

Planning Committee

Tuesday 6 October 2020
6.30 pm

Online/Virtual: Members of the public are welcome to attend the meeting.
Please contact Constitutional.Team@southwark.gov.uk for a link or
telephone dial-in instructions to join the online meeting

Membership

Councillor Martin Seaton (Chair)
Councillor Darren Merrill (Vice-Chair)
Councillor Richard Livingstone
Councillor Damian O'Brien
Councillor Cleo Soanes
Councillor Dan Whitehead
Councillor Kath Whittam
Councillor Bill Williams

Reserves

Councillor Radha Burgess
Councillor Victor Chamberlain
Councillor Nick Johnson
Councillor James McAsh
Councillor Margy Newens
Councillor Jason Ochere

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact: Gerald Gohler on 020 7525 7420 or email: gerald.gohler@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 21 September 2020



Planning Committee

Tuesday 6 October 2020
6.30 pm

Online/Virtual: Members of the public are welcome to attend the meeting. Please contact Constitutional.Team@southwark.gov.uk for a link or telephone dial-in instructions to join the online meeting

Order of Business

Item No.	Title	Page No.
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	MINUTES	1 - 9
	To approve as a correct record the minutes of the meetings held on 20 July 2020 (10am) and 27 July 2020.	

Item No.	Title	Page No.
6.	TO RELEASE £692,649.50 FROM THE S106 AGREEMENT 16/AP/4458 ASSOCIATED WITH ELEPHANT AND CASTLE TOWN CENTRE DEVELOPMENT, FOR THE PURPOSE OF SUPPORT OF INDEPENDENT TRADERS IN THE RED LINE OF THE DEVELOPMENT.	10 - 21
7.	TO RELEASE £3,293,639.03 FROM THE S106 AGREEMENTS ASSOCIATED WITH THE BELOW DEVELOPMENTS, FOR THE PURPOSES OF EMPLOYMENT AND TRAINING IN THE BOROUGH	22 - 39
8.	DEVELOPMENT MANAGEMENT	40 - 43
	8.1. DAISY BUSINESS PARK, 19-35 SYLVAN GROVE, LONDON SE15 1PD	44 - 176
	8.2. 2-10 OSSORY ROAD, LONDON, SE1	

(to follow)

ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

Date: 21 September 2020

Planning Committee

Guidance on conduct of business for planning applications, enforcement cases and other planning proposals (virtual meetings)

Please note:

The council has made the following adaptations to the committee process to accommodate virtual meetings:

- The agenda will be published earlier than the statutory minimum of five working days before the meeting. We will aim to publish the agenda ten clear working days before the meeting.
- This will allow those wishing to present information at the committee to make further written submissions in advance of the meeting in order to:
 - Correct any factual information in the report
 - Confirm whether their views have been accurately reflected in the report
 - Re-emphasise the main points of their comments
 - Suggest conditions to be attached to any planning permission if granted.
- **Those wishing to speak at the meeting should notify the constitutional team at Constitutional.Team@southwark.gov.uk in advance of the meeting by 5pm on the working day preceding the meeting.**

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the committee.
3. The role of members of the planning committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the committee (if they are present in the virtual meeting and wish to speak) for **not more than three minutes each**. **Speakers must notify the constitutional team at Constitutional.Team@southwark.gov.uk in advance of the meeting by 5pm on the working day preceding the meeting.**

- (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the three-minute time slot.
- (b) The applicant or applicant's agent.
- (c) One representative for any supporters (who live within 100 metres of the development site). If there is more than one supporter (who lives within 100 metres of the development site) wishing to speak, the time is divided within the 3-minute time slot.
- (d) Ward councillor (spokesperson) from where the proposal is located.

(e) The members of the committee will then debate the application and consider the recommendation.

Note: Members of the committee may question those who speak only on matters relevant to the roles and functions of the planning committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the committee. If more than one person wishes to speak, the three-minute time allowance must be divided amongst those wishing to speak. Where you are unable to decide who is to speak in advance of the meeting, the chair will ask which objector(s)/supporter(s) would like to speak at the point the actual item is being considered. The clerk will put all objectors who agree to this in touch with each other, so that they can arrange a representative to speak on their behalf at the meeting. The clerk will put all supporters who agree to this in touch with each other, so that they can arrange a representative to speak on their behalf at the meeting.
6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, will be speaking in their designated time-slots only, apart from answering brief questions for clarification; this is **not** an opportunity to take part in the debate of the committee.
8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants.
9. This is a council committee meeting to which is open to the public and there should be no interruptions from members of the public.
10. Members of the public are welcome to record, screenshot, or tweet the public proceedings of the meeting.
11. Please be considerate towards other people and take care not to disturb the proceedings.
12. This meeting will be recorded by the council and uploaded to the Southwark Council YouTube channel the day after the meeting.

The arrangements at the meeting may be varied at the discretion of the chair.

Contacts: General Enquiries
Planning Section, Chief Executive's Department
Tel: 020 7525 5403

FOR ACCESS TO THE VIRTUAL MEETING (ONLINE/BY TELEPHONE)

PLEASE CONTACT:

Planning Committee Clerk, Constitutional Team
Finance and Governance

Tel: 020 7525 7420 or email: gerald.gohler@southwark.gov.uk

REMOTE MEETING ETIQUETTE FOR PARTICIPANTS

Members of the committee, other councillors who seek to address the committee, officers advising the committee or presenting reports, any external partners / third-parties invited to address or advise the committee, co-optees and any members of the public who have registered to speak at the meeting are asked to adhere to the following guidelines:

Preparing for the meeting

1. If you are planning to attend, please make sure you have informed the constitutional/scrutiny officer named on the agenda front sheet, so that a full list of those expected at the meeting can be prepared and you are sent the joining instructions.
2. Ensure that you are located in an area where you are unlikely to be disturbed.
3. Ensure that your broadband connection is sufficiently stable to join the meeting. If your connection has low bandwidth, you might need to ask others using your broadband connection to disconnect their devices from the broadband for the duration of the meeting. If this does not help, you may wish to try connecting your device to your router using an Ethernet cable.
4. When accessing the meeting using a private laptop or desktop computer, you will need to use the link you have been provided with outside of the Soutwark CITRIX environment.
5. Ensure that your background is neutral (a blank wall is best) and that you are dressed as though you attend a meeting that is open to the public in real life.
6. If you decide to switch on your camera, please ensure that the camera on the device that you are using is positioned to provide a clear view of your face. This may involve thinking about the lighting in the room you are in (for example, sitting in front of a window may plunge your face into shadow) or putting your webcam, laptop or tablet on top of a stack of books so that you can look straight into the camera.
7. Ensure that you are familiar with the functions of the software you are using. The constitutional/scrutiny officer will be online 10 minutes before the scheduled start of the meeting to give everyone time to join and deal with any technical challenges. Please try to join the meeting at least 5 minutes before the meeting start time to make sure that everything is working. Ideally, you should use earphones or a headset to participate in meetings as it reduces the risk of feedback from using your device's external speaker and reduces background noise from your surroundings. Please do not access the meeting with two devices simultaneously, or if this is unavoidable, please ensure you mute the microphones when not speaking, and turn down the speakers when you are speaking. This will avoid feedback.
8. Meeting participants that choose to join the meeting using the conference call facility will not be able to use video, view other participant's video, or see any documents that are shared using the screen sharing function. [Planning meeting only: The chair has ruled that the meeting will not accept members of the committee participating using a telephone connection alone.]

At the meeting

9. Join the meeting promptly to avoid unnecessary interruptions.
10. When joining the virtual meeting, please mute your microphone and switch off your camera until the chair opens the meeting formally.

11. Mute your microphone when you are not speaking. You may also want to turn off your video when not speaking in order to reduce the bandwidth needed. Participants joining the meeting from a mobile phone can unmute themselves by pressing *6 on their device.
12. The regulations state that for members to be considered to be in attendance at a virtual meeting, they have to be able to hear the proceedings, and the meeting has to be able to hear them. You can therefore choose to switch off your camera even when speaking, for privacy reasons, if you prefer.
13. Only speak when invited to do so by the Chair.
14. When speaking for the first time, please state your name.
15. Keep comments, questions and other contributions brief and to the point.
16. If referring to a specific page on the agenda, mention the page number or paragraph number.
17. The 'chat' function must only be used by committee members to indicate a wish to speak. It is not to be used for conversations and should be used in an appropriate and professional manner at all times.
18. Once the Chair closes the meeting, all remaining participants should leave the meeting promptly.
- 19.

Exempt or confidential items / closed session

Occasionally, committees may need to go into closed session to consider information that is confidential or exempt from publication. If this happens, the committee will pass a resolution to that effect, and for those meetings that are being livestreamed, the livestream will be cut.

20. If you are asked to leave the meeting, please end your connection promptly. Any connections that are not ended promptly will be terminated by the constitutional/scrutiny officer.
21. Members of the committee should ensure that, if the meeting goes into closed session, they are on their own and cannot be overheard in the place they are accessing the closed session from.
22. After the motion to go into closed session has been passed, members should exit the main meeting and re-join the "Briefing/Closed session" Teams meeting. Once the closed session has ended, members should re-join the main meeting by clicking on the link to the main meeting they initially used.

LIVESTREAMING / RECORDING NOTICE

This meeting will be livestreamed, and recorded for future viewing, on the council's YouTube channel (except where there are confidential or exempt items being discussed in closed session):

https://www.youtube.com/channel/UCqgAueevJzRUGB_eAZia0xw

The livestream/recording will also be paused when the meeting adjourns.

If you make a representation to the meeting and you do not switch off your camera, you will be deemed by the council to have consented to being filmed and to the possible use of those images and sound recordings for webcasting, recording of the meeting and/or training purposes. (If you switch off your camera while making a representation, you will equally be deemed by the council to have consented to the sound being recorded, webcast and/or used for training purposes.)

Members of the public are welcome to make their own recordings or take screenshots of this remote meeting. The council will only seek to prevent this, should it be undertaken in a disruptive or otherwise inappropriate manner. Please see the council's filming protocol at:

<http://moderngov.southwarksites.com/ecSDDisplay.aspx?NAME=Protocol%20for%20Reporting%20and%20Filming&ID=1036&RPID=0&sch=doc&cat=13184&path=13184>

If you have any queries regarding the livestreaming or the recording of meetings, please contact the constitutional/scrutiny team on 020 7525 7420.



Planning Committee

MINUTES of the Planning Committee held on Monday 20 July 2020 at 10.00 am

PRESENT: Councillor Martin Seaton (Chair)
 Councillor Kath Whittam (Vice-chair)
 Councillor Barrie Hargrove
 Councillor Adele Morris
 Councillor Margy Newens
 Councillor Damian O'Brien

OTHER MEMBERS PRESENT: Councillor Richard Livingstone

OFFICER SUPPORT: Simon Bevan, Director of Planning
 Yvonne Lewis, Strategic Applications Team
 Andre Verster, New Homes Team
 Colin Wilson, Head of Regeneration Old Kent Road
 Liz Awoyemi, Planning Team
 Alistair Huggett, Planning Projects Team
 Neil Loubser, Planning Team
 Alex Oyebade, Transport Policy Team
 Naima Ihsan, Transport Planning Team
 Jon Gorst, Legal Team
 Margaret Foley, Legal Team
 Tim Murtagh, Constitutional Team

1. APOLOGIES

Apologies for absence were received from Councillors Catherine Rose and Cleo Soanes.

The chair announced that Councillor Barrie Hargrove would not participate in the first planning application on the agenda (8.1) but would participate in the second item (8.2).

2. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as the voting members for the meeting.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers which were circulated before the meeting:

- Addendum report relating to items 8.1 and 8.2.
- Members pack relating to items 8.1 and 8.2.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 15 June 2020 at 10am, be approved as a correct record of the meeting and signed by the Chair.

6. RELEASE OF £39,519,515.72 FROM S106 AGREEMENTS ACROSS THE BOROUGH TO SUPPORT HOUSING INVESTMENT

The meeting heard the officer's introduction to the report. Members asked questions of the officer.

RESOLVED:

That the release of funds totalling £39,519,515.72 of S106 Affordable Housing funding, received against the legal agreements set out in Appendix A to the S106 Affordable Housing Fund in order to deliver affordable housing across Southwark, be agreed.

7. TO RELEASE £134,024.50 FROM THE S106 AGREEMENTS ASSOCIATED WITH THE BELOW DEVELOPMENTS, TO FUND THE ARCHAEOLOGY SERVICE UNTIL 2021

The meeting heard the officer's introduction to the report. Members asked questions of the officer.

RESOLVED:

That the release of funds totalling £134,024.50 of S106 funding, from the developments listed in the report, to deliver the archaeology service, as set out in paragraphs 4-6 of the report, be agreed.

8. DEVELOPMENT MANAGEMENT

RESOLVED:

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the agenda be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

ADDENDUM REPORT

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during this time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation responses, additional information and revisions.

8.1 EAGLE WHARF 90-96 PECKHAM HILL STREET LONDON SE15 5JT

Planning application reference: 19/AP/2087

Report: see pages 23 to 100 of the agenda pack and pages 1 to 2 of the addendum report.

PROPOSAL

Redevelopment of site comprising the demolition of existing retail warehouse building in (Use Class A1) and construction of two buildings at four and six storeys in height. The application scheme will provide a creative Digital Hub workspace (Use Class B1/D1) and student accommodation incorporating 393 student bedrooms (sui generis Use Class) and associated communal facilities and associated communal facilities. The scheme includes highway improvements, landscaping, blue badge car parking, and cycle parking spaces for students and visitors.

The sub-committee heard the officers' introduction to the report and addendum report.

Officers highlighted a few changes –

Paragraph 131 of the report refers to a £0.57m surplus. That should read £0.57m deficit.

A correction should be made to the planning obligations table in the report at paragraph 288 that suggests that the second viability review would take place two years after first occupation. In fact the review would take place on completion to look at any surpluses that may have arisen through build cost economies.

Councillors asked questions of the officers.

There were no objectors present who wished to speak.

The applicant and their agents addressed the committee and answered questions posed by the committee.

A supporter who lives within 100 metres of the development site addressed the meeting. There were no questions from the committee to the supporter.

Councillor Barrie Hargrove addressed the committee in his capacity as ward councillor. There were no questions from the committee.

A motion to grant planning permission was moved, seconded put to the vote and declared carried.

RESOLVED:

1. That planning permission be granted subject to conditions and the applicant entering into to an appropriate legal agreement.
2. That in the event that the requirements of (1) are not met by 25 January 2021, the director of planning be authorised to refuse planning permission (if appropriate) for the reasons set out in paragraph 291 of the report.

8.2 BIANCA WAREHOUSE, 43 GLENGALL ROAD, LONDON SE15

Planning application reference: 20/AP/0039

Report: see pages 101 to 190 of the agenda pack and pages 2 to 5 of the addendum report.

PROPOSAL

Demolition of the existing building and erection of a new mixed use building of up to 15 storeys (plus lower ground and basement) (51.525m AOD) to provide a Halls of Residence for the London School of Economics and Political Science consisting of 676 student rooms, replacement commercial floor space of 2,375sqm consisting of 1190sqm of B1c, and 1,185sqm of flexible B1c/D1/A3 Use as a Creative Commercial Centre that includes University related community uses, a community café; and new areas of public realm. This application represents a departure from strategic policy 10 'Jobs and Businesses' of the Core Strategy (2011) and Saved Policy 1.2 'Strategic and Local Preferred Industrial Locations' of the Southwark Plan (2007) by virtue of proposing to introduce residential accommodation in a preferred industrial location.

The committee heard the officer's introduction to the report and addendum report.

The planning officer stated that the application needs to be referred to the Mayor of London.

The planning officer also stated that paragraph 189 of the report should be amended to remove any reference to hotel as that is not a commercial use for this application.

Councillors asked questions of the officers.

There were no objectors present.

The applicants and their agent addressed the committee and answered questions posed by the committee.

There were no supporters who lived within 100 metres of the development site who wished to speak.

Councillor Richard Livingstone addressed the committee in his capacity as ward councillor. There were no questions posed by the committee.

The committee put further questions to officers and discussed the application.

A motion to grant planning permission was moved, seconded put to the vote and declared carried.

RESOLVED:

1. That the planning committee grant planning permission, subject to amended conditions and referral to the Mayor Of London and the applicant entering into an appropriate legal agreement.
2. In the event that the Section 106 Legal Agreement is not completed by 25 January 2021, that the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 268 of the report.

Amended planning obligations –

In response to comments from the committee during the meeting about paragraph 18 of the addendum report and the ring-fencing of a contribution of £96,965 for landscaping the public highway on Bianca Road, the applicant agreed to make an additional financial contribution of £100,000 to be spent on open spaces in the vicinity of the development.

The meeting ended at 1.15pm

CHAIR:

DATED:



Planning Committee

MINUTES of the Planning Committee held on Monday 27 July 2020 at 6.30 pm.

PRESENT: Councillor Martin Seaton (Chair)
 Councillor Kath Whittam (Vice-Chair)
 Councillor Barrie Hargrove
 Councillor Darren Merrill (Reserve)
 Councillor Adele Morris
 Councillor Damian O'Brien
 Councillor Jason Ochere (Reserve)
 Councillor Cleo Soanes

OTHER MEMBERS PRESENT: Councillor Peter John
 Councillor Sarah King

OFFICER SUPPORT: Simon Bevan (Director of Planning)
 Jon Gorst (Head of Regeneration & Development Team, Legal Services)
 Tara Quinn (Head of Parks and Leisure)
 Yvonne Lewis (Group Manager Strategic Applications Team)
 Michael Tsoukaris (Group Manager Design & Conservation)
 Alistair Huggett (Planning Projects Manager)
 Catherine Jeater (Team Leader - Design and Conservation)
 Alex Oyebade (Team Leader Transport Policy)
 Wing Lau (Planning Team Leader)
 Liam Bullen (Tree Preservation Order Surveyor)
 Roy Fox (Principal Environmental Protection Officer)
 Neil Loubser (Senior Planning Officer)
 Jon Best (Ecology Officer)
 Gerald Gohler (Constitutional Officer)

1. APOLOGIES

There were apologies for absence from Councillors Margy Newens and Catherine Rose.

2. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as the voting members for the meeting.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers which were circulated before the meeting, as part of Supplemental Agendas No.1 and No.2:

- Addendum report relating to item 6.1
- Members pack relating to items 6.1.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. RELEASE OF A TOTAL OF £300,000 OF S106 MONIES FOR THAMES PATH IMPROVEMENTS

At this point Councillor Jason Ochere lost connection and the meeting was adjourned from 6.47pm to 6.50pm, at which point Councillor Ochere's connection had been restored.

The meeting heard the officer's introduction to the report. Members asked questions of the officers.

RESOLVED:

That the release of funds totalling £300,000 from the listed unilateral undertaking associated with the Thames Tideway Tunnel development towards the delivery of Thames Path improvements in the vicinity of the Dickens Estate be agreed, on condition that the finalised projects are brought back to planning committee for final approval.

6. DEVELOPMENT MANAGEMENT

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the agenda be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

6.1 DULWICH HAMLET FOOTBALL CLUB, EDGAR KAIL WAY, LONDON SE22 8BD AND NEIGHBOURING ARTIFICIAL PITCH AT GREENDALE

Planning application number: 19/AP/1867

PROPOSAL

Redevelopment of the Dulwich Hamlet Football (Champion Hill) Stadium, including the demolition of existing buildings, and use of land at Greendale, to provide:

- *the erection of a new stadium with relocated playing pitch with associated floodlighting and boundary treatment, and part two-part three storey clubhouse building with sports and leisure facilities, with capacity for 4,000 spectators (Use Class D2);*
- *the construction of a multi-functional kickabout space and associated boundary treatment;*
- *the erection of a series of buildings between four and six storeys in height to provide 219 residential dwellings, (Use Class C3);*
- *associated car parking, cycle parking, refuse storage and access road;*
- *the widening and greening of a public route with associated hard and soft landscaping; and*
- *the relocation of telecommunications equipment and re-provision of the substation together with plant and equipment.*

The committee heard the officer's introduction to the report and addendum report. The officer drew members' attention to two additional conditions regarding the hours of use of the stadium building and associated facilities, and regarding the Thames Water phasing plan. These conditions were in the main report, but had not been picked up in the draft decision notice. Members of the committee asked questions of the officers.

At 8.03pm Councillor Jason Ochere lost connection, upon which the meeting adjourned until 8.12pm to allow Councillor Ochere to re-establish his connection.

A spokesperson for the objectors addressed the meeting, and representatives of the objectors answered questions put to them by members of the committee.

The applicant's representatives addressed the committee, and answered questions from the committee.

At 9.27pm Councillor Darren Merrill lost connection, upon which the meeting adjourned until 9.37pm when connection with all councillors had been restored.

A representative of supporters of the application who lived within 100 metres of the development site addressed the meeting and answered questions put by members of the committee.

Councillor Peter John addressed the meeting in his capacity as a ward councillor. Both he and his ward colleague, Councillor Sarah King, then answered questions put by the committee.

The committee put further questions to the officers and discussed the application.

A motion to grant the application was moved, seconded, put to the vote and declared carried.

RESOLVED:

1. That planning permission be granted, subject to:

- The recommended planning conditions, as set out in the report and addendum report, and including two additional conditions:
 - One stipulating that the hours of use of the approved stadium building and associated facilities be limited to the hours of 08:00 to 22:30 Mondays to Saturdays, and to 08:00 to 20:30 on Sundays.
 - One pertaining to the Thames water phasing plan and requiring that there shall be no occupation beyond the 99th dwelling until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.
- The applicant entering into an appropriate legal agreement by no later than 31 January 2021;
- Referral to the Mayor of London.

2. That in the event of the legal agreement not having been entered into by 31 January 2021, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 474 of the report.

The meeting ended at 11.47pm.

CHAIR:

DATED:

Item No: 6.	Classification: Open	Date: 6 October 2020	Meeting Name: Planning Committee
Report title: Final		<u>Elephant and Castle Independent Trader support</u> To release £692,649.50 from the S106 agreement 16/AP/4458 associated with Elephant and Castle Town Centre development, for the purpose of support of Independent Traders in the red line of the development.	
Ward(s) or groups affected:		Project: North Walworth, St George Funds: North Walworth, St George	
From:		Director of Planning	

RECOMMENDATION

1. That Planning Committee approve the release of £692,649.50 S106 funding from the agreement 16/AP/4458 in order to support the Independent Traders at the Elephant and Castle Shopping Centre being displaced by the development. This money represents £647,835.84 for a Relocation Fund, and £44,813.66 as the balance of payment for the Independent Business Advisor.

BACKGROUND INFORMATION

2. Planning obligations under S106 of the Town and Country Planning Act 1990 are used to address the negative impacts caused by a development and contribute to providing infrastructure and facilities necessary to achieve sustainable communities. The council can enter into a legal agreement with a developer whereby the developer agrees to provide planning obligations. These obligations can take the form of financial contributions and can cover a range of purposes.
3. In May 2017, cabinet agreed to require the developer of the Elephant and Castle Town Centre to implement a package of measures to support relocation and mitigate the impact of the closure of the shopping centre on local traders and residents. This package has been developed further through the planning process and significant progress has been made in delivering a comprehensive offer to traders. Progress is summarised below against the principles agreed by cabinet in 2017, and additional mitigations secured throughout the planning process are also discussed.

Independent Business Advisor

4. The Town Centre s106 requires the developer to fund a business support and relocation advisor to support traders. The s106 initially secured £192,900 (CPI linked) for this amount. Tree Shepherd (The Advisor) has been contracted by the council to deliver this service since August 2017. Tree Shepherd is based in the Shopping Centre to provide confidential advice to independent traders on a 1:1 and group basis to support their business planning, search for relocation premises and preparations to move.

5. The developer paid costs upfront from August 2017 to the council in lieu of the s106 being signed 10 January 2019, and a Judicial Review challenging housing matters found for the council 20 December 2019.
6. The balance remaining is £44,813.66 and is being sought as a release by the report.
7. The Advisor has supported with trader consultations on the administration of the relocation fund. The Advisor will administer applications to the relocation fund, on behalf of the council.

Relocation fund

8. A business relocation fund of £634,700 (CPI adjusted to £647,835.84) has been secured as part of the planning consent to support businesses with their costs of relocation. The amount of £647,835.84 is also being sought as a release by the report
9. The relocation fund is designed to be a contribution to eligible business's reasonable costs relocation. The fund is not designed to be a form of compensation, nor will it replace any statutory compensation due.
10. The relocation fund secured by the s106 represents a minimum guaranteed fund. In addition, the developer has made clear at all-trader meetings on 10 September 2019 and 14 January 2020 that they are open to considering meeting additional relocation costs where the fund does not extend to cover all needs, and in the case of hardship. During the application process for the fund, traders will be supported to calculate their full costs of moving by the business advisor.

Other mitigations in the s106

11. There are a number of other mitigations for traders in the s106. These are listed in the Appendix to this report.

Additional mitigations outside of the s106

12. The offer to traders has been further developed through the planning process and consultation with affected traders. These are listed in the Appendix A to this report.

KEY ISSUES FOR CONSIDERATION

13. The contributions released through this report will be used to support the independent traders at the Elephant and Castle in relocating their businesses where they wish to do so.

Relocation fund

14. Businesses able to claim from the fund are defined in the Section 106 agreement. In that agreement, eligible businesses are called 'Local Independent Operators'.
15. 'Local Independent Operators' are defined as all existing, independently-owned, retail businesses, traders, kiosk holders, restaurants, and market stall holders and charitable organisations on the East Site in the redline of the E&C opportunity area that meet the three criteria below:
 - i. do not trade from more than three locations, and include restaurant operators, café operators and market stall holders;

- ii. lawfully hold a lease or licence including so that any sub-letting or assignments have been with the approval of the developer or Network Rail (as appropriate);
 - iii. occupied any part of the East Site at the date of the resolution to grant Planning Permission (3 July 2018) and continued to occupy any part of the East Site at the date the Planning Permission was granted (10 January 2019).
16. Businesses can apply to the relocation fund for a period of one year following demolition of the Shopping Centre. Additionally, should the occupiers of the railway arches on the East Site remain in that location, the relocation fund shall continue to be available to them for a further six months.
17. The council wrote to traders on 25 February 2020 informing them the relocation fund was open for applications.

Business advice

18. The advisor was originally commissioned in August 2017, and has been contract managed by the council since then.
19. Phase 1 and 2 of the advisor's work was conducted from July 2017 to December 2019, and principally involved, understanding key trader concerns, extensive business planning, and trader preparation for the application process for the affordable units at Perronet House, Elephant One, and Castle Square in March 2019. The Advisor also advised businesses in relocating to other locations. The balance of payments (£44,813.66) is for this part of the contract.
20. A Gateway 3 was approved on 25 February 2020 for Phase 3 support (support and business advice during the closure period, from 1 January 2020 to closure 31 July 2020) and Phase 4, which shall be for one year after closure (1 August 2020 to 31 July 2021).
21. The developer will continue to fully fund the Advisor service during Phases 3 and 4. This money is outside of and additional to the s106. During the period leading up to closure of the centre, the advisor will provide additional support as a priority to traders that are still looking to secure a relocation site for their business.
22. The advisor will also administer applications to the relocation fund and distribute monies on behalf of the council.

Project management and monitoring

23. Southwark Council, through the Local Economy Team as part of the Chief Executive's Office's, has responsibility for procuring and managing the Independent Business advisor, and managing the scope and payment of the relocation fund.

Community impact statement

24. Key target groups are those who own and run independent businesses in the Elephant and Castle Shopping Centre. An Equalities Impact Assessment was conducted as part of the submission to Cabinet in May 2017, and the presentation to Planning Committee 3 July 2018, where the resolution to grant permission was given.
25. The mitigations described in this report follow from the recommendations of that Assessment.

Consultation

26. The amounts secured in the s106 came through the planning process and negotiation with the developer.
27. The trader panel has held a consultative role as well as a representational role during the implementation of the relocation strategy. The panels have been well attended and have addressed a number of issues connected with the relocation of traders.
28. Tree Shepherd ran four trader focus groups in August and September 2019 to get input into the criteria that should be used for assessing the applications, which was reported back to the panel and helped construct the process.
29. The panel members have helped the council and developers understand business's priorities for the application and administration process.

Resource implications

30. This work will be managed by the Local Economy Team which has extensive experience of the development and ongoing work at the Elephant and Castle. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

Policy implications

31. The projects meet the following Fairer Future Promises:
 - Theme 2: A place to belong
 - Theme 8: A vibrant Southwark

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

32. This report seeks the release of £692,649.50 from a single planning section 106 Agreement which relates to the Elephant and Castle shopping centre. This Agreement was concluded in January 2019 but the planning permission has been subject to an application for Judicial Review which was refused by the High Court in December 2019. The Claimant sought leave to appeal this decision but this was refused by the High Court. The Claimant has now referred the issue to the Court of Appeal but it is likely to be some weeks and very probably some months before the further application for leave is determined.
33. In the meantime, the planning permission remains valid and indeed the developer has now implemented the permission with the result that various financial obligations have been paid to the council. One of these is a contribution to provide a relocation fund for traders affected by the proposed redevelopment with the payment being intended to cover the reasonable costs incurred by traders on a variety of business related issues such as obtaining professional advice, capital costs in connection with fit-out; and time spent in seeking alternative premises. The amount payable would be considered on a case by case basis and administered by the council in conjunction with the business advisor, Tree Shepherd. It should be noted that pay-outs from the Fund will be without any restrictions relating to length of occupancy and that it would be available to occupiers of not just the shopping centre but also the market stalls and kiosks, and businesses within the railway arches

34. In the case of this particular financial obligation, the council was under a wider duty when considering the planning application as any decision needed to take into account the issues introduced by the Equality Act 2010. Various additional mitigations are listed in Appendix A to this report. The provision of the relocation fund was considered a key element in order for the council to safeguard and promote the objectives protected by section 149, Equality Act as far as reasonably possible taking into account the proposed redevelopment which will undoubtedly bring about significant change. It should be noted that failure to take into account the provisions of the Equality Act was not one of the grounds of the legal challenge.
35. It is essential that section 106 monies are spent strictly in accordance with the terms of the relevant Agreement and it is confirmed that the Elephant and Castle shopping centre agreement has been reviewed and that this release is compliant. Members are therefore advised that they may approve the proposed expenditure as this is consistent with the Committee's functions as laid down by paragraph 6, part 3f of the council's Constitution.

Strategic Director of Finance and Governance CAP20/011

36. This report recommends that Planning Committee approves the release of £692,649.50 S106 funds from legal agreement 16/AP/4458, towards the relocation costs of independent retailers affected by the development of Elephant and Castle Shopping Centre. Details outlined in the body of this report.
37. The strategic director of finance and governance confirms that the council has received the funds associated with the legal agreement, and they are available for the purposes outlined in the report.
38. Staffing and any other costs associated with this recommendation are to be contained within existing departmental budgets

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Planning Committee Report, AP/16/4458, 3 July 2018	Planning Team, Place and Wellbeing	Victoria Lewis 020 7525 5410
Equalities Impact Assessment, Elephant and Castle, May 2017	Planning Team, Place and Wellbeing	Victoria Lewis 020 7525 5410

APPENDICES

No.	Title
Appendix A	Mitigations
Appendix B	East and West sites
Appendix C	Affordable relocation clusters
Appendix D	Council response to COVID

AUDIT TRAIL

Lead Officer	Stephen Gaskell, Head of Chief Executive's Office	
Report Author	Richard Pearce, Senior Strategy Officer of Chief Executive's Office	
Version	Final	
Dated	8 September 2020	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Date final report sent to Constitutional Team		18 September 2020

APPENDIX A

Mitigations

Other mitigations in the s106

Database of opportunities

1. The Town Centre s106 agreement (16/AP/4458) requires the developer to create a database of vacant retail units (including market pitches) within the Elephant and Castle Opportunity Area and to maintain the database for a period of one year following the cessation of trading in the Shopping Centre. This database went live in December 2018 and includes affordable retail units from nearby developments, high street units, and market stall opportunities, as well as selected sites from outside of the boundaries of the Opportunity Area to increase choice. This is a secure website that traders have a login and password for.

Affordable Retail Units under the Elephant and Castle Opportunity Area SPD

2. The Elephant and Castle Opportunity Area SPD required local developments to set aside 10% of any retail units as affordable and for displaced traders within the opportunity area to have the first right to apply for those units.
3. The two principal sites with units available are the Lendlease development at Elephant Park (12/AP/1092) and the development at 50 New Kent Road known as Elephant One or Elephant Central.
4. The developer's affordable units at Elephant One were allocated under a single application process described at paragraphs 13-17

Trader Panel

5. The developer has established the Trader Panel and its membership, which has been approved by the council as required by the Town Centre s106. The panel has met monthly since January 2019. The panel is comprised of representatives from the developer and 12 representatives from businesses within the Application Site. The advisor and council officers attend by invitation. Ward councillors from North Walworth and St George's wards sit as chair and vice-chair.
6. The panel holds an oversight and monitoring role during the implementation of the relocation strategy including to:
 - i. Receive regular updates from the developer on a database of available vacant retail premises within the town centre area suitable for traders.
 - ii. Receive regular reports from the council and the business support and relocation advisor on the distribution of payments from the relocation fund. and
 - iii. Receive regular reports from the council and the business support and relocation advisor on successful bids and consequent allocation of affordable retail units.
 - iv. Consult with the business support and relocation advisor, the council and the developer on relevant issues from the development which affect traders.

7. The Trader Panel is anticipated to continue to meet monthly until three months after the closure of the Shopping Centre, and thereafter quarterly until 6 months following practical completion of the retail floorspace on the West Site.

Additional Mitigations outside of the s106

Perronet House

8. The council has invested in the conversion of the garages underneath Perronet House into a bespoke retail space named Elephant Arcade. The space will be managed through Meanwhile Space, a retail management specialist, to provide a permanent affordable location for displaced traders in the centre of Elephant and Castle.
9. Meanwhile Space will send the lease for to review in the last week of March. Meanwhile Space's lease with Southwark Council as superior landlord will begin 1st June. Therefore this is the earliest a trader's lease can start. Perronet House is currently planned to 'open doors' on Saturday 1st August

Castle Square

10. The Castle Square planning consent (18/AP/2108) requires the developer to construct a bespoke site for the relocation of traders from the shopping centre during the East Site construction period, for five years or until Practical Completion (which ever is longer). The developer was required to secure planning permission for this site before implanting the main consent.
11. Consent was granted on 9 January 2019. The scheme is being constructed and will be available for occupation from June 2020. This site's units were also allocated under a combined affordable unit process.
12. Those traders moving to Castle Square will have access to a dedicated business support service for the site provided by the developer, in addition to ongoing advice from Tree Shepherd.

Relocation of traders to affordable unit clusters

13. A single application process was conducted by the council and developer in March 2019 for the affordable units at Castle Square, Elephant One and Perronet House.
14. There were 64 separate applications, with 36 successful applications, and 28 unsuccessful applications who could not be accommodated in the space available. Successful applicants were asked to for an in-principle acceptance of the offer within 14 days, with the respective landlords following up after this period with a formal lease.
15. Owing to the absence of certainty over the closure of the centre between March 2019 and January 2020, landlords have been flexible in allowing potential tenants time to consider their options.
16. The distribution of businesses in each affordable cluster may change during the closure of the shopping centre, as businesses finalise their decisions on offers of units. Where

units are not taken up, every effort will be made to find a new tenant from traders that have not yet secured a relocation site for their business.

17. The businesses that were not successful in securing an offer of a unit in this process will be the priority for the business advisor and any other units that become available.

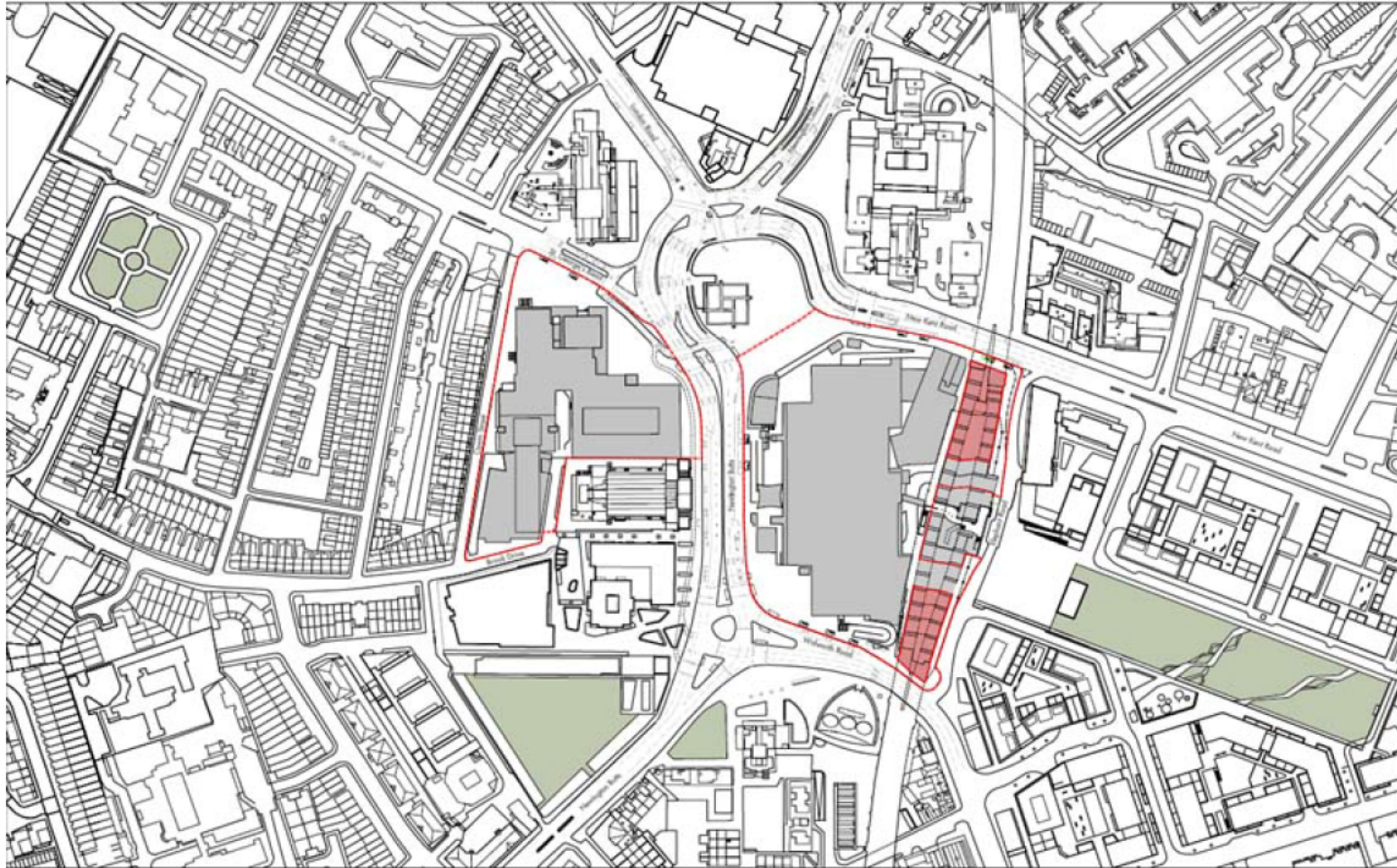
Rent Reduction for Shopping Centre traders

18. At the July 2019 trader panel, the developer implemented a rent reduction for Shopping Centre traders of 50% from June 2019 and 80% from November 2019.
19. Urban Space Management (USM) is the contracted market operator for the developer at the Shopping Centre. The developer agreed that USM would pay £0 in rent and service charge and USM have passed on a discount to the traders.

Centre marketing initiatives

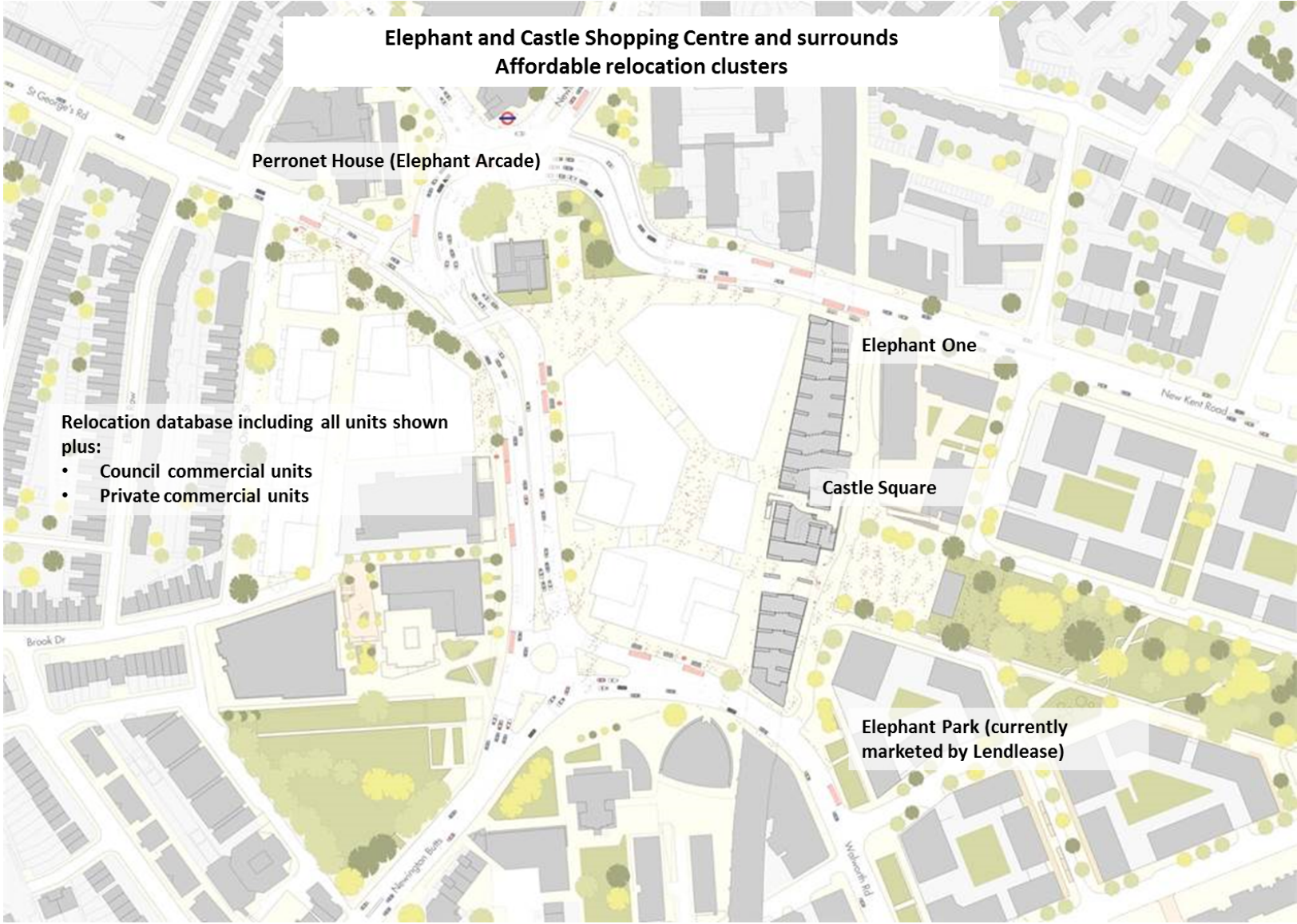
20. The developer has set up a staffed community space at the centre to show the history and progress of the development. This space is also available for events for local community groups.
21. The developer has also produced a brochure in September 2018 called 'The Herd' which details the traders currently in the centre who will be moving locally. This was most recently updated in December 2019 and distributed to 30,000 homes in the immediate area and provided to traders to give to customers.
22. In addition, the developer has instituted a number of events around holidays to keep the centre attractive for both customers and traders, including a recent 'Twelve Days of Christmas' showpiece where shop fronts were dressed and decorated for the Christmas period.

East and West sites



East and West Sites

Affordable relocation clusters



Council response to COVID

The economic impacts of the COVID-19 crisis will be profound, far-reaching and difficult to predict. Many will arise over the longer term, some are already with us and others will come about as society continues to emerge from lockdown.

Council is developing an economic renewal plan with immediate, short, medium and long term priorities, set around four key themes of employment & skills; business; high streets and town centres, and wellbeing. Prioritising in this fashion will ensure that our resources are targeted for maximum local impact in the short term, such as vital support for key local employment sectors most heavily impacted by the crisis, but done in tandem with longer term planning and strategy development,

It will align with the council's other recovery and renewal planning, link into our Southwark Stands Together commitments, and will take account of the inevitable economic impact of the crisis on the council itself.

There are a number of steps that have been taken since lockdown to assist businesses in particular:

1. Re-opening of the Southwark Works office and reviewing access to existing provision
2. Continued investment in Southwark Works and commissioned employment support / skills and training providers
3. Support to local businesses on workplace health, Good Work Standard and London Healthy Workplace Award to improve longer-term productivity
4. Business and employment themed listening events scheduled for July 2020 in order to better understand issues faced by BAME communities as businesses, employers and employees
5. Through the Start-ups in London Libraries (SiLL), there is ongoing advice and support for business start-ups
6. Administering awards of Government grants and rate relief for retail , hospitality and leisure sectors to eligible businesses
7. Administering grants and communications for businesses in receipt of small business rates relief
8. Responding to significant increase in Business Rates enquiries
9. Administration of mandatory and discretionary rate relief for charities
10. Temporary suspension of debt recovery action; monitoring of indebtedness to the council; development of mitigation strategies and approaches to the management of increased debt
11. Design, launch, processing and administration of a Southwark local scheme (Business Hardship Fund) to provide additional assistance to small local businesses missing out on Government Support
12. Repurposing of Southwark Pioneers Fund budget
13. Design, launch, processing and administration of the Government funded Local Discretionary Fund.

Item No: 7.	Classification: Open	Date: 6 October 2020	Meeting Name: Planning Committee
Report title: Final		<u>Employment and Training Programme</u> To release £3,293,639.03 from the S106 agreements associated with the below developments, for the purposes of employment and training in the Borough.	
Ward(s) or groups affected:		Project: All Wards Funds: All Wards	
From:		Director of Planning	

RECOMMENDATION

1. That Planning Committee approves the release of £3,293,639.03 S106 funding, from the Agreements listed in Appendix 1, in order to deliver employment and training programmes across the borough.

BACKGROUND INFORMATION

2. Planning obligations under S106 of the Town and Country Planning Act 1990 are used to address the negative impacts caused by a development and contribute to providing infrastructure and facilities necessary to achieve sustainable communities. The council can enter into a legal agreement with a developer whereby the developer agrees to provide planning obligations. These obligations can take the form of financial contributions and can cover a range of purposes.
3. Section 106 planning obligations will be used to address site specific impacts of developments, or used in situations where a developer does not meet planning policy requirements to provide infrastructure on the development site. S106 planning obligations will be sought in situations where they are linked to the development site and required in order to make the development acceptable.
4. In addition, the Community Infrastructure Levy (CIL) allows local authorities to raise funds from developers undertaking new building projects in their area. This money can be used to fund a wide range of local and strategic infrastructure that is needed to support growth and development in the borough.
5. The council's 2015 [S106 and CIL Supplementary Planning Document \(SPD\)](#) sets out detailed guidance on the use of S106 planning obligations as well as the Community Infrastructure Levy (CIL).
6. The council also seeks to secure a S106 contribution to be used to facilitate the delivery of skills and employment outcomes by providing training and employment support to residents in the borough.
7. The costs of project management and monitoring of this activity are supported by management contributions, received from each site, which mitigate the costs incurred by the council. This includes officer time and resources used to manage and monitor

employment and training initiatives put in place to support sites to meet their S106 employment and training obligations.

8. The contributions detailed in Appendix 1 have accrued from ongoing development in Southwark and are currently held by the council.

Economic Wellbeing Strategy

9. In December 2016, Cabinet approved a refresh of the council's Economic Wellbeing Strategy 2017 to 2022, which reinforced our commitment to supporting local people into employment and apprenticeships, improving skills through access to work related training, and promoting financial wellbeing and independence. A recently commissioned gap analysis of the strategy has shown that the fundamental principles outlined above remain sound.
10. Employment and skills are key strategic priorities for the council and we support frontline programmes to help residents into work and promote a strong local economy. It is our aspiration that all Southwark residents have employment that is fairly paid, underpinned by the council's lead on promoting the London Living Wage. We also want Southwark residents to have secure employment and the skills to progress beyond entry-level, insecure, low-paid work.
11. The Economic Wellbeing Strategy also emphasises that the council will continue to use S106 and CIL obligations to ensure that new developments bring sustained jobs and training opportunities to the borough.
12. Our strategic ambitions for Southwark on this theme include:
 - Southwark is a full employment borough with a job opportunity for every resident who wants to work
 - Southwark employers offer top quality apprenticeships, from entry to advanced-level roles, and our residents are at the front of the queue to access them
 - Regeneration and development continues to provide lasting jobs for residents in construction and related industries and in completed developments
13. In order to achieve this, as part of the 2014-18 council plan, the council:
 - Supported 5,811 residents into work between through investment into Southwark Works and other targeted programmes, prioritising those residents furthest from the labour market
 - Created 1,918 apprenticeships, through support for employers to create quality apprenticeships under the Southwark Apprenticeship Standard
14. To continue to deliver on these commitments, as part of the 2018-22 council plan, the council set out its aim to:
 - Support a further 5,000 residents into jobs, of which 2,955 have been delivered so far
 - Create an additional 2,500 apprenticeships, of which 1,323 have already been delivered
 - Continue to work with employers to encourage and support accessible, fairly-paid and sustainable job opportunities through the promotion of the Mayor's Good Work Standard, including the London Living Wage, in order to help businesses remove barriers to recruiting local people

- Work with developers and the wider construction sector to create and promote opportunities for careers in construction for residents and provide the skills required by employers through the construction skills centre

Southwark's Skills Strategy

15. The Southwark Skills Strategy was formally adopted by the council following approval by Cabinet in December 2017. It was recommended that officers develop a delivery plan to set a framework for the implementation of the strategy.
16. Southwark's Skills Strategy delivery plan was developed in partnership with key local stakeholders and was approved by Cabinet in June 2018. The delivery plan seeks to improve the local skills offer and ensure that residents are able to access the employment opportunities on their doorstep.
17. The vision of Southwark's Skills Strategy is that "by 2022 Southwark will have a high quality skills offer that is accessible and responsive to learner and employer needs" and that "the offer will support all learners to build resilience and develop valuable skills for a strong local economy now and in the future." This aligns with the Economic Wellbeing Strategy 2017-22 and the 2018-22 Council Plan ambition for Southwark to be a full employment borough where everyone has the skills to play a full part in the economy.
18. The Skills Strategy includes three priority aims to deliver the vision:
 - Residents have the opportunity to gain the type and level of skills they need to access local opportunities and progress in the labour market
 - Employers invest in their workforce and have access to training provision that responds to their needs and allows them to recruit locally
 - Employers and providers work collaboratively to develop a local skills offer that is responsive to the needs of the local economy
19. The Skills Strategy and delivery plan is divided into four headline themes – learners, employers, providers and funding and sets objectives for each, along with measures of success. The 2019-2022 delivery plan has 4 key work streams:
 - Promoting apprenticeships
 - Meeting sector specific skills needs
 - Shaping essential skills provision
 - Improving all age careers advice and guidance

The impact of COVID-19 and Southwark's Economic Renewal Plan

20. The economic impacts of the COVID-19 crisis will be profound, far-reaching and difficult to predict. Many will arise over the longer term, some are already with us and others will come about as society continues to emerge from lockdown.
21. The council has therefore developed an economic renewal plan with immediate, short, medium and long-term priorities, set around four key themes of employment & skills; business; high streets and town centres, and wellbeing. The plan sets out a range of steps that we will take to renew our local economy, how quickly we need to deliver each step, how we will monitor progress and who will lead on delivery.

22. The plan aims to ensure that our resources are targeted for maximum local impact in the short term, such as vital support for key local employment sectors most heavily impacted by the crisis, but done in tandem with longer-term planning and strategy development, combined with tireless lobbying of central government on behalf of our local residents and businesses.
23. The plan is designed to capture all cross-council activities aimed at reducing and mitigating the economic impacts of the crisis, and to support future inclusive economic growth in the face of these new economic challenges. It will align with the council's other recovery and renewal planning. It will link into our Southwark Stands Together commitments, reflecting the urgent need to respond to the disproportional impact of COVID-19 on BAME communities and the impacts of ongoing systemic inequalities and injustices that remain in place and have been made worse by the pandemic. It will respond to the emerging Climate Change Strategy and the council's aim to become carbon neutral by 2030. It forms a part of our planning for Brexit, including the risks posed for the economy in key areas such as workforce and skills, trade, regulation and immigration. And of course it will take account of the inevitable economic impact of the crisis on the council itself.

The use of S106 contributions

24. Since 2013 the council has adopted a strategic approach to the management and use of employment and skills S106 contributions. Appendix 2 sets out a list of contributions accrued since 2013 and when they were approved by planning committee, which totals £5,522,986.44. Funds from contributions for employment and skills outcomes are assigned across council programmes to support delivery of key Council Plan commitments including supporting 5,000 residents into jobs and creating 2,500 apprenticeships.
25. The excellent success of meeting the 2014-18 council plan targets and ongoing achievements to date, illustrated the scale of delivery that the council can achieve through our commissioned services and through contributions via our S106 agreements. Appendix 3 shows the role that these services have had in changing local residents' lives through the 5,000 lives campaign.
26. The ongoing use of S106 contributions will ensure resources are available to invest in the council's programme of employment and training support as set out in the Economic Wellbeing and Skills strategies and the Economic Renewal Plan, to build on these achievements and further increase the numbers of Southwark residents securing jobs and sustaining employment.

KEY ISSUES FOR CONSIDERATION

27. The contributions released through this report will be used to deliver employment and skills programmes for Southwark that will offer pathways to sustainable, good quality employment across a range of sectors including construction, for which there is even higher demand as a result of the COVID-19 pandemic. These programmes will support residents from all backgrounds to overcome barriers, acquire skills and benefit from the economic opportunities that development brings to Southwark.
28. Projects supported by the S106 funds will include those that have been established for some time, having previously contributed in recent years to significant employment and skills outcomes for residents on development sites and in completed developments, and will continue to do so with the support of additional S106 funds.

29. In addition, the council will develop and commission new interventions that respond to the emerging strategic needs and priorities identified in the council's Economic Renewal Plan, Wellbeing Strategy, Skills Strategy and Council Plan. Together the funded interventions will contribute to the council's vision of social regeneration, supporting people to have better lives, in stronger communities, and achieve their potential by creating new opportunities, promoting wellbeing and reducing inequalities.

Employment support for Southwark residents

30. The council's recently recommissioned Southwark Works programme operates as a framework where specialist organisations work together providing support to residents outside mainstream provision, such as Jobcentre Plus or the devolved Work and Health Programme. The framework is made up of lots targeted at specific client groups, for example people at risk of homelessness, mental health and learning disabilities and difficulties. Targeted support is delivered through contracts with specialist providers with expertise in helping unemployed people into both entry level and higher-skilled employment. As part of the new contracts, there is also a focus on in-work progression. Services are typically provided by organisations with strong connections to local communities who specialise in supporting people with particular barriers to employment.
31. Following the recent recommissioning of Southwark Works, we have allocated one of these lots to target sector specific employment support, in a range of sectors, including construction. This offer has been developed in response to the significant volume of construction jobs in the borough and the high demand for local labour as a result of S106 obligations negotiated by the council with developers. Where sites have elected to provide local jobs on site under their S106 agreement, Southwark Works engages with the contractors to open up the opportunities to local people. Where a development makes a financial contribution instead, Southwark Works is well placed to draw on these funds to prepare local people for employment, provide training and secure job outcomes for residents.
32. The council will also work with partners to develop and commission wider projects which often act as testing grounds for innovative models of employment support. Some may involve working across borough boundaries in partnership with other local authorities to deliver greater value for money, test new collaborative ways of working and remove barriers to securing the best outcomes for our residents.
33. In response to the COVID-19 pandemic and in line with the Economic Renewal Plan, the Southwark Works offer is currently under review. The review aims to ensure the offer to residents remains optimum in the context of higher levels of demand and the drastically altered local labour market that is likely to remain in place for the short to medium term.

Developing the skills of Southwark residents

34. The council's Skills Strategy sets out the need for a local response to the skills shortages which can limit residents' earning capacity market and the growth and productivity of our businesses. With Southwark's economic base already made up of over 15,000 businesses and over a quarter of a million jobs with further growth expected, there is a need to meet skills gaps in all sectors. Over half the skills shortages vacancies reported by employers in central London are in high skilled occupations.
35. Since 2014, Southwark has led London in promoting apprenticeships as a route to

skills development. We will continue to invest resources to support Southwark residents to access high quality apprenticeships, and work with local employers, in line with the Southwark Apprenticeship Standard to create high quality apprenticeships, as we continue to create new apprenticeships in addition to the 2,000 that were delivered as part of the previous council plan commitment. Appendix 4 shares the story, as part of the recently refreshed apprenticeship campaign, of a Southwark resident who was supported into an apprenticeship with a local employer within the construction sector.

36. Looking towards future developments at the Old Kent Road and Canada Water, there is a need to prepare residents now for the higher skill, higher paid roles in modern construction methods that these developments will demand, as well as the growth in demand for skills to deliver on Green Jobs commitments, including in building sustainable new council homes. The current need by employers for construction skills and anticipated growth within the sector has created a considerable skills shortage, both within the borough and across London.
37. The council partnered with Lendlease in 2016 to commission the Southwark Construction Skills Centre at Elephant and Castle, which supports residents to access pre-employment training, gain employment and progress in their careers by up-skilling. The centre supports developers to fulfil their section 106 employment and skills obligations on sites across the borough, offering a site for engaging local people with the construction industry and providing residents with the skills they need to enter and progress in the sector. Since July 2016 over 4,000 Southwark residents have received training at the centre. Appendix 5 provides a case study of a local resident who was supported into an apprenticeship through the Southwark Construction Skills Centre with a local employer within the construction sector.
38. The Southwark Skills Strategy also addresses the growing skills shortages in sectors that will be well represented among the jobs created in completed developments in coming years, including hospitality, retail, health and care, business and financial services, tech and creative industries. Programmes to better equip residents to meet future skills needs in growth sectors are being developed, taking the lead from the Southwark Construction Skills Centre model and exploring new partnerships to improve access to higher level skills for our residents.

Project management and monitoring

39. Southwark Council, through the Local Economy Team as part of the Chief Executive's Office, has responsibility for procuring, awarding, managing and monitoring employment support and training projects delivered using S106 funds.
40. The provision of the management contribution is designed to mitigate the costs incurred by the council in carrying out this work. The selected funds have accrued since 2018. Up until 2016-17 the council was able to absorb the costs of monitoring and management employment and training interventions related to the S106 contributions as part of its core funding. However, as the volume of development activity has increased, resource demands on the council have also increased. It is therefore important to draw upon this resource to monitor employment and skills obligations, enforce the level of benefit to Southwark residents provided for in the planning agreement, and so ensure maximum value is gained from local regeneration investment.
41. To ensure that the council has resources available to effectively project manage and monitor S106 related employment skills and training projects, S106 funds identified for this purpose will be used to support this activity, which includes:

42. Manage and monitor developments delivering in-kind S106 local employment obligations. The council is currently monitoring developments with a combined target of over 100 jobs per annum, through their S106 agreements. In addition, a number of substantial new sites have consent and are awaiting commencement, once they are implemented and S106 obligations come into effect these figures will increase further.
43. Continue to manage and monitor the council's recently recommissioned employment support programme "Southwark Works", which includes sector specific skills training, job brokerage and employer engagement services supporting developers to fulfil their S106 employment and skills obligations.
44. Manage the delivery of the £2 million Construction Skills Centre, managing the contract and monitoring performance of the centre, which directly supports the delivery of S106 employment and skills obligations on construction sites in the borough.
45. Commission, manage and monitor the delivery of initiatives to support the creation and take up of apprenticeships across developments in the borough.
46. Influence the skills market within the borough and wider central London region through initiatives to develop and coordinate the supply of local residents adequately informed, prepared and motivated to work in the wide array of career opportunities arising from current and future developments.

Community Impact Statement

47. The funds will enable the council to specifically target unemployed and disadvantaged residents in the borough - providing support, advice and guidance to assist local people to move into sustained employment. The primary impact on local people will therefore be increased opportunity for employment. A secondary impact of the project is to better engage local people with appropriate existing training and advice provision situated in their local area.
48. Key target groups will be the unemployed and economically inactive, focusing particularly on those who would be unlikely to secure employment without such specialist assistance and who face a range of difficulties in seeking and sustaining employment.
49. The work will augment, and not replace, mainstream employment support provision and will therefore not adversely affect any communities or groups by reducing in any way the support available to them. Further, as a voluntary scheme, while the opportunity to find work and achieve financial independence is a strong incentive for the long term unemployed to seek support through the council's schemes, they are not obliged to use these services if other sources of assistance are more appropriate to their needs. Instead, it will target support at the particular groups that are experiencing disproportionately poor outcomes in the labour market to counteract the barriers to employment that they face. Beneficiaries will be monitored for ethnicity, sex, age, gender, disability, lone parents, and length of unemployment, type of benefits claimed and level of qualifications. Postcodes and other details will also be monitored to ensure the service is being effectively targeted and delivered to all communities and groups.
50. The projects funded through Southwark Council S106 contributions provide a fair and equal service targeted at supporting the diverse local population into employment and

training. Targets are set to monitor that the project beneficiaries and outputs reflect the make up of the local workless population.

51. The programme has been designed to be fully accessible to all, without prejudice or discrimination.
52. The proposals have no negative impacts on any particular age, disability, faith or religion, race and ethnicity and sexual orientation.
53. With the exception of those benefits identified, the proposals are not considered to have a disproportionate effect on any other community or group.

Consultation

54. In bringing together the Economic Renewal Plan, Economic Wellbeing Strategy and Skills Strategy, there was a wide consultation process across key partners, including local businesses, Jobcentre Plus, the business improvement districts and Southwark Chamber of Commerce and Industry.
55. A range of internal and external stakeholders have been consulted during the process of developing the Skills Strategy and its associated delivery plan. Consultation has taken place at three key stages following the formal adoption of the Skills Strategy in December 2017. Firstly, an initial scoping session in January 2018 developed shared solutions to the areas the strategy needed to focus on. This then informed a second session in March 2018 to further consider the solutions, to discuss resources and assets as well as identifying and managing risks. Finally, the third session in May 2018 sought feedback on a draft delivery plan. Further consultation took place in Summer 2019 to gain insight into how learners and employers utilise the local skills system and the areas they would like to see improved.
56. We have reviewed the Southwark Apprenticeship Standard following consultation exercises and new arrangements are being developed for launch. By refreshing the Standard, and responding to business needs identified through the consultation, we are hoping to increase opportunities to support and increase the delivery of quality apprenticeships within the borough.

Resource implications

57. The developments mentioned in Appendix 1 secured £3,293,639.03 combined, towards employment during and after construction, employment opportunities and managing these services.
58. All £3,293,639.03 is unallocated and available. The proposed allocation accords with the associated agreements and would provide appropriate mitigation for the impacts of the specific and future developments.
59. All costs arising from implementing the recommendations above will be met from the S106 agreements attached to the planning permissions for the development sites.
60. The projects will be managed by the Local Economy Team which has extensive experience of delivering employment and training in Southwark. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

Policy implications

61. These projects will help deliver our Fairer Future Commitments by supporting people to have better lives, in stronger communities, and achieve their potential.
62. The projects meet the following Fairer Future Promises:
 - Theme 2: A place to belong
 - Theme 4: A full employment borough
 - Theme 5: A healthier life
 - Theme 6: A great start in life

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

63. This report refers to training and employment support for residents of Southwark and notes that the Council has previously committed to its support for local people in employment and apprenticeship improving skills. For some time, agreements relating to new developments in Southwark negotiated in accordance with section 106, Town and Country Planning Act have included provisions to ensure that sustained jobs and training opportunities are brought to the Borough. The Agreements referred to in Appendix 1 all have balances available and a variety of projects as listed at paragraph 14 have been identified. In each case, the section 106 Agreement allows for spending on training and employment projects within the Borough.
64. Previous reports relating to the funding of employment and training projects have been brought before Planning Committee on two previous occasions in November 2013 and March 2018. The purpose of this report is to release a further £3,293,639.03 from the Agreements listed in Schedule 1.
65. As members have been previously advised, it is essential that monies held in accordance with section 106 Agreements are expended in accordance with both the terms of the specific agreement and also Regulation 122 of the Community Infrastructure Regulations. Each section 106 Agreement mentioned has been reviewed and it is considered that the proposed expenditure is in accordance with its terms and also the relevant Regulation mentioned above and is otherwise reasonable in all other respects. As with the previous reports concerning employment funding, approval from the Planning Committee is required in accordance with the Council Constitution.
66. Paragraphs 47 to 53 of the report confirm that the planned projects will be accessible to all and it is not anticipated that undertaking any of them will have a disproportionate effect on any group. Members can therefore be reassured that they will be meeting their Public Sector Equality Duty in agreeing to this release.

Strategic Director of Finance and Governance CAP20/012

67. This report seeks approval from the planning committee to release the sum of £3,293.639.03 from the various agreements listed in appendix 1, towards the delivery of training and employment programmes for residents across the borough.

68. It is confirmed at paragraph 61 that the proposed allocation accords with the terms of the relevant section 106 agreements.
69. The strategic director of finance and governance notes the resource implications at paragraphs 58-61, confirms that the council has received the related section 106 funds, and they are available for the purposes outlined in this report.
70. Staffing and any other costs associated with this recommendation are to be contained within existing departmental budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Copies of S106 Legal Agreements	Planning Division, 160 Tooley Street, London SE1	Jack Ricketts 020 7525 5464
Economic Wellbeing Strategy	Local Economy Team, 160 Tooley Street, London SE1	Laura Ahern 020 7525 3233
Link (please copy and paste into your browser): https://www.southwark.gov.uk/assets/attach/2933/economic-wellbeing-strategy-2017-2022.pdf		
Skills Strategy	Local Economy Team, 160 Tooley Street, London SE1	Laura Ahern 020 7525 3233
Link (please copy and paste into your browser): https://www.southwark.gov.uk/assets/attach/8249/Skills-Strategy-Publication-Full-Final.pdf		
Skills Strategy Delivery Plan	Local Economy Team, 160 Tooley Street, London SE1	Laura Ahern 020 7525 3233
Link (please copy and paste into your browser): https://www.southwark.gov.uk/assets/attach/8405/Southwark-Skills-Strategy-Delivery-Plan-final.pdf		

APPENDICES

No.	Title
Appendix 1	Employment and Training S106 to be approved
Appendix 2	Employment and Training S106 from 2013 previously approved by planning committee
Appendix 3	5,000 lives campaign
Appendix 4	Apprenticeship campaign
Appendix 5	Southwark Construction Skills Centre

AUDIT TRAIL

Lead Officer	Stephen Gaskell, Head of Chief Executive's Office	
Report Author	Laura Ahern, Strategy Officer, Chief Executive's Office	
Version	Final	
Dated	8 September 2020	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Date final report sent to Constitutional Team		18 September 2020

APPENDIX 1

Employment and Training S106 to be approved

Type	App Ref	New ward	SAP balance
EDMM	10/AP/3074	London Bridge & West Bermondsey	1,183.00
EMDE	09/AP/1917	London Bridge & West Bermondsey	4,006.77
EDMC	10/AP/1935	London Bridge & West Bermondsey	8,019.00
EDMC	10/AP/2849	Chaucer	13,250.00
EDMC	10/AP/3074	London Bridge & West Bermondsey	15,312.86
EDMC	11/AP/1341	Borough & Bankside	6,359.13
EDMC	14/AP/0308	London Bridge & West Bermondsey	22,687.95
EDMC	12/AP/1423	London Bridge & West Bermondsey	29,802.03
EDMC	12/AP/2239	St George's	33,770.80
EDMC	13/AP/1403	Borough & Bankside	160,603.00
EDMC	15/AP/2217	Surrey Docks	105,400.00
EDMC	14/AP/1552	London Bridge & West Bermondsey	108,799.61
EDMM	14/AP/1552	London Bridge & West Bermondsey	8,241.53
EMDE	14/AP/1552	London Bridge & West Bermondsey	97,731.34
EMPO	15/AP/2474	London Bridge & West Bermondsey	72,052.00
EDMC	14/AP/3842	Borough & Bankside	377,100.00
EMDE	14/AP/3842	Borough & Bankside	387,000.00
EMDE	12/AP/4126	Rotherhithe	80,963.99
EDMC	12/AP/4126	Rotherhithe	87,126.35
EDMM	12/AP/4126	Rotherhithe	6,827.90
EDMC	14/AP/0830	North Walworth	56,252.28
EMDE	16/AP/5055	Camberwell Green	30,000.00
EDMC	16/AP/5055	Camberwell Green	89,000.00
EMDE	15/AP/4072	London Bridge & West Bermondsey	759.48
EDMC	13/AP/2311	Rye Lane	20,025.00
EDMM	13/AP/2311	Rye Lane	1,515.00
EDMC	13/AP/2075	Borough & Bankside	7,044.79
EDMM	13/AP/2075	Borough & Bankside	552.02
EDMM	14/AP/1085	Peckham	884.24
EDMC	14/AP/1085	Peckham	11,684.73
EMPO	12/AP/1784	Borough & Bankside	385,937.38
EDMC	13/AP/0876	Nunhead & Queen's Road	21,896.34
EMPO	15/AP/1062	North Walworth	23,196.28
EMPO	16/AP/5235	Old Kent Road	12,749.07
EMPO	15/AP/0237	Borough & Bankside	75,693.26
EDMC	14/AP/0175	Camberwell Green	2,342.85
EDMM	14/AP/0175	Camberwell Green	177.28
EMPO	14/AP/3843	Faraday	52,848.23
EMPO	12/AP/1092	North Walworth	291,454.30

Type	App Ref	New ward	SAP balance
EMPO	17/AP/4546	Old Kent Road	27,980.37
EMPO	15/AP/0237	Borough & Bankside	145,480.69
EDMC	12/AP/3940	Borough & Bankside	209,494.61
EDMM	12/AP/3940	Borough & Bankside	16,417.98
EMDE	12/AP/3940	Borough & Bankside	156,123.87
EMDE	12/AP/3940	Borough & Bankside	18,798.87
EMPO	16/AP/5235	Old Kent Road	9,092.85
			3,293,639.03

APPENDIX 2

Employment and Training S106 from 2013 previously approved by planning committee

Report	S106 contributions total	Date approved by committee
<u>The Release of £774084.10 of S106 monies from 15 Separate Planning Agreements to Deliver Employment and Training Support Across the Borough.</u>	£774,084.10	5 November 2013
<u>To release £4,748,902.34 from the S106 agreements associated with the below developments, for the purposes of employment and training in the borough.</u>	£4,748,902.34	6 March 2018

Impacts delivered from S106 funded activity* 2014-2020

5,489 residents supported into jobs

475 apprenticeships

(*includes Southwark Works and S106 employment obligations)

APPENDIX 3

5,000 lives campaign

S106 contributions have been central to the support provided to over 5,000 local lives into employment through the council's commissioned services. The following case study sets out the story of George*, a local resident who was supported through S106 to obtain the necessary training which led to his opportunity of working on a development site in the borough with a local developer.

** Client's real name not used*



Following the end of a prison sentence, George faced returning back to normal life and was left feeling uncertain of his next steps. He knew that he didn't want to get into trouble again and with the support of his family, he was able to return home and focus on his future.

As a result of the funding available through S106 contributions, George was referred to Southwark Works and after hearing about the opportunities on offer, he decided that construction sounded interesting and set about finding out more. His determination to succeed was evident to his advisor and was able to offer the funds to support him through a four week CITB construction skills course. As a result, the client received his CSCS card and certificates in Level 1 Health & Safety, Traffic Marshalling and Harness Training.

Having demonstrated his commitment, Southwark Works then introduced George to Be Onsite who arranged a two week on-site work placement with Lendlease subcontractor Careys on the MP1 South Gardens project at Elephant & Castle.

George has since progressed into a permanent role and is using every opportunity to gain more experience and has dreams of becoming an engineer in the future.

APPENDIX 4

Apprenticeship campaign

S106 contributions have provided opportunities to create apprenticeships which have given local residents the opportunity to earn a living whilst they learn. The following case study introduces Fiona, a Southwark resident, whose story featured in the [apprenticeship campaign](#) which was refreshed in 2019. S106 contributions have given Fiona the opportunity to work with Tideway to gain valuable engineering experience and develop the necessary skills to open up various career opportunities.

“After completing my A Levels I wanted to secure a job that set me up for a career straight away.

I looked at a lot of different options, even some that weren’t related to my A Levels. I found this really interesting civil engineering apprenticeship which would give me the chance to work across lots of teams and had great opportunities to move higher up in the company.

I knew there weren’t many women in engineering but that didn’t bother me one bit. I didn’t give it any thought when I was applying and I haven’t noticed any difference now I’m on site. When they offered me the role I decided to give it a shot and it’s been great.

When I finished the apprenticeship I started work on my HNC. I have now completed my HNC in Civil Engineering and started my BEng in Civil Engineering, which I will finish in the summer of 2020. After 4 and half years on Tideway, I moved to HS2. I was working for just over 5 years as an apprentice and then technician and now have the role of Assistant Coastal Engineer. On completion of my degree, I plan to achieve my Incorporate member (IEng) at the Institute of Civil Engineers.

An apprenticeship has given me all the good parts of studying but with real work experience. It’s connected me to opportunities I might not have had if I’d gone to university. Missing out on fresher’s week was tough at the time but now I’m set up for life. I’m really glad I went for the apprenticeship when I did.”



APPENDIX 5

Southwark Construction Skills Centre

S106 contributions have been able to support local residents into employment. This case study tells the story of Tyler*, a Southwark resident who was supported by Inspire at St Peters Crypt, an organisation part of the Southwark Works framework, to access the skills and training offer at the Southwark Construction Skills Centre in order to secure employment on a local development site.

** Client's real name not used*

Tyler is a Southwark resident who was referred to the Southwark Construction Skills Centre (SCSC) from Inspire at St Peters Crypt who supports youth offenders back into the community.

Tyler thrived in the SCSC, achieving his CSCS card and all required tickets to make himself appealing to employers. The skills centre was able to set up an interview with Morrisroe where he was successful in securing a Formwork labourer apprenticeship.

As a result of the funding available through S106 contributions, Tyler has been able to access the training and support required to gain relevant skills and knowledge to work on development sites in the borough. He is really enjoying working on a busy site and he feels that he is part of something special working on the project at Elephant & Castle.



Item No. 8.	Classification: Open	Date: 6 October 2020	Meeting Name: Planning Committee
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F which describes the role and functions of the planning committee and planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
 - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Housing, Communities and Local Government and any directions made by the Mayor of London.
 - b. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.
 - c. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which maybe substantial if the matter is dealt with at a public inquiry.
8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

12. A resolution to grant planning permission shall mean that the director of planning is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the director of planning shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the director of law and democracy, and which is satisfactory to the director of planning. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the director of law and democracy. The planning permission will not be issued unless such an agreement is completed.
14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Where there is any conflict with any policy contained in the

development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
16. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related to the scale and kind to the development.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."

18. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all planning practice guidance (PPGs) and planning policy statements (PPSs). For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the

policies in the Southwark Plan to the policies in the NPPF, the greater the weight that may be given.

BACKGROUND DOCUMENTS

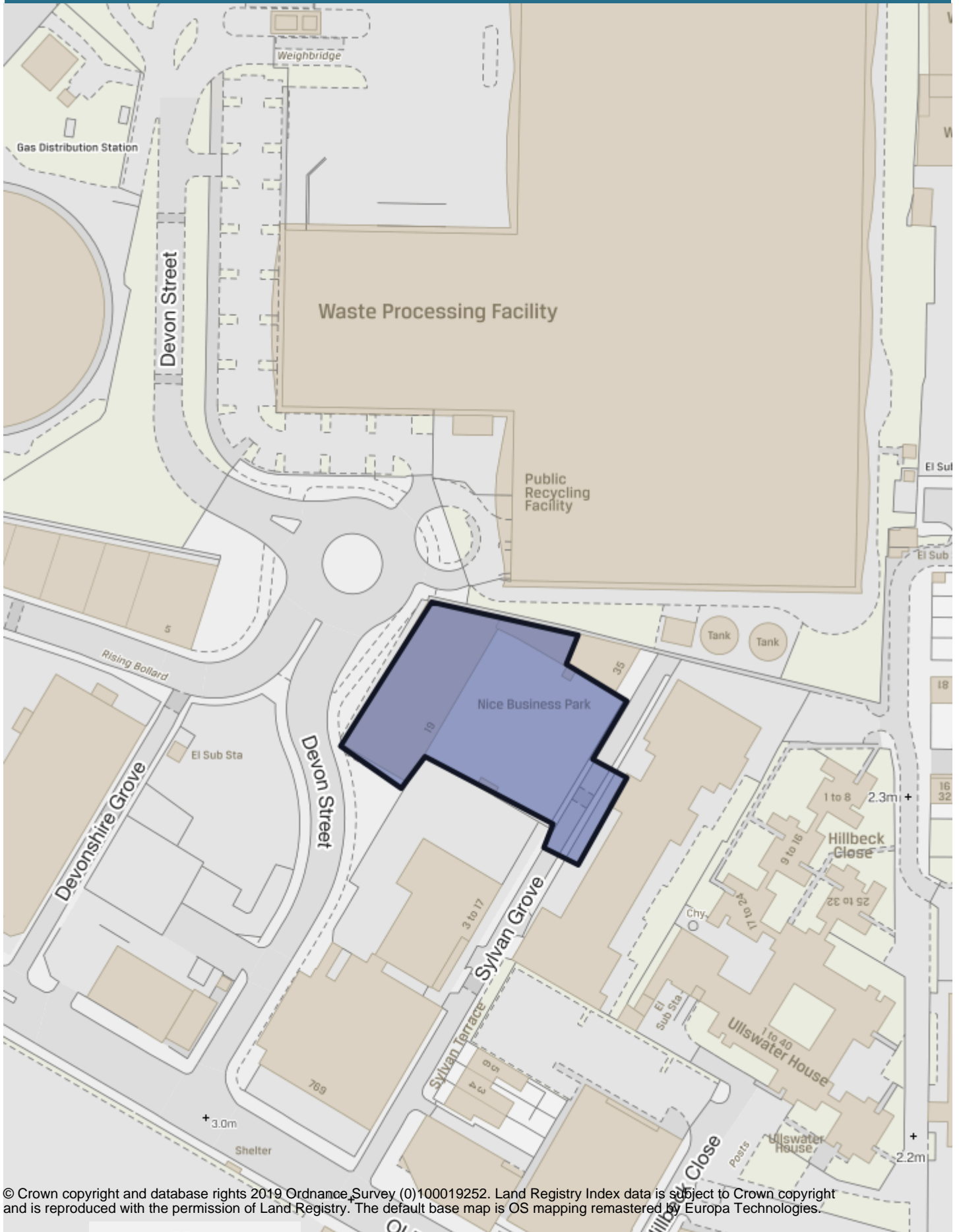
Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Virginia Wynn-Jones 020 7525 7055
Each planning committee item has a separate planning case file	Development Management 160 Tooley Street London SE1 2QH	Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services		
Report Author	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development		
Version	Final		
Dated	18 September 2020		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments sought	Comments included	
Director of Law and Democracy	Yes	Yes	
Director of Planning	No	No	
Cabinet Member	No	No	
Date final report sent to Constitutional Team			18 September 2020



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17-Aug-2020

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Item No. 8.1	Classification: Open	Date: 6 October 2020	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 19/AP/2307 for: Full Planning Application Address: Daisy Business Park, 19-35 Sylvan Grove, London SE15 1PD Proposal: Redevelopment to provide a mixed use development comprising up to 219 residential dwellings (Use Class C3) and up to 2,986sqm (GIA) commercial workspace (Use Class B1) within two buildings of 5 storeys and 32 storeys with associated car and cycle parking, landscaping, and public realm and highways improvements.		
Ward(s) or groups affected:	Old Kent Road		
From:	Director of Planning		
Application Start Date 31/07/2019		Application Expiry Date 30/10/2020	
Earliest Decision Date 15/02/2020			

RECOMMENDATIONS

1. That the planning committee grant planning permission, subject to:
 - The recommended planning conditions;
 - The applicant entering into an appropriate legal agreement by no later than 8 February 2021;
 - Referral to the Mayor of London;
2. That, in the event that the Section 106 Legal Agreement is not completed by 8 February 2021, that the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 311 of this report.

EXECUTIVE SUMMARY

Site



Existing land use (paragraph 4-11)

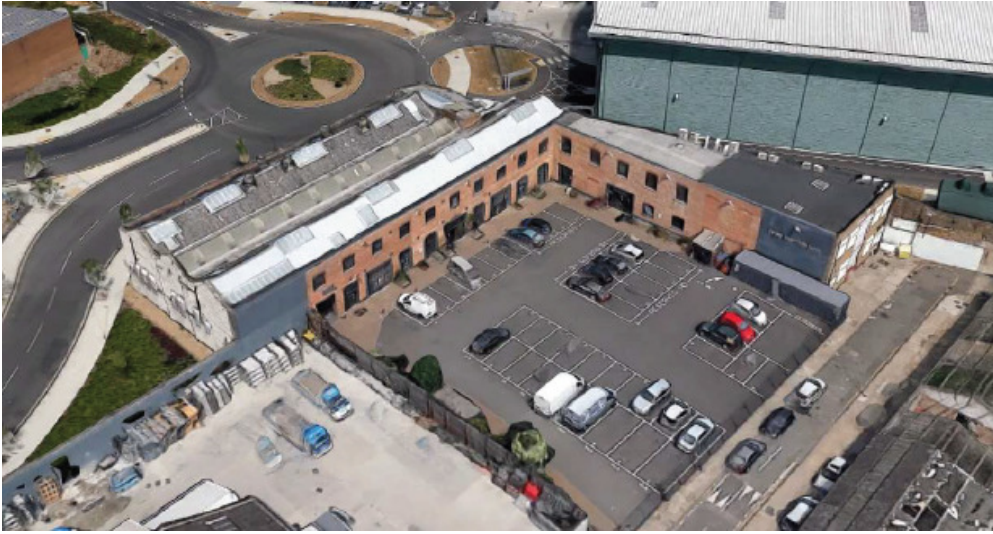
B1 building comprising number of commercial units including offices, studio and light industrial space.

Proposed Development (paragraph 12-23)



- 219 homes;
- Total of 2,986sqm (GIA) of flexible non-residential floorspace;
- 35.1% affordable (Total 59 homes, Social 25.4%, 9.7% intermediate);
- 10% affordable workspace;
- Play space requirements met on site;
- 700sqm of new public square;
- No car parking other than 6 No. wheelchair parking spaces;
- 380 cycle parking spaces and 36 visitor cycle parking spaces;
- 116 of 219 homes are dual aspect equating to 52% of the overall units;
- 61% of affordable housing units as dual aspect;
- Buildings of up to 5 and 32 storeys in height;
- Estimated Community Infrastructure Levy of circa £5.85m before relief.

Current site

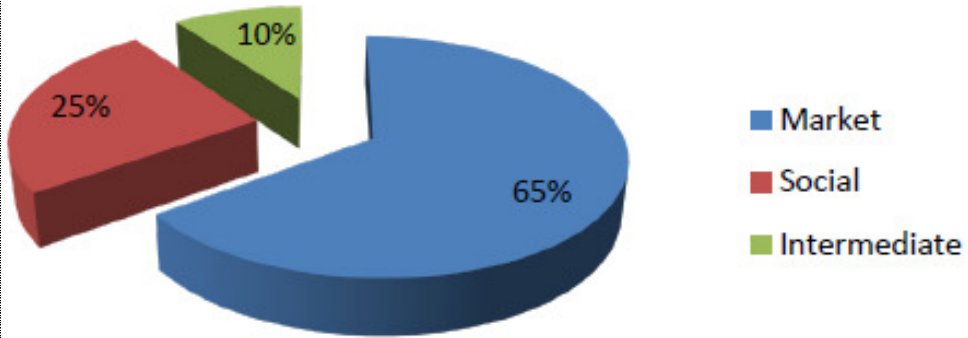


Proposed site

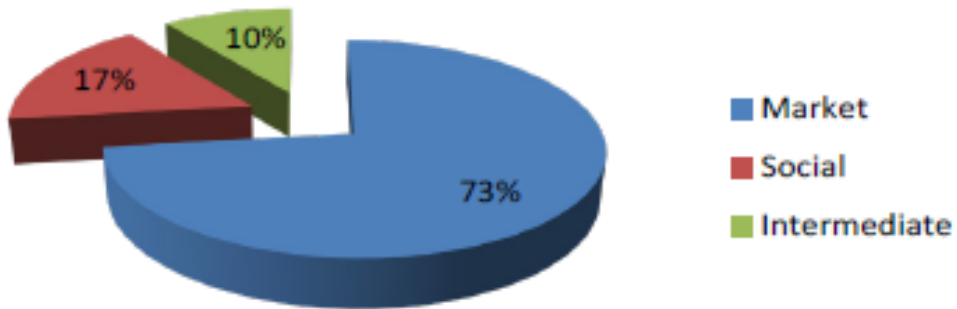


Affordable housing (Paragraphs 124-134)

Habitable rooms by tenure



Tenure by unit numbers



Residential Design – Dual Aspect (Paragraphs 157-158):

Dual aspect figures

	Dual aspect affordable homes	Dual aspect private homes	Dual aspect total homes
TOTAL	61%	50%	116 of 219 (52%)

Open spaces (Paragraphs 159-178)



Table: Amenity space proposed against policy requirement

	Policy requirement	Proposal	Difference
Private	2,190sqm	1,404sqm (not including those that exceed 10sqm)	-786sqm
Communal	50sqm + shortfall 786sqm of private amenity space (total 836 sqm)	363sqm	-473sqm
Dedicated children's play space	740sqm required by the June 2019 GLA calculator	740sqm	0sqm

<p>Public open space</p>	<p>None is proposed on site in the draft 2017 AAP masterplan with site being shown as an infill development. The scheme would therefore have been expected to make an off site financial contribution to public open space in the vicinity equivalent to 1,095sqm</p>	<p>The approach to the revised AAP masterplan has changed in response to public consultation to require a new public open space to be created on site off Sylvan Grove. This would be co joined with a new public space on the adjacent Devonshire Square development. This scheme would contribute 700sqm to that new public space.</p>	<p>This scheme would still be required to make an off site in lieu financial contribution equivalent to 395sqm</p>
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Sustainability (Paragraphs 324-339)

Energy

- Photovoltaic (PV) panels and air source heat pump (ASPH) are proposed on-site.
- The proposed development would be designed so that it can be connected SELCHP District wide heating network that is currently being developed by the GLA and Veolia. This future connection would further reduce CO2 emissions;
- Residential areas would achieve a 70% carbon reduction and non residential areas would achieve a 61% reduction;
- A carbon offset payment of £116,180 has been agreed within the S106 agreement.

Car and cycle parking (Paragraphs 229-250)

- No car parking other than 6 No. wheelchair parking spaces;
- 380 cycle parking spaces and 36 visitor cycle parking spaces;

Old Kent Road frontage



BACKGROUND INFORMATION

Site location and description

3. The site comprises an area of 0.29 hectares (ha) and accommodates an L-shaped two storey building abutting the western and northern boundaries. At the eastern end of the northern wing, the former industrial building is now providing a church, but is not part of the application site. The only access to the site at present is via Sylvan Grove through vehicular and pedestrian gates. The courtyard of the site is laid out in a parking court with 47 parking spaces.

It lies within the following adopted Southwark Plan designations;

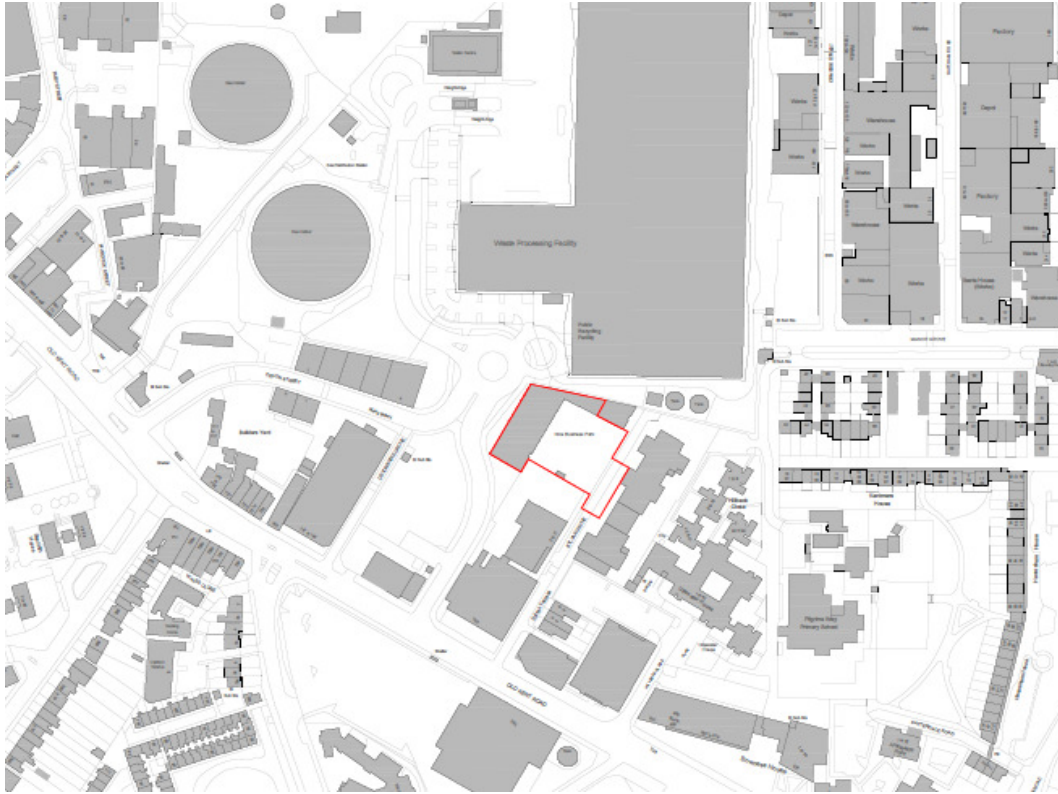
- Old Kent Road Strategic Industrial Location (SIL);
- Old Kent Road Action Area (Core Area);
- Urban Density Zone;
- Bermondsey Lake and Old Kent Road Archaeological Priority Zones;
- Air Quality Management Area

The site also lies within the Old Kent Road Opportunity Area (OKROA) and is discussed further below.

4. It should be noted that in the emerging New Southwark Plan (NSP), the site is no longer protected as SIL. The maps propose the release of the site from the SIL to

allow for the provision of new homes mixed with commercial uses.

Images: Application site and site boundary



5. The site comprises a B1 building of approximately 1,958sqm of gross internal area (GIA). It comprises a number of commercial units including offices, studio and light industrial space.
6. The site falls within a mixed industrial and residential area. Existing residential uses is mainly to the east of the site on Sylvan Grove which comprise a recent block at 8-24 Sylvan Grove for 80 residential flats.
7. It is important to note that the site sits adjacent to a redevelopment site located immediately to the south, which would be called the 'Devonshire Square' scheme here in this report (full address: 747-759 & 765-775 Old Kent Road, and land at Devonshire Grove). The site is subject to a hybrid planning application (ref 19/AP/1239) for up to 565 homes, up to 4,770sqm total floorspace for a range of employment, retail, leisure and community uses. This went to planning committee on 1st June 2020 with a resolution to grant. That Devonshire Square development site would adjoin the current application site on the southern and western boundaries. There will be changes to the road network and layout and a new public open space is proposed that would adjoin the current application site.

Image: Plan of proposed adjoining Devonshire Square development



8. As such, with the Devonshire Square development completed the surrounding area will change in character and uses, with more residential development in line with the Old Kent Road Area Action Plan (OKRAAP).
9. The site is also within the Old Kent Road Opportunity Area (OKROA): Sub Area 4 – Hatcham, Ilderton and Old Kent Road (specifically OKR18). The site also falls within a Site Allocation (NSP66) 'Devon Street and Sylvan Grove' outlined in the emerging NSP.

Image: OKR18 in the draft AAP



Image: Masterplan

10. The site is not within a conservation area and the existing buildings are not listed. The western part of the existing building is identified in the further preferred draft of the OKR AAP as being of townscape merit. The listed Grade II Gasholder No. 13 (associated with the former South Metropolitan Gas Company) is located to the east of the site.
11. The site has an official PTAL rating of 3 (medium accessibility) and is also within Flood Zone 3. The site would be within 200m of the proposed new BLE station on Old Kent Road

Details of proposal

12. Full planning permission is sought for the demolition of the existing building on the site and construction of a mixed use development comprising residential and commercial uses in two blocks. 219 new dwellings are proposed, 35.1% of which would be affordable (when calculated by habitable rooms). This is provided within a total of 59 affordable dwellings. This affordable housing would be made up of a policy compliant offer of social and intermediate units. Overall, 25.4% of the habitable rooms would be for social rent and 9.7% would be of intermediate tenure. The tables below sets out the proposed housing mix and tenure by split habitable rooms and by unit numbers.

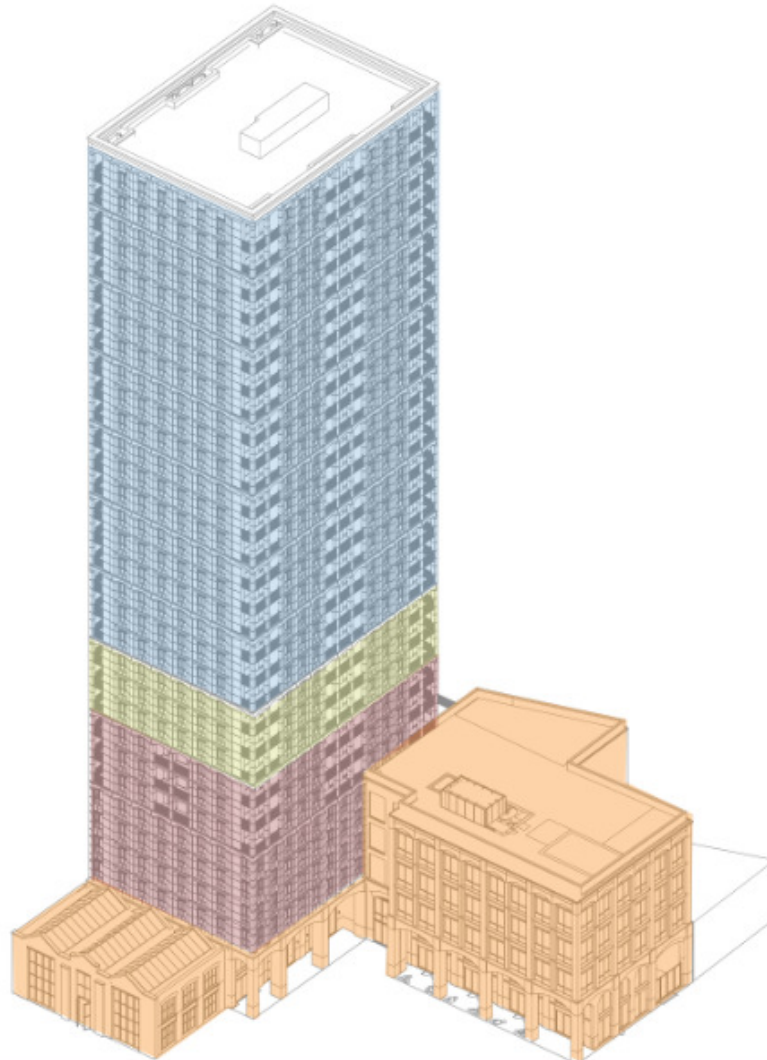
Table: The mix of dwellings across the site as a whole

Unit type	Number of units	Percentage (%)
Studio	11	5
1 bedroom unit	89	40.6
2 bedroom unit	89	40.6
3 bedroom unit	30	13.7
Total	219	100

Table: Proposed housing mix and tenure by habitable rooms

Unit type	Private/market units	Social Rented units	Intermediate units
Studio	11	0	0
1 bed	60	11	9
2 bed	80	0	9
3 bed	0	27	3
Total	160	38	21

Image: Tenure split and allocation within the building



	Private Sale Apartments.
	Shared Ownership Apartments.
	Social Rent Apartments.
	Commercial Accommodation

13. The scheme is tenure blind and amended plans have been received to create a shared entrance and lobby for the private and affordable units. Each of the lifts in the single residential core will be accessible to all residents in the building, with fob access provided to the relevant floor and the communal amenity space on Level 5.

The above image shows the arrangement of the different tenures:

- Social rent units are located on the second to eighth floors;
 - Intermediate units on the 9th to 11th floors; and
 - Private units on the 12th to 31st floors.
14. The proposed development would also provide a total of 2,986sqm (GIA) of commercial (B1) floorspace and would be accommodated in the 5 storey block located on the northern boundary and on the lower two floors of the taller block. There would also be a proportion of affordable work space. More detail is provided on this in the assessment section of this report.
15. The ground floor would also comprise the following:
- Residential entrance and lobby access in the central part of the building;
 - Two Commercial entrances;
 - Ground floor communal amenity room;
 - Refuse store and UKPN substation; and
 - 6 No. wheelchair parking spaces accessed from Sylvan Grove in the north part of the building.
16. The proposals comprise a building with three main components. It would be a mix of 2, 5 and 32 storeys arranged on an L-shaped footprint. There would be a reconstructed section of the existing building to form a 2 storey commercial wing to the southwest portion of the site This steps up to the taller block of 32 storeys running along the western boundary. The 5 storey block runs perpendicular to this along the northern boundary. The 32 storey element would be a maximum of up to 107.8m AOD (105.3m above ground level) and the shorter element up to 25.6m AOD (23.1m above ground level).

Image: Proposed height and massing – Sylvan Grove elevation

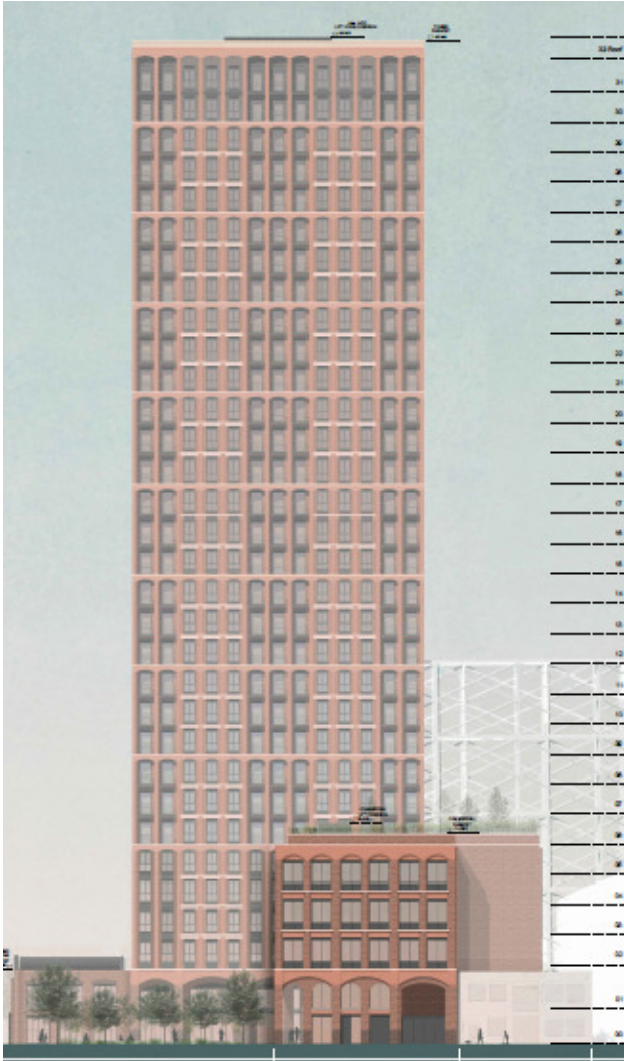


Image: Proposed height and massing – West elevation



Image: 3D image of proposed development in the surrounding context



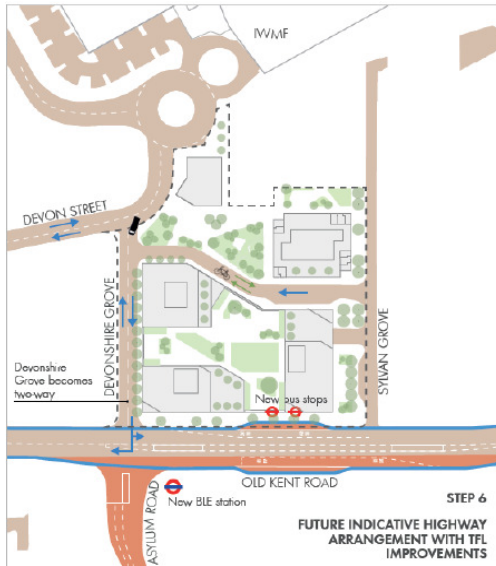
17. Private amenity space is provided in the form of balconies to each flat. Winter garden enclosures have been added to the lower levels (levels 2-5) of the residential building and the elevations have been updated to reflect this amendment. Communal garden space is provided on the roof of the lower block building and is accessible to all tenures. In addition, an internalised communal room is proposed on the ground floor.
18. As explained above, this proposed development would provide public open space in the form of a 'garden square' on the ground floor level and this would 'complete' the rest of the public open space proposed in the adjoining Devonshire Square development. This accessible public space is proposed to the front and the L-shaped building wrapping around this space and totals 700sqm within this site. The Devonshire Square space adjacent comprises 369sqm. The total size of the space would be 1,069sqm. (This has been described as 'Sylvan Gardens' in the Devonshire Square submission documents and the term 'Garden Square' will be similarly used here in this report). The combined space is shown below. The space would be designed to a unified plan secured by condition and legal agreement.

Image: Proposed public open space/square (in colour) and the adjoining square in the Devonshire Square development (shaded grey)



19. It is important to note that there would be extensive works to the existing road network in the Devonshire Square development. This includes the stopping up of the existing IWMF egress road and the widening and re-alignment of Devonshire Grove to accommodate two-way traffic to provide access and egress to the IWMF. The application proposed here on Daisy Business Park would be unaffected, but it is important to highlight the future highway context.

Image: Future highway network



20. The proposed development would be car free, with the exception of 6 car parking spaces for disabled residents and are located within a secured parking garage to the northern part of the scheme accessed from Sylvan Grove. The development will be serviced from within the on-site servicing yard. The scheme now provides a total of 380 cycle spaces for the residential use and 42 cycle spaces for the commercial use accommodated within the development at first floor level and accessible via a cycle lift. Residential long- stay provision and commercial long-stay provision will be housed in separate rooms. 36 short stay cycle parking will all be provided in the form of Sheffield stands located within the public realm.
21. Pre-application discussions were held in relation to the proposal under consideration now under ref 16/EQ/0218. The main matters discussed were the height of the buildings and its orientation. No formal response was issued.

Planning history

22. There have been a couple of planning permissions granted for an additional building on the site for industrial uses, but this was not implemented. There has not been any previous application made seeking to comprehensively redevelop the site. There has also not been any application seeking consent for residential uses.
23. An application to request for Environmental Impact Assessment (EIA) Screening Opinion was submitted (ref 19/AP/1117) for the redevelopment of the site to provide 186 homes and 4,799sqm commercial space in two buildings of up to 30 storeys. A verbal response was given confirming that the proposed development was not considered to constitute EIA development and is discussed in the relevant section of this report.

Planning history of adjoining sites

24. The most recent and relevant history on adjoining sites is the adjoining Devonshire Square development at 747-759 & 765-775 Old Kent Road, and land at Devonshire Grove which is pending a decision:

Ref 19/AP/1239 Planning permission pending submitted 25.04.2019

(Detailed Proposals)

Full planning permission for the demolition of all existing structures on site, the stopping up of the existing Devonshire Grove major arm (IWMF egress road) and redevelopment to include formation of a new road reconfiguration and widening of Devonshire Grove, widening of the foot ways on Sylvan Grove and Old Kent Road, construction of Building A at ground plus 38 storeys (137.26m AOD) to provide 264 residential units (Class C3), flexible retail/employment floorspace (Class A1/A2/A3/A4/B1a-c), creation of a new public realm including new public squares and spaces, associated landscaping and highways works and a new substation and all associated works.

(Outline Proposals)

Outline planning permission (all matters reserved) for comprehensive mixed-use development for the following uses in four Buildings (B, C, D and E) up to a maximum height of 81.3m AOD, and a basement level shared with Building A: Up to a maximum of 301 residential units (Class C3); employment workspace floorspace (Class B1a-c); flexible retail, financial and professional services, food and drink uses (Class A1/A2/A3/A4/A5), flexible non-residential institutions (Class D1) and Assembly and leisure uses (Class D2); Storage, car and cycle parking; Energy centre; Substations; Formation of new pedestrian and vehicular access and means of access and circulation within the site together; and new private and communal open space.

25. A more recent residential development was granted at 8-24 Sylvan Grove, to the east of the site:

Ref 15/AP/1330 Parent permission with subsequent non-material minor amendments approved.

Application Type: FULL

Redevelopment of the site to construct a part two, part five, part six and part eight storey building comprising 80 residential units (23 x one bed, 41 x two bed and 16 x three bed) for both private and affordable tenures with associated car parking and landscaping.

Decision: Granted with legal agreement 21.10.2015

26. Ref 08/AP/2209 at 763 Old Kent Road for the Integrated Waste Management Facility (IWMF).

Application Type: FULL

Erection of an Integrated Waste Management Facility (incorporating mechanical

biological treatment plant and waste transfer station, material recycling facility and household waste re-use and recycling centre), 16.2m high to top of ridge (20.33m AOD), with ancillary infrastructure including a municipal depot, contract administration and visitor centre (Resource Centre) with associated landscaping, car parking and internal access road.

Decision: Granted with legal agreement 16.02.2010

27. A number of recent planning applications have been made within the Old Kent Road Action Area boundary close to the site, including the following:

28. Ref 17/AP/4649 Iberia House , 2 Hatcham Road

Application Type: Full

Demolition of existing light industrial building and construction of a building ranging in height from 2 to 9 storeys comprising 915.5sqm of B1 commercial and employment space at ground and first floor levels and 33 residential flats over the second to eight floor levels, with 3 residential parking spaces accessed from Hatcham Road

Decision: Pending decision after resolution to grant by Planning Committee in July 2019

29. Ref 17/AP/4819 Land At 313-349 Ilderton Road

Application Type: Full

Full application for full planning permission for mixed use redevelopment comprising: Demolition of existing buildings and construction of two buildings one of part 11 & 13 storeys and one of part 13 and 15 storeys to provide 1,661sqm (GIA) of commercial floorspace (use class B1) at part basement, ground and first floors, 130 residential dwellings above (44 x 1 bed, 59 x 2 bed and 27 x 3 bed), with associated access and highway works, amenity areas, cycle, disabled & commercial car parking and refuse/recycling stores.

Decision: Pending decision after resolution to grant by Planning Committee in December 2018.

30. Ref 19/AP/1322 Aldi, 840 Old Kent Road

Application Type: Full

Demolition of existing building and redevelopment of the site to provide a new building of up to 13 and 21 storeys in height (maximum height 73.60m above ground level). Redevelopment to comprise 170 residential units (Class C3), a 1,778 sqm (GIA) retail unit (Class A1) and a 52 sqm (GIA) flexible retail unit (Class A1/A3), with associated landscaping, car parking, servicing, refuse and plant areas, and all ancillary or associated works.

Decision: Pending decision after resolution to grant by Planning Committee in February 2020.

SUMMARY OF CONSULTATION RESPONSES

Public consultation

31. At the time of writing, a total of:
 3 objections have been received;
 1 neutral representation has been received;
 3 supporting comments have been received.
32. The main issues raised by the public **objecting** to the proposed development are:
- Dense tall towers that contain cramped flats and relating this to the housing estates back in the 1960's;
 - Ask that the development be a maximum of 6 storeys in height;
 - Question whether public electric vehicle charging points (EVCP) would be provided;
 - Existing vacant buildings could be restored for future businesses;
 - Questions the capacity for infrastructure such as drainage and parking given the community is a small area;
 - Lack of direct engagement with Veolia (IWMF) by the applicant;
 - The Design and Access Statement does not consider or commentate on the impact of the scheme on their operation;
 - Tall buildings can impact micro climate (wind) not only at a pedestrian level but also in terms of emission dispersion. There is no assessment work;
 - Noise impacts. The assessment does not take into account the potentially greater impact on those residents at higher level as a result of breakout from the roof, which in practice would be impossible to screen;
 - Traffic on the Old Kent Road itself would likely provide a significant cumulative noise source, especially at peak times;
 - The proposed residential development is directly adjacent of the IWMF with some dwellings and associated balconies facing the IWMF. While the IWMF has its own site environmental controls it is for applicants introducing a new use in the area to establish and provide sufficient evidence there will be no significant issues arising post development;
 - Cumulative impact is also pertinent. There is concern that the cumulative impacts of this development, combined with other development coming forward in the AAP area, have not been adequately considered. This includes issues of enclosure and tunnelling where a greater density of built development with sensitive receptors is proposed at a height where it is possible emissions cannot disperse.
33. Officer response:
 The height and scale of the proposed development is discussed under the design section of this report and considers that the tall building would be acceptable. The request that the development be less than 6 storeys would not achieve the objectives and aspirations of the New Southwark Plan or the OKR AAP to provide more housing and mixed use development in this location. The surrounding area is

likely to change in character and scale. The neighbouring residential block at 8-24 Sylvan Grove is taller than 6 storeys in height. No publically available EVCP is proposed as Sylvan Grove have double yellow lines so there is limited parking for cars. Officers note that existing vacant buildings in the area could be restored for use, and part of the existing building on site is being retained and re-used, but considers that a more comprehensive approach including providing other uses such as housing could meet the housing and employment need of the borough and achieve the aspirations of the AAP. The proposed development has submitted a drainage strategy and no objections have been raised by the council's Flood and Drainage team.

34. The comments received from IWMF relate to the potential impact the proposed development would have on the operation of the existing waste facility. The applicant has submitted the supporting documents to demonstrate the impacts and how these would be mitigated and these are set out under relevant sections of the report.
35. Those writing in **support** consider the scheme to bring about better homes to the area. One of the supporting representations is from the developer of the adjoining site at Devonshire Square. They state that proposals for Daisy Business Park complement the masterplan envisaged in the AAP. These planning benefits include the provision of a new garden space split between the boundaries of the two developments, as well as active frontages to the new Devonshire Square public square.

Statutory consultees

36. Representations have also been received from the following external and statutory consultees.

Greater London Authority (GLA)

37. The GLA's Stage 1 response considers that the comprehensive redevelopment of the site is broadly supported, but there are a number of items that need to be addressed and that it does not comply with the London Plan and draft New London Plan. The reasons for this, along with Office responses, are set out below.
38. GLA officers accept that this site is suitable for SIL release. However, as Southwark is considered to be a 'no net loss borough' in line with Policy 4.4 of the London Plan and Policy E7 of the draft London Plan, any release of land from SIL should ensure no net loss of industrial capacity. It is reiterated that industrial floorspace should be re-provided at a rate equivalent to the existing floorspace which exists on site, or which could be accommodated on the existing site at a 65% plot ratio, whichever is greater. It was noted that re-provision of 1,885sqm of industrial floorspace is required (based on the scheme originally submitted). The GLA points whilst the quantum of floorspace available for light industrial (B1c) uses may satisfy the 65% plot ratio test the flexible designation of these land uses (ranging from B1a-c) does not adequately secure use of these areas as replacement industrial land use. It is noted that the council must ensure that not only that a minimum of 1,885sqm of industrial floorspace is designed at a specification suitable for B1c land uses, but this floorspace is secured for occupation by light industrial (B1c) purposes only.

39. Officer response: Since the GLA's Stage 1 report, the Secretary of State had written to the Mayor of London directing that this section of the policy for no net loss be deleted from the new London Plan. Notwithstanding this, the area of the B1c use is policy compliant and the applicant has reiterated their commitment to secure this via a section 106 (s106) agreement. It should also be noted that the existing uses on the site comprise a mixture of B1a to c and are not all light industrial.
40. The GLA points out that as the site is believed to be located within the designated Consultation Distance of a Major Hazard Site (Old Kent Road Gas Holder Station) the Health and Safety Executive (HSE) should be consulted. Further, the applicant must confirm whether the site lies within the designated Consultation Distance of a Major Hazard Site and, if so, what measures have been implemented to ensure public safety.
41. Officer response: The HSE was consulted as part of the consultation exercise and raises no objection to the grant of planning permission. The HSE has subsequently confirmed the site is no longer designated as a Major Hazard following the decommissioning and demolition of the gas holders. This is further discussed below in the relevant section.
42. The proposed affordable housing offer at 35% by habitable room, does not meet the GLA's 50% threshold for the Fast Track Route for applications on industrial land and where there is a net loss of employment floorspace; therefore, a financial viability assessment must be provided. Under the proposed revisions to policy H6 in the draft London Plan, the 50% threshold for fast track consideration may reduce to 35% where the scheme results in no net loss of industrial capacity.
43. As outlined above, a minimum of 1,885sqm of light industrial floorspace secured will mean there is no net loss of industrial capacity and as a result the application will be Fast Track and subject to an early stage review, but not a late stage review. The council requires full viability assessment in line with its adopted Development Viability SPD (2016). This has been submitted and reviewed independently on behalf of the council by BNPP. BNPP has concluded that the scheme is providing the maximum level of affordable housing.
44. The GLA has made a comment on the shortfall in playspace provision and the applicant should revise the scheme to include greater provision of designated playspace within the scheme..
45. Officer response: The new calculated playspace is 740sqm using the GLA playspace calculator. The plans have been revised to indicate a total provision of 740sqm split between the roof top terrace and part of the ground level public square.
46. The density of the scheme can be supported in the surrounding emerging context of the Old Kent Road Opportunity Area, and the high quality design proposed. The form and heights arrangement is supported and consistent with the hierarchy of tall buildings set out in the Area Action Plan. It would also respond positively to the heights the neighbouring Devonshire Square development. However, the GLA also notes that there appears to be a lack of active frontage which addresses the

proposed east/west green link in the Area Action Plan. The applicant must therefore demonstrate how future adaptability is incorporated in the design to allow more positive relationship to this link to develop in future. It also requested an indicative layout should be included to demonstrate how the continued operation and future development potential of the adjoining church site is not prejudiced by the current development proposal.

47. Officer response: This is noted. Some revisions have been made by the applicant and the Devonshire Square applicant, which shows a more active frontage on the north side of the Devonshire Square scheme and within the garden square of the current scheme. The proposed plans also demonstrate that it would not impact on the current operation of the Church but also to ensure that it could come forward as a second phase or a standalone scheme developed by others in the future.
48. The GLA comments that the entrance/access arrangement to the car park from the square appears unresolved and the applicant should explore options to provide a direct internal link between residential core and car park.
49. Officer response: The layout of the ground floor has been amended to allow direct access from the disabled parking to the residential core, whilst remaining inside the building.
50. The Energy Hierarchy has been broadly followed and the proposed energy strategy is broadly supported; however, further revisions and information are required before the proposals can be considered acceptable. The applicant should provide a commitment to ensure that the development is designed to allow future connection to a district heating network.
51. Officer response: This is discussed in more detail in the energy section of the report. In summary, whilst the scheme would not connect to the SELCHP, the alternative strategy would provide greater savings in emissions and energy bills.
52. The GLA highlights the proposal does not meet the water consumption targets of the London Plan or the draft London Plan, and must be amended accordingly. The surface water drainage strategy would also not comply with the policies. The applicant should submit additional details to show compliance with the Old Kent Road AAP and clearly identify proposed SuDS measures giving priority to rainwater harvesting, infiltration, green roofs, swales and permeable paving.
53. Officer response: The applicant has since submitted further drainage information. The proposed drainage strategy incorporates attenuation tanks close to the source to mimic greenfield rainfall events. The proposed green landscaping will further reduce the runoff rates on a seasonal basis. The surface water runoff from the application site will be reduced to a rate of 2.2 l/s or less for all design storm event inclusive of 40% climate change allowance whilst preventing the risk of flooding on site.
54. The GLA has requested the applicant should calculate the proposed development's Urban Greening Factor, as set out in Policy G5 of the draft New London Plan, and aim to achieve the specified target.

55. Officer response: The scheme has an Urban Greening Factor of 0.25 and is a substantial improvement on the existing site which is all hardstanding or building footprint. The new scheme includes greening at ground floor and opportunities for brown, green and blue roofs.
56. The GLA requests that the applicant provide further details so that the development proposals can be considered further alongside the Healthy Streets scheme. The GLA also requests more information to enable a full and proper assessment of transport impacts and necessary mitigation. In addition, separate travel plans for the commercial and residential elements of the development should be appropriately secured.
57. Officer response: The applicant has submitted a Transport Assessment which assesses the development against the Healthy Streets indicators. Southwark Transport Planning Officers no longer require Travel Plans. The proposed Delivery Service Plan (DSP) bond is considered a more robust approach.
58. The GLA has questioned the provision of cycle parking and seeks an increase in the numbers proposed. Given the proposed cycle improvements for the area, and objectives to increase sustainable travel and expand the cycle hire network in Southwark, an appropriate contribution towards the provision of a Cycle Hire Docking Station must be secured through the s106 agreement.
59. Officer response: The applicant has since submitted amended plan that demonstrates additional cycle provision. The scheme now provides a total of 380 cycle spaces for the residential use and 42 cycle spaces for the commercial use. This is discussed in the transport section of the report.
60. The GLA comments that until the BLE is delivered, buses will be the main mode of public transport for users of the proposed development and therefore a contribution of £2,700 per residential unit is sought towards improvements to the bus network over a five-year initial period, commensurate with the impact of the development.
61. Officer response: The applicant has agreed to the contribution and this will be secured through a s106 agreement.
62. The GLA has made comments regarding the disabled parking layout. Whilst electric vehicle charging proposals accord with the minimum in the draft London Plan, given the small number of spaces, active provision for them all is strongly encouraged.
63. Officer response: Following engagement with Officers it was recommended that all 6 blue badge parking spaces were retained and the applicant should seek to accommodate the additional cycle parking spaces where possible within the site. The development will provide 2 of these spaces as 'active' and four as 'passive' electric charging points in accordance with policy.
64. The GLA points out that the new vehicular access at the northern extent of the Sylvan Grove frontage should be subject to a Stage 1 Road Safety Audit and requests further information on servicing arrangements. A full delivery and servicing plan should be secured through condition, along with a full Construction Logistics Plan.

65. Officer response:

A separate loading bay will be proposed on the street with the location to be confirmed and will be secured in the s278 agreement. A final Construction Management Plan, car parking management plan and a delivery and servicing plan will be secured by the s106 Legal Agreement.

Health and Safety Executive (HSE)

66. HSE was notified by the council, the hazardous substances authority, that the hazardous substances consent for the Old Kent Road Gas Holder Station has been formally revoked in accordance with The Planning (Hazardous Substances) Act 1990. As a result of the revocation of the hazardous substances consent, HSE has removed the consultation distance around the Old Kent Road Gas Golder Station site and there is no longer a requirement for HSE to be consulted on proposed developments in that area.

67. Officer response: This is noted and no condition will be imposed.

Environment Agency

68. The EA noted that there is no flood risk assessment, but raises no objections. The development will be at low risk of flooding. Conditions are recommended. The EA notes the adjacent Southwark Integrated Waste Management Facility - and could result in impacts including the nearby community being exposed to odour, noise and pests. Mitigation can be provided through the design of the new development to minimise exposure to the neighbouring facility and/or through financial contributions to the operator of the facility to support measures that minimise impacts.

69. Officer response: The applicant has submitted technical reports detailing the environmental impacts. The council's Environmental Protection Officer has not made any objections subject to conditions.

Metropolitan Police

70. No objections and should this application proceed, it should be able to achieve the security requirements of Secured by Design. Recommends the applicant look at certified products. The cycle parking layout should be re-visited. Conditions have been recommended.

71. Officer response: Conditions will be imposed. The proposed cycle parking store is segregated between residential and commercial uses and it is not considered that this would raise any security issues.

TfL London Underground Infrastructure Protection

72. No comments to make.

Natural England

73. No comments to make.

Internal consultation

74. The advice received from other Southwark Officers has been summarised in the table below. Further detail is provided throughout this report.

Table: Internal consultee comments

Consultee	Summary of Comments	Officer response
Environmental Protection Team (EPT)	<p>The two odour assessments have indicated a low risk for odour impact from the waste centre and its emissions, and the winter gardens should address the fugitive emissions from passing refuse trucks.</p> <p>Given the noise assessment that was carried out together with the mitigation from the changed layout of residential levels 2-5 balconies to winter gardens, the issue of noise impacts from the IWMF has been addressed. The winter gardens will also address potential odours at low level arising from passing HGVs.</p>	Recommended conditions included.
Archaeology Officer	<p>The site is currently within the Bermondsey Lake Archaeological Priority Zone (APZ) Previous excavations which have taken place to the immediate west, north and south of the application site have been largely negative. The applicant has submitted a desk based assessment and is a very thorough piece of archaeological research and is approved. The DBA identifies the</p>	Recommended conditions included. A s106 financial contribution is requested for monitoring.

	<p>potential for archaeological remains to survive on this site and therefore conditions should be applied to any consent.</p>	
Urban Forester	<p>There are no existing trees or landscape. It is recommended that a specific tree planting condition to capture the two street trees outside their ownership on Sylvan Grove.</p> <p>A payment in lieu can be agreed to provide them elsewhere at suitable locations in the vicinity.</p>	Recommended conditions included.
Ecology Officer	<p>The ecology survey is fine no further surveys are required.</p> <p>The site can offer net gain for biodiversity. Conditions requiring green roofs, 6 house sparrow terraces and 6 bat tubes are advised.</p>	Recommended conditions included.
Local Economy Team	<p>The intention on providing existing tenants with the opportunity to locate to the new commercial floorspace once operational is welcomed.</p> <p>There will be construction phase jobs / skills and employment requirements and End use of the development jobs / requirements in the s106.</p> <p>This development would be expected to deliver 49 sustained jobs to</p>	Recommended obligations to be included in the s106.

	<p>unemployed Southwark residents, 49 short courses, and take on 12 construction industry apprentices during the construction phase, or meet the Employment and Training Contribution.</p> <p>A development of this size and with the proposed employment densities would be expected to deliver 20 sustained jobs for unemployed Southwark Residents at the end phase, or meet any shortfall through the Employment in the End Use Shortfall Contribution.</p> <p>No later than six months prior to first occupation of the development, the developer to provide a skills and employment plan to the council.</p>	
Transport Planning team	No objections subject to conditions and s106 obligations.	Recommended conditions and obligations to be included in the s106.
Highways development management team	A number of s278 works have been requested. Developer to reconstruct the Sylvan Grove carriageway and repaving the footway. It has also been advised that the vehicle crossovers be constructed to SSDM standards. A comment was made that as Sylvan Grove is a cul-de-sac, it is mandatory to provide a	Recommended obligations to be included in the s106.

	<p>vehicle turning facility hence the need to locate the proposed sliding gate further back into the car park. Comments on substation access, accessibility, drainage, landscaping and design details to be adoptable standard have been raised.</p>	
Flood and Drainage team	<p>Generally accept the proposals, which propose to limit surface water discharge rates to greenfield rates (2.2 l/s) for the 1% AEP storm + cc allowance using a range of Suds features.</p>	<p>Recommended conditions included.</p>
Public Health	<p>Request that a Rapid health impact assessment be submitted. Also notes that the entrances to the affordable and private units should be shared. Encourage the communal amenity rooftop space to be open up to the public. Require that the applicant reconsider and include more green and open space into their scheme. Require the submission of the engagement summary.</p>	<p>The HIA is not in the current validation checklist. Plans have been submitted to ensure the entrances are shared. The provision of the new public square would be more effective for members of the public than on the communal rooftop, which provides a secure communal space for new residents. . An engagement summary has been submitted. The development of the site is in line with the revised AAP masterplan for the area.</p>
Parks and Leisure	<p>Limited provision of public open space in this area that is short of open space and therefore would have impact on existing parks.</p> <p>Request that 30% of new planting be of native species.</p> <p>Seek financial</p>	<p>The scheme provides for new public open space which would complement the proposed open spaces in the Devonshire Square development in line with the revised AAP masterplan. The site is currently a car park which is not open to the public and the proposal would therefore provide a</p>

	contributions towards parks.	new public open space. Further discussion on open space is discussed in that section of this report, which includes contribution towards local parks.
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KEY ISSUES FOR CONSIDERATION

Summary of main issues

75. The main issues to be considered in respect of this application are:

- Principle of the proposed land use, including emerging policy for the Old Kent Road;
- Environmental Impact Assessment;
- Design;
- Townscape and impact upon the setting of nearby heritage assets;
- Density;
- Affordable housing;
- Housing mix;
- Quality of accommodation;
- Wheelchair accessible housing;
- Impact of proposed development on amenity of adjoining occupiers and surrounding area;
- Transport;
- Noise and vibration;
- Trees and landscaping;
- Planning obligations (S.106 undertaking or agreement);
- Southwark and Mayoral Community Infrastructure levy;
- Sustainable development implications;
- Ecology;
- Contaminated land;
- Air quality and odour;
- Water resources and flood risk;
- Archaeology;
- Wind;
- Equalities and human rights; and
- Statement of community involvement

Legal context

76. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007.

77. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Adopted planning policy

National Planning Policy Framework (NPPF)

78. The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
79. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
80. Chapter 2 Achieving sustainable development
 Chapter 5 Delivering a sufficient supply of homes
 Chapter 6 Building a strong, competitive economy
 Chapter 8 Promoting healthy and safe communities
 Chapter 9 Promoting sustainable transport
 Chapter 11 Making effective use of land
 Chapter 12 Achieving well-designed places
 Chapter 14 Meeting the challenge of climate change, flooding and coastal change
 Chapter 15 Conserving and enhancing the natural environment
 Chapter 16 Conserving and enhancing the historic environment

London Plan 2016

81. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:

Policy 2.17 Strategic Industrial locations
 Policy 3.3 Increasing housing supply
 Policy 3.5 Quality and design of housing developments
 Policy 3.6 Children and young people's play and informal recreation facilities
 Policy 3.8 Housing choice
 Policy 3.9 Mixed and balanced communities
 Policy 3.10 Definition of affordable housing
 Policy 3.11 Affordable housing targets
 Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
 Policy 3.13 Affordable housing thresholds
 Policy 4.3 Mixed use development and offices
 Policy 4.4 Managing industrial land and premises
 Policy 5.7 Renewable energy
 Policy 5.8 Innovative energy technologies
 Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.21 Contaminated land
 Policy 6.9 Cycling

Policy 6.10 Walking
 Policy 6.13 Parking
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology
 Policy 7.21 Trees and woodlands
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy

82. The London Plan 2016 identifies the Old Kent Road as an Opportunity Area with "significant potential for residential - led development along the Old Kent Road corridor" and identified an indicative employment capacity of 1,000 and a minimum of 2,500 new homes. Opportunity areas are described in the London Plan 2016 as London's major reservoirs of brownfield land with significant capacity to accommodate new housing, commercial and other development linked to existing or potential improvements to public transport accessibility.
83. Policy 2.13 in the London Plan 2016 sets out the strategic policy for the development and intensification of opportunity areas. Annex 1 includes an indicative capacity for Old Kent Road of 2,500 homes and 1,000 jobs and supports the development of a planning framework to realise the area's full growth potential. It goes on to state that the employment and minimum homes figures should be explored further and refined in a planning framework for the area and through a review of the Strategic Industrial Location and capacity to accommodate a phased rationalisation of its functions in the opportunity area or a provision elsewhere.

Core Strategy 2011

84. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

Strategic policy 1 - Sustainable development
 Strategic policy 2 - Sustainable transport
 Strategic policy 3 - Shopping, leisure and entertainment
 Strategic policy 5 - Providing new homes
 Strategic policy 6 - Homes for people on different incomes
 Strategic policy 7 - Family homes
 Strategic policy 10 - Jobs and businesses
 Strategic policy 11 - Open spaces and wildlife
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards
 Strategic policy 14 - Implementation and delivery

Southwark Plan 2007 (saved policies)

85. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8

(location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

- 1.1 - Access to employment opportunities
- 1.2 - Strategic and local preferred industrial locations
- 2.5 - Planning obligations
- 3.2 - Protection of amenity
- 3.3 - Sustainability assessment
- 3.4 - Energy efficiency
- 3.6 - Air quality
- 3.7 - Waste reduction
- 3.9 - Water
- 3.11 - Efficient use of land
- 3.12 - Quality in design
- 3.13 - Urban design
- 3.14 - Designing out crime
- 3.15 - Conservation of the Historic Environment
- 3.18 – Setting of Listed Buildings, Conservation Areas and World Heritage Sites
- 3.19 – Archaeology
- 3.20 – Tall Buildings
- 3.22 – Important Local Views
- 3.28 - Biodiversity
- 4.2 - Quality of residential accommodation
- 4.3 - Mix of dwellings
- 4.4 - Affordable housing
- 4.5 - Wheelchair affordable housing
- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.6 - Car parking
- 5.7 - Parking standards for disabled people and the mobility impaired

Council's Supplementary Planning Document (SPD)

- 86. Sustainable design and construction SPD (2009)
- Sustainability assessments SPD (2009)
- Sustainable Transport SPD (2010)
- Affordable housing SPD (2008 - Adopted and 2011 - Draft)
- Residential Design Standards SPD (2015)
- Section 106 Planning Obligations and Community Infrastructure Levy (2015)
- Development Viability SPD (2016)

Greater London Authority Supplementary Guidance

- 87. Housing SPG (2016)
- Providing for Children and Young People's Play and Informal Recreation (2008)
- London View Management Framework (2012)
- London's World Heritage Sites SPG (2012)
- Use of planning obligations in the funding of Crossrail (2010)

Affordable Housing and Viability SPG (2017)

Emerging planning policy

Draft New London Plan

88. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2nd March 2018. Following an Examination in Public, the Mayor then issued the Intend to Publish London Plan. The Secretary of State responded to the Mayor in March 2020 where he expressed concerns about the Plan and has used his powers to direct changes to the London Plan. The London Plan cannot be adopted until these changes have been made. Until the London Plan reaches formal adoption it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.
89. The draft New London Plan identifies the Old Kent Road as having a minimum capacity for 12,000 homes and a jobs target of 5,000, which increases the capacity of the adopted London Plan of 2,500 homes and 1,000 jobs.

Old Kent Road Area Action Plan (OKR AAP)

90. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent Road area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. Consultation has been underway for 3 years, with a first draft published in 2016. A further preferred option of the Old Kent Road AAP (Regulation 18) was published in December 2017 and concluded consultation on 21st March 2018. As the document is still in draft form, it can only be attributed very limited weight.
91. Whilst acknowledging this very limited weight, members are advised that the draft OKR AAP places the application site within the proposed Action Area Core, and within proposal site OKR 18 which covers the Devon Street and Sylvan Grove area. Requirements for this allocation site include provision of office space, studio and managed workspaces. It is expected that there be new public square and new access road into the waste facility.

New Southwark Plan

92. For the last 5 years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 consultation closed in May 2019. These two documents comprise the Proposed Submission Version of the New Southwark Plan.
93. These documents and the New Southwark Plan Submission Version (Proposed

Modifications for Examination) were submitted to the Secretary of State in January 2020 for Local Plan Examination. The New Southwark Plan Submission Version (Proposed Modifications for Examination) is the council's current expression of the New Southwark Plan and responds to consultation on the NSP Proposed Submission Version. This version will be considered at the Examination in Public (EiP).

94. It is anticipated that the plan will be adopted in late 2020 following an EiP. As the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.
95. The site is within the part of the Site Allocation (NSP66) 'Devon Street and Sylvan Grove' in the emerging NSP. The vision for this area is for:
- new homes (Class C3);
 - community uses (D use class);
 - retail (A1, A2, A3, A4) on the Old Kent Road frontage;
 - Provide at least the amount of employment floorspace currently on the site (B use class);
 - Provide a new access road into the IWMF; and
 - Provide public open space.

Principle in terms of land use, including consideration of emerging policy for the Old Kent Road Opportunity Area

96. The site is located in the Core Strategy's Preferred Industrial Location-Strategic (SPIL) and also within the London Plan's Strategic Industrial Location (SIL) which is an industrial location of strategic importance as identified in the Core Strategy and the London Plan (2016). Introducing housing here would therefore represent a departure from the adopted Southwark and London Plan. Strategic Policy 10 of the Core Strategy states that SPIL will be protected for industrial and warehousing uses. Saved Southwark Plan policy 1.2 states that the only developments that will be permitted in SPIL are B class uses and other sui generis uses which are inappropriate in residential areas. The proposed development would represent a departure from these policies by introducing residential uses into the SPIL.
97. Recognising that the site is located in the OKROA where the draft OKR AAP sets an aspiration to deliver 20,000 new homes alongside industrial and other uses, Officers have worked closely with the GLA to agree on the release of significant areas of the SIL to allow for mixed use redevelopments to come forward and have agreed a geography of the strategic industrial land release and consolidation. The agreed maps propose the release of the site from the SIL to allow for the provision of new homes. The agreed maps have been included in the emerging NSP.
98. Members should however note that even with this agreement in place the draft OKR AAP and NSP would still need to be subject to an Examination in Public (EiP) and the Secretary of State's approval before they become the adopted development plan position. It should also be noted that there have been a number

of objections to the proposed release of industrial land from third parties which would need to be considered at the EiP.

The Old Kent Road Area Action Plan (OKR AAP)

99. As stated above, the OKR AAP places the site within the proposed Action Area Core, and within proposal site OKR 18 which covers the Devon Street and Sylvan Grove area. It stipulates that development must:

- Replace existing employment space, including retail floorspace (A use class); and
- Provide residential or other town centre uses above employment space; and
- Provide new a new public square off Devonshire Grove; and
- Provide a new access road into the IWMF; and
- Provide on-site servicing.

100. Emerging policy AAP6 of the OKR AAP states that development must:

- Retain or increase the amount of Class B floorspace on site;
- Accommodate existing businesses on site or in the wider Old Kent Road Opportunity Area, or provide relocation options for businesses that would be displaced by redevelopment;
- Ensure a specialist provider would manage the workspace;
- Secure an element of affordable workspace, and;
- Result in an increased number of jobs.

The proposal would achieve all of these aspirations as follows:

- From an existing 1,958sqm to 2,986sqm GIA of new Class B floorspace would be provided;
- A workspace coordinator would manage the workspace;
- 10% affordable workspace would be provided; and
- Approximately 265 jobs would be created, a significant uplift when compared to the previous 144 jobs.

101. It should be noted that the GLA had based their comments on the scheme originally submitted which had proposed a greater quantum of B1 class floorspace. Since then the scheme has been amended to provide a ground floor internal communal amenity space which has resulted in a total of 2,986sqm of B class floorspace. The GLA had noted in their Stage 1 report that Southwark is considered to be a 'no net loss borough' and any release of land should ensure that there is no net loss of industrial capacity. . Where the 65% plot ratio is applied to the existing industrial land on site, it is noted that re-provision of 1,885sqm of industrial floorspace is required.

102. Nevertheless, on 13th March 2020 the Secretary of State directed that this policy be deleted from the draft new London Plan, although he did note that local authorities would need to provide for workspace within their plans. Having directed this change the council will also need to consider its commitments within the NSP in order to ensure general conformity with the New London Plan. The application proposes a

flexible B1 use (a-c), but the applicant has confirmed that at least 1,885sqm will be allocated for B1(c) and would be secured through condition and a clause in the s106 agreement.

103. Notwithstanding the above, in determining whether the principle of the proposed development would be acceptable in land use terms, specifically the introduction of housing in the SIL, Members need to consider whether the wider regeneration benefits of the scheme would outweigh any harm caused, and whether those benefits would therefore justify a departure from the adopted planning policy.

104. Officers consider that the key benefits arising from the proposal would be as follows.

Employment floorspace

105. As explained above, there would be an uplift of employment use (B1 class). As the new floorspace would provide a mix of B1a-c uses, this significantly increases the intensity and number of employment opportunities available. There would therefore potentially be a net gain of approximately 120 jobs and is a positive aspect of the proposal.

106. The LET have also set out further requirements in order to ensure that this development delivers employment and training for local people. All will be secured through the s106 and is set out in the s106 section of this report.

Business relocation and retention

107. The current building is a 'workspace' style building with a series of small office suites which are occupied on relatively short leases and which there is a regular turnover. There are some tenants who have been there for a few years with some that would be renewing leases. The applicant shall be re-providing small suites to continue to provide SME units and intend on providing existing tenants with the opportunity to locate to the new commercial floorspace once operational. The applicant has agreed an obligation in the S106 that will have such a strategy in place.

Affordable workspace

108. The applicant has agreed to provide an element of affordable workspace within the scheme comprising 10% of the commercial floorspace. The cost per sq ft and duration of offering would be £12 per sqft over a 15 year period, and would be secured through the s106 agreement. The intention is to secure the service charge and insurance inclusive of the rent to ensure the space is genuinely affordable.

109. The employment space has been designed to be flexible so that it could accommodate a range of different unit sizes and shared workspaces. The applicant will continue to manage the commercial building and would therefore not need an affordable workspace provider.

Provision of housing, including affordable housing

110. The scheme would provide 219 new residential units, including policy compliant affordable housing comprising social rented and intermediate units in terms of habitable rooms. There is a pressing need for housing in the borough. The adopted London Plan (2016) requires the provision of a range of housing and sets the borough a target of 27,362 new homes between 2015 and 2025. This is reinforced through Strategic Policy 5 of the Core Strategy which requires development to meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive areas, particularly growth areas. It would also be in accordance with emerging policy for the OKROA and the expectation of significant new housing provision.

Provision of a new public open space

111. The proposed development would deliver high quality public realm of 700sqm. This is essentially an extension to the public open space proposed in the Devonshire Square site. The 2017 AAP master plan had no requirement for public open space on this particular site. However following public consultation on the plan and engagement with the applicant and the neighbouring developers this has been amended and the master plan shows the provision of public open space, as a direct benefit to the residents of Sylvan Grove. This application would be providing that space in line with the revised masterplan. This public garden square would be a significant improvement over the existing site conditions. The proposal would increase park and open space provision in line with the strategic objectives of the council's Open Space Strategy (2013).

Prematurity

112. Legal Advice received in relation to this issue highlights the following from the National Planning Policy Guidance "arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

113. Refusal of planning permission on grounds of prematurity would seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process."

114. The most up to date development plan pertinent to the Old Kent Road area is the 2016 London Plan. This identifies the Old Kent Road Opportunity Area as having significant potential for housing led growth. The draft OKR AAP has been developed in response to this adopted plan and has also sought to address the emerging policy position of the draft New London Plan including the increased housing target for the opportunity area and the need to ensure that the New London Plan aspirations for industrial land and employment are addressed. This scheme is not considered to undermine either the strategic or local plan making process, and reflects the adopted statutory development plan position of the 2016 London plan and the direction of travel of the draft New Southwark Plan and the 2016 and 2017 draft OKR AAPs and the 2018 draft New London Plan. It is not therefore considered to be premature.

Conclusion on land use

115. To conclude in relation to land uses, the proposed development would be contrary to strategic policy 10 of the Core Strategy and saved policy 1.2 of the Southwark Plan owing to the introduction of residential into the SIL would represent a departure from the adopted development plan.
116. This must therefore be weighed against the benefits of the scheme which include:
- the provision of housing, of which 35.1% would be affordable;
 - the provision of good quality, flexible commercial space including affordable workspace;
 - job creation;
 - repair and improved physical environment;
 - active frontage and improved pedestrian access through the site; and
 - provision of new open space,
117. Some limited weight can be attached to the NSP and OKR AAP at present, given that they have been subject of extensive consultation and the emerging policies would support the proposal. Given the changing character of the area and in particular the adjoining Devonshire Square and its future uses, it is not felt that the introduction of housing would prejudice the operation of existing businesses in the area. For these reasons, officers consider that the principle of the proposed development in land use terms should be supported in this instance.

Environmental impact assessment

118. Prior to the submission of this application, the applicant had submitted a request for an EIA Screening opinion (ref 19/AP/1117) under Regulation 6(1) of the EIA Regulations. This was to ascertain whether the Local Planning Authority considered there would be significant environmental effects are likely to arise from the proposed development. No formal written response was given and this section will make an assessment.
119. Officers consider that the proposed development does not fall within the definition of Schedule 1 development. In Column 1 of the table in Schedule 2, Category 10

(b) relates to 'Urban Development Projects'. The proposed development would be an 'Urban Development Project' and consequently it would constitute Schedule 2 development within the meaning of the EIA Regulations. It would also include more than 150 dwelling houses and therefore it would be necessary to assess the potential impact of the proposal against Schedule 3 of regulations.

120. Based on the assessment against the checklist, no significant likely effects have been identified and accordingly the conclusion reached is that the proposed development would not be likely to have significant effects upon the environment virtue of factors such as its nature, size or location. The matters to be considered can be adequately assessed through the submission of technical reports submitted with the planning application. The proposed development is therefore not considered to constitute EIA development.

Provision of housing and affordable housing

121. Strategic Policy 6 of the Core Strategy 'Homes for People on Different Incomes' requires at least 35% of the residential units to be affordable. For developments of 15 or more units affordable housing is calculated as a percentage of the habitable rooms. All of the affordable units should be provided on site and a mix of housing types and sizes is required. In accordance with Saved Policy 4.5 of the Southwark Plan, for every affordable housing unit which complies with the wheelchair design standards one less affordable habitable room will be required.
122. The Southwark Plan saved policy 4.4 requires at least 35% of all new housing as affordable housing. Of that 35%, there is a requirement for 50% social housing and 50% intermediate housing in the Old Kent Road Action Area. The adopted London Plan 2016 sets a strategic requirement of 60% social housing and 40% intermediate housing. The emerging NSP Policy P1 sets a requirement for a minimum of 25% of all the housing to be provided as social rented and a minimum of 10% intermediate housing to be provided when calculated by habitable rooms, this equates to 71.5% social housing and 28.5% intermediate housing. .
123. In total, 617 habitable rooms would be provided in the development. The development would provide a total of 217 affordable habitable rooms which would equate to an overall provision of 35.1%. The level of provision is therefore acceptable and policy compliant.
124. Southwark's Development Viability SPD requires a financial viability appraisal to be submitted for all planning applications which trigger a requirement to provide affordable housing. The financial viability appraisal should identify the maximum level of affordable housing that can be sustained and justify any proposed departures from planning policy requirements. This application is therefore accompanied by a viability report, which was reviewed by independent consultants on behalf of the council.
125. Discussions on the initial variables and benchmark land value (BLV) were had following updated inputs from the applicant. It has been agreed that the BLV is £5.09m. The council's consultant BNPP made a number of adjustments to the applicants appraisal as follows:

- the Benchmark Land Value of £5.09m has been inputted;
 - Adjustment of BLV Yield to 6%;
 - the following profit targets were inputted on Gross Development Value (GDV): 17.5% for private residential, 15% for commercial and 6% for affordable residential;
 - private residential values were adjusted to an average of £800 per sqft and affordable unit values were adjusted to an average of £113.5 per sqft;
 - BNPP adopted a yield of 5% for the proposed schemes commercial units.
126. Following the above referenced adjustments, the updated appraisal of the proposed scheme generates a residual land value of c. £2.21m and when benchmarked against a site value of c. £5.09m the proposed scheme generates a deficit of c. £2.88m. The council's consultant therefore concludes that the current viability position does not support an increased provision of affordable housing. It should be recognised that the site is located within the OKROA which sees the ongoing regeneration of the Old Kent Road area including the Bakerloo Line Extension and therefore it is likely that both residential and commercial values would grow over time, which would improve the viability of the scheme.
127. A standard policy compliant 35% habitable rooms offer would equate to 216 affordable habitable rooms, with 25% social rent at 154 habitable rooms, and 10% Intermediate at 61.7 habitable rooms.
128. The proposed 35.1% habitable rooms offered would have a split of 157 social rent habitable rooms (25.4%) and 60 Intermediate habitable rooms (9.7%). The intermediate is only marginally below the required split but the social rent is greater than the minimum and meets the emerging NSP policy requirement.
129. Overall, the proposal would provide a total of 59 affordable units in a mix of unit sizes. A s106 agreement is recommended to secure the delivery of these units, including a clause preventing the occupation of more than 50% of the private apartments until 50% of the affordable units are completed, and a clause to prevent more than 90% of the private sale apartments being occupied across the development until 100% of the affordable housing is complete. In line with the Mayor's Affordable Housing and Viability SPG, an early review mechanism would be secured by the s106 agreement, which would come into effect if the development does not substantially commence within 24 months. The review would determine whether the viability of the development has improved during that time, and accordingly whether it could deliver any more affordable housing.
130. A contribution of £7,808 (a charge of £132.35 per affordable unit) has been agreed towards affordable housing monitoring and maintained provision of these units, and would be secured by the s106 Agreement.
131. The scheme has been amended so that both the affordable and private units would access the building via a single shared entrance and lobby.

Housing Mix

132. Core Strategy Strategic Policy 7, 'Family Homes', requires a housing mix of at least

60% dwellings with two or more bedrooms, with 20% having at least three bedrooms. No more than 5% of the units should be studios, and these can only be for private housing.

133. For ease, the proposed housing mix for the whole scheme is summarised again in the table.

Table: Proposed Housing Mix

Unit type	Number of units	Percentage (%)
Studio	11	5
1 bedroom unit	89	40.6
2 bedroom unit	89	40.6
3 bedroom unit	30	13.7
Total	219	100

Table: Proposed Housing Mix Across Affordable Tenures (by unit)

Unit type	Social Rented units	Intermediate units	Total units	Percentage (%)
Studio	0	0	0	0
1 bed	11	9	20	34
2 bed	0	9	9	15.2
3 bed	27	3	30	50.8
Total	38	21	59	100

134. At 5% the proposed proportion of studio units would meet the policy maximum of 5% and are all allocated to the private tenure.
135. The proposal would also fall short of the other housing policy requirements with 54.3% of the dwellings having two or more bedrooms and 13.7% having three bedrooms. For the affordable housing however, the mix is much improved to the policy position, with 66% having two or more bedrooms and 50.8% having three bedrooms. In all, twenty seven 3 bedroom social rent flats would be provided and three 3 bedroom intermediate affordable units. The 3 bedroom flats in the social rent tenure are a mix of 4, 5 and 6 person flats and are therefore offering a range of size and type of family dwellings. This affordable mix is welcomed despite the shortfall for the scheme overall.

Wheelchair accommodation

136. The London Plan Policy 3.8 requires 10% of new housing to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users (Building Regulations requirement M4 (3) 'wheelchair user dwellings'). Saved Policy 4.3 of the Southwark Plan support this, requiring 10% of new dwellings to be suitable for wheelchair users, except where this is not possible due to the physical constraints of the site. London Plan Policy 3.8 also requires 90% of new housing meets Building Regulations requirement M4 (2) 'accessible and adaptable'. This is reiterated in emerging policy in the draft OKR AAP and the NSP.
137. The applicant has confirmed that a total of 22 units would be wheelchair accessible, which equates to 10% meeting the policy requirement. This would be split into the

following tenures:

- 9 x Social rented
- 11 x Private

138. The wheelchair housing would be secured through the s106 agreement. Level and safe access would also be provided throughout the proposed public realm and new square. The social rented units would be required to be fully fitted for first occupation, with private units being adaptable.

Density

139. Policy 3.4 Optimising Housing Potential of the London Plan 2016 states that development should optimise housing output for different types of location within the relevant density range. It also requires local context, the design principles and public transport capacity to be taken into account. Strategic Policy 5 - Providing New Homes of the Core Strategy sets out the density ranges that residential and mixed use developments would be expected to meet and is in line with the London Plan.
140. As the site is located within the Urban Zone, a density range of 200 to 700 habitable rooms per hectare (HR/Ha) would be sought. The development would need to meet the criteria for exceptional design as set out in section 2.2 of the Residential Design Standards SPD 2015.
141. The development as a whole would have a density of approximately 2,502HR/Ha including the commercial floorspace. It should be noted that whilst this represents a higher density development above the typical ranges set out in policy, the draft New London Plan intends to delete reference to any density matrix and to replace it with reliance on improved design approaches focusing on design quality and urban greening. The location of the site with the future improved transport links and in the context of the future development surrounding the site means the proposed higher density is appropriate and would be consistent with the surrounding urban grain. Officers however, have also assessed the scheme against the design criteria since the maximum upper limit of 700HR/Ha would be significantly exceeded. The development would need to demonstrate that it would be excellent in relation to housing and design quality. If it can be demonstrated that an excellent standard of accommodation would be provided, makes an exceptional contribution to the regeneration of the area, and the response to context and impact on amenity to existing occupiers is acceptable, then it is considered that the high density in this Opportunity Area location would not raise any issues to warrant withholding permission. There is a pressing need to optimise the use of land in London, particularly in Opportunity Areas. The proposal would result in a good standard of accommodation, with many of the 'exemplary' requirements of the Southwark Residential Design Standards SPD 2015 met. This is summarised in the table below with full assessment and commentary provided in other sections of the report.

Exemplary residential design criteria from Residential Design Standards SPD	Commentary
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Provide for bulk storage	Each of the proposed units would provide for built in storage that would meet or exceed the standards set in the Residential Design SPD. In addition to this, bulk storage is proposed on the mezzanine level.
Exceed minimum privacy distances	Minimum privacy distances would be exceeded between habitable rooms.
Good sunlight and daylight standards	The majority of the units would have good sunlight and daylight standards achieved. This is further explained in this report.
Exceed minimum ceiling heights of 2.3m	All rooms within the proposed dwelling would exceed the minimum 2.3 metre floor-to- ceiling height.
Exceed amenity space standards (both private and communal)	The amenity space proposed is set out in the subsequent section on Outdoor amenity space, Children's Play Space and Public Open Space section of this report. Where the recommended 10 sqm private amenity space has not been met, the shortfall has been partly provided as communal amenity space, although there would still be a need for an in lieu payment in line with the Residential Design Standards SPD.
Secure by Design certification	No objections raised. Key principles of Secured By Design are to be incorporated into this large scale development. This scheme would achieve Secured by Design Accreditation. Conditions to require this are recommended
No more than 5% studio flats	There will be no more than 5% studio flats.
Maximise the potential of the site	The potential of this site would be maximised, delivering improved commercial floor space, new dwellings, outdoor space and play space and a new open space without compromising local visual or residential amenity.
Include a minimum 10% of units that are suitable for wheelchair users	At least 10% of the proposed units would be suitable for wheelchair users.

Excellent accessibility within buildings	The accessibility within the buildings would be excellent.
Exceptional environmental performance	The development is capable of achieving BREEAM "excellent". The development would need to make a carbon off set payment contribution as the residential element is not capable of delivering zero carbon homes. The applicant has agreed to make the payment which makes this aspect of the scheme fully policy compliant. The development would exceed the minimum policy requirement for the non-domestic part of the scheme.
Minimised of noise nuisance between flats through vertical stacking of similar room types	The plans submitted demonstrate that a good level of stacking for each of the tenures. The noise impact assessment demonstrates that the internal noise levels could be achieved and as such is considered to be acceptable. This is explained in further detail in this report.
Make a positive contribution to local context, character and communities	The proposed development would make a positive contribution to local context, character and communities in terms of its quality of design and regeneration benefits including affordable housing, workspace and investment in local transport and public space.
Include a predominance of dual aspects units	53% of the total units (116 units) proposed would be dual aspect. 61% of the affordable units would be dual aspect with the private units offering 50%.
Have natural light and ventilation in all kitchens and bathrooms	All kitchens would benefit from natural light and ventilation due to their open plan configuration. Bathrooms on the other hand would not achieve this as all bathrooms would be internalised but will benefit from mechanical ventilation.
At least 60% of units contain two or more bedrooms	The proposal would provide 54.3% of the dwellings having two or more bedrooms and 13.7% having three bedrooms. For the affordable housing, the mix is much improved to the policy position, with 66%

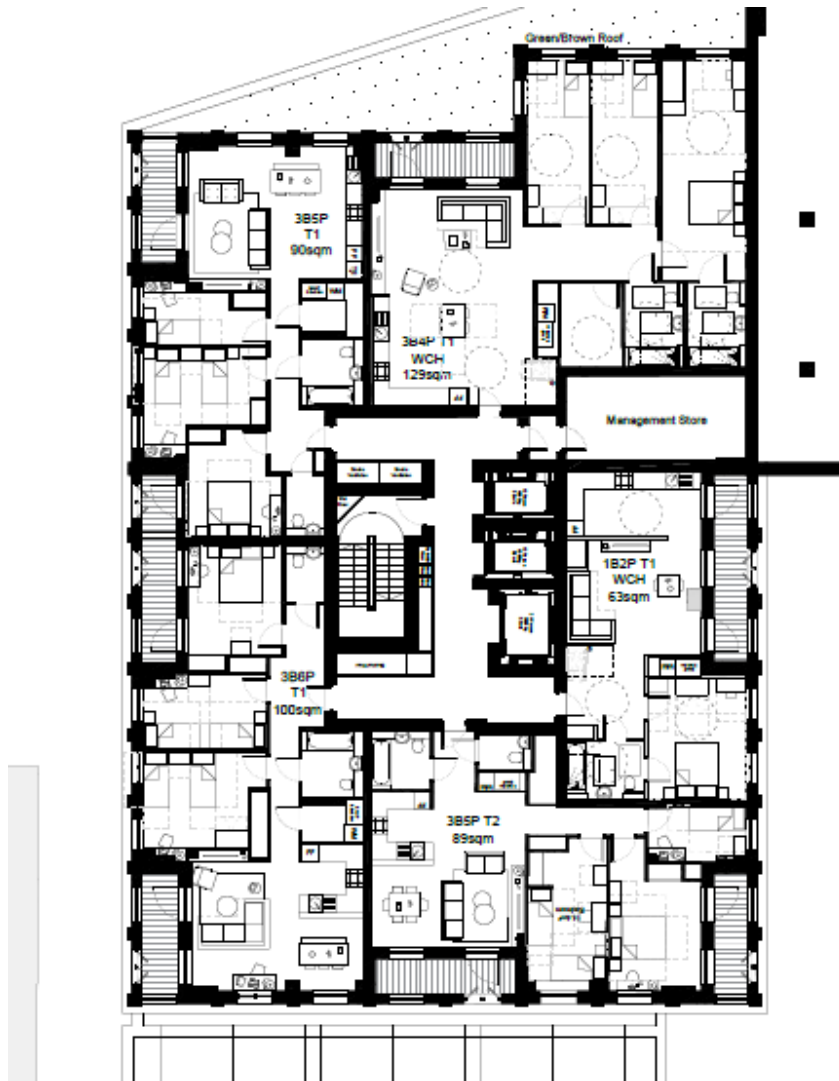
	having two or more bedrooms and 50.8% having three bedrooms.
Significantly exceed the minimum floor space standards	All units would meet or exceed the minimum space standards.
Minimise corridor lengths by having additional cores	No more than 8 flats per core per floor is proposed, complying with the Mayor's Housing Design SPG which advises no more than 8 flats per core.

142. For the reasons detailed in the paragraphs below and table above, the higher density proposed would not significantly compromise the quality of accommodation and the impacts of the development would be acceptable.

Quality of accommodation

143. Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The standards in relation to internal layout are set out in the adopted Residential Design Standards SPD 2015 (the "SPD" in this report) and include guidance on overlooking standards as well as requiring the minimum size. The following paragraphs discuss in detail the internal daylight and dual aspect within the proposed residential units, overlooking issues, amenity space, child play space and noise implications.

Plan: Typical layout on upper floors (social rent tenure)



Unit sizes

144. All proposed homes would meet or exceed the standards as set out in the SPD. The following table sets out the minimum flat size requirements as set out in the SPD, and also the flat sizes that would be achieved:

Table: Unit types and proposed size of units

Unit Type	SPD Requirement (sqm)	Size range proposed (sqm) including wheelchair units
1 Bed 1 Person (studio)	39	41
1 Bed 2 Person (flat)	50	50 – 63
2 Bed 3 Person (flat)	61	66 – 72
2 Bed 4 Person (flat)	70	70 – 73
3 Bed 4 Person (flat)	74	107 – 129
3 Bed 5 Person (flat)	86	89 – 90
3 Bed 6 Person (Flat)	95	100

Internal daylight within the proposed residential units

145. A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted which considers daylight to the proposed dwellings using the Average Daylight Factor (ADF). ADF is a measure of the overall amount of diffuse daylight within a room. It is the average of the daylight factors across the working plane within a room. ADF determines the natural internal light or daylight appearance of a room and the BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. This also adopts an ADF of 2% for shared open plan living room/kitchens/dining.
146. The submitted daylight report provides an analysis on the units up to level 11 as those units above that floor have adequate daylight levels. The baseline targets for the assessment are based on the future cumulative scenario with the Devonshire Square development in place as this would be the worse case scenario. A second report was also submitted to show the impacts without the Devonshire Square development and confirmed that the resultant daylight levels to the surrounding properties would improve.
147. As the Living kitchen dining rooms (LKDs) within the development now include winter gardens, it is assumed that the default scenario will be for the outer doors to be closed and the inner doors to remain open in order to maintain the maximum available internal space. The applicant's reassessment in the revised condition indicates only 4 room (all of which are LKDs) are not compliant. These represent only minor derogations from the BRE Guidance and provide a 99% compliance level. It is considered that this development would achieve a high degree of BRE compliance and the units would have good levels of daylight.

Overlooking

148. The Residential Design Standards SPD recommends a minimum of 21m between the backs of properties to prevent any overlooking, and 12m where properties would face each other across a highway or other public realm.
149. The development is not within close proximity to any residential habitable windows surrounding the site. The proposed development is located at an angle that would not allow any direct overlooking into the future neighbouring Devonshire Square

development. The L-shaped footprint means that there would not be any direct overlooking between the commercial uses and the proposed residential dwellings. The proposed commercial Building E in the Devonshire Square development located to the west of the residential units in this scheme has been carefully designed to limit any overlooking.

150. Where the residential unit overlook the communal roof terrace, this would be provided with a defensible space in the form of private terrace to ensure privacy. It is considered that the proposed occupiers of the residential development would have good levels of privacy.

Aspect and outlook

151. The scheme would have 52% of the total units (116 units) be of dual aspect. Looking at this by tenures, 61% of the affordable units would be dual aspect with the private units offering 50%. Whilst there is a relatively high proportion of single aspect units, the outlook of these units are very good. The units have good views out onto the new square and there are no physical obstructions immediately in front of the single aspect units and none that are north facing only.
152. Mitigation is also proposed in the form of full height glazing, large opening windows and well laid out dwellings and exceeding minimum flat sizes.

Amenity space and playspace

153. All new residential development must provide an adequate amount of useable outdoor amenity space. Policy 3.6 of the adopted London Plan requires new developments to make provision for play areas based on the expected child population of the development. Children's play areas should be provided at a rate of 10sqm per child bed space (covering a range of age groups). The emerging OKR AAP requires 5sqm of public open space per dwelling as per policy AAP 10.
154. Four categories of open space are required in major planning applications in the Old Kent Road Opportunity Area:
- Private amenity space;
 - Communal amenity space (usually courtyards, podium gardens or roof terraces);
 - Children's play space; and
 - Public open space.

Private amenity space

155. The following amount of amenity space would need to be provided as clarified further in the council's SPD:
- For units containing 3 or more bedrooms, 10sqm of private amenity space as required by the SPD;
 - For units containing 2 bedrooms or less, ideally 10sqm of private amenity

space, with the balance added to the communal space where it isn't feasible to provide this ;

- 50sqm communal amenity space per block as required by the SPD;
- 10sqm of children's play space for every child space in the development as required by the London Plan;
- 5sqm of public open space per dwelling as required by the OKR AAP. If it is not feasible to deliver the open space on site, a financial contribution will be required.

156. In the proposed development, private amenity would be provided for all of the units in the form of balconies or winter gardens on the lower levels. Communal amenity spaces for residents would be provided in the form of the roof terrace on the lower block as well as a communal room on the ground floor measuring 68sqm.
157. In this case, a total of 2,190sqm of private amenity space would need to be provided between the 219 units in accordance with the SPD. In this instance there is a shortfall of 785.7sqm (rounded to 786sqm) of private amenity space. Whilst there is a shortfall, it should be noted that some of the living room sizes are larger than the minimum requirement.

Communal amenity space

158. Where the full recommended provision of 10sqm per residential unit has not been provided, the shortfall has been added to the communal requirement. In this instance, there is a shortfall of 786sqm of private amenity space. A provision of 786sqm of communal amenity space, plus the minimum of 50sqm would have been required (a total of 836sqm).
159. There is a roof garden on the lower commercial block and is accessed from the main residential building on the 6th floor level. There is also a communal amenity room on the ground floor with direct access from the garden square. The roof top communal amenity space equates to 573sqm and the ground floor communal amenity room is 68sqm. The total communal amenity space provision (excluding the internal space) at 573sqm will fall short of the above requirement. Discounting the children's playspace on this roof terrace, there would be a total of 363 sqm of communal amenity space and the shortfall would be 473sqm. The council's S106 SPD stipulates that where amenity space cannot be provided fully on site the shortfall can be mitigated by way of financial contribution in exceptional circumstances. This is calculated at £205 per sqm, equating to a total of £96,965 and could go towards the provision of new park space, elsewhere in the plan area including at Livesey Park. This proposed roof garden is accessible to all tenures. The roof comprise of play areas (discussed further below), raised central decking feature, seating opportunities rooftop tree planting. Amended plans were received which removed part of the ground floor commercial floor space to provide an internal communal amenity room that would also be accessible to residents of all tenures. This space could be used for various activities and would benefit from having tall floor-to-ceiling height and overlooking the proposed garden square. In addition, the space could be made available for the tenants in the adjoining development at 8-24 Sylvan Grove for community events such as TRA meetings. It is recommended that provision be secured in a s106 agreement.

Image: Communal amenity space on roof



Children's play space

160. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG (using the June 2019 calculator) the development would be required to provide 740sqm of children's play space.
161. The Mayor's SPG sets out the intended strategic approach to delivering new and enhanced playspace both on and off-site in new developments. It explains that 'doorstep' play (Under 5s) should usually be provided on-site, unless there is existing provision within 100 metres. For 5-11 year olds and children over 12 years old, it recommends that off-site provision is acceptable, if there is existing provision within 100-400 metres and 400-800 metres respectively. This is summarised in Table 4.5 of the SPG, reproduced below.

Table 4.5 Provision of play space to meet the needs of new development

		Under 5s	5-11	12+
Existing provision	within 100 m	On site or off-site contribution	Off-site contribution	Off-site contribution
	within 100-400m	On-site	On site or off-site contribution	On site or off-site contribution
	within 400-800m	On-site	On-site	On-site or off-site contribution
No existing provision	within 100 m	On-site	Off-site provision	Off-site provision
	within 100-400m	On-site	On-site	On site or off-site provision
	within 400-800m	On-site	On-site	On-site

162. 210sqm of play space is provided in the communal roof terrace and 530sqm within the public park, giving a total of 740sqm of children's play space which meets the above policy requirement.
163. The submission material sets out the type of play provision, including formal play structures, incidental play features and informal play/playable landscape features is identified. The proposed approach to dedicated play space provision has been to maximise 'doorstep' play for under 5's on-site, in line with the Mayor's SPG. However, it is possible that some areas could provide for older children on-site such as table tennis.
164. The play area on this level has not yet been designed in detail and a condition requiring detailed design is recommended.

Image: Play space strategy and distribution across the site



- Under 5's doorstep play to roof terrace
- Playable landscape within garden square for under 5's, 5 - 11, 12+ and 16 & 17 year olds
- Overall extent of public realm within the garden square (excluding area under colonnades) = 700m²

Public Open Space

165. In addition to the existing amenity space requirements set out above, emerging Policy AAP10 of the draft OKR AAP requires the provision of 5sqm of public open space per dwelling or a financial contribution in lieu. This would equate to 1,095sqm of public open space for the scheme.
166. The proposal would provide a total of 700sqm of public open space. This large space with play area incorporated would complement the proposed green space within the Devonshire Square site, thus enhancing the green oasis highlighted in the revised AAP. The proposed garden square extends across Sylvan Grove providing public realm improvements to the existing street and maximising the development's provision of public open space. Officers have worked with the adjoining site at Devonshire Square to agree a joint approach to 'Sylvan Gardens',

as both landowners would contribute to delivery of this new public open space. The proposed 700sqm is therefore not the total size of this space, but the share provided by this application. The total size of this public open space would be bigger when both schemes are complete, totalling 1,069sqm.

167. The applicant has also carried out an overshadowing assessment on the amenity space. These results depict both the direct sunlight without the Devonshire Square development in place and with the development in place. Regardless of the scenario assessed, both amenity spaces achieve 2 hours or more of direct sunlight to at least 50% of the area, indeed each of the amenity spaces achieve over 90% demonstrating full compliance with the BRE Guidance. This demonstrates that the communal amenity space and the public square would be well lit.
168. As there will be a shortfall of 395sqm, the applicant has agreed to make the contribution of £80,975 based on the 219 dwellings proposed (at a cost of £205 per sqm as set out in the AAP) and can be secured by the legal agreement.
169. New improved paving and links into and out of the site provide other kinds of public realm benefits including spill out space for the commercial uses and activity.

Image: View of public space from Sylvan Grove



Image: Masterplan of buildings and open spaces of adjoining Devonshire Square.



Table: Playspace and amenity space proposed against policy requirement:

	Policy requirement	Proposal	Difference
Private	2,190sqm	1,404sqm (not including those that exceed 10sqm)	-786sqm

Communal	50sqm + shortfall 786sqm of private amenity space (total 836 sqm)	363sqm	-473sqm
Dedicated children's play space	740sqm required by the June 2019 GLA calculator	740sqm	0sqm
Public open space	None is proposed on site in the draft 2017 AAP masterplan with site being shown as an infill development. The scheme would therefore have been expected to make an off site financial contribution to public open space in the vicinity equivalent to 1,095sqm	The approach to the revised AAP masterplan has changed in response to public consultation to require a new public open space to be created on site off Sylvan Grove. This would be co joined with a new public space on the adjacent Devonshire Square development. This scheme would contribute 700sqm to that new public space.	This scheme would still be required to make an off site in lieu financial contribution equivalent to 395sqm

Conclusions on outdoor amenity space, children's play space and public open space

170. Whilst there is a shortfall in communal amenity space, all play space is provided on site, and the scheme has responded to revisions to the AAP masterplan by

providing a new public open space, and associated indoor communal space which would be co-joined with the neighbouring public open space on the Devonshire Square development. This would directly benefit both new residents and the residents opposite at 8- 24 Sylvan Grove. The scheme would provide an attractive square that is publically accessible, creating improved permeability and connections for existing and future residents and workers.

171. Due to the shared core and the sharing of the communal amenity space, the applicant has agreed that service charge costs to social rent tenants would be capped within social rent cap levels and this would be secured by a s106 agreement.

Secure By Design

172. The Metropolitan Police design adviser considered that the scheme meet the requirements of Secured by Design (SBD) and suitable to achieve SBD accreditation. Continued liaison with a designing out crime officer will enhance this. The scheme ensures active frontages and would overlook the proposed public square for passive surveillance. Details of secured by design measures can be secured by a condition.

Noise

173. The site is located within the SIL with existing B class uses and the IWMF to the rear of the site. The proposed residential units when complete would adjoin the existing IWMF and the future residential development at Devonshire Square to the south. To the east of the application site is Nos. 8-24 Sylvan Grove which is a block of residential flats.
174. The dominant noise sources affecting the site of the proposed development are road traffic and noise associated with the IWMF. The council's Environmental Protection Team (EPT) has reviewed the proposals and having made some observations regarding the type of British Standards assessment, no objections are raised. The submitted noise impact assessment considers the impact associated with the current operation of the IWMF and within the scope of the scheme has employed good practice in the design such as the inclusion of winter gardens at the lower levels to provide mitigation to external balcony spaces. The applicant has also provided an outline façade noise mitigation strategy to meet BS8233:2014 and therefore council recommendations.
175. The noise break-in can be controlled by designing a suitable façade and ventilation strategy. This should attenuate the external noise level sufficiently to meet the internal ambient noise level requirements for residential dwellings Noise insulation recommendations have also been provided based on the predicted façade noise levels.
176. Paragraph 182 of the NPPF defines the Agent of Change principle as follows: "Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of

development permitted after they were established.”

177. It is considered that the proposed development would integrate well with existing businesses surrounding the site. It is noted that there is an existing church operating on the adjoining land, but church services operate once a week. EPT’s database shows no complaints about the church from the residents of 8-24 Sylvan Grove, some of whom are very close. Also, the church would be beside the commercial part of the proposed development, which would not be occupied by residents. The distance to the residential part of the development is more substantial and the lower 5 floors of residential will have winter gardens and so is better sound insulated, plus the glazing to deal with the IWMF should be sufficient to deal with the small church if it is still there when the building is finished. The proposed development would be of similar mix of uses and would be compatible with the future uses of the surrounding site.
178. An objection has been received from the adjoining IWMF operators Veolia. Their concern was that inadequate modelling of the impacts have been provided and that the introduction of the residential use would impact on their future operations.
179. The submitted noise impact assessment report has been reviewed by EPT and a condition to secure appropriate internal noise levels is recommended, which should minimise the likelihood of noise complaints against the existing industrial occupiers (notwithstanding that the surrounding context would change in the near future).

Odour

180. In response to the submission and following further consultation with Veolia, the operator of the Southwark IWMF, immediately to the north of the application site, an additional assessment on odour has been undertaken to consider the likely odour impacts which could arise at the proposed development from the operation of the IWMF. The model has demonstrated that the proposed receptor locations are unlikely to experience odour impacts greater than those that are predicted to arise at existing ground level locations. The IWMF has existing operating conditions that require odour emissions to not give rise to significant impacts at existing receptors. EPT has also reviewed this and based on the modelling, it is considered that the introduction of new residential receptors as part of the proposed development would not put new receptors at an unacceptable risk of odour effects. The introduction of the winter gardens on lower floors would also provide mitigation against passing waste vehicles.

Conclusion on quality of accommodation

181. In summary, the proposed development would provide good quality of residential accommodation and would justify the high density of the scheme. The units are predominantly dual aspect and the scheme has:
- A number of larger unit sizes,
 - floor-to-ceiling height that exceed the minimum,
 - good outlook and views;
 - having good levels of daylight in this urban location; and

- having no more than 8 units per core per floor.

The units would have access to private amenity and communal amenity space and where this is not achieved on site a financial contribution for off-site improvements to local parks are to be secured. Mitigation measures are proposed to ensure noise impacts from surrounding uses are limited.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

182. London Plan (2016) Policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and micro-climate. London Plan (2016) Policy 7.7 notes that large buildings should not adversely affect their surroundings in terms of overshadowing and solar reflected glare. Strategic Policy 13 of the Core Strategy 'High Environmental Standards' seeks to ensure that development sets high standards for reducing air, land, noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work. Saved Policy 3.2 of the Southwark Plan states that permission will not be granted for developments where a loss of amenity, including disturbance from noise, would be caused. The adopted Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.

Impact of the proposed uses

183. The IWMF is to the north of the site, but the proposed mitigation measures to minimise noise and odour would ensure that the proposed development would not hinder their operations. It should be noted that the Devonshire Square development once complete would change the context of the surrounding site with a mix of retail, commercial and residential uses. The proposed residential uses in this application would also be more fitting with the recently built residential blocks on the opposite side of Sylvan Grove.
184. As part of the Devonshire Square development, a three storey office/light industrial building is proposed that would sit west of the main tower. This building (named 'Building E' is in outline as part of that application. Overlooking distances to the habitable rooms within the emerging scheme at Daisy Business Park would be sufficiently distanced to prevent harmful overlooking. The Design Code for the western elevation of Building E has been amended to mitigate potential overlooking from this Building E's two upper floors to the proposed lower residential floors in the proposed Daisy Business Park scheme, as a result of their proximity. The applicant has also omitted the glazing to the ground floor of this proposed commercial unit and replaced with knock-out brick features. This is in response to the submitted development proposals at Building E. It is the intention that these panels could be removed at a future date to return these areas to glazing, subject to how the outline development on the neighbouring plot is brought forward.

Privacy and Overlooking

185. Nos. 8-24 Sylvan Grove is a block of flats and is the closest existing residential property located to the east of the site. This is at least 21m across the highway from the proposed development and would comply with the SPD.
186. In terms of privacy distances and impacts to the consented Devonshire Square scheme, this was discussed earlier. It was demonstrated that there would be acceptable distance between the proposed development and the consented residential blocks.

Daylight and sunlight impact to existing residential units

187. A daylight and sunlight impact assessment was submitted with the planning application to assess the impact on nearby existing and future residential properties. The assessment utilised the following methodologies.

25 degree line

188. To determine whether a neighbouring existing building may be adversely affected, the initial test provided by the BRE is to establish if any part of the proposal subtends an angle of more than 25° from the lowest window serving the existing building. If this is the case then there may be an adverse effect and a more detailed assessment involving the Vertical Sky Component of the affected window would need to be carried out.

Vertical Sky Component (VSC)

189. VSC is a measure of the direct skylight reaching a point from an overcast sky. It is the ratio of the illuminance at a point on a given vertical plane to the illuminance at a point on a horizontal plane due to an unobstructed sky. For existing buildings, the BRE guideline is based on the loss of VSC at a point at the centre of a window, on the outer plane of the wall. The BRE guidelines state that if the VSC at the centre of a window is less than 27%, and it is less than 0.8 times its former value (i.e. the proportional reduction is greater than 20%), then the reduction in skylight will be noticeable, and the existing building may be adversely affected.

No Sky Line (NSL)

190. The second method is the No Sky Line (NSL) or Daylight Distribution (DD) method which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of 20% in the area of sky visibility, daylight may be affected.

Annual Probable Sunlight Hours (APSH)

191. In relation to sunlight, the BRE recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than

0.8 times their previous value in each period (i.e. the proportional reductions should not be greater than 20%). The BRE guidelines state that ‘...all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block out too much sun’. The APSH figures are calculated for each window, and where a room is served by more than one window the contribution of each is accounted for in the overall figures for the room. The acceptability criteria are applied to overall room based figures.

Overshadowing, sunlight to amenity spaces

192. Open spaces should retain a reasonable amount of sunlight throughout the year. The BRE states that for an amenity space to “appear adequately sunlit throughout the year, at least half of the area should receive at least 2 hours of sunlight on 21 March”. Where this is not achieved, the difference between the area achieving 2 hours of sun on 21 March should be no less than 0.8 times its former value.
193. In relation to daylight, sunlight and overshadowing, Members should note that the BRE Guidelines are based on a suburban environment, and as such a degree of flexibility needs to be applied when considering an urban environment such as the application site. It is also important to note that the existing scale of development on the application site is exceptionally low for an urban location. As a result, the baseline conditions tend to exceed normal expectations for an urban area, and reductions would be expected to result from any development here. Paragraph 123 of the NPPF (2019) also states that:
- “Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”
194. The BRE Guidelines also state that residential properties warrant detailed consideration in terms of daylight and sunlight effects, but that properties of a commercial nature have a lower requirement. As such, the submitted daylight and sunlight assessments relate to existing residential properties only.
195. The neighbouring residential units that have the potential to be impacted in terms of daylight and sunlight are located at:
1. 8- 24 Sylvan Grove
 2. 5 Sylvan Grove
 3. 1-8 Hillbeck Close
 4. 9-16 Hillbeck Close
 5. 17-24 Hillbeck Close
 6. 97, 95, 93, 91, 81, 79 & 77 Manor Grove

Plan showing residential properties that have been assessed (numbered in blue)



196. It is acknowledged that the local context is developing rapidly with the development of the Devonshire Square scheme to the south and therefore there needs to be an assessment of cumulative impacts to neighbouring residential properties. The applicant has therefore carried out an assessment based on the existing context (without Devonshire Square in place) and an assessment including Devonshire Square to form the cumulative baseline against which any potential changes in light are considered. The BRE guidelines state that different targets may be used based on the special requirements of the proposed development or its location.

Image: Development in future context (Devonshire Square in purple)



Assessment

197. When comparing the two contexts (existing baseline and cumulative) it has been demonstrated that the cumulative impacts would be the worse case scenario. As such, Officers have focused on this in this report.
198. Summary of VSC impacts
 Twelve properties containing 311 windows and 195 habitable rooms have been assessed, 11 properties remain fully BRE compliant and only one property (8-24 Sylvan Grove) experiencing derogations from BRE Guidance. The VSC results show that 8- 24 Sylvan Grove located immediately east of the site would see some losses that deviate from the BRE guidelines. 231 windows serving 134 rooms facing the site have been tested. For the purposes of the analysis, and in accordance with BRE Guidance, the balconies were removed from the analysis to understand what effect the balconies have upon the amount of direct skylight being received.
199. 93 windows serve the 38 living kitchen diners (LKDs), of these 21 windows associated with 18 LKDs experience reductions in VSC of greater than 20% (which the BRE considers will be noticeable) and retained VSCs of less than 14%. Of these, 12 windows serving 11 LKDs have additional windows and retain reasonable VSC values for this urban location. The other LKDs would have only one window serving the room, but it has been demonstrated that it is due to the presence of side returns and/or their positioning recessed into the building, severely limiting any access to daylight. In accordance with the BRE, large relative reductions in these circumstances are unavoidable. Likewise in the kitchen dining rooms, 15 windows were tested and 9 will experience noticeable losses with low retained VSC values. Some of these are self-inflicted as with the above LKDs.
200. In terms of VSC levels for the bedrooms, BRE Guidance states that "...bedrooms should also be analysed although they are less important." There will be 42 windows experiencing reductions of greater than 20% and low retained VSC levels. However, it is noted that some of the windows are served by additional windows thus the rooms will maintain sufficient daylight levels for an urban setting.
201. Officers acknowledge that whilst some of the reductions are significant, the BRE guidance also recognise that reductions will be experienced more in urban areas of development, and the urban environment should be considered when interpreting the BRE guidance. That said, 70%of the windows within 8-24 Sylvan Grove assessed remain compliant. The large massing being proposed is at the western end of the site furthest away from this property and as the site is under-utilised any significant increase in site density has a disproportionate impact and means the BRE Guidelines must be applied in a pragmatic way with an inherent level of flexibility
202. Furthermore, the most significant derogations occur to windows which are recessed or are in close proximity to side returns, thus many of the low daylight levels are self-inflicted due to the design of this property.

203. Officers also note that the above results are of the cumulative scenario with Devonshire Square development in place. It is therefore observed that the addition of the Devonshire Square proposal to the context places a burden on the proposed development, increasing the number of non-compliant windows and intensifying the reductions of windows which experience noticeable reductions.
204. Officers requested an assessment on the levels of daylight that would be available on the Devonshire Square façade. Subsequently the applicant has undertaken a VSC façade study on the proposed Devonshire Square development. The facade study plots the proposed VSC level across the whole façade. It is observed that the facades predominantly enjoy VSC levels well over 17%. There are some exceptions, but this is as a result of the inset area and is primarily due to Devonshire Square's own design. Thus in conclusion the proposed development does not unduly restrict reasonable development potential of the Devonshire Square site.

Summary of NSL impacts against existing baseline

205. In the NSL cumulative test results, 4 rooms within 9-16 Hillbeck Close experience minor derogations from BRE Guidance. Due to the fully compliant reductions in VSC and minor nature of the NSL derogations it can be concluded that daylight levels will remain adequate for these rooms. 44 rooms in the 8-24 Sylvan Grove property would see more than 20% loss of daylight distribution.
206. Although the amount of skylight reaching the windows would be reduced, given the urban context of the site and the low level of existing development on the application site, these results are indicative of a relatively good retained level of daylight.

Conclusion on daylight impacts

207. The results of the daylight assessment do reveal that there would be a number of rooms at 8-24 Sylvan Grove that would not meet the relevant daylighting standards of the BRE. In these instances it is recognised that there would be a degree of harm to the daylight amenity of residents. It has been demonstrated that because of the design of 8-24 Sylvan Grove with its side returns this is part of the reason why the VSC levels would be low. The draft AAP sets out an expectation of some form of high rise development on the application site. On balance, Officers are satisfied that whilst there would be reductions in daylight and sunlight to neighbouring properties, which in a number of cases would be of a major adverse impact, this is to a degree a consequence of the design of the existing building as illustrated below.

Sunlight

208. The BRE guide states that if a window can receive 25% of summer sunlight, including at least 5% of winter sunlight between the hours of 21 September and 21 March, then the room would be adequately sunlit.
209. Of the 33 rooms for assessment, only 4 rooms experience a derogation from the BRE guidance and these are located in the 8-24 Sylvan Grove development. Three of these are westerly facing bedrooms, which the BRE considers to be of less

importance. That said, each room will receive between 9-18% APSH which in the circumstances is considered acceptable.

210. Overall, it is considered that the sunlight effects to the neighbouring residential properties would be moderate by virtue of the retained annual APSH values.

Overshadowing

211. The BRE guidelines state that for an amenity area to appear adequately sunlit throughout the year, at least 50% of the area should receive at least two hours of sunlight on 21st March.
212. All site facing amenity spaces associated with 8-24 Sylvan Grove have been assessed based on the cumulative scenario (Devonshire Square development in place) and equate to 50 terrace and balcony areas in total. Based on that scenario and without this development in place, 39 of the 50 amenity spaces currently do not achieve the BRE recommended target of at least half of the amenity space receiving at least 2 hours of direct sunlight on 21 March; 30 of these spaces currently achieve 0% direct sunlight.
213. Many of the low existing values are attributable to the design of the property at 8-24 Sylvan Grove with numerous balconies being set into the building or behind significant architectural detailing and side returns, or are overshadowed by the balconies above them. The results from the proposed scenario with the development in place indicate that none of the of the amenity spaces experience additional reductions of direct sunlight as a result of the development, which therefore remains fully compliant for overshadowing assessment.

Image: Example of balconies at 8-24 Sylvan Grove



Conclusion on daylight, sunlight and overshadowing

214. Overall, the main impact of the scheme is to the daylight levels at 8-24 Sylvan Grove. The results of the daylight assessment do reveal that there would be a number of rooms at 8-24 Sylvan Grove that would not meet the relevant daylighting standards of the BRE. In these instances it is recognised that there would be a degree of harm to the daylight amenity of residents. It has been demonstrated that because of the design of 8-24 Sylvan Grove with its side returns and balcony design/layout is part of the reason why the VSC levels would be low. As a consequence and on balance, Officers are satisfied that whilst there would be reductions in daylight and sunlight to neighbouring properties, these are acceptable.

Transport issues

215. Core Strategy Strategic Policy 2 encourages walking, cycling and the use of public transport rather than travel by car. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; 5.3 require that the needs of pedestrians and cyclists to be considered and 5.6 establish maximum parking standards.
216. Southwark have recently adopted the Movement Plan, a people, place and experience approach to transport planning. This application has been assessed on how we will contribute to the delivery of the Movement Plan.
217. The Mayors Transport Strategy (MTS) includes three strategic challenges that are of significant importance to assessing this application.
- Vision Zero
 - Healthy Streets
 - Air Quality
218. The submitted Transport Assessment (TA) is considered to provide an adequate appraisal of the relevant transport and highway related matters including an assessment of the potential for journeys to be made by sustainable modes of transport as well as detailed estimates of vehicular trips resulting from the development.
219. Existing condition
To the south of the site is currently occupied by a hardstanding car park accommodating approximately 47 car parking spaces and is accessed off Sylvan Grove. Sylvan Grove is a two-way carriageway cul-de-sac which has access to Old Kent Road and terminates at the Daisy Business Park. The site is not within a Controlled Parking Zone (CPZ). It is subject to a 20mph speed limit with traffic calming in the form of speed bumps. Single red line restrictions at the southern end of the road extend from Old Kent Road and double yellow line markings are present on the remainder of the carriageway. An on-street loading bay is also located opposite the site and Car Club bay is also located 50 away.

Accessibility and trip generation

220. The site has an official PTAL (public transport accessibility level) of 3, which is moderate access to public transport. The nearest bus stop is approximately 200m from the site on Old Kent Road. The PTAL rating is likely to increase however with the Bakerloo Line extension that is envisaged to be located on the Toys R Us site to the south.
221. The existing trip generation records a daily average of 36 and 50 trips in the AM and PM hours respectively. The modal split for those trips indicates that the majority of proposed trips to and from the site would be undertaken by bus and the remaining trips are anticipated to be made primarily by underground, rail and active modes of travel. The proposal estimates daily vehicular trips of mostly related to servicing and delivery of 32. Therefore, the proposed development will not lead to a significant adverse impact on the local highway network.

Car parking

222. The proposed development would essentially be car free, bar the 6 disabled parking bays for the residential element of the scheme. It is noted that the GLA made comments regarding the level of disabled parking bays being proposed and sought for an additional space for the residential element and another for the commercial element. All proposals for off-street arrangements have been tracked and will enter and exit safely from the building. The provision of 6 disabled bays which would provide 2.73% of the number of wheelchair dwellings is considered to be reasonable. If these bays are not required for disabled residents the bays could be prioritised for servicing and/or extending cycle parking provision and not for other residents for private car parking.
223. There is an existing car club bay along Sylvan Grove and it is expected that future residents of this proposed development would be offered 3 years membership.
224. It is considered reasonable and appropriate to require a s106 obligation to ensure that no future residents or occupiers of the proposed development could obtain resident parking permits for any future CPZ. The council's programme for CPZ's identifies this area to be consulted within the next year so should be in place before occupation. It is also recommended that a condition to ensure all marketing of the development promotes car-free living, to ensure the occupants are well aware they will not be entitled to permits.

Servicing

225. Servicing and deliveries for the proposed development will be undertaken on-site at ground floor level from within the undercroft parking and servicing area. The servicing area has been configured to include a turning head, and sufficient loading space to accommodate 2-3 delivery vehicles at a time. Building management will ensure refuse containers are transported from the waste stores to the servicing yard for collection from Sylvan Grove.
226. On-site servicing is provided for vehicles up to an including 7.5T Box Vans (8m length). In the infrequent event that servicing is required by larger vehicles, servicing could also be undertaken on-street on Sylvan Grove. The council is

considering the provision of on -street loading bays bearing in mind the three developments on Sylvan Grove. The exact location of new bays and the re-location of existing will be subject to the S278 agreements.

227. Sufficient information has been provided to reasonably conclude that the servicing yard, with capacity for 2-3 vehicles at a time, will be able to accommodate a demand of up to 30-32 deliveries per day
228. In order to ensure that any on-street servicing and deliveries do not negatively impact on the highway network, the council is recommending that applicants in the OKR OA enter into Delivery Service Plan Bonds (DSP) against their baseline figures for all daily servicing and delivery trips. These bonds would be calculated at £100 per residential unit and £100 per 500 sqm of non-residential floor-space. In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, this is not intended as a financial penalty, but as a means of mitigating any harmful impacts from the proposed development and ensuring a better quality of life for current and future residents. As such, it is considered to meet the CIL Regulations 122 test, in that it would be:
- (i) necessary to make the development acceptable in planning terms;
 - (ii) directly related to the development; and
 - (iii) fairly and reasonably related in scale and kind to the development.
229. The proposal is for the management of the new development to monitor the daily vehicular activity of the site both commercial and residential, quarterly for a period of 2 years from 75% occupancy. If the site meets or betters its own baseline target the bond will be returned within 6 months of the end of the monitoring period. If the site fails to meet its own baseline the bonded sum will be made available for the council to utilise for sustainable transport projects in the ward of the development. The council will retain £1,600.00 for assessing the quarterly monitoring. The bond in this instance would be £22,500 based on the 219 residential units and 2,986sqm of non-residential floorspace. The applicant has agreed to the contribution which can be collected via the legal agreement.

Table: Delivery Service Bond

Type	Quantum	Bond Amount
Residential	219	£21,900
Non Residential	2,986 sqm	£600
Daily Trips	Approximately 32	£22,500

230. There is a sub-station proposed on the south-west corner of the site with doors opening outwards onto a private footway area that is not fenced off to prevent public access. It is considered further details could be secured via a condition for this part of the design.

Public Transport

231. The site has convenient access to the numerous bus routes that can be accessed on the Old Kent Road. As a borough the council agree with TfL that bus services

will need to be increased in the area ahead of the Bakerloo Line extension (BLE) to accommodate the demand generated by additional homes and jobs generally in the Old Kent Road area in advance of the opening of the planned BLE which, subject to the granting of powers and availability of funding, would be 2029/2030 at the earliest. The requirement for TfL to provide evidence to prove both previous contributions has been spent appropriately and the evidence for the further draw is the fairest way this could be managed. The proposal is that there is a maximum cap for TfL to call on which is £2,700 per unit. This will be able to be requested in stages between 3 - 5 years.

232. The site is within 1km of Queens Road Peckham and South Bermondsey station and trains connect to London Bridge, Waterloo, Elephant and Castle and New Cross via bus. Within the next ten years the area is likely to benefit from the BLE, this site will be in walking distance of both proposed new stations. Highways and transport infrastructure requirements are covered under CIL and the public highway improvements in the OKR Action Area would be delivered from a combination of land gain, s278 and CIL.

Walking and public realm

233. The cumulative applications within the Old Kent Road AAP area has resulted in a number of Pedestrian Environment Review System (PERS) audits as well as Activity Zone audits being carried out in the area from December 2017 to just before the COVID 19 lockdown. Officers are satisfied that this application reflects these.
234. The Healthy Streets approach seeks to inform design, management and use of public spaces in order to place people and people's health at the forefront of development decisions. The submitted TA provides an assessment against the Healthy Streets indicator. The development will provide a car-free development with extensive areas of landscaping both on site and through improvements to Sylvan Grove and provides a compliant provision of cycle spaces.
235. The site will be in close walking distance of the proposed Livesey Park via the proposed new access road and Devonshire Square. The site is also within a short walk of Brimington Park and of the proposed new linear park. The public realm area will extend across Sylvan Grove, which will be treated with the same paving so the adjacent residential buildings are able to take advantage of this new space.
236. The improvements to the pedestrian environment as part of the development are anticipated to encourage active travel and the close proximity of a variety of new open space and public realm, supported by the application will offer good quality walking options in the area.

Cycle parking

237. The site is located close to Quietway 1 and will be in close to the proposed new linear park. TFL have proposals for healthy streets for the Old Kent Road and the borough is progressing the Rotherhithe to Peckham cycle route which runs through Ilderton Road into Brimington Park all in close proximity to this site. (All projects subject to delays related to TfL funding priorities affected by Covid 19).

238. London Plan standards require the following residential cycle parking provision:
- Long stay:
 1 No. space for studio or one bedroom residential units
 2 No. spaces for all other residential unit
- Short stay:
 1 No. space per 40 dwellings
239. London Plan standards require the following commercial cycle parking provision (worst case scenario being B1a class use):
- Long stay:
 1 No. space for 75sqm
- Short stay:
 1 No. space per 500sqm
240. The applicant has revised plans to show an increase in the level of cycle parking. The scheme now provides a total of 380 cycle spaces for the residential use and 42 cycle spaces for the commercial use on the first floor level. This satisfies with the GLA's request and in accordance with adopted London Plan standards.
241. Some Sheffield stands will also be provided such that at least 9% of all spaces are accessible. The short stay cycle parking will all be provided in the form of 18 Sheffield stands located within the public realm adjacent to the building and would be convenient and easily accessible. There will be a condition for detailed design of cycle parking and its relationship with the public highway.
242. The s106 Agreement will include a contribution towards the delivery of the first phase of extension of the Santander Cycle Hire Docking station of £50 per residential unit and is considered a benefit.

Construction management

243. An outline Construction Logistics Plan has been submitted and has been developed to provide the management framework required for the planning and implementation of construction activities and management of traffic. Both highways and environment officers have reviewed this and do not raise any objections. However, it is considered reasonable and necessary to require a final version of the CEMP through the s106.
244. Due to the cumulative impact of construction in the Old Kent Road AAP area a Contribution of £40 per residential unit will be required to enable the highway authority and EPT to manage this. This equates to £8,760 for this application and will be secured through the s106.

Conclusion on Transport and Highways

245. The development is supported because it provides good quality pedestrian and cycle permeability and will contribute to delivering some of the Movement Plans 9 missions, Vision Zero and Healthy Streets. It would have appropriate management to reduce the impact of servicing and delivery, subject to the s106 obligations and conditions.
246. The development of this site would provide the necessary pedestrian connections through the site and to the remaining of the Devonshire Square site delivering the aspirations of the AAP. It would open up routes to connect to Ilderton Road, Old Kent Road and east towards Sylvan Grove and west towards the gasworks.

Design issues

247. The proposed development involves the redevelopment of the site to provide a new building ranging from 5 to 32 storeys in height. The lowest section is formed by retaining an element of the existing building on site, which provides a two storey extension of the building massing to the southwest. The new building base is formed by a four storey podium that is essentially an 'L' shaped block, which extends the existing building, wrapping around the public open space. Above this rises an additional twenty eight storeys as a rectangular extrusion forming the residential tower.
248. The emerging policy in the draft OKR AAP sets out a vision for the Old Kent Road that would see substantial change in the area over the next twenty years, whilst seeking design that responds well to its existing character and sense of place. The draft OKR AAP does however identify buildings of townscape merit and architectural or historic interest around the site and this is discussed further in the report below. The draft AAP identifies the site as an appropriate location for a tier 3 tall building of up to 16 storeys with a building reducing in height towards the south of the site. The draft AAP didn't show a public open space on this site.

Image: Stations and Crossings Strategy from draft OKR AAP



249. Although the proposed building exceeds the tier 3 building and at 32 storeys will become a tier 1 building, this is considered in the context of changes to the AAP masterplan which includes the creation of new public open space on Sylvan Grove.. The tallest building proposed on the Devonshire Square site and immediately adjoining this application site would be up to 39 storeys in height. The proposal here would be seen in the context of the adjoining development. The height of the buildings in the Devonshire Square scheme was considered acceptable and given the proximity of that site to a new tube station and park (150m to each) and given the townscape analysis which shows the scheme would form a good compositional arrangement with neighbouring sites and deliver the Stations and the Crossings strategy of the draft AAP, it is not considered that this proposal would result in any harm to designated London wide or local protected views, including the Protected Vista of 2A.1 of the London View Management Framework, which protects views from Parliament Hill Summit to St. Paul's Cathedral.
250. The emerging design policy in the NSP includes P13, Design Quality and P16 Tall Buildings. P13 states that development must provide, amongst other things, high

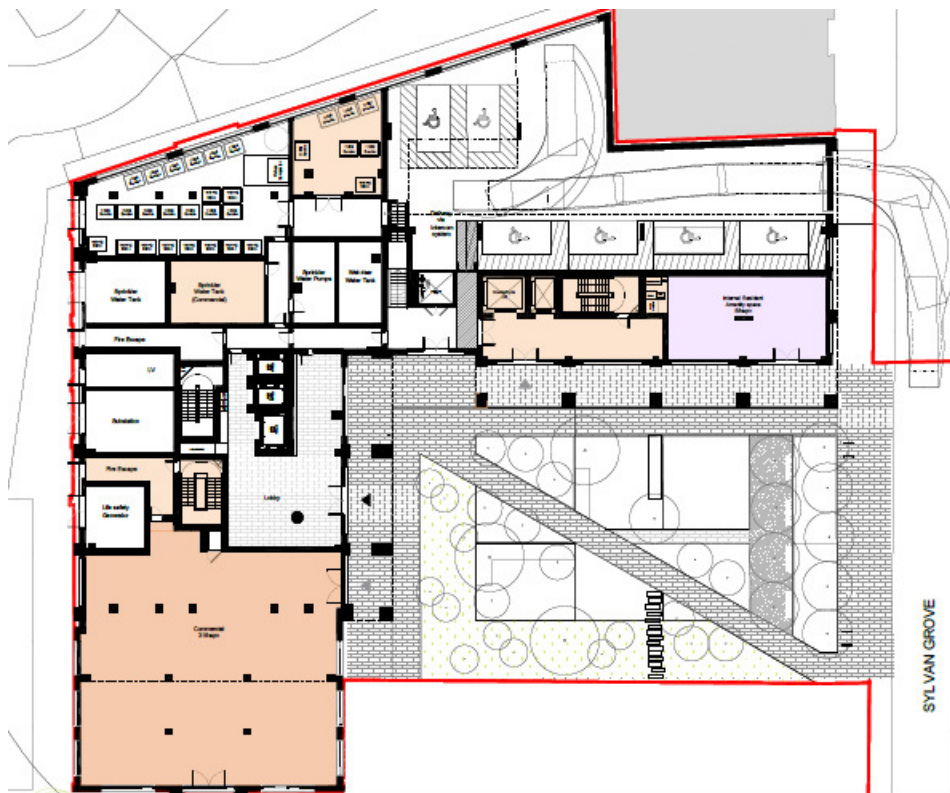
standards of design with appropriate fabric, function and composition. P16 sets out a series of tests for tall buildings (defined as significantly taller than surrounding buildings or their context). It also states that the highest tall buildings will be located in areas where there is the greatest opportunity for regeneration, including Opportunity Areas, such as the Old Kent Road.

251. The emerging policy in the AAP sets out a vision for the Old Kent Road that would see substantial change in the area over the next twenty years, whilst seeking design that responds well to its existing character and sense of place.

Site layout

252. The proposed site layout is not that dissimilar to what exists on the site which comprises a low-rise L-shaped building wrapping part of the existing car park. The new building would wrap around the new public square, ensuring active frontages overlooking this space. This ensures that routes and connections can be open up from east to west from Sylvan Grove to the gasworks. The position of the new public square would be visible and easily accessible from Sylvan Grove and it has been designed to ensure that the public realm is maximised with the Devonshire Square in place.

Image: Ground floor site layout



253. The development allows for part of the existing structure to be retained on site and this will be reworked into the new ground floor. The arched colonnade extends to form the elevation to the north and west of the building. Active frontage is delivered onto Sylvan Grove, onto the new Square and onto the westerly elevation.
254. The commercial and residential entrances are well overlooked and are easily distinguished. The vehicular access to the car park and servicing area located on Sylvan Grove would be located away from the entrances, minimising any conflict with pedestrians.
255. The western elevation would adjoin the stand alone 3 storey building E from the Devonshire Square scheme, but the building would allow for a pedestrian route through.

Height, scale and massing and consideration of tall buildings

256. The total height at 32 storeys does exceed that outlined in the draft AAP height strategy for the site. However, as explained above, this is in response to the changing AAP masterplan . The townscape analysis shows the scheme would form a good compositional arrangement with neighbouring sites and in particular the Devonshire Square scheme which has a 39 storey building facing the application site. It is important to look at this scheme not only in isolation, but how this fits in with the wider Devonshire Square development and the emerging context of other cumulative developments. It is acknowledged that the height of the buildings proposed marks a step change in the scale of development in the area. The height and massing strategy of the Devonshire Square development was supported in terms of creating a consistent shoulder height on Old Kent Road, with increases in height towards the centre and Devonshire Grove. This modulation of height was considered positive in townscape terms.
257. The proposed development in this application has been arranged to allow for as much space between them as possible, ensuring that they would not appear to coalesce when viewed from a distance. This also ensures that good levels of sunlight and daylight would reach the public realm. It is considered that the relative heights and the way in which they would be distributed across the site along with the emerging developments to the south would result in a well articulated composition of towers that would define the ground floor public square.

Image: Cumulative development in future context



258. Notwithstanding the Devonshire Square development, the proposed building at 107.8m AOD would be substantially taller than those in the existing surroundings. As such, they would be defined as tall buildings in the adopted London Plan (2016). Policy 7.7 of the 2016 London Plan, 'Location and Design of Tall and Large Buildings', states that tall buildings should be limited to sites in the Central Activity Zone, Opportunity Areas, areas of intensification or town centres that have good access to public transport.' Furthermore, London Plan Policy 2.13 requires development in Opportunity Areas to optimise residential and non residential output densities, meet or exceed minimum housing and employment guidelines and support wider regeneration objectives. Annexe 1 of the 2016 London Plan sets out the specific requirements for the OKR OA, identifying it as having significant potential for residential- led redevelopment. As such, it is considered that the OKR OA is, in principle, an appropriate location for tall buildings which optimise housing delivery and regeneration benefits. The proposed development is considered to achieve both, whilst also meeting the other requirements of London Plan Policy 7.7, which are as follows:

- Generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport;
- Only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building;
- Relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level;
- Individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London;
- Incorporate the highest standards of architecture and materials, including sustainable design and construction practices;
- Have ground floor activities that provide a positive relationship to the

- surrounding streets;
 - Contribute to improving the permeability of the site and wider area, where possible;
 - Incorporate publicly accessible areas on the upper floors, where appropriate;
 - Make a significant contribution to local regeneration;
 - Not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference; and
 - Not impact on local or strategic views adversely.
259. The proposed tall building would be within an opportunity area. The character of the area would not be adversely affected by the scale, mass or bulk of the tall buildings proposed because this area is not generally considered sensitive to change of this type. With the exception of the western wing of the existing building, it is considered that the remaining industrial building and the open car park is not worthy of protection. Its replacement with a scheme of this high quality architectural and urban design is considered a significant public benefit of the proposals.
260. In line with the draft OKR AAP, the design of the tall building would be exemplary, with careful consideration of their impact on the skyline. The separation distance between the other consented buildings in Devonshire Square successfully enables the development to provide amenity and play space on the roof levels, with the distances between the buildings permitting daylight to penetrate in between the blocks to proposed residential properties and the new square. The proposed building together with the tower at Devonshire Square would improve legibility and marking of the new public square.
261. The proposed tall building and its layout and improved urban grain would create active frontages, increased connectivity and permeability and contribute to the creation of a new public open space. As a result of this cluster of spaces and the relationship with the emerging surrounding developments it is likely that the proposed development would become a focus of activity for both existing and new communities.
262. It is considered there would be no harm to strategic and local views. This is discussed in more detail below.
263. It is considered that the proposals demonstrate the highest standards of architectural design and incorporate the highest quality materials and this is discussed further below in this report. In order to secure this design quality, planning condition requiring detailed drawings, material samples and full scale mock ups are recommended.
264. The proposed development would not incorporate any publicly accessible areas on the upper floors. The access to the upper floors to the general public may raise Secure by Design issues and therefore not appropriate in this instance. It is noted however, that the London Plan (2016) only requires this “where appropriate”. A communal terrace for the new residents would be introduced, giving a soft, green layer of articulation to the appearance of the buildings.

265. The contribution that the scheme would make to local regeneration would be very significant as has already been identified throughout this report. The impact of the proposed development on microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference are assessed and presented elsewhere in this report. In each case it is concluded that there would be no significant adverse impacts.
266. As the most recently adopted document in the Local Plan, and the only document adopted after the Old Kent Road was designated as an Opportunity Area, it is considered that these London Plan (2016) policies in relation to tall buildings are more relevant than those in Southwark Plan Saved Policy 3.20 dating from 2007. Nevertheless, the proposed development has also been assessed against the requirements of this saved policy. Saved Policy 3.20 requires any building over 30 metres tall to ensure that it:
- Makes a positive contribution to the landscape; and
 - Is located at a point of landmark significance; and
 - Is of the highest architectural standard; and
 - Relates well to its surroundings, particularly at street level; and
 - Contributes positively to the London skyline as a whole consolidating a cluster within that skyline or providing key focus within views.
267. As discussed above and elsewhere in this report, the proposed development would make a very positive contribution to the landscape through the creation of a new public spaces, new routes through the site and high quality landscaping (to be secured by condition). It provides and completes a point of landmark significance by announcing the new public square with a building that would be of high standards of architecture.
268. In conclusion on height, scale and massing, the proposed buildings would be consistent with the draft OKR AAP. Officers are satisfied that this proposal complies with saved Policy 3.20, it is of high architectural quality, contributing positively to its street-scene and the London skyline with its highly articulated and stepped profile.

Architectural Design and Materiality

269. Sylvan Grove sits within OKR 18 and adjacent to OKR 13. Both of these plots of the OKR AAP contain valued heritage assets which contribute significantly to the Old Kent Road's industrial character. On this site is a Victorian warehouse building mainly characterised by its arched windows and triple pitched gable which faces south towards Old Kent Road. The proposal's appearance draws upon both of these retained features as well as the strong Victorian and industrial heritage of the wider Old Kent Road area. The building would be of a high architectural quality. The design includes retaining the southern part of the existing building and refurbishing it and incorporating it into the new development.. The arches of the existing structure have informed the design of the colonnade that wraps around the new public space forming a solid base to the building. The colonnade effectively creates a double height base to the building with a set back ground and first floor. It ties together the elements of commercial space and the residential entrance to the base of the tower.

The arched colonnade extends to form the elevation to the north and west of the building.

270. The proposed building would be of masonry character, referencing the solidity and robustness of the existing architecture found in the area. The historic industrial structures and buildings of the Old Kent Road Area, such as the gas holder and warehouse buildings, have strong horizontal emphasis and clear layering in their structure. The proposal replicates this layering logic through establishing a clear, double height base, a 3 storey order throughout the main body of the tower, and finishing with a crown element to express the top of the tower. Arches are employed as the main motif and structural element in the proposal. They are used to delineate the primary layered order of the building. This 3 storey order is then punctuated by a suborder of white stone lintels which distinguish each story. In keeping with the principles of the AAP for taller buildings in this area a strong vertical emphasis is adopted throughout.
271. From the portion of the building which is demolished, the intention is to reclaim as many bricks as possible and use them in the base of the building. These reclaimed bricks would be mixed with new to create a tone similar to that of the existing warehouse. Moving up the facades from the brick base, the materials and textures will vary, but a consistent colour tone will be maintained. This tone is maintained in any detailing by using terracotta or red brick moulding. White lintels or sills are often used as an accent to the tones of the red brick. They follow the common Victorian palette of red brick, with detail around features expressed using moulded terracotta elements. Following this logic, the residential tower is clad with textured and moulded terracotta which compliments and harmonizes with the colour of the brick base. The commercial building is clad predominantly in brick. The increased floor to floor heights of the ground and first floors help to celebrate the base of the building and its entrances.
272. The crown is formed by the final 2 floors of the residential tower. It is expressed using a dark grey terracotta as opposed to the warm terracotta tones of the main body of the tower. The quality of these materials including brick colour would be assured by planning conditions requiring detailed design drawings and samples of all facing materials.

Image: Design and material of residential tower



Design Review Panel

273. The Applicant presented a relatively early version of their proposals to the Southwark Design Review Panel (DRP) in July 2018. This was presented alongside the Devonshire Square scheme due to its proximity and relationship. The Panel were generally supportive of this proposal. Nevertheless, they raised a number of comments. The comments the Panel made, and the changes proposed to the scheme in response are summarised below. Members should however note that the scheme has changed since the pre-application discussions.
274. Urban form and arrangement:
The Panel asked the design team to define a hierarchy of spaces that considers the nature and character of both Devonshire Grove (likely to remain a heavily trafficked route to and from the Waste facility) and Sylvan Grove. They asked the applicant to take into account the prevailing desire lines around the site, the potential new spaces in the site (including the Daisy Business park courtyard). The Panel asked the two teams to reconsider how the arrangement of the two towers in particular has affected the public spaces and routes around this site including the courtyard on Daisy Business Park. The Daisy Business park site is potentially affected by the location of the tower on this site because it takes up the southern flank of their courtyard. The Panel questioned the appropriateness of allowing car parking within the courtyard of the Daisy Business Park as this could be an effective enhancement

of the public realm across both sites. They urged the designers to work together to establish a collective vision for the two sites and to use the hierarchy of spaces and routes to define the arrangement of the built form and the location of the two towers.

275. Officer response:

The scheme has changed since the presentation to the Panel allowing for a larger public open space between this development and that proposed at Devonshire Square. The distance between the two towers have increased allowing for greater privacy, The car park is now located within the building on the ground floor. Desire lines have been incorporated by proposing a diagonal route through the proposed square.

276. Public space:

The Panel encouraged the applicants to fundamentally review the location of the public space and develop a public space that works across both sites. This will in turn inform the optimum arrangement of buildings and routes across the site including the Daisy Business park courtyard.

277. Officer response:

The applicants for both sites have since reviewed the public spaces. The proposed square in this application would allow for routes through the two developments.

278. Existing warehouse building:

The Panel noted the designer's ambition to retain the warehouse façade on Daisy Business Park but questioned how effective this will be given that such a small fragment of the façade will be retained. The retained façade at the base of the tower has an air of tokenism and introduces further constraints on the ground plane and urban realm. In order for it to be successful, this historic feature of the site will need to be considered in the context of the overall vision for both sites.

279. Officer response

It is considered that the architects have further developed the design and the retention of the existing building remained a key driver for the elevation design and appearance of the building.

280. Architecture:

The Panel highlighted that the two towers, due to their proximity, would be seen in the context of each other. Whilst they did not suggest a common architectural language for both towers, they felt it was important in developing the detailed design of the towers, that they are considered as a pair. The tower on Daisy Business Park is likely to be a significant feature in the urban setting and as such it could benefit from further development before it can be considered to be 'exemplary' in its quality of design. They also raised concerns about the predominance of studios and 1-bed units and the lack of communal amenity in the development as a whole.

281. Officer response:

As explained above, the detailing of the building and form is considered to be of high quality. The design has evolved since then. The number of studio flats have been reduced to no more than 5%. . Play space has been prioritised, although this

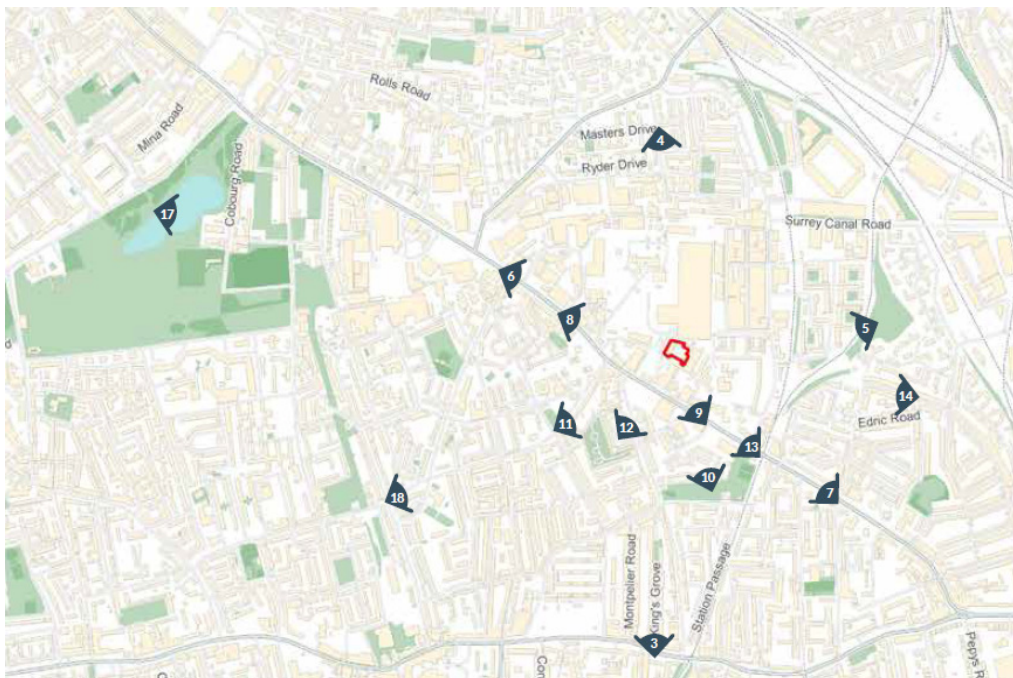
does still result in a shortfall of communal space. .

282. The Panel noted that key tall buildings technical studies had not been prepared or presented to them. These studies should inform the design, help to influence the arrangement of land-uses and define the optimum locations for new public spaces and routes.
283. Officer response:
The design has evolved since then and the technical studies have been submitted as part of the full application. These demonstrate that there would not be significant harmful effects as explained elsewhere in the report.

Townscape and Visual Impact Analysis (TVIA)

284. The submitted assessment considers the impact of the proposed scheme from a number of different viewpoints in the surrounding area as detailed in the following paragraphs.

Image: View locations (excluding views 1 and 2)



285. Officers have reviewed the TVIA and the views presented and will provide an analysis and comment on those views that are most sensitive, have high heritage and townscape significance or prominence in this report.
286. View 1 Kenwood (LVMF 3A.1)
The view is identified as an important panorama of London in the London View Management Framework (LVMF) and seeks to protect the skyline silhouette of St Paul's Cathedral. The LVMF views likely to be impacted upon by the proposed development are 2A.1 from Parliament Hill and 3A.1 from Kenwood. The proposed

development will appear to the west of St Paul's Cathedral and would not impact the skyline silhouette of the Strategically Important Landmark. The proposed development would have a negligible impact on the view.

287. View 2 Parliament Hill (LVMF 2A.1)

View 2 is situated at the summit of Parliament Hill. The proposed development will be screened by the Guy's Hospital tower and would not impact the skyline silhouette of the Strategically Important Landmark. The proposed development would have no impact on the view.

288. View 5 Bridgehouse Meadow Park

This view is located at the western edge of Bridgehouse Meadows Park and the viewpoint is looking west, approximately 550m from the site. Bridgehouse Meadows Park is designated by Lewisham Council as a 'Public Open Space'. Within the backdrop there are there also glimpses of the Grade II listed No 13 gasholder. The proposed development would be visible in the backdrop of the view. The proposed development has slender proportions that will create an attractive skyline profile. In the wider context, it will be seen as part of the cluster around the new station to the Bakerloo line extension. In the cumulative context, the approved developments would be visible in the background. The schemes will demonstrably change the skyline in views south, marking the transformative change envisioned in the Opportunity Area.

289. View 6 Old Kent Road looking south east

View 6 is located along Old Kent Road, east of the junction with St James's Road. The foreground of the view comprises of Old Kent Road. In the middle ground, the Grade II listed No 13 gasholder is perceptible above interposing development. The proposed development would be visible in the backdrop of the view, north of Old Kent Road but it is designed with slender proportions that will create an attractive skyline profile. The duration of the view along Old Kent Road is long due to its historic Roman alignment and the proposed development will form a prominent feature, visible over a significant distance. The scale of development will mark the public square at ground floor. In the wider context, it will be seen as part of the cluster around the new station to the Bakerloo line extension. As such, it will reinforce the proposed hierarchy of buildings, places and streets identified in the AAP. In the cumulative context the proposed Development would have a negligible impact on the view as it would be largely occluded by cumulative development in the foreground, including Ruby Triangle.

290. View 7 New Cross Road, junction with Pomeroy Street

The view includes a cluster of the Grade II listed buildings including Carlton Cottages and 3-15 New Cross Road. The view demonstrates that the proposed development would be almost entirely occluded by the collection of point blocks in the Tustin Estate. The proposed development may be glimpsed through the gaps between buildings in the Estate, but would have a negligible impact on the composition of the view or the experience of receptors travelling west along New Cross Road.

291. View 8 Old Kent Road in front of Christ's Church

In the middle ground of the view, the tall and large Grade II listed No 13 Gasholder is visible and forms a landmark within the frame. The proposed development will be

visible to the north of Old Kent Road. In views travelling east, it will contrast with the rotund shape of the gasholder. The contrast between the two, slender and broad, perforated and solid-masonry, will be an attractive juxtaposition. In the wider context, it will be seen as part of the cluster around the new station to the Bakerloo line extension. As such, it will reinforce the proposed hierarchy of buildings, places and streets identified in the AAP. In the cumulative context the proposed development would be seen in conjunction with Devonshire Square. The scale (height) of the proposed development would be subservient to the Devonshire Square scheme, in accordance with the hierarchy of buildings, places and streets identified in the AAP.

Image: View 8 from Old Kent Road (cumulative with Devonshire Square)



292. View 10 Brimington Park

This is located on the southern edge of Brimington Park looking towards the north. The foreground of the view is characterised by a grassed area interspersed with mature trees. Within the middle ground 1 to 50 Clifton Crescent front onto the residential street of Clifton Crescent. The Victorian stock brick terraces are between two and three storeys and are statutory listed at Grade II. The proposed development would be visible in the backdrop of the view. In the cumulative context the proposed development would be partly occluded by the proposed Devonshire Square, located to the immediate south-west of the Site. The developments would mark the emerging cluster identified in the AAP.

293. View 12 Caroline Gardens

The viewpoint is located within the Caroline Gardens Conservation Area which contains a series of listed buildings which are associated with the Caroline Gardens estate and Licensed Victuallers' Benevolent Institution. The proposed development

would be partially visible in the backdrop of the view, with the lower half of the building being obscured by interposing development and mature trees. The proposed development has slender proportions that will form an attractive skyline feature and will improve the visual amenity of the view with high quality architecture. In the wider context, it will be seen as part of the cluster around the new station to the Bakerloo line extension. The cumulative context demonstrates further significant change to the view. The variation in scale would form an attractive skyline profile. The proposed development would be seen in conjunction with Devonshire Square. The scale (height) of the proposed development would be subservient to the Devonshire Square scheme, in accordance with the hierarchy of buildings, places and streets identified in the AAP.

Image: View from Caroline Gardens



Borough Protected Views

294. Although of limited weight, the draft NSP, Policy P21, 'Borough Views', states that development must preserve or where possible positively enhance the borough views which have been identified. The Borough View potentially impacted on by the proposed development is the linear view of St Paul's Cathedral from Nunhead Cemetery.
295. The assessment of this view is that the proposed development would be obscured by tree branches to such an extent that it would be virtually indiscernible, even in winter. It is considered that there would be no harm to this view.

Heritage and townscape considerations

Impact on character and setting of a listed building and/or conservation area

296. The application site does not sit in a conservation area and it contains no listed buildings. The nearest designated heritage asset is the Grade Gasholder No. 13. The existing buildings and structures on the application site share no historical

relationship with these listed buildings and are not considered to contribute positively to their setting. The public square will open up new routes across Devonshire Square that will improve the functionality of the wider area and the wider benefits brought about has the potential to improve the setting of the gasholder and help secure its long-term conservation. Whilst there are other listed buildings further afield from the site, these would be some distance from the proposed development and would be screened by the emerging tall buildings in the Opportunity Area.

297. There are no conservation areas in the immediate vicinity of the site, but Caroline Gardens Conservation Area and Hatcham Conservation Area are nearby and would have views of the development. The submitted impact assessment demonstrates that in the emerging cumulative context the proposed development would preserve the setting of the Caroline Gardens Conservation Area and the listed buildings within its boundary. Due to the separating distance between the Hatcham Conservation Area and the site and the limited visibility and the slender proportions of the proposed development, the proposed development would preserve the setting of the Hatcham Conservation Area.
298. Although of very limited weight, the draft OKR AAP also identifies buildings and features of townscape merit and buildings of architectural or historic interest. The western wing on the existing building has been identified as a building of townscape merit. The building is constructed of red brick with painted south elevation. The south gable end is not fenestrated, but has some limited townscape interest due to the profile of its M-shaped roof. In contrast, the western elevation is not fenestrated and has no features of architectural interest. The eastern elevation comprises arched windows, which feature gauged brick window headers. The applicant has acknowledged the principles of the AAP vision and sought to incorporate the character of the existing southern gable as part of the development. The location of the warehouse has informed the proposed layout of the buildings and central public space. The building floor plan forms an 'L' shape framing a public square in the south-east corner of the site. The southern section of the existing building will be retained and intergrated into the development to form a two storey commercial wing to the southwest portion of the site and the external elevation will be modified with new window openings in the gable end... As a whole, the materials reinforce the industrious character of the area, in accordance with the AAP. The proposed development thus preserves those elements of the warehouse that have heritage value derived through their townscape appearance.

Image: The southern gable wall of the existing building



Image: View of development from Devonshire Grove and reconstructed two storey element



299. Officers consider that the part retention and integration of the existing building on the site would be in keeping with the aspirations of the AAP.

Conclusion on the setting of listed buildings, conservation areas and townscape

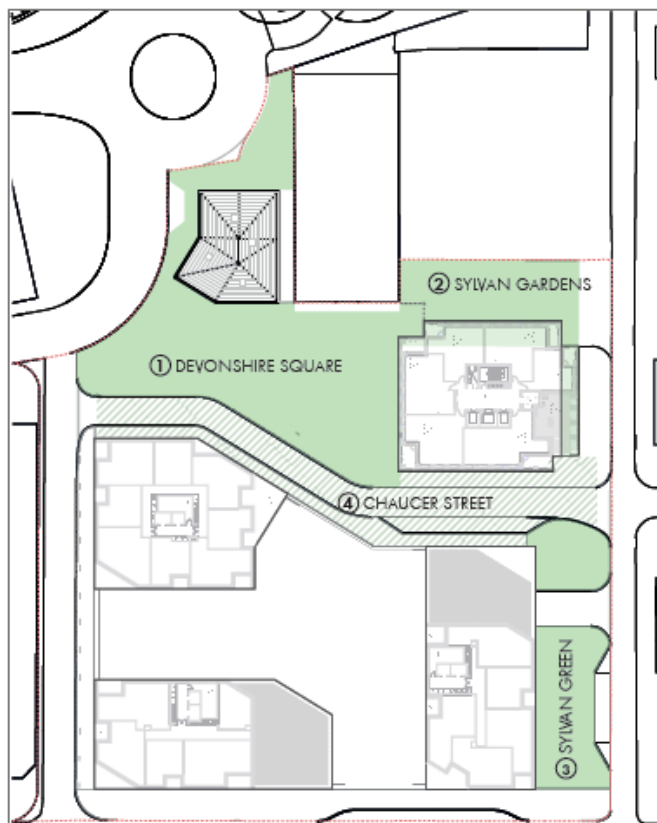
300. In conclusion, it is clear from the assessment that the proposed development would have impacts on some of the views assessed. However, in the majority of cases, the impact is not considered to be harmful. Indeed in some views it is considered beneficial. The quality of design would be high.

Impact on trees and landscaping

301. Saved Policy 3.13 of the Southwark Plan requires high quality and appropriately designed streetscape and landscape proposals. The applicant has submitted a Tree survey and the only vegetation growing within the site is a row of shrubbery and young trees close to the car park entrance which are Category C trees. Other trees included in the survey are 3 street trees and a group of four young Hornbeam growing in a grass verge adjacent to the recycling depot. All off-site trees are to be retained and fenced off outside of the construction site. The only arboricultural impact shall be the loss of two young trees T1 and T2 as well as adjacent shrubs. They are considered to have a low amenity value and their removal shall not have a significant impact on the visual amenity of the locality.
302. It is proposed to plant a minimum of 16 trees which is significantly more than what is on site. The long term impact of the development shall be a significant increase in tree cover and an improvement in local amenity. The canopies and root protection areas of all retained trees shall not be impacted upon by any construction activity or future foundations or building.
303. The council's Urban Forester has reviewed the proposals and considers that the proposed landscaping more than adequately mitigates any loss of amenity or canopy cover. It is recommended that a specific tree planting condition be recommended to capture the two street trees outside the applicant's ownership on Sylvan Grove.
304. The overall landscape theme is for a 'garden square', which would sit adjacent to the larger civic space in the Devonshire Square development. The garden square extends across Sylvan Grove providing public realm improvements to the existing street and maximising the development's provision of public open space and having the potential to connect the 3 predominantly residential buildings at the northern end of Sylvan Grove. The landscape design is considered to allow for through routes across the site and would respond well to the activities planned for the ground floor of the proposed development and available to both residents, visitors and those working in the commercial building. The public realm and streetscape would be fully accessible, and would provide level thresholds between internal and external spaces and across the public realm.

305. In order to ensure consistency within the site and with adjoining land owners at Devonshire Square who will deliver the adjoining public space the landscape proposals for this development need to be carefully coordinated with those of the neighbouring site. There have been a number of meetings with adjoining landowners to ensure that this is the case. Officers are currently developing an open space strategy for the OKROA and the principles of that strategy would be applied in discharging the conditions.

Image: Open spaces including Devonshire Square development



Public open space diagram

Planning obligations (S.106 undertaking or agreement)

306. Saved Policy 2.5 'Planning obligations' of the Southwark Plan and policy 8.2 of the London Plan advise that Local Planning Authorities should seek to enter into planning obligations to avoid or mitigate the adverse impacts of developments which cannot otherwise be adequately addressed through conditions, to secure or contribute towards the infrastructure, environment or site management necessary to support the development, or to secure an appropriate mix of uses within the development. Further information is contained within the council's adopted Planning Obligations and Community Infrastructure Levy SPD. A s106 Legal Agreement is currently being drafted which should include clauses to secure the following:

307. Archaeology: £11,171

Affordable Housing Monitoring: £132.35 per affordable property, 219 x 132.35 = £7808.65

Carbon offset – green fund: £116,180

Communal amenity space: £96,965

Public Open Space: £80,975

Contributions to the bus network: £591,300.

DSP Bond: £22,500

Santander bicycle hire scheme: £10,950

Construction management plan review and monitoring: £8,760

Greenfield runoff rates: £0 (£366 per cubic metre shortfall against greenfield run off rates)

Trees: Two street trees, with in-lieu payment of £6,000 if not feasible to be planted elsewhere at suitable locations in the vicinity.

Section 106 admin charge at 2% of total (excluding the DSP and those contributions that are either separate monitoring contributions or a monitoring contribution is already being collected for this particular obligation)

308. In addition, the following non-financial contributions would be secured within the s106 Legal Agreement:

- Affordable housing provisions, including provision for an early stage review;
- Not more than 50% of the private apartments would be occupied until 50% of the affordable units are complete.
- At least 10% of dwellings to be fully wheelchair accessible (Marketing, allocation and fit out);
- Jobs, skills and training during construction period (including fall-back financial contribution if targets not met);
- Jobs, skills and training once the proposed development is operational (including fall-back financial contribution if targets not met);
- An employment, skills and business support plan;
- 10% of the work space to be affordable work space (see terms below);
- Appointment of workspace co-ordinator;
- Practical Completion of the commercial space to be at the same time, or before, Practical Completion of the residential units above. All commercial spaces to be completed with mechanical and electrical services fitted out, including heating and cooling / ventilation;

- 3 years car club membership for all eligible adult residents of the proposed development;
- Future SELCHP connection to the non-domestic component;
- Demolition Environment Management Plan;
- Final Construction and Environment Management Plan;
- Social rent service charges within the rent cap;
- Service management plan;
- Public access to open space;
- Access to the internal community room for residents at 8-24 Sylvan Grove and local TRA groups.

S278 works outline

309. The council's Highway Officers have indicated that works required through a S278 Agreement would include:

- contribution towards the reconstruction of the Sylvan Grove carriageway which from its junction with Old Kent Road to the other end. Because of three proposed major developments (one now completed) either side of the street, LBS Highways decided that it was not judicious for the carriageway reconstruction work to be done ahead of the developments being constructed. Each developer would still be expected to repave the footway, including new silver grey kerbs, in front of their site.
- Repave the footway on Sylvan Grove fronting the development and extending to its north eastern end. Vehicle crossovers to be constructed to the relevant SSDM standards.
- Promote a TRO to rationalise parking arrangements on Sylvan Grove.
- As Sylvan Grove is a cul-de-sac, it is mandatory to provide a vehicle turning facility hence the need to locate the proposed sliding gate further back into the car park. This can be as part of the detailed design through S278 works.
- Prior to works commencing on site (including any demolition) a joint condition survey should be arranged with Southwark Highway Development Team to catalogue condition of streets and drainage gullies.

Affordable workspace terms

310. The final details of the affordable workspace offer are subject to negotiations of the s106 Agreement, but at least 303sqm GIA, would be secured and the length of term being 15 years at £12 per sqft.

311. The S106 heads of terms agreed would satisfactorily mitigate against the adverse impacts of the proposed development. In the event that a satisfactory legal agreement has not been entered into by 8 February 2021 it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of affordable housing and mitigation against the adverse impacts of the development through projects or contributions in accordance with saved policy 2.5 'Planning

Obligations' of the Southwark Plan (2007), strategic policy 14 'Delivery and Implementation' of the Core Strategy (2011), policy 8.2 'Planning obligations' of the London Plan (2015) and the Planning Obligations and Community Infrastructure Levy SPD (2015)".

Mayoral and Southwark Community Infrastructure Levy (CIL)

312. Section 143 of the Localism Act states that any financial contribution received as Community Infrastructure Levy (CIL) is a material “local financial consideration” in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark’s CIL will provide for infrastructure that supports growth in Southwark.
313. In this instance a Mayoral CIL payment of £1,263,512.69 and a Southwark CIL payment of £4,587,392.30 would be required. These are pre-social housing relief figures and accordingly would be reduced when the CIL Social Housing Relief claim is submitted after the grant of planning permission.

Sustainable development implications

314. Policy 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor’s energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and policy 5.7 requires the use of on-site renewable technologies, where feasible. Of note is that residential buildings must now be carbon zero, and non-domestic buildings must comply with the Building Regulations in terms of their carbon dioxide emissions (35% reduction against part L of the Building Regulations 2013).
315. The carbon dioxide savings exceed the on-site target set for domestic/non-domestic uses. However, the strategy does differ from the hierarchy and this is discussed further below.
316. Be lean (use less energy)

The energy strategy centres on reducing heat losses and demands. Sufficiently reduced demands allow local heat pumps to deliver comfortable spaces and hot water sourced from recycled internal heat gains without needing any large and costly heating networks and centralised plant. Energy efficiency measures include a range of measures including:

- High-performance façade optimising levels of insulation and shading;
- Efficient building airtightness;
- Solar control measures;
- Low energy lighting throughout.

What stands out in this development is that each dwelling is provided with a two-stage Mechanical Ventilation with Heat Recovery (MVHR) with exhaust air heat

pump (2-stage MVHR+EHP) for recovery and recycling of waste heat and upgrading temperatures in so much as is necessary. This proposes a 'Heat Autonomy' energy strategy. The regulated carbon saving achieved in this step of the Energy Hierarchy is 17% for domestic element and 16% for non-domestic element.

Be clean (supply energy efficiently)

317. The GLA in their Stage 1 report had commented that the applicant should provide a commitment to ensure that the development is designed to allow future connection to a district heating network. It was also requested that the applicant should propose a communal heat network supplied by a centralised energy centre, as the development is within an opportunity area for district heating.
318. The applicant has since responded to the comments. Their energy strategy has been designed so that the residential units enhanced 'fabric first' and associated measures have been specifically matched to in-dwelling recycled heat sources availability for the coldest winter day. This exemplar development seeks to demonstrate how BE LEAN coupled with heat pumps can maximise on-site secondary heat sources. By prioritising BE LEAN, heat demands have been specifically matched to secondary heat sources. Consequently the applicant has argued that there is no requirement for any additional centralised energy centre or any district heating connection.
319. Due to its 'Heat autonomy' strategy and under these circumstances the draft new London Plan Policy SI-3 and associated presumptions on district heating are no longer applicable because there is no longer any heat to deliver, or indeed economic basis to warrant such a supply. Discussions between the GLA, the applicant and Council Officers have taken place and an updated energy assessment includes the results of a comparative study between the SELCHP district heating system and proposed 'Heat Autonomy' design.
320. In summary, a switch to the SELCHP district heating system for Sylvan Grove would mean no additional carbon savings, increase in heat bills including heat system service charge, increase in quantity of delivered energy for heat. The Heat autonomous solution reduces plant maintenance/replacement costs.
321. The proposed 'heat autonomy' design was presented and proposed as an exemplar, along with the council's expectations for the future expansion of the SELCHP district heating. Following further analysis clarification, it is considered that the proposed 'Heat Autonomy' approach achieves similar carbon savings and addresses wider policy aspects, and therefore no objections to the proposed energy strategy is raised in this instance.
322. Notwithstanding the above, the GLA had made a comment that the applicant should provide a commitment to ensure that the development is designed to allow future connection to a district heating network.
323. The applicant has responded that there is the potential to connect the commercial / light industrial development areas to a future district heating system. Space for a future district heating connection is provided for the 3000m² of non-domestic space

which has an in-building 'ambient loop' water network. It is considered that the development should be future proofed to allow connectivity to the SELCHP DHN when it becomes available in the future and would be secured through the s106 Agreement. However, should a feasibility study (secured in the s106 agreement) demonstrate that the current strategy be the better solution then that requirement to connect to the DHN would not be required.

Be Green (low or carbon zero energy)

324. The MVHR energy benefits are included in the BE LEAN part of this report. The heat pump benefits and associated systems efficiencies are included in the BE GREEN part of this report. For the Be Green stage a number of renewable technologies have been appraised in terms of their technical, physical and financial feasibility, as potential renewable systems for use on the project. The technology which best suited is Photovoltaic (PV) panels and air source heat pump (ASPH) on-site. The saving for the domestic element would be 53%. For the non-domestic elements there would be a 45% reduction over the site wide baseline level.
325. The overall predicted reduction in CO2 emissions from the baseline development model (which is Part L 2013 compliant) is approximately 70% for the domestic element, which represents an annual saving of approximately 150 tonnes of CO2. For the non-domestic element there would be a reduction of 61%, representing an annual saving of 26 tonnes of CO2.
326. To enable the domestic element to meet zero carbon target, a one-off carbon offset payment of approximately £116,180 will be required in line with Southwark's Core Strategy and London Plan Policy. This figure is based on a shortfall of 1 tonne CO2 per year for a period of 30 years at a rate of £60/ tonne of CO2. The Applicant has agreed to make this contribution, which would be secured through the s106 Agreement and would therefore make this aspect of the scheme fully policy compliant.

Overheating and cooling

327. Policy 5.9 of the London Plan "Overheating and Cooling" states that major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the cooling hierarchy. This policy seeks to reduce the impact of the urban heat island effect.
328. Following the GLA's Stage 1 comments which seek more details on the sample apartments tested and other calculations and modelling. An overheating study was undertaken to enable the site to mitigate the risk of overheating. The proposals to demonstrate compliance are as follows:
- Minimise internal heat generation through energy efficient design;
 - Energy efficient enhanced ventilation systems, thermal insulation on pipework and low energy lighting;
 - Energy efficient facades with appropriate proportions of glazing;
 - Blinds for shading;
 - MVHR units for background ventilation.

BREEAM

329. Strategic Policy 13 of the Core Strategy requires commercial units to achieve BREEAM “excellent”. A BREEAM Pre-assessment report has been undertaken which demonstrates that a “Excellent” standard can be achieved and meets the required “Excellent” standard.

Ecology

330. A Preliminary Ecological Assessment has been submitted in support of this application. The site in its current condition is of little or no ecological value and therefore its redevelopment offers the opportunity to enhance biodiversity opportunities. The mitigation measures include the timing of vegetation clearance works and/or to avoid impacts on nesting birds and the enhancement measures include the introduction of landscape planting with native species or species with a known value to wildlife, and the provision of bat and bird boxes.
331. The council's Ecology Officer has reviewed the proposals and concludes that there are no further surveys required. Conditions have been recommended to secure house sparrow terraces under the amenity roof and bat tubes. It is also considered reasonable to condition that there be the soft landscaping ecological enhancements and biodiverse roofs. The assessment also recommends appropriate ways to clear vegetation and this would be included in the Construction management plan.

Flood Risk and Water Resources

332. The application site is located within Flood Zone 3, which is considered to be ‘High Risk’ but does benefit from the Thames tidal defences.
333. The proposed development has been designed to ensure that the buildings would be protected from surface water flooding through a new drainage system. Sustainable Drainage Systems (SUDs) in the form of combined blue-green roof system at roof level in conjunction with permeable paving for the access roads, below ground attenuation storage and infiltration systems at ground level. The Environment Agency (EA) raises no objections and considers that the development will be at low risk of flooding. Conditions were recommended by the EA and it is considered prudent to impose these.
334. The council's Flood Risk and Drainage team have also reviewed the submitted material and Drainage Strategy. After initial review, the applicant has submitted a revised strategy and demonstrates that the development would limit surface water discharge rates to greenfield rates (2.2 l/s) for the 1% AEP storm + climate change allowance using a range of SUDs features. The final strategy will need to be confirmed at detailed design stage. A condition is therefore recommended for the submission of a final drainage strategy for review and consideration if any changes are made at that stage.
335. A greenfield runoff rate offset of £366 per cubic metre will be secured in the event that there is a shortfall in attenuation required to limit surface water run off, which is required by the draft AAP 11.

Fire safety strategy

336. The applicant has submitted a high level fire strategy prior to the submission of the amended plans and details the key fire safety design principles within the proposed development. It is intended that the fire safety proposals will satisfy the requirements of the relevant legislation. All single level apartments will be provided with a fire detection and fire alarm system in accordance with the relevant recommendations. The strategy also highlighted the minimum fire resistance requirements for the structural elements and compartmentation. A condition has been attached to the draft decision notice to require details of the sprinkler system to all the commercial units to be submitted and approved. All of the residential units would also have a sprinkler system.

Archaeology

337. The site is currently within the Bermondsey Lake Archaeological Priority Zone (APZ) designated for its potential for prehistoric and paleo-environmental remains. Once Southwark's new archaeological priority areas are formally adopted, the application site will be within the Tier 1 'North Southwark and Roman Roads' Archaeological Priority Area. Significant archaeological remains predominately of prehistoric and Roman date have been discovered in the general Old Kent Road area from a number of sites. However, previous excavations which have taken place to the immediate west, north and south of the application site have been largely negative. The applicant has submitted a desk based assessment (DBA) which is a very thorough piece of archaeological research. The DBA identifies the potential for archaeological remains to survive on this site. The council's Archaeological Officer has reviewed the DBA and raises no objections and has recommended conditions.

Environmental considerations

Contaminated land

338. The applicant has submitted a Phase 1 environmental risk assessment given the past industrial and commercial uses on the site. The assessment confirms that on account of the site's previous industrial use, there are numerous sources of contamination recorded both on the site and in its vicinity. The site itself is considered to represent a high to medium risk to all identified receptors, and accordingly further targeted ground investigation is required to quantify risks to future users and surrounding receptors and inform any remediation and mitigation controls that may be necessary.
339. The submitted material has been reviewed by EPT. A condition has been recommended to deal with contaminated land which has been included with this recommendation.

Hazardous sites

340. Paragraph 45 of the NPPF states that local planning authorities should consult the appropriate bodies when planning, or determining applications, for development

around major hazards. The site was located within the designated Consultation Distance of a Major Hazard Site (Old Kent Road Gasholder Station, 709 Old Kent Road) and as such the Health and Safety Executive (HSE) was a statutory consultee for this application. However, subsequent to the consultation, the council as the Hazardous Substances Authority made an order to the Secretary of State for Housing, Communities and Government to revoke the Hazardous Substances Consent on 5 February 2020.

341. HSE then confirmed in writing that the hazardous substances consent has been formally revoked and HSE has removed the consultation distance and has withdrawn their initial comments.

Air quality

342. The site lies within an Air Quality Management Area (AQMA). This means the air quality is poor, with high levels of pollutants including particulate matter (PM10) and nitrogen dioxide (NO2). Southwark Plan Policy 3.6, Air Quality, states that planning permission will not be granted for development that would “lead to a reduction in air quality.” London Plan (2016) Policy 7.14 states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality.
343. The applicant has submitted an air quality assessment, reporting on the potential impacts of the proposed development on local air quality. This identified that during the construction phase there would be a medium risk of impacts in the absence of suitable mitigation. It has recommended that suitable mitigation be provided through a series of measures set out in a detailed dust management plan prior to the start of demolition and construction works. Once operational and occupied, the development is not expected to raise significant air quality impacts. An air quality neutral assessment has shown that the proposed development would meet both the Building Emission Benchmark and Transport Emission Benchmark and is therefore air quality neutral. The mitigation measures will be secured through the CEMP required by the s106 Agreement.
344. The council’s EPT has reviewed the assessment and raised no concerns or objections relating to air quality.

Wind and microclimate

345. The applicant has submitted a Pedestrian Level Wind Microclimate Assessment, which looks at the likely impacts of the proposed development on wind and microclimate in terms of pedestrian safety and comfort and to ensure that wind conditions around the site do not adversely interfere with the intended pedestrian activities, so that all public spaces have amenable environmental conditions.
346. Three scenarios have been analysed :
- Baseline: the existing wind environment at the site
 - Proposed: the proposed development within the context of existing surrounds
 - Cumulative: the proposed development within the context of future/consented surrounds.

347. It concludes that although many areas of the site would have acceptable wind conditions in the presence of the proposed development, several locations within and around the site would have wind conditions that are windier than desired for their respective uses. Furthermore, there would also be several occurrences of strong winds which require mitigation measures. The assessment provides details of the locations which would require mitigation measures in the context of the existing surrounding buildings. In the cumulative scenario, the conditions would improve as the Devonshire Square development would be in place, but there would be localised windier conditions in some areas. It recommends that in the event the Devonshire Square development does not come forward prior to the proposed development the suggested mitigation measures should be developed and verified through further wind tunnel testing to ensure effectiveness of the mitigation strategy.
348. Officers consider that it is reasonable to require the suggested mitigation measures and details to be submitted (included with landscape detailed design condition). Subject to the imposition of a wind mitigation condition, the impacts of the scheme on the local wind microclimate would be acceptable.

Aviation

349. National Air Traffic Services (NATS) were consulted and raises no objection to the scheme.

Telecommunications and Electronic Interference

350. Arqiva (who own and operate the UK Terrestrial Television Broadcast network and supply the Freeview platform) was consulted but no comments have been received.

Conclusion on planning issues

351. The proposed development would result in the introduction of residential uses into the SIL and would therefore represent a departure from the adopted development plan. However, the adopted London Plan (2016) clearly identifies the Old Kent Road as an opportunity area which will undergo significant transformation with substantial growth including new housing. In advance of emerging policy being adopted, and SIL being formally released, this proposal must be weighed against the wider regeneration benefits of the scheme.
352. The proposed development would increase the numbers of jobs on the site and deliver new housing, including more than 35% affordable housing in terms of habitable rooms. Affordable workspace has also been proposed. Recognising the changing character and uses carried out in the immediate area and the adjoining Devonshire Square development, it is not felt that any harm to existing businesses would arise by the introduction of housing. In light of this it is considered that the principle of the proposed development should be supported in this instance.
353. The proposal would deliver a good standard of accommodation and would address the majority of standards as set out in the residential design standards.

354. A new publicly accessible park and associated public realm would improve permeability across the site allowing for this part of the OKR OA to achieve its full connectivity including pedestrians and cyclists.
355. The potential impacts identified are not considered to be significant to adversely impact on neighbouring residents. The existing nearby residents would have adequate outlook and privacy. The loss of daylight levels to 8-24 Sylvan Grove is acknowledged, but this is primarily a result of its own design.
356. The building height proposed would represent a step change in the existing scale of the area, but as an Opportunity Area site, it is considered that the height proposed would be in accordance with the objectives of the London Plan (2016), in that it would optimise the development potential of the site. Furthermore, it would sit well with the approved Devonshire Square development and would not harm any nearby heritage assets. The protected views would not be harmed. The design and materiality is considered to respond well and complimentary to the schemes that have been approved. The ground floor pedestrian experience would be vibrant and well animated with ground floor frontages enhancing the surrounding area.
357. In order to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the applicant has agreed to enter into a Delivery Service Plan Bond with the council. Cycle and car parking levels are acceptable, and innovative proposals to encourage people to use alternative transport measures, such as contribution to the Santander cycle hire docking station are welcomed.
358. It is therefore recommended that planning permission be granted subject to conditions, referral to the Mayor of London and the completion of a s106 Legal Agreement under the terms as set out above.

Consultations

359. Details of consultation and any re-consultation undertaken in respect of this application is set out in Appendix 1.

Consultation replies

360. Details of consultation responses received are set out in Appendix 2.

Statement of community involvement

361. Consultation was carried out by the applicant prior to the submission of the planning application. The applicant has submitted a Statement of Community Involvement and the Engagement Summary (required by the Development Consultation Charter). The consultation was carried out with the local community and key stakeholders from the area and included the following forms of activity:

- Two public exhibitions held on the 19 and 21 January 2019 on the site;
- Advertising for the exhibitions involved almost 1,900 leaflets being sent to local residents and businesses within the surrounding area of the development site and existing Daisy Business Park tenants;
- A dedicated project website www.sylvangrove.co.uk , A1 signs on the day of the exhibitions, and an advert in the Southwark News;
- 34 people attended the public exhibition, including tenants of the site, a Southwark councillor for Old Kent Road ward and a representative of Southwark Cyclists;
- A meeting between the project team and ward councillor for Old Kent Road on 5 April 2019;
- A drop-in session for the existing tenants of Daisy Business Park took place on 29 November 2018;
- Pre-application discussions and meetings with Southwark Officers.

362. To summarise, the points raised from the consultation exercise were:

- Mixed response to the building heights proposed, given the tall buildings coming forward elsewhere locally;
- The impact of odours from the waste management facility on the residential accommodation;
- How the redevelopment of Daisy Business Park fits into the wider
- Old Kent Road regeneration and the proposals for Devonshire Square;
- The timeline for existing tenants and how long they were able to remain on the site for;
- Support for tenants who are looking to relocate and/or return to the site once complete;
- Loss of parking for businesses;
- Potential increase in rents for returning businesses;
- Potential to provide 4 bedroom units;
- Possible impact on daylight and sunlight levels to existing Sylvan Grove residents.

Community impact statement / Equalities Assessment

363. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:

- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act

- b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
364. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
365. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
366. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. This is addressed in detail in the relevant section of this report.
367. Officers are of the view that the development would not cause disadvantage to those with protected characteristics. This is further discussed below.

Access and equality measures

368. The Design and Access Statement contains a section on 'Inclusive Access' which sets out measures which would be incorporated into the development to assist people with mobility impairments, visual impairments, deaf people, older people and small children. Measures which would be incorporated include level access to buildings and communal amenity areas, the entrance of the building and the public park; access to lifts for all the proposed dwellings; wheelchair accessible and adaptable residential units and wheelchair accessible parking spaces. Pedestrian access routes are defined as the most direct and convenient pedestrian routes linking key parts of a development. They are designed to be inclusive and have access features such as gentle gradients, suitable surfaces and rest point. . All routes meet or exceed the Building regulations of Approved Document Part M 2015.

Positive equality impacts

Provision of new housing including affordable housing

369. The Strategic Housing Market Assessment (SHMA) prepared on behalf of a number of South East London boroughs states that Southwark, together with Lewisham, has the most ethnically mixed population in the South East London sub-region. Compared to the population at large a very high proportion of Black households (70%) are housed in the social/affordable rented sector. These groups could therefore stand to benefit from the proposed affordable housing, which would include social rented units and larger family sized flats.

Improved and more accessible public realm

370. Physical measures such as the level surfaces, resting places and a number of pedestrian routes proposed could particularly benefit disabled people. There would be improved connections to the wider area which would benefit older people, disabled people, young people, women and children.

Affordable Work Space

371. The proposed development would include new affordable work space. The unit would be marketed to businesses based in the Old Kent Road Opportunity Area for nine months before being marketed to businesses in the rest of Southwark. As discussed elsewhere in this report the development won't prejudice the continued operation of the neighbouring church on Sylvan Grove.

Human rights implications

372. This planning application engages certain human rights under the Human Rights Act 1998 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
373. This application has the legitimate aim of providing new residential, retail, office development and destination space. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2419-19 Application file: 19/AP/2307 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 7194 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Wing Lau, Team Leader Wing.lau@southwark.gov.uk	
Version	Final	
Dated	20 August 2020	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		21 August 2020

APPENDIX 1**Consultation undertaken****Site notice date:** n/a.**Press notice date:** 21/11/2019**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 24/09/2019**Internal services consulted**

Archaeology
Tree Services

Waste Management

Archaeology

Local Economy
Ecology
Environmental Protection
Highways Development and Management
Highways Licensing
Urban Forester
Flood Risk Management & Urban Drainage

Statutory and non-statutory organisations

Historic England

Environment Agency
Great London Authority

London Fire & Emergency Planning Authorities
London Underground
Natural England - London & South East Region

Metropolitan Police Service (Designing O)
Thames Water
Transport for London
Network Rail
EDF Energy

Neighbour and local groups consulted:

817 Old Kent Road London Southwark
346 Commercial Way London Southwark
344 Commercial Way London Southwark
340 Commercial Way London Southwark

Flat 2 18 Sylvan Grove London
Flat 14 8 Sylvan Grove London
Flat 6 8 Sylvan Grove London
Flat 18 Radford Court 814 Old Kent Road

Unit 19 Ullswater House Hillbeck Close
 Unit 7 Ullswater House Hillbeck Close
 Unit 6 Ullswater House Hillbeck Close
 First Floor Flat 720A Old Kent Road London
 95 Manor Grove London Southwark
 First Floor 96-108 Ormside Street London
 60 Caroline Gardens Asylum Road London
 91 Caroline Gardens Asylum Road London
 107 Caroline Gardens Asylum Road London
 Unit 3 And 4 96-108 Ormside Street London
 720A Old Kent Road London Southwark
 Flat 26 Bowness House Tustin Estate
 Hillbeck Close
 Unit 3 Daisy Business Park 35 Sylvan Grove
 Flat 2 24 Sylvan Grove London
 Flat 4 18 Sylvan Grove London
 Flat 22 8 Sylvan Grove London
 Units 16 And 17 The Penarth Centre
 Penarth Street
 Flat 20 Radford Court 814 Old Kent Road
 Unit 11A Ullswater House Hillbeck Close
 Flat 28 Harry Lamborn House 9 Gervase
 Street
 Apartment A 6 Asylum Road London
 72 Caroline Gardens Asylum Road London
 815 Old Kent Road London Southwark
 57 Manor Grove London Southwark
 28 Hillbeck Close London Southwark
 27 Hillbeck Close London Southwark
 21 Hillbeck Close London Southwark
 13 Hillbeck Close London Southwark
 Southwark Integrated Waste Management
 Facility 43 Devon Street London
 811 Old Kent Road London Southwark
 Outside 1 Murdock Street London
 Flat 12 24 Sylvan Grove London
 Flat 9 18 Sylvan Grove London
 Flat 3 18 Sylvan Grove London
 Unit 21B The Penarth Centre Penarth Street
 Unit 37A Ullswater House Hillbeck Close
 Unit 17A Ullswater House Hillbeck Close
 Flat 10 Radford Court 814 Old Kent Road
 Flat 8 Radford Court 814 Old Kent Road
 Unit 25 Ullswater House Hillbeck Close
 Unit 12 Ullswater House Hillbeck Close
 94 Caroline Gardens Asylum Road London
 Flat 23 Bowness House Tustin Estate
 Hillbeck Close
 71 Manor Grove London Southwark
 22 Hillbeck Close London Southwark
 Unit 31A Ullswater House Hillbeck Close
 Flat 18 24 Sylvan Grove London
 Flat 24 Harry Lamborn House 9 Gervase
 Street
 68 Caroline Gardens Asylum Road London
 Flat 15 Harry Lamborn House 9 Gervase
 Street
 Flat 28 Kentmere House Tustin Estate
 Manor Grove
 Unit 24 Kent Park Industrial Estate Ruby
 Street
 Flat 34 Bowness House Tustin Estate
 Hillbeck Close
 Flat 21 Bowness House Tustin Estate
 Hillbeck Close
 Flat 8 24 Sylvan Grove London
 Flat 10 8 Sylvan Grove London
 Unit 8 Ullswater House Hillbeck Close
 Unit 3 Ullswater House Hillbeck Close
 Unit 31 The Penarth Centre Penarth Street
 Unit 3 The Penarth Centre Penarth Street
 118-120 Ormside Street London Southwark
 Ground Floor 78-94 Ormside Street London
 58 Caroline Gardens Asylum Road London
 Flat 16 Kentmere House Tustin Estate
 Manor Grove
 24 Manor Grove London Southwark
 12B Sylvan Grove London Southwark
 Unit 22A Ullswater House Hillbeck Close
 Block A Room 2 Milestone Court 1 Wales
 Close
 97 Manor Grove London Southwark
 Flat 9 Harry Lamborn House 9 Gervase
 Street
 14 Hillbeck Close London Southwark
 Unit 18 Ullswater House Hillbeck Close
 805-807 Old Kent Road London Southwark
 Flat 7 Milestone Court 1 Wales Close
 Flat 4 Milestone Court 1 Wales Close
 726A Old Kent Road London Southwark
 1 Hillbeck Close London Southwark
 Flat 3 24 Sylvan Grove London
 Unit 6 25-39 Devon Street London
 Unit 5 First Floor Daisy Business Park 35
 Sylvan Grove
 Flat 27 Harry Lamborn House 9 Gervase
 Street
 Flat 2 Harry Lamborn House 9 Gervase
 Street
 Flat 18 Harry Lamborn House 9 Gervase
 Street
 Flat 13 Harry Lamborn House 9 Gervase
 Street
 83 Caroline Gardens Asylum Road London
 110 Caroline Gardens Asylum Road London
 803 Old Kent Road London Southwark
 61 Manor Grove London Southwark
 2 Hillbeck Close London Southwark
 711-713 Old Kent Road London Southwark
 Unit C 45 Devon Street London
 Flat 5 24 Sylvan Grove London
 Flat 1 18 Sylvan Grove London

Flat 16 8 Sylvan Grove London
 First Floor 145 Ormside Street London
 24A Manor Grove London Southwark
 Unit 7 The Penarth Centre Penarth Street
 Flat 4 Radford Court 814 Old Kent Road
 Unit 25 And 26 The Penarth Centre Penarth Street
 149 Ormside Street London Southwark
 First Floor And Second Floor Flat 729 Old Kent Road London
 Flat 8 Harry Lamborn House 9 Gervase Street
 Unit C 6 Asylum Road London
 Flat 25 Harry Lamborn House 9 Gervase Street
 Flat 21 Harry Lamborn House 9 Gervase Street
 Flat 3 Harry Lamborn House 9 Gervase Street
 Flat 23 Harry Lamborn House 9 Gervase Street
 Milestone Court 1 Wales Close London
 4 Asylum Road London Southwark
 95 Caroline Gardens Asylum Road London
 103 Caroline Gardens Asylum Road London
 5 Sylvan Terrace Sylvan Grove London
 75 Manor Grove London Southwark
 12 Hillbeck Close London Southwark
 747-759 Old Kent Road London Southwark
 Flat 6 Bowness House Tustin Estate Hillbeck Close
 Flat 27 Bowness House Tustin Estate Hillbeck Close
 Flat 16 Bowness House Tustin Estate Hillbeck Close
 819 Old Kent Road London Southwark
 Flat 27 Kentmere House Tustin Estate Manor Grove
 107-113 Ormside Street London Southwark
 Unit 1 777 Old Kent Road London
 821 Old Kent Road London Southwark
 Flat 24 Bowness House Tustin Estate Hillbeck Close
 Flat 32 Kentmere House Tustin Estate Manor Grove
 22 Sylvan Grove London Southwark
 16 Sylvan Grove London Southwark
 Flat 28 24 Sylvan Grove London
 Flat 13 24 Sylvan Grove London
 Flat 16 24 Sylvan Grove London
 Flat 18 18 Sylvan Grove London
 Flat 23 8 Sylvan Grove London
 Flat 18 8 Sylvan Grove London
 Flat 12 18 Sylvan Grove London
 Flat 5 18 Sylvan Grove London
 Flat 2 8 Sylvan Grove London
 Unit 28B The Penarth Centre Penarth Street
 Unit 20 Left The Penarth Centre Penarth Street
 24B Manor Grove London Southwark
 Flat 1 719-721 Old Kent Road London
 Flat 4 719-721 Old Kent Road London
 Flat 14 Radford Court 814 Old Kent Road
 Room 7 720 Old Kent Road London
 Flat 3 Milestone Court 1 Wales Close
 Rear Flat 724 Old Kent Road London
 Unit 1 And 2 96-108 Ormside Street London
 Storage Land Part Unit 9 709 Old Kent Road London
 7 Hillbeck Close London Southwark
 Flat 2 719-721 Old Kent Road London
 Unit 30 The Penarth Centre Penarth Street
 Flat 16 Radford Court 814 Old Kent Road
 Flat 15 Radford Court 814 Old Kent Road
 Flat 11 Radford Court 814 Old Kent Road
 Flat 13 Radford Court 814 Old Kent Road
 Unit 36 Ullswater House Hillbeck Close
 Unit 32 Ullswater House Hillbeck Close
 Unit 27 Ullswater House Hillbeck Close
 Unit 23 Ullswater House Hillbeck Close
 Unit 9 Ullswater House Hillbeck Close
 Apartment H 6 Asylum Road London
 Second Floor And Third Floor 735 Old Kent Road London
 Room 5 720 Old Kent Road London
 Room 2 720 Old Kent Road London
 Unit 6 Daisy Business Park 35 Sylvan Grove
 Unit 7A 709 Old Kent Road London
 Flat 33 Harry Lamborn House 9 Gervase Street
 Lower Ground Floor Ground Floor And Part First Floor 735 Old Kent Road London
 Unit 11 Ullswater House Hillbeck Close
 101 Caroline Gardens Asylum Road London
 10A Asylum Road London Southwark
 75 Caroline Gardens Asylum Road London
 Unit 22 Kent Park Industrial Estate Ruby Street
 15 Hillbeck Close London Southwark
 Flat 8 18 Sylvan Grove London
 Flat 17 8 Sylvan Grove London
 Flat 19 Radford Court 814 Old Kent Road
 Unit 15 Ullswater House Hillbeck Close
 Unit 29 The Penarth Centre Penarth Street
 Apartment I 6 Asylum Road London
 Apartment N 6 Asylum Road London
 Apartment K 6 Asylum Road London
 Flat 29 Harry Lamborn House 9 Gervase Street
 80 Caroline Gardens Asylum Road London
 104 Caroline Gardens Asylum Road London
 342 Commercial Way London Southwark

Unit 9 709 Old Kent Road London
 Flat 10 Kentmere House Tustin Estate
 Manor Grove
 789-799 Old Kent Road London Southwark
 Asaholah Salvation Church Of God 137A
 Ormside Street London
 Flat 3 Bowness House Tustin Estate Hillbeck
 Close
 32 Hillbeck Close London Southwark
 26 Hillbeck Close London Southwark
 17 Hillbeck Close London Southwark
 Flat 17 Bowness House Tustin Estate
 Hillbeck Close
 737-745 Old Kent Road London Southwark
 Unit F 45 Devon Street London
 Flat 17 24 Sylvan Grove London
 Unit 20 Daisy Business Park 35 Sylvan
 Grove
 Block A Room 1 Milestone Court 1 Wales
 Close
 Unit 13 Ullswater House Hillbeck Close
 814A Old Kent Road London Southwark
 Unit 29A Ullswater House Hillbeck Close
 Unit 12 The Penarth Centre Penarth Street
 Unit 2 25-39 Devon Street London
 709 Old Kent Road London Southwark
 93 Manor Grove London Southwark
 Apartment R 6 Asylum Road London
 Apartment G 6 Asylum Road London
 Flat 14 Harry Lamborn House 9 Gervase
 Street
 Flat 12 Harry Lamborn House 9 Gervase
 Street
 67 Caroline Gardens Asylum Road London
 106 Caroline Gardens Asylum Road London
 Flat 11 Kentmere House Tustin Estate
 Manor Grove
 336 Commercial Way London Southwark
 3 Sylvan Terrace Sylvan Grove London
 332 Commercial Way London Southwark
 722A Old Kent Road London Southwark
 720B Old Kent Road London Southwark
 77 Manor Grove London Southwark
 59 Manor Grove London Southwark
 8 Hillbeck Close London Southwark
 31 Hillbeck Close London Southwark
 20 Hillbeck Close London Southwark
 18 Hillbeck Close London Southwark
 16 Hillbeck Close London Southwark
 11 Hillbeck Close London Southwark
 67-105 Ormside Street London Southwark
 760 Old Kent Road London Southwark
 Flat 7 Bowness House Tustin Estate Hillbeck
 Close
 Flat 4 Bowness House Tustin Estate Hillbeck
 Close
 Flat 33 Bowness House Tustin Estate
 Hillbeck Close
 Flat 18 Bowness House Tustin Estate
 Hillbeck Close
 Flat 15 24 Sylvan Grove London
 Flat 11 18 Sylvan Grove London
 Unit D 45 Devon Street London
 Unit A 45 Devon Street London
 Flat 1 721 Old Kent Road London
 Unit 19 The Penarth Centre Penarth Street
 Units 32 And 32A The Penarth Centre
 Penarth Street
 Unit 10A Ullswater House Hillbeck Close
 Unit 15A Ullswater House Hillbeck Close
 Unit 40 Ullswater House Hillbeck Close
 Unit 14 Ullswater House Hillbeck Close
 Flat 1 Radford Court 814 Old Kent Road
 145 Ormside Street London Southwark
 Flat 31 Kentmere House Tustin Estate
 Manor Grove
 23 Hillbeck Close London Southwark
 Unit 7 25-39 Devon Street London
 132-136 Ormside Street London Southwark
 Third Floor 777 Old Kent Road London
 Flat 5 Milestone Court 1 Wales Close
 First Floor 78-94 Ormside Street London
 2A Asylum Road London Southwark
 720C Old Kent Road London Southwark
 Land At 709 Old Kent Road London
 First Floor 777 Old Kent Road London
 8 Asylum Road London Southwark
 87 Caroline Gardens Asylum Road London
 70 Caroline Gardens Asylum Road London
 6 Sylvan Terrace Sylvan Grove London
 10 Asylum Road London Southwark
 Block A Room 5 Milestone Court 1 Wales
 Close
 Unit 1 2 And 4 The Penarth Centre Penarth
 Street
 Flat 1 Milestone Court 1 Wales Close
 Ground Floor 145 Ormside Street London
 91 Manor Grove London Southwark
 57 Caroline Gardens Asylum Road London
 Flat 1 8 Sylvan Grove London
 Flat 17 Radford Court 814 Old Kent Road
 Unit 26 Ullswater House Hillbeck Close
 10A Sylvan Grove London Southwark
 Flat 4 721 Old Kent Road London
 Unit 21 Daisy Business Park 35 Sylvan
 Grove
 724A Old Kent Road London Southwark
 Living Accommodation 14 Ruby Street
 London
 Unit 3 25-39 Devon Street London
 64 Caroline Gardens Asylum Road London
 Flat 6 Radford Court 814 Old Kent Road

Unit 35 Ullswater House Hillbeck Close
 Flat 723 Old Kent Road London
 Block A Room 3 Milestone Court 1 Wales Close
 Apartment Q 6 Asylum Road London
 Unit B 6 Asylum Road London
 Flat 3 719-721 Old Kent Road London
 143 Ormside Street London Southwark
 25 Hatcham Road London Southwark
 Unit 1040 737-745 Old Kent Road London
 Unit 1 25-39 Devon Street London
 Flat 30 Harry Lamborn House 9 Gervase Street
 79A Caroline Gardens Asylum Road London
 Flat 11 Harry Lamborn House 9 Gervase Street
 69 Caroline Gardens Asylum Road London
 93 Caroline Gardens Asylum Road London
 Flat 1 Bowness House Tustin Estate Hillbeck Close
 338 Commercial Way London Southwark
 Flat 30 Bowness House Tustin Estate Hillbeck Close
 727 Old Kent Road London Southwark
 Flat 19 Bowness House Tustin Estate Hillbeck Close
 Unit 2 777 Old Kent Road London
 Flat 31 Bowness House Tustin Estate Hillbeck Close
 Flat 13 Bowness House Tustin Estate Hillbeck Close
 Units 1 And 2 Daisy Business Park 35 Sylvan Grove
 89 Manor Grove London Southwark
 83 Manor Grove London Southwark
 18-22 Penarth Street London Southwark
 1 Sylvan Terrace Sylvan Grove London
 Unit 4 Daisy Business Park 35 Sylvan Grove
 4 Sylvan Terrace Sylvan Grove London
 Pilgrims Way Junior And Infant School Manor Grove London
 Second Floor Flat 720A Old Kent Road London
 Room 9 720 Old Kent Road London
 Room 6 720 Old Kent Road London
 Second Floor 777 Old Kent Road London
 Room 3 720 Old Kent Road London
 Flat 2 Milestone Court 1 Wales Close
 24-32 Murdock Street London Southwark
 Unit 5 25-39 Devon Street London
 2-20 Devon Street London Southwark
 Unit 4 25-39 Devon Street London
 Flat 2 721 Old Kent Road London
 Land At 2-20 Devon Street London
 Ullswater House Hillbeck Close London
 71 Caroline Gardens Asylum Road London
 Flat 27 24 Sylvan Grove London
 Flat 20 24 Sylvan Grove London
 2 Sylvan Terrace Sylvan Grove London
 801 Old Kent Road London Southwark
 Flat 22 24 Sylvan Grove London
 Flat 4 24 Sylvan Grove London
 63 Manor Grove London Southwark
 30 Hillbeck Close London Southwark
 Flat 6 18 Sylvan Grove London
 Flat 13 8 Sylvan Grove London
 Unit 20 Ullswater House Hillbeck Close
 Unit 22 The Penarth Centre Penarth Street
 726 Old Kent Road London Southwark
 Flat 26 Kentmere House Tustin Estate Manor Grove
 14B Sylvan Grove London Southwark
 Flat 13 18 Sylvan Grove London
 Unit E 6 Asylum Road London
 Rear Of 731A Old Kent Road London
 Apartment M 6 Asylum Road London
 Flat 4 Harry Lamborn House 9 Gervase Street
 Flat 19 Harry Lamborn House 9 Gervase Street
 Units 5 And 6 The Penarth Centre Penarth Street
 Unit 34 The Penarth Centre Penarth Street
 Unit 23 The Penarth Centre Penarth Street
 Unit 13 The Penarth Centre Penarth Street
 Unit 24 The Penarth Centre Penarth Street
 Units 18 And 33 The Penarth Centre Penarth Street
 Unit 21A The Penarth Centre Penarth Street
 Unit 28A The Penarth Centre Penarth Street
 Unit 20 Right The Penarth Centre Penarth Street
 723 Old Kent Road London Southwark
 Unit 37 Ullswater House Hillbeck Close
 Unit 29 Ullswater House Hillbeck Close
 Unit 24 Ullswater House Hillbeck Close
 Unit 2 Ullswater House Hillbeck Close
 Unit 34 Ullswater House Hillbeck Close
 Unit 31 Ullswater House Hillbeck Close
 Unit 21 Ullswater House Hillbeck Close
 Unit 39 Ullswater House Hillbeck Close
 Flat 8 Milestone Court 1 Wales Close
 Flat 6 Milestone Court 1 Wales Close
 85 Manor Grove London Southwark
 87 Manor Grove London Southwark
 Flat 29 Kentmere House Tustin Estate Manor Grove
 Flat 8 8 Sylvan Grove London
 88 Caroline Gardens Asylum Road London
 Flat 12 Kentmere House Tustin Estate Manor Grove
 Flat 8 Bowness House Tustin Estate Hillbeck

Close

9 Hillbeck Close London Southwark
 6 Hillbeck Close London Southwark
 Flat 10 Bowness House Tustin Estate
 Hillbeck Close
 809 Old Kent Road London Southwark
 20 Sylvan Grove London Southwark
 Flat 23 24 Sylvan Grove London
 Flat 20 18 Sylvan Grove London
 Flat 10 18 Sylvan Grove London
 Unit 14 And 15 The Penarth Centre Penarth
 Street
 Unit 11 The Penarth Centre Penarth Street
 Unit 8 The Penarth Centre Penarth Street
 Unit 5 Ground Floor Daisy Business Park 35
 Sylvan Grove
 810 Old Kent Road London Southwark
 First Floor And Second Floor Flat 722B Old
 Kent Road London
 Apartment L 6 Asylum Road London
 Flat 7 Harry Lamborn House 9 Gervase
 Street
 Flat 6 Harry Lamborn House 9 Gervase
 Street
 Flat 35 Harry Lamborn House 9 Gervase
 Street
 Flat 1 Harry Lamborn House 9 Gervase
 Street
 62 Caroline Gardens Asylum Road London
 89 Caroline Gardens Asylum Road London
 82 Caroline Gardens Asylum Road London
 76 Caroline Gardens Asylum Road London
 2 Asylum Road London Southwark
 109 Caroline Gardens Asylum Road London
 81 Manor Grove London Southwark
 67 Manor Grove London Southwark
 137 Ormside Street London Southwark
 Unit 1 709 Old Kent Road London
 127-135 Ormside Street London Southwark
 722B Old Kent Road London Southwark
 Flat 29 Bowness House Tustin Estate
 Hillbeck Close
 Flat 9 24 Sylvan Grove London
 Flat 6 24 Sylvan Grove London
 Flat 1 24 Sylvan Grove London
 Flat 19 18 Sylvan Grove London
 Flat 16 18 Sylvan Grove London
 Flat 15 18 Sylvan Grove London
 Flat 21 8 Sylvan Grove London
 Flat 11 8 Sylvan Grove London
 Unit E 45 Devon Street London
 Unit B 45 Devon Street London
 14A Sylvan Grove London Southwark
 16-18 Kent Park Industrial Estate Ruby
 Street London
 Flat 5 Radford Court 814 Old Kent Road

Flat 2 Radford Court 814 Old Kent Road
 Unit 38 Ullswater House Hillbeck Close
 Unit 30 Ullswater House Hillbeck Close
 Unit 28 Ullswater House Hillbeck Close
 Unit 17 Ullswater House Hillbeck Close
 Unit 4 Ullswater House Hillbeck Close
 Room 4 720 Old Kent Road London
 767-775 Old Kent Road London Southwark
 Flat 36 Harry Lamborn House 9 Gervase
 Street
 Flat 22 Harry Lamborn House 9 Gervase
 Street
 74 Caroline Gardens Asylum Road London
 79 Manor Grove London Southwark
 Flat 5 Bowness House Tustin Estate Hillbeck
 Close
 10 Hillbeck Close London Southwark
 Flat 14 24 Sylvan Grove London
 Flat 7 18 Sylvan Grove London
 Flat 12 8 Sylvan Grove London
 Unit 5 Ullswater House Hillbeck Close
 Flat 12 Radford Court 814 Old Kent Road
 Flat 9 Radford Court 814 Old Kent Road
 Flat 7 Radford Court 814 Old Kent Road
 Unit D 6 Asylum Road London
 Apartment P 6 Asylum Road London
 Apartment O 6 Asylum Road London
 Flat 34 Harry Lamborn House 9 Gervase
 Street
 Flat 26 Harry Lamborn House 9 Gervase
 Street
 Flat 17 Harry Lamborn House 9 Gervase
 Street
 Flat 16 Harry Lamborn House 9 Gervase
 Street
 59 Caroline Gardens Asylum Road London
 79 Caroline Gardens Asylum Road London
 78 Caroline Gardens Asylum Road London
 73 Caroline Gardens Asylum Road London
 108 Caroline Gardens Asylum Road London
 813 Old Kent Road London Southwark
 65 Manor Grove London Southwark
 Unit 28 To 32 Kent Park Industrial Estate
 Ruby Street
 724 Old Kent Road London Southwark
 Flat 9 Bowness House Tustin Estate Hillbeck
 Close
 Flat 20 Bowness House Tustin Estate
 Hillbeck Close
 Flat 2 Bowness House Tustin Estate Hillbeck
 Close
 Flat 14 Bowness House Tustin Estate
 Hillbeck Close
 Unit 16 To 18 Kent Park Industrial Estate
 Ruby Street
 Flat 24 24 Sylvan Grove London

Flat 19 24 Sylvan Grove London
 Flat 20 8 Sylvan Grove London
 Flat 15 8 Sylvan Grove London
 Flat 9 8 Sylvan Grove London
 Flat 5 8 Sylvan Grove London
 10B Sylvan Grove London Southwark
 Unit 33 Ullswater House Hillbeck Close
 Unit 10 Ullswater House Hillbeck Close
 Block A Room 4 Milestone Court 1 Wales
 Close
 141 Ormside Street London Southwark
 Flat 5 Harry Lamborn House 9 Gervase
 Street
 Flat 31 Harry Lamborn House 9 Gervase
 Street
 65 Caroline Gardens Asylum Road London
 86 Caroline Gardens Asylum Road London
 Flat 14 Kentmere House Tustin Estate
 Manor Grove
 Flat 32 Bowness House Tustin Estate
 Hillbeck Close
 69 Manor Grove London Southwark
 29 Hillbeck Close London Southwark
 Flat 28 Bowness House Tustin Estate
 Hillbeck Close
 Flat 12 Bowness House Tustin Estate
 Hillbeck Close
 Flat 3 721 Old Kent Road London
 12A Sylvan Grove London Southwark
 Flat 17 18 Sylvan Grove London
 Flat 19 8 Sylvan Grove London
 Flat 4 8 Sylvan Grove London
 113 Ormside Street London Southwark
 721 Old Kent Road London Southwark
 Unit F 6 Asylum Road London
 Flat 32 Harry Lamborn House 9 Gervase
 Street
 Flat 20 Harry Lamborn House 9 Gervase
 Street
 66 Caroline Gardens Asylum Road London
 4A Asylum Road London Southwark
 92 Caroline Gardens Asylum Road London
 84 Caroline Gardens Asylum Road London
 81 Caroline Gardens Asylum Road London
 Flat 25 Kentmere House Tustin Estate
 Manor Grove
 Flat 13 Kentmere House Tustin Estate
 Manor Grove
 334 Commercial Way London Southwark
 73 Manor Grove London Southwark
 4 Hillbeck Close London Southwark
 25 Hillbeck Close London Southwark
 24 Hillbeck Close London Southwark
 19 Hillbeck Close London Southwark
 110-116 Ormside Street London Southwark
 139 Ormside Street London Southwark
 115-125 Ormside Street London Southwark
 18 Manor Grove London Southwark
 Flat 11 Bowness House Tustin Estate
 Hillbeck Close
 Flat 1 729 Old Kent Road London
 The Prince Of Wales 14 Ruby Street London
 Flat 38 Kentmere House Tustin Estate
 Manor Grove
 Flat 26 24 Sylvan Grove London
 Flat 25 24 Sylvan Grove London
 Flat 21 24 Sylvan Grove London
 Flat 10 24 Sylvan Grove London
 Flat 7 24 Sylvan Grove London
 Flat 14 18 Sylvan Grove London
 Flat 3 8 Sylvan Grove London
 Flat 21 Radford Court 814 Old Kent Road
 Flat 3 Radford Court 814 Old Kent Road
 21 Hatcham Road London Southwark
 Unit 22 Ullswater House Hillbeck Close
 Upper Ground Floor And First Floor 735 Old
 Kent Road London
 Room 8 720 Old Kent Road London
 Room 1 720 Old Kent Road London
 147 Ormside Street London Southwark
 Part First Floor 78-94 Ormside Street
 London
 Flat 10 Harry Lamborn House 9 Gervase
 Street
 63 Caroline Gardens Asylum Road London
 77 Caroline Gardens Asylum Road London
 Flat 30 Kentmere House Tustin Estate
 Manor Grove
 Unit 20 Kent Park Industrial Estate Ruby
 Street
 Unit 26 Kent Park Industrial Estate Ruby
 Street
 Flat 15 Bowness House Tustin Estate
 Hillbeck Close
 Flat 11 24 Sylvan Grove London
 Flat 7 8 Sylvan Grove London
 Block A Room 6 Milestone Court 1 Wales
 Close
 Unit 16 Ullswater House Hillbeck Close
 Penarth Works Penarth Street London
 Apartment J 6 Asylum Road London
 61 Caroline Gardens Asylum Road London
 90 Caroline Gardens Asylum Road London
 85 Caroline Gardens Asylum Road London
 105 Caroline Gardens Asylum Road London
 102 Caroline Gardens Asylum Road London
 Flat 15 Kentmere House Tustin Estate
 Manor Grove
 Flat 9 Kentmere House Tustin Estate Manor
 Grove
 5 Hillbeck Close London Southwark
 3 Hillbeck Close London Southwark

720 Old Kent Road London Southwark
Unit 4 709 Old Kent Road London
Flat 25 Bowness House Tustin Estate
Hillbeck Close

Flat 22 Bowness House Tustin Estate
Hillbeck Close

Re-consultation:

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant	Joseph Homes Limited	Reg. Number 19/AP/2307
Application Type	Full Planning Application	
Recommendation	Grant subject to Legal Agrt, GLA	Case Number

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Redevelopment to provide a mixed use development comprising up to 219 residential dwellings (Use Class C3) and up to 2,986sqm (GIA) commercial workspace (Use Class B1) within two buildings of 5 storeys and 32 storeys with associated car and cycle parking, landscaping, and public realm and highways improvements.

At: Daisy Business Park, 19-35 Sylvan Grove, London, SE15 1PD

In accordance with application received on 29th July 2019

and Applicant's Drawing Nos.:

DR-0001	Site Location Plan
DR-0002	Existing Site Layout
DR-0010	Existing general Arrangement Plan-Ground Level
DR-0011	Existing general Arrangement Plan-Level 1
DR-0012	Existing Elevations
DR-0050 A	Proposed General Arrangement Plan - Site Layout
DR-0100 C	Proposed General Arrangement Plan - Ground Level
DR-0101 B	Proposed General Arrangement Plan - Level 01
DR-0102 A	Proposed General Arrangement Plan - Levels 02-05
DR-0106 A	Proposed General Arrangement Plan - Level 06
DR-0107 A	Proposed General Arrangement Plan - Levels 07-08
DR-0109 A	Proposed General Arrangement Plan - Levels 09-11
DR-0112 B	Proposed General Arrangement Plan - Levels 12-20
DR-121	Proposed General Arrangement Plan - Levels 21-24
DR-0125 A	Proposed General Arrangement Plan - Levels 25-31
DR-0132 B	Proposed General Arrangement Plan - Roof Level
DR-0140 B	Landscape Masterplan
DR-0150 A	Site Elevation - East - Existing Context
DR-0151 A	Site Elevation - South - Existing Context
DR-0152 B	Site Elevation - West - Existing Context
DR-0153 A	Site Elevation - North - Existing Context
DR-0154 A	Site Elevation - East - Future Context
DR-0155 B	Site Elevation - West - Future Context
DR-0156 A	Site Elevation - North - Future Context
DR-0160 A	Site Section South-North
DR-0161 A	Site Section East-West
DR-0162 A	Site Section East-West (Through Commercial Building)
DR-0170 A	Detailed Elevation (Commercial Building)
DR-0171 A	Detailed Elevation (Residential Tower)
DR-0172 A	Detailed Elevation (Tower Top)
DR-0173	Detailed Elevation-Residential Entrances
DR-0174	Detailed Elevation-Residential Entrances
DR-0175	Detailed Section-Residential Entrances
DR-0176	Detailed Section-Residential Entrances
DR-0200 C	Proposed Building Plan - Ground Level
DR-0201 B	Proposed Building Plan - Level 01
DR-0202 B	Proposed Building Plan - Levels 02 -05
DR-0206 B	Proposed Building Plan - Level 06
DR-0207 B	Proposed Building Plan - Levels 07-08

DR-0209 B	Proposed Building Plan - Levels 09-11
DR-0212 C	Proposed Building Plan - Levels 12-20
DR-221	Proposed Building Plan - Levels 21-24
DR-0225 B	Proposed Building Plan - Levels 25-31
DR-0232 A	Proposed Building Plan - Roof Level
DR-0233 A	Proposed Building Plan - Roof View
TR009 1 of 2	Swept Path Analysis
TR009 2 of 2	Swept Path Analysis
TR006 E 1 of 7	Swept Path Analysis Large Car
TR006 E 2 of 7	Swept Path Analysis Large Car
TR006 E 3 of 7	Swept Path Analysis Large Car
TR006 E 4 of 7	Swept Path Analysis Large Car
TR006 E 5 of 7	Swept Path Analysis Large Car
TR006 E 6 of 7	Swept Path Analysis Large Car
TR006 E 7 of 7	Swept Path Analysis Large Car

Supporting documents:

Air Quality Assessment, BREEAM Pre-assessment Report, (Built) Heritage, Townscape & Visual Impact Analysis, Daylight and Sunlight Report July 2019, Sylvan Grove Internal Daylight Addendum Letter February 2020, Overshadowing Report - Development Amenity Spaces February 2020, Overshadowing Report on Surrounding Properties February 2020, Daylight and Sunlight for Sylvan Grove letter dated May 2020, Design, Access and Landscape Statement July 2019, Design, Access and Landscape Statement Addendum July 2020, Draft Residential Travel Plan, Draft Workplace Travel Plan, Draft Delivery and Servicing Plan, Energy Assessment Updated Version B May 2020, Engagement Summary and Development Consultation Charter,, Drainage Strategy Report December 2019, Fire Strategy, Flood Risk Assessment, Historic Environment Assessment, Internal Daylight and Sunlight Report July 2019, Noise Impact Assessment, Odour Assessment December 2019, Outline Construction Logistics Plan, Pedestrian Level Wind Microclimate Assessment, Phase 1 Environmental Risk Assessment, Planning Statement, Preliminary Ecological Appraisal, Socio-Economic Technical Report, Statement of Community Involvement, Transport Assessment, Tree Survey and Arboricultural Report, Viability Assessment Executive Summary, Economic Viability Appraisal Report, Proposed Scheme Appraisal (May Update) by BNPP

Schedule of Accommodation _Individual Room Sizes Schedule February 2020

Subject to the following 39 conditions:

Time limit for implementing this permission and the approved plans

1 Approved Plans

The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

DR-0050 A Proposed General Arrangement Plan - Site Layout
 DR-0100 C Proposed General Arrangement Plan - Ground Level
 DR-0101 B Proposed General Arrangement Plan - Level 01
 DR-0102 A Proposed General Arrangement Plan - Levels 02-05
 DR-0106 A Proposed General Arrangement Plan - Level 06
 DR-0107 A Proposed General Arrangement Plan - Levels 07-08
 DR-0109 A Proposed General Arrangement Plan - Levels 09-11
 DR-0112 B Proposed General Arrangement Plan - Levels 12-20
 DR-121 Proposed General Arrangement Plan - Levels 21-24
 DR-0125 A Proposed General Arrangement Plan - Levels 25-31
 DR-0132 A Proposed General Arrangement Plan - Roof Level
 DR-0154 A Site Elevation - East - Future Context
 DR-0155 B Site Elevation - West - Future Context
 DR-0156 A Site Elevation - North - Future Context
 DR-0160 A Site Section South-North
 DR-0161 A Site Section East-West
 DR-0162 A Site Section East-West (Through Commercial Building)
 DR-0170 A Detailed Elevation (Commercial Building)
 DR-0171 A Detailed Elevation (Residential Tower)
 DR-0172 A Detailed Elevation (Tower Top)
 DR-0173 Detailed Elevation-Residential Entrances
 DR-0174 Detailed Elevation-Residential Entrances

DR-0175 Detailed Section-Residential Entrances
 DR-0176 Detailed Section-Residential Entrances
 DR-0200 C Proposed Building Plan - Ground Level
 DR-0201 B Proposed Building Plan - Level 01
 DR-0202 B Proposed Building Plan - Levels 02 -05
 DR-0206 B Proposed Building Plan - Level 06
 DR-0207 B Proposed Building Plan - Levels 07-08
 DR-0209 B Proposed Building Plan - Levels 09-11
 DR-0212 C Proposed Building Plan - Levels 12-20
 DR-0221 Proposed Building Plan - Levels 21-24
 DR-0225 B Proposed Building Plan - Levels 25-31
 DR-0232 A Proposed Building Plan - Roof Level
 DR-0233 A Proposed Building Plan - Roof View

Reason:

For the avoidance of doubt and in the interests of proper planning.

2 Time Limit

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

Reason:

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

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

3 Contamination

- a) Prior to the commencement of development works other than demolition, 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, including soil gases/vapours.
- b) In the event that contamination is found that presents a risk to future users or controlled waters or other receptors, a detailed remediation and/or mitigation strategy shall be prepared and submitted to the Local Planning Authority for approval in writing. The strategy shall detail all proposed actions to be taken to bring the site to a condition suitable for the intended use together with any monitoring or maintenance requirements. The scheme shall also ensure that as a minimum, the site should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out and implemented as part of the development.
- c) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed, together with any future monitoring or maintenance requirements, shall be submitted to and approved in writing by the Local Planning Authority.
- d) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-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 2019.

4 Tree Protection Measures

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.

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with Saved Policies 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity of the Southwark Plan 2007; SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards of the Core Strategy (2011) and the National Planning Policy Framework 2019.

5 Archaeological Mitigation

Prior to commencement of development (including demolition), 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 Saved Policy 3.19 Archaeology of the Southwark Plan (2007); Strategic Policy 12 - Design and Conservation of The Core Strategy (2011), and the National Planning Policy Framework 2019.

6 Archaeological Foundation

Prior to commencement of development (including demolition), 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 Saved Policy 3.19 Archaeology of the Southwark Plan (2007); Strategic Policy 12 - Design and Conservation of The Core Strategy (2011), and the National Planning Policy Framework 2019.

7 Archaeological Building Recording

Prior to commencement of development (including demolition), hereby authorised begins, the applicant or successors in title shall secured the implementation of a programme of archaeological building recording 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 archaeological operations are undertaken to a suitable standard as to the details of the programme of works for the archaeological building recording in accordance with Saved Policy 3.19 Archaeology of the Southwark Plan (2007); Strategic Policy 12 - Design and Conservation of The Core Strategy (2011), and the National Planning Policy Framework 2019.

8 Secure By Design Application

Prior to commencement of development above grade, submission of details for Secure By Design, in correspondence with the Metropolitan Police, along with details of security measures proposed, shall be submitted

and approved in writing by the Local Planning Authority. These measures shall be implemented in accordance with the approved details prior to occupation.

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 Saved Policy 3.14 Designing out crime of the Southwark Plan (2007); Strategic Policy 12 - Design and Conservation of The Core Strategy (2011) and The National Planning Policy Framework 2019..

9 Surface Water Drainage

Prior to commencement of development (excluding superstructure demolition), the final detailed design for the proposed surface water drainage system incorporating Sustainable Drainage Systems (SuDS) have been submitted to and approved in writing by the Local Planning Authority, including detailed design, size and location of attenuation units and details of flow control measures. The strategy should achieve the greenfield runoff rate of 2.2 l/s as detailed in the Drainage Strategy prepared by Ramboll dated 15/05/2020. The applicant must demonstrate that the site is safe in the event of blockage/failure of the system, including consideration of exceedance flows. The site drainage must be constructed to the approved details.

Reason:

To minimise the potential for the site to contribute to surface water flooding in accordance with Southwark's Strategic Flood Risk Assessment (2017) and Policy 5.13 of the London Plan (2016).

10 Tree Planting

Prior to the commencement of works above grade, and subject to Section 278 negotiations with the Council, full details of all proposed tree and shrub planting as shown in the approved plans (minimum of 16 trees plus two on-street trees on Sylvan Grove) 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 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.

Reason:

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 Saved Policies 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity of The Southwark Plan (2007); Strategic Policies 11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards of the Core Strategy (2011) and The National Planning Policy Framework 2019.

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

11 Bat and Bird Boxes

Prior to the commencement of works above grade, the proposed bird and bat nesting boxes including the exact location, specification and design of the habitats shall be submitted to and approved in writing by the Local Planning Authority.

No less than 6 house sparrow terraces and 6 bat tubes shall be provided and the details shall include the exact location, specification and design of the habitats. The features shall be installed within the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The above features shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Saved Policy 3.28 Biodiversity of The Southwark Plan (2007); Strategic Policy 11 Open spaces and wildlife of the Core Strategy (2011); Policy 7.19 of the London Plan (2016) and The National Planning Policy Framework 2019.

12 Wheelchair Units

Prior to the commencement of works above grade, the applicant shall submit written confirmation from the appointed building control body that the specifications for each dwelling identified in the detailed construction plans meet the standard of the Approved Document M of the Building Regulations (2015) required in the schedule below and as corresponding to the approved floor plans. The development shall be carried out in accordance with the details thereby approved by the appointed building control body.

M4 (Category 2) 'accessible and adaptable':- 13 units – (Flats 11.6, 12.6, 13.6, 14.6, 15.6, 16.6, 17.6, 18.6, 19.6, 20.6, 21.6, 22.6, 23.6)

M4 (Category 3(b) 'wheelchair user dwellings'.- 9 units – (Flats 1.2, 1.3, 2.2, 2.3, 3.2, 3.3, 4.2, 4.3, 5.2)

Reason:

In order to ensure the development complies with Strategic Policy 5 Providing new homes of The Core Strategy (2011) and Policy 3.8 Housing choice of The London Plan (2016).

13 Mock Ups

Prior to the commencement of works above grade hereby approved, a typical elevational mock-up of the development 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.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with Saved Policies 3.12 Quality in Design; 3.13 Urban Design; and 3.20 Tall buildings of The Southwark Plan (2007); Strategic Policy 12 Design & Conservation of the Core Strategy (2011) and The National Planning Policy Framework 2019.

14 Detail Drawings

Prior to commencement of works above grade of the development hereby authorised, detail drawings at a scale of 1:10 through:

- i) all facade variations; and
- ii) commercial 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 Saved Policies 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan (2007); Strategic Policy 12 Design & Conservation of the Core Strategy (2011) and The National Planning Policy Framework 2019.

15 Material Samples

Prior to the commencement of works above grade hereby authorised, 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 Saved Policies 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan (2007); Strategic Policy 12 Design & Conservation of the Core Strategy (2011) and The National Planning Policy Framework 2019.

16 Hard and soft landscaping

Prior to commencement of works above grade hereby authorised, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including details of the play space, play equipment, communal roof terrace, 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. The play equipment shall be provided in accordance with the details thereby approved prior to the occupation of the residential units. All play space and communal amenity space within the development shall be available to all residential occupiers of the development in perpetuity.

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 Saved Policies 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity of the Southwark Plan (2007); Strategic Policies SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards of The Core Strategy (2011) and The National Planning Policy Framework 2019.

17 Flow Rates

Prior to commencement of development (excluding demolition and site preparation works), the specific flow rates for the sanitary ware and water consuming appliances for each of the dwelling types shall be provided to the Local Authority for approval in writing. All dwellings shall be designed to not to exceed 105 litres per person per day (internal water usage), which is equivalent to the 'optional' requirement of the Building Regulations Part G (105 litres/person/day for internal water usage plus 5 litres/person/day for outdoor external usage = 110 litres/person/day). The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

To ensure the development complies with Saved policies 3.3 Sustainability and Energy Efficiency of the Southwark Plan (2007); Strategic Policy 13 High environmental standards of the Core Strategy (2011) and the National Planning Policy Framework 2019.

18 Cycle Storage

Prior to commencement of development above grade, 1:50 scale drawings of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the cycle parking facilities 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 Saved Policy 5.3 Walking and Cycling of the Southwark Plan (2007); Strategic Policy 2 Sustainable Transport of The Core Strategy (2011) and The National Planning Policy Framework 2019,

19 Refuse Storage

Prior to first occupation of the building hereby approved, details of the refuse collection arrangements shall be submitted to and approved by the Local Planning Authority. The development shall be operated in accordance with the approved collection arrangements for the duration of the development.

The refuse storage shall be provided as detailed on the drawings hereby approved and shall be made available for use by the occupiers of the premises prior to the first occupation of the building. The facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

To ensure that the refuse will be appropriately stored within the site and collected regularly thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with: Saved Policies 3.2 Protection of Amenity and 3.7 Waste Reduction of the Southwark Plan (2007); Strategic Policy 13 High Environmental Standards of the Core Strategy (2011) and the National Planning Policy Framework 2019.

20 Green, Brown and Blue Roofs

i) Prior to commencement of development above grade, details of the biodiverse green, brown and blue roofs 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 be carried out strictly in accordance with the details approved and shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Saved Policy 3.28 Biodiversity of The Southwark Plan (2007); Strategic Policy 11 Open spaces and wildlife of the Core Strategy (2011); Policy 7.19 of the London Plan (2016) and The National Planning Policy Framework 2019.

21 Fit Out of B1 (c) Units

Before any work above grade hereby approved begins (excluding demolition), full particulars shall be submitted to and approved by the Local Planning Authority of a scheme showing that the parts of the commercial floorspace to be used for B1c light industrial purposes will be fitted-out to an appropriate level for B1c light industrial use. The particulars referred to in the preceding sentence shall include details of the mechanical and electrical fit-out of the units, heating and cooling provision, sprinklers, and the provision of kitchen and toilet facilities and notwithstanding all permitted development rights shall remain in light industrial use.

The facilities approved shall be installed unless otherwise agreed in writing, and practical completion of the B1c light industrial fit out for each phase shall be at the same time, or before the practical completion of the residential component of the same phase.

Reason:

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case in accordance with Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007); Strategic Policy 1.2 Strategic and local preferred industrial locations of The Core Strategy (2011) and the National Planning Policy Framework 2019.

22 Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. Any contamination be identified that could present an unacceptable risk to controlled waters in accordance with Saved Policies 3.1 Environmental Effects, 3.2 Protection of amenity of the Southwark Plan (2007), Strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2019.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

23 Electric Vehicle Charging Points

Prior to first occupation of the development hereby approved, the installation of at least two active and four active electric vehicle charger points within the car parking area shall be installed and shall not be carried out otherwise in accordance with any such approval given.

Reason:

To encourage more sustainable travel in accordance with Saved Policies 3.1 Environmental Effects and 5.2 Transport Impacts of the Southwark Plan (2007); Strategic Policy 2 Sustainable Transport of The Core Strategy (2011) The National Planning Policy Framework 2019.

24 Off Street Parking

Prior to occupation of the building hereby authorised begins the 6 No. off street wheelchair accessible parking bays shall be provided and 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 car parking facilities are provided for disabled residents, the re-provided car hire business and the proposed car club, in accordance with Saved Policies 5.5 Car Parking, 5.7 Parking Standards for disabled people and the mobility impaired and 5.8 Other Parking of the Southwark Plan (2007); Strategic Policy 2 - Sustainable Transport of The Core Strategy (2011) and The National Planning Policy Framework 2019.

25 BREEAM

- a) Prior to commencement of internal 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;
- b) Prior to first occupation of the commercial premises 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 at (a) have been met.

Reason

To ensure the proposal complies with Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan (2007); Strategic Policy 13 High Environmental Standards of The Core Strategy (2011) and The National Planning Policy Framework 2019.

26 Secure By Design Certification

Prior to 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 Saved Policy 3.14 Designing out crime of the Southwark Plan (2007);

Strategic Policy 12 - Design and Conservation of The Core Strategy (2011) and The National Planning Policy Framework 2019..

27 Marketing Material

Prior to occupation, details of the marketing materials for sale and rental properties shall be submitted and approved in writing by the local planning authority clearly identifying the development as car free and that all new residents should sign acknowledgement of the permit free status of their new home.

Reason

To ensure compliance with Saved policy 5.2 Transport Impacts of the Southwark Plan (2007) and Strategic Policy 2 - Sustainable Transport of the Core Strategy (2011)

28 Ecology

The measures for the mitigation of impact and enhancement of biodiversity, set out in the Preliminary Ecological Appraisal shall be implemented in full prior to occupation. The timing of vegetation clearance works shall adhere to the above. Works to the arches should take place between September and January. If evidence of nesting birds is identified, work shall stop and a suitable no-work buffer zone around the nest area should be installed, until such a time when chicks have fledged.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Saved Policy 3.28 Biodiversity of The Southwark Plan (2007); Strategic Policy 11 Open spaces and wildlife of the Core Strategy (2011); Policy 7.19 of the London Plan (2016) and The National Planning Policy Framework 2019..

29 Noise Transfer

The habitable rooms within the development that share a party wall element with adjoining flats shall be designed and constructed to provide sufficient resistance to the transmission of sound sufficient to ensure that the party wall meets a minimum of 5dB improvement from the Building Regulations standard set out in Approved Document E.

- a) A written report shall be submitted to and approved by the Local Planning Authority detailing these measures. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter. The development shall be carried out in accordance with the approval given.
- b) Prior to occupation a validation test shall be carried out on a relevant sample of premises following completion of the development. The results shall be submitted to the LPA in writing for approval.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the adjacent premises accordance with Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007); Strategic Policy 13 High environmental standards of the Core Strategy (2011) and the National Planning Policy Framework 2019.

30 Noise Transfer Between Commercial and Residential Uses

The habitable rooms within the development sharing a party ceiling/floor element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that noise due to the commercial premises does not exceed NR20 when measured as an LAeq across any 5 minute period.

- a) A report shall be submitted in writing to and approved by the LPA detailing acoustic predictions and mitigation measures to ensure the above standard is met. The development shall be carried out in accordance with the approval given.
- b) Following completion of the development and prior to occupation, a validation test shall be carried out on a relevant sample of premises. The results shall be submitted to the LPA for approval in writing and the approved scheme shall be permanently maintained thereafter.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007); Strategic Policy 13 High environmental standards of the Core Strategy (2011) and the National Planning Policy Framework 2019.

31 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:

Bedrooms - 35dB LAeq T†, 30 dB L Aeq T*, 45dB LAFmax T *

Living and Dining rooms- 35dB LAeq T †

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

† - Daytime - 16 hours between 07:00-23:00

Following completion of the development and prior to occupation, a validation test shall be carried out on an appropriate sample of premises to demonstrate that the above requirements have been met. The results shall be submitted to the LPA for approval in writing. The approved scheme shall be implemented and permanently maintained thereafter.

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 Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007); Strategic Policy 13 High environmental standards of the Core Strategy (2011) and the National Planning Policy Framework 2019.

32 External lighting

Any external lighting system installed at the development shall comply with the Institute of Lighting Professionals (ILE) Guidance Note 1 for the reduction of obtrusive light (2020). Details of any external lighting (including: design; power and position of luminaries; light intensity contours) of all affected external areas (including areas beyond the boundary of the development) shall be submitted to and approved by the Local Planning Authority in writing before any such lighting is installed. The development shall not be carried out otherwise than in accordance with any such approval given.

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 Saved Policies 3.2 Protection of Amenity and 3.14 Designing out crime of the Southwark Plan (2007); Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy (2011) and The National Planning Policy Framework 2019.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

33 Land Use

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders), the Class B1 use hereby permitted shall only be for Class B1(a), (b) or (c) uses. At least 1,885sqm floor space must be provided as B1 (c) use.

Reason:

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case in accordance with Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007); Strategic Policy 1.2 Strategic and local preferred industrial locations of The Core Strategy (2011) and the National Planning Policy Framework 2019.

34 Energy Efficiency

The development hereby permitted shall be constructed to include the energy efficiency measures, air source heat pumps and photovoltaic panels as stated in the Energy Assessment by Twinn Sustainability Innovation submitted in support of the application. All measures and technologies shall remain for as long as the development is occupied, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development complies with Strategic Policy 13 High Environmental Standards of the Core Strategy (2011); Policy 5.7 Renewable Energy of the London Plan (2016) and National Planning Policy Framework 2019.

35 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 Saved Policies 3.2 Protection of Amenity and 3.13 Urban Design of the Southwark Plan (2007); Strategic Policy 12 - Design and Conservation of The Core Strategy (2011) and The National Planning Policy Framework 2019.

36 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:

Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters in accordance with Saved Policies 3.1 Environmental Effects, 3.2 Protection of amenity of the Southwark Plan (2007), Strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2019.

37 Servicing Hours

Any deliveries or collections to the commercial units shall only be between the following hours: 08.00 to 20.00hrs on Monday to Saturday and 10.00 to 16.00hrs on Sundays & Bank Holidays

Reason:

To safeguard the amenity of neighbouring residential properties in accordance with Saved Policies 3.1 Environmental Effects, 3.2 Protection of amenity of the Southwark Plan (2007), Strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2019.

38 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+A1:2019.

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 Saved Policy 3.2 Protection of amenity of the Southwark Plan (2007), Strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2019.

Other condition(s) - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

39 The buildings hereby approved shall have the following maximum storey heights, Commercial Building - 5 storeys (25.6m AOD) and residential building - 32 storeys (107.8m AOD).

Reason:

For the avoidance of doubt and in the interests of proper planning.

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. A number of amendments have been made to the application in order to enable a positive recommendation to be made.

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