

Planning Committee

Wednesday 2 November 2022

6.30 pm

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

Supplemental Agenda No. 2

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Webpage: <http://www.southwark.gov.uk>

Date: 2 November 2022

Welcome to Southwark Planning Committee

2 November 2022

MAIN ITEMS OF BUSINESS

Item 6.0

Release of £101,116.98 from Section 106 agreements to increase Accessible Housing across the Borough (targeted across all ward groups)

Item 7.1 – 20/AP/1120

Sultra House, 29-31 Pages Walk, London, SE1 4SB

Item 7.2 – 21/P/4297

Avonmouth House, 6 Avonmouth Street, SE1 6NX

The **PLANNING**
AWARDS 2019
Celebrating excellence in planning and placemaking

WINNER

Southwark Free
Wi-Fi Password
Fr33Wifi!



Councillor Richard Livingstone
(Chair)



Councillor Kath Whittam (Vice
Chair)



Councillor Cleo Soanes



Councillor Reginald Popoola



Councillor Ellie Cumbo



Councillor Bethan Roberts



Councillor Richard Leeming



Councillor Nick Johnson

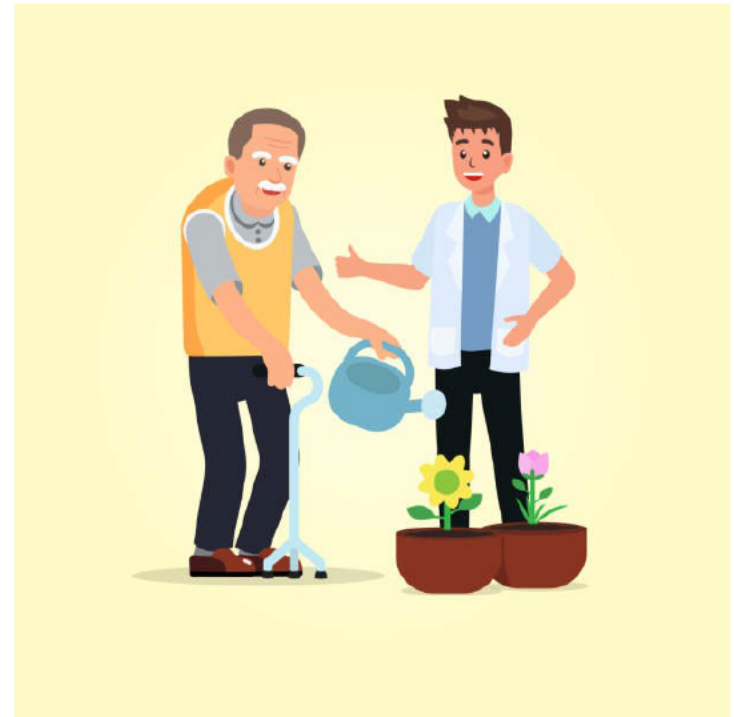
RELEASE REPORT – ACCESSIBLE HOUSING

Release of **£101,116.98** from Section 106 agreements to increase Accessible Housing across the Borough (targeted across all ward groups)



Background Information

- HAT manage installations of major adaptations for vulnerable, older and disabled Southwark Residents
- OT assesses residents requiring adaptations, following assessment OT will send recommendations of necessary adaptations
- COVID-19 increased waiting list for adaptations – 116 cases where people are waiting for urgent adaptations
- 2021-22 (c£720k helped complete 90 adaptations)
- To 2030: increase of 37% of over 75s sole living



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Policy Context

Acts and legislation which bestows a legal duty on local authorities in the provision of welfare services, which includes adaptations to the homes of vulnerable residents. These are:

- Chronically Sick and Disabled Persons Act 1970
- Housing Act 1985
- Disability Discrimination Act 1995
- NHS & Community Care Act 1990
- Children's Act 1989 & 2000
- Housing Health and Safety Rating System under the Housing Act 2004



Within context of Theme 5 (Tackling Health Inequalities) & Theme 6 (Homes for All) of the **Southwark Fairer Future Commitments**.

Where is the money coming from?



Application Ref	Address	Amount
18/AP/0457	3-4 Dog Kennel Hill SE22 8AA	£31,317.18
18/AP/4195	Antony House and Roderick House SE16 2DJ	£69,799.80
TOTAL		£101,116.98

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- Financial obligations from previously consented schemes.

What types of adaptations?



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South East London Housing Partnership

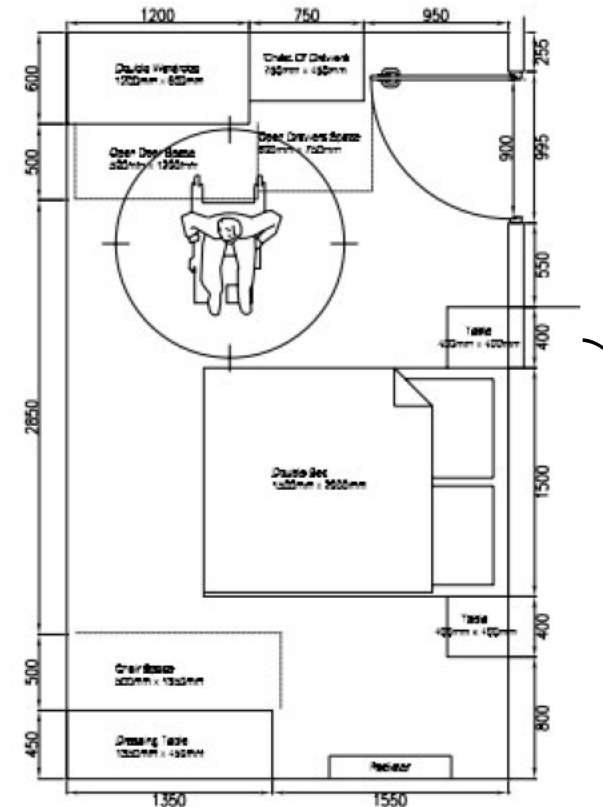
- Stipulates guidelines to achieve the necessary standards for wheelchair users' dwellings

5. Entering and leaving the home, dealing with callers

- 5.1 **A clear opening door:** 900mm.
- 5.2 **Approach space inside the front door:** Is essential for transfer to a second wheelchair 1800mm x 1500mm
- 5.3 **Threshold:** Weather tight with maximum 15mm bevelled upstand.
- 5.4 **Storing and charging for wheelchair:** To be near front door to limit transfer of dirt and water into the dwelling. Location of this space in the living or bedroom space is not acceptable. Maintain a 1500mm turning circle and provide a 1500mm x 1200mm charging space with power socket. Headroom minimum of 1200mm allows for downstairs area to be used for this. The 1800mm x 1500mm space required in 5.1 can include the 1500mm turning circle required here if appropriate.
- 5.5 **Spyhole:** Height 1150mm centrally placed.
- 5.6 **Doorbell:** Height between 800 and 900mm, lock side of door.
- 5.7 **Letterbox:** Height 700mm with wire basket (not infringing on the 900mm clear opening).
- 5.8 **Entryphone:** See 4.6. Ensure locking mechanism to front doors is compatible with an entry phone.

10. Using the kitchen

- 10.1 **Space and layout:** 1500mm turning circle plus room for another person i.e. 1800mm x 1500mm clear manoeuvring space.
- 10.2 **Worktop:** A continuous surface with knee recess is essential under and between hob and sink unit. Knee recess height 600mm. The work surface shall be adjustable, tiled behind, for heights from 700mm to 900mm. An 800mm wide section of adjustable height worktop with knee recess alongside the hob/sink section which can act as a work station. Fascia boards and vertical supports are to be avoided.
- 10.3 **Provide storage:** Appropriate to the size of dwelling (as set out in National Housing Federation 'Standards and Quality in Development: A Good Practice Guide'), the major proportion of which is in a position and format useable from a wheelchair. Wall units with pull down baskets should be provided when requested.
- 10.4 **Provide adjustable shallow sink:** With insulated bowl, reachable from a wheelchair, easily manipulated taps (e.g. short lever) and flexible plumbing, tiled behind, for heights from 700mm to 900mm.
- 10.5 **Provide adjustable hob:** Induction or ceramic hob with front or side controls, wall tiled behind to allow adjustment between 700mm and 900mm. Minimum of 300mm to each side of hob for pan handles, to be adjustable with the hob.



Double bedroom

Conclusions

- To agree release of **£101,116.98** towards funding works making improvements and adaptations to turn houses into accessible homes for residents who might otherwise struggle to continue to live independently.
- These funds are currently unallocated and available.

South East London

housing partnership

Wheelchair homes design guidelines

Guidelines to achieve the necessary
standards for wheelchair users' dwellings



∞

Item 7.1 – 20/AP/1120

Sulta House, 29-31 Pages Walk, London, SE1 4SB

Demolition of existing buildings and erection of a 6-storey building comprising flexible co-working offices, workshop/artist studios (Use Class E(g)), together with associated public realm improvements, roof terrace, landscaping, secure cycle storage facilities and associated works

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Site and context



Site photos



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Site photos



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Site photos - Before

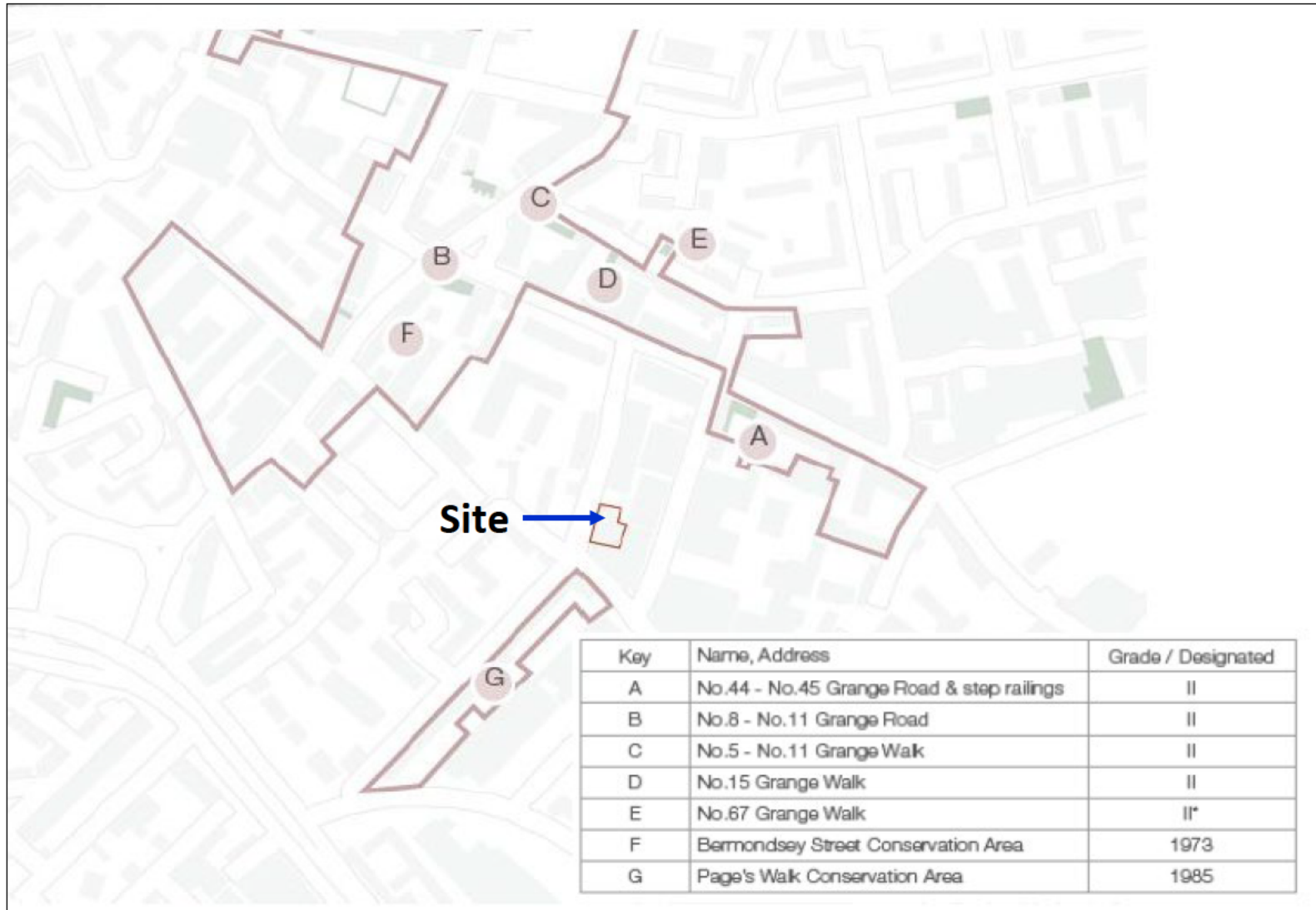


Site photos



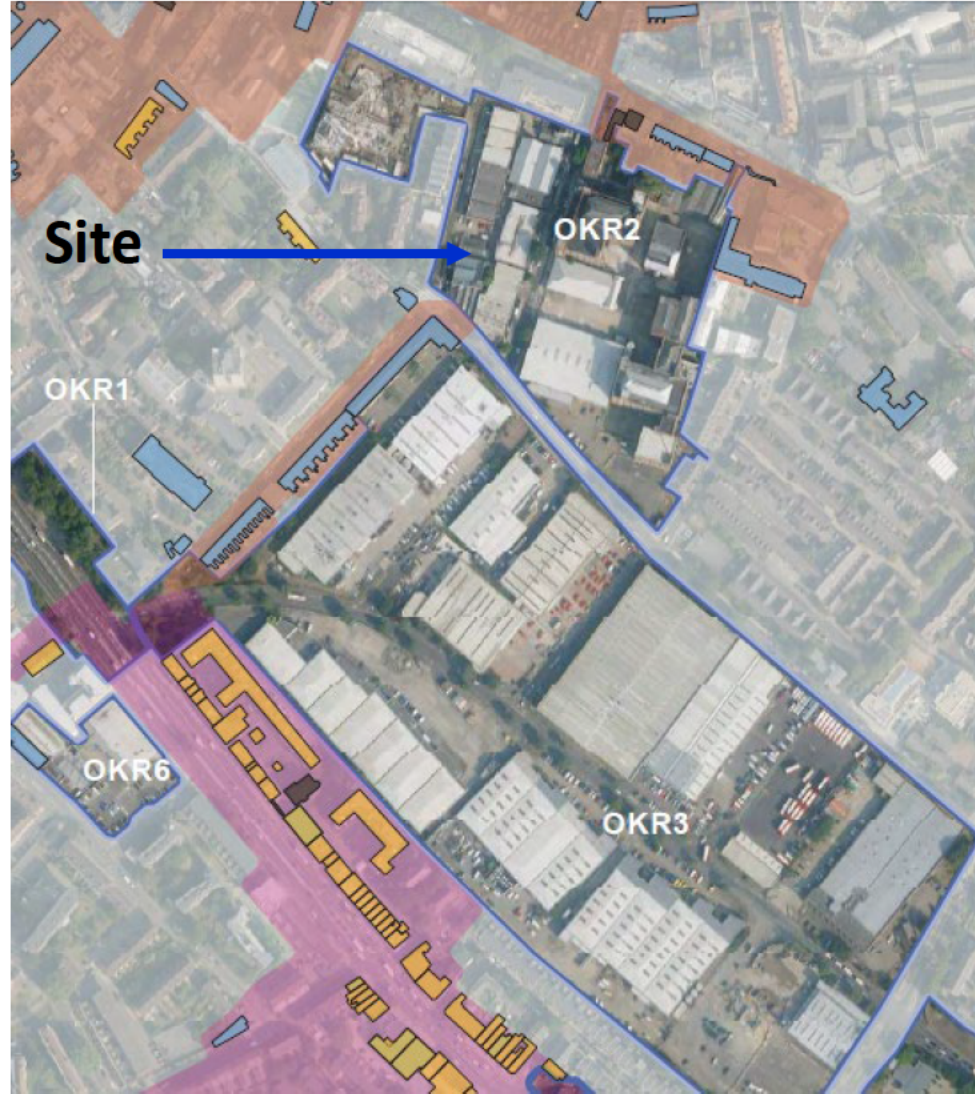
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Nearby Heritage Assets

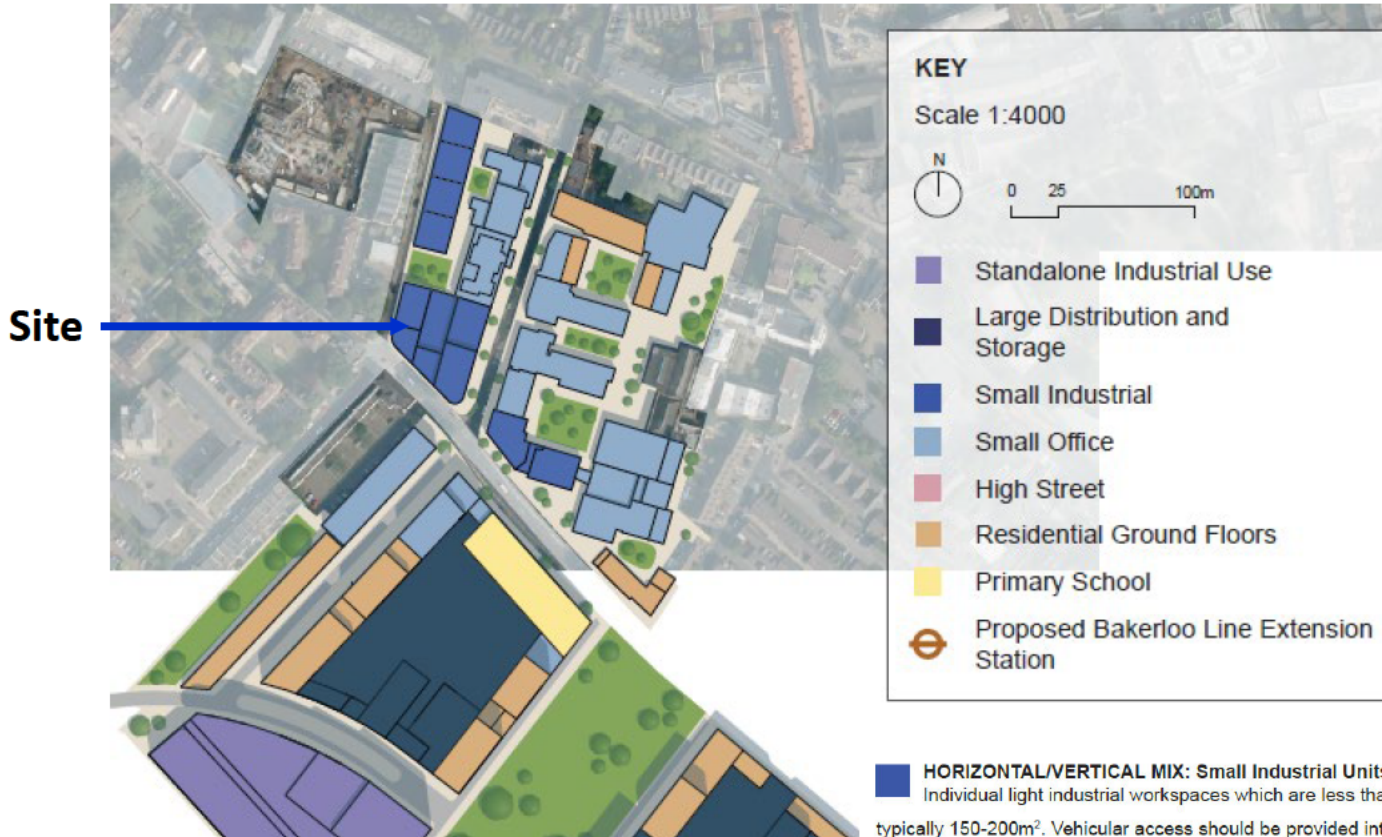


Site Allocation of Draft AAP OKR2

Masterplan

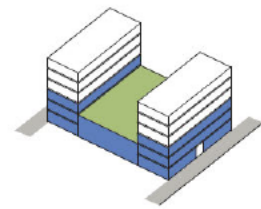


Site Allocation of Draft AAP



■ HORIZONTAL/VERTICAL MIX: Small Industrial Units
 Individual light industrial workspaces which are less than 500m² and typically 150-200m². Vehicular access should be provided internally. Units may be stacked above ground floor, with large servicing lifts to facilitate deliveries. Units should be 15-20m deep for single aspect, in square proportions and avoiding columns. There may be potential for subdivision and formulation of hybrid spaces to include an element of office space. Residential is stacked above or adjacent to industrial uses.

Suitable uses: *Small scale manufacturing, storage and wholesale, food and drink manufacturing*



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Masterplan and Site vision

Approved/under construction/completed

- 82 units - Marshall House, Pages Walk (Completed)
- 406 units - Rich Industrial estate (Phase 1 and 2 completed)
- 9 units - 20 Crimscott (Built on top of FE Burnham not started yet)
- 55 units – 18-19 Crimscott (About to complete construction)
- 5 units – 2 Crimscott (Not Started yet)

Live schemes

- +48 units – Rich Industrial Estate phase 3
- 9 units – 24 Crimscott

OKR2

CRIMSCOTT STREET AND PAGES WALK



3.8 ha
site area



16
businesses



170
jobs



760
homes

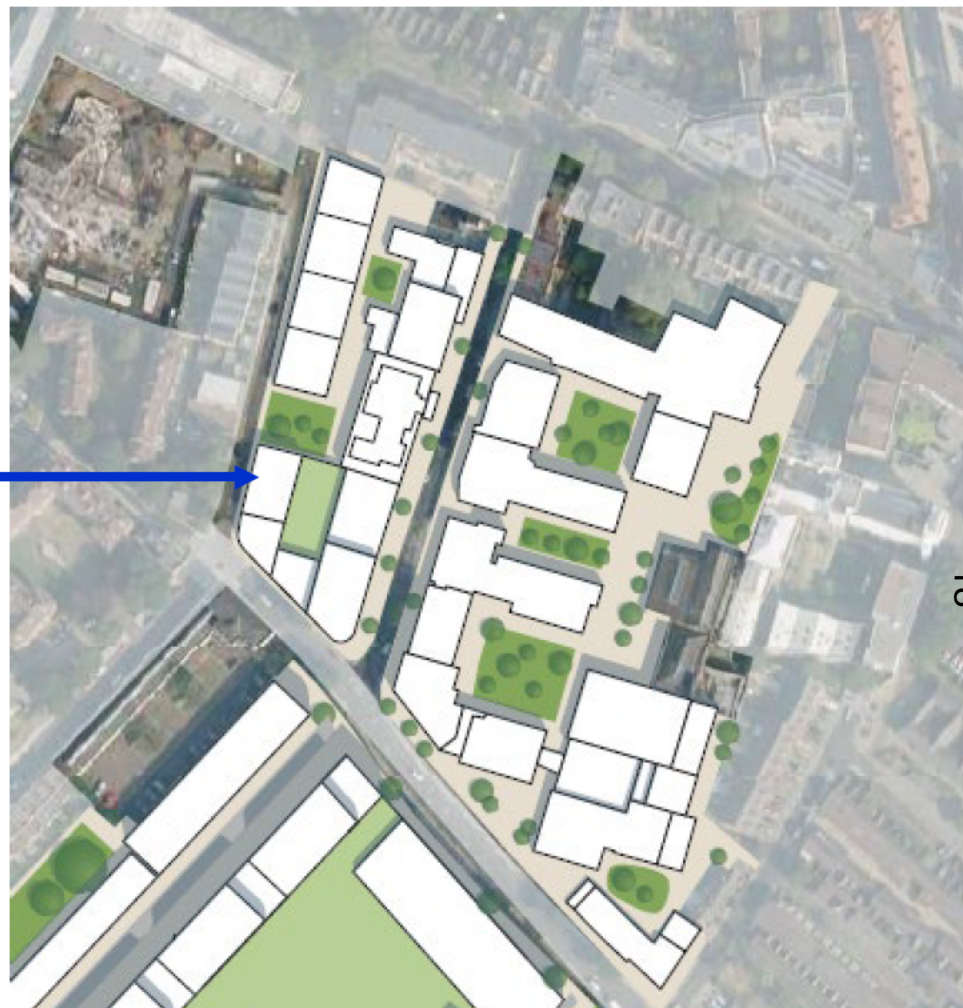
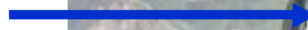


2,179
jobs

Existing

Development Capacity

Site



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The Proposed Scheme



Ground floor experience, looking South

The Proposed Scheme



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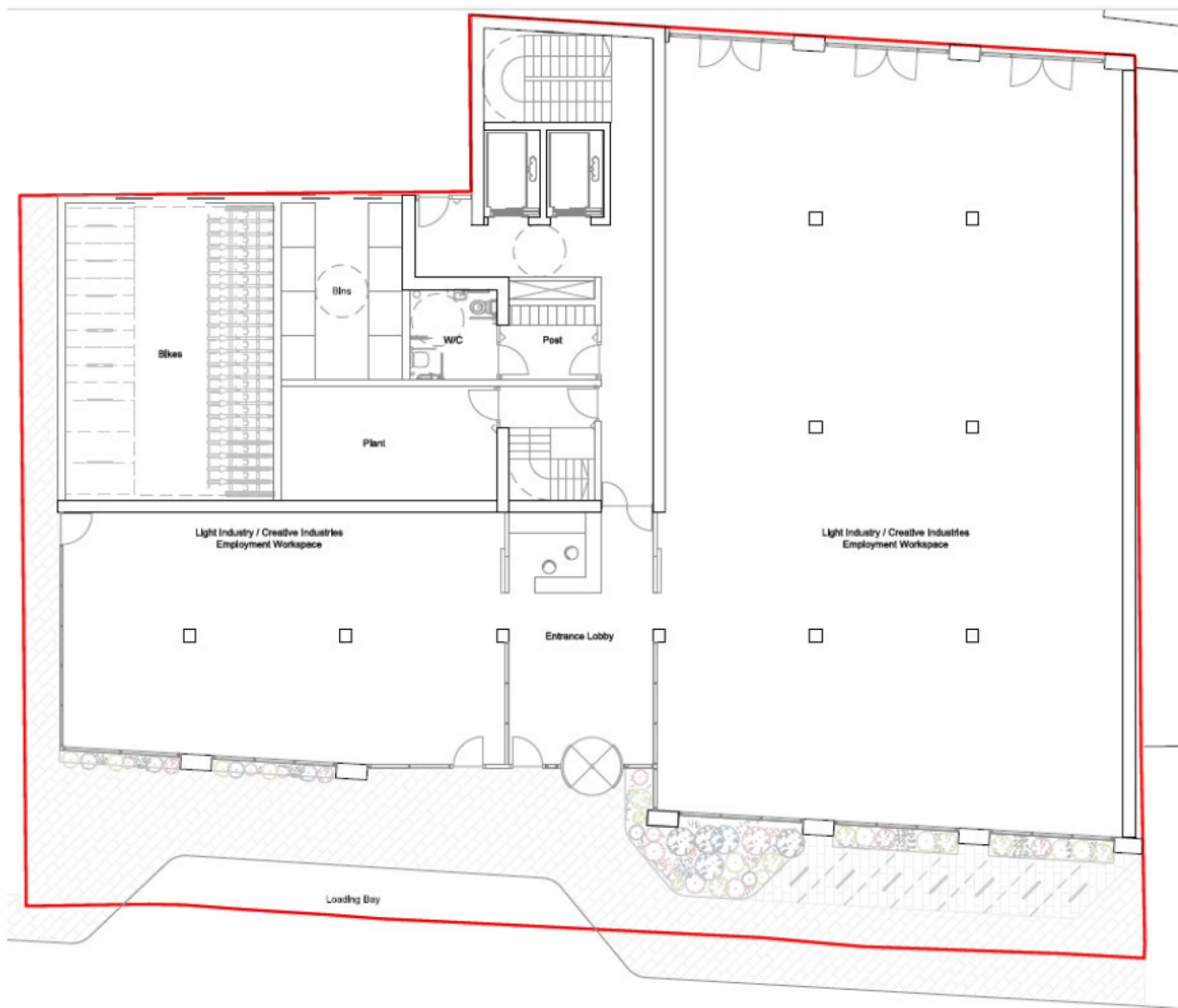
Representations

- Two rounds of consultation, some of these are from the same occupiers.
- 85 of the responses are against the proposed development.
- 13 responses are supportive of the development.

Commercial Floor Space

Use Class	Existing	Proposed	Change +/-
Class E(g)(iii) (light industrial)	933sqm	386sqm	-547sqm
Class E(g)(i) (offices / workspace)	0sqm	3,174sqm	+3,174sqm

Commercial Ground Floor

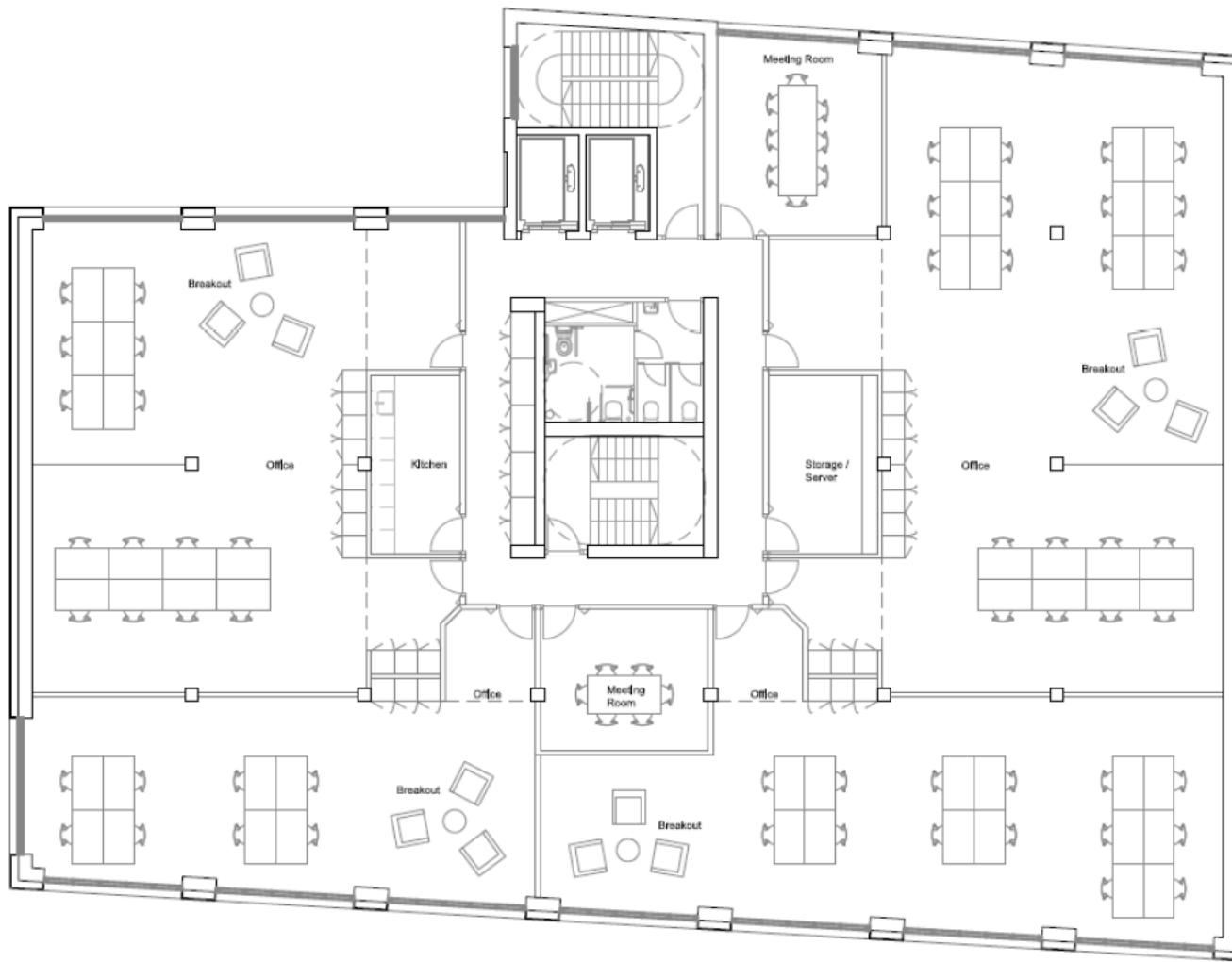


386sqm Class E Floorspace
on one level

10% of total affordable
workspace

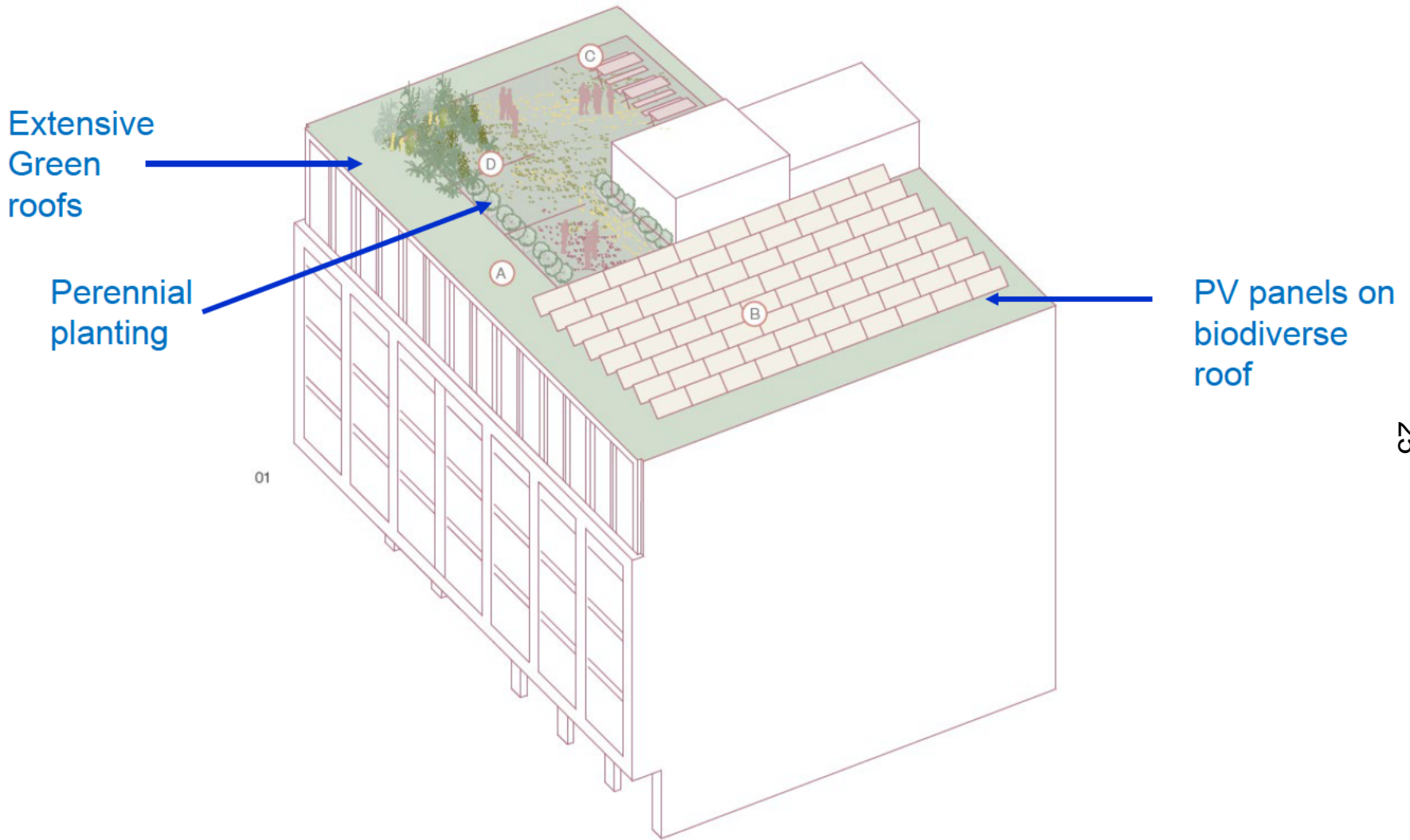
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Typical Upper Floors (Office)



3,174sqm Class E
Floorspace across
five levels

Roof top open space



Building Height

6 storeys in height.

5.03 FEEDBACK RESPONSES: TOWNSCAPE SETTING

Previous height benchmarks had followed pre-app responses in looking at the relationship to 18-19 Crimscott Street. However, the latest proposals (lower section diagram) shows how proposals now step down towards Pages Walk.

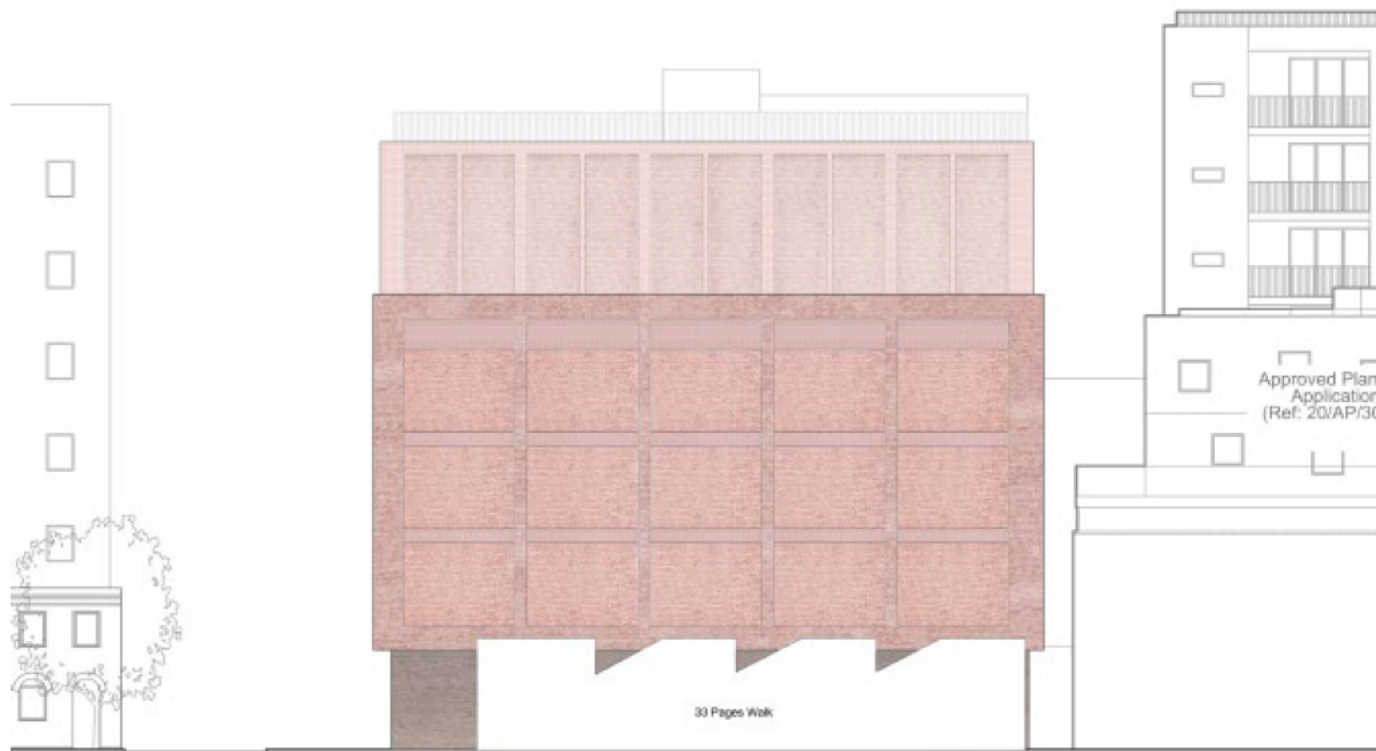


Building Height



Front elevation.
Looking east

Building Height



Looking north.
33 Pages Walk in
foreground.

The Proposed Scheme



Looking South from
Grange Road

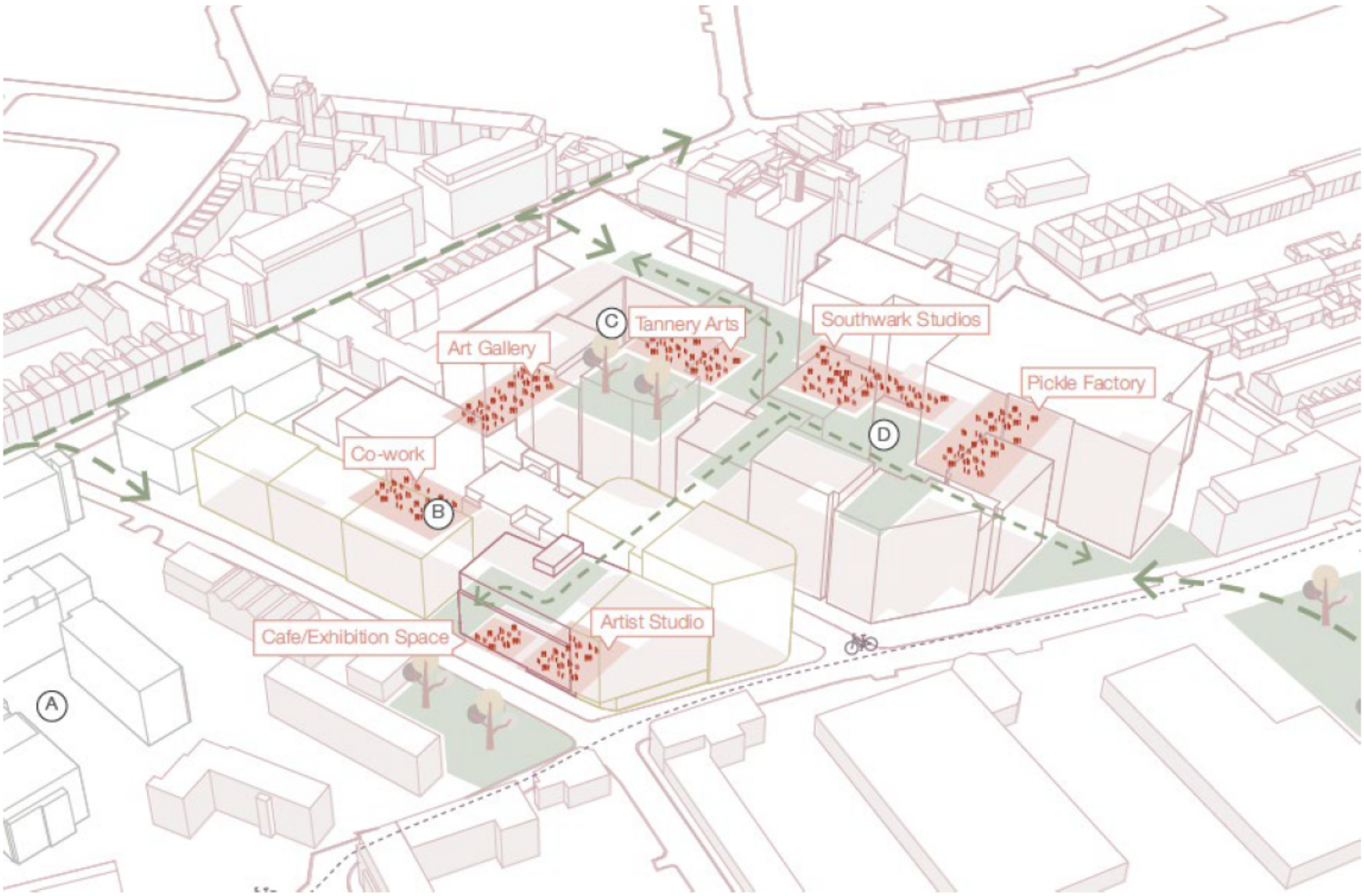
18-19 Crimscott
Street to the rear

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Future developments



Emerging and future developments in OKR2



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Local Views



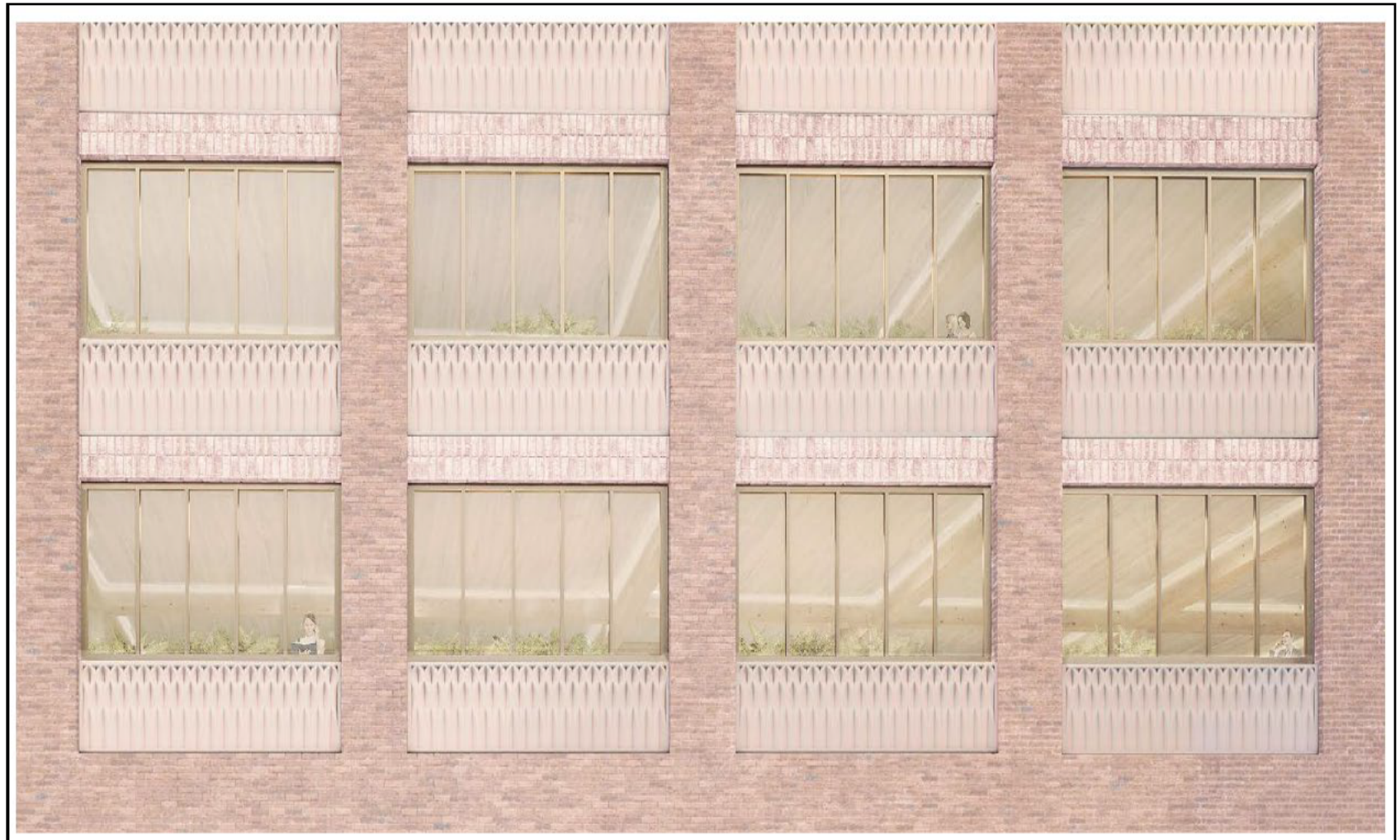
Purple line – consented/constructed developments
Green line – proposed development

Architecture and Materiality



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Architecture and Materiality



Architecture and Materiality



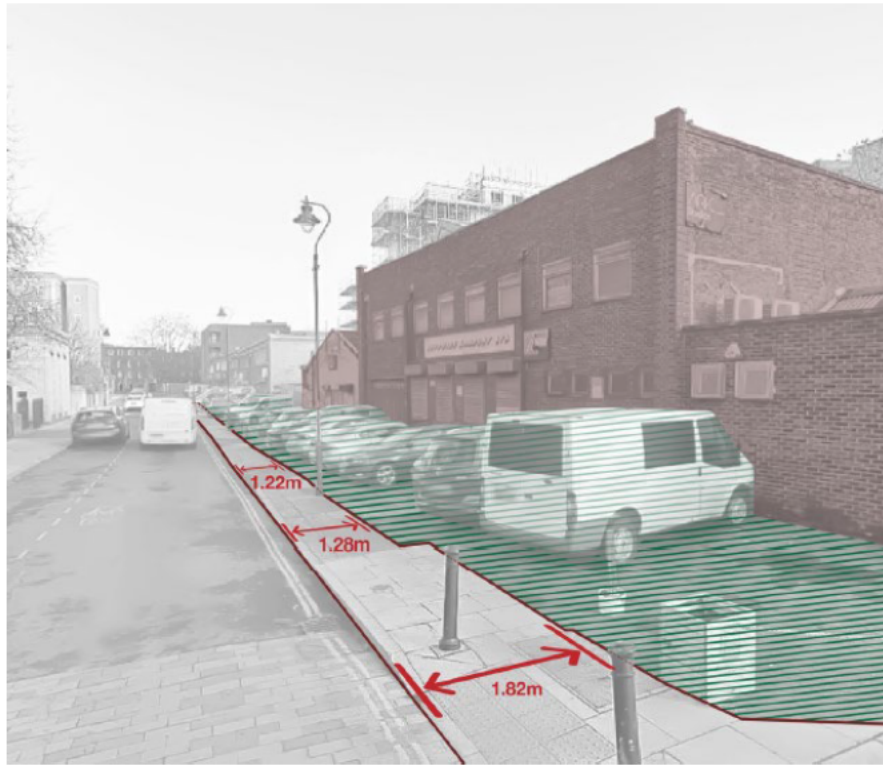
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Building Line and Setbacks



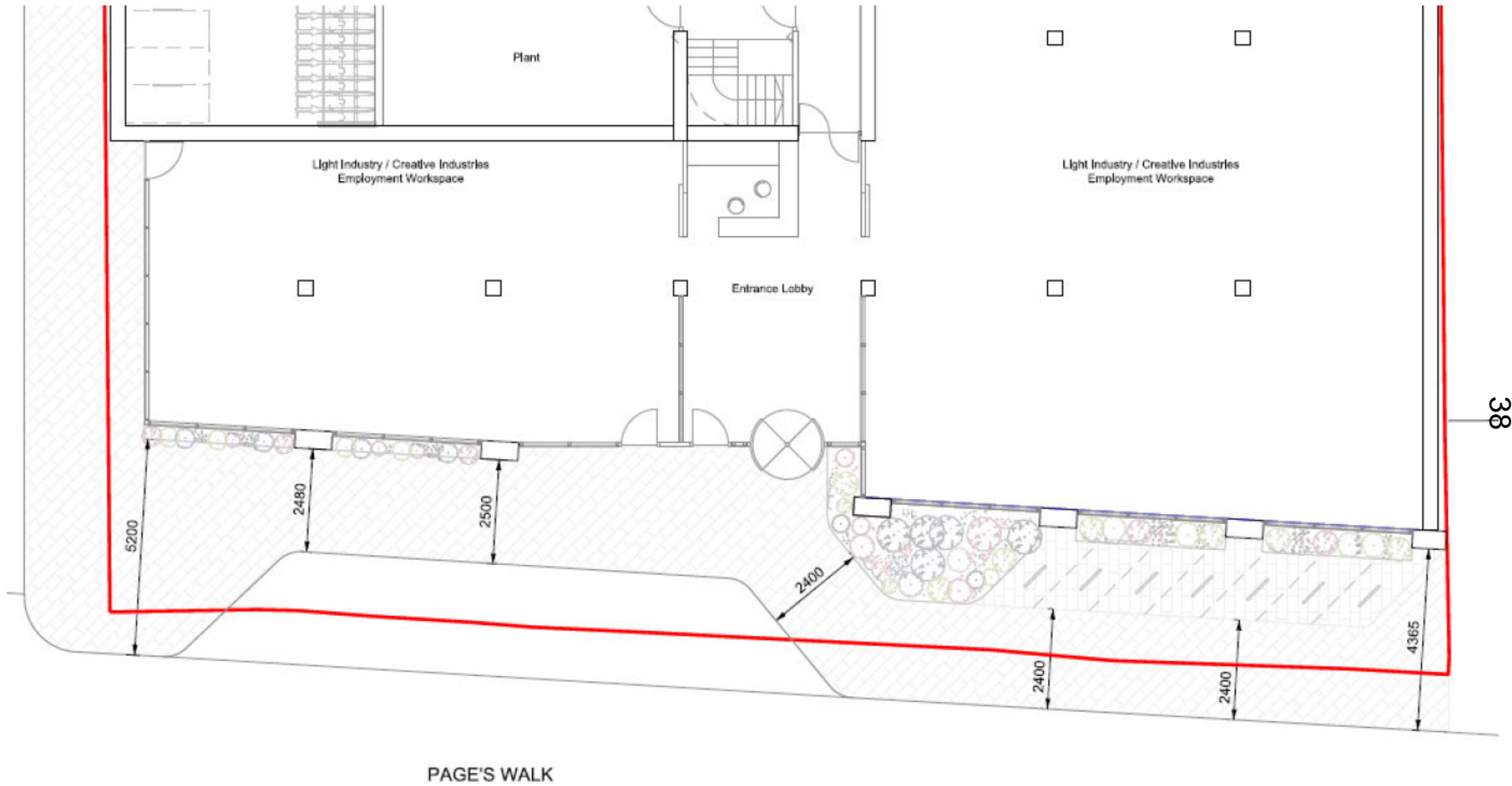
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Building line and Setbacks

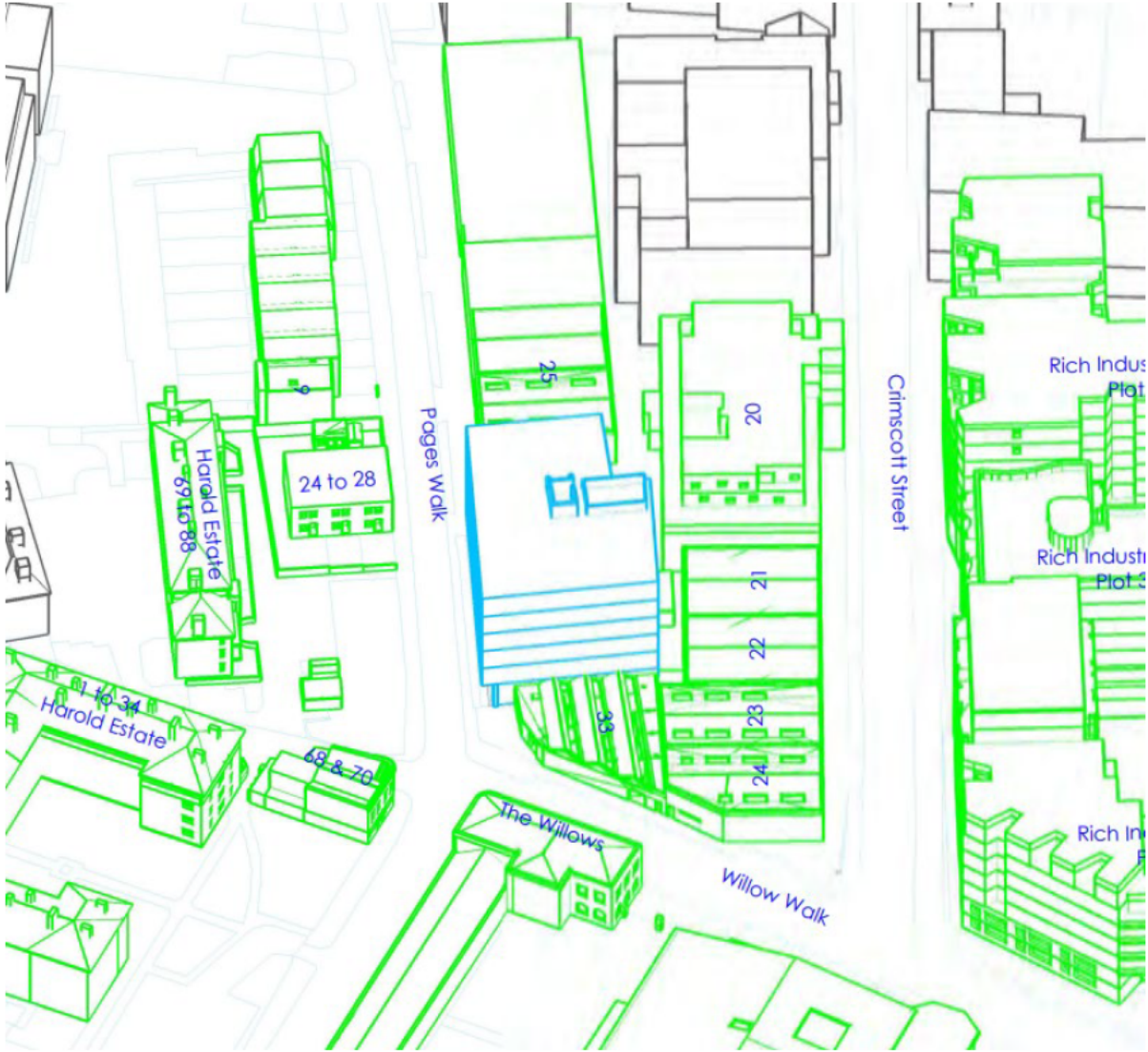


Existing Condition

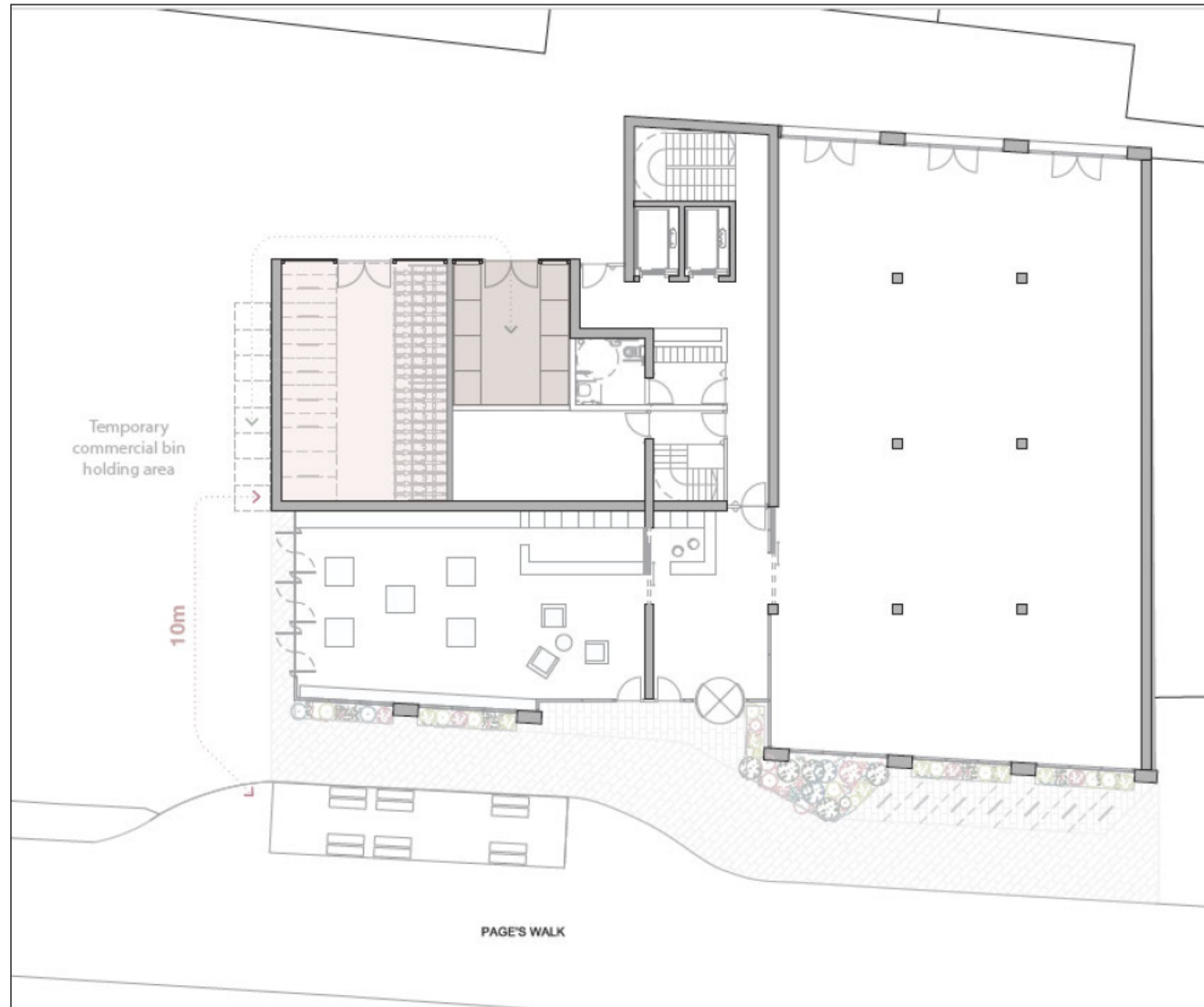
Building line and Setbacks



Impact on Neighbours



Servicing



Summary

- Uplift in employment floorspace in an approved building
- 386sqm affordable workspace (at least 10%)
- Minimal impact on neighbouring residents
- Compliant with aims and objectives of OKR2
- Improved pedestrian environment
- 49% savings on Carbon dioxide emissions

Item 7.2 – 21/AP/4297

Avonmouth House, 6 Avonmouth Street, London, SE1 6NX

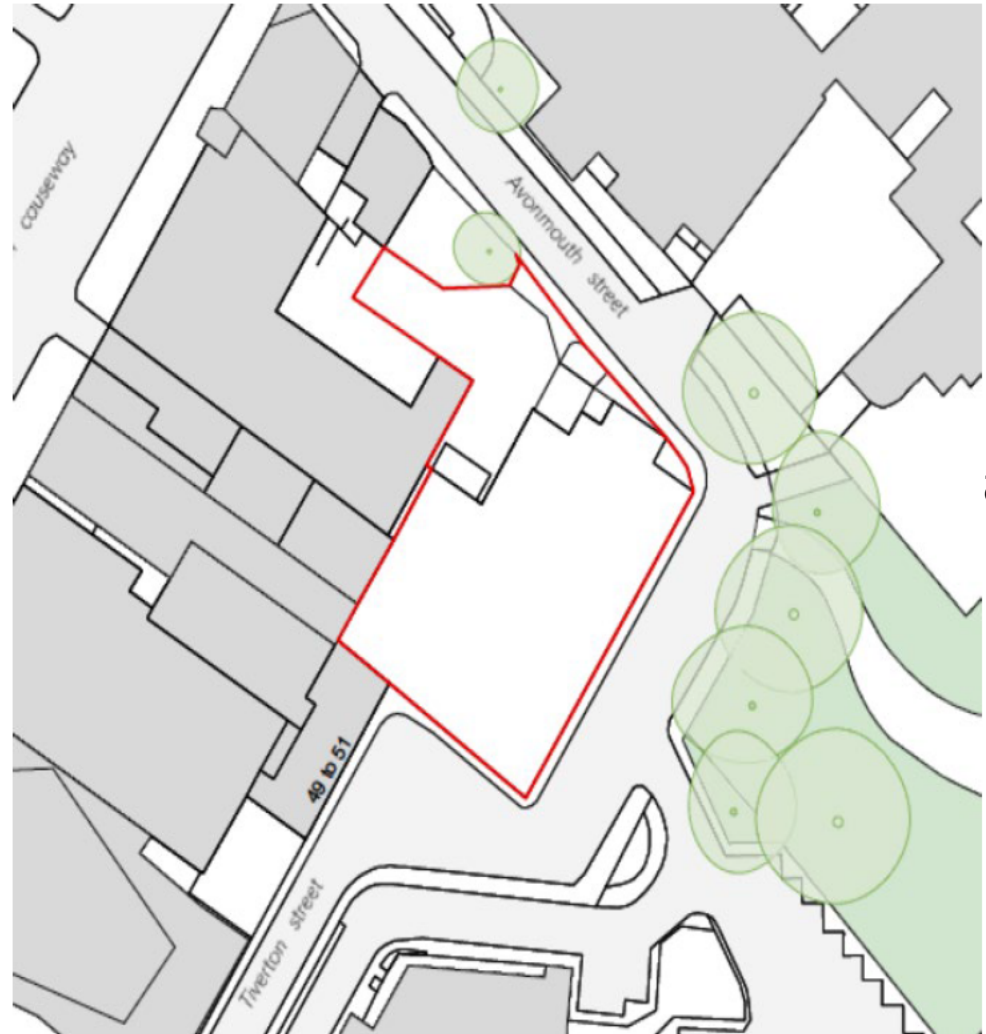
Description of proposed development:

Demolition of existing building and structures and erection of a part 2, part 7, part 14, and part 16 storey plus basement development comprising 1,733sqm (GIA) of space for Class E employment use and/or community health hub and/or Class F1(a) education use and 233 purpose-built student residential rooms with associated amenity space and public realm works, car and cycle parking, and ancillary infrastructure

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EXISTING SITE

- Located on the corner of Avonmouth Street and Tiverton Street. On the southern side of Newington Causeway.
- Training venue and ancillary service yard
- Within site allocation NSP46 63-85 Newington Causeway
- Within the CAZ, Elephant and Castle Opportunity Area, and major town centre.
- Not within the boundaries of a conservation area

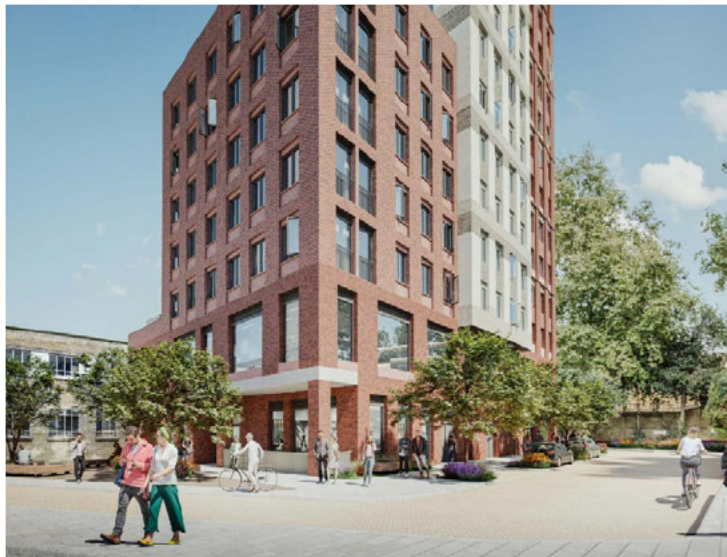




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PROPOSED SCHEME





PROPOSED USES

Mixed use scheme

- 1733sqm (GIA) of Class E employment use and/or community health hub at basement, ground and first floor
- 7056.45sqm (GIA) Student accommodation comprising of 233 bedspaces
- 165sqm external amenity space (roof terraces)



EMPLOYMENT USE

Layout option 1

Flexible
employment /
education



Basement floor plan



Ground floor plan



First floor plan

Layout option 2

Flexible
employment
including a health
hub



Upper basement plan - flexible work space



Ground floor plan - lobby and GF health hub



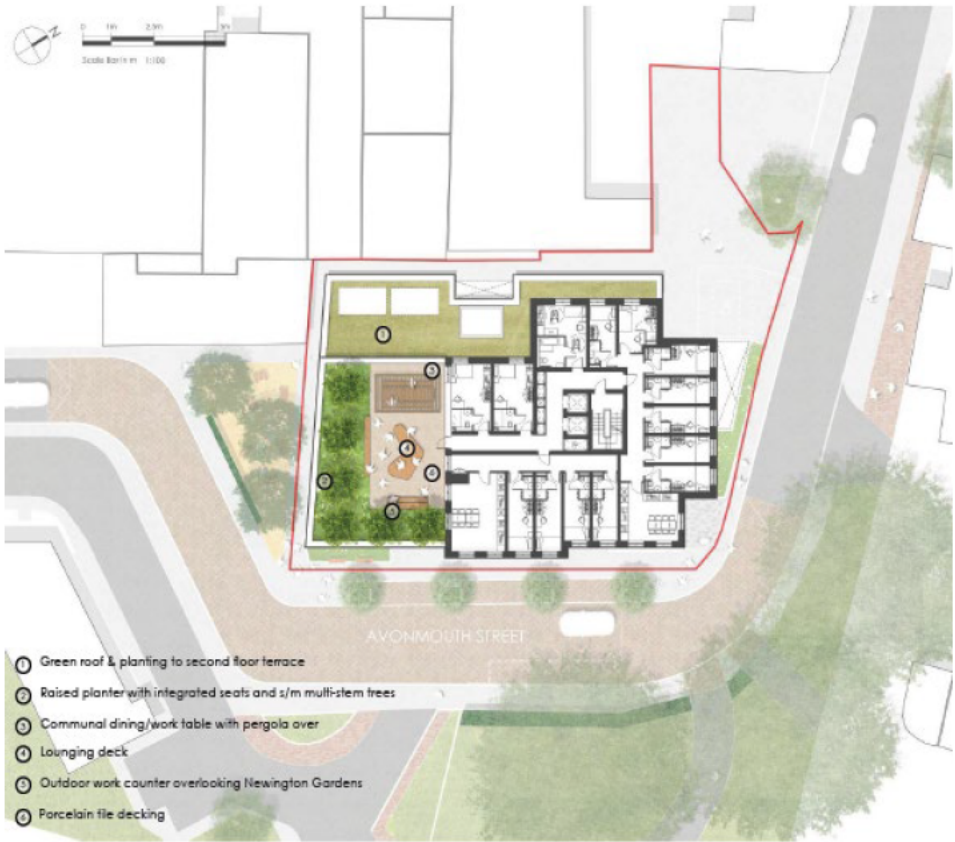
First floor plan - health hub

STUDENT ACCOMMODATION



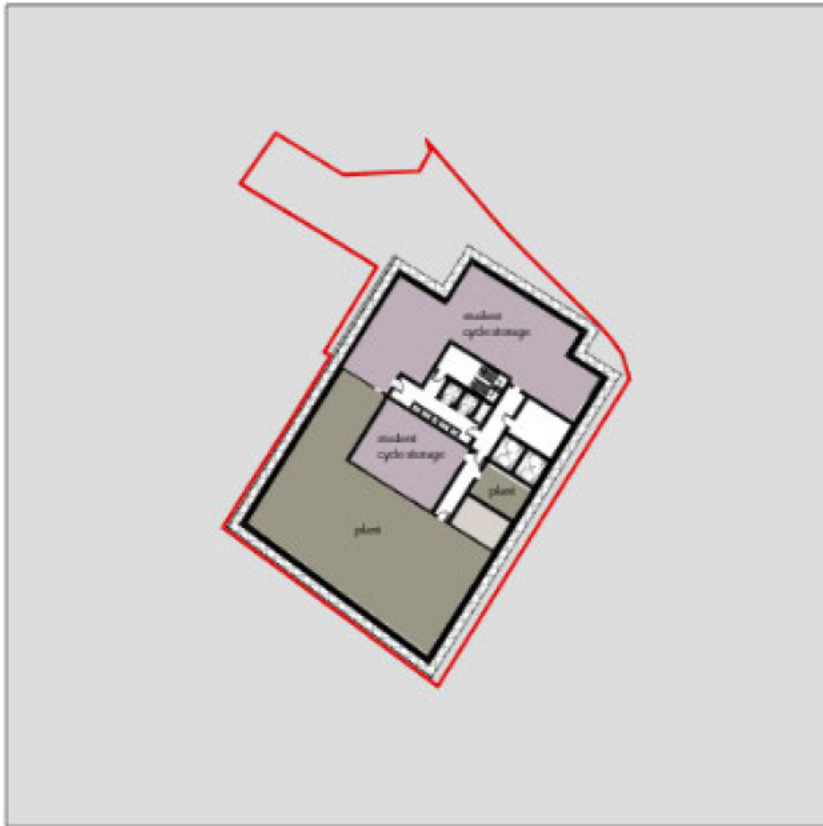
- 233 student bedspaces.
- A mixture of cluster flats and independent studios
- All en-suites
- 5% wheelchair accessible
- 35% affordable student accommodation

PUBLIC REALM

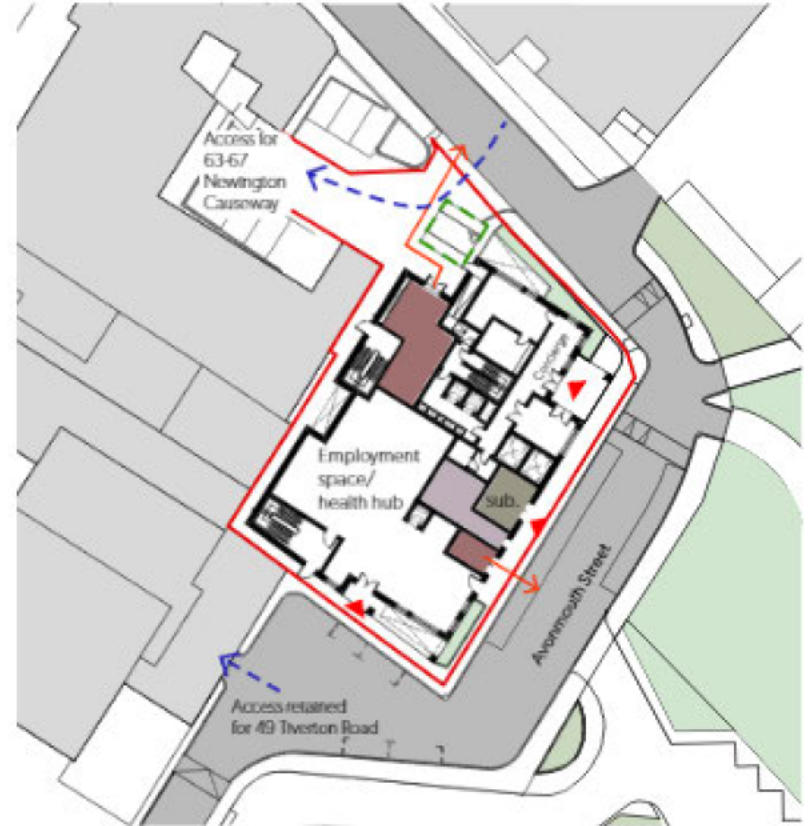


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TRANSPORT



Lower basement plan



Ground floor plan

ISSUES FOR CONSIDERATION

1. IMPACT ON TOWNSCAPE AND LOCAL CHARACTER



View 1 – Tiverton Street



View 2 – Stephenson House to the East of the Railway Viaduct



View 3 – Stephenson House to the South Corner of the Quadrangle



View 8 – Harper Road, at Swan Street



View 9 – Harper Road, Opposite Inner London Crown Court Car Park



View 11 – Newington Causeway near Junction with Avonmouth Street

ISSUES FOR CONSIDERATION

2. LACK OF LEGAL AGREEMENT

Planning obligations as necessary in relation to:

- Provision of a nominations agreement
- Provision of on-site affordable workspace at a discount rent
- Provision of public realm
- Transport mitigation
- Construction phase employment and training
- Operational phase employment and training
- Local procurement during construction and operation phase
- Carbon offset
- Archaeology monitoring
- Wind assessment

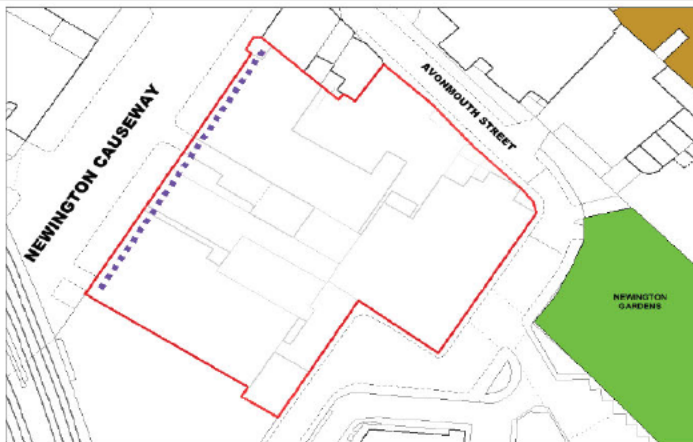
ISSUES FOR CONSIDERATION

3. FIRE SAFETY



MATTERS NOT RAISED AS CONCERNS PRINCIPLE OF THE PROPOSED LAND USES

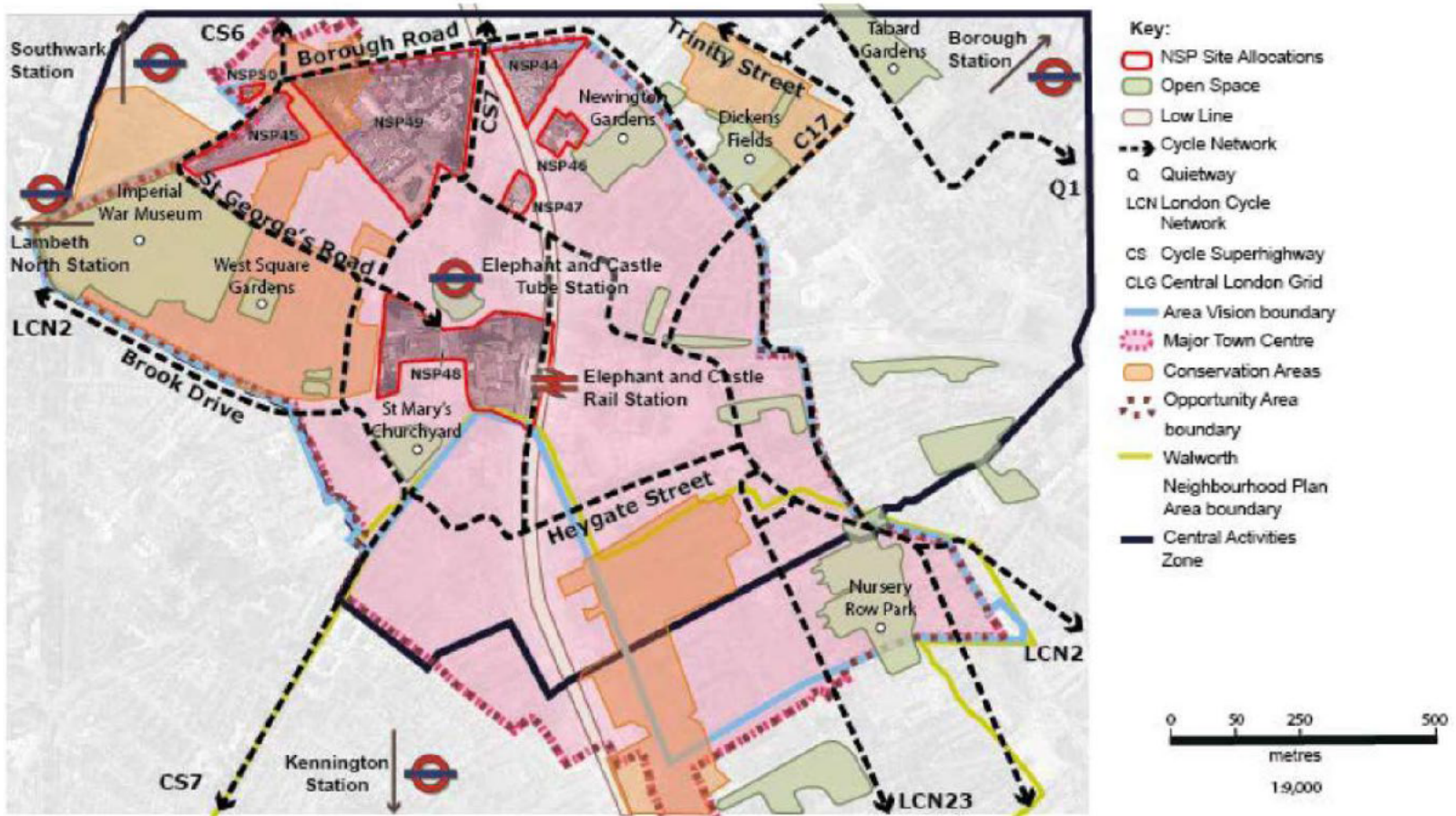
NSP46: 63-85 Newington Causeway



- Site Boundary
- Conservation Area
- Grade I Listed Building
- Grade II Listed Building
- Grade II* Listed Building
- Opportunity for Active Frontages
- Cycleways
- Improved connectivity for pedestrians and cyclists
- Open Spaces
- Buildings of architectural and historic merit
- Buildings of townscape merit
- Locally Significant Industrial Sites
- Strategic Protected Industrial Land
- New Public Open Space

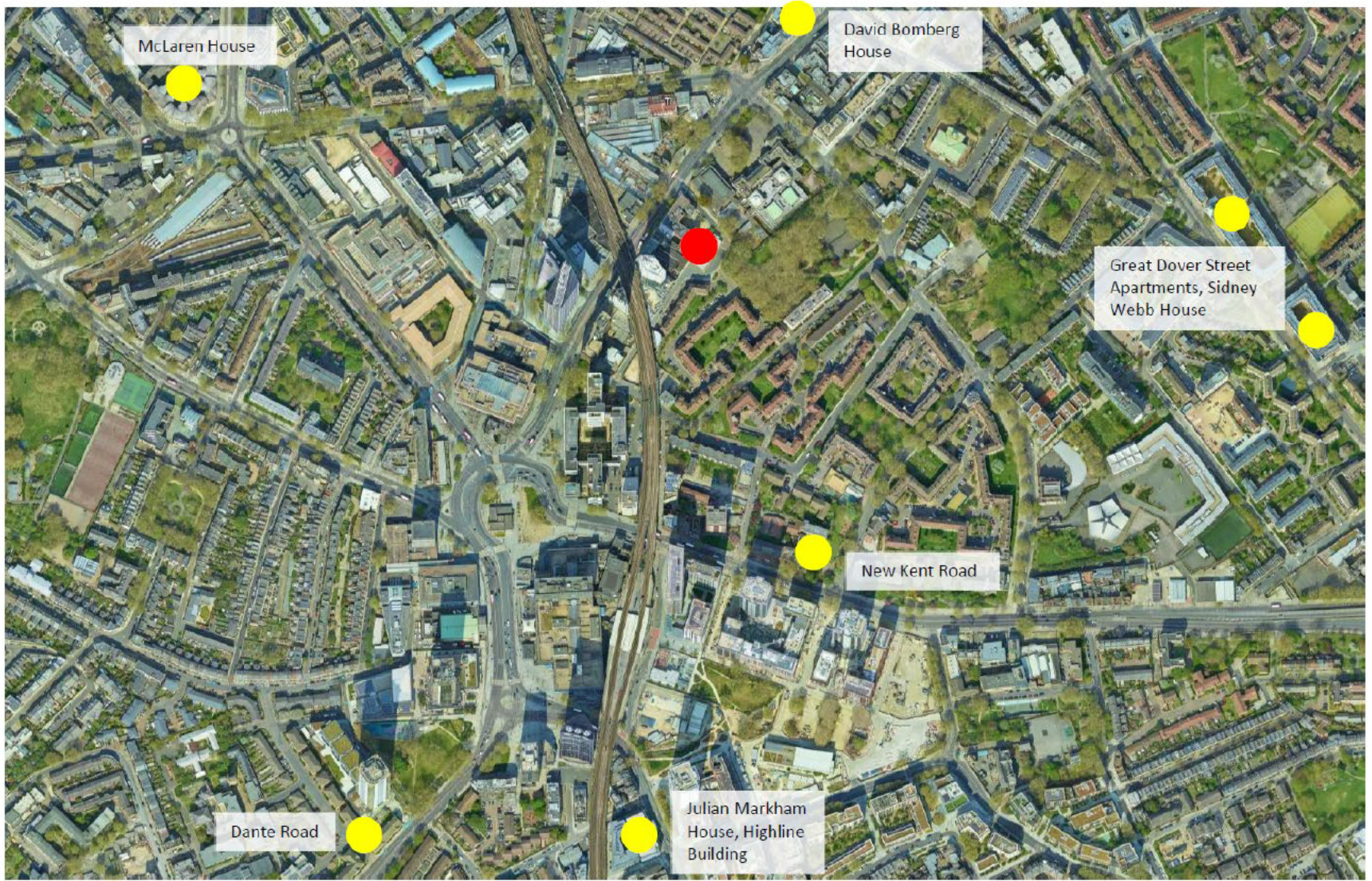
Site Area	<ul style="list-style-type: none"> • 3,784m² 	
Existing uses (GEA)	<ul style="list-style-type: none"> • Southwark Playhouse (Sui Generis) – 816m² • Office (E(g)(i)) – 4,168m² • Light industrial uses (B1c) – 827m² • Job Centre (E(c)(i)) – 546m² 	
Indicative residential capacity	<ul style="list-style-type: none"> • 93 homes 	
Site requirements	<p>Redevelopment of the site must:</p> <ul style="list-style-type: none"> • Provide at least the amount of employment floorspace (E(g), B class) currently on the site or provide at least 50% of the development as employment floorspace, whichever is greater; and • Retain the existing theatre use or provide an alternative cultural use (D2); and • Provide active frontages including ground floor retail, community or leisure uses (as defined in the glossary) on Newington Causeway. <p>Redevelopment of the site should:</p> <ul style="list-style-type: none"> • Provide new homes (C3). <p>Redevelopment of the site may:</p> <ul style="list-style-type: none"> • Provide a new community health hub (E(e)). <p>Planning application 12/AP/2694 is relevant to this site.</p>	
Design and accessibility guidance	<p>Redevelopment should deliver a more complementary and harmonious mix of uses alongside the retained Southwark Playhouse theatre that emphasises its cultural significance, attracts more visitors to the area and creates active frontages on Newington Causeway. Redevelopment should enhance accessibility to public transport, walking and cycle routes.</p> <p>Southwark needs to accommodate significant growth for offices and other workspaces which are growing in demand contributing to the central London economy and status as a world city. Sites that are within the Central Activities Zone are most in demand for delivery of offices and will be required to contribute to this growth by providing an increase in the amount of employment floorspace.</p>	
The site location		
Approach to tall buildings	Comprehensive mixed-use redevelopment of the site could include taller buildings subject to consideration of impacts on existing character, heritage and townscape.	
Impacts Listed Buildings or undesignated heritage assets	The site is within the setting of Grade II listed building Inner London Sessions Court and the undesignated heritage asset Newington Gardens and undesignated heritage assets on Newington Causeway.	
Impacts a Conservation Area	The site is within the setting of the Trinity Church Square Conservation Area.	

ELEPHANT AND CASTLE AREA VISION MAP AND NSP SITE ALLOCATIONS



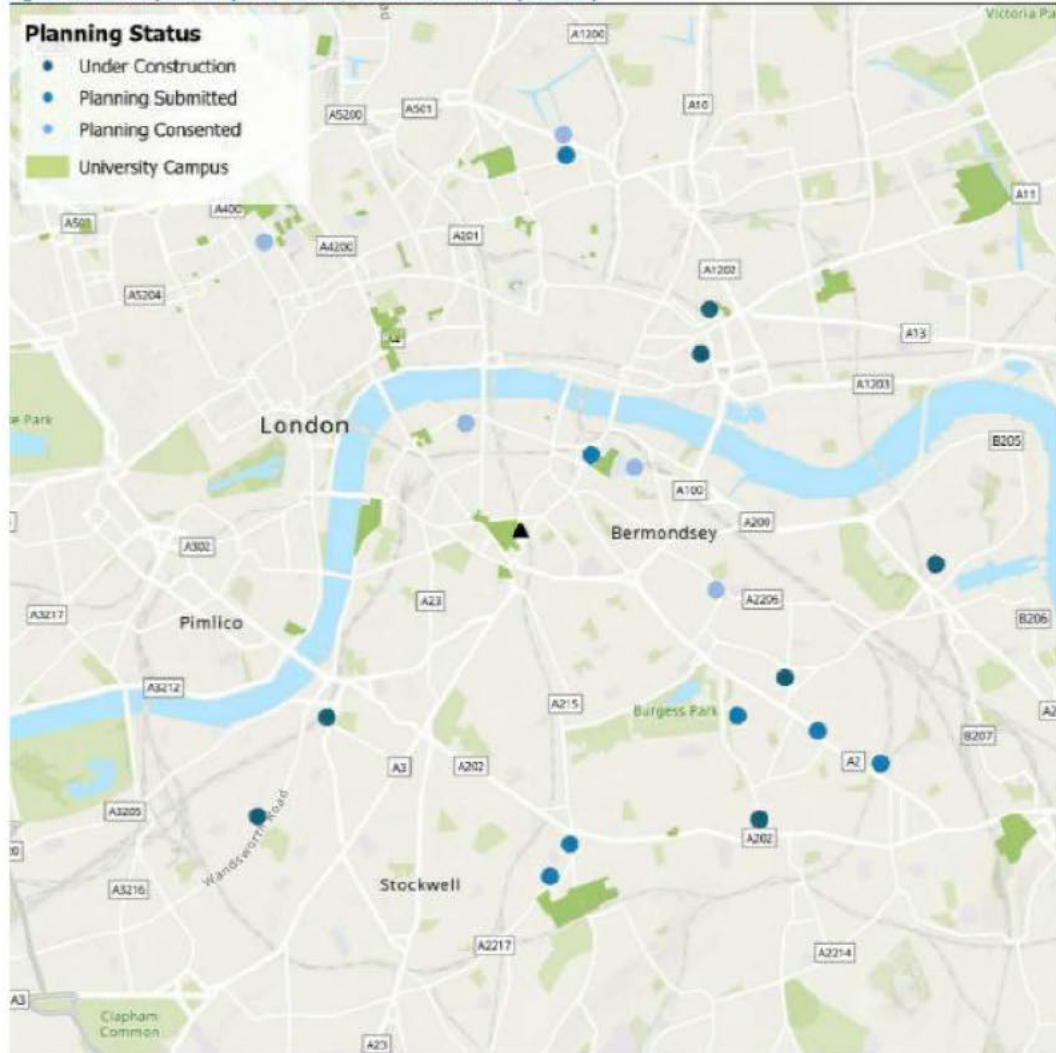
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LOCATION OF EXISTING STUDENT ACCOMMODATION



DEVELOPMENT PIPELINE OF STUDENT ACCOMMODATION

Figure 12: Development Pipeline around Avonmouth House (SE1 6NX)



Source: Knight Frank Student Property Team

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MATTERS NOT RAISED AS CONCERNS AFFORDABLE HOUSING

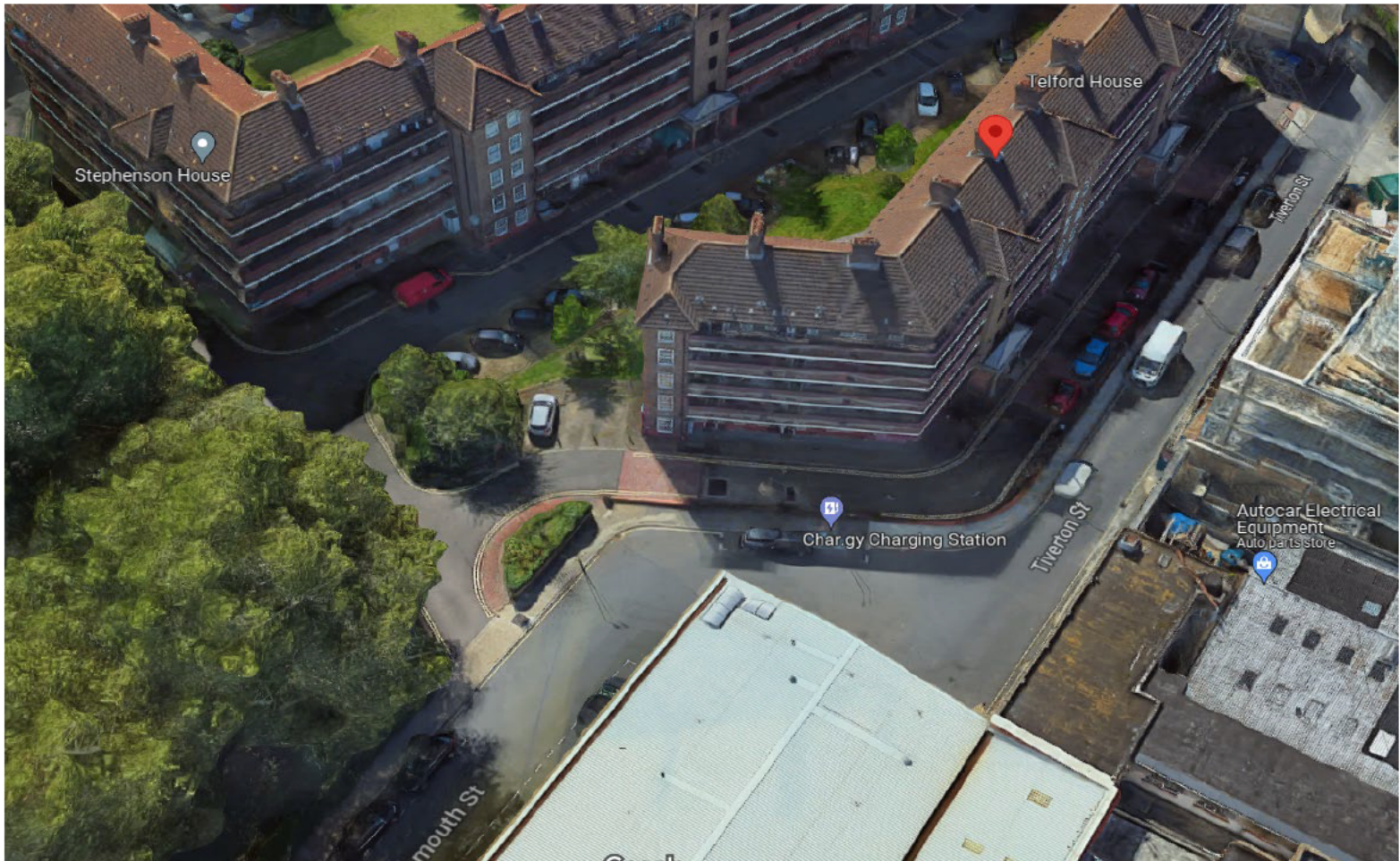


Typical wheelchair accessible studio

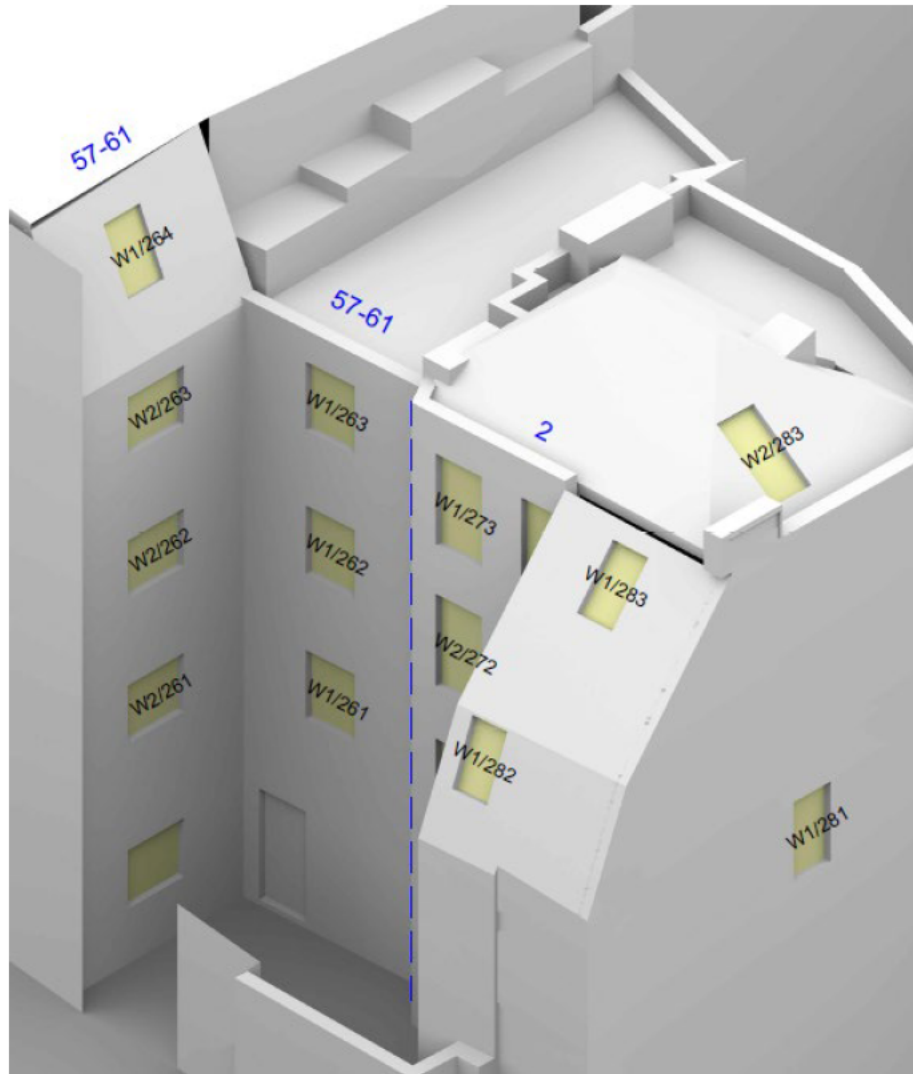
- Would accord with the requirements of Policy P5.
- 5.5% wheelchair accessible units (12)
- A minimum of 35% of the accommodation as affordable student rooms.
- Secured in the legal agreement should the Inspector allow the appeal.

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MATTERS NOT RAISED AS CONCERNS DAYLIGHT AND SUNLIGHT



Aerial view of Stephenson and Telford Houses



Constrained windows at 57-61 Newington Causeway and 2 Avonmouth Street

SUMMARY

Likely reasons for refusal relate to the following topics:

- Unacceptable impact on townscape and local character
- 2. A lack of s106 agreement to secure obligations to mitigate harm and secure planning benefits
- 3. Does not achieve the highest standard of fire safety as required by Policy D12 of the London Plan

Item 7.1: Sultra House, 29-31 Pages Walk, LONDON, SOUTHWARK

Late Representations

1. Since the publication of the main committee report, one late representation has been received. The points raised (in *italics*) and Officer's response are summarised below:
2. - *The existing building is not 11.8m high.*

Response: This is noted and paragraph 3 should be corrected to say 11.3m in the main report.

- *In addition to the consultation responses, a petition to limit the height of buildings in Pages Walk was signed by 86 local residents and submitted to the Director of Planning and the Leader of the Council in August 2020.*

Response: Officers had inadvertently missed to report this in the main report. This should be added to the consultation section of the report (Paragraph 18).

- *The proposed development juts out as a monolithic block right up to back of pavement. It blocks views up and down the street. It destroys the openness. It narrows down the street and makes it claustrophobic. Its size, length and depth are totally out of scale with the street. It does not recognise, or respond to, the existing townscape, character, or context.*

Response: The scale, massing, height and views are discussed in the Design Considerations of the main report (from Paragraphs 93 onwards).

- *Upper floors are not set back from Pages Walk; they project out from the existing building line. Questions over the setback of the upper floor measurements. The National Planning Policy Framework requires adherence to the National Model Design Code which is quite specific about keeping to the building line. The report also does not mention whether the developers have the right to build out over what has been publicly accessible land for many decades.*

Response: The upper building line measured no closer than 3.75m to the kerb and this is provided in a drawing submitted by the applicant. The building does not project 4.5m from the existing building line; it varies from 2.11m to 3.5m. Officers have already discussed the setback of the building in the main report. As shown in the submitted drawings the set back is relatively modest on the top floor, but it should be noted the scheme originally projected further out over all the floors. It should also be pointed out that the existing building is

very slightly splayed from the established building line and is in fact not parallel to the rest of the buildings on the street. Whilst the proposed building would indeed step forward this is not a significant projection and would not significantly harm the streetscene to warrant a refusal.

The proposed development is entirely within the title ownership of the developer. The existing forecourt is within the title boundary, and the change of hard surface visible on the site roughly denotes the boundary edge with the public right of way. It has already been noted in the main committee report that the public footway is currently approximately 1.22m to 1.28m wide in front of 29-31 Pages Walk, which would increase to provide a minimum of 2.4m clear pavement width across the entire width of the site under the proposed scheme.

- *Questions the heights set out in the draft AAP (2020). It does say “up to six storeys”, not that buildings should be six storeys. It is not known where these six storeys came from in the 2nd version of the AAP. Pages Walk forms the boundary to the Opportunity Area and the Area Action Plan so proposed development should respect existing, not emerging, heights and scale.*

Response: Reference to building heights on Pages Walk was omitted in the 2017 version of the AAP and added in 2020 in order to provide greater clarity. It is noted that there are objections to the policy and as stated in paragraph 114 of the report, the draft AAP has limited weight. Arguably 6 storeys is consistent with the AAP strategy of encouraging lower heights towards the fringes of the Opportunity Area. The Marshall House development (Alwen Court) on the west side of Pages Walk ranges up to 6 storeys, while the Harold Estate to the west of Pages Walk is 4 storeys. At 6 storeys, development on the east side of Pages Walk does help mediate up to 9 storeys on Crimscott Street.

- *Questions the impact of the development on the existing amenity space opposite on Pages Walk.*

Response: This topic is covered in the main committee report (paragraph 150). Officers had analysed the findings of the submitted daylight and sunlight assessment and this confirms that it would exceed the BRE guideline. The report confirms that 99% of the lit area will be held.

- *Impact of the development on the views and the 18-19 Crimscott Street should not be used to set the context for this development.*

Response: This has already been addressed in the main committee report (Height and Massing section from paragraph 98 onwards).

- *It is surprising the report does not question this lack of contextual information but is still able to conclude that the building is fine in its context.*

Response: The submitted drawing show this site in the context of the existing, emerging, approved and constructed schemes on Crimscott Street, Grange Road and Rich Industrial Estate.. This is the first site to come forward for development on Pages Walk and will indeed contrast with the low-rise industrial building currently adjoining the site here, but the adjoining sites could well be redeveloped in the future. 18-19 Crimscott Street is an example of this.

- *The views described in the Pages Walk Conservation Area Appraisal do not appear to be considered in this report. The view out of “the gateway”, looking northeast between the Victoria pub and the Willows, would be of a side wall at full depth of the site towering 6 stories over the conservation area. Harm to the setting of the conservation area.*

Response: This is addressed from paragraph 121 in the main committee report. Officers have had special regard to the impact of this scheme on neighbouring heritage assets and considered that the impact of the development on the setting of the Pages Walk Conservation Area to be ‘less than substantial harm’. It is acknowledged that there would be some degree of harm, but the existing residential buildings and their distinctive butterfly roof profile would be visible and can still be readily appreciated. In this context and as set out in the main report the proposed development is not considered to harm the setting to a significant degree. As a result, its impact on the conservation area is considered to result in less than substantial harm to the heritage asset, which would be outweighed by the public benefits of the proposals. The public benefits outlined in the main report include the provision of new employment space including affordable work space, which will help to deliver key policy requirements on the New Southwark Plan, including 10,000 new jobs in the Old Kent Road AAP (AV.13 Old Kent Road Area Vision, NSP). For the avoidance of doubt officers have considered this public benefit in the planning balance against the harm caused by the scheme and have concluded that the balance of considerations falls in favour of recommending approval of the scheme.

- *The proposed development blocks out daylight and closes off outlook for so many existing residents. Questions the daylight assessment, in particular the levels to Harold Estate and the use of the alternative tests (removing the access decks).*

Response: This is covered under the Daylight and Sunlight Impacts section in the main Committee report. The BRE guidance allows for this alternative test.

Corrections and clarifications on the main report

3. The following paragraphs should be replaced in the main report.

Paragraph 80 Use class

4. The main report read: “The proposed re-development of the site would introduce a commercial building comprising of 3,769sqm of Use Class E(g)(iii) floorspace.”

Strictly speaking, the 3,769sqm is Use Class E(g) – with the majority of the ground floor as Light Industry i.e. Use Class E(g)(iii), and the remainder in office i.e. Use Class E(g)(i).

Paragraph 125 Harm on Heritage Assets:

5. A table in the main report should be corrected as below (delete words ~~strike through~~ and include words in **bold**). This was an error in the main report. The closest listed buildings are not in view of the development and therefore no harm to its setting is identified.

Listed Buildings and Conservation Areas	Assessment of Impact on heritage significance
LVMF Views	No harm identified
Local Views	No harm identified
Pages Walk Conservation Area	Less than substantial harm
Bermondsey Street Conservation Area	No harm identified
Listed Buildings	No substantial harm to the setting identified owing to the height and distance of the development from nearby assets
Draft Locally listed buildings/ undesignated assets identified in the draft Old Kent Road AAP	No harm identified.

Paragraph 135 Daylight and sunlight:

6. Paragraph 135 of the main report had noted that 80 Willow Walk & The Willows are located to the east of the proposed development site. This should be corrected to read “80 Willow Walk & The Willows – These properties are located to the ~~east~~ **south** of the proposed development site.”

Daylight and Sunlight:

7. Officers would like to highlight the impact of the scheme on the Rich Estates Plot 2 as this was not discussed in the main report.
8. Of all the windows tested at Rich Estate Plot 2 development, all main habitable room windows meet the BRE VSC recommendations with the exception of 2 windows on the first floor. One of these is to a bedroom, which is considered to be less important. The second one appears to serve a living kitchen and dining room. This

room achieves a result of 0.75 against a target of 0.80. In terms of daylight distribution, two rooms fall below the target. One of these would reduce by 0.79, so very marginally below the 0.8 factor recommendation. The other window that falls below the 0.8 target is a Living/kitchen/dining room on the first floor. The VSC would reduce by 0.53 (from an existing 29.6 to 15.7). However, it is noted that this room sits behind an inset balcony and that contributes to the greater loss. Overall, it is considered that there would not be a significant loss of daylight amenity to these residents at Plot 2.

Item No: 7.2	Classification: Open	Date: 2 November 2022	Meeting Name: Planning Committee
Report title:		Addendum report Late observations and further information	
Wards or groups affected:		Chaucer	
From:		Director of Planning and Growth	

PURPOSE

1. To advise members of clarifications, corrections, 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 stated recommendation.

RECOMMENDATION

2. That members note and consider the additional information and consultation responses in respect of each item in reaching their decision.

FACTORS FOR CONSIDERATION

3. Report clarifications are required in respect of the following planning application on the main agenda, and additional information has been received:

Item 7.2 – 21/AP/4297: The Council’s Statement of Case for an appeal in relation to Avonmouth House, 6 Avonmouth Street, London, SE1 6NX (a storey scheme)

Report Clarifications and/or Additional Information

4. Corrections to the following paragraphs of the committee report should be noted by the Planning Committee. Paragraph 1 refers to application reference 18/AP/4039 which is not of relevance to this appeal.
5. Paragraph 15 of the committee report details a summary of the proposal, it is of note that this paragraph refers to the 14 storey scheme which is currently being determined by Officers (ref: 22/AP/2227). The summary of the application should therefore read as follows:

The application proposed the demolition of the existing buildings and the construction of a part two, part seven, part 14 and part 16 storey building. A two storey basement is also proposed, though the lower part would only

cover part of the site. The basements, ground and first floor would provide a mix of storage facilities (cycle and refuse), lobbies and a flexible non-residential space which the appellant would use as education/employment floorspace or a health hub. The floors above are proposed as student accommodation with most of the accommodation - 217 rooms - being in the form of cluster flats, 16 studios are proposed with 12 of these being accessible units.

6. Paragraph 11 of the committee report refers to the location of the surrounding buildings, however the directions are incorrect and reference to Coburg House is also incorrect. Coburg House is located at No. 63-76 Newington Causeway and is located to the west of the application site. No 69-71 Newington Causeway is location to the south-west, and No 73-75 Newington Causeway is also to the south-west. The Southwark Theatre 77-85 Newington Causeway is located to the west. The Ceramic Building 87 Newington Causeway is located to the south.
7. Paragraph 20 of the committee report outlines the proposed cycle parking provision on site, however the report refers to an incorrect number of cycle parking spaces. Following the adoption of the New Southwark Local Plan, the applicant has agreed to increase the number of cycle parking spaces on site to accord with the standards in Policy 53 (Cycling). Therefore a total of 302 spaces will be provided, including 30 Sheffield racks providing 60 spaces, and 3 disabled and 3 cargo bicycle spaces. A condition has been suggested to the Inspector to secure this.
8. Paragraph 51 refers to Policy P14 "Design quality", to clarify, this policy seeks to ensure high standards of design including building fabric function and composition, and must provide innovative design solutions that are specific to that site's historic context, topography and constraints.

Additional consultation responses received - objectors

9. Subsequent to the publishing of the committee report three objections were received on 31 October 2022 from the landowners of sites next to the application site at:
 - 63-67 Newington Causeway
 - 73-77 Newington Causeway and
 - 49-51 Tiverton Street
10. These sites, along with 69-71 Newington Causeway, and the appeal site-Avonmouth House, form site allocation NSP 46.
11. The objections are similar and concentrate on the impact that development on Avonmouth House may have on the development potential of their sites. The objections are for both the 16 storey appeal scheme (21/AP/4297) and the 14 storey scheme (22/AP/2227) that is still under consideration. In summary the points raised are:

- Matter 1: The planning applications on Avonmouth House were made on the assumption that the sites forming the rest of the site allocation would be developed as one. This is not now the case and constitutes a fundamental change which means the approach to the development on Avonmouth House needs to be adjusted.
- Matter 2. The 4m set back of the upper floors of the appeal scheme within the Avonmouth House site (from its western boundary) is not sufficient to allow reasonable development to take place on the neighbouring sites. Objectors assert that a setback of 10.5m should be required on Avonmouth House for 21m separation distance referred to in the residential design standards to be shared equally between the sites.
- Matter 3: The masterplan submitted for the appeal scheme has failings on other regards for development on the other sites separately.
- Matter 4: That considering the above the council include the following reason for refusal:

The development would unreasonably compromise development on neighbouring sites, contrary to New Southwark Plan Policy 18 and has no regard for Residential Design Standards.

12. Another point made regarding the 14 storey application (which officers plan to present to members with a recommendation for approval on 29 November) is that it is likely to result in grounds for a Judicial Review if the points in the objections aren't addressed. This is not a relevant point for the appeal scheme which will be determined by a Planning Inspector. The matters summarised above are discussed in detail below.
13. The three objections have been sent to the appellant's agent and they have provided a response to the matters raised. They have confirmed that the masterplan contained within the Design and Access Statement is illustrative and do not believe that the development at Avonmouth House would compromise reasonable development opportunity on the rest of the site allocation.

Matter 1: The 16 storey appeal scheme's submission was made on the assumption that the rest of the allocation site would be delivered as one this now being unlikely constitutes a fundamental change.

14. The Design and Access Statement for the appeal scheme includes drawings showing the neighbouring sites separately in a 'masterplan' so it seems that separate development was in the mind of the applicant at the

time of submission. As highlighted above, the appellant's agent has confirmed that the masterplan is illustrative.

15. Officers were in early pre-application discussions with representatives of the neighbouring sites about a comprehensive development. On 18 October, their agent informed officers that one comprehensive redevelopment is not likely to take place.
16. A comprehensive redevelopment of the rest of the site allocation would offer more opportunities and provide fewer constraints for development on an amalgamated site. The change in circumstances for neighbouring landowners does not mean that the appeal scheme would preclude development on the neighbouring sites separately, which is examined in more detail in relation to matter 2 below.

Matter 2: Set back and the potential compromising of reasonable development on neighbouring sites.

17. The proposed development is set back from its western boundary, above the second storey, by 4m at its closest point.



3rd – 6th floor plan for the appeal scheme showing the narrowest set back for a window.

18. The objectors say that the appeal scheme should be set further back to the east so it is 10.5m from the site boundary, which will allow a 21m

separation distance to be met, provided that development on the neighbouring site be set back by the same distance.

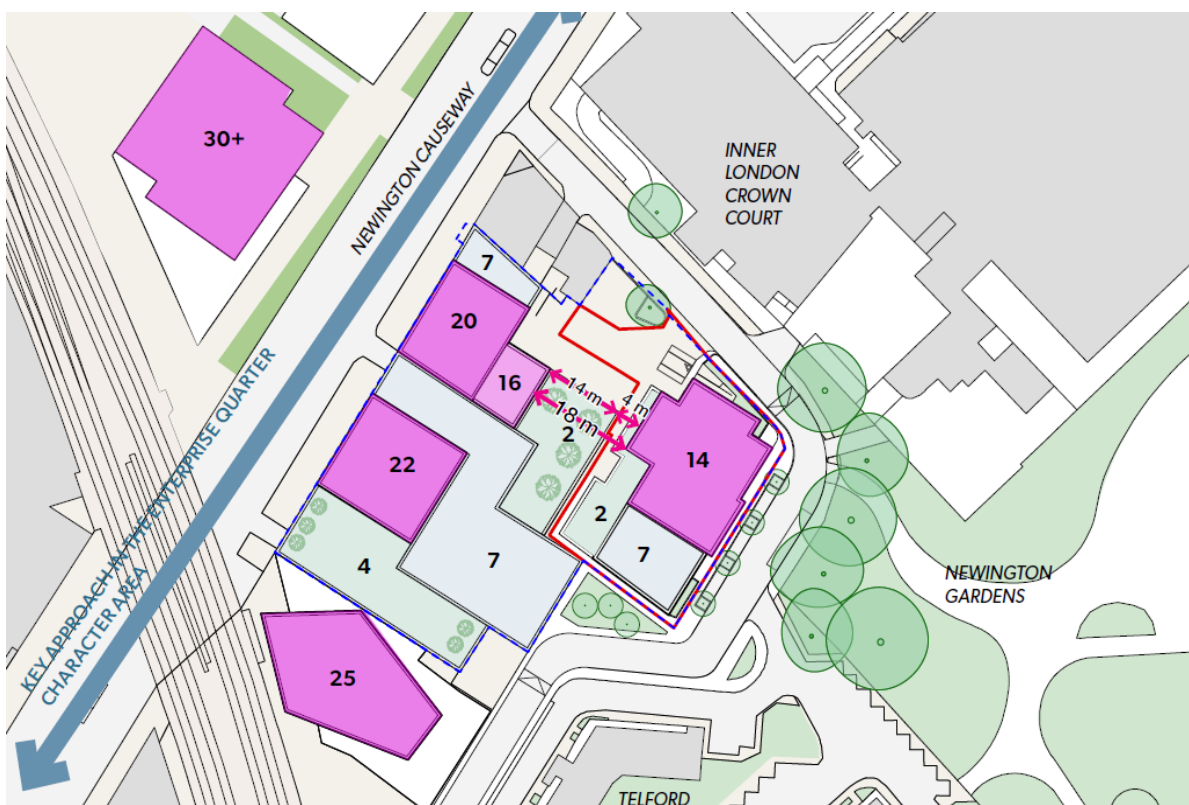
19. They go on to say that were the 4m set back observed by a development on neighbouring sites, the separation distance of 8m would be 13m shorter than the 21m referred to in the Residential Design Standards SPD or the normally accepted 18m. The latter seems to be a reference to the Mayor's Housing SPG that recommends a minimum distance of 18-21m for visual separation. Southwark's Residential Design Standards SPD says:

"To prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve the following distances:

- A minimum distance of 12 metres at the front of the building and any elevation that fronts onto a highway
- A minimum distance of 21 metres at the rear of the building

Where these minimum distances cannot be met, applicants must provide justification through the Design and Access Statement."

20. Usually this guidance and that in the Mayor's SPG is applied to a development that would affect an existing neighbour and where such distances cannot be met, mitigation can be provided. Mitigation could range from that suggested in the Mayor's SPG for avoiding windows that directly face each other where distances are tight, to proposed windows being angled away from existing windows and the use of screening to protect privacy.
21. At present, there are no definitive proposals before the council for development on the neighbouring sites against which to judge these guidelines. A minimum distance to protect privacy of 21-18m in this context is not an absolute and there are design interventions that development on the neighbouring sites could take to mitigate the impact on privacy.
22. The assertion from the objectors is that the 4m set back into the site would compromise reasonable development coming forward on neighbouring sites and they reference the masterplan developed by the appellant's architect:



Extract from objections showing heights and distances. Avonmouth House is shown as a 14 storey scheme here.

23. This 'masterplan', though included in the Design and Access Statement in a similar form does not have any weight in planning terms. It was provided by the appellant's architect to illustrate what the development of the sites in separate land ownership might look like in the context of the development of Avonmouth House. The development on Avonmouth House does provide a constraint on the neighbouring sites but this constraint would not unreasonably compromise development, as mitigation to manage any impact on privacy can be designed into any future development.
24. NSP 46 has an indicative residential capacity of 93 homes with its site requirements being:

Redevelopment of the site must:

- Provide at least the amount of employment floorspace (E(g), B class) currently on the site or provide at least 50% of the development as employment floorspace, whichever is greater; and
- Retain the existing theatre use or provide an alternative cultural use (D2); and
- Provide active frontages including ground floor retail, community or leisure uses (as defined in the glossary) on Newington Causeway.

Redevelopment of the site should:

- Provide new homes (C3).

Redevelopment of the site may:

- Provide a new community health hub (E(e)).

25. Officers are satisfied that these requirements can still be delivered across the remaining land ownerships, in particular the first series of bullet points that must be delivered.

Matter 3: Other failings of the masterplan

26. The comments on the rest of the 'masterplan' are about how the massing and development proposed would work in reality and the objectors say that it is not something that can be delivered. This is not a matter of material significance to the appeal being comment about theoretical developments that an architect has indicated on sites their client have no control over.

Matter 4: Additional reason for refusal

27. Officers have detailed above why the appeal scheme would not compromise reasonable development on neighbouring sites and provided advice on the guidelines in the Residential Design Standards SPD and their application for the appeal scheme. The Statement of Case has been submitted to the Inspector with the three putative reasons for refusal referenced in the main report and are not recommending that members add in the reason for refusal suggested by objectors.
28. A Planning Inspector will decide the appeal and the council cannot make a decision on the appeal scheme. The objectors have been directed to make their representations on the appeal to the Inspector as the appropriate decision maker.

Additional consultation responses received – Ward Councillors

29. We would like to advise members that comments have been received from Ward Councillors Joseph Vambe and Laura Johnson in relation to the appeal scheme. They are both unable to attend the planning committee meeting this evening.
30. In summary Cllr Vambe has commented that the proposal fails to provide a mix of uses and would like to see an allocated space for community groups. Officer's response is that there is no policy requirement for community use space to be provided on site, nor is it identified as a requirement of the site allocation NSP46.

31. Cllr Johnson also agrees with the points raised by Cllr Vambe and has also commented on the impact on the Rockingham Estate residents who will directly border the proposed site. Concerns have been raised in relation to impact on natural light to the properties and increased noise and disturbance caused by the students. Paragraphs 67-70 of the committee report outlines officers assessment in relation to daylight and sunlight and concludes that the impacts are considered to be acceptable. In relation to noise and disturbance a condition has been suggested to require approval of a detailed Student Accommodation Management Plan prior to occupation.

Conclusion of the Director of Planning and Growth

32. Having taken into account the additional consultation responses and additional information, the recommendation remains that members consider and endorse the Statement of Case that has been submitted to the Planning Inspectorate which proposed three putative reasons for refusal.

REASON FOR URGENCY

33. Applications are required by statute to be considered as speedily as possible. The applications have 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

34. The additional information and responses have been received since the original reports were published. They all relate to an item on the agenda and members should be aware of the 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