery of the BLE in accordance with Strategic Policy 2 – Sustainable Transport and Strategic Policy 14 – Implementation and Delivery of The Core Strategy 2011, Policies 6.1, 6.2 and 6.4 of the London Plan (2016), Proposal 85 of the Mayor's Transport Strategy and Policies GG2, GG5, SD1, T1 and T3 of the draft London Plan