

Planning Committee

Tuesday 26 July 2022

6.30 pm

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

Membership

Councillor Richard Livingstone (Chair)
Councillor Kath Whittam (Vice-Chair)
Councillor Ellie Cumbo
Councillor Nick Johnson
Councillor Richard Leeming
Councillor Reginald Popoola
Councillor Bethan Roberts
Councillor Cleo Soanes

Reserves

Councillor Sam Foster
Councillor Jon Hartley
Councillor Sarah King
Councillor Sunny Lambe
Councillor Margy Newens
Councillor Sandra Rhule
Councillor Michael Situ
Councillor Emily Tester

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

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

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 18 July 2022



Planning Committee

Tuesday 26 July 2022

6.30 pm

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

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	3 - 5
	To approve as a correct record the minutes of the meeting held on 11 July 2022.	
6.	ARTICLE 4 DIRECTION TO WITHDRAW THE PERMITTED DEVELOPMENT RIGHTS FOR THE DEMOLITION OF NO. 41 LINDEN GROVE, SE15 3LW	6 - 32

1. To approve an immediate Article 4(1) direction to withdraw the permitted development right granted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which would otherwise permit the demolition of no.41 Linden Grove that has been identified as a heritage asset.
2. To approve consultations to be undertaken for a period of six weeks in relation to the immediate Article 4(1) direction.

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| 7. | TO RELEASE £487,532.15 OF SECTION 106 FUNDING FROM THE GREEN BUILDINGS FUND FOR ITS ADMINISTRATION, PROJECT DELIVERY AND MANAGEMENT; AND CARBON OFFSETTING AND CLIMATE CHANGE WORK | 33 - 42 |
|----|---|---------|

To approve the release of £487,532.15 of pooled Section 106 carbon offsetting financial contributions from the council's green buildings fund.

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|----|---|-----------|
| 8. | DEVELOPMENT MANAGEMENT | 43 - 47 |
| | 8.1. ZONE L, CANADA WATER MASTERPLAN SURREY QUAYS ROAD LONDON SOUTHWARK SE16 7LL | 48 - 234 |
| | 8.2. ZONE F, CANADA WATER MASTERPLAN, SURREY QUAYS ROAD LONDON SOUTHWARK, SE16 7LL | 235 - 399 |
| | 8.3. BURGESS BUSINESS PARK, PARKHOUSE STREET LONDON SE5 7TJ | 400 - 764 |

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.”



Planning Committee

Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

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 and wish to speak) for **not more than 3 minutes each**.

- (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-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).
- (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 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.
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, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any

issues need to be clarified later in the proceedings; it 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 which is open to the public and there should be no interruptions from the audience.
10. No smoking is allowed at committee.
11. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

Please note:

Those wishing to speak at the meeting should notify the constitutional team by email at ConsTeam@southwark.gov.uk in advance of the meeting by **5pm** on the working day preceding 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

Planning Committee Clerk, Constitutional Team
Finance and Governance
Tel: 020 7525 5485



PLANNING COMMITTEE

MINUTES of the Planning Committee held on Monday 11 July 2022 at 6.30 pm
at Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Richard Livingstone (Chair)
Councillor Kath Whittam (Vice-Chair)
Councillor Ellie Cumbo
Councillor Richard Leeming
Councillor Reginald Popoola

OTHER MEMBERS PRESENT: Councillor Margy Newens

OFFICER SUPPORT: Colin Wilson, Head of Strategic Development
Dipesh Patel, Development Management
Gemma Usher, Development Management
Alex Gillott, Senior Solicitor
Gregory Weaver, Constitutional Officer

1. APOLOGIES

Apologies were received from Councillor Bethan Roberts and Councillor Cleo Soanes.

2. CONFIRMATION OF VOTING MEMBERS

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

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

The chair drew members' attention to the members' pack and the addendum report, which had been circulated before the meeting.

4. **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Councillor Kath Whittam noted that the application being considered was close to her ward of Rotherhithe but that she retained an open mind.

5. **MINUTES**

The minutes of the meetings which took place on the 19 April 2022 and the 8 June 2022 were agreed.

6. **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 attached items were 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 be agreed.
3. That where reasons for decisions or conditions were not included or not as included in the reports relating to an individual item, they be clearly specified and agreed.

6.1 **ZONE H OF THE CANADA WATER MASTERPLAN, LAND FORMING THE SOUTHWESTERN PART OF PRINTWORKS, SURREY QUAYS ROAD**

Planning Application Number: 21/AP/3338

PROPOSAL:

Details of all reserved matters (Access, Appearance, Landscaping, Layout and Scale) pursuant to hybrid planning permission ref. 18/AP/1604 dated 29th May 2020 for comprehensive mixed use development of the Canada Water Masterplan site.

Reserved Matters approval sought for Development Plots H1 and H2 (Development Zone H of the Masterplan), comprising the partial demolition, vertical

and horizontal extension and refurbishment of the former Harmsworth Quays Printworks building to provide 45,504 sqm (GEA) of commercial floorspace comprising workspace (Use Class B1) and flexible workspace/retail (A1-A4/B1) with disabled car parking, cycle parking, landscaping, public realm, plant and associated works.

The committee heard the officer's introduction to the report and noted the addendum report. Members of the committee asked questions of officers present.

There were no objectors present wishing to speak.

The applicant's representatives addressed the committee and answered questions put by the committee.

There were no supporters and ward councillors present and wishing to speak.

The committee discussed this application and asked further questions of planning officers.

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 additional conditions and informatives as set out in the draft recommendation at Appendix 1.
2. That it be noted that this Reserved Matters Application is bound by the s106 legal agreement and conditions attached to the Outline Planning Permission 18/AP/1604.
3. That environmental information be taken into account as required by Regulation 26(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

The meeting ended at 7.51pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 26 July 2022	Meeting name: Planning Committee
Report title:		Article 4(1) direction to withdraw the Permitted Development Rights for the demolition of no. 41 Linden Grove, SE15 3LW	
Ward(s) or groups affected:		Nunhead and Queen's Road	
From:		Director of Planning and Growth	

RECOMMENDATIONS

That the Planning Committee:

1. Approves an immediate Article 4(1) direction (Appendix A) to withdraw the permitted development right granted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which would otherwise permit the demolition of no.41 Linden Grove (site identified in Appendix B) that has been identified as a heritage asset.
2. Approves consultations be undertaken for a period of 6 weeks in relation to the immediate Article 4(1) direction.
3. Notes the equalities analysis of the proposed Article 4(1) direction (Appendix C).

BACKGROUND INFORMATION

Site Location and description

4. No. 41 Linden Grove is a well-proportioned, 3-storey early Victorian villa that is three windows wide and over lower ground, upper ground and first floor level, and with a low-rise hipped roof and overhanging eaves. The architecture has a simple classical style, comprising brickwork with camber arched window openings with an evident hierarchy, centred around the front entrance with its simple stucco surround and stoop. The building appears to retain its original fenestration, including shutters, whilst the brickwork is London stock with an attractive patina. The roof is slate, but looks worn. The building is not listed and is not within a conservation area.
5. The property includes a two-storey gabled outbuilding that abuts its west flank and a single storey outbuilding that abuts to its east. Both outbuildings are in the same brickwork and are likely to be contemporaneous with the house, albeit modified. The property is set

within good-sized front and rear gardens, although the plot tapers towards the rear, being on the inside curve on Linden Grove.

6. The building is located on the north side of Linden Grove: a long mainly residential road that arcs between its junction with Nunhead Lane to the northwest and Oakdale/ St Asaph Road to the west. Linden Grove forms the main entrances to Nunhead Cemetery and to Nunhead Reservoir, which border much of the south side of the road, with a wooded section of the reservoir's grounds sitting directly opposite the property.
7. The building sits back within its plot, contributing to the general building line, and is flanked by residential properties to both sides. Those to its west comprise a short block of six 2-storey interwar terraced houses (no.37-39b) in the Arts and Crafts style; whilst the property to the east is a modern 4-storey flatted block constructed in 2005, and which steps down to two storeys onto the adjacent Nunhead Grove.
8. It is a tall building relative to its surroundings and is in a prominent position on a curve on the road. It is thus a recognisable landmark for many local people and contributes positively to the local townscape.
9. Officers are currently considering a planning application for the redevelopment of the site for residential, providing a new 4-storey flatted block (21/AP/3580). However, the Town and Country Planning (General Permitted Development) (England) Order (2015) (as amended) ("GPDO") allows for the demolition of buildings outside conservation areas without planning permission. As such, No.41 Linden Grove could be demolished prior to the council determining the current planning application for the building's replacement or considering any further planning application were this to be considered necessary.
10. It is therefore considered appropriate to implement an immediate Article 4(1) direction to remove the following permitted development rights from No.41 Linden Grove.

*Town and Country Planning (General Permitted Development)
(England) Order 2015 (as amended)
Schedule 2, Part 11: Heritage and demolition
Class B: Demolition of buildings*

Article 4 direction

11. An Article 4 direction can be used to remove specific permitted development rights in all or parts of a local authority's area. It does not restrict development altogether, but instead ensures that development requires planning permission. A planning application for the demolition would need to be submitted and that would then be determined in accordance with the development plan. Demolition could only be undertaken lawfully with express planning consent, and would otherwise be a breach of planning control and subject to enforcement action.

12. The government's national planning practice guidance (NPPG entitled 'When is permission required?') sets out guidance on the use of Article 4 directions. The NPPG states that an Article 4 direction to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area. It also states that in deciding whether an Article 4 direction would be appropriate, local planning authorities should identify clearly the potential harm that the direction is intended to address (paragraph 038).
13. An Article 4 direction can be either immediate or non-immediate depending upon the date given within the notice as to when it is to come into force. An immediate Direction can be made where the development presents an immediate threat to local amenity or prejudices the proper planning of an area (NPPG paragraph 045).
14. In the case of this report, the council is proposing to make an immediate Article 4(1) direction, the procedure for which is set out in Schedule 3 of the GPDO and can be summarised as follows:

Stage 1 Direction-making (current)

The council makes an Article 4(1) direction withdrawing permitted development rights with immediate effect.

Stage 2 Publication and consultation

The council:

- i) publishes the notice of the direction in a local newspaper;
- ii) serves notice on the site owner and occupier, where practicable;
- iii) displays notices on site for a period of not less than 6 weeks; and
- iv) specifies a period of at least 21 days during which representations may be made.

The direction comes into force on the date on which the notice is served on the owners / occupiers of the land, or where such service is not practicable, on the date of publication in the press.

Stage 3 SoS Notification

On the same day that notice is given under Stage 2 above, the council refers its decision to the Secretary of State who has wide powers to modify or cancel a Direction.

Stage 4 Confirmation

The council may confirm the Direction not less than 28 days from the latest date of service or publication of notice of the Direction, taking into account any representations that have been received. The council must then give notice of the confirmation and issue a copy of the direction to the Secretary of State.

If the council does not confirm the Direction within 6 months, it lapses.

Compensation

15. In some circumstances the council can be liable to compensate developers or landowners whose developments are affected by Article 4 directions. Under sections 107 and 108 of the Town and Country Planning Act 1990 Local planning authorities are liable to pay compensation to landowners who would have been able to develop under the permitted development rights that an Article 4 direction withdraws, if they:
 - Refuse planning permission for development which would have been permitted development if it were not for an Article 4 direction; or
 - Grant planning permission subject to more limiting conditions than the GPDO would normally allow, as a result of an Article 4 direction being in place.
16. The compensation may be claimed for abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights. 'Abortive expenditure' includes works carried out under the permitted development rights before they were removed, as well as the preparation of plans for the purposes of any work.
17. Loss or damage directly attributable to the withdrawal of permitted development rights can include the depreciation in the value of land or a building(s), when its value with the permitted development right is compared to its value without the right.

Planning applications

18. If permitted development rights are withdrawn and planning permission is required, the council would be obliged to determine the proposal in accordance with the development plan unless material considerations indicate otherwise. The policy context is set out below.
19. It should be noted that where permitted development rights are withdrawn, the standard planning application fees nonetheless apply. As of January 2018, an earlier fee exemption for those properties affected by Article 4 directions is no longer valid.

KEY ISSUES FOR CONSIDERATION

20. This report sets out the proposal is to consider an Article 4(1) direction for no.41 Linden Grove to remove the rights of the owners to demolish the building without first gaining express consent from the council as the local planning authority.
21. Under the current GPDO, the building could be demolished prior to the submission of or during the processing of a planning application. As such, the building would be demolished without any consideration of its heritage value. The Article 4(1) direction seeks to avoid this. In effect, it requires

the application to consider actively whether and how the building could be retained and its heritage contribution conserved.

22. It is important to note that in agreeing the Article 4(1) direction this does not predetermine the current planning application. It simply allows for a full assessment of the planning merits of the scheme, including the potential loss of the existing building's heritage contribution. It does not preclude the building's loss, but ensures that its replacement is justified and appropriate.
23. Where an Article 4(1) direction has been made removing Schedule 2 Part 11 Class B rights, demolition without a grant of planning permission would be a breach of planning control and subject to enforcement action.
24. The authorisation is therefore recommended to remove permitted development rights for demolition to protect no.41 Linden Grove, which is not listed or in a conservation area and needs protection.

Contribution of no.41 Linden Grove

25. As described above, no.41 Linden Grove is a good example of a fine early Victorian villa in terms of its built form and surviving detailing. The villa's simple classical style is attractive, albeit the 3-storey building appears to be in poor condition.
26. The building is one of the few survivors of the early 19th century suburbanisation of the local area, which initially saw the development of large villas and townhouses along Linden Grove between its junctions with Nunhead Lane and Nunhead Grove. The urban form predates the arrival of Nunhead Cemetery (1840) and railway station (1871), and the subsequent densification of the area towards the end of the 19th century with infill development of more modest terraced housing. Many of the villas were lost during the 1930s, initially replaced by large flatted residential blocks, which in turn were redeveloped to provide modern housing estates at the beginning of this century.
27. No.41 Linden Grove retains its villa form and appearance, and is a notable outlier, the other surviving villas being located close to the junction of Nunhead Road and within the Nunhead Green conservation area. Its prominent position on the curve of the road and notable architecture make for a local landmark along this stretch of Linden Grove, close to the cemetery. It contributes positively to the local townscape. Given its history, fine architecture and prominent position, the building is regarded by officers as a Non-Designated Heritage Asset (NDHA).



Image of no.41 Linden Grove

Policy context

28. The National Planning Policy Framework (NPPF) identifies that heritage assets contribute to the social and environmental roles of sustainable development. These are at risk from demolition without planning permission or an assessment of their heritage value. In the instance of this Article 4(1) direction, the requirement of removing permitted development rights at no.41 Linden Grove seeks to comply with the social and environmental role of the NPPF.
29. The social role: Removing the permitted development rights for demolition of no. 41 Linden Grove will ensure that the contribution to the cultural well-being they provide to the community can be considered within a planning application and it is not lost without consideration through the demolition without a forthcoming scheme.
30. The environmental role: the NPPF supports the conservation and enhancement of the historic environment, recognising that heritage assets are an irreplaceable resource. No.41 Linden Grove contributes to the character and historic fabric of the area.
31. As set out in paragraph 189 of the NPPF, 'Heritage Assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value.'. It highlights that the council should identify and assess the particular significance of any

heritage asset that may be affected by a proposal taking account the available evidence and necessary expertise.

32. Not all heritage assets are designated. Nonetheless, the NPPF expects the local planning authority to take into account the effect of an application on the significance of a non-designated heritage asset when determining a planning application (para. 203). Removing the permitted development rights for demolition of no.41 Linden Grove will allow the council to consider the significance of the heritage value through the planning application process.
33. The London Plan (March 2021) believes London's diverse range of designated and non-designated heritage assets contributes to its status as a world-class city. It therefore advocates the identification and sensitive management of London's heritage assets, in tandem with promoting the highest standard of architecture. This, it regards, as 'essential to maintaining the blend of old and new that contributes to the capital's unique character.' (para 7.13). It supports the creative re-use of heritage assets and the historic environment, requiring development proposals to conserve a heritage asset's significance and to promote the effective integration of London's heritage in regenerative change (policy HC1).
34. The Southwark Plan requires development to conserve and enhance the significance of designated and non-designated heritage assets and their settings, and to enable the viable use of the heritage asset that is consistent with its on-going and long-term conservation (Policy P21). This Article 4(1) Direction will ensure a planning application is required to allow the council's assessment of the viable retention of no.41 Linden Grove

Methodology

35. The NPPF advises in para.53 that the use of Article 4 directions to remove national permitted development rights should be limited to situations where it is necessary to protect local amenity or the wellbeing of the area. This is reiterated in the NPPG, which also states local planning authorities should identify clearly the potential harm that the direction is intended to address and that immediate directions can be made where the development presents an immediate threat to local amenity or prejudices the proper planning of an area.
36. The council considers no.41 Linden Grove to be a non-designated heritage asset. This Article 4 direction is necessary to allow a full assessment of the current planning application or any subsequent planning application, unfettered by the risk of its interim demolition, and thereby ensure the proper planning of the site.

Areas affected

37. The NPPG states that an Article 4 direction to remove national permitted development rights should be limited to situations where this is necessary

to protect local amenity or the wellbeing of the area. For the reasons outlined above it is considered this Article 4 direction should relate only to the building plot of no.41 Linden Grove (extent illustrated at Appendix B) due to the heritage significance as outlined above.

Conclusions

38. An Article 4(1) direction can be made if the council is satisfied that it is expedient that demolition should not be carried out unless planning permission is granted and that in the case of immediate direction, there is an immediate threat to local amenity or prejudices the proper planning of an area
39. Officers consider no.41 Linden Grove to be a fine example of an early Victorian house that makes a significant contribution to the architectural and historic interest and visual impact of the area, forming a non-designated heritage asset. The submission of the current planning application for the building's replacement presents a risk of demolition and constitutes a threat to the amenity of the area
40. The use of an Article 4 direction would not restrict development altogether, but instead ensure that demolition requires planning permission and that the building's loss as a non-designated heritage asset would actively form a material consideration in determining the planning application.
41. For the above reasons, it is therefore recommended that an immediate Article 4(1) direction preventing the demolition of the property be agreed.

Policy framework implications

42. The Southwark Plan (February 2022)
Policy P21 - Conservation of the historic environment and natural heritage

The London Plan (March 2021)
Policy HC1 - Heritage conservation and growth.

The National Planning Policy Framework (NPPF) July 2021

Community, equalities (including socio-economic) and health impacts

Community impact statement

43. Southwark Council is committed to achieving the best quality of life for its residents. This includes maintaining a strong local economy and revitalised neighbourhoods for the communities within Southwark. It is vital that a strong policy framework ensures the borough's heritage and community values continue to be protected for the benefit of local residents. The Article 4(1) direction seeks to protect the demolition of no.41 Linden Grove without a robust analysis through the planning

process.

44. The equalities analysis (Appendix C) has concluded that the Article 4(1) direction will have a positive impact on equalities and they will assist the council in implementing its planning policy framework, which has also undergone equalities analysis.

Equalities (including socio-economic) impact statement

45. Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights (ECHR). Various Convention rights may be engaged in the process of making and considering these Article 4 direction, including under Article 1 of the First Protocol (Protection of property) and Article 8 (Right to respect for a private and family life). The European Court has recognised that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole”. Both public and private interests are to be taken into account in the exercise of the council’s powers and duties as a local planning authority. Any interference with a Convention Right must be necessary and proportionate.
46. The council has carefully considered the balance to be struck between individual rights and the wider public interest. The rights of those affected by the proposed Article 4 direction have been considered under the Human Rights Act 1998 and it has been determined that the Articles will not be triggered.
47. In consulting upon the introduction of the Article 4 direction the council has had regard to its public sector equality duty (PSED) under s.149 of the Equality Act 2010.
48. The PSED is only one factor that needs to be considered when making a decision and may be balanced against other relevant factors. The council also took into account other relevant factors in respect of the decision, including financial resources and policy considerations. In appropriate cases, such countervailing factors may justify decisions which have an adverse impact on protected groups
49. The council has given consideration to all the protected characteristics in the Equality Act 2010 to ensure that any potential impacts of the proposed immediate Article 4 direction on these groups of people have been considered and where possible mitigated (Appendix C).

Health impact statement

50. The Article 4 direction is a legal matter in requiring planning permission first be obtained for the demolition of an existing building. It does not preclude demolition per se, but would allow for a planning condition to confirm the demolition and waste removal process, which could in themselves present

health concerns and would require careful control.

Climate change implications

51. The Article 4 direction does not preclude demolition of the building should a reasoned and justifiable case be made, the retention of the existing building as a non-designated heritage asset would also preserve the embodied energy within the building fabric, helping the council to meet its net zero carbon climate change goals.

Resource implications

52. The notification and public consultation process will not result in resource implications for the staffing of the department of the chief executive. Such undertakings are part of the management of the historic environment and as such will be carried out by the department's conservation and design team within its existing staffing resources.
53. Other resource implications will be the cost of advertising the Article 4 direction for the purposes of public consultations, which can met within the department of the chief executive's revenue budget. The cost is a standard charge.
54. The Article 4 direction would not generate additional planning casework per se. It would require the need to obtain planning permission for the building's demolition, which would form part of a planning application for the site's development.

Legal implications

55. The legal implications that arise from the Article 4 direction relate to the requirements to undertake statutory consultations as part of the direction-making process; and in the outcome of the immediate Article 4 direction itself. The latter would legally require the applicant to obtain express planning consent for the demolition of the property prior to the commencement any such works. The council would consider the case for demolition as part of the application decision-making process, weighing the planning benefits and dis-benefits of the scheme, including heritage. There would be no additional legal implications for the council beyond these statutory processes.

Financial implications

56. As is noted above, should the local authority refuse planning permission for development that otherwise would have been granted by the GPDO (or grant planning permission but with more onerous conditions than would have the case under the GPDO) the council has a potential liability for compensation. Any compensation may relate either to a depreciation in the value of land or buildings which results from failure to gain planning permission or to abortive expenditure. Therefore, there is a risk that the

proposed direction will make the council liable to compensation claims. Because circumstances vary widely, it is not possible to gauge the magnitude of such claims.

57. Any claim for compensation will be dealt with through the council's official complaints procedure and it is anticipated that any award would be contained within the planning division's budget. This position will be monitored and if the award cannot be contained within existing departmental revenue budgets will be reflected in the council's revenue budget monitoring arrangements for funding from council reserves.
58. Any potential drawdown from council reserves for the payment of compensation claims will be subject to agreement by the relevant cabinet member, or full cabinet in the case of claims over £50,000.
59. Staffing and any other costs connected with this recommendation will be contained within existing departmental revenue budgets.

Consultation

60. No public consultations have been carried out to date. Consultations will be undertaken as part of the Article 4(1) direction process, complying with provisions set out in the GPDO. Notice of the direction will be made by:
 - Local advertisement in the press;
 - Site notices placed outside no. 41 Linden Grove for a period of at least 6 weeks; and
 - Written notification sent to every owner/ occupier, specifying a period of at least 21 days in which representations can be made.
61. Following the representation period and within 6 months of the direction being notified and coming into effect, a report recommending whether the direction should be confirmed will be reported back to planning committee.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

62. Planning Committee is being asked to approve the making of an Article 4(1) direction to withdraw the permitted development rights granted by Schedule 2, Part 11, Class B of the GPDO to restrict the demolition of the buildings forming no.41 Linden Grove without planning permission, to approve a public consultation in respect of the Article 4(1) direction and to note the equalities analysis annexed to this report.
63. Part 3F of the council's Constitution entitled "Matters reserved for decision by the planning committee" at paragraph 3 reserves to Planning Committee any authorisations under Article 4 of the Town and Country Planning Permitted Development Order. This confirms Planning

Committee has authority to take the decisions being asked of it.

64. The Equality Act 2010 introduced the public sector equality duty, which merged existing race, sex and disability equality duties and extended them to include other protected characteristics; namely age, gender reassignment, pregnancy and maternity, religion and belief and sex and sexual orientation, including marriage and civil partnership. In summary those subject to the equality duty, which includes the council, must in the exercise of their functions: (i) have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and (ii) foster good relations between people who share a protected characteristic and those who do not. This report notes the conclusion in the equalities analysis that the Article 4 direction is anticipated to have a positive impact on equalities. The report should however be considered in full.
65. In addition, the Human Rights Act 1998 imposed a duty on the council as a public authority to apply the European Convention on Human Rights; as a result the council must not act in a way which is incompatible with these rights. The most important rights for planning purposes are Article 8 (respect for homes); Article 6 (natural justice) and Article 1 of the First Protocol (peaceful enjoyment of property). It is important to note that few rights are absolute in the sense that they cannot be interfered with under any circumstances. 'Qualified' rights, including Article 8 and the First Protocol, can be interfered with or limited in certain circumstances. The extent of legitimate interference is subject to the principle of proportionality whereby a balance must be struck between the legitimate aims to be achieved by a local planning authority in the policy making process against the potential interference with individual human rights. In this case it is considered proportionate to remove permitted development rights in order to protect the non-designated heritage asset at 41 Linden Grove.

Strategic Director of Finance and Governance

66. This report is requesting the planning committee to approve the immediate Article 4(1) direction (Appendix A) to withdraw the permitted development rights for demolition granted by the General Permitted Development Order 2015 (as amended) for the Stables and the Forge. Full details and background is provided within the main body of the report.
67. This report is also requesting the planning committee to approve consultation for 6 weeks in relation to the immediate Article 4(1) direction and notes the equalities analysis of the proposed Article 4(1) direction (Appendix C).
68. The strategic director of finance and governance notes that the proposed Article 4 direction may lead to potential compensation claims but it is not possible to gauge the magnitude of such claims. It is noted that any claim for compensation will be dealt through the council's official complaints procedure and sanctioned by the relevant cabinet member under the

council's constitution as reflected in the report.

69. It is also noted that any agreed claims for compensation would be contained within the existing departmental revenue budgets where possible before funding from councils reserves are requested.
70. Staffing and any other costs connected with this recommendation to be contained within existing departmental revenue budgets.

Other officers

71. None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
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 1513 Council website: www.southwark.gov.uk
https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/new-southwark-plan		

APPENDICES

No.	Title
Appendix A	Draft Article 4(1) direction to withdraw Permitted Development Rights granted by Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)
Appendix B	Article 4 direction boundary
Appendix C	Equalities analysis

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Richard Craig, Team Leader	
Version	Final	
Dated	15 July 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		15 July 2022

DRAFT ARTICLE 4(1) DIRECTION**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015 (AS AMENDED)****DIRECTION MADE UNDER ARTICLE 4(1)**

WHEREAS the London Borough of Southwark (“the Council”) being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“the Order”) is satisfied that it is expedient that development of the description set out in the Schedule below should not be carried out on the land shown edged red in the attached plan as it would constitute a threat to the amenities of the Council’s area, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 (as amended).

NOW THEREFORE the Council in pursuance of the power conferred on it by article 4(1) of the Order hereby directs that the permission granted by article 3 of the Order shall not apply on the said land to development of the description set out in the Schedule below:

THIS DIRECTION is made under article 4(1) of the Order and, in accordance with paragraph 2 of Schedule 3 of the Order, shall come into force with immediate effect from the date of service (or, if applicable, publication) of notice of this Direction in accordance with paragraphs 2(5), 1(1)(c) and (if applicable) 1(2) of Schedule 3 of the Order and shall remain in force for six months from that date and shall then expire unless it has been confirmed by the Council in accordance with paragraphs 1(9) and (10) of Schedule 3 of the Order before the end of the six month period.

SCHEDULE

Development consisting of the demolition of a building as comprised within Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) Order 2015.

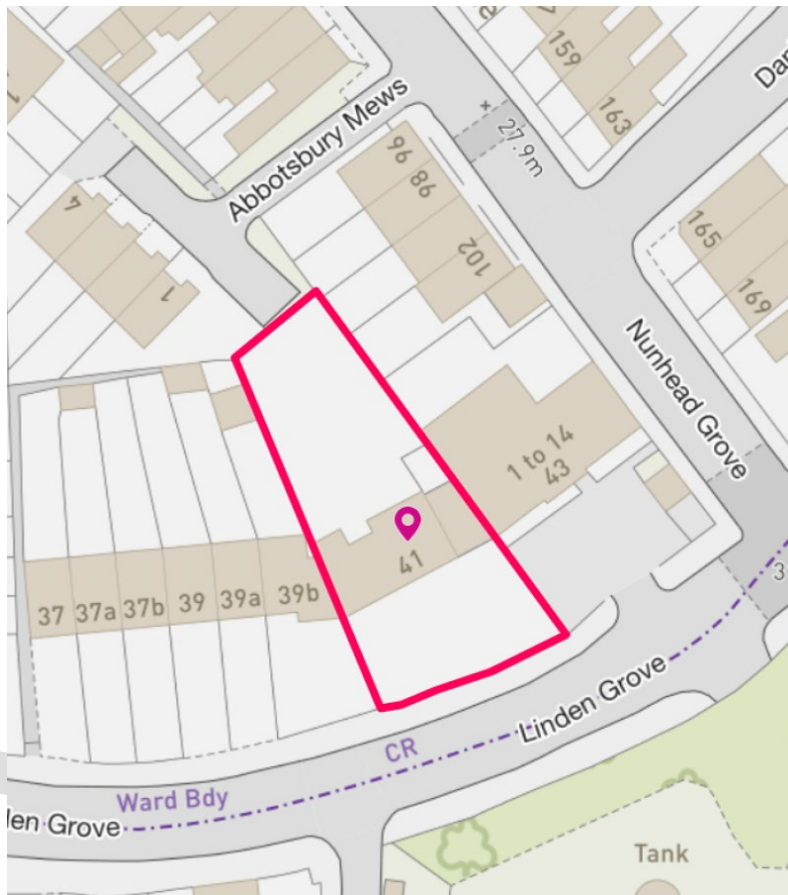
1. Made under the Common Seal of the London Borough of Southwark this XX day of XXX 2022

2. Confirmed under the Common Seal of the London Borough of Southwark this
XXX day of XXX 202X

DRAFT

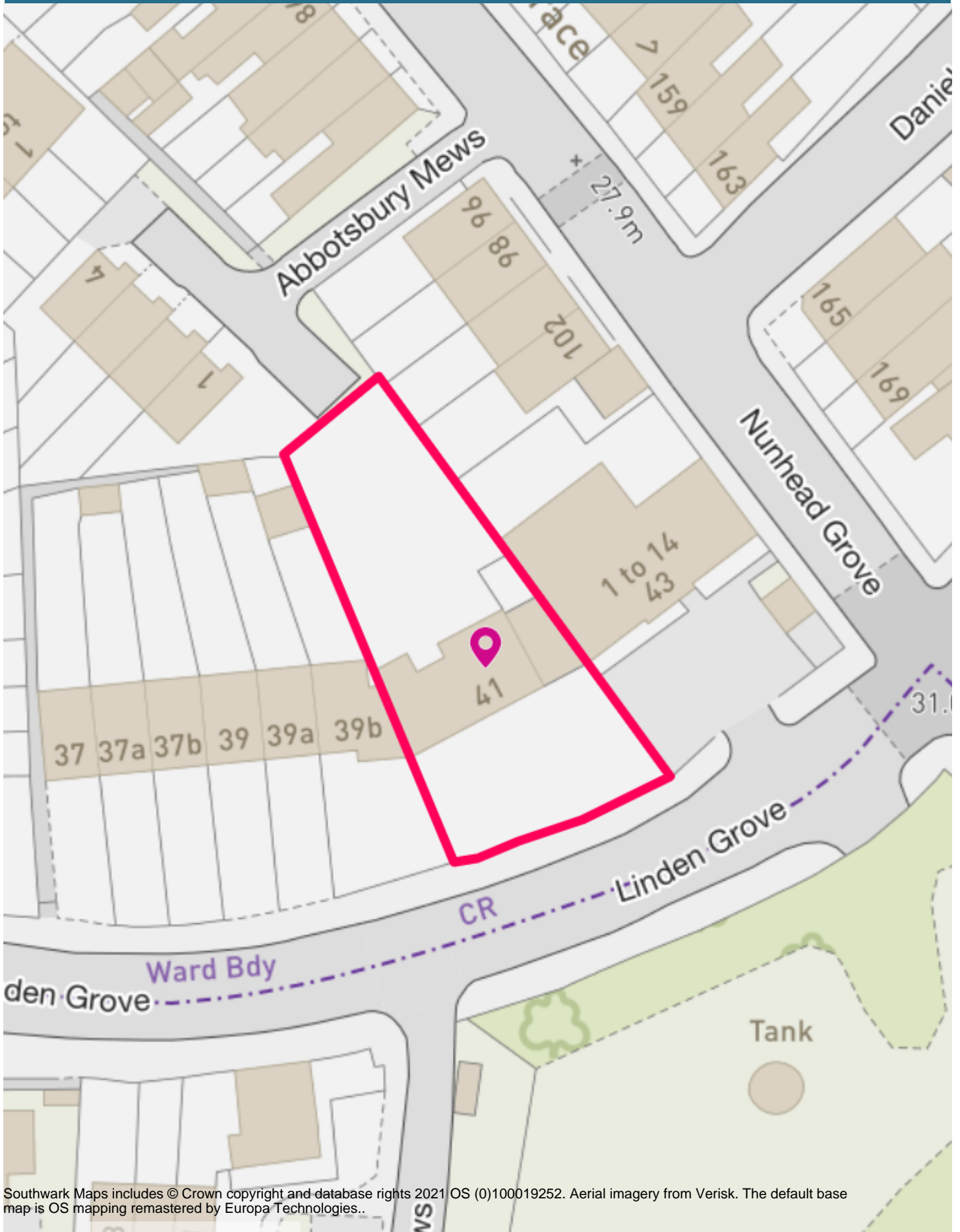
Annex

Land at no.41 Linden Grove





Appendix B - Article 4 Direction boundary
41 Linden Grove



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APPENDIX C

Equalities analysis of the proposed Article 4 direction

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates		Article 4 Direction to withdraw the Permitted Development Rights granted by Schedule 2, Part 11, Class B, of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)			
Equality analysis author		Richard Craig			
Director		Stephen Platts			
Department	Chief Executive	Division	Planning and Growth		
Period analysis undertaken		July 2022			
Date of review (if applicable)		TBC – A review could take place at the time when the Article 4 direction is confirmed			
Sign off	Richard Craig	Position	Design and Conservation, Team Leader	Date	July 2022

Section 2: Brief description of policy/decision/business plan

Brief description of policy/ decision/ business plan
<p>This equalities analysis report supports the report to Planning Committee on 26 July 2022. The report requests consultation on the introduction of an immediate Article 4 direction to remove permitted development rights for no.41 Linden Grove, SE15 3LW granted by Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).</p> <p>Schedule 2, Part 11, Class B of the Order allows demolition of a building not in a Conservation Area without the need to apply for planning permission. The permitted development rights to demolish buildings outside conservation areas without planning permission poses a risk to the building as a non-designated heritage asset (NDHA).</p> <p>The Council considers that any proposed development of the site that includes demolition should be assessed on an individual basis through the planning</p>

application process and that the council has up-to-date planning policies to enable a robust assessment.

An Article 4 direction can be used to remove specific permitted development rights in all or parts of the local authority's area. It would not restrict development altogether, but instead ensure that development of the building requires planning permission. A planning application for the proposal would need to be submitted and would then be determined in accordance with the development plan.

An Article 4 direction can either be immediate or non-immediate depending upon whether notice is given of the date on which they come into force. In the case of this report, the Council is proposing to make an immediate Article 4 direction to withdraw the permitted development rights for demolition of the property.

The consequence of this is that in considering the current planning application and, if need be, any subsequent application(s), the planning assessment would include the potential loss of the contribution made by the NDHA and that the decision-making process could be undertaken unfettered by the threat of demolition. The Article 4 direction does not prejudice the determination of the planning application(s).

Section 3: Overview of service users and key stakeholders consulted

Service users and stakeholders	
Key users of the department or service	Planning is a statutory function carried out by local authorities. The development of planning policies and the impacts of planning decisions can affect everyone with an interest in land in the borough. This can include residents, landowners, developers, local businesses and their employees, community organisations, statutory consultees and interest groups.
Key stakeholders involved in this decision	<p>Planning Committee, Director of Planning and Growth, officers of the Conservation and Design Team and Development Management Team</p> <p>The Development Management team will be responsible for monitoring the Article 4 direction and for processing any planning applications submitted, including those involving demolition.</p> <p>Planning officers within the Division have received corporate equalities training and Equalities Analysis report writing training. A number of other service</p>

	deliverers within the Council will also have received corporate equalities training.
--	--

Section 4: Pre-implementation equality analysis

This section considers the potential impact (positive and negative) of the proposals on the key 'protected characteristics' in the Equality Act 2010 and Human Rights Act. The Planning Committee report sets out detail on the local data and other equality information on which the analysis is based and mitigating actions to be taken.

The making of the Article 4 direction does not have a direct impact on any groups with protected characteristics. Decisions on planning applications made as a result of the direction may have a potential impact on certain protected characteristics.

It is considered however, that the effect of the direction will promote good relations between people who do not share the protected characteristic and those who do, in that it is likely to result in a more balanced and mixed community.

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).
Potential impacts (positive and negative) of proposed policy/ decision/ business plan
No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.
Equality information on which above analysis is based
This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.
Mitigating actions to be taken
No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
--

Potential impacts (positive and negative) of proposed policy/ decision/ business plan
--

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.
--

Equality information on which above analysis is based
--

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.
--

Mitigating actions to be taken

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.
--

Gender reassignment - The process of transitioning from one gender to another.

Potential impacts (positive and negative) of proposed policy/ decision/ business plan
--

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.
--

Equality information on which above analysis is based
--

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.
--

Mitigating actions to be taken

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.
--

Marriage and civil partnership - Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. <i>(Only to be considered in respect to the need to eliminate discrimination).</i>

Potential impacts (positive and negative) of proposed policy/ decision/ business plan
--

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Equality information on which above analysis is based

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

Mitigating actions to be taken

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Potential impacts (positive and negative) of proposed policy/ decision/ business plan

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Equality information on which above analysis is based

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

Mitigating actions to be taken

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Potential impacts (positive and negative) of proposed policy/ decision/ business plan

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Equality information on which above analysis is based
This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.
Mitigating actions to be taken
No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
Potential impacts (positive and negative) of proposed policy/ decision/ business plan
No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.
Equality information on which above analysis is based
This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.
Mitigating actions to be taken
No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Sex - A man or a woman.
Potential impacts (positive and negative) of proposed policy/ decision/ business plan
No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.
Equality information on which above analysis is based
This Equalities Analysis has also been informed by previous equalities analyses

undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

Mitigating actions to be taken

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Potential impacts (positive and negative) of proposed policy/ decision/ business plan

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Equality information on which above analysis is based

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

Mitigating actions to be taken

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Potential impacts (positive and negative) of proposed policy/ decision/ business plan

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Equality information on which above analysis is based

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

Mitigating actions to be taken

No identifiable impacts are identified on this group as a result of the implementation of the Article 4 direction.

Human Rights - There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol.

Potential impacts (positive and negative) of proposed policy/ decision/ business plan

The council has carefully considered the balance to be struck between individual rights and the wider public interest. The rights of those affected by the proposed Article 4 direction have been considered under the Human Rights Act 1998 and it has been determined that none of the Articles will be triggered.

Information on which above analysis is based

Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights (ECHR). Various convention rights may be engaged in the process of making and considering the Article 4 directions, including under Articles 1 and 8 of the First Protocol. The European Court has recognised that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole”. Both public and private interests are to be taken into account in the exercise of the Council’s powers and duties as a local planning authority. Any interference with a convention right must be necessary and proportionate.

Mitigating actions to be taken

Not applicable.

Section 5: Further actions and objectives

Further actions

Based on the initial analysis above, please detail the key areas identified as requiring more detailed analysis or key mitigating actions.

Number	Description of issue	Action	Timeframe
1	<p>The initial decision would be to support the Article 4 direction, to be followed by formal consultation. Any new issues would be assessed as part of that consultation and reported when the local authority decides whether to confirm the direction.</p> <p>Guidance suggests that the need and effectiveness for an Article 4 direction should be monitored at regular intervals. This would be subject to committee approval, but it is suggested a yearly review is appropriate. This does not need to be reflected in any recommendations at this stage.</p>	To be confirmed.	To be confirmed.

END

13/7/22

Item No. 7.	Classification: Open	Date: 26 July 2022	Meeting Name: Planning Committee
Report title:		To release £487,532.15 of Section 106 funding from the Green Buildings Fund for its administration, project delivery and management; and carbon offsetting and climate change work	
Ward(s) or groups affected:		All wards	
From:		Director of Planning and Growth	

RECOMMENDATION

- That planning committee approves the release of £487,532.15 of pooled Section 106 carbon offsetting financial contributions from the council's Green Buildings Fund towards the funding of:
 - Three climate change officer roles (Grade 12) on two-year, fixed-term contracts and any specialist expert work required on carbon offsetting projects

Permission Ref	Account No	Type	Address	Amount
13/AP/3059	W07205	Carbon Offset (Green Fund)	6-14 Melior Street And Land Adjoining To The Rear Of Our Lady Of La Salle And Saint Joseph Catholic Church SE1 3QP	£14,500.00
14/AP/0175	tbc from Exacom	Carbon Offset (Green Fund)	16A Wyndham Road And 166,168 170,172,174, 176 And 176A Camberwell Road, SE5	£7,466.26
14/AP/1862	W07725	Carbon Offset (Green Fund)	128-150 Blackfriars Road, SE1	£79,922.31
14/AP/2102	W07205	Carbon Offset (Green Fund)	Site Bounded By Grange Walk Grange Yard And The Grange SE1 3DT	£5,201.00

Permission Ref	Account No	Type	Address	Amount
15/AP/0237	W07665	Carbon Offset (Green Fund	Wedge House 32-40 Blackfriars Road, SE1 8PB	£69,037.13
16/AP/3056	W08475	Carbon Offset (Green Fund	2-68 and 70-136 Chilton Grove SE8 5DY	£74,911.25
16/AP/4124	W08475	Carbon Offset (Green Fund	Acorn Neighbourhood Office 95A Meeting House Lane SE15 2TU	£79,506.00
16/AP/4589	W08475	Carbon Offset (Green Fund	Ivy Church Lane Garages 282-286 Old Kent Road SE1 5UE	£35,296.94
16/AP/4702	W08475	Carbon Offset (Green Fund	Vacant Site Opposite Central Venture Park Commercial Way SE15 (On The Site Of Former 25 Commercial Way),	£121,691.26
TOTAL				£487,532.15

BACKGROUND INFORMATION

Green Buildings Fund

2. The green buildings fund is the council's carbon offsetting fund. It is a collection of financial contributions secured by planning obligations that have been secured through Section 106 legal agreements, where major new development has not achieved net zero carbon emissions, and a financial contribution is collected by the council for each tonne of carbon to make up shortfalls to net zero.
3. Planning obligations are legal obligations entered into by the council and developer to mitigate the impacts of a development proposal. This obligation allows new developments to comply with planning policy where it has not been possible to achieve all the required carbon emissions savings. The Fund is ring-fenced to be used to 'offset' by funding a range of carbon saving projects offsite elsewhere in Southwark.
4. Cabinet considered a report on 19 October 2021 and agreed the following recommendations that defined the scope and approach for the Green Buildings Fund:

- That all secured carbon offset funding is held and consolidated in a carbon offset fund called the Green Buildings Fund to maximise carbon offsetting opportunities.
- That the Green Buildings Fund is spent to deliver carbon offsetting projects in accordance with the council's Climate Change Strategy and Action Plan. The initial focus of offsetting projects will be the de-carbonisation and retrofitting of community buildings, schools and council housing.
- That officers will prepare recommendations with input from relevant cabinet members on which carbon offsetting projects to fund. The relevant delegated officer or the planning committee will approve the release of the funds for carbon offsetting projects using existing s106 processes.
- That the funding criteria for carbon offsetting projects will be agreed by officers and relevant cabinet members.
- That officers seek other sources of co-funding for the Green Buildings Fund, and review options for a new local carbon offset price in parallel to the New Southwark Plan early review, to encourage greater onsite carbon reduction performance and ensure the carbon offset price fully covers offsetting costs.

Green Buildings Fund - current total

5. As of June 2022, the financial contributions collected by the council to be used to offset the total tonnes of carbon from approved planning permissions that have commenced construction or are completed total £5,514,477.21. This equates to 3286.54 tonnes of carbon emissions per annum in the total collected. The current total of tonnes of carbon that must be offset using the funds received is circa 98,596.08 tonnes over 30 years.
6. As of June 2022, the council could collect up to £11,255,588.54 of potential carbon offset financial contributions if all planning permissions that have been granted with carbon offset planning obligations were implemented. This equates to circa 5,680 tonnes of carbon emissions per annum that would need to be offset by the potential payments into the Fund if all planning permissions that have been consented were delivered. This equates to 170,423.16 tonnes of carbon emissions over 30 years that must be offset using the Fund. It is unlikely the council will collect the full amount as some permissions may not be implemented, some may be superseded, and others may have a Section 73 agreed to alter the financial contribution. Therefore, this figure could be lower in practice and must be considered as a potential total.

Policy context

National

7. The Climate Change Act (2008) imposes a statutory duty on the UK government to achieve net zero carbon emissions by 2050. The Climate Change Act (2008) imposes a statutory duty on the UK government to achieve net zero carbon emissions by 2050. This national legislation applies to governing bodies and institutions to ensure that they are addressing climate change. Point 1 of the Climate Change Act (2008) as amended states: "It is the duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least [100%] lower than the 1990 baseline."
8. Several recent national reports and targets define new considerations for a quicker response to the Climate Emergency and carbon emission reductions. These are relevant in the policy context of delivering zero carbon homes as they set out the need to respond quicker to reduce carbon emissions.
9. The Carbon Budget Order (2021) sets out the carbon budget of 965,000,000 tonnes of carbon dioxide equivalent for the next budgetary period 2033-2037. This is a legally binding reduction target. This responds to the findings of the Paris Agreement.
10. The 6th Carbon Budget (2021) enshrines a new interim carbon target for the UK. The 6th Carbon Budget sets out a target of a 78% reduction in carbon emissions against 1990 level baseline carbon levels by 2035. This brings forward previous carbon targets.

London Plan (2021)

11. This 2050 net zero carbon target, as required by the Climate Change Act (2008), is echoed in policy in the published London Plan (2021) which is committed to making London a net zero carbon city by 2050. London Plan Policy SI2 'Minimising greenhouse gas emissions' requires major development to be net zero-carbon. This means that major residential and non-residential development must reduce greenhouse gas emissions in operation and minimising both annual and peak energy demand. The Mayor of London has declared a 2030 Climate Emergency and is preparing its response to this declaration.
12. The London Plan requires boroughs to set up Carbon Offset Funds to collect carbon offsetting financial contributions secured through Section 106 legal agreements and then fund projects that will reduce existing carbon emissions to ensure the development that is consented is net zero development. The GLA publishes an annual report of carbon offsetting performance of all London boroughs. The GLA has also published Carbon Offset Fund Guidance to support boroughs in offsetting carbon using the fund (Appendix 1). This sets out that the main priority of the fund

should be to reduce energy demand in existing buildings, including through energy efficiency measures and improving monitoring and operation.

13. Following the publication of the Greater London Authority's (GLA) 'Pathways to Net Zero Carbon by 2030' evidence base report, we are working with the GLA on how the preferred 'Accelerated Green' pathway aligns with our own ambitions and will review the implications for planning policy through the Early Review.

The Southwark Plan (2022)

14. As a sector, the planning system makes an important contribution to meeting the 2050 net zero target alongside all other sectors. The Southwark Plan adopted on 23 February 2022 was prepared to meet the statutory 2050 net zero carbon target by proposing development plan policies that mitigate carbon emissions and ensure development adapts to climate change in general conformity with the London Plan (2021).
15. The adopted energy policy 'P70 Energy' requires all major residential development to reduce on-site operational carbon emissions by 100% on 2013 Part L Building Regulations standards. Major non-residential developments must reduce carbon emissions onsite by a minimum of 40% on 2013 Building Regulations. The policy specifies that the policy uplift will be reviewed if Building Regulations are updated. New Part L 2021 standards came into effect on 15 June 2022 and require an uplift onsite performance by ~30% against Part L Building Regulations 2013 standards. The council intends to apply the same policy uplift on top of the new Building Regulations standards which will significantly reduce carbon emissions on-site on future non-residential schemes within the Borough (residential schemes already being required to deliver net zero emissions on site). This policy is one of the most influential policies in the country that responds to how planning and development can directly address the climate emergency.

Southwark's climate emergency declaration and Climate Change Strategy

16. On 27 March 2019 Southwark's Council Assembly resolved to call on cabinet to declare a Climate Emergency and to do all it can to make the borough carbon neutral by 2030.
17. Southwark's council assembly adopted the Climate Change Strategy on 14 July 2021. It sets out how Southwark will tackle the Climate Emergency and do all it can to reduce the borough's carbon emissions to net zero by 2030. At the same time, Southwark's council assembly agreed a change to the borough's constitution that requires all reports to include information about the climate impact of that decision. This will ensure decision makers are able to consider this alongside other considerations when making their decision.

KEY ISSUES FOR CONSIDERATION

Resourcing for the Green Buildings Fund

18. Three two-year fixed-term Climate Change Officer roles are required to carry out carbon offsetting work for the Green Buildings Fund, and support climate change workstreams. This anticipated to require some specialist expertise to support this work.

Climate change implications and carbon concurrent

Carbon offsetting and carbon reductions

19. Tackling the climate emergency is one of the greatest challenges that we all face today. The council is committed to doing all it can to reach the target of being a carbon neutral borough by 2030 and beyond this date. Meeting this ambitious target will require bold steps to be taken through our statutory function as a Local Planning Authority where we will need to shape new development to be as sustainable as it can be.
20. This will only be possible by ensuring that carbon offsetting project delivery is well resourced and managed. To better manage the aims and policy objectives of the Green Buildings Fund greater expertise is needed to ensure that onsite and offsite carbon emission reductions are delivered faster. It is imperative that swift progress is made on these workstreams and this will only be achieved through increased staffing capacity.

Meeting Soutwark's Climate Change Strategy and Action Plan

21. In July 2021, the council adopted its Climate Change Strategy and Action Plan for tackling the climate emergency. The plan sets out how emissions in the borough can be reduced from buildings, transport and waste disposal. The Strategy sets out 148 Action Points that the council will undertake to achieve its ambition to do all it can to achieve a net zero carbon borough by 2030 across five key priority areas.
22. The climate change action points are currently undergoing review and revision by the climate change team and will support carbon offsetting and climate change workstreams.

Conclusion

23. It is essential that the council moves quickly to support the delivery of offsetting projects, guidance and policy to assist the delivery of our ambition to do all we can to be a net zero borough by 2030, while meeting our commitment to deliver new homes and jobs within the borough. Offsetting projects will deliver carbon reductions to existing emissions, while wider climate change workstreams will deliver mid- and

long-term carbon emission reductions alongside the carbon reductions that are now being delivered through the recently adopted Southwark Plan.

24. The proposed funding for staffing will enable carbon offsetting work and create further opportunities to shape and facilitate projects and workstreams that mitigate climate change and responds to the changing climate.
25. £5.5 million has been collected in the Green Buildings Fund that is now available for projects that will offset carbon emissions where developments have not achieved 100% carbon savings on-site. The release of £487,532.15 towards essential climate emergency work by dedicated experts will respond to the climate emergency.
26. Officers will continue to seek and secure additional funding for the Green Building Fund from external funding streams to fund offsetting projects. Furthermore, as technology and processes to offset carbon emissions, offsetting projects evolve to become more effective, and the Carbon Offset Ratio for the Fund will improve to deliver lower offsetting costs and a greater reduction in carbon emissions.

Financial implications

27. As noted above, the release of £487,532.15 of the received financial contributions will result in £5,026,945.06 remaining in the collected funds of the Green Buildings Fund to fund carbon offsetting projects.
28. As the proposed roles will be fixed term contracts for two years, the financial implications are limited to this length of time.

Community, equalities (including socio-economic) and health impacts

Community impact statement

29. The implementation of the Green Buildings Fund will have a positive impact for the community. Our commitment to meeting the challenge of the climate emergency opens enormous opportunity for the borough, its residents and businesses. By taking an approach that puts social justice at the centre there is an opportunity to tackle not just the climate emergency, but to reshape our borough, to create a better, fairer Southwark. The decision to release the recommended funding will deliver wider benefits, improving the quality of homes and community buildings, reducing air pollution, improving health and creating good quality green jobs through the delivery of more sustainable buildings and places.

Equal opportunities

30. In everything we do as a council, we seek to promote equality. The implementation of the Green Buildings Fund to support carbon offsetting projects will tackle the climate emergency will have a positive impact for all, including those with protected

characteristics as it will reduce future carbon emissions by ensuring new development is more sustainable and meets higher standards of climate change mitigation and adaptation through the planning process.

Resource implications

Staffing

31. The officers will be managed within the existing divisional management and team structure for the duration of the two-year fixed term contracts. All costs arising from implementing the above recommendation will be met from the identified S106 agreements.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Planning and Growth

32. The legal agreements referred to have been reviewed to ensure that they have contributed toward the Green Buildings Fund and that the funds are unallocated.
33. The proposed allocation would fund staff who would take forward the task of offsetting the carbon emissions from these developments and in that way provide mitigation for the respective developments.

Director of Law and Governance

34. Should the planning committee be satisfied with the contents of this report then it has the power to make the decisions recommended at paragraph 1 of this report by virtue of Part 3F paragraphs 9 of the council's constitution being the expenditure of funds over £100,000 secured through s106 legal agreements.
35. Carbon offset contributions from section 106 agreements have been pooled in the Green Buildings Fund since Cabinet's decision to do so on 19 October 2021. The individual contributions are compliant with the requirement of regulation 122 of the Community Infrastructure Regulation 2010 that they be directly related to the development as they are proportionate to the amount of carbon emissions generated by the development. The individual section 106 agreements require the contributions to be spent on projects that will offset the amount of carbon generated. This is consistent with the process of pooling contributions and spending the pooled funds on offset projects that will in aggregate offset the carbon generated by the totality of projects contributing to the pool.
36. The council's section 106 agreements do not prohibit (and some expressly allow) that the relevant contribution will be spent partly on the professional costs associated with carbon offsetting projects. It is reasonable that professional costs associated with administering the offset projects will arise and that these can be met

with proceeds from the pooled Green Buildings Fund as it is now known. The work to be funded under this proposal is a professional cost within the range of goods and services that can be paid for using the Green Buildings Fund.

37. The Equality Act 2010 introduced the public sector equality duty, which merged existing race, sex and disability equality duties and extended them to include other protected characteristics; namely age, gender reassignment, pregnancy and maternity, religion and belief and sex and sexual orientation, including marriage and civil partnership. In summary those subject to the equality duty, which includes the council, must in the exercise of their functions: (i) have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and (ii) foster good relations between people who share a protected characteristic and those who do not. Paragraphs 29 and 30 of the report confirms that the proposals will have no disproportionate impact on any particular age, disability, ethnicity and sexual orientation. The same paragraphs confirm that the proposals support the council's equalities and human rights policies and promote social inclusion. The implementation of the proposals are not anticipated to have any detrimental impact on a particular protected group under the Equality Act 2010.
38. The Human Rights Act 1998 imposed a duty on the council as a public authority to apply the European Convention on Human Rights; as a result the council must not act in a way which is incompatible with these rights. The most important rights for highway and planning purposes are Article 8 (respect for homes); Article 6 (natural justice) and Article 1 of the First Protocol (peaceful enjoyment of property). The implementation of these proposals is not anticipated to breach any of the provisions of the Human Rights Act 1998.

Strategic Director of Finance and Governance

39. This report seeks approval from the planning committee to release the sum of £487,532.15 from the various agreements listed at paragraph 1, and for the purposes outlined in the body of this report.
40. It has been confirmed by other officers that the section 106 receipts associated with the agreements listed in this report have not been allocated to other projects and the proposed allocation accords with the terms of the agreements.
41. The strategic director of finance and governance notes the financial and resource implications at paragraphs 27, 28 and 31, confirms that the council has received the related section 106 funds, and they are available for the purposes outlined in this report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Greater London Authority guidance for London's Local Planning Authorities on establishing carbon offset funds (2018)	GLA City Hall, Kamal Chunchie Way London E16 1ZE	GLA City Hall, Kamal Chunchie Way London E16 1ZE
Link (please copy and paste into your browser):		
https://www.london.gov.uk/sites/default/files/carbon_offset_funds_guidance_2018.pdf		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Juliet Seymour, Head of Planning Policy, Building Control and the Built Environment	
Report Authors	Laura Hills, Planning Policy and Monitoring Innovation Manager	
Version	Final	
Dated	13 July 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		14 July 2022

Item No. 8.	Classification: Open	Date: 26 July 2022	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 Levelling Up, Housing and Communities 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 the Secretary of State (vis the Planning Inspectorate) 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 Governance

12. A resolution to grant planning permission means that the director of planning and growth 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 and growth constitutes 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 means that the director of planning and growth 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 governance, and which is satisfactory to the director of planning and growth. Developers meet the council's legal costs of such agreements. Such an agreement is entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as determined by the director of law and governance. 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, to local finance considerations and to any other material considerations when dealing with applications for planning permission. Local finance considerations are discussed further in paragraph 18 below and material considerations in paragraph 17.
15. Where there is any conflict with a policy contained in the development plan, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (s38(5) Planning and Compulsory Purchase Act 2004).
16. 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 for Southwark is now the London Plan 2021 and the Southwark Plan 2022.
17. Case law has established that to be *material* the considerations must (i) relate to a planning purpose and not any ulterior purpose. A planning purpose is one that relates to the character and use of land (ii) must fairly and reasonably relate to the development permitted and (iii) must not be so unreasonable that no reasonable planning authority would have regard to them.
18. Section 143 of the Localism Act 2011 amended Section 70 of the Town and Country Planning Act 1990 and provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through Community Infrastructure Levy (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.
19. Regulation 122 of the Community Infrastructure Levy (CIL) regulations 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 in 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. Planning permissions cannot be bought or sold. Benefits which provide a general benefit to the community rather than being proposed for a proper planning purpose affecting the use of the land, will not satisfy the test.

20. 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.
21. The National Planning Policy Framework (NPPF) was last updated in July 2021. The NPPF is supplemented by detailed planning practice guidance (PPGs) on a number of planning topics. The NPPF is a material planning consideration in the determination of planning applications.

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	

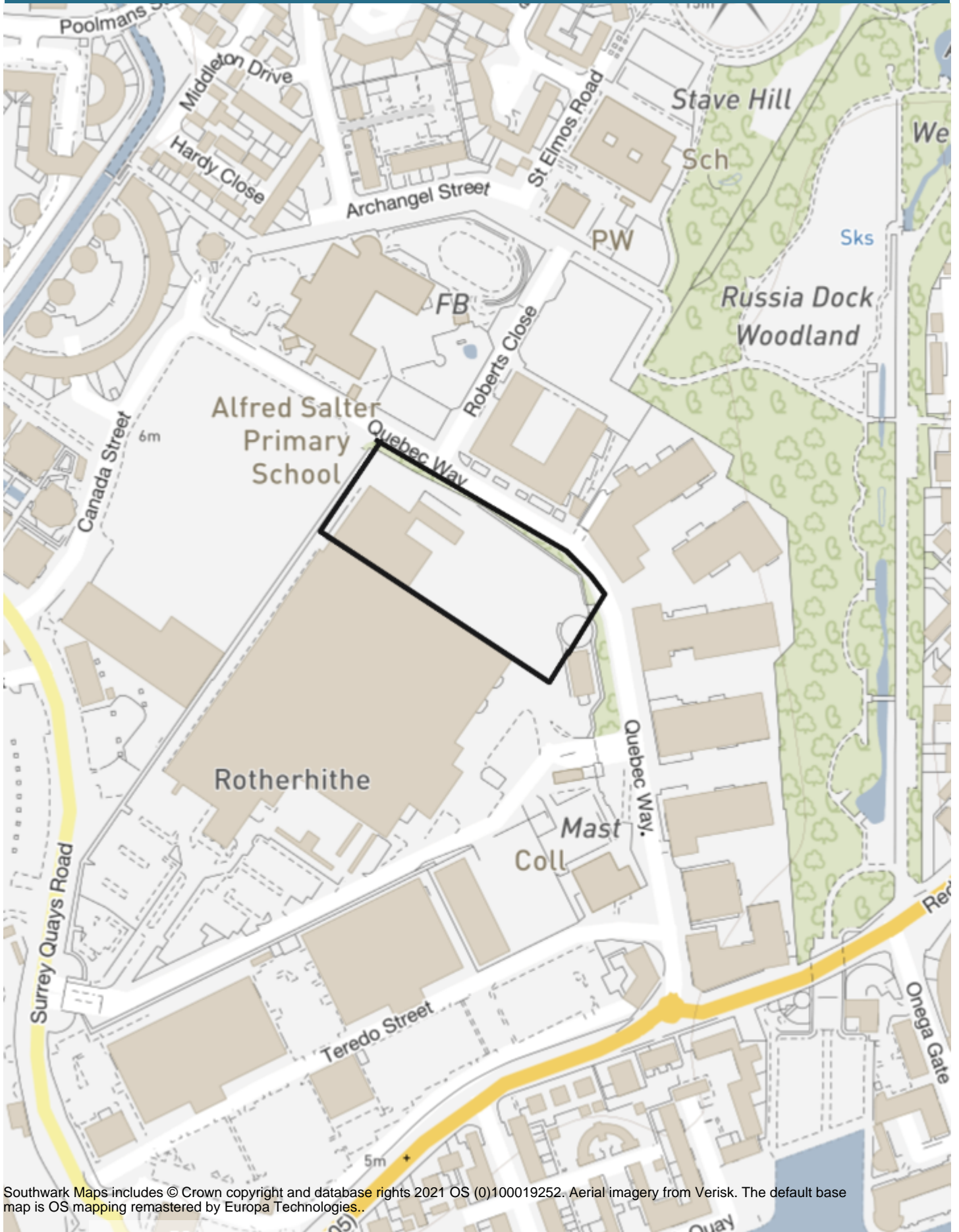
AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services	
Report Author	Sadia Hussain, Acting Deputy Head of Law (Property and Development)	
Version	Final	
Dated	18 July 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Governance	Yes	Yes
Director of Planning and Growth	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		18 July 2022

Agenda Item 8.1



211AP13115
ZONE L, CANADA WATER MASTERPLAN, SURREY QUAYS ROAD,
LONDON, SE16 7LL



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Item No. 8.1	Classification: Open	Date: 26 July 2022	Meeting Name: Planning Committee
Report title:	<p>Development Management planning application: Application 21/AP/3775 for: Approval of Reserved Matters</p> <p>Address: Zone L, Canada Water Masterplan, Surrey Quays Road. London, SE16 7LL</p> <p>Proposal: Details of all reserved matters (Access, Appearance, Landscaping, Layout and Scale) relating to Development Zone L of the Canada Water Masterplan, comprising the construction of three residential buildings with flexible retail/workspace/community uses (Classes A1-A4, B1 and D1) at ground floor level alongside car parking, cycle parking, landscaping, public realm, plant and associated works.</p> <p>This application is pursuant to hybrid planning permission for the Canada Water Masterplan ref. 18/AP/1604 dated 29th May 2020, which was accompanied by an Environmental Statement. Consequently the application is accompanied by a Statement of Conformity submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) regulations 2017. This ES Statement of Conformity should be read in conjunction with the Canada Water Masterplan ES which can be viewed in full on the Council's website (18/AP/1604).</p>		
Ward(s) or groups affected:	Rotherhithe Surrey Docks		
From:	Director of Planning and Growth		
Application Start Date	01.11.2021	Application Expiry Date	31.01.2022
Earliest Decision Date	17.12.2021	Extension of Time End Date	N/A

RECOMMENDATION

1. That:

- all reserved matters (Access, Appearance, Landscaping, Layout and Scale) relating to Development Zone L of hybrid planning permission 18/AP/1604 be approved, subject to conditions; and

- it should be noted this Reserved Matters Application is bound by the Section 106 legal agreement and conditions attached to the Outline Planning Permission 18/AP/1604; and
- environmental information must be taken into account as required by Regulation 26(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

EXECUTIVE SUMMARY

2. This is a Reserved Matters Application (RMA) for works within Canada Water Development Zone L following the grant of outline planning permission for the Canada Water Masterplan (CWM). The development will accommodate 237 residential units, 414 square metres GIA of flexible commercial/community floorspace (Classes A1-A4, B1 and D1) and facilities associated with a previously-consented substation supplying power across the Masterplan area.
3. Zone L is an area of land covering the northeastern portion of the former Printworks site. The parts of the Printworks building within the red line boundary of Zone L have already been demolished to make way for the substation, and enabling works are currently underway. The main Printworks building is located within Zone H for which a separate RMA (ref: 21/AP/3338) has been submitted.
4. The proposal is for three buildings known as Blocks L1, L2 and L3. Rising to nine storeys at its maximum point, Block L1 would take a C-shaped planform and wrap around a central courtyard. Also rising to nine storeys at its maximum point, L2 would have an L-shaped footprint and frame a public square. A new landscaped public route, Reel Walk, would separate these two blocks. Block L3 would complete the trio of buildings; an island block of eight storeys, it would benefit from frontages onto Reel Street (and the L2 public square immediately beyond), a small piazza, the northern section of Park Walk, and a stretch of Quebec Way. An above-ground substation compound is also proposed within the zone, to be located at the southern corner of the L2 public square.
5. All three blocks would be residential-led, providing a mix of townhouses, maisonettes and apartments in a range of sizes from one-beds to five-beds. A mix of social rent, intermediate and open market homes are proposed, with the affordable tenures constituting the majority share (77% on a habitable room basis). The weighting in favour of affordable tenures will help ensure the CWM development as a whole remains on course to provide a compliant tenure mix.
6. The finalised proposal follows a series of pre-application and post-submission discussions, as a result of which improvements were secured in respect of the detailed design.



Figure 01 (above): Visualisation looking east along Quebec Way showing the three Zone L buildings – Block L1 is in the foreground, Block L2 is in the centre and Block L3 is in the background.

7. Nine public representations were received as part of the consultation process, eight in objection and one neutral. The material planning considerations raised most commonly by the objections were:
 - buildings would be of an excessive height/scale;
 - buildings would be harmful to or not in-keeping with local character;
 - proposal would result in loss of light for neighbours;
 - neighbours would suffer privacy impacts;
 - proposal would increase pressure on public services (transport, healthcare, education etc.);
 - proposal would cause an unacceptable population increase;
 - proposal is an overdevelopment and/or too dense; and
 - the proposed loss of mature trees is unacceptable and/or sapling replacement is insufficient.

8. All material planning considerations raised by the public consultation process are addressed in detail in the main body of this report.

9. While the main public concerns regarding the height, scale and design of the buildings are noted, all three blocks would be within the height limitations established by the Parameter Plans approved as part of the OPP. As expanded on in the main body of this report, the three blocks would achieve an appropriate urban scale without appearing overly dominant in the streetscene or at odds with the scale or character of the existing built context. This has been achieved by using architectural devices such as set-back upper storeys to modulate the massing. The detailed design would bring further refinements to the massing: robust and high quality finishes would imbue the buildings with solidity and permanence, while the carefully detailed facades would embed rhythm, depth and richness.
10. The development would deliver a significant number of new residential units, including a number of larger family homes in affordable tenures, which is strongly supported by both development plan policies and the requirements of the OPP. These homes would benefit from a good quality of outlook, with a majority enjoying corner, dual or multiple aspect. Overall, the quality of accommodation is very good.
11. The proposed flexible commercial/community floorspace would bring positive economic and social benefits to the borough in accordance with the OPP and development plan policies. These units would all be located at ground floor, which is welcomed in the interests of activating the buildings' frontages.
12. A series of new external landscaped spaces are proposed, the majority to be publicly accessible. Many of the spaces would be framed by active frontages and/or accommodate incidental play facilities, making for an attractive and vibrant outdoor environment. The buildings will respond positively to the future planned public realm within the vicinity of the site (the Central Park and Park Walk) and will also help waymark important northeast-to-southwest and northwest-to-southeast pedestrian routes.

13. The proposal responds positively to transport and sustainability policies and there would be no significant harm to neighbour amenity. The land use quanta, heights, design and general arrangement conform to the documents approved under the OPP (as amended by a recent non-material application). Subject to the appropriate mitigation secured by the conditions and s106 obligations attached to the OPP —together with the additional recommended conditions to control servicing and operational impacts as well as compliance with detailed sustainability strategies— the proposal is considered to be in line with the objectives of the Masterplan and compliant with development plan policies.

PLANNING SUMMARY TABLES

14. **Housing**

Homes	Private Homes	Private HR	Aff.SR Homes	Aff.SR HR	Aff.Int Homes	Aff.Int HR	Homes Total (% of total)	HR Total
Studio	19	30	0	0	0	0	19	30
1 bed	13	26	33	66	21	42	67	134
2 bed	25	98	60	211	16	57	101	366
3 bed	6	30	40	201	0	0	46	231
4 bed +	0	0	4	26	0	0	4	26
Total (as %)	63	184 (23%)	137	504 (64%)	37	99 (13%)	237	787 (100%)

15. **Commercial**

Use class and description	Existing GIA*	Proposed GIA	Change +/-
E (a) to (f) [Retail/financial]	0		
E (g) i) [Office]	Circa 2945 sq.m	414 sq.m**	+414 sq.m
E (g) ii) and iii) [Light industrial]			
B2 [Industrial]		N/A	N/A
B8 [Storage/Distribution]		N/A	N/A
E [Affordable workspace]	N/A	N/A	N/A
C1 [Hotel]	N/A	N/A	N/A
Sui Generis	N/A	92.2 sq.m	+92.2 sq.m

Employment	Existing no.	Proposed no.	Change +/-
Operational jobs	N/A	Up to 29***	+ Up to 29

* "Existing GIA" refers to lawful existing land uses, and does not take into account any meanwhile uses (such as the temporary D2 use of Printworks).

** These three sub-divisions of Class E have been grouped together because 21/AP/3775 seeks 414 sq.m of flexible use across the three sub-classes.

*** This is based on all six proposed flexible units being used for office purposes (which, of all the potential uses, has the highest job yield)

16.

<u>Parks and child play space</u>			
	Existing area	Proposed area	Change +/-
Public Open Space	0	725 sq.m	+ 725 sq.m
Additional Amenity Space*	0	1,016 sq.m	+1,016 sq.m
Play Space	0	755 sq.m	+755 sq.m

* Additional Amenity Space is a sub-set of Public Open Space; it describes areas of soft landscaping within publicly accessible parts of the site that have a visual function but not a useable one.

17.

<u>Carbon Savings and Trees</u>			
Criterion	Details		
CO2 savings	63% improvement on Part L of Building Regs		
Trees lost	4 x Category B	8 x Category C	2 x Category U
Trees gained*	27 x Permanent specimens	5 x Temporary specimens	

* The s106 Agreement includes an obligation to retain 49 trees or groups of trees across the Masterplan as well as a tree planting strategy to ensure that 658 new trees (canopy cover of 39,433 sq.m) are planted across the Masterplan.

18.

<u>Greening, Drainage and Sustainable Transport Infrastructure</u>			
Criterion	Existing	Proposed	Change +/-
Urban Greening Factor	N/A	0.37	+0.37
Greenfield Run Off Rate	Unknown	Unknown	Unknown
Green/Brown Roof Coverage	0	1,546 sq.m	+1,546 sq.m
Electric Vehicle Charging Points	0	2	+2
Cycle parking spaces	-	496	+496

19. **CIL and Section 106 (or Unilateral Undertaking)**

Criterion	Total Contribution
CIL (estimated)	N/A (CWM-wide sum secured within OPP)
MCIL (estimated)	N/A (CWM-wide sum secured within OPP)
Section 106 Contribution	N/A (CWM-wide sum secured within OPP)

BACKGROUND INFORMATION

Site description and its role within the Canada Water Masterplan

20. The Canada Water Masterplan (CWM) covers a site area of 21.27 hectares and includes Surrey Quays Shopping Centre, Surrey Quays Leisure Park and the Harmsworth Quays Printworks, as well as the former Rotherhithe Police Station, Dock Office Courtyard and a parcel of land on Roberts Close.
21. The shopping centre is still in operation and there are a range of interim uses taking place across the Masterplan site including a music and entertainment use in the former Printworks building, TEDI University and Global Generation Paper Garden Charity.
22. Permission was granted to British Land in May 2020 for the Masterplan scheme, which envisages the complete transformation of the Canada Water core area, creating a major new town centre with a diverse mix of jobs, shops, homes, leisure activities and cultural facilities. The Masterplan scheme is subdivided into a series of zones, A to M, each containing one or more buildings and open spaces. Construction is underway on Zones A1, A2 and K1 —which were approved in detail as part of the Outline Permission— and a range of enabling works are being undertaken on Zone H (the former Printworks building). A Reserved Matters Application has been approved for Canada Dock, a Reserved Matters Application for Zone H has (as of the date of this report) received a resolution to grant, and a Reserved Matters Applications for Zone F is pending consideration.
23. The outline permission was granted subject to various parameter plans which establish the maximum parameters within which future buildings and spaces can come forward, such as the maximum building height, minimum and maximum building lines, basement extents and permitted uses for each Masterplan Zone. These parameters are contained in the Development Specification and Parameter Plans which were approved as part of the overall permission. In addition, the Design Code documents set out the detailed design principles against which any subsequent Reserved Matters application should be assessed.

24. Zone L is located in the northeast of the masterplan area on a portion of the existing Printworks site (known formerly as Harmsworth Quays Printworks). It covers an area of approximately 0.75 hectares. Within its boundary falls part of the Printworks building, some smaller ancillary buildings and part of the Printworks loading yard.



Figure 02 (above): Plan of the CWM and its fourteen component development zones.

25. In terms of its role within the CWM, the Development Specification requires Zone L to provide principally residential (Class C3) and/or assisted living (Class C2) and/or workspace uses along with retail (Classes A1, A2, A3, A4, A5). The Development Specification acknowledges potential for community facilities (Class D1) and a primary sub-station (Sui Generis), alongside parking and plant. The Parameter Plans identify Zone L as a medium-rise 'edge' site that must mediate between the existing residential uses to the northeast and the proposed denser town centre Zones towards the heart of the CWM area.

Site surroundings and relevant designations

26. Zone L is bounded to the northeast by the public highway of Quebec Way, beyond which are the residential developments of Claremont House (24 Quebec Way) and Hornbeam House (22 Quebec Way) at Quebec Quarter; these developments stand to seven and six storeys respectively. The wider surrounding area to the north, which is of a predominantly residential character, includes the single-storey Alfred Salter Primary School, with low rise (two- to four-storey) LDDC housing beyond. Public open spaces can be found at Russia Dock Woodland and Stave Hill, both a few minutes' walk to the northeast of Zone L.
27. Directly to the northwest, Zone L is bounded by the private northern vehicular entrance to Printworks, on the opposite side of which is the former Mulberry Business Park. The latter now comprises the partly constructed student housing scheme (Scape). The wider area further beyond to the west and northwest comprises a mix of vacant land, medium rise (mainly six- and seven-storeyed) LDDC housing developments and the more modern medium-rise residential-led developments from the earlier phase of the Canada Water regeneration.
28. Enclosing Zone L around its southern perimeter are the commercial buildings at Printworks and Surrey Quays Leisure Park, which stand to the equivalent of 2/3 residential storeys in height. As mentioned above, outline permission has been granted as part of the CWM to redevelop these sites to provide a range of medium-rise mixed-use developments some of which will include tall building elements.

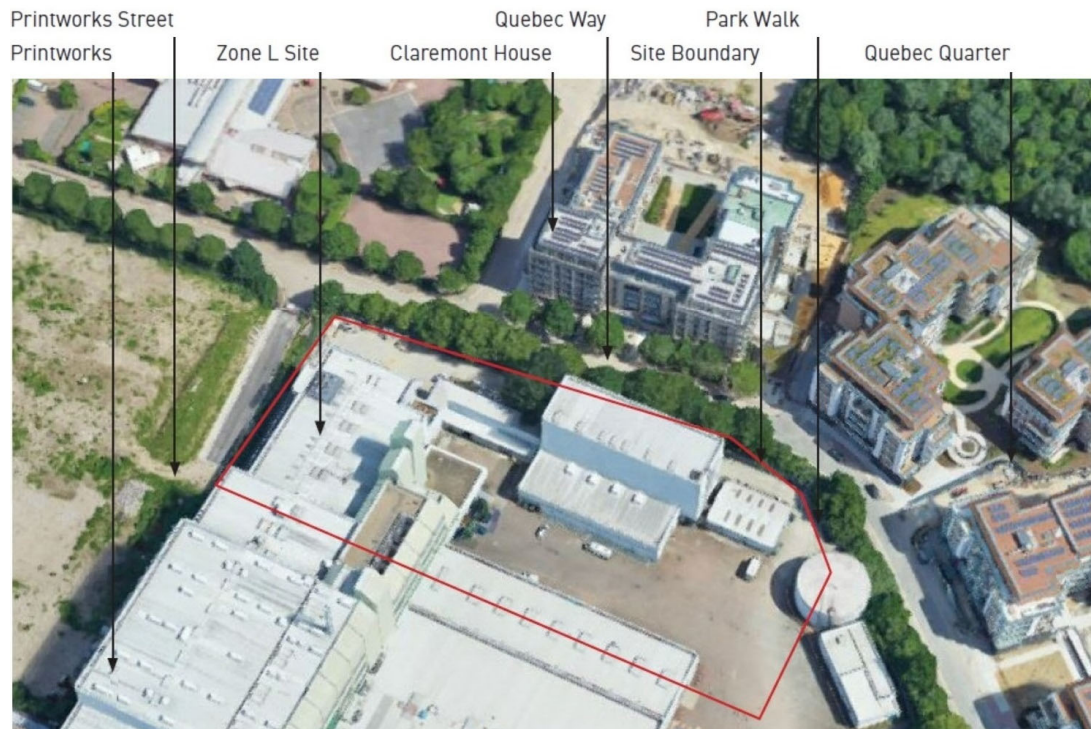


Figure 03 (above): Aerial image of the northeastern corner of the CWM, with Development Zone L edged in red and the nearby buildings and routes annotated.

29. The following policy, socioeconomic and environmental designations apply to the application site:

- Urban Density Zone;
- Canada Water Opportunity Area;
- Canada Water Action Area;
- Canada Water Major Town Centre;
- Strategic Cultural Area;
- The Rotherhithe Area Vision;
- Southwark Plan Site Allocation 78 (Harmsworth Quays, Surrey Quays Leisure Park, Surrey Quays Shopping Centre and Robert's Close);
- Canada Water Strategic Heating Area;
- Rotherhithe, Surrey Docks, South Bermondsey and North Bermondsey Multi-Ward Forum Area;
- Article 4 Direction restricting changes of use from Class E to residential;
- Bankside, Borough and Walworth Community Council;
- Flood Zone 2;
- Air Quality Management Area;
- Community Infrastructure Levy Charging Zone 2; and
- Hot Food Takeaway Primary School Exclusion Zone.

30. In respect of heritage designations, the application site contains no listed structures and is not within a Conservation Area. The nearest Conservation Area, 'St Marys Rotherhithe', is some distance from the application site being 750 metres away at its closest point.
31. Within 750 metres of the site are the following listed buildings:
- The turntable and machinery of the former swing road bridge [Grade II], located approximately 450 metres to the southwest;
 - Former Dock Manager's Office and 1-14 Dock Offices [Grade II], located approximately 600 metres to the west;
 - Swedish Seamen's Mission [Grade II] at 120 Lower Road, located approximately 675 metres to the southwest; and
 - London Hydraulic Power Company Former Pumping Station [Grade II], located approximately 600 metres to the northwest.
32. 675 metres to the west is Southwark Park, a registered Park and Garden. The designated Open Water Spaces of Canada Water Basin and Greenland Dock are both nearby.
33. The site is not within any of the London Strategic Viewing Corridors or the Borough Views defined by the New Southwark Plan. The site is outside an Archaeological Priority Zone (APZ).
34. Zone L contains a total of 22 trees, 19 of which line the site's northern (Quebec Way) boundary. The other 3 are located south of the boundary line, further into the site. Of these 22 trees, 12 of these are moderate quality (Category B), 8 are low quality (Category C) and 2 are dead (Category U).
35. The site lies within PTAL 4, where 6b represents the best transport connectivity and 0 represents the worst. The nearest tube station is Canada Water, approximately 500 metres to the west. The nearest bus stops are approximately 250 metres away, on Surrey Quays Road and Redriff Road.
36. The site is within the Rotherhithe and Surrey Docks CPZ, but Quebec Way is within the Rotherhithe CPZ. Quebec Way, which is adopted highway, has a mix of double yellow lines and on-street bays both sides of the highway along the entirety of its length.

Details of proposal

Overview

37. This application seeks approval of all five reserved matters in respect of Zone L pursuant to the Outline Planning Permission (OPP).

38. For clarity, these reserved matters are:

- ‘Access’ – the accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network;
- ‘Appearance’ – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;
- ‘Landscaping’ – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated;
- ‘Layout’ – the way in which buildings, routes and open spaces within the Development are provided, situated and orientated in relation to each other and to buildings and spaces outside the Development; and
- ‘Scale’ – the height, width and length of each building proposed within the Development in relation to its surroundings.

39. The proposal is for three predominantly residential blocks – named L1, L2 and L3. Together, these would provide 237 dwellings and six flexible commercial/community units. The blocks would be arranged around a series of hard-and-soft landscaped squares and pedestrian-centric routes. A detailed floorspace schedule can be found at Appendix 7.

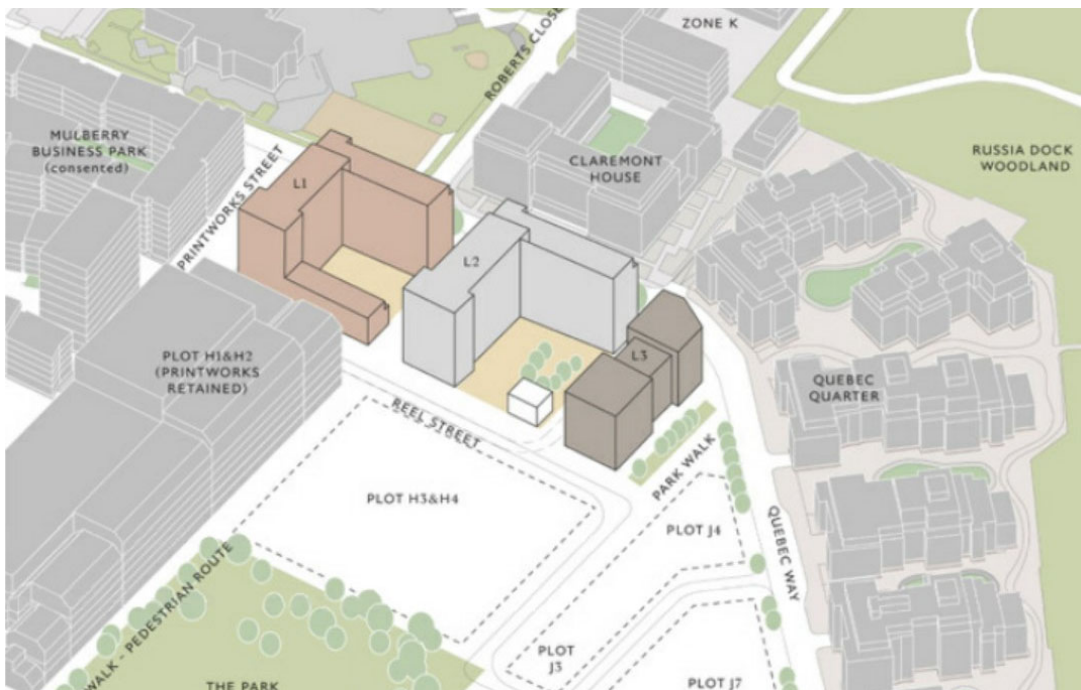


Figure 04 (above): Site diagram showing the arrangement of the three blocks that make up Zone L. The small white block between L2 and L3 is the substation.

40. Set out below is an overview of each block and the proposed landscaping.

Block L1

41. L1 would occupy the northwestern third of the site, bounded by Quebec Way to the northeast, Printworks Street to the northwest and Reel Street to the southwest. Along its southeastern edge it would be bounded by a proposed pedestrian linear route, to be known as Reel Walk, which would connect Quebec Way to Reel Street.
42. The block would comprise three wings arranged in a C shape around a central landscaped courtyard. The block would stand three storeys high on Reel Street, nine storeys high on Printworks Street and eight storeys high on Quebec Way. The building would be finished in terracotta-coloured brick. A mixture of inset, gallery-style and individual projecting balconies are proposed on the outward-facing elevations, some to have chamfered corners, with a deck-access arrangement proposed on the courtyard-facing elevation of the Quebec Way wing. The balconies and decks would be enclosed in vertical spindle metal railings, finished in a dusty red.



Figure 05 (above left): Rendered elevation of the lower floors of Block L1's courtyard façade. Figure 06 (above right): Visualisation of Block L1, as seen looking westward from Reel Walk into the L1 courtyard.

43. L1 would provide 84 homes all in social rent tenure. A range of 1-, 2-, 3- and 4-bedroom units are proposed, including a row of six three-storey townhouses. 16 'wheelchair user dwellings' are proposed across various floors of the block.

A commercial/community unit is proposed at ground floor level with a principal frontage onto Reel Street and a direct means of access into the L1 courtyard.

44. Two cores are proposed, each served by an external double-height lobby – one at the junction of Quebec Way and Printworks Street, and the other at the junction of Reel Street and Printworks Street. Bicycle and refuse stores would be positioned to either side of the cores and would be accessed by residents via the lobby. The lobby and bicycle stores would be enclosed by metal grilles and gates, finished in a dusty red.

Block L2

45. L2 would occupy the central third of Zone L, bounded by Quebec Way to the northeast and a new vehicular route, Reel Street, to the southwest and southeast. Along its northwest edge it would be bounded by the proposed Reel Walk.
46. The block would be formed of two wings arranged in an L shape around a landscaped public square open to Reel Street along its southeast and southwest edges. The wing fronting Quebec Way would be eight storeys in height, while the wing fronting Reel Walk would step up to nine. Its architectural language would replicate that of L1, with an accentuated parapet, paired slimline window and door openings set within a T-shape transom-and-column frame, chamfered balconies, and oversailing decks on the south façade of the Quebec Way wing. However, L2 would be treated differently to L1, with a mix of sandy yellow and brown stock brick proposed to the facades, and a creamy white stone-effect material to the parapets, door/windows frames and balcony fascias. Enclosure to the balconies and decks would be provided by silver/cream metal spindle railings.



Figure 07 (above left): Rendered elevation of the lower floors of Block L2's south façade. Figure 08 (above right): Visualisation of Block L2, as seen looking eastward along Quebec Way.

47. The block would be residential-led, with some of the ground floor and all storeys above providing a total of 90 homes in a mix of social rent and intermediate tenures. A range of 1-, 2-, 3- and 4-bedroom dwellings are proposed, including three two-storey townhouses and seven 'wheelchair user dwellings'.
48. L2 would also contain two flexible commercial/community units on the ground floor, both of which would front onto the landscaped public square. As with L1, two cores are proposed, each served by an external double-height lobby – one at the junction of Quebec Way and Reel Walk, and the other at the junction of Reel Street and Reel Walk. Bicycle and refuse stores as well as an integral loading bay for UKPN vehicles would be provided at ground floor level. The lobby and bicycle stores would be enclosed by grilles and gates, formed of silver/cream metal.

Block L3

49. Occupying the southeastern third of Zone L, L3 would be an island block of eight storeys with a broadly rectangular footprint chamfered at its northeast corner. It would be bounded by Quebec Way to the northeast, a proposed linear pedestrian route named Park Walk to the southeast, a small proposed public piazza to the southwest, and the proposed Reel Street to the northwest.



Figure 09 (above left): Rendered elevation of the lower floors of Block L3's south façade. Figure 10 (above right): Visualisation of Block L3, as seen looking eastward across the L2 square.

50. All 63 proposed dwellings would be market tenure, in a mix of studio, 1-, 2- and 3-beds. These would all be at first floor upwards. The block would contain a large lobby and three commercial units at ground floor level – two on the block's short return elevation fronting Quebec Way and one at the opposite end of the building fronting onto the small proposed piazza. Also at ground level would be bicycle storage, bin storage and sprinkler tanks.
51. L3 would have a mixture of paired and tripartite openings on all upper floors, along with chamfered balconies and a lipped stone-effect parapet. To distinguish it from the two neighbouring blocks, L3 would be faced in a mixture of dark and dusty brown bricks, creating a brindle effect in longer range views. Another feature that would differentiate L3 from L1 and L2 are the ground floor openings to the commercial units and lobby, which would have chamfered tops. Dark grey metal spindle railings would provide enclosure to the balconies, bicycle stores and refuse stores.

Landscaping, public space and greening

Trees

52. Eight of the 22 existing trees on the site are to be retained. Five would be to the front of L1 and three would be to the front of L2. 32 new trees are proposed, comprising:

- 13 trees planted along Reel Walk and the L1 courtyard;
- six trees planted within the L2 square;
- three trees planted within the square to the southwest of L3;
- five trees planted on Quebec Way (three to the north of L2, two to the north of L3); and
- five trees planted as part of the temporary public landscaped space on Park Walk.

53. A further six street trees are proposed immediately to the front of L1 on Printworks Street, and four are proposed along Reel Street to the front of L1 and L2 – however, these form part of the Printworks Street RMA and Reel Street RMA respectively, rather than forming part of the Zone L RMA.

Communal amenity, play and public space

54. With respect to communal amenity space, L1 would be served by a ground level courtyard, enclosed on three sides by the wings of the building and open on one side to Reel Walk. This would contain social seating areas and a communal dining table arranged around a central hard-surfaced route. The courtyard would also contain a play trail along which 'doorstep' play elements such as raised bridges and slides would be distributed, set within dense planting. Fencing and a gate would separate the L1 courtyard from Reel Walk.



Figure 11 (above left): Aerial image of the L2 public square, showing the differently programmed areas. Figure 12 (above right) Visualisation of the Reel Walk play trail.

55. Within Reel Walk, the concept of the play trail would continue, where low-level bridges and other playful elements aimed at under-5s and 5-11 year olds would be set within a densely-planted linear area of landscaping. This would run alongside a hard-surfaced pedestrian route connecting Quebec Way to Reel Street.
56. The proposed public square at L2 would provide a range of different spaces as follows:
- flexible lawn space;
 - areas of wildflower planting with mown trails;
 - social seating pockets;
 - informal nature play elements; and
 - temporary surfacing in the form of resin-bounded gravel.
57. The applicant proposes that all the facilities and landscaped areas within the public square would be for the shared used of the general public and the residents of the development. The two proposed commercial units within L2 would open onto the public square, with a small external area dedicated to spill-out dining furniture.



Figure 13 (above left): Aerial image of the L2 public square, showing the differently programmed areas. Figure 14 (above right): Visualisation of the L2 public courtyard, taken from the southwest corner looking to the northeast.

58. L3 would not have any adjacent communal outdoor space. However, residents would be able to make use of the L2 public square, located approximately 10 metres from the L3 lobby, across Reel Street. A small public piazza is proposed to the southwest of L3, the northern edge of which would be occupied during daytime hours by spill-out dining furniture associated with the ground floor commercial unit. Although predominantly hard-surfaced, the piazza would feature some soft landscaping in the form of a series of small planting beds.
59. Proposed as part of this RMA are temporary landscaping works to the northernmost section of Park Walk, onto which Block L3 will front. The final and permanent design of the Park Walk landscape will come forward under a separate RMA. The proposals associated with this application are to provide an interim condition that will enhance and provide a green frontage to the L3 residential building.
60. A wildflower meadow and an area of open lawn are proposed, and trees are to be planted in pots so that they can be transferred/repositioned when Park Walk is delivered in its final/permanent configuration. Hard surfaced areas within this interim public space are to be finished in clay pavers.

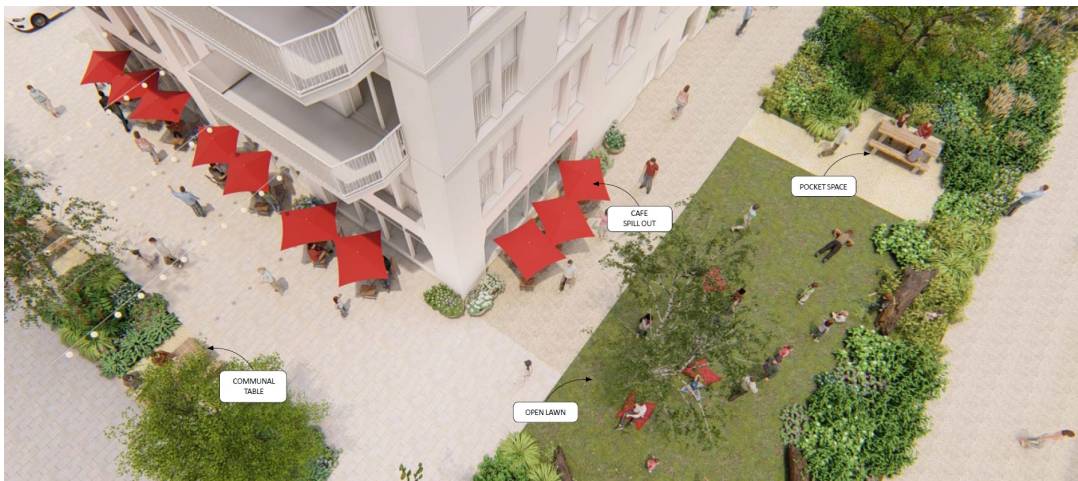


Figure 15 (above): Aerial image of the southern corner of Block L3 – visible on the left hand side is the piazza, while to the right hand side is the indicative temporary landscaping for Park Walk

Green roofs

61. Brown/biodiverse roofs are proposed to all three buildings. In total, 1,301 square metres would be provided. There would also be 245 square metres of intensive green roof on the roof of the townhouses proposed within L1.

Substation ventilation compound

62. A ventilation compound is proposed on part of the L2 public space, adjacent to the bend of Reel Street. The detailed design and layout of the substation has been approved under a separate planning permission (ref: 20/AP/2495), with further non material amendments consented (ref: 21/AP/3841). It was necessary to implement the substation in advance of the submission of the residential development RMA to ensure that power supply can be secured across the Canada Water Masterplan and to meet demand in Old Kent Road.
63. The proposed compound would provide a structure through which to draw in cooler external air and vent-out excess heat from the fully submerged substation. The inlet for the sub-station needs to be at least 54 square metres in surface area and the separate outlet needs to be at least 68 square metres.
64. The compound would be hexagonal in plan, occupying an area of approximately 72 square metres. In terms of its massing, it would comprise a base flat-roofed structure standing approximately 5 metres tall, extruded into two chimney features on the southwest and northeast corners, each standing 9.25 metres to their maximum point. The compound would be faced in perforated metal.



Figure 16 (above): Visualisation, looking west from the piazza, showing the substation compound in the context of the proposed Zone L buildings.

Planning history of the application site and nearby sites

65. Appendix 4 sets out in detail the full planning history for the site as well as details of relevant applications on adjoining or nearby sites.

Pre-application engagement and mid-application amendments

66. Reserved matters application 21/AP/3775 was submitted following a detailed pre-application enquiry, the reference number for which is 21/EQ/0229. During the course of the pre-application enquiry, the applicant made various amendments to the scheme design. The proposal also evolved in response to feedback from the Design Review Panel, more details of which are provided in a later part of this report. At the end of this iterative process, the Council issued a formal response letter. Although the letter was confidential at the time of issue, in accordance with the Council's commitment to ensuring all information relevant in the determination of a planning application is made publicly available, the response letter has been published on the Public Access for Planning Register alongside the 21/AP/3775 application documents. The letter should be referred to if any further information is required about the pre-application process.
67. The images below give a sense of the evolution of the design over the course of the pre-application process:



Figure 17 (above): Early iteration of the scheme proposing no set backs on Quebec Way, and which featured a gridded frame on most facades and deck access to upper floor flats.



Figure 18 (above): Final iteration of the scheme, where the omission of the gridded frame and the use of set-backs have made for a more legible form and less intense relationship to the street.



Figure 19 (above): Early iteration of the scheme, which proposed single-storey flats above duplex maisonettes. *Figure 20 (above): Later iteration of the scheme, which proposed three-storey houses with a rear roof terrace.*

68. Over the course of the planning application process, the applicant has made further refinements to the proposal in response to concerns raised through the consultation process and/or issues highlighted by officers. These changes include:

- internal changes including the re-positioning of the commercial/ community space within Block L1 from the courtyard to Reel Street (resulting in a small increase of floorspace in lieu of plant area);
- re-designed entrance to L3;
- rationalisation of plant;
- elevation changes, including:
 - a more strongly expressed parapet to L3;
 - overall minor height increase to L3 (new height still within Parameter Plan limitations);
 - introduction of solid aluminium panels to the upper part of some of the double-height ground floor bays in L2 to obscure plant behind;
 - the enlargement of the garage door serving the UKPN loading yard; and
 - refinements to the design and materiality of the front elevations of the L1 and L2 maisonettes.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- Consultation responses from members of the public and local groups
- Principle of the proposed development in terms of land use;
- Conformity with Outline Planning Permission;
- Environmental impact assessment;

- Density;
- Housing;
- Quality of residential accommodation;
- External amenity space and young people's play space;
- Amenity impacts on nearby residential occupiers and surrounding area;
- Design;
- Public realm, landscaping and trees;
- Green infrastructure, ecology and biodiversity;
- Transport and highways
- Environmental matters;
- Energy and sustainability;
- Digital connectivity infrastructure;
- Planning obligations and Community Infrastructure Levies;
- Community engagement and consultation responses and
- Community impacts, equalities and human rights.

70. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

71. 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 2021, the Southwark Plan 2022 and the Canada Water Area Action Plan 2015. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
72. 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

73. The statutory development plans for the borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework 2021 is a material consideration but not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

ASSESSMENT

Consultation responses from members of the public and local groups

74. Consultation with members of the public was conducted in December 2021. Letters were sent to local residents when the application was received, the application was advertised in the local press and site notices were displayed. The table below summarises the number of representations received:

<u>Consultation responses: Summary table</u>		
No. of representations: 9		
Of which:		
In objection: 8	Neutral: 1	In support: 0

75. The table below summarises the material planning considerations raised in objection by the consultation along with the total number of times each reason was raised.

<u>Planning Objections: Summary Table</u>	
Reason	No. times raised
<u>Design</u>	
Excessive height	7
Harmful to or not in-keeping with local character	6
<u>Social Infrastructure</u>	
Will increase pressure on public services (transport, healthcare, education etc.)	3
Unacceptable population increase	3
<u>Density</u>	
Proposal is an overdevelopment and/or too dense	3
<u>Conflict with hybrid planning permission</u>	
Block L2 exceeds height limit imposed under OPP and approved Parameter Plans	1

<u>Amenity Impacts</u>	
Will cause overshadowing (properties and/or the street)	2
Will create privacy impacts	3
Will result in loss of light	6
<u>Ecology</u>	
Loss of mature trees is unacceptable and/or sapling replacement is insufficient	3
References to biodiversity are hidden in application	1
Development should meet requirements of the Southwark Local Plan, London Plan and best practice guidance	1
Proposal needs more greenery	1
<u>Developer Approach and Community Engagement</u>	
Affordable housing/social housing provision should be spread equally across masterplan site	1
Developer has not amended application following concerns raised at previous consultations	1
Masterplan needs to be amended as a result of pandemic	1

76. The issues raised by these objections are dealt with in the subsequent parts of this report.
77. Some objections raised by the public consultation process do not constitute material planning considerations, such as loss of view. Therefore, these are not captured in the 'Planning Objections: Summary Table', nor are they discussed in later parts of this report.

Principle of the proposed development in terms of land use

Relevant policy designations

78. The site is within the Canada Water Opportunity Area, which the London Plan describes as aiming to deliver 20,000 jobs and the Canada Water Major Town Centre will provide at least 40,000sqm (net) new retail uses. Site allocations in Canada Water and Rotherhithe have enormous potential to provide new homes and commercial space, particularly in and around the Canada Water town centre.
79. The site is located within AV.15 Rotherhithe Area Vision of the Southwark Plan 2022. This states that development in Rotherhithe should:

- create a new destination around the Canada Water Dock that combines shopping, civic, education, and leisure, business and residential uses;
- provide as many homes as possible of a range of tenures including social housing while respecting the local character (there will be opportunities for taller buildings on key development sites);
- transform Canada Water into a new heart for Rotherhithe with a new leisure centre, shops and daytime and evening events and activities around the Dock and in the Harmsworth Quays Printworks;
- provide retail space including a new department store and independent shops, offices and places to eat and drink;
- provide new education opportunities and health services, which will include new school places and a health centre with GPs, and which could include colleges and universities;
- complement and improve the historic character, including the docks, and the unique network of open spaces, water and riverside;
- prioritise walking and cycling and improve public transport, including:
 - improved links to Southwark Park, the river, boat services and docks;
 - completion of the Thames Path;
 - a new river crossing to Canary Wharf;
 - better circulation of buses;
 - enhanced cycle routes to support expansion of cycle hire to the area; and
 - creating 'healthy streets';
- improve traffic flow on the road network, particularly on Jamaica Road and Lower Road;
- deliver a range of flexible employment spaces, including premises suitable for smaller businesses; and
- improve roads, pavements and cycleways, particularly the local environment around Albion Street and Lower Road.

80. The site lies within a wider area covered by Southwark Plan Site Allocation 81. The allocation states that development of the site must provide:

- retail uses; and
- a new health centre (Class E[e]) of approximately 2,000m²; and
- new education places for 14-19 year olds (Class F.1[a]); and
- new homes (Class C3); and
- enhanced public realm and civic space; and
- employment floorspace (Class E[g] and Class B); and
- leisure uses.

81. It also states the development of the site may provide:

- student accommodation (Sui Generis);
- new visitor accommodation (Class C1);

- extra care housing (Class C2); and
 - leisure, arts, culture or community uses.
82. In terms of design guidance the allocation states “The Canada Water vision is to transform Canada Water into a new major town centre destination which combines shopping, civic, education, leisure, business and residential uses. Much of the current environment is designed to accommodate trips made by cars. The aspiration is to create high quality streets and spaces that are not dominated by car use or by car parking”.
83. Harmsworth Quays provides an opportunity to expand the town centre eastwards to incorporate uses and activities that will reinforce the town centre, create jobs and boost the local economy. Development on these sites will be expected to maximise the amount of employment space and its contribution to the regeneration of the town centre.
84. Site Allocation 81 should accommodate improved walking routes to Canada Water Station and to public open spaces, with redevelopment enhancing Canada Water Basin for people and wildlife. Redevelopment should provide links to existing cycle routes and proposed Cycle Super Highway (if the scheme is ultimately delivered).

Current land uses and proposed losses

85. Zone L occupies a portion of the Printworks site, which in 2016 was granted temporary use as an entertainment venue for a period of five years. This was subsequently extended by another five years in 2021. The temporary permission will expire in May 2026. The parts of the Printworks site falling within the red line boundary of Zone L comprise ancillary and back-of-house facilities (totalling circa 2,945 square metres, which equates to approximately 7% of the total floor area of Printworks). The majority of the Printworks site falls within the red line boundary of Zone H, which is subject to a separate RMA process (ref: 21/AP/3338).
86. The OPP allows for the demolition or conversion of Printworks and for Zones L and H to be used for a variety of uses. Of these uses, only 1,500 square metres could be for a nightclub, and any such use would be permitted only in Zone D or Zone H, not Zone L. The OPP restricts land uses within Zone L to retail, workspace, assisted living, residential, community and/or parking and plant.
87. The OPP established the principle of development, including the loss of the existing Printworks floorspace. This RMA complies with the quantum and range of land uses allowed by the OPP, and thus the floorspace loss raises no land use issues.

Workspace, retail, community uses

88. London Plan and Southwark Plan policies support Zone L being developed for a mix of residential, commercial and community uses. This RMA proposes six small units in flexible commercial/community use (Classes A1-A4, B1 and D1 of the Use Classes Order as it existed when the OPP was granted permission). These would be distributed across the ground floor levels of Blocks L1, L2 and L3.
89. The principle of new Class B1 floorspace is established by the OPP, which applies a maximum cap of 1,500 square metres (excluding parking and plant) to Zone L. Even if all six proposed units were to be ultimately used for office purposes, this would still be consistent with the approved Development Specification for the OPP, and as such no land use concerns are raised by this potential use.
90. Given the town centre location of Zone L, it is entirely appropriate for the six proposed units to be used for retail/café uses. The OPP permits up to 3,000 square metres of this use. As such, even if all six premises were to be ultimately occupied by retail/café tenants, this would be acceptable. Positioned in prominent locations such as on the corner of the buildings, and in many cases adjacent to areas of public realm, the units would be particularly well lent to retail/café use.
91. In addition to workspace and retail/café uses, the OPP development specification permits community use on this site. Even if all units were to be used for community purposes, the 4,000 square metre cap imposed by the Development Specification would not be breached. As such, and similarly to the workspace and retail uses, the potential community uses would be consistent with the policy framework and the OPP.
92. Southwark Plan Policy P35 sets out the requirements for new retail development within town centres. For a development of this scale it is necessary for the proposal to include toilets, public drinking fountains and public seating. These features have already been secured within the s106 legal agreement attached to the OPP to which this RMA will be bound.
93. It should be noted the OPP for this site predates the formal adoption of the London Plan (2021) and the Southwark Plan (2022) and therefore formal adoption of any affordable workspace policies. Nevertheless, affordable workspace was secured as part of the OPP S106 obligations to which this RMA will be bound. It is not open to the Planning Authority to re-negotiate affordable workspace provision as part of a subsequent RMA as this has been established by the OPP. The obligation requires the affordable retail and workspace to be provided at phased trigger points linked to the phased delivery of commercial

floor space across the site but allows sufficient flexibility for it to come forward within any of the plots.

94. For the reasons set out above the proposed flexible commercial/community (Class A1-A4, B1 and D1) uses accord with the OPP and raise no new land use issues.

Residential use

95. London Plan Policy H1 (Increasing Housing Supply) identifies that councils should optimise housing delivery on suitable brownfield sites, particularly within Opportunity Areas.
96. Southwark Plan Policy SP1 (Homes for All) sets out the council's intention to build more homes of every kind in Southwark and to use every tool at the council's disposal to increase the supply of all different kinds of homes.
97. The aforementioned London Plan and Southwark Plan policies support in principle the redevelopment of Zone L for a residential-led scheme. Furthermore, the proposed use and quantum of development is allowed for within the approved Development Specification of the OPP, which requires the applicant to deliver a minimum of 2,000 residential units across the CWM. The provision of 237 new residential units within Zone L, which will contribute to meeting this target, is strongly supported by both planning policy and the requirements of the OPP.
98. Subsequent parts of this report address in detail the matters of density, housing quantum, tenure mix, dwelling mix, wheelchair housing and quality of accommodation.

UKPN facilities

99. This RMA includes 92.2 square metres of UKPN facilities (Sui Generis Use Class) at ground floor level within the footprint of Block L2. These facilities would take the form of a garage and a small separate stairwell, and are necessary to serve the below-ground substation. This Sui Generis land use has already been granted approval as part of the substation RMA (ref: 20/AP/2495), and so 21/AP/3775 effectively re-applies for the same land use in the same quantum, the difference being that these facilities would now be housed within the detailed Block L2 proposal.
100. 20/AP/2495 also permitted the construction of an above-ground compound and three small extract vents within the part of the site where 21/AP/3775 proposes to locate the public square.

101. The aforementioned elements are the only parts of the substation that would be located above ground and not be concealed by Block L2. 20/AP/2495 approved an 'interim' architectural resolution for the above-ground elements, with the expectation that the future residential RMA application would bring forward a 'final' proposal for the appearance of these structures. The proposed 'final' cladding solution is discussed in further detail in the 'Design' and 'Public Realm, Landscaping and Trees' sections of this report.

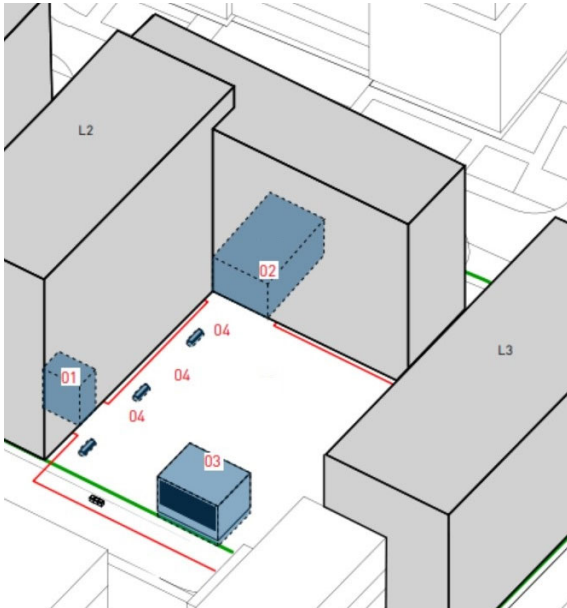


Figure 21 (above): Diagram of the substation elements approved as part of a previous NMA, 20/AP/2495. Elements labelled 01 and 02 are the stairwell and substation. Elements labelled 03 and 04 are the compound and extract vents.

102. The OPP recognised the need for primary substation facilities to be provided within the Masterplan, with the Development Specification permitting the delivery of up to 3,000 square metres for such a use. The Development Specification identifies Zone E and/or Zone L as being appropriate locations for this land use. Being in accordance with the OPP, the proposed ancillary-to-substation use raises no land use issues in principle.

Land use summary

103. As discussed above, the proposal to deliver a scheme comprising 237 residential uses together with flexible commercial/community uses and an above-ground substation compound is consistent with the approved OPP and would meet the requirements of the relevant policies.

Conformity with Outline Planning Permission

104. The proposed development is in compliance with the approved OPP and would accord with the development specification limitations in terms of quantum of development and land use. The proposed development would contain a high provision of affordable housing, deliver new retail/workspace/community facilities, and improve permeability and access to public space through the provision of new landscaped spaces and pedestrian routes.
105. There are, however, some minor respects in which the Zone L RMA would not comply with the approved Design Guidelines. These are:
- MP3.15 'Balcony Minimum Heights' – this guideline requires projecting balconies to be positioned at least 6 metres above ground level;
 - MP3.4 'Building Line Continuity' – this guideline requires the L3 façade fronting onto Park Walk to stand on the boundary line for at least 75% of its length (i.e. no more than 25% should be recessed from the boundary line); and
 - MP7.9 'Design of ventilation grilles and louvres' – this guideline states that “for facades visible from the public realm at street level, proprietary louvres of the type used around building service plants should not be used. Vent openings should be architecturally screened”. The guideline gives hit-and-miss brickwork as a precedent for achieving such screening.

Guideline MP3.15

106. Buildings L1 and L2 contain a number of projecting balconies approximately 4.5 metres above ground level. Despite breaching design guideline MP3.15, these balconies are an inevitable part of the buildings' architectural elaboration and would bring private amenity space benefits to the future occupiers. Therefore, the balconies are considered acceptable.

Guideline MP3.4

107. Regarding the matter of building line continuity, approximately 71% of Block L3's Park Walk frontage would stand on the boundary line, with the central 29% portion of the façade set-back. This is considered a minor deviation from MP3.4 and one which would not undermine the purpose of the guideline – which is to ensure that Block L3 provides streetwall continuity and suitable enclosure to the open space of Park Walk. The 'street block' scale of Block L3, together with its strongly expressed corners and parapets, would achieve the aims of the guidelines. As such, the deviation from the guideline is considered acceptable.

Guideline MP7.9

108. The drawings that support this RMA suggest there would be no ventilation grilles or louvre panelling within the frontages of any of the commercial/community units, which is welcomed. However, there are two elements of the application that would require a vented solution, as follows:
- the roller-shutter garage door to the UKPN loading bay; and
 - the UKPN substation compound enclosure.
109. The roller-shutter garage door would be of a partly-louvered design, which is essential to ventilate the interior space at the requisite rate. The applicant has not provided any detailed designs for the garage door, preferring to reserve these for the 'approval of details' stage. While this is acceptable, the applicant will be required to demonstrate when they come forward with their 'approval of details' application that the design of the door meets guideline MP7.9.
110. The substation compound enclosure would be formed of perforated weathered steel with finer punctuations around the lower half of the compound. The metalwork finish would be a blend of orange, brown and cream tones – directly referencing the colouration of Blocks L1, L2 and L3. The two tapered chimneys would add a playful twist to the structure. The substation would have a green roof providing visual amenity to the residents that overlook the L2 square. As stated in the masterplan guidelines, the purpose of MP7.9 is to refine the quality of the public realm; for the aforementioned reasons, it is considered that the compound enclosure would achieve this aim.

Environmental impact assessment

111. Environmental Impact Assessment is a process reserved for the types of development that by virtue of their scale or nature have the potential to generate significant environmental effects.
112. The OPP was considered to be EIA development. An assessment of the likely significant environmental effects of the Canada Water Masterplan was reported in an Environmental Statement (ES) co-ordinated by Waterman Infrastructure & Environment Ltd which accompanied the Outline planning application, submitted in May 2018. This original ES (May 2018) has subsequently been the subject of two ES Addenda (October 2018 and June 2019) and these three documents together comprise the Canada Water Masterplan ES. At the time of determination of the OPP the relevant regulations were the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the '2011 Regs').
113. Condition 7 of the OPP requires each application for reserved matters to contain the information set out in the Reserved Matters Compliance Statement

Checklist which includes the requirement for an Environmental Statement (ES) Statement of Conformity (SoC).

114. An ES SoC is a document that considers the details of the relevant RMA and explains the conformity of those details with the conclusions of the environmental impact assessments reported in the Canada Water Masterplan ES.
115. The works proposed by this RMA include the construction of three new residential-led buildings, the creation a new pedestrian route to be named Reel Walk, and the provision of new public and private landscaped spaces and courtyards. Other previously approved works within the site boundary include the construction of a largely subterranean UKPN primary substation with associated above-ground compound, enabling works for which are presently underway. The primary substation was subject to a separate RMA (ref: 20/AP/2495), approved in July 2021, which was accompanied by its own separate ES SoC.
116. The RMA details for Zone L have been reviewed against the Canada Water Masterplan ES by Waterman and technical specialists who contributed, who confirm that the details conform with the assessment of effects previously undertaken and the mitigation proposed remains proportionate and relevant. The review has identified that the RMA details would not alter the likely significant residual effects previously identified within the approved Canada Water Masterplan ES. However, since submission of the Canada Water Masterplan ES, additional assessments have been undertaken in relation to ground conditions and ecology in order to discharge planning conditions attached to the OPP. In addition, the ES SoC is informed by an up-to-date wind microclimate assessment that takes account of the RMA details. This additional assessment work is submitted as 'further environmental information' to supplement the existing Canada Water Masterplan ES.
117. For the above reasons, a further EIA is not required in respect of the Zone L RMA.
118. Set out below is a summary of the topics that were included in the Canada Water Masterplan ES and which the applicant has addressed in their ES SoC, including where applicable an overview of the additional environmental information and an assessment of their findings.

Socio-Economics, Transportation and Access, Noise and Vibration, Air Quality, Ground Conditions and Contamination, and Water Resources and Flood Risk

119. The effects of the Zone L RMA proposal on employment creation, housing, population, healthcare and education facilities and additional spending would

accord with the OPP ES, as the proposed development would not alter the scale or significance of the socio-economic effects as previously identified. Housing quality, including provision of outdoor and play space, is dealt with in detail in a later part of this report.

120. With regard to the topic of transportation and access, it is considered that there would be no significant or material change to the traffic data, road traffic-related noise and vibration effects. This is because:

- the total floorspace proposed by the Zone L RMA lies within the maximum floorspace parameters;
- the data used for the approved ES and Transport Assessment remains appropriate; and
- the RMA brings forward the transport related mitigation previously identified.

121. With respect to noise and vibration, the OPP ES identified that the emissions from traffic and heating plant for Zone L would be insignificant. The RMA proposal remains consistent with this, incorporating a number of air quality neutral design measures including air source heat pumps. Conditions 84, 96 and 97 of the OPP decision notice provide further neighbour amenity protection with regard to noise and vibration.

122. In terms of ground conditions, water resources and flood risk, the submitted SoC confirms that baseline data and technical reports remains unchanged since the approval of the OPP. With regard specifically to drainage, the detailed design submitted as part of the RMA shows that surface water runoff would be suitably restricted and attenuated. Therefore, it is considered that there would be no change to the water resources, flood risk effects, ground conditions and/or any mitigation previously identified within the OPP ES.

Ecology

123. Following the submission of the Preliminary Ecological Appraisal for the OPP, a Preliminary Roost Assessment (PRA) was undertaken in March 2020 and a walkover survey was undertaken in June 2021 for Zone L. The PRA assessed the main Printworks building, partly situated in Zone L, to be of “low” potential for roosting bats. This contrasted with the baseline conditions recorded as part of the 2017 ‘Extended’ Phase I Habitat Survey, which assessed all buildings (not just Printworks) and trees associated with Zone L to have “negligible” potential for supporting roosting bats. Further detail is contained within the submission planning application 21/AP/1068, which sought to discharge Condition 93 (Precautionary Bat Survey) of the OPP.

124. A single evening emergence survey was undertaken in August 2021. As no bats were recorded from the Printworks building, it was concluded that roosting bats

are absent and therefore not an important ecological feature. Further detail was provided in a Plot H1/H2 Bat Emergency Survey Briefing note submitted in August 2021.

125. The walkover survey in June 2021 confirmed no changes to the baseline conditions of the 'Extended' Phase I Habitat Survey of April 2017. The SoC confirms that the Printworks building retains its potential for nesting birds and nesting bird behaviour was identified during the PRA. Therefore, the recommendations previously detailed within the ES for pre-demolition/ pre-clearance nesting bird checks where works are undertaken during the breeding bird season (i.e. March to August) remain valid. Overall, it is considered that there are no changes to the likely significant ecology effects previously identified and the approved mitigation within OPP ES remains valid.

Wind microclimate

126. The proposed massing for Zone L remains within the maximum parameters as assessed by the Pedestrian Level Wind Microclimate Assessment reported in the OPP ES. However, this RMA includes pedestrian thoroughfares through the plot, entrance locations, amenity spaces at ground floor level and balconies on the majority of the elevations; as a result a Pedestrian Level Wind Microclimate Assessment Report for Development Zone L has been submitted to assess any changes. The report confirms that the wind flow patterns around the building would not substantially change from the wind microclimate assessment from the OPP ES. However, in the absence of landscaping or wind mitigation measures, minor adverse wind effects would occur in the context of existing surroundings and the surrounding approved Canada Water Masterplan. Wind conditions at Zone L have been categorised using the Lawson Comfort Criteria and the predicated wind conditions compared against the intended pedestrian uses.
127. In the context of existing surroundings, the SoC confirms that conditions would be windier than those identified within the OPP ES during the windiest season, due to the absence of buildings situated to the south and south-west to offer shelter. Entrances at the southern corners of Plot L1 and south-eastern corner of Plot L2 would be one category windier than suitable for the intended use and would require wind mitigation. During the summer season, the majority of wind conditions would likely be suitable for the intended use with the exception of designated seating areas at the south-eastern corner of Plot L2 and along the southern elevation of Plot L3. These areas would require wind mitigation measures to provide adequate localised shelter. All other locations would have appropriate wind conditions.



Figure 22 (above): Expected wind conditions at ground level in the windiest season pre-mitigation, modelled on a context comprising Zones A1, A2, K1 and the existing surrounding buildings. Post-mitigation, the residual effects would remain as reported within the approved OPP ES (i.e. insignificant).

128. The SoC states that as the OPP builds out, substantial shelter would be provided from the prevailing southwesterly winds. However, windier than suitable conditions would persist during the windiest season at entrances at the southern corners of Plot L1. During the summer season, it is considered that the majority of areas would be suitable for the intended use, with the exception of the designated seating area at the south-eastern corner of Plot L2 which would continue to require mitigation. The SoC states that as OPP proposed developments come forward to the west and south-west of Zone L, wind conditions during the windiest and summer seasons would be appropriate for the intended use at ground and balcony levels. No strong winds exceeding the threshold for potential safety concerns for cyclists and more vulnerable pedestrians would be expected.

129. The proposed wind mitigation measures would include:

- recessing the lobby and individual residential entrances from the façade line;
- utilising solid or perforated screens or dense planting of similar dimensions; and
- localising landscaping features in the designated seating areas and placing them perpendicular to the prevailing south-westerly wind directions.

130. Mitigation measures would be temporarily or permanently incorporated into the proposed landscaping scheme, depending on the status of the surrounding developments.
131. Overall, it is considered that the minor adverse effects at entrances of the southern corners of Plot L1, south-eastern corner of Plot L2, designated seating areas at the south-eastern corner of Plot L2 and along the southern elevation of Plot L3 would be mitigated by the implementation of the recommended wind mitigation measures. The SoC confirms that following the implementation of the wind mitigation measures, the residual effects would remain as reported within the approved OPP ES, namely insignificant. In addition, Condition 77 of the OPP requires full details of wind mitigation measures to be detailed prior to above grade works.



Figure 23 (above): Expected wind conditions at ground level in the windiest season pre-mitigation, modelled on a context comprising the proposed development plus the entire CWM and cumulative surrounding buildings.

Townscape, visual, built and buried heritage

132. The location, massing and scale of the proposed development for Zone L would accord with the approved Parameter Plans for the OPP (as amended by the NMA, ref no: 21/AP/4235). The UKPN substation and basement have been assessed under a separate RMA (ref no: 20/AP/2495), which was in accordance with the approved Parameter Plans. As agreed under the OPP ES, pre-determination archaeological investigation works were not deemed necessary. However a programme of archaeological mitigation works were recommended with a written scheme of investigation, would all of which will be managed by Condition 66 of the OPP.

133. Overall, it is considered that there would be no significant change to the townscape, visual, built and buried heritage effects previously identified within the approved ES for the Canada Water Masterplan.

Daylight, sunlight, overshadowing, light pollution and solar glare

134. While a number of balcony slabs would protrude slightly beyond the parameter envelope previously assessed, in light of the generous separation distances between the Zone L proposed and the existing nearby built context, the overall assessment of daylight, sunlight and overshadowing effects on neighbouring properties is considered to remain consistent with those set out in the OPP ES.
135. As the proposed development is largely for residential use, the potential for significant light pollution effects is not considered to be likely and therefore a technical assessment of Zone L is not deemed to be necessary.
136. In terms of solar glare, given the relatively limited height of the buildings within their proposed context, the proposed solid brickwork materiality, punched windows and some overhanging balconies, the presence of glazed areas with potential for solar reflections is considered to be limited.
137. In summary, it is considered that the residual adverse effects of daylight, sunlight, overshadowing, light pollution and solar glare would be consistent with those reported for the detailed proposals in chapter 16 of the OPP ES.

Cumulative effects

138. Given that no change is anticipated to the significance of environmental effects reported in the technical chapters of the CWM ES, there would be no change to the cumulative effects previously assessed.

Density

139. Neither the London Plan nor the Southwark Plan set prescriptive density ranges within which schemes must fall; instead, both encourage optimisation site of capacity through a design-led approach, involving an evaluation of the site's attributes, its surrounding context and its capacity for growth. This process must have regard to the need to make efficient use of land while ensuring a high standard of architectural design and residential accommodation is achieved.
140. The Zone L site occupies an area of 0.75 hectares. The scheme would deliver a total non-residential floorspace of 344.3 square metres GIA, which is the equivalent of 12 habitable rooms. The proposed residential element would deliver 787 actual habitable rooms. Using the calculation method set out in the

Council's Residential Design Standards SPD, the development density would be 1073 habitable rooms per hectare.

141. The proposed massing sits within the heights and land use quanta established in the Parameter Plans. Furthermore, and as explained in the subsequent sections of this report, the scheme would:

- deliver a policy compliant mix of dwelling sizes and tenures;
- provide residential accommodation of a good standard;
- be of a high standard of architectural design; and
- cause no undue harm to the local environment or existing residents' amenity.

142. On account of the above, the scheme's density of 1073 habitable rooms per hectare is considered acceptable.

Housing

143. The development would provide 237 new homes in maisonette, apartment and townhouse formats. 174 of the homes would be affordable, equating to 76.6% of the total when measured in habitable rooms, in a tenure mix of 137 social rent units and 37 intermediate units.

Housing quantum

OPP context

144. Schedule 11 'Housing' of the OPP s106 requires a minimum of 2,000 residential units (Use Class C3) to be delivered across the CWM as a whole, but the Masterplan could deliver up to around 4,000 new homes based on the maximum GEA floorspace permitted. While the number of homes deliverable at Zone L is not capped by the OPP, Condition 5 of the decision notice limits the total residential floorspace to 27,600 square metres GEA.

145. Schedule 11 of the OPP s106 also obligates the developer to submit a Housing Delivery Plan with each RMA. With respect specifically to housing quantum matters, the Housing Delivery Plan is required to:

- confirm the number of residential units to be provided as part of the RMA; and
- outline how the number of homes proposed by the RMA will ensure the developer remains on course to ultimately provide at least 2,000 residential units across the CWM as a whole.

Assessment

146. The Housing Delivery Plan submitted by the applicant (ref: 22/AP/1055) sets out that Zone L would deliver 237 homes. This equates to 23,682 square metres GEA of Class C3 floorspace, thus not exceeding the upper limit set by the OPP. The Housing Delivery Plan also explains that, with 912 residential units committed for delivery as part of the Phase 1 Zones (Zones A1 and K1) and submitted RMAs (Zone L and Zone F), there are 1088 units still to be delivered to comply with the 2000 minimum number that ultimately needs to be delivered across CWM as a whole. At this point in time, the obligation remains achievable, noting nearly 50% of this amount will have been delivered by these earlier development zones.
147. For the reasons given above, the quantum of housing proposed at Zone L complies with the thresholds established by the OPP.

Tenure mix

OPP context

148. In terms of tenure mix, Schedule 11 of the OPP s106 requires a minimum of 35% of the total habitable rooms across the entire CWM area to be provided as affordable housing, with a minimum of 25% to be social rented and 10% to be intermediate housing. This means that individual development zones are permitted to deliver more or less than 35% of habitable rooms as affordable housing.
149. Notwithstanding the degree of flexibility individual development zones are afforded, the OPP s106 requires that with every tranche of 500 homes constructed, at least 35% of the habitable rooms must be affordable in the 25:10 ratio of social rent to intermediate. These 500-home milestones ensure that delivery of the affordable housing remains broadly on track with delivery of the CWM housing as a whole. To this end, the Housing Delivery Plan that must accompany each RMA is required to explain how the proposed tenure mix will play its part in maintaining the level of CWM-wide affordable housing at 35% or more when the next 500-home milestone is reached.
150. With respect to the matters of affordable housing and tenure, the Housing Delivery Plan for each RMA must include the following:
- the number of affordable housing units proposed;
 - the dwelling mix of the proposed affordable housing units;
 - the tenure mix of the proposed affordable housing units;
 - the intermediate housing product(s) to be provided;
 - an indicative programme for the delivery of the proposed affordable housing;

- where known at the time of submission, details of the proposed Registered Provider;
- the percentage of the total affordable habitable rooms in those parts of the CWM for which reserved matters have been approved to date, as well as the total affordable habitable rooms within the subject RMA;
- outline how the number of affordable homes proposed by the RMA will ensure the developer remains on course to ultimately provide a compliant tenure mix at each of the 500-home milestones.

Assessment

151. The applicant's Housing Delivery Plan for the Zone L RMA confirms that a total of 237 homes would be delivered, of which 174 would be affordable, and that these would be spread across unit sizes ranging from 1-beds to 5-beds. The below table sets out the affordable housing offer relative to the open market provision, and how this would be split across the different unit sizes:

Dwelling distribution across all tenures				
Unit size	Open market	Intermediate	Social rent	Total
Studio	19 (30.2% of all OM)	0	0	19 (8.0%)
1-bed	13 (20.6% of all OM)	21 (56.8% of all SO)	33 (24.1% of all SR)	67 (28.3%)
2-bed	25 (39.7% of all OM)	16 (43.2% of all SO)	60 (43.8% of all SR)	101 (42.6%)
3-bed	6 (9.5% of all OM)	0	40 (29.2% of all SR)	46 (19.4%)
4-bed	0	0	3 (2.2% of all SR)	3 (1.3%)
5-bed	0	0	1 (0.7% of all SR)	1 (0.4%)
All units	<u>63</u>	<u>37</u>	<u>137</u>	<u>237</u>

152. With respect to the social rented housing, the Registered Provider for the scheme is yet to be confirmed. However, the applicant has held some informal discussions with Southwark Council, who has expressed an interest in becoming the landlord of these 137 units.

153. The housing proposed at Zone L would deliver 787 habitable rooms, comprising 504 social rented habitable rooms, 99 intermediate habitable rooms, and 184 open market habitable rooms. The applicant's Housing Delivery Plan proposes that Zone L will be the third zone in CWM to be delivered, following Zones A1 and K1. The affordable housing delivered by these two consented zones are:

- Zone A1 – 25 hab rooms, constituting 4% of the total hab rooms (605) in the zone; and
- Zone K1 – 258 hab rooms, constituting 100% of the total hab rooms (258) in the zone.

154. Upon completion of Zone L, and in combination with the housing targeted to have already been delivered at Zones A1 and K1, 53.7% of all habitable rooms across the CWM area would be in affordable tenures (with the remaining 47.3% being market habitable rooms). By helping to sustain the level of affordable housing across the CWM area above the minimum threshold of 35%, the Zone L proposal meets the requirements of the OPP.

155. The below table sets out how Zone L fits into the wider anticipated sequencing of the CWM zones, and with them the attendant affordable housing.

Housing delivery based on anticipated sequencing of residential Zones					
	<u>No. of homes in Zone</u>	<u>No. of hab rooms In Zone</u>	<u>No. of affordable hab rooms in Zone</u>	<u>Affordable hab rooms as a % of total in Zone</u>	<u>Affordable hab rooms as a % of running Masterplan-wide total</u>
Zone A1	186	605	25	4.1%	4.1% (of 605)
Zone K	79	258	258	100%	32.8% (of 863)
Zone L	237	787	603	76.6%	53.7% (of 1650)
The delivery of Zone L would bring the running total of homes to over 500, meaning the first milestone would be reached. As shown above, the 35% minimum would be achieved at this milestone, with <u>53.7% of habitable rooms in affordable tenures.</u>					
Zone F	410	1161	0	0	31.5% (of 2811)
Zone G	419	1,311	863	65.8%	42.4% (of 4122)
The delivery of Zone G would bring the running total of homes to over 1000, meaning the second milestone would be reached. As shown above, the 35% minimum would be achieved at this milestone, with <u>42.4% of habitable rooms in affordable tenures.</u>					

Dwelling mix

OPP context

156. Annex 1 of the OPP decision notice requires the applicant to submit with each RMA details of the quantum, tenure mix, unit mix and location of the proposed housing at Zone L. As required by Annex 15 of the OPP s106, the dwelling mix must meet the following requirements:

- a maximum of 10% of residential units to be studio flats, all of which are to be Market Sale tenure;
- a minimum of 60% of residential units to have two or more bedrooms;
- a minimum of 20% of residential units to have three, four or five bedrooms.

157. These 'minimum' and 'maximum' requirements are designed to enable the mid-rise blocks within the CWM development zones to provide a much higher proportion of family homes than zones where towers are proposed in order that policy compliance is achieved Masterplan-wide. This flexibility was built into the OPP because residential towers do not necessarily lend themselves to family accommodation as well as mid-rise blocks. As such, there is an implicit expectation that Zone L, being a mid-rise development zone, will deliver a higher proportion of family homes than the 'minimums' stated in Annex 15.

158. These dwelling mix requirements derive from the policy framework that applied at the time the OPP was approved, which included the Southwark Plan 2007 and the London Plan 2011. The OPP s106 does not place any requirements on the applicant with regard to achieving a particular habitable room distribution within each RMA.

Assessment

159. The distribution of dwellings by size/occupancy across Zone L would be as follows:

Distribution of dwellings by size/occupancy across Zone L				
Size	Block L1	Block L2	Block L3	Total
Studio	0	0	19 <i>100% of studios</i>	19 <i>8.0% of all 237 homes</i>
				86

1b2p	17 <i>25.4% of 1b2p's</i>	37 <i>55.2% of 1b2p's</i>	13 <i>19.4% of 1b2p's</i>	67 <i>28.3% of all 237 homes</i>	36.3% of all 237 homes
2b3p	17 <i>38.6% of 2b3p's</i>	27 <i>61.4% of 2b3p's</i>	0	44 <i>18.6% of all 237 homes</i>	101 42.6% of all 237 homes
2b4p	24 <i>42.1% of 2b4p's</i>	8 <i>14.0% of 2b4p's</i>	25 <i>43.9% of 2b4p's</i>	57 <i>24.0% of all 237 homes</i>	
3b4p	10 <i>90.9% of 3b4p's</i>	1 <i>9.1% of 3b4p's</i>	0	11 <i>4.6% of all 237 homes</i>	46 19.4% of all 237 homes
3b5p	12 <i>48.0% of 3b5p's</i>	13 <i>52.0% of 3b5p's</i>	0	25 <i>10.6% of all 237 homes</i>	
3b6p	2 <i>20.0% of 3b6p's</i>	2 <i>20.0% of 3b6p's</i>	6 <i>60.0% of 3b6p's</i>	10 <i>4.2% of all 237 homes</i>	
4b6p	2 <i>66.7% of 4b6p's</i>	1 <i>33.3% of 4b6p's</i>	0	3 <i>1.3% of all 237 homes</i>	
5b7p	0	1 <i>100% of 5b67p's</i>	0	1 <i>0.4% of all 237 homes</i>	
All	84 <i>35.4% of all 237 homes</i>	90 <i>38.0% of all 237 homes</i>	63 <i>26.6% of all 237 homes</i>	237 <i>100% of all 237 homes</i>	

160. As the above table shows, Zone L would provide a compliant dwelling mix, comprising:

- no more than 10% of the residential units as studio flats (8%);
- a minimum of 60% of the residential units with two or more bedrooms (63.7%); and
- a minimum of 20% of the residential units with three, four or five bedrooms (21.1%).

161. With the proportion of family homes exceeding the 'minimums' required by the OPP, the Zone L RMA will play its part in helping reduce pressure on future high-rise RMAs to deliver a high proportion of family homes.

162. While the majority of the family homes are limited to Blocks L1 and L2 (the two affordable blocks), they are distributed across these two blocks in a relatively balanced way by occupancy number. Overall, it is considered that the range of homes, and their distribution across the blocks, will make for a mixed and socially inclusive development.
163. It should also be recognised that, of the larger family (three-, four- and five-bedroom) dwellings within the development, 88% would be in affordable tenures. This effort to more closely tailor the range of unit sizes to specific local affordable housing demand responds positively to Part A.1 of London Plan Policy H10, despite the OPP s106 placing no obligations on the developer to do so, and as such should be seen a significant benefit of the scheme.
164. For the reasons give above, the dwelling mix proposed at Zone L complies with the thresholds established by the OPP.

Wheelchair housing

165. The OPP s106 agreement states that unless otherwise agreed by the Council, the proposed development must provide no less than 10% of the residential units in each development zone to M4(3) 'wheelchair user' standards. The remaining residential units in each development zone must be built to M4(2) 'accessible and adaptable' standards. The OPP s106 states that any wheelchair units are to be provided as affordable housing and details a list of accessibility requirements (Schedule 14, Paragraph 1.3). The policies concerned with wheelchair housing within the Southwark Plan 2022 and the London Plan 2021 are not relevant to this RMA, as the terms secured within the OPP s106 take precedence.
166. This planning application proposes 24 M4(3) 'wheelchair user' dwellings in Buildings L1 and L2 totalling 10% of the total number of dwellings on Zone L. These 24 dwellings would be distributed as follows:
- x 7 2-bedroom 3-person units;
 - x 10 2-bedroom 4-person units; and
 - x 7 3-bedroom 4-person units.
167. The remaining 90% of the proposed dwellings would comply with M4(2) 'accessible and adaptable' standards. Wheelchair user dwellings would not be clustered together and would be distributed across type, size and floor within Buildings L1 and L2, to ensure that wheelchair users have a degree of choice over the location and level of their home. All of these homes would be readily useable by wheelchair users at the point of completion and could be easily adapted to meet the needs of occupants.

168. The Design and Access Statement details internal provisions under categories M4(2) and M4(3) in the proposed development, including details of minimum clear opening widths for entrance doors and balconies, corridor widths and accessible and adaptable bathroom provision, amongst other requirements. All residential units will be served by two passenger lifts, so wheelchair user dwellings would have access to a second lift in case one breaks down.
169. With step-free access achieved throughout each of the three buildings and all outdoor spaces, as well as a compliant mix of wheelchair homes, it is considered that Zone L would provide adequately for the needs of wheelchair users.
170. Provision of Blue Badge parking for disabled occupiers is discussed in a later part of this Committee Report entitled 'Transport and Highways'.

Quality of residential accommodation

171. Adopting a design-led approach, Policy D6 (Housing Quality and Standards) of the London Plan 2021 sets out the quantitative and qualitative requirements of new residential accommodation. Quantitative metrics include the minimum size of dwellings, rooms and outdoor spaces. Qualitatively, the policy seeks to maximise dual aspect and naturally-lit layouts, make tenures imperceptible from each other, and ensure robust maintenance and management strategies are in place.
172. Policy P15 (Residential Design) of the Southwark Plan 2022 advises that planning permission will be granted provided the proposal achieves a high standard of residential accommodation. The full range of local-level standards for internal accommodation are set out in the Council's Residential Design Standards SPD.

Tenure integration

173. London Plan Policy D6 requires housing developments to maximise tenure integration in the interests of achieving mixed communities. It states that all affordable housing units should have the same external appearance as private housing, and that all entrances should be indistinguishable from each other. Policy SP2 (Southwark Together) of the Southwark Plan 2022 echoes these objectives, requiring residential schemes to achieve equity of esteem from street level and avoid segregation of tenures.
174. Of the three Zone L blocks, it is proposed that one would contain entirely social rented units, one would contain entirely open market units, and the other would contain a mix of social rented and intermediate units. In the case of the mixed tenure block there would be two cores, each dedicated to one of the tenures. The below diagram illustrates this arrangement.

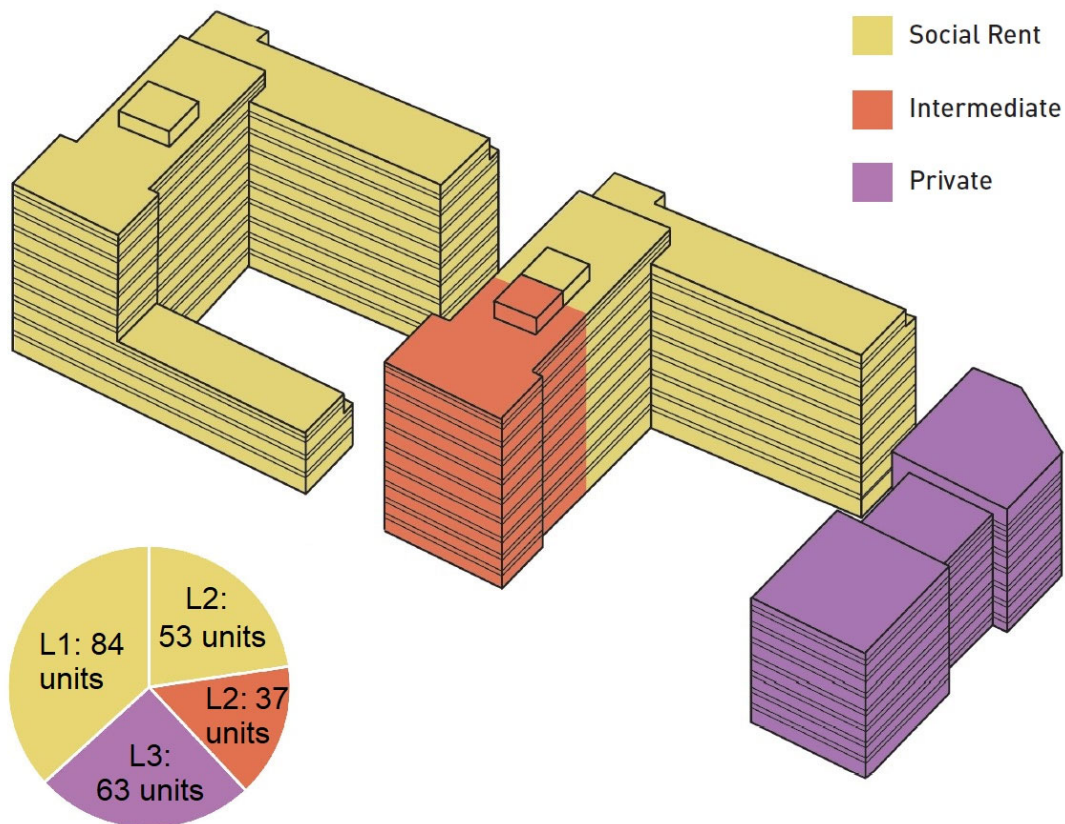


Figure 24 (above): Diagram illustrating the arrangement of the tenures across the three blocks.

175. The external appearance of all three buildings would be of a consistent standard, and all communal and individual entrances would be indistinguishable from each other, thus ensuring imperceptibility of tenure. In addition, the various outdoor communal and public landscaped spaces between the buildings would help to foster integration between residents irrespective of the tenure of their home. This would ensure equity of esteem from street level.

Dwelling sizes, room sizes and provision of built-in storage

176. The internal area of all but 10 of the proposed homes would satisfy the minimum floor areas set out in the Council's Residential Design Standards SPD. The non-compliant dwellings, would all be logical and efficient in their layout, with practically-shaped rooms and minimised circulation space such that there would be no detrimental impact on the future occupiers' quality of life. As such, overall, the GIA compliance rate is considered acceptable.

177. Flat layouts are of a good quality with storage space provided in accordance with the Residential Design Standards SPD.

178. There are six living rooms within the Zone L proposal that, at 9.0 square metres, fall short of the minimum 15 square metres required by the Residential Design Standards SPD. These living rooms are in the row of six townhouses at Block L1, one at each townhouse. Importantly, these homes also contain an additional lounge area within the ground floor open-plan kitchen/dining/family space, and thus the living room is essentially an additional lounge space. As the floorplans below show, the townhouses are well laid-out with a suitable range of daytime/living spaces well suited to the needs of the larger families they will accommodate.



Figure 25 (above): The ground, first and second floor layouts (left, centre and right respectively) of the Block L1 townhouses.

179. All dwellings would have built-in storage space of a size that meets the minimum requirements of the Council's Residential Design Standards SPD.
180. In summary, the dwelling, room and built-in storage sizes are considered acceptable.

Floor-to-ceiling height

181. London Plan Policy D6 states that the minimum floor to ceiling height must be 2.5 metres for at least 75% of the Gross Internal Area of each dwelling and the Council's Residential Design Standards SPD, states a minimum headroom of 2.3 metres. All proposed dwellings within Zone L would have a floor-to-ceiling height of 2.5 metres. This would contribute to the sense of space within all the dwellings.

Internal noise and vibration levels

182. Conditions 84 and 96 of the OPP require all dwellings within CWM to be designed and built to be protected from excessive noise and night-time vibration.
183. The Council's Environmental Protection Team have recommended that a condition be attached to the RMA restricting the hours of use of the flexible Class A1-A4, B1 and D1 units within the three Zone L blocks so that potentially noise-generating activities are restricted to outside night-time hours. The hours of opening would be:
- Mondays to Saturdays: 07:00-23:00; and
 - Sundays and Bank Holidays: 08:00-22:00.
184. The Council's Environmental Protection Team have also recommended restrictions on delivery hours to the flexible Class A1-A4, B1 and D1 units. Permitted delivery periods would be:
- Mondays to Saturdays: 07:00 to 08:00, 09:00-17:00 and 18:00-21:00;
 - Sundays and Bank Holidays: 09:00 to 18:00
185. A further condition is needed relating to noise emanating from music venues and commercial premises within Zone L which are located close to dwellings; this will ensure that the occupiers of the dwellings do not experience excess noise —transmitted either vertically or horizontally— from adjacent sound sources.
186. One final condition relating to the soundproofing performance of the internal fabric of the proposed residential units has been recommended by the Environmental Protection Team.
187. On account of all of the above, and subject to the recommended conditions being attached to the RMA decision notice, acceptable internal noise and vibration levels would be achieved for all the proposed dwellings within Zone L.

Aspect and outlook

188. Policy P15 requires residential development to be predominantly dual aspect and allow for natural cross ventilation. It states that single aspect dwellings will not be acceptable if they have three or more bedrooms, or are north facing or where the façade is exposed to high noise levels. Similarly, London Plan Policy D6 states that housing development should maximise the provision of dual aspect dwellings, balancing this against the need to optimise site capacity.

189. The table below sets out the distribution of single, corner, dual and multiple aspect dwellings across Zone L:

Distribution of dwellings by aspect across Zone L					
	<u>Single</u>	<u>Corner</u>	<u>Dual</u>	<u>Multiple</u>	<u>Total</u>
Block L1	9	20	47	7	83
Block L2	31	20	33	7	91
Block L3	31	20	4	8	63
All Zone L	<u>71</u> (30.0% of all)	<u>60</u> (25.3%% of all)	<u>84</u> (35.4% of all)	<u>22</u> (9.3% of all)	<u>237</u>
Distribution of the 51 single-aspect north-facing units by tenure					
x14 Social rent; x15 Intermediate; x22 Market Sale					

190. As the above table shows, the majority of the homes (70%) would benefit from corner, dual or multiple aspect.
191. Of the 51 single-aspect dwellings that would face within 90 degrees of due north, the vast majority (48) would be studios and one-bedroom units. No single-aspect north-facing three-bedroom dwellings are proposed.
192. None of the 51 dwellings would look towards other buildings at very close range. Rather, their outlook would be:
- across Printworks Street (for the Block L1 dwellings), with generous separation distances to the buildings opposite;;
 - across Reel Walk and the L1 courtyard (for the Block L2 dwellings); and
 - across Reel Street and the L2 square (for the Block L3 dwellings).
193. As a result, none of these dwellings would be subject to an undesirable tunnelled outlook or sense of enclosure. Furthermore, the key habitable rooms for each of these flats would have generously proportioned windows to provide occupiers with a broad viewframe. Thus, despite the single direction of outward view from these dwellings, the arrangement and orientation of the buildings means the occupiers would benefit from an acceptable quality of outlook.
194. In summary, the proposal would achieve a clear predominance of dual aspect, with all proposed dwellings benefitting from an acceptable quality of outlook. When balanced against the need to achieve an efficient use of land, it is considered that the new dwellings' quality of aspect and outlook would be in accordance with the policy framework.

Privacy and protection from overlooking

195. In order to prevent harmful overlooking, the 2015 Technical Update to the Residential Design Standards SPD 2011 requires developments to achieve:

- a distance of 12 metres between windows on a highway-fronting elevation and those opposite at existing buildings; and
- a distance of 21 metres between windows on a rear elevation and those opposite at existing buildings.

196. The above minimum distances would be achieved between all Zone L dwellings and surrounding existing properties, with the exception of the relationship between the chamfered northeast elevation of L3 and Hornbeam House where the distance would contract to 20.0 metres. However, where this incursion occurs, the relationship between facing windows would be a relatively oblique one. As such, the occupiers of the proposed dwellings would be sufficiently well protected from overlooking.

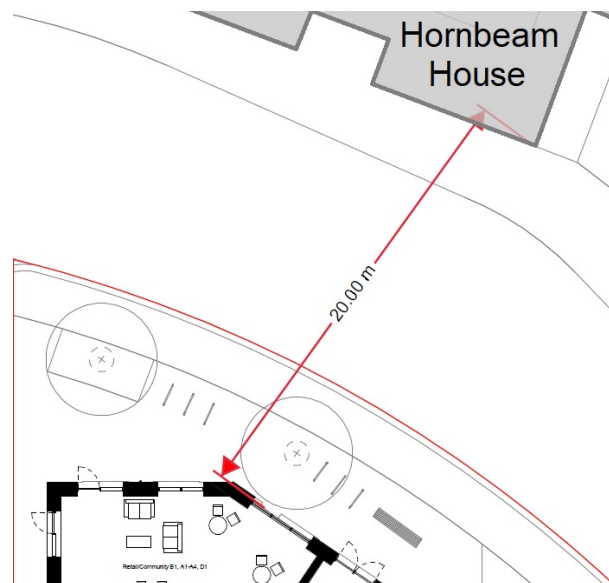


Figure 26: Annotated plan showing the relationship of L3 to Hornbeam House

197. Although the separation distance across Reel Street would meet the minimum standards set out in the Residential Design Standards SPD, it is nevertheless recognised that Zone L would have sensitive relationship to proposed Building H2 (the subject of a separate RMA, ref 21/AP/3338). This is due to the scale of Building H2 and the fact that its north elevation would be largely glazed. As a result, the occupiers of the Block L1 dwellings that front onto Reel Street may feel a sense of overlooking from Building H2. In order to address this and significantly reduce overlooking (perceived or actual), it is proposed to apply fritting to the glazing in the north elevation of Building H2. The detailed design of the fritted glazing system will be controlled by way of conditions already attached to the OPP. In the event that the RMA for Building H2 is approved, a further condition is recommended to ensure that the fritted glazing is installed prior to occupation of the building and retained in perpetuity.

Internal daylight within the proposed dwellings

198. A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted by the applicant, which considers daylight to the proposed dwellings using the Average Daylight Factor (ADF). ADF determines the natural internal light or daylit appearance of a room. 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//kitchen/dining rooms (lkd's).
199. The proposed development contains 691 habitable rooms requiring ADF testing. The applicant has provided a daylight assessment with the planning application, the results of which are summarised below:

ADF results for all proposed dwellings			
Block	Number of rooms tested	Rooms satisfying BRE	Rooms not satisfying BRE
Block L1	288	214 (74% of all L1)	74 (26% of all L1) Which breaks down as 36 beds and 38 lkd
Block L2	259	176 (68% of all L2)	83 (32% of all L2) Which breaks down as 30 beds and 53 lkd
Block L3	144	99 (69% of all L3)	45 (31% of all L3) Which breaks down as 3 beds and 42 lkd
All Zone L	691	489 (71% of all rooms)	202 (29% of all rooms) Which breaks down as 69 beds and 133 lkd

200. Of the 202 rooms that do not satisfy the BRE guidance, the vast majority are affected by oversailing balconies or decks on the floor above, which reduce direct light to the rooms; given the amenity value these balconies provide, a balanced judgement must be made in this respect. Furthermore, the majority of the 202 affected rooms are in dwellings that are corner or dual aspect containing other rooms that benefit from a compliant level of daylighting. Finally, it is important to note that the ADF levels of the non-compliant rooms are, with only a very small number of exceptions, not untypical for an inner London location.
201. In summary, the vast majority (71% of the rooms within the development) would meet the internal daylight levels advised by the BRE guidance. In addition, 89%

of the rooms assessed achieve a direct view of the sky from at least half of their area. Overall, the development provides a good quality of accommodation.

Internal sunlight within the proposed dwellings

202. The daylight and sunlight report submitted by the applicant has also assessed the proposed dwellings for internal sunlight levels using Annual Probable Sunlight Hours (APSH) test. The APSH test calculates the percentage of statistically probable hours of sunlight received by each window in both the summer and winter months. March 21st through to September 21st is considered to be the summer period while September 21st to March 21st is considered the winter period. The guidelines suggest that windows should receive at least 25% total APSH with 5% of this total being enjoyed in the winter months.
203. The emphasis of the BRE guidance is on living rooms rather than bedrooms and kitchens. The guide recommends that "Sensitive layout design of flats will attempt to ensure that each individual dwelling has at least one main living room which can receive a reasonable amount of sunlight ... Where possible, living rooms should face the southern or western parts of the sky and kitchens towards the north or east."
204. The degree of satisfaction for future occupants is related to the expectation of sunlight; if a room is north facing, or in a densely-built urban area, the absence of sunlight is likely to be considered more acceptable. The applicant has provided a sunlight assessment with the planning application that tests only the living rooms and lkd's of Zone L with windows orientated towards 90 degrees of due south. There are 76 such rooms. The results are summarised below.

APSH and WPSH results for all proposed dwellings			
<u>Block</u>	<u>Number of rooms tested</u>	<u>APSH - Rooms satisfying BRE</u>	<u>WPSH - Rooms satisfying BRE</u>
Block L1	25	13 (52% of all L1)	14 (56% of all L1)
Block L2	24	24 (100% of all L2)	24 (100% of all L2)
Block L3	27	25 (93% of all L3)	24 (89% of all L3)
All Zone L	76	62 (82% of all rooms)	62 (82% of all rooms)

205. The majority of the 14 living areas that fail the APSH and WPSH tests have access to balconies. Balconies provide private amenity space for the enjoyment of future occupants; however, they also act as shading devices and inherently restrict sunlight availability to the rooms set below them, especially high-angle

sunlight typical of the summer months. During this period, occupants will be able to enjoy greater levels of direct sunlight by making use of their balconies.

206. Where rooms would experience lower sunlight levels than recommended by the BRE, this occurs generally on the lowest storeys and is a function of the obstruction caused by balconies and surrounding buildings.
207. Overall, and taking into account the above considerations, the sunlight levels are acceptable and the design of Zone L strikes a balance between the provision of private amenity and sunlight access.

Overshadowing of communal external amenity areas

208. The BRE guide suggests that “at least half of the amenity areas ... should receive at least two hours of sunlight on 21st March”. Although the BRE guidance advises that the best date for preparing shadow plots is the equinox (21st March), it recognises that “plots for summertime (e.g. 21st June) may be helpful as they will show the reduced shadowing then, although it should be borne in mind that 21st June represents the best case of minimum shadow, and that shadows for the rest of the year will be longer”.
209. The applicant’s daylight and sunlight report has assessed the impact of the proposed development in terms of overshadowing on both 21st March and 21st June for each of the proposed external amenity spaces across Zone L. These spaces are: the L1 courtyard together with Reel Walk; the L2 square; and the northernmost section of Park Walk together with the piazza. The results of the ‘sun on ground’ assessment on March 21st are provided below:

Overshadowing results for proposed amenity spaces		
<u>Area</u>	<u>% of ground area receiving 2+ hours of sun on 21st March</u>	<u>Date on which 50% of ground area would receive 2+ hours of sun</u>
A: L1 courtyard and Reel Walk	24%	30 th March (9 days after equinox)
B: L2 square	67%	N/A
C: Park Walk (northern section) and the piazza	36%	2 nd April (12 days after equinox)

210. As the above table shows, neither Area A nor Area B would meet the 50% sun on ground requirement on the equinox. However, both areas would meet the requirements only a few days after the equinox. It should also be noted that, in respect of Area A, the majority of the non-compliant area covers Reel Walk (an

area of public realm), with the L1 courtyard (a communal amenity space) performing comparatively better. As such, the layout of the development to some extent seeks to minimise the overshadowing effects on spaces likely to be used more often and intensively by residential occupiers. The 21st June 'sun on ground' assessment conducted by the applicant shows that all areas would experience very good levels of sunlight in summer, when outdoor spaces are more likely to be utilised.

211. While the non-compliance of Areas A and B must be recognised, on balance it is considered that an acceptable level of residential and wider public amenity would be achieved.

On-site storage facilities for refuse and deliveries

212. Each of the three blocks would have dedicated communal refuse facilities, in appropriate locations convenient for the residential occupiers.
213. None of the blocks would be served by a fixed-location concierge, nor would they have any other form of communal storage accessible to delivery drivers where bulky items could be stored in the event that a resident is not at home when a delivery arrives. This means that, for larger deliveries, residents would be required to accept their delivery in person and take it directly to the home. Given that the dwellings have been designed to incorporate generous amounts of built-in storage, and acknowledging that concierge services would bring service charge implications for the social rent and intermediate residents of Blocks L1 and L2, this is considered acceptable and in line with policy requirements.

Conclusion on quality of residential accommodation

214. The proposal would deliver 237 new homes benefitting from a good quality of outlook, with a majority enjoying corner, dual or multiple aspect. While 18% of the tested living rooms and lkd's would not pass the BRE sunlighting recommendations, this is in most cases attributable to the presence of oversailing balconies, the residential amenity benefits of which must be factored into the planning balance. 71% of the proposed rooms would achieve the internal light levels recommended by the BRE guidelines, which is not untypical for inner London. All homes would achieve a logical layout with practically-sized rooms.
215. All three proposed buildings would be of a consistent standard of design, with individual and communal entrances indistinguishable from each other in terms of quality of external design and fit-out, thus ensuring imperceptibility of tenure.
216. The proposed accommodation is generally considered to be of a good quality.

External amenity space and young people's play space

Private external amenity space

217. All new residential development must provide an adequate amount of useable external amenity space, which can take the form of private gardens, balconies, terraces and/or roof gardens. Annex 17 of the OPP s106 stipulates the required amenity space standards, which are closely aligned to the minimum requirements of the Council's Residential Design Standards SPD.

218. The following requirements apply to all flats:

- where a flat contains three or more bedrooms, a minimum of 10 square metres of private amenity space must be provided; and
- where a flat contains two or fewer bedrooms, at least 10 square metres of private amenity space should be provided, but where this is not possible any shortfall can be added to the communal space.

219. The following requirements apply to all houses:

- 50 square metres of private amenity space should be provided; and
- all gardens should be a minimum of 10 metres in length and extend across the entire width of the house.

220. The OPP s106 sets out that, when calculating the cumulative private amenity space shortfall across a development zone, any individual private amenity spaces of 3 square metres or smaller must be treated as zero (thus representing a shortfall of 10 square metres in the case of flats and 50 square metres in the case of houses).

221. As discussed in more detail in a subsequent section of this report, 50 square metres of communal amenity space must be provided as an absolute minimum per building within a development. Where it is proposed to use communal amenity space to offset any private amenity space shortfalls, the shortfalls must be additional to the baseline 50 square metres.

222. For 146 of the proposed dwellings, it has not been possible to provide 10 square metres of private amenity space. Of these shortfalls, 140 occur at flats and the remaining six occur at the Block L1 townhouses.

223. With respect to the 140 affected flats, all contain two or fewer bedrooms. Of these 140 flats, 19 would have no private amenity space at all; however, in all of these instances the dwelling is a studio, is market sale tenure and would benefit from a Juliet balcony. Juliet balconies provide a degree of amenity benefit, albeit to a lesser extent than a conventional balcony or terrace.

224. With respect to the townhouses, the private amenity spaces range from 26 square metres at the smallest to 28 square metres at the largest. Although the Residential Design Standards sets out expectations for houses to provide 10 metre long gardens of at least 50 square metres, to do this within Zone L would have compromised the overall layout and density of the development. Each of the townhouses would have an outdoor space at ground level as well as a roof terrace at second floor level, providing a good range and format of spaces. It should also be noted that the homes would benefit from direct access to the central L1 communal courtyard. For these reasons, it is considered that the townhouses would provide a good quality of amenity space for the future occupants.
225. In total, the private amenity shortfall across the 146 dwellings comes to 538.9 square metres. Adding this to the base requirement for 50 square metres of communal amenity space at each of Zone L's three blocks, the total amount of communal amenity space required at Zone L is 688.9 square metres. 725 square metres of communal amenity space is proposed within Zone L. As this exceeds the offset requirement, the private amenity space shortfalls have been acceptably compensated for.

Communal outdoor amenity space

226. As mentioned in the preceding paragraphs of this report, each block within a development zone must incorporate a dedicated communal amenity space of at least 50 square metres. Where a communal amenity space larger than 50 square metres is proposed, the differential square meterage can be treated as directly offsetting any private amenity space shortfalls. In exceptional circumstances where a development zone cannot fulfil on-site its own communal amenity space and private amenity space offset, as per Schedule 18 of the OPP s106, the developer must pay the Outdoor Amenity Space Contribution, an in-lieu sum calculated on the basis of £205 (Index Linked) per square metre shortfall. The sum must be prior to any of the homes within the zone being occupied.
227. The total private amenity space shortfall across Zone L is 538.9 sq.m square metres. This breaks down as:
- 125.3 sq.m at Block L1 (generating a total requirement of 175.3 when factoring-in the baseline 50 square metres)
 - 183.7 sq.m at Block L2 (generating a total requirement of 233.7 when factoring-in the baseline 50 square metres)
 - 229.9 sq m at Block L3 (generating a total requirement of 279.9 when factoring-in the baseline 50 square metres)

228. To compensate for this, the applicant has maximised the provision of communal amenity space within each of the blocks, as explained in the table below:

Private amenity space shortfall and offset				
	<u>Total private amenity shortfall (sq. m)</u>	<u>Communal requirement (shortfall + 50 sq. m)</u>	<u>Communal provision (sq. m)</u>	<u>Surplus (sq. m)</u>
Block L1	125.3	175.3	180	+4.7
Block L2	183.7	233.7	234	+0.3
Block L3	229.9	279.9	311	+31.1

229. In summary, and balancing the various factors in the round, the private outdoor amenity space provision is considered to be acceptable.

230. Planning conditions and obligations attached to the OPP require details to be submitted of the landscaping, treatment and enclosures of the communal amenity spaces, and for the facilities to be delivered prior to occupation of any of the dwellings. The developer is also obligated to submit and receive the Council's approval of an Outdoor Amenity Space Management Plan prior to occupation of any of the homes within Zone L; this will ensure an appropriate long-term management and maintenance scheme is in place.



Figure 27 (above): Visualisation of the L1 courtyard, which combines areas of communal amenity space with pockets of play space.

Young people's play space

231. The site wide Children's Play Space Strategy approved as part of the OPP requires each Development Zone to incorporate playable space sized in accordance with the expected child population of the development. The OPP established the methodology for determining the child yield, and this is detailed in Annex 24 of the s106.
232. Applying the methodology from Annex 24, the total children's play space requirement for the proposed Zone L development is 1679.9 square metres. The table below shows how this breaks down across the age groups for each of the three blocks, and how the application proposes to meet the requirements:

Play space provision				
Block	Young person yield by age group	Area of play space required (sq.m)		Format of proposed provision
Block L1	Aged under 5	453.4		On-site, Block L1 courtyard and on Reel Walk, 454.9 sq.m [i.e. satisfied]
	Aged 5 to 11	296.3	= 536.4	Off-site (in the Central Park)
	Aged 12 to 18	240.1		Off-site (in the Central Park)
Block L2	Aged under 5	273.8		On-site, Block L2 square, 274 sq.m [i.e. satisfied]
	Aged 5 to 11	194.1	= 365.8	Off-site (in the Central Park)
	Aged 12 to 18	171.7		Off-site (in the Central Park)
Block L3	Aged under 5	27.7		On-site, Block L2 square, 28 sq.m [i.e. satisfied]
	Aged 5 to 11	11.6	= 22.8	Off-site (in the Central Park)
	Aged 12 to 18	11.2		Off-site (in the Central Park)
Summary				
All Zone L	Aged under 5	754.9	= 1679.9	Satisfied on-site
	Aged 5 to 18	925.0		Satisfied off-site (in the Central Park)

233. The London Plan 2021 recommends that under-5s play space be at least 100 square metres in size and promotes the incorporation of incidental play space to make public realm more playable.
234. The application responds to this policy requirement positively by proposing that the L2 square and its play facilities be accessible to the general public, not just the residents of the development. This would be complemented by the play trail

running the length of Reel Walk, which again would be open to the general public as well as the Zone L residents. Within the courtyards, play space would intertwine with communal amenity space, providing opportunities for parents and carers to sit adjacent to and supervise child play. The three clusters of under-5s play space (in the L1 courtyard, on Reel Walk, and in the L2 square) would all exceed 100 square metres, thus meeting the London Plan recommendation.

235. The below diagram depicts schematically how the under-5s play space has been arranged on the site to interweave with communal amenity space and areas of additional public amenity space.



Figure 28 (above): Schematic of play, communal amenity and additional public amenity space across Zone L, including the northern section of Park Walk.

236. With regard to the play space yield arising from the 5-and-overs age group, where a proposal for a development zone is unable to meet the yield on site, the OPP s106 allows specified areas of public realm to be relied on to accommodate the play space. These specified areas of public realm include a portion of the 1.3 hectare Central Park. This s106 allowance is subject to the caveat that the Central Park RMA must have at the very least been implemented before occupiers move into any of the homes at that zone.
237. As the above table explains, this RMA proposes to satisfy Zone L's 5-and-overs play space yield off-site, in the Central Park. The exact location and distribution of these spaces to be confirmed when the Central Park RMA comes forward. However, to demonstrate the park's capacity to accommodate the yield, the

applicant has illustratively shown an arrangement of two discrete play space areas, as follows:

- one of 563 square metres in the park's northeastern corner (comprising 502 square metres for 5-11s play space and 61 square metres for 12-and-overs play space); and
- one of 362 square metres in the southwestern corner for 12-and-overs play space.

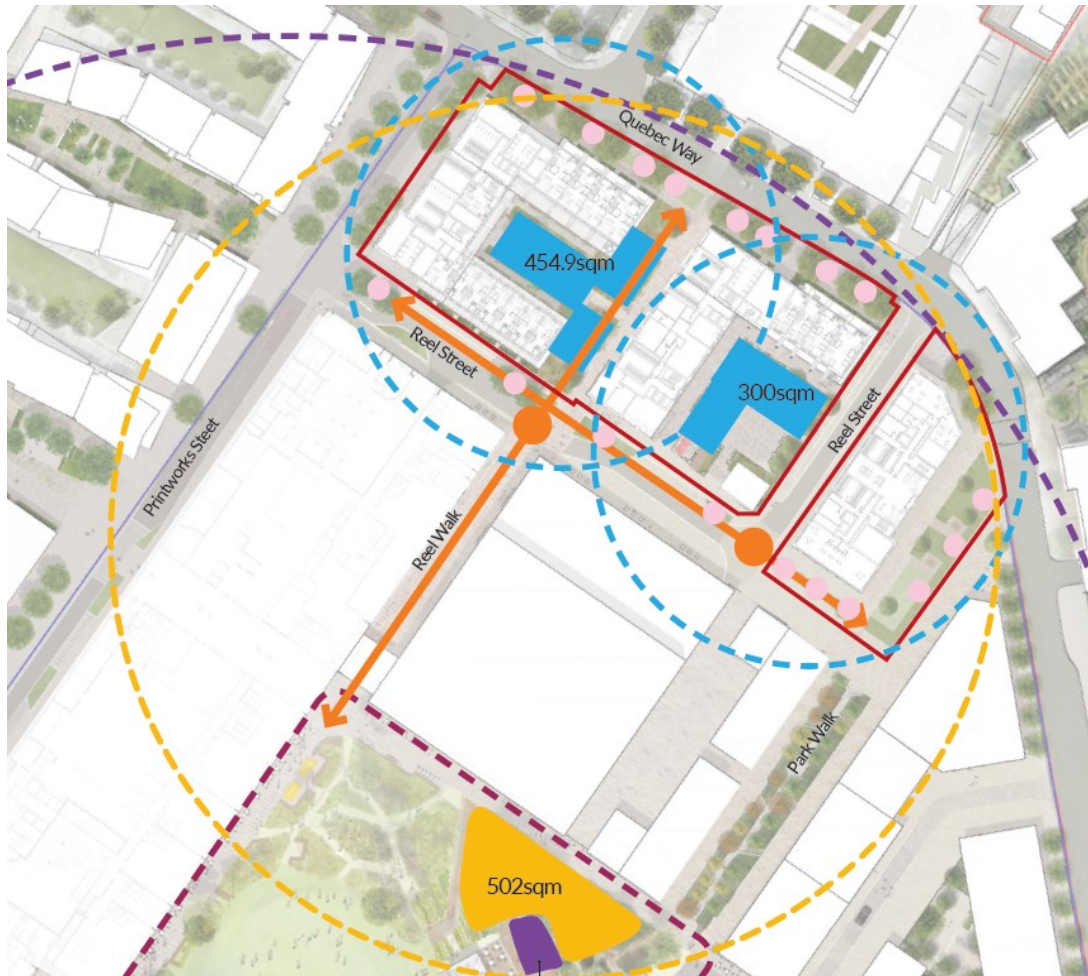




Figure 29 (above): Illustrative Public Realm Plan highlighting indicative play space strategy for Plot L.

238. As the Zone L play space yield for all three age groups has been fully satisfied through a mix of on-site and nearby provision in accordance with the allowances of the OPP s106, no financial offset payment is required.
239. The OPP contains a planning condition requiring further details in relation to the play spaces, including equipment and treatment, and for the facilities to be delivered prior to occupation of any of the dwellings. No additional conditions as part of the RMA are recommended.

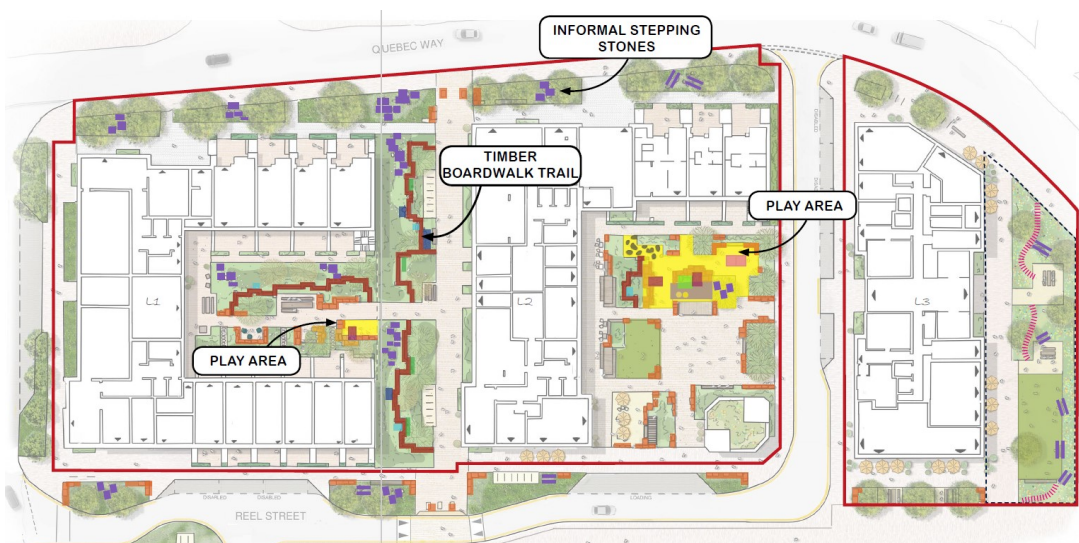


Figure 30 (above): Illustrative play space plan depicting the two formal areas of play, one at the L1 courtyard and one at the L2 square, supplemented by informal play areas weaved into Reel Walk and parts of Quebec Way.

Amenity impacts on nearby residential occupiers and surrounding area

240. The importance of protecting neighbouring amenity is set out in Southwark Plan Policy P56 which states “development should not be permitted when it causes an unacceptable loss of amenity to present or future occupiers or users”. The 2015 Technical Update to the Residential Design Standards SPD 2011 expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.

Daylight and sunlight

241. The NPPF sets out guidance with regards to daylight/sunlight impact and states “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”. The intention of this guidance is to ensure that a proportionate approach is taken to applying the BRE guidance in urban areas. London Plan Policy D6 sets out the policy position regarding this matter and states “the design of development should provide sufficient daylight and sunlight to new and surrounding houses that is appropriate for its context”. Policy D9 (Tall Buildings) states that daylight and sunlight conditions around the building(s) and neighbourhood must be carefully considered. Southwark Plan policies identify the need to properly consider the impact of daylight/sunlight without being prescriptive about standards.
242. The Building Research Establishment (BRE) Guidance sets out the rationale for testing the daylight impacts of new development through various tests. The first and most readily adopted test prescribed by the BRE Guidelines is the Vertical Sky Component assessment (VSC). This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27%, which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that the daylight can be reduced by approximately 20% of the original value before the loss is noticeable. It is important to note that VSC is a general measure of potential for daylight in a space that does not take into consideration the function of the space being assessed.
243. 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 (i.e. the area that receives no direct skylight) between the existing and proposed situation. It advises that if there is a reduction of more than 20% in the area of sky visibility, daylight may be affected.

244. Another method of calculation is the Average Daylight Factor (ADF). This is the most effective way to assess the quality and quantity of daylight in rooms within new dwellings, but should only be used where the layout and window positions are known. The ADF takes into account the amount of daylight received on the surface of the window(s), the size and number of windows, the size and use of the room, the diffuse visible transmittance of the glazing used, the maintenance factor and the reflectance of the room surfaces. The recommendations for ADF in dwellings are 2.0% for kitchens, 1.5% for living rooms and 1.0% for bedrooms. In the case of a kitchen/living/dining space, 2.0% should be applied. The BRE recommends that while ADF is an appropriate measure for new buildings and master planned areas, VSC/NSL should be principally used to assess impact on existing buildings.

Assessment of daylight and sunlight impacts on existing surrounding properties

245. The OPP included a full assessment of daylight and sunlight impacts on neighbouring buildings based on a maximum 3D envelope for each zone modelled on the Parameter Plans. This analysis took account of known development on neighbouring sites, and the relationship with other parts of the masterplan. By assessing the maximum parameters, this represented a 'worst case scenario' in terms of impact; this impact would either remain the same or improve as each building was developed in detail. The assessment was undertaken in accordance with industry standard guidance drafted by the Building Research Establishment (BRE).

246. The OPP modelled Zone L's maximum envelope as per the image to the right, where the height was capped across the plot at 33 metres AOD, save for two portions set slightly higher at 37 metres AOD. At the time of granting the OPP, the impact of this envelope on neighbours was deemed to be acceptable. This included an assessment of the impact upon the housing elements within the consented Mulberry Business Park redevelopment to the northwest of the site. It also considered the relationship between Zone L and neighbouring CWM development zones H and J.

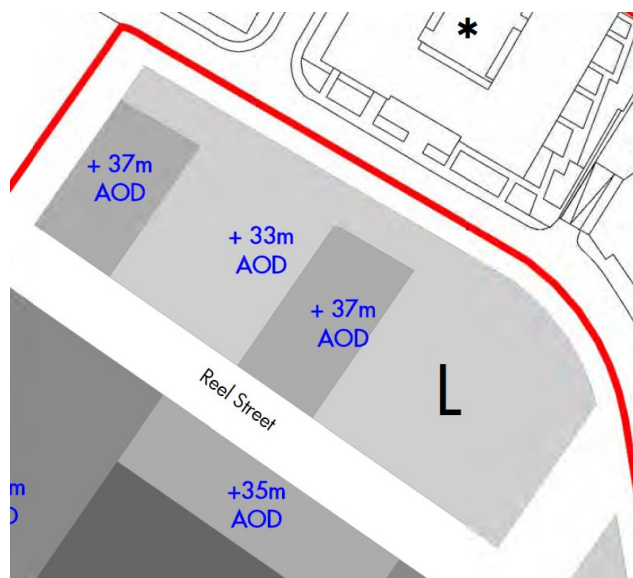


Figure 31 (above): Extract of the Parameter Plan approved at OPP stage, which defines the maximum footprint and heights of Zone L.

247. It would only be reasonable to reassess the daylight and sunlight impacts as part of the RMA in the event of a significant change in baseline conditions or a significant change to the worst case scenario tested at outline stage. Neither of those scenarios are triggered for this RMA. As such, it is not necessary or appropriate to re-visit that analysis as part of this application.

Assessment of daylight and sunlight impacts for proposed uses

248. As part of each RMA application, it is necessary to assess the daylight/sunlight impact for occupiers of the proposed buildings. This assessment could not be made at OPP stage due to the flexibility of land uses proposed for each plot and because all matters were reserved.
249. For the flexible commercial/community units within the Zone L proposal, it is not necessary to carry out a technical assessment of the daylight levels that will be achieved. It is clear from the submitted plans that all of the commercial spaces with access to windows will benefit from adequate levels of natural light.
250. For the proposed residential component of Zone L, the assessment of daylight impacts can be found in an earlier part of this Committee Report entitled 'Internal daylight and sunlight within the proposed dwellings', which forms part of the section named 'Quality of residential accommodation'.

Overshadowing

251. As with the above analysis, the OPP assessed sunlight impacts arising from the Masterplan development on the basis of the maximum 3D envelope. The analysis included the potential impact on the new park. It is not necessary or appropriate to re-visit this part of the RMA.

Privacy

252. In order to prevent harmful overlooking, the 2015 Technical Update to the Residential Design Standards SPD 2011 requires developments to achieve:
- a distance of 12 metres between windows on a highway-fronting elevation and those opposite at existing buildings, and;
 - a distance of 21 metres between windows on a rear elevation and those opposite at existing buildings.
253. The above minimum distances would be achieved between all Zone L dwellings and surrounding existing and proposed development. In many cases, the separation distances are well in excess of the minimum standards, and existing and proposed trees will provide further partial/seasonal screening between facing dwellings. As such, no undue harm would arise for surrounding residents by way of loss of privacy.

Outlook and sense of enclosure

254. The closest existing residential properties to Zone L are Claremont House (seven storeys at its highest) and Hornbeam House (six storeys at its highest). The latter forms part of the Quebec Quarter, the other residential buildings within which are located further away to the southeast.
255. At OPP stage, it was concluded that none of the rooms at Claremont House or Hornbeam House facing towards the site would experience an unacceptable sense of enclosure as a result of Zone L being built-out to its maximum parameters. While establishing that there would be no harm, the OPP Committee Report did recognise that the future design of Zone L (as part of the RMA) could lead to further improvements to outlook and sense of enclosure for these nearby existing properties.
256. The height of the buildings proposed by Zone L RMA would not be markedly lower than the maximum parameters. However, this is considered necessary if Zone L is to successfully mediate between a scale that is appropriate to the new Town Centre and that of Claremont House and Hornbeam House. Efforts have been made as part of the RMA to reduce the apparent massing of the proposed Zone L blocks through setting-back some of the upper storeys from the shoulder line along Surrey Quays Road. Varied materiality has also been employed to give complexity and visual relief to building forms. Furthermore, Reel Walk and Reel Street provide breaks between the three blocks, creating relief and helping ease the blocks' relationship with the built context to the north and northwest.
257. In summary, by reason of their distance, and taking account of the refinements to the design of the three Zone L blocks proposed by this RMA, none of the surrounding existing dwellings would be at risk of harmfully curtailed outlook or increased sense of enclosure.

Noise and vibration

Plant noise

258. Plant would be located at rooftop level on Blocks L1 and L2, and would be housed within the envelope of Block L3 at seventh (top) floor level. In addition, Zone L incorporates an on-site subterranean substation and its associated above-ground ventilation compound, assessed for noise impacts and approved separately from this RMA.
259. Conditions attached to the OPP require that the rated sound level from any plant, together with any associated ducting to be provided, shall not exceed the background sound level (LA90 15min) at the nearest noise sensitive premises and the specific plant sound level shall be 10 dB(A) or more below the

representative background sound level in that location, with the background, rating and specific sound levels to be calculated fully in accordance with the methodology of BS 4142:20141.

260. The condition is considered sufficient to ensure that the proposed plant will not have an unacceptably adverse impact on existing neighbouring residents or the future occupiers of Zone L or any other nearby development zone.

Public noise nuisance

261. The only potential source of noise nuisance from Zone L for surrounding residents is the proposed flexible commercial/community element of the scheme. Examples of potential noise nuisance include the use of these spaces for entertainment or music, and the late night consumption of food and drink in the outdoor dining areas.
262. These units, which in combination have a relatively small total floorspace of 344.3 square meters GIA, would have operational hours restricted to 07:00-23:00 Mondays to Saturdays and 08:00-22:00 on Sundays and Bank Holidays by way of a condition attached to the RMA decision notice. A further restriction is recommended in respect of the outdoor seating areas associated with these uses, limiting the hours of use no later than 22:00 each day. These restrictions would ensure no nearby existing or future residential occupiers would be exposed to excessive public noise nuisance.

Transport-related noise and vibration

263. As the proposals are in conformity with the floor space areas and uses approved for Zone L under the OPP, there will be no significant or material change to the traffic data or road traffic related noise and vibration effects identified within the approved Canada Water Masterplan ES.
264. As discussed in more detail in the 'Transport and Highways' section of this Committee Report, it is recommended that a condition be attached to this RMA restricting commercial servicing to Zone L to 07:00 to 21:00 on Mondays to Saturdays and 09:00 to 18:00hrs on Sundays and Bank Holidays (with an additional exclusion of 08:00 – 09:00 and 17:00 – 18:00 to minimise peak hour traffic). The restricted times will be controlled via conditions attached to this RMA, and will help reduce the risk of transport-related noise to surrounding premises.

Odour

265. A condition is attached to the OPP requiring the submission of extraction and ventilation details for any restaurant uses within the development or any other

users where hot food preparation is to take place. As such, the OPP provides all necessary protections for future Zone L residents against odour disturbance.

Design

266. The CWM is conceived as a trio of Character Areas, each defined by a set of principles intended to create a distinctive sense of place with particular townscape qualities. These Character Areas are the 'Town Centre', the 'Central Cluster' and the 'Park Neighbourhood'. Within each of these, the streets and spaces define and shape a series of Development Zones. The design principles for the Character Areas and the Development Zones were established by the Parameter Plans and Design Guidelines approved as part of the OPP.
267. Development Zone L is located at the northern edge of the Masterplan, within the Park Neighbourhood. This Character Area is intended to be a mixed-use neighbourhood that complements the Town Centre, creating a healthy living environment with a wide variety of homes for a diverse and inclusive community, spanning different ages and life stages. The Central Park is to be the centrepiece of this area, providing three acres of open space. In recognition of Zone L's location on the northern periphery of this Character Area, the parameters and guidelines seek to create hospitable residential streets. To achieve this, the Zone L proposal must adhere to the following design principles:
- typologies should be flexible but responsive and adaptive to the surrounding context, relating to the scale of adjacent buildings;
 - buildings should make clear distinctions between private spaces and the public realm;
 - buildings should reinforce the public realm hierarchy, expressing clear relationships between fronts and backs, as well as the status of streets;
 - buildings should maintain the privacy of residential units; and
 - the height and massing of buildings should be carefully considered to optimise the provision of housing.



Figure 32: Excerpt from the Masterplan Design Guidelines, showing the general location of different building typologies across the masterplan. The red and maroon areas form the 'Town Centre', the blue grouping is the 'Central Cluster' and the green areas are subject to the 'Neighbourhood Type' designation. Zone L is shown edged in black.

268. The Parameter Plans effectively established an overall block structure and a maximum 3D building envelope within which the eventual development at each Development Zone would sit. These impose certain restrictions and expectations on the detailed proposal for Zone L, as follows:

- a maximum building height on Zone L of 33 metres AOD across the majority of the site, with two smaller areas permitted to rise to 37 metres AOD;
- a maximum footprint for the L1/L2 parcel of approximately 108 metres x 61 metres (approximately 6,200 square metres);
- a maximum footprint for the L3 parcel of approximately 65 metres x 35 metres (approximately 2,000 square metres);
- the formation of a new public route, to be known as Reel Walk, along a northeast-southwest axis through the L1/L2 parcel;

- prohibition of any vehicular routes into the zone except from the Quebec Way boundary; and
- where building facades on development edges are longer than 70m (such as Zone L's Quebec Way and Reel Street boundaries), these should be sub-divided into approximately equal lengths with a maximum length of 55m.

Site layout, access and public realm

269. The proposed layout of Zone L as a row of three blocks has been driven by the Parameter Plan requirement to incorporate two key pieces of linear public realm: the first is the pedestrianised Reel Walk and the other is the pedestrian-friendly Reel Street. Each of the three blocks has been configured differently taking into consideration the plot's orientation as well as the heights, massing and proximity of the immediate built context. Block L1 would have three wings and enclose a courtyard. Block L2 would have two wings and frame a public square. L3 would be an island block benefiting from a frontage onto Reel Street (and the square immediately beyond), the piazza, the northern section of Park Walk, and the bend of Quebec Way.



Figures 33 (left) and 34 (right): Site layout considerations, showing the need to accommodate future linear pedestrian routes (in green), Reel Street (in orange) and at least 60% active frontage along the length of Reel Street (dashed blue line), while also providing residential and public amenity spaces (in yellow).

270. The staggered arrangement of the three blocks along the Quebec Way frontage would help pedestrians identify more easily the four new routes that provide connections into the heart of the Masterplan: Printworks Street, Reel Walk, Reel Street and Park Walk. Further emphasis would be brought to these public entry points by the presence of the double-height external lobbies on the corners of Blocks L1 and L2. Important building corners elsewhere in Zone L would all be marked by lobbies or commercial units with glazed frontages.

271. With respect to how the proposed uses would produce strong and engaging street frontages, across the three blocks a mix of maisonettes, townhouses and flexible commercial/community units are proposed. These would all provide activation of the ground floor level. The maisonettes and townhouses would be separated from the footway by defensible space, which has the double benefit of creating greening around the base of the building while also affording the residents privacy.



Figure 35 (above left): Visualisation of the maisonettes at Block L1. Figure 36 (above right): View of Blocks L3 and L2 as seen looking southwards from Quebec Way, showing the retail unit at the base of Block L3.

272. The proposed buildings are arranged around four key external public and/or communal amenity spaces: the L1 courtyard, Reel Walk, the L2 square and the piazza.

273. The L1 courtyard would provide a suitably private space for play and communal amenity, being enclosed by the block on three sides with the fourth boundary (shared with Reel Walk) fenced and access-controlled. It would contain pockets of dense planting in an effort to replicate the verdant character of Reel Walk. This theme of knitting together different types of outdoor space extends to the private gardens of the townhouses and maisonettes, which would benefit from direct access into the courtyard from their gardens. The courtyard would be naturally surveilled by the townhouses and maisonettes at ground level, and by the external decks on the storeys above. Designed around the principles of fostering good neighbour relations, ensuring user safety, and interlacing outdoor amenity space with play, the L1 courtyard is of a successful layout.

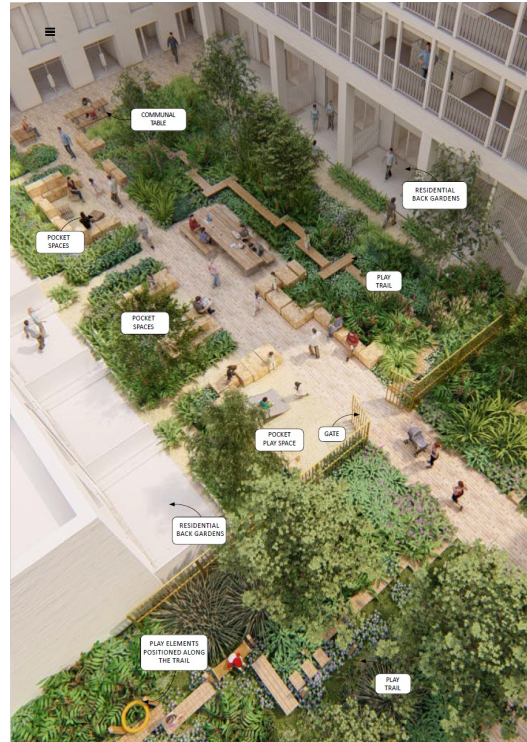


Figure 37 (above): Annotated birds-eye visualisation of the L1 courtyard.

274. The proposed Reel Walk would form part of a strategic pedestrian and cycling link connecting Russia Dock Woodland and Southwark Park. This green spine would be densely planted to create a space where people have the opportunity to engage with the environment and children can participate in on-street play. Where it is proposed for residential uses to face each other across Reel Walk, the Design Guidelines recommend that the width of the route should at these points be no less than 12 metres. As proposed by this RMA, the route would at its narrowest be 12.6 metres, therefore creating a generous new piece of public realm that ensures residential occupiers' amenity is safeguarded.
275. The L2 public square, which is envisaged as a neighbourhood community space, would be appropriately located at the centre of Zone L and open along its southeast and southwest edges to Reel Street. The buildings that surround this new civic space would incorporate flexible commercial/community uses at ground floor level, with opportunities for dining spill out to activate the square. The southeast corner would be marked by the UKPN above-ground compound, the dynamic form of which would add visual interest to the space. A raised treatment to the Reel Street carriageway at the front of Block L3's northwestern entrance would help visually and physically link the square to Block L3, ensuring the play and outdoor amenity facilities can be enjoyed safely and conveniently by these residents. All of these factors will make for a well-configured space that feels inviting and accessible for the Zone L residents as well as the wider community.

276. The piazza is a relatively small part of the overall public space offering at Zone L. Although largely hard-surfaced, it would also feature clusters of planting. The commercial unit at the base of Block L3 and its spill-out dining area would bring activation and buzz. Linking Reel Street to Park Walk, the piazza would play an important nodal function in the wider CWM pedestrian and cycle network. When the Plot H2 RMA comes forward, it will be expected to propose public realm on its northeastern side that effectively extends and enlarges the piazza to create a more generously-sized public space.
277. Reel Walk, the L2 square and the piazza would form a series of smaller public spaces adding to the distinctive character of CWM and improving local permeability. The character, landscaping and planting proposals for these public spaces is discussed in detail in the 'Public realm, landscaping and trees' section of this report.
278. With regard to vehicular access arrangements, only one crossover is proposed from the public highway into Zone L: this is the crossover from Quebec Way into the UKPN garage at Block L2. The applicant advises that servicing of the garage is likely to be low, with vehicle trips occurring only a few times per year. With the exception of the UKPN garage, Zone L would be serviced entirely on-street from in-set loading bays, enabling the majority of space within and immediately around the buildings to be car-free public realm. Furthermore, Reel Street, which separates the Zone L blocks from the rest of the Masterplan area, is envisaged as a pedestrian-friendly route featuring raised tables, chicanes, soft planting and incidental play – all of which will help Zone L function and feel like an integrated part of the wider CWM. In summary, the access strategy is successful and will make for a safe and inviting pedestrian-centric environment.
279. With regard to the internal layout of the three buildings, bin stores and cycle stores would all be located at ground floor level. These would be accessible by residents via the external lobbies at Blocks L1 and L2 and via the internal lobby at Block L3. The proposal has been designed so that each residential core would provide direct access into the courtyard (for the Block L1 residents) and the square (for the Block L2 residents), creating a safe and convenient route to these outdoor facilities for residents. Each circulation core would contain two lifts, and those lifts would serve a maximum of eight dwellings per floor. On the upper floors at all three of the proposed blocks, a compact plan form avoiding long corridors has been achieved. Furthermore, Blocks L1 and L2 would both have a day-lit circulation core while in Block L3 the stairs would be day-lit with borrowed light to the internal lobby. For these reasons, it is considered that all three blocks would be of a rational, space efficient and safe internal configuration.
280. In summary, the proposed layout is considered to be well resolved, with the three buildings and substation compound providing strong and engaging street frontages. Appropriate new and improved links would be created through the

site, strengthening connections between the CWM and the wider Canada Water neighbourhood, with Reel Walk and the L2 square in particular providing meaningful green open space for the benefit of residents and the general public. The front boundaries of the blocks are set back from the footway in places to create soft-landscaped defensible space, helping the buildings to sit more comfortably within the landscape. The site layout is logical, responds well to the context in terms of building location and public realm provision, and is in accordance with the approved Parameter Plans and almost all relevant parts of the Design Code.

Height, scale and massing

281. London Plan Policy D9 relates to tall buildings. The policy sets out a list of criteria against which to assess the impact of a proposed tall building – namely locational, visual, functional, environmental and cumulative. London Plan Policy D4 requires all proposals exceeding 30 metres in height to have undergone at least one design review or demonstrate that they have undergone a local borough process of design scrutiny. Although proposed Block L3 would not exceed the 30 metre height threshold, the other two blocks would, both being 9 storeys at their maximum and measuring 30.63 metres above ground level (36.13 metres above Ordnance Datum).
282. Consequently, the two blocks are defined as tall buildings under the development plan. These heights and specific locations within the masterplan were recognised at the point the OPP was approved and are therefore acceptable in principle. What remains to be determined, as part of this RMA, is the detailed design quality.
283. There is no single established building height around the site as Zone L is bounded by residential development to the north and north east, the Alfred Salter Primary School to the north west, industrial use in the form of Printworks and ancillary buildings to the south and the future residential and commercial use to the west, south and east.
284. The proposed massing of Zone L would deliver 237 residential units along with flexible commercial/community uses at ground floor level. The scale and massing has taken account of the site's setting, orientation and immediate context, while also having regard to the importance of strengthening the Quebec Way streetscene and providing multiple publicly accessible spaces on site.
285. All three blocks would possess a strong urban character, with principal frontages set close to the line of the footway, but with the massing softened by upper storey set-backs along Quebec Way. The mass and bulk of the buildings would be broken down further by the mix of projecting balconies, gallery-style balconies and deck-access facades; these would bring elaboration, complexity and relief to the form of the buildings.



Figure 38 (above): Northeast-to-southwest section through Block L1, showing the eight storey wing fronting Quebec Way the three-storey wing fronting Reel Street with the courtyard in-between. In the background, Block L2 can be seen.

286. Varying from seven to eight storeys along Quebec Way, the three proposed blocks would relate well to the scale of the adjacent Claremont House and Quebec Quarter, while also respecting the expectations of the OPP that development on this peripheral development zone be mid-rise. In recognition of the taller emerging context to the northwest and southwest, Blocks L1 and L2 would appropriately 'step up' to a maximum of nine storeys towards Reel Street. The three blocks would read as a trio of related buildings owing to their similar scale and massing, helping to unify the townscape in this part of Canada Water.



Figure 39 (above): Rendered elevations of the three blocks as they would be seen from Quebec Way.

287. Located along the southwestern edge of the L1 plot, the townhouse wing would be low-rise in order to maximise sun coverage to the courtyard behind. The significant change in scale between the townhouse wing and the rest of the block has been handled well by, firstly, ensuring the heads and cills of all openings are aligned throughout and, secondly, creating a step-out to the main body of the taller element where it meets the townhouse wing. Additionally, the scale of the townhouses in relation to the parent building would be complemented by the relationship between the 9.25 metre high substation compound and Block L2, helping to bring greater consistency and coordination to the massing as seen within views along Reel Street.



Figure 40 (above): View from the L1 courtyard, showing how the main taller element of the block steps out where it meets the townhouse wing.



Figure 41 (above): View from the Mulberry Business Park site, showing the three blocks in succession along the course of Reel Street, with the much lower-rise townhouse wing and substation compound marking the gaps.

288. The substation compound has been carefully engineered to perform the requisite intake and outtake functions within the most efficient volume possible. It would stand to the equivalent of two residential storeys in height with a pair of chimney-like protrusions rising above this. It would have a sculptural and monumental quality without being a dominant presence in the public square. As such, no concerns are raised with regard to its height, scale or massing.
289. Turning to tall building policy considerations, in terms of visual impact the three buildings would exhibit a domestic architectural character, but a refined and robust one nevertheless. They would reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding. It is considered that the architectural resolution, including the finishes and detailed design (as shown indicatively at this stage), would meet the 'exemplary' policy standard. The position, height and scale of Zone L's maximum envelope (which this RMA proposal would not breach) were carefully tested in the townscape views undertaken at OPP stage, and they did not appear overly dominant or harm

important aspects of the local character. This included cumulative testing with the maximum envelopes of all other zones within the CWM. Moreover, and as discussed in more detail in a later part of this report, the buildings would not cause harm to the significance of London's heritage assets and their settings.

290. No accessible public space is proposed at the top of the buildings, as required by Policy P17 of the Southwark Plan. In this instance, it is not considered reasonable to require the applicant to provide public access because:

- the OPP was granted prior to the adoption of the Southwark Plan;
- the size of the proposed buildings are tightly controlled by the approved vertical and horizontal parameters;
- all three buildings would be only slightly above the 30 metre threshold, thus falling within the Southwark Plan category of 'Taller' buildings in the sense that (as opposed to 'Tall' buildings) they are not significantly taller than their surroundings, and so a proportionate approach with regard to high-level accessible public space should be applied; and
- generous areas of ground-level accessible public space are proposed within the development.

291. As covered later in this report, in compliance with the requirements of the London Plan Policy D4, the Zone L proposals were presented to Southwark's Design Review Panel in June 2021.

292. In summary, the massing would optimise the quantum of development while respecting the height and footprint parameters of the OPP. The heights of the three blocks would help achieve a transition from the Town Centre to the lower existing buildings to the north, beyond the edges of the Masterplan. The massing has been carefully modulated through the use of recesses and projections in the footprints, as well as a variety of balconies/decks and set-back upper storeys. The result is a set of three well-related mid-rise buildings possessing a strong urban character and a comfortable relationship to their surroundings, complemented by a sculptural substation compound of a subservient scale.

Architectural design and materials

293. It is proposed for each building to be finished in brick, masonry and metalwork within a certain tonal range of one colour: L1 would be finished in reddish tones, L2 in sandy yellow/brown, and L3 in darker brown. Spandrel panels, window and door frames and balcony finishes would be coloured to complement the brick tone. This architectural concept of creating three buildings that bear similar features and clearly read as a group, but are distinguished primarily by their material palette, is sound.

294. A stone-effect lipped parapet would crisply terminate all three blocks, with the taller elements of each block treated in a more emphatic way by extending the materiality approximately 0.5 metres down the facade. Further elevational refinements include rustivating some of the ground floor storeys, proposing a mixture of squared and chamfered projecting balconies, and applying etching to the façade panels. Reveals to the window and door openings would lend depth and relief to the facades.



Figures 42 (above left), 43 (above centre) and 44 (above right): The northeast, southwest (courtyard-facing) and southeast (courtyard-facing) ground floor elevations of Block L2.

295. On the southwestern side of Blocks L1 and L2, deck access facades are proposed. These would extend from the second floor upwards, and be terminated by an external stair core. This veil-like façade system would consist of steel beams and paired steel posts that follow the rhythm of the residential units behind. The deck arrangement would afford residents the opportunity to appropriate the area to the front of their home with planting. Residents would also be able sit/stand on the decks and look out, which when seen from the public realm would make for a more activated and less static façade. The deck access facades would be supported at the base by a broad-span double-height colonnade, behind which the maisonettes would sit. This arrangement would make for refined and articulated elevation.



Figure 45 (above): Visualisation of the southwestern side of Block L1's Quebec Way wing, showing the deck access arrangement from second floor upwards.

296. The experience from the decks themselves would be of an open facade, offering views out and establishing a visual relationship to the landscaped open space below. The decks would be punctuated by voids, the sequence of which would follow the entrances to the residential units. To be enclosed by decorative spindle railings, the voids would optimise daylight to the homes and safeguard occupiers' privacy from passers-by. The undersides of the decks would be finished in textured metal panelling of a complementary colour, respecting the theme of a controlled material palette.



Figure 46 (above): Visualisation of the deck-access arrangement at Block L1.

297. Double-height external lobbies are proposed at Blocks L1 and L2. Externally, an angled lintel and decorative metal grilles would dress these threshold spaces, with the internal brick facing being a continuation of the materiality of the host building. Along with the brick colour, signage (to be dealt with by a condition attached to the OPP) would help differentiate the lobbies at L1 from their counterparts at L2. The lobbies would be successful points of arrival, providing a secure exterior threshold zone for residents between the public realm and the cores. Finished in robust materials and incorporating planting and seating, these entrance spaces would be attractive and welcoming environments.



Figures 47 (above left) and 48 (above right): Visualisations of the external lobbies at Block L1 and Block L2 respectively.

298. The proposed substation compound would be wrapped in a perforated metal characterised by rusted and industrial hues, giving it a lightly iridescent quality. Complete with a green roof, the compound would achieve a good quality of architectural design.



Figure 49 (above left): Visualisations looking southwards from within the L2 courtyard, with the compound visible behind the tree. Figure 50 (above right): partial southwest elevation of the compound, showing the variegated and perforated nature of the proposed metal finish.

299. Large scale bay studies have been provided with the submission to demonstrate design quality. Conditions were attached the OPP in respect of

securing detailed sample materials and mock panels to ensure high quality execution.

300. To ensure the proposed buildings provide active frontages, a number of flexible commercial/community units are proposed at ground floor level. The submission includes detailed elevations illustrating how the shopfronts would respect the regular bay arrangement of the host block, and would be dressed with regular horizontal lintels (at Blocks L1 and L2) and arched lintels (at Block L3). A condition attached to the OPP requires full details of the design code for the proposed frontage of the commercial units; this will include shopfront designs, advertisement zones, ventilation grilles and awnings. These details will be expected to confirm with the principles set out in the OPP Design Code. This will ensure high quality execution.

Heritage considerations and impact on protected views

301. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to consider the impacts of a development on a listed building or its setting and to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
302. Chapter 16 of the NPPF contains national policy on the conservation of the historic environment. It explains that great weight should be given to the conservation of heritage assets. The more important the asset, the greater the weight should be (paragraph 199). Any harm to, or loss of significance of a designated heritage asset should require clear and convincing justification (paragraph 200). Paragraph 202 explains that where a development would give rise to less than substantial harm to a designated heritage asset, the harm should be weighed against the public benefits of the scheme. Paragraph 203 deals with non-designated heritage assets and explains that the effect of development on such assets should be taking into account, and a balanced judgment should be formed having regard to the scale of any harm or loss and the significance of the asset. Working through the relevant paragraphs of the NPPF will ensure that a decision-maker has complied with its statutory duty in relation to Conservation Areas and Listed Buildings.
303. London Plan Policy HC1 and Southwark Plan Policies P19, P20 and P21 echo the requirements of the NPPF in respect of heritage assets, requiring all development to conserve or enhance the significance and the settings of all heritage assets and avoid causing harm.
304. The site does not include any listed buildings and is not in a conservation area. Although it is an iconic building the former Printworks Building (part of which sits within the red line boundary of Zone L) is not considered to be a non-designated heritage asset. There are a number of heritage assets nearby, as detailed in the

introductory sections of this report. The area is rich in undesignated heritage assets and structures including the Canada Water Dock and its associated Dock structures and channels, Greenland Dock and Stave Hill. Further afield are a number of Conservation Areas including the St Mary's Rotherhithe and the Edward III's Rotherhithe Conservation Areas, both located on the banks of the river, north of the Masterplan. The north bank of the river in Tower Hamlets also includes a number of conservation areas from which the Canada Water development will be visible.

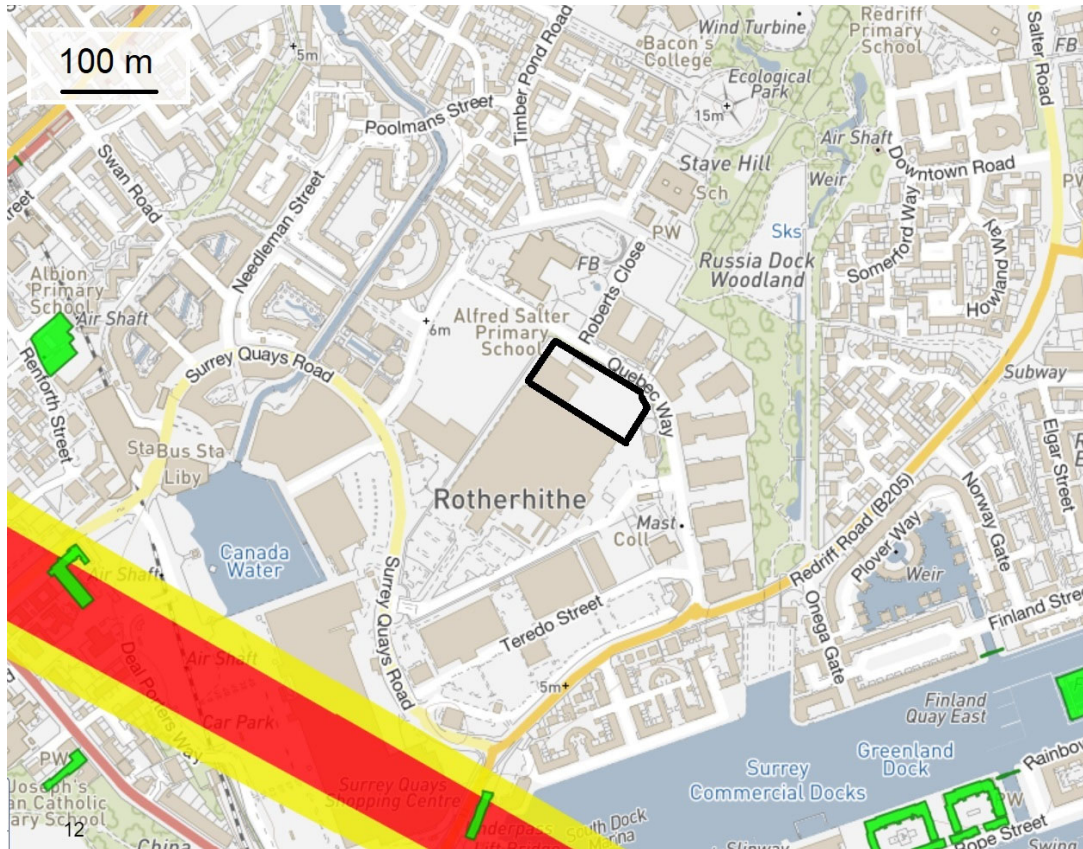


Figure 51 (above): Map showing the relationship of the site (edged in black) to heritage assets and protected views. In green are Grade I listed buildings. The areas in red and yellow represent LVMF View 5A.2.

305. The heritage impact of the redevelopment of the Canada Water Masterplan site was robustly considered as part of the OPP and based on a maximum building envelope for each plot the principle of erecting a series of buildings within identified locations was deemed to be acceptable from a heritage perspective at the time of granting the OPP.
306. As the above map shows, this particular development zone is not affected by a protected London or Borough view.

Design review panel

307. The proposed development was considered by the Council's Design Review Panel at the pre-application stage on 15th June 2021. Their full comments are attached as Appendix 6 but in summary the Panel generally endorsed the proposal and felt that it had resolved a complex brief well. In particular, they felt the complex modelling and articulation of the design to be successful and were supportive of the inclusion of maisonettes and townhouses. Notwithstanding, they raised a number of detailed comments about the building layout and architectural expression as well as the landscape and public realm.

308. With regard to landscape and public realm, the Panel's key concerns were:

- the absence of landscape materials palette made it difficult to appreciate the quality and materiality of the open spaces;
- the L1 courtyard appeared a tough and joyless environment compared to the other open spaces;
- the landscape design of the L1 courtyard did not extend to the private gardens of the maisonettes;
- the deck-access structures should be capitalised on as a way of connecting the landscape with the architecture;
- a more subtle and layered treatment of the boundary separating the L1 courtyard from Reel Walk should be explored;
- there may be a potential inherent unfairness in the different design between the L1 courtyard and the L2 square;
- unclear how much of the L2 square will provide dedicated communal amenity benefit for residents of L2 and L3;
- unable to fully comment on the quality of the L2 public square because detailed designs for the substation compound had not been prepared.

309. In terms of layout and architectural expression, the Panel's key concerns were:

- the expression of the maisonettes on the ground floor was understated - each home needs to feel special and have a stronger residential language;
- the inclusion of colour, seating, glazed tiles and/or a mosaic within the external lobbies might help offset the defensiveness brought by the railing enclosures;
- the architectural success of these blocks will rely on the quality of design and detailing - bay studies should be submitted with the RMA;
- the distinct choice of brick colours between the blocks was questioned, as the red and the grey bricks might be too different from each other unless part of a wider strategy.
- lack of information provided about the retail frontages.

310. With respect to sustainability, the Panel's key concerns were:

- limited information had been provided about the scheme's environmental ambitions including the use of renewable energy etc.; and
- lack of information about the size of the plant proposed and any screening due to the rooftops being visible from nearby vantage points like Stave Hill.

311. The scheme architects responded positively to the Panel's feedback. They made adjustments to the design of the maisonettes and external lobbies, and developed the architectural language, materiality and tonal choices across the three blocks. Greening enhancements were made to the L1 courtyard and the RMA proposes an open-rail fence and gate system to mark the boundary between the courtyard and Reel Walk. The applicant has clarified the share of the public square that would be given over to external amenity space for the residents of Blocks L2 and L3, as detailed in an earlier part of this report. The environmental performance of the scheme is set out in the Energy and Sustainability Statement that accompanied the RMA, a detailed assessment of which can be found in a subsequent part of this report. The adjustments and clarifications are to officers' satisfaction.

Inclusive access

312. Policy D5 of the London Plan expects development proposals to achieve the highest standards of accessible and inclusive design, requiring applications to be supported by an inclusive design statement within the Design and Access Statement. The Mayor provides detailed guidance on creating inclusive neighbourhoods in the Accessible London SPG 2004.

313. The applicant's inclusive design statement sets out the various inclusive access measures. These include:

- accessible links to local pedestrian routes and public transport;
- step-free access to all parts of the buildings, including balconies;
- 90% of dwellings designed to meet Building Regulation M4(2) and 10% of the dwellings designed to meet Building Regulation M4(3);
- access to a second lift for all residents of wheelchair accessible homes;
- emergency evacuation strategy for disabled people including the provision of protected evacuation lifts;
- provision of eight accessible car parking spaces;
- provision of accessible cycle parking spaces for residents, staff and visitors;
- seats and resting places provided within the public realm at interval distances of no greater than 50 metres;

- all street furniture, paving and landscape features positioned so as not to create barriers or hazards for people with impaired vision;
 - suitable non-slip, even, level walking surfaces (cobbled surface to have smooth routes); and
 - tonal contrast between any structure that might protrude into the public area (such as columns) and the background against which it is seen.
314. The proposal is ambitious in its inclusive design principles creating a convenient and welcoming set of buildings and public spaces that can be entered, used and exited safely, easily and with dignity for all.

Designing-out crime

315. Policy D3 of the London Plan 2021 states that measures to design out crime should be integral to development proposals and be considered early in the design process. Developments should ensure good natural surveillance, clear sight lines, appropriate lighting, logical and well-used routes and a lack of potential hiding places. Policy P16 of the Southwark Plan 2022 reinforces this and states that development must provide clear and uniform signage that helps people move around and effective street lighting to illuminate the public realm.
316. These principles have been incorporated into the design of the proposed buildings. The development will be required to achieve SBD accreditation. Compliance has been secured by way of conditions attached to the OPP.

Conclusion

317. This is a carefully conceived scheme which would provide an engaging set of buildings, each of an appropriately urban character, arranged around an interesting series of new landscaped spaces, many of which would be publicly accessible.
318. Building heights have been the focus of a number of the objections to this RMA, with respondents commenting that the heights are overbearing and inappropriate. While the heights are taller than the buildings immediately to the north and east, they are not markedly so and they are all within the agreed height parameters of the OPP. Furthermore, the taller elements of Blocks L1 and L2 have been positioned towards the southwestern boundary of the site, away from the existing development on Quebec Way. In addition, shoulder lines have been formed along the Quebec Way frontages by setting-back the upper storeys, helping to ease the relationship to the existing buildings opposite. The position of these buildings was carefully tested in the townscape views undertaken at OPP stage, and they neither appeared overly dominant nor harmed important aspects of the local character. Overall, the height, scale and massing of the three buildings can be accommodated without undue harm to the established townscape.

319. In terms of architectural treatment, the proposed ensemble of brick, metal and masonry is supported, as these are robust and high quality finishes. The deck access facades on Blocks L1 and L2 are successful in their articulation, allowing human activity to animate the buildings. Further examples of positive detailed design include the double-height external lobbies, the careful modelling of the maisonette frontages, the mix of platform and gallery-style balconies, and the accentuated parapet on the taller parts of the buildings. Sample materials and mock panels to ensure high quality execution are required by a condition attached to the OPP.
320. A building envelope based on the maximum parameters of Zone L was tested at the OPP stage and deemed to be acceptable from a heritage perspective. The RMA proposes a building envelope no bigger than that modelled at OPP stage. Therefore, and with no significant changes to the baseline conditions in the interim, no new considerations in respect of impact on heritage assets are raised.
321. Inclusive design and crime minimisation considerations have all been resolved to an acceptable level of detail. Conditions are attached to the OPP to ensure the detailed design strategy evolves positively and is carried through to the as-built development.
322. For the reasons given above, it is considered that an acceptable quality of design would be achieved.

Public realm, landscaping and trees

323. London Plan Policy G7 and Southwark Plan Policy P61 recognise the importance of retaining and planting new trees wherever possible within new developments. London Plan Policy G5 requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.

Public realm and landscaping

Public realm and landscaping within Zone L

324. This RMA proposes two key areas of external space: the first is the courtyard private to the residents of Block L1 and the other is the square in between Block L2 and Block L3 and which would be for the shared use of the general public and the Zone L residents. Additional public realm includes Park Walk and a piazza to the southwest of Block L3. This RMA also proposes an interim scheme of landscaping for the northernmost portion of Park Walk, to be replaced when the permanent Park Walk scheme of landscaping is ultimately delivered. This

would all be complemented by footways and highways incorporating trees and planting bedded at grade.

325. The private courtyard at Block L1 has been designed to accommodate social seating areas and play features for doorstep play all set within a densely planted environment. This greenery would comprise mainly herbaceous plants, climbing shrubs and grasses. A hard landscaped area at the northwestern end of the courtyard would provide opportunities for activities within the commercial/community unit to spill-out into the outdoor spaces. The courtyard would be fenced and gated along its boundary with Reel Walk to ensure access and use is exclusive to the residents of Block L1. The design principles and general configuration of the space are well thought through, with an appropriate materials palette and a good mix of hard and soft surfaces.



Figure 52 (above): Visualisation taken from the eastern edge of the L1 courtyard, showing the central paved route edged by a pocket of under-5s play space, seating and planting. The communal dining table is visible in the background.

326. Reel Walk has been designed to maximise planting and greenery in an effort to create a space where people have the opportunity to engage with the environment. As with the greenery in the L1 courtyard, the mix of planting would comprise herbaceous plants, climbing shrubs and grasses. This green infrastructure would take the form of a planted spine running northeast-to-southwest along the length of Reel Walk. Laced through this would be a play trail, intended to encourage incidental play and opportunities for children from the Zone L development to mix with the wider Canada Water child population.



Figure 53 (above): Visualisation of a section of the green spine, showing the raised timber walkways, along the course of which opportunities for seating such as hammocks would be distributed, in addition to bat and bird boxes.

327. The L2 square has been configured around a central flexible space intended to host occasional events such as outdoor yoga or youth theatre. The L2 square would provide a diverse range of other functions and facilities, including:

- a stage/platform,
- custom seating,
- a lawn;
- a dining spill out area connected to the commercial unit fronting onto Reel Street,
- an informal play trail embedded in the planting area;
- table tennis; and
- stepping stones dotted through the planting area



Figure 54 (above): Visualisation of the L2 square, taken from its western edge looking across the lawn. In the background, the central flexible space is visible.

328. The proposed courtyard is located on top of the subterranean UKPN substation. In order for the substation to be below ground, certain ventilation requirements need to be satisfied. While most of these needs would be met by the proposed above-ground compound, some additional open air space is required. To this end, a number of raised vents are proposed within the courtyard; to conceal their presence, these vents would be over-clad in high quality timber to create seating and table surfaces.
329. Where tree planting is provided, edges would be raised to provide adequate depth over the substation roof. The edges would be composed of a mix of bouldered stone pieces and metal to a seating height. These raised edges would be positioned against Reel Street providing a degree of enclosure and containment to the square. This is considered an appropriate landscaping solution to the challenges presented by the substation.
330. The proposed piazza to the southwest of Block L3, which would be largely hard-surfaced, is envisaged as part of a wider 'shared space' route running northwest-southeast along Reel Street featuring moments of incidental play. Softness would be brought to the piazza by a series of planting beds, which would be interspersed by benches/tables for use by the general public.
331. With respect to the interim landscape at the northernmost section of Park Walk, this space would include pockets of seating along the length of the street. Seasonal planting is proposed to provide interest throughout the year, with food growing elements contained within raised beds. The materials palette and planting has been selected to achieve consistency with Zone L and Park Walk, while also tying in with the materiality of wider Canada Water Masterplan areas, as outlined in the Strategic Public Realm Framework.



Figure 55 (above): Visualisation of the interim scheme of landscaping proposed at Park Walk, which will include a lawn area, trees planted in pots, moveable furniture and a wildflower meadow.

332. In terms of the public footways and highways around the site, on Quebec Way new beds would be formed for the existing and proposed trees. This additional planting would help create seasonal interest, new habitats and a more comfortable and appealing environment for people to walk through. Seating and incidental play features would be woven through the planting areas.

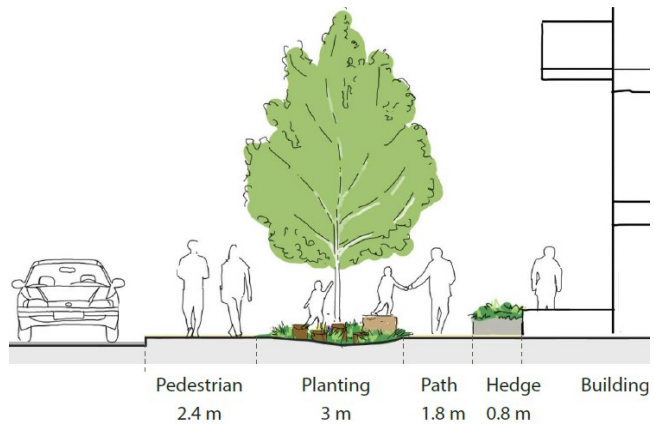
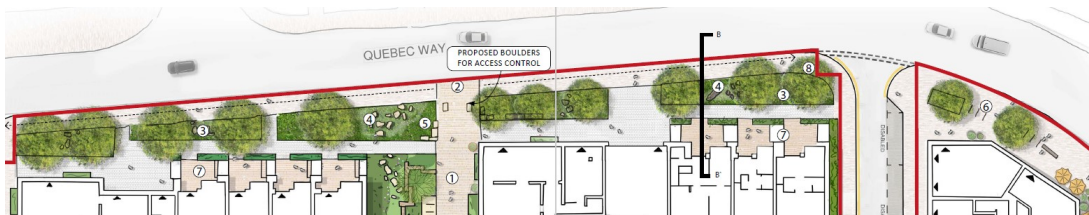


Figure 56 (above): Section through Quebec Way. Figure 57 (below): Plan of Quebec Way.



333. Being located outside of the red line boundary of Zone L, Reel Street does not form part of this RMA. A separate RMA is under determination for Reel Street. It proposes a pedestrian-friendly street with flush kerbs, a raised pedestrian crossing and a chicane layout to reduce vehicle speeds. Printworks Street, again the subject of a separate RMA, would be designed to similar principles, with the stretch directly in front of Block L1 incorporating six new trees with underplanting. The layout of both these new public routes is fully coordinated with the Zone L proposals. The details provided in the two RMAs depicts a suitably high quality public realm for the Zone L blocks to front onto.
334. The proposals as depicted at this RMA stage for the various areas of public realm are in accordance with the key principles set out in the site wide Public Realm Design Guidelines underpinning the design for the public realm approved pursuant to the OPP.

Public realm and landscaping on land adjoining Zone L

335. An RMA has been approved for Printworks Street (21/AP/3469) which forms the public realm immediately to the northwest of Block L1. The approved details for this street show a one way vehicular route intended to be one of the main servicing routes through this part of the town centre. Printworks Street would

link Surrey Quays Road to Quebec Way and would also provide access into Reel Street. Printworks Street will provide a bus route through the town centre. The palette of materials and planting specifications approved under 21/AP/3469 would be of a quality consistent with those proposed at Zone L.

336. A RMA has been submitted for Reel Street (21/AP/3793) which forms the public realm to the southwest of Blocks L1 and L2, with a final leg that bounds Block L3 along its northwestern elevation. The street is intended to be a low trafficked route serving Plot H2 and Zone L. The street would accommodate disabled parking provision and has been designed with pockets of soft landscaping. The latter has been designed to mimic the dense and immersive planted character of Reel Walk, thereby ensuring Reel Street and Reel Walk are experienced as a seamless and integrated piece of public realm. This application has not yet been approved.

Summary

337. Having reviewed the design and access statement and landscaping proposals, the council's Urban Forester considers the indicative materials and specifications to be of a high quality, with appropriately-selected trees and other soft planting. Many of the spaces will be suitably framed by active frontages and/or accommodate incidental play facilities. This will make for a rich, vibrant and attractive publicly-accessible realm.
338. Condition 74 of the OPP requires details of the intended maintenance regime for all areas of landscaping and a detailed Maintenance Plan will be submitted as part of the condition discharge process. The condition also requires detailed planting specifications for all landscaping. The final proposed planting species along with details of lighting, seating, surfacing and service plans will be secured at this stage.

Trees

339. There are presently 22 trees on the Zone L site, all of which are located along the Quebec Way boundary. 12 of these are moderate quality (Category B), 8 are low quality (Category C) and 2 are dead (Category U).
340. The application proposes the retention of 8 of the existing Category B trees. The other 14 trees (comprising 4 Category B, 8 Category C and 2 Category U) would be removed.
341. The Tree Retention Plan within Annex 17 of the OPP s106 identified that only 6 of the trees within Zone L would be capable of retention as part of the site's redevelopment. The proposed retention of an additional two trees as part of this RMA is, therefore, welcomed. A brief addendum to the OPP AIA was supplied

by the applicant confirming the compatibility of the two extra retained trees with the proposed play facilities and other surfacing.

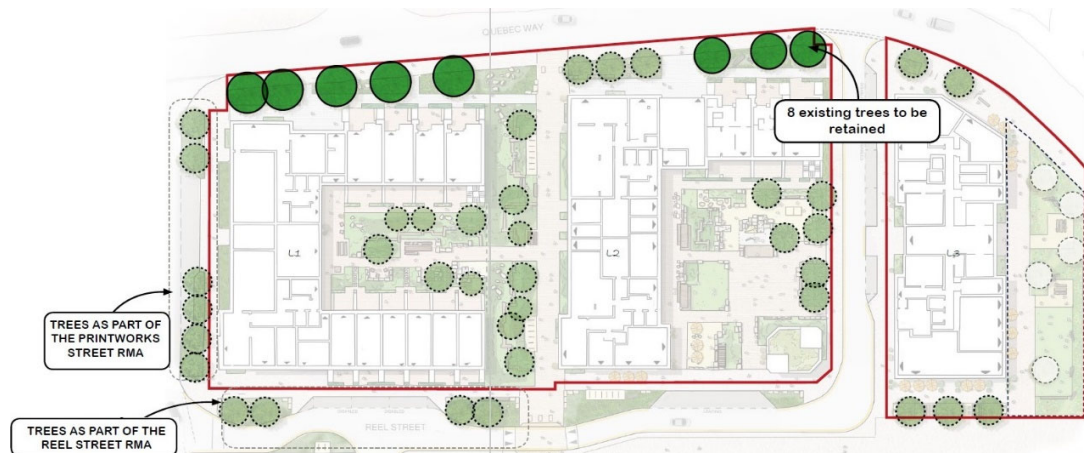


Figure 58 (above): Plan showing the existing trees to be retained (dark green), new permanent trees to be planted (mid green) and the temporary trees at Park Walk (light green).

342. With regard to the proposed tree planting at Zone L, indicative details of the proposed tree species have been provided as part of the RMA.
343. Within the courtyards and Reel Walk the proposed mix includes *Prunus spinosa* (blackthorn), *Betula pendula* (silver birch), *Betula papyrifera* (paper birch) and *Tilia tomendosa* (silver lime). This variety of species has been selected to create seasonal interest, increase biodiversity and attract wildlife. The irregular planting layout and varied species is intended to help create a “park feel”.
344. The five new trees to be planted along Quebec Way would be a mix of *Pyrus calleryana* ‘Chanticleer’ (callery pear), *Tilia cordata* (small-leaved lime) and *Corylus colurna* (Turkish hazel). These are all hard-weathering species.
345. All the trees have been selected using the ‘right plant, right place’ principle to create a distinct sense of place and an attractive setting. The ability of the chosen species to enhance air quality, control local micro-climate and pollution, and withstand drought conditions have played a part in their selection. The Council’s Urban Forester has raised no objection in principle to the species selection within the courtyards, Reel Street and along Quebec Way.
346. Indicative details of the proposed temporary tree species to be planted as part of the interim landscape at Park Walk have also been put forward by the applicant. A mix of *Betula pendula* (silver birch) and *Betula papyrifera* (paper birch) is proposed. However, the Council’s Urban Forester has requested that these be Lime trees because this species is more tolerant of transplanting. The applicant has acknowledged this request. Full detailed tree specification and

planting proposals are provided as part of the discharge of Condition 74 of the OPP, and so no further detail is required at the RMA stage.

347. In summary, the tree strategy for the site is considered to be in compliance with the Indicative Tree Planting Plan secured as Annex 27 of the OPP s106 agreement. Condition 57 of the OPP requires an Arboricultural Method Statement to be submitted for each development plot, setting out how the construction works will be carried out without causing damage to the crown or the root system of the retained trees.
348. The OPP fully considered the impact of the redevelopment on all existing trees and secured appropriate re-provision of trees throughout the town centre as well as requiring tree protection measures where any were identified for retention. The OPP s106 agreement includes an obligation to retain 49 trees or groups of trees across the Masterplan site as well as a tree planting strategy to ensure that 658 new trees (with a canopy cover of 39,433 square metres) are planted across the Masterplan site.

Green infrastructure, ecology and biodiversity

Urban greening

349. Policy G5 of the London Plan 2021 states that urban greening should be a fundamental element of site and building design. It requires major developments that are predominantly residential to achieve an Urban Greening Factor (UGF) score of 0.4 and those that are predominantly commercial to achieve a score of 0.3
350. The OPP was not subject to a UGF Assessment as it predated the formal adoption of the London Plan 2021 and Southwark Plan 2022. Nevertheless, at the time of granting the OPP significant enhancements were secured in respect of landscaping, habitat and ecology enhancements, and tree planting. Through the approved Parameter Plans, Design Codes, conditions and obligations attached to the OPP the redevelopment of the town centre as a whole will bring significant benefits in respect of urban greening.
351. With extensive natural cover surface, the Zone L RMA would achieve an urban greening factor of 0.37. This would be achieved through a combination of:
- retention of existing mature trees on site;
 - proposed trees planted in connected tree pits;
 - amenity lawn, planting (50% flower-rich perennial planting and 50% groundcover) and hedging within the courtyards and Reel Walk;
 - intensive and extensive biodiverse roof on all three of the blocks and the UKPN ventilation compound;

- wildflower meadow (as part of the temporary landscaping works to Park Walk).

352. Although the proposals for Zone L would fall short of the expected UGF score of 0.4, it must be recognised that all the individual development zones are supported by a wider strategy for significant green infrastructure throughout the Masterplan area, including a number of green links and a series of verdant public spaces including the central park. These areas of green public space, many of which do not fall within the red line boundaries of any of the fourteen CWM development zones, will provide greening benefits additional to those delivered by each of the zones. Given this context, Zone L's UGF score of 0.37 is considered acceptable.
353. A two-part condition will be imposed to ensure the development is built-out to achieve the 0.37 UGF.

Ecology and biodiversity

354. The protection and enhancement of opportunities for biodiversity is a material planning consideration. London Plan Policy G6 requires development proposals to manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. Southwark Plan Policy P60 seeks to protect and enhance the nature conservation value of Sites of Importance for Nature Conservation (SINCs), enhance populations of protected species and increase biodiversity net gains by requiring developments to include features such as green and brown roofs, green walls, soft landscaping, nest boxes, habitat restoration and expansion, improved green links and buffering of existing habitats.
355. The impact of the development upon ecology was robustly considered as part of the OPP (within the Environmental Statement) when the principle of the development was established. Appropriate ecological surveys were submitted and those surveys have subsequently been updated by way of additional bat surveys.
356. The Masterplan redevelopment will significantly enhance provision of public open space and opportunities for habitat creation throughout the town centre.
357. The Zone L RMA proposes multiple areas of soft-landscaped public realm and communal amenity space. Proposed features include trees, hedging and planting; these will complement the numerous existing mature trees that are to be retained along Surrey Quays Road. Opportunities have also been seized at rooftop level to integrate ecological enhancements into the building fabric in the form of biodiverse roofs. The impact of the proposal upon ecology has been

fully considered and opportunities to maximise ecological enhancements have been maximised.

358. There are already conditions attached to the OPP in respect of soft landscaping, green/brown/biodiverse roofs and walls, biodiversity, habitat and ecology features, precautionary bat surveys and ecologically sensitive lighting. Finally, Schedule 3 of the s106 to which this RMA will be bound includes an obligation for the applicant to submit a site wide ecology management plan and a financial obligation was secured towards toward the cost of monitoring the ecological works proposed to Canada Water Dock, The Park and other habitat and ecological enhancements to be delivered across the Masterplan site.

Transport and highways

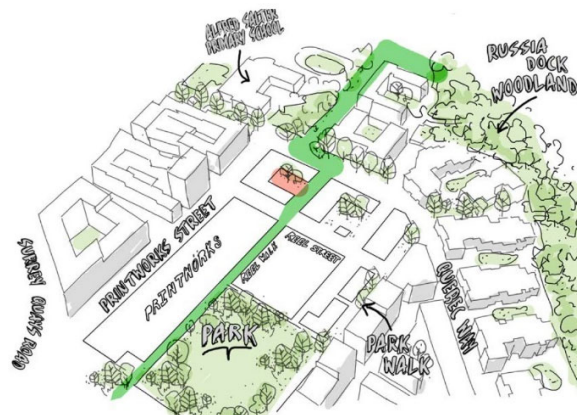
359. The OPP was subject to robust scrutiny of the transport impacts that may arise from the wholesale redevelopment of the Masterplan site. This application was accompanied by a Framework Travel Plan and a Delivery, Servicing and Refuse Management Plan specific to the proposed uses for this plot.

Site layout

360. The proposal has been designed to accommodate vehicle movements associated with servicing and deliveries, car parking for mobility impaired motorists, and access for emergency vehicles. Quebec Way routes along the northeastern boundary of Development Zone L connecting Canada Street to the northwest with the A200 Redriff Road to the south. To the northwest of Zone L, Printworks Street will form a route connecting Quebec Way to Surrey Quays Road. Accessed off Printworks Street will be Reel Street, a new private one-way vehicular route that loops back to Quebec Way; the subject of a separate RMA, Reel Street will play a key role in meeting the vehicular access and servicing needs of the three Zone L Blocks. A new pedestrian and cycle route, will run northeast-southwest between Blocks L1 and L2.

361. In order to improve permeability through the site, a pedestrianised route running northeast-southwest to be known as Reel Walk is proposed between Blocks L1 and L2. This route will connect the Central Park to the southwest with Russia Dock Woodland to the northeast.

Figure 59 (right): Concept of Reel Walk and its role within Zone L



362. As part of the wider CWM, further public cycle and pedestrian-only routes are proposed along Park Walk, Middle Cut, Higher Cut, Town Square and The Park. The routes will link to key transport hubs such as Surrey Quays station and Canada Water station, as well as local bus stops. Overall, when compared to the existing site layout, which is completely enclosed by boundary fencing and thus inaccessible to the public, the proposal will resolve current severance issues through the site and significantly improve permeability.

Trip generation

363. Given the car-free nature of the proposals (apart from a limited number of Blue Badge parking spaces), the trips associated with the commercial and residential uses will predominately be by sustainable travel modes including on public transport, by bicycle and on foot. The Transport Assessment estimates that the residential use would generate a total of 122 two-way trips in the AM peak hour and 105 two-way trips in the PM peak hour. Of the AM peak two-way trips, 67 would be by public transport, 47 on foot and seven by cycle. Of the PM peak hour two-way trips, 74 would be by public transport, 24 on foot and five by cycle. Trip generation estimates are based on the proposed quantum of residential units. The trip generation relating to the flexible commercial/community uses are considered likely to serve the local population and therefore generate linked trips rather than additional trips.

364. As part of the OPP significant contributions were secured towards improvements to public transport to mitigate the potential impact. Specifically;

- Surrey Quays Station contribution
- Canada Water Station contribution
- Bus contribution
- Bus infrastructure improvements
- Highways works
- Signage and Legible London strategy
- Cycle hire expansion and membership

365. The trip generation impact arising from this RMA accords with the assumptions made at OPP stage and has been addressed by the mitigation already secured in the S106 agreement.

Servicing and deliveries

366. London Plan Policy T7 deals with servicing and delivery arrangements during construction and end use. The policy requires provision of adequate space for servicing, storage and deliveries to be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans, proportionate in scope to the scale of the development, should be submitted.

367. The OPP includes an approved site-wide Delivery and Servicing Management Plan, which forms Annex 19 to the s106 (to which this RMA will be bound). An updated Delivery and Service Management Plan (DSMP) for Zone L has been produced in line with the framework and principles set out in the approved site-wide Delivery and Servicing Management Plan.
368. While the OPP set maximum servicing hours across the Masterplan area, if appropriate these hours are to be narrowed (through the use of a planning condition) on a zone-by-zone basis as each RMA comes forward. The servicing restrictions placed on each Zone will reflect: the location of the plot; the form and function of the occupier; any relevant history; and the impacts to residential amenity. As such, the servicing restrictions imposed on this RMA will not set a precedent for restrictions on other RMAs which will be assessed on their merits.
369. The residential and commercial/community uses in Zone L will be serviced from two inset loading laybys, one on Printworks Street and one on Reel Street close to the southern end of Reel Walk. Both of the layby locations are outside the red line boundary of Zone L, and as such are the subject of separate RMAs. The details submitted as part of those RMAs correspond with the details presented as part of this application; they show that each of the loading laybys would be suitable to accommodate one 10-metre medium goods vehicle (MGV) and one 6-metre light goods vehicle (LGV). This provision would be sufficient to meet peak demand. Signage will be employed to guard against non-servicing vehicles using the layby.

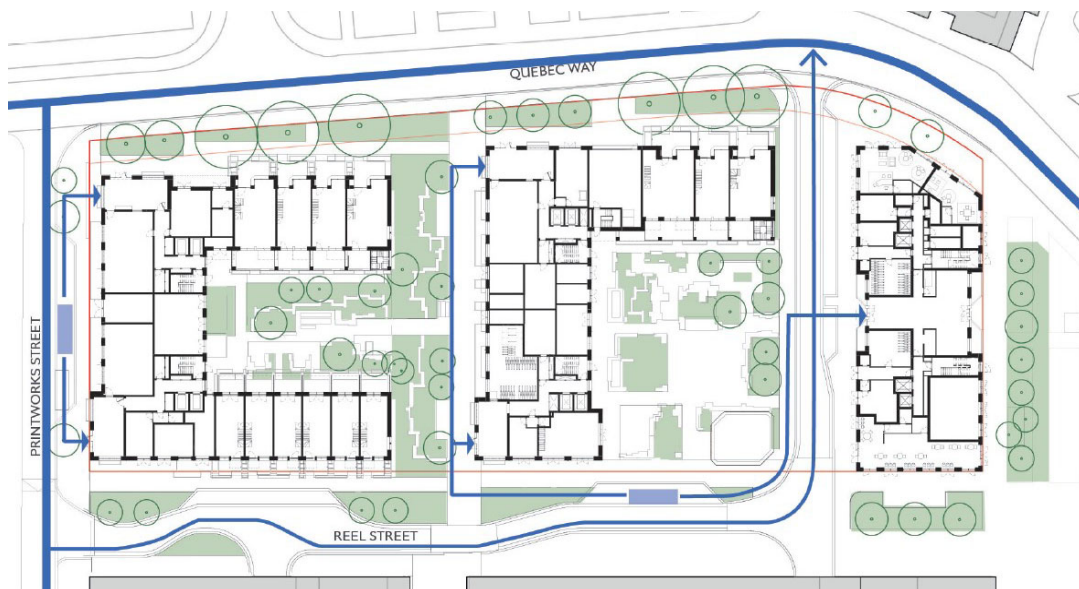


Figure 60 (above): Servicing strategy diagram showing the two loading laybys in light blue.

370. Maximum daily servicing and delivery trips are estimated at 27 vehicles per day (3 during the peak hour), made up of 22 connected to the residential element and 5 connected to the commercial/community element. Given the low predicted commercial/community servicing trips, the non-bookable layby arrangement is considered acceptable. Additionally, the laybys would be available for residential deliveries to the three Zone L blocks when not otherwise occupied.
371. All forms of commercial servicing to Zone L should be restricted to 07:00 to 21:00 on Mondays to Saturdays and 09:00 to 18:00hrs on Sundays and Bank Holidays (with an additional exclusion of 08:00 to 09:00 and 17:00 to 18:00 to minimise peak hour traffic). This would prevent servicing take place at night and during the highway network's peak hours. The restricted times will be controlled via conditions attached to this RMA.
372. With respect to the residential element, because none of the three blocks would have a permanent concierge, goods being delivered would need to be taken directly to the resident's unit.
373. Schedule 16, Part 2 of the s106 agreement secured as part of the OPP (to which this RMA will be bound) requires submission of a DSMP prior to occupation of the development (by which times exact occupiers will be known). As such, the final DSMP for Zone L will be subject to future approval but it will be required to confirm the maximum servicing/delivery vehicles per day and will be required to adhere to the aforementioned servicing hours.

Refuse storage arrangements and waste minimisation

Refuse strategy for the town centre uses

374. This RMA is accompanied by a Servicing Management Plan (DSMP), which details waste volumes by waste stream for the proposed commercial uses on site. These show that the units themselves would have adequate space within the premises for storage. Commercial refuse deliveries are anticipated to occur daily and would be undertaken by a nominated commercial provider. These arrangements are considered acceptable.

Refuse strategy for the residential uses

375. Each of the three residential blocks would be equipped with a dedicated waste and recycling store at ground floor level. These would be directly accessible by refuse collection personnel from the street. All routes proposed between the bin stores and the refuse collection vehicle would be step-free with flush thresholds. In all cases the drag distance from the store room to the layby point would be no more than 10 metres; this means Council refuse collection staff would be

able to collect from the stores without any need for estate management personnel to transfer bags/bins on collection days.

376. With regard specifically to food waste, the townhouses and maisonettes would all be provided with 23L food waste caddies. The communal waste stores (which serve the apartments) do not include food waste storage as this is not a requirement under the Southwark Waste Management Guidance Notes. Notwithstanding, there would be sufficient space for food waste bins to be added in the future, either alongside the proposed bins or instead of some residual waste bins.
377. The DSMP that accompanies this RMA provides waste volume calculations for each of the three residential blocks as well drawings of the proposed residential bin store layouts. The Council's Waste Management Team have assessed the details and are satisfied that the floor area of each store, and the number of bins each would be equipped with, would more than adequately accommodate the likely volumes of refuse generated on a weekly basis.
378. Tracking diagrams were prepared as part of the standalone Reel Street RMA (ref: 21/AP/3793) showing the swept path analysis of a Southwark refuse collection vehicle travelling along Printworks Street and then along Reel Street before emerging onto Quebec Way. The applicant has also confirmed in writing that that the highways would be of a structural design sufficient to withstand the 23 tonne weight of a refuse vehicle. Technical highway requirements relating to refuse collection have, therefore, been satisfied.

Summary

379. The proposed storage and collection arrangements for the various different uses have been assessed and deemed acceptable by the Council's Waste Management Team and Transport Policy Team. A final Waste Management Plan specific to Zone L will be required in order to discharge Condition 87 of the OPP.

Car parking

380. Policy T6 of the London Plan requires developments in locations with existing and future high public transport accessibility to be car-free, save for adequate parking for disabled people. Specific requirements for different uses are set out in Policy T6.1 through to Policy T6.4, while Policy T6.5 deals with non-residential disabled persons parking.
381. Southwark Plan Policy P54 (Car Parking) echoes the London Plan 2021, promoting car-free development in zones with good public transport accessibility. For residential development, it requires car club contributions in order to encourage 'car-lite' lifestyles. Policy P55 supports the provision of

accessible car parking spaces up to a maximum of 1 space per wheelchair accessible unit.

382. The CWM Development Specification limits residential car parking to a maximum of 0.1 spaces per residential unit, including disabled parking, across the development. For office uses the Development Specification permits zero standard car parking spaces, with limited provision for disabled users.

Residential car parking

383. In accordance with the approved Development Specification, Zone L would be car-free with the exception of eight on-street Blue Badge parking spaces. The eight parking spaces equate to 3% of the total number of dwellings. As 24 wheelchair homes are proposed within Zone L, the scheme would provide 1 space for every three wheelchair homes.
384. The eight Blue Badge parking spaces would be provided along Reel Street to the southwest of Block L1 and to the northwest of Block L3, demonstrated on the image below:



Figure 61 (above): Ground plan of Zone L, with the Blue Badge bays shown in dark blue. Entrances to the residential lobbies are denoted by light green triangular arrows.

385. Where routes to the wheelchair user units would exceed 50 metres in distance, seating has been proposed to mitigate the distance. At the absolute maximum, the distance separating any one dwelling from the farthest Blue Badge space would be approximately 140 metres; this is the distance between the dwellings on the top floor of Block L1 and the northernmost space on Reel Street. However, wheelchair users living in Block L1 would also benefit from good access to Blue Badge spaces on the northwestern side of Printworks Street (which are proposed as part of the Printworks Street RMA), and as such in most circumstances these residents would have much shorter travel distances from their car to their home.

386. The Travel Plan submitted with this RMA sets out that electric vehicle charging points would be provided for 20% of spaces (i.e. 2 spaces) from the outset, with the remaining spaces being equipped with passive provision. This is in accordance with Schedule 16 of the s106, as well as London Plan Policy T6.1 (C).
387. Being located on Reel Street, all eight of the spaces are the subject of a separate RMA (ref: 21/AP/3793). Condition 95 of the OPP requires that car parking which is approved in connection with residential units within a building shall be provided prior to the first occupation of any residential unit. As such, the OPP safeguards foregrounded delivery of Reel Street so that Zone L occupants who hold a Blue Badge will be able to make use of the spaces from first occupation of their home.

Commercial/community car parking

388. Southwark Plan Policy P54 confirms that retail uses should have at least one on- or off-street parking bay. The flexible commercial/community element of the Zone L proposal would be technically car-free, but employees would who hold a Blue Badge would be able to park in the bays on Reel Street. Taking account of the flexible nature of the commercial use and the overall relatively modest floor area proposed, this wheelchair accessible parking provision is considered acceptable.

Car club

389. The OPP s106 agreement includes an obligation to provide five car club spaces across the CWM to enable occupiers of residential units of each development plot to rent a car through an approved Car Club Scheme. This includes an obligation to promote the Car Club Scheme including provision of one year's free membership (including membership fee only) from the date of first occupation of any residential unit for the first and subsequent occupier within a 12-month period of first occupation. One such bay is proposed on Printworks Streets immediately to the northwest of L1 (part of a separate RMA, ref: 21/AP/3469). Residents of Zone L would benefit from having this facility in the immediate vicinity of their home.

Cycle parking

390. Appendix 2 of the approved Development Specification (2019), which pre-dates the adoption of the London Plan 2021 and Southwark Plan 2022, sets the minimum cycle parking standards for the subsequent reserved matters applications. For residential units the Development Specification requires:

- 1 space per studio or 1 person 1 bedroom dwelling;
- 1.5 spaces per 2 person 1 bedroom dwelling;

- 2 spaces per all other dwellings.
391. For short-stay parking, the first 5-40 dwellings require 2 spaces, and thereafter 1 space is required for every 40 units.
392. The table below summarises the minimum cycle parking requirements for Zone L, alongside the provision proposed by this RMA:

Cycle parking minimum policy requirements vs provision				
Land use	Long-stay spaces		Short-stay spaces	
	Requirement	Provision	Requirement	Provision
Residential	423	434	7	
<i>of which, at Block L1</i>	160	166		
<i>of which, at Block L2</i>	162	166	7	56
<i>of which, at Block L3</i>	101	102		
Flexi Community / Commercial	6	6	21	
Total	429	440	28	56

393. As the table above shows, the proposal would exceed the minimum requirement of 423 long-stay spaces for the residential component, delivering a total of 434 spaces. These would be housed within the residential cycle stores, and the mix of formats would be as follows:
- 394 long-stay cycle parking spaces provided in the form of two-tier cycle parking racks; and
 - 20 Sheffield stands (40 spaces), equating to 9.2% of the total required spaces, which exceeds the minimum 5% requirement as set out in London Cycle Design Standards (LCDS).
394. 50 of the long-stay residential spaces would be sized to cater for accessible/non-standard cycles. These will include a combination of two-tier racks and Sheffield stands.
395. The long-stay requirement for the six flexible commercial/community units be provided as part of the fit-out of each of these premises. This is acceptable, given that the minimum requirement is low in each case (1 space per unit).
396. With regard to the proposed short-stay (visitor) provision, as the table above shows, the minimum requirement would be exceeded. The 56 short-stay spaces would be arranged in 7 small clusters: three on Reel Street, two on

Park Walk and two on Quebec Way. All of these would be in a Sheffield stand format.

397. In summary, the details submitted with the application indicate the short stay facilities would be in a fit-for-purpose format and well-distributed, while all long stay cycle parking would be secure, covered, practically arranged and well-located in relation to the residential cores. The total provision of cycle spaces complies with the standards set by the Development Specification.

Travel plan

398. The OPP includes an approved Framework Site-Wide Travel Plan, which forms Annex 20 of the s106. This sets the principles for the site as a whole and provides the governing framework within which Travel Plans for individual plots will be prepared. In accordance with Annex 1 of the OPP, a Travel Plan is required to accompany the submission of Reserved Matters applications. Consequently, a plot specific travel plan has been submitted. The plan sets out the measures that will be taken to maximum sustainable modes of transport for staff and visitors.
399. The Travel Plan prepared by Arup outlines measures and initiatives proposed by the applicant to support residents and commercial occupiers to make sustainable travel choices. These include the provision of free TfL Cycle Hire Scheme membership for occupiers for the first three years, promotion of schemes such as '*Cycle to Work*' and '*Ride London*' and the provision of a travel information pack for every residential unit. New and subsequent residents will also benefit from provision of 1 year's free membership to a car club for the 12 months from first occupation of a residential unit in line with the CW Masterplan Car Club Scheme s106 obligation.
400. The Travel Plan outlines that commercial occupiers will also be provided with an employee information pack which outline measures to encourage active and sustainable transport choices.

Improving access to cycle hire options

401. In accordance with Schedule 19 of the OPP s106, land will be safeguarded across the masterplan for the provision of cycle hire docking stations for the TfL Cycle Hire scheme.

Legible London signage

402. The development would benefit from Legible London signs and existing sign map refresh, as secured in the OPP s106.

Healthy Streets

403. London Plan Policy T2 requires development proposals to demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance. The masterplan development provides the opportunity to greatly improve the pedestrian and cycling environment, moving away from the current car-based and car parking dominated layout of the town centre. In particular, the vehicle and walking routes proposed across the masterplan site are arranged in accordance with the following hierarchy:

- the primary routes are Lower Road (and the gyratory) and Redriff Road and these will carry the majority of traffic accessing the masterplan development as well as through traffic from the wider area;
- as a secondary route, Surrey Quays Road will carry the majority of traffic associated with the development and local bus services. The realigned Deal Porters Way (to be known as the High Street) is also classified as a secondary route and will provide a bus route through the centre of the masterplan development;
- the remaining tertiary routes will carry lower volumes of traffic and will provide a local access and servicing function; and
- a comprehensive network of pedestrian and cycle routes will be provided that will enable the masterplan development to promote the Healthy Streets philosophy by providing high quality car free alternative walking and cycling routes.
- an indicative bus infrastructure plan has been agreed with TfL and the Council for the CWM area. The plan contains:
 - up to three new bus stops, proposed to be provided along, Quebec Way, Surrey Quays Road and Deal Porters Way and new bus standing facilities in Printworks Street and a bus driver facility located in the Printworks Building;
 - the retention of existing bus stops along the A200 Lower Road, Surrey Quays Road and Redriff Road; and
 - the relocation of existing bus stops along Surrey Quays Road and Deal Porters Way.

404. The application is car free save for 8 residential disabled spaces, thus promoting walking, cycling and use of public transport. Contributions have been secured for sustainable transport modes to accommodate the demand created by future occupiers of the site. The scheme has been designed to enhance public realm around the site as well as within the surrounding network of streets. The scheme has been designed to minimise air and noise pollution as much as possible.

Transport summary

405. Overall the transport and traffic related implications have been fully considered. The Council's Highways, Transport and Waste Management Teams are

satisfied with the proposal. The scheme minimises vehicle movements by prioritising use of public transport, walking and cycling, and by encouraging consolidation of deliveries. As such, the detailed proposals for Zone L align with the policies promoting sustainable travel and would complement the extensive range of mitigation, including improvements to public transport infrastructure and local streets, already secured as part of the OPP.

Environmental matters

Construction management

406. The construction related impacts of this development were considered as part of the ES submitted with the OPP. Schedule 23 of the s106 (to which this RMA will be bound) secures the provision of detailed CEMPs for each development plot.
407. Subject to submission of a detailed CEMP being submitted at the appropriate time it is not anticipated that an unacceptable long terms impacts will arise as a result of the necessary construction process.

Fire safety

408. Policy D12 of the London Plan 2021 expects all development proposals to achieve the highest standards of fire safety and to this end requires applications to be supported by an independent Fire Strategy, produced by a third party suitably qualified assessor.
409. A Fire Strategy was submitted with the application. Among other things, the Fire Strategy details the building construction, means of escape, features that reduce the risk to life, access and facilities for firefighting, and compliance with Building Regulations Approved Document B.
410. A 'defend in place' evacuation strategy is proposed, whereby residents that are not directly affected will remain in their apartments during a fire event. Some of the measures proposed across the Zone L blocks include smoke detection and alarm systems, sprinkler protection, compartmentation, dedicated evacuation lifts, fire service access lifts and a mix of natural and mechanical ventilation systems within the core/circulation areas.
411. The Strategy was produced by fire risk engineering consultancy Jensen. A certified fire risk engineer (a Member of the Institution of Fire Engineers, no accreditation number stated) has produced the contents, and these have been checked and approved by David Macken. The latter confirms in the Strategy that he is a suitably-qualified fire risk assessor.

412. The Health and Safety Executive (Fire Risk Unit) was consulted on the application. The consultation response makes two observations but does not object to the proposal. Therefore, the relevant fire risk minimisation policies of the London Plan are deemed to have been satisfied. A condition is recommended to ensure the construction and in-use operation of the building are carried out in accordance with the Fire Strategy.

Flood risk, resilience and safety

413. The application site is located within Flood Zone 3, with a high risk of tidal flooding but benefitting from the Thames Tidal defences and therefore a Flood Risk Assessment was submitted as part of the OPP detailing how the site wide Masterplan development has been designed to address flood risk and SUDs proposals. This confirmed that, through the implementation of the site-wide sustainable drainage strategy, the risk of flooding would not be increased elsewhere. The site benefits from the strategic flood defences along the Thames, but in the unlikely event that these defences were breached, some isolated pockets of the site that are lower lying could be susceptible to fluvial flooding. These are located within Zones M and E, but not Zone L, the subject of this RMA.
414. There have been no changes to baseline flood risk data since production of the FRA approved under the OPP. Surface water runoff would be restricted and attenuated for both Zone L and the public realm. Consequently, it is considered that there will be no change to the flood risk effects or mitigation previously identified within the approved CWM ES.
415. In terms of flood resilience and safety, the water exclusion strategies and flood resilience measures for Zone L include raising finished floor levels of all residential accommodation and the majority of the non-residential accommodation above the breach level, and ensuring all bedrooms within the development are at first floor level or higher. This is in accordance with the principles set out in the Drainage Strategy forming part of the OPP.

Sustainable urban drainage

416. To control the rate of discharge of surface water runoff, a drainage strategy was developed for the Masterplan and approved as part of the OPP. This committed to using sustainable drainage (SuDS) methods across the Masterplan area, including tree pit storage, rain gardens, swales, oversized pipes, below ground geocellular tanks and living roofs. The indicative details given in the Zone L RMA documentation suggest a number of these features would be incorporated, including:

- an attenuation tank located beneath the L1 courtyard;
- living roofs on all three blocks; and

- rainwater harvesting

417. Condition 63 of the OPP requires that, prior to the commencement of each Development Zone, a detailed surface water drainage strategy specific to that zone shall be submitted to the Council for approval in consultation with Thames Water and the Environmental Agency. The submission for Zone L will identify the range of sustainable drainage measures to be implemented, and will be verified by the Council's Flood Risk Management Team prior to the commencement of works. As required by the condition, the Zone L strategy will be expected to demonstrate a reduction in surface water greenfield rates for storm events up to a 1% annual exceedance probability plus climate change allowance.

Land contamination

418. A desk top ground investigation assessment report was submitted at OPP stage and appropriate conditions requiring further intrusive surveys, remediation and verification were attached to the OPP.

Light pollution

419. The Canada Water Masterplan ES did not assess light pollution from the outline proposals because sufficient information was not available at that time. As mentioned in an earlier part of the report, it is considered unlikely that the Zone L RMA —as a residential-led development— has the potential for significant light pollution effects.

420. In the interests of residential amenity, residential buildings are not typically fitted with external lighting above ground floor level, and the application drawings do not suggest any high level lighting is proposed on the facades of any of the three blocks. As such, no concerns are raised with regard to potential light pollution and light nuisance at this RMA stage. If external lighting is ultimately proposed, this will be controlled by Condition 89 of the OPP, which requires details to be submitted if any external lighting proposed is on buildings and/or within areas of public realm.

Agent of change

421. London Plan Policy D13 requires all developments to consider 'agent of change' principles to ensure that where new developments are proposed close to noise-generating uses, they are designed in a more sensitive way to protect the new occupiers, such as residents and businesses from noise and other impacts. This is relevant to the Zone L RMA because it proposes residential uses alongside commercial/community uses within all three of the buildings. There are also planned commercial uses within the immediate vicinity of the site at Zone H.

422. The potential impacts arising from the wholesale mixed use redevelopment of the town centre were duly considered and deemed to be acceptable at the time of granting OPP. Several mitigation measures have been incorporated into the conditions attached to the OPP to ensure that a variety of uses can exist side by side without giving rise to unacceptable impacts.
423. To conclude, it is considered that the OPP and this RMA has been designed to ensure that the technical considerations such as adequate servicing, ventilation, mitigation of noise and vibration have been robustly considered and secured so that the development is attractive and usable by the intended future occupiers in accordance with Policy D13.

Energy and sustainability

424. Chapter 9 of the London Plan deals with all aspects of sustainable infrastructure and identifies the reduction of carbon emissions as a key priority. Policy SI2 (Minimising Greenhouse Gas Emissions) requires all developments to be net zero carbon with a minimum onsite reduction of 35% for both commercial and residential. Non-residential development should achieve 15 per cent reduction through energy efficiency measures. Where developments are unable to meet net zero carbon targets any shortfall between the minimum 35% and zero carbon must be mitigated by way of a payment towards the carbon offset fund. The energy strategy for new developments must follow the London Plan hierarchy (comprising 'be lean', 'be clean', 'be green' and 'be seen') and this must be demonstrated through the submission of an Energy Strategy with applications, as well as post construction monitoring for a period of 5 years.
425. Southwark Plan Policies P69 (Sustainability Standards) and P70 (Energy) reflect the approach of the London Plan by seeking to ensure that non-residential developments achieve a BREEAM rating of 'Excellent' and include measures to reduce the effects of overheating using the cooling hierarchy. The policies reflect the London Plan approach of 'lean, green and clean' principles and requires non-residential buildings to be zero carbon with an on-site reduction of at least 40%. Any shortfall can be addressed by way a financial contribution towards the carbon offset fund.
426. A site wide approach to energy and carbon emission reductions was approved as part of the OPP. Schedule 18 of the OPP s106 agreement (to which this RMA will be bound) sets out the necessary obligations for each RMA. The following obligations have been secured:
- submission of a masterplan-wide Energy Review to identify the most appropriate energy solution for the development including an evaluation of the opportunity to connect to a District Heat Network (DHN) or an External Heat Network (EHN) - to be submitted upon implementation of

a plot that would create more than 100,000 GEA of floor space or each whole multiple of 100,000 sqm;

- each RMA to include an Energy and Sustainability Plan which must address up-to-date development plan policies, demonstrate how policy targets will be met, be consistent with the approved site wide strategy and demonstrate future proofing for a DHN or EHN;
- necessary carbon offset contributions for each RMA must be calculated according to current adopted calculations (at the time of determination of the RMA) and are payable upon implementation of that RMA; and
- five year monitoring reports to be submitted post construction.

427. This RMA is accompanied by an Energy and Sustainability Plan as well as Whole Life Carbon Assessment and Circular Economy Statement to address current policy requirements (discussed further below).

Energy and carbon emission reduction

428. The applicant's Energy and Sustainability Plan details how the London Plan hierarchy has been followed in an attempt to achieve the carbon reduction targets. A combination of 'Be Lean', 'Be Green' and 'Be Seen' (but no 'Clean') measures have been employed, details of which follow below.

Be Lean

429. In terms of meeting the 'Be Lean' tier of the hierarchy, a range of passive and active measures are proposed. The passive measures include:

- high thermal envelope performance to reduce uncontrolled heat transfer through the building fabric;
- optimisation of size and g-value of the glazing to provide a balance between minimising heat gain and maximising natural daylight (to reduce lighting energy);
- openable windows to prevent overheating in summer and allow for natural ventilation of the residential units;
- deep window reveals and projecting balconies to provide solar shading;
- minimising heat loss from heating and hot water systems; and
- highly insulated green roofs.

430. The active measures include:

- high efficiency HVAC cooling systems to the non-domestic (i.e. community/commercial) units;
- high efficiency ventilation systems including Mechanical Ventilation with Heat Recovery (MVHR) to residential apartments; and
- low energy and high efficacy lighting systems, fittings and controls.

431. The reduction in carbon emissions achieved through these 'demand reduction' measures will reach 10% for the residential element, thereby meeting the policy target. The measures would only achieve a 1% reduction for the non-domestic element, falling short of the policy target of 15%, due largely to the high hot water demand.

Be Clean

432. As no immediate connection to a district heating network or on-site CHP system is proposed, no carbon savings are reported from the 'Be Clean' stage of the energy hierarchy.

433. Although connection to a district heating network cannot be proposed because one does not exist in the vicinity at present, there are plans to extend the existing South East London Combined Heat and Power (SELCHP) network northwards towards Canada Water, and as such connection in the future is not unrealistic. Connecting the Zone L development into any such future network is secured by a planning obligation attached to the OPP. The Energy and Sustainability Plan accompanying this RMA outlines in an acceptable level of detail how internal areas within each of the Zone L buildings would be converted to district heat network incoming plant rooms to enable connection.

Be Green

434. With respect to the 'Be Green' tier of the hierarchy, the applicant has proposed the following technologies:

- a centralised communal heat pump network for each of the three buildings providing the space heating and hot water demands of the development (supplemented by electrical heating in bathrooms and cloakrooms); and
- Rooftop mounted 39kWp photovoltaic array for electricity generation, with roof coverage optimised, which is expected to generate 32,100kWh of electricity per annum.

435. On a side-wide basis, carbon emissions would be reduced by 63% through these 'Be Green' measures. This breaks down as 63% for the residential element of the development and 48% for the non-domestic element. The applicant has demonstrated that opportunities for renewable energy by producing, storing and using renewable energy on-site have been maximised.

Be Seen

436. Introduced as part of the London Plan 2021, 'Be Seen' is the newest addition to the GLA's energy hierarchy. It requires developments to predict, monitor, verify and improve their energy performance during end-use operation. All application

should conduct a detailed calculation of unregulated carbon emissions as part of the compliance with the 'Be Seen' policy and associated guidance.

437. The applicant's Energy and Sustainability Plan calculates that unregulated per annum energy emissions for the residential element of the development would be 129.5 tonnes of carbon, while for the non-domestic element it would be 9.7 tonnes of carbon.
438. The applicant's Energy and Sustainability Plan states that a suitable metering strategy will be implemented to record energy consumption and generation from the points of occupation. It is recommended that a planning condition be attached to the RMA decision notice requiring energy consumption and generation to be monitored and reported to the GLA in line with policy.

Total energy savings

439. Southwark Council's carbon offset cost is £95 for every tonne of carbon dioxide emitted per year over a period of 30 years. This is the equivalent of £2,850 per tonne of annual residual carbon dioxide emissions.
440. The non-residential element of the proposal would reduce on-site regulated carbon dioxide emissions by 48% over a notional building minimally compliant with the Building Regulations 2013. The total per annum shortfall in savings relative to carbon zero would be 10.88 tonnes per year which, at a rate of £95/tonne for 30 years, generates an offset contribution of £31,008. This obligation to pay this contribution is secured within the OPP s106.
441. For the residential element of the development, there would be an overall on-site reduction of 53% in regulated carbon dioxide emissions over a notional building minimally compliant with the Building Regulations 2013. The total per annum shortfall in savings relative to carbon zero would be 88.54 tonnes per year which, at a rate of £95/tonne for 30 years, generates an offset contribution of £252,349. Again, the obligation to pay this contribution is secured within the OPP s106.
442. On a block-by-block basis, the carbon reduction performance and associated offset payments are as follows:

Performance	Block L1	Block L2	Block L3	Zone L Total
Overall predicted on-site reduction	63%	63%	61%	63%
Residual emission to meet target (tCO ₂)	34.2	36.0	29.2	99.4
Total emissions to be offset for 30-year period (tCO ₂)	1,026.8	1078.8	877.2	2,982.7

Estimated offset cost at £95 per tonne	£97,542	£102,485	£83,330	£283,357
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443. The energy savings, as detailed above, which take into account SAP10 and the decarbonisation of the electricity grid, demonstrate the good environmental and sustainability credentials of the proposed development. To ensure these savings are realised, the RMA will be subject to two planning conditions. One will require the development to be constructed in accordance with the Energy and Sustainability Plan, and the other will require the delivery of the carbon savings to be verified through a post-installation review process.

Whole life cycle and carbon capture

444. London Plan Policy SI2 requires all major development proposals to be supported by a whole life cycle carbon assessment. This assesses the unregulated and embodied emissions associated with redevelopment. Driven by the aim of achieving net carbon zero for new development by closing the implementation gap, whole life cycle carbon assessments are monitored at the pre application, submission and post construction stages. Policy P70 of the Southwark Plan 2022 reinforces the need to calculate whole life cycle carbon emissions through a nationally recognised assessment and demonstrate actions taken to reduce life cycle carbon emissions.
445. The applicant's whole life cycle carbon assessment offers recommendations to optimise the design of the development in terms of carbon. These recommendations include cement replacements, steel reinforcement, specification of productions with Environmental Product Declarations (EPDs), and careful selection of window frame and internal wall materials.
446. The applicant's whole life cycle assessment finds that over a 60-year study period, Zone L's unregulated and embodied load would be 28.983 tonnes CO₂e. The largest share of emissions for the proposed development is attributed to the operational carbon; however, when the decarbonisation of the grid is factored-in, the ratio adjusts to 14% operational carbon and 86% embodied carbon.
447. The assessment demonstrates that the development (excluding operational carbon) is in range of, or below, the GLA WLC benchmarks for lifecycle modules A1-A5 and B-C. It should be noted that the development is not within the range of GLA aspirational benchmarks for modules A1-A5; however, it does fall within the range of the aspirational benchmarks for the B-C modules, which should be commended.

Circular Economy

448. Southwark Plan 2022 Policy P62 (Reducing Waste) states that a Circular Economy Statement should accompany planning applications referable to the Mayor. Circular economy principles include conserving resource, increasing efficiency, sourcing sustainably, designing to eliminate waste and managing waste sustainably at the highest value. London Plan policies GG5 (Growing a Good Economy), D3 (Growth Locations in the Wider South East and beyond) and SI7 (Reducing Waste) and all mention circular economy principles and the benefits of transitioning to a circular economy as part of the aim for London to be a zero-carbon city by 2050.
449. A detailed Circular Economy Statement was submitted with the application, which sets out strategic approaches, specific commitments and the overall implementation approach.
450. The strategic approaches for the development include maximising the reuse of demolition material, adopting lean design principles, specifying materials responsibly and sustainably, implementing a Site Waste Management Plan and providing adequate storage space and maximising recycling opportunities.
451. Specific targets committed to by the applicant include:
- diverting a minimum of 95% of non-hazardous demolition waste from landfill for reuse, recycling or recovery;
 - diverting a minimum of 95% of excavation waste from landfill for beneficial reuse;
 - diverting a minimum of 95% of construction waste from landfill for reuse, recycling or recovery;
 - achieving a minimum of 65% recycling rate for municipal waste by 2030; and
 - specifying products and material so that a minimum of 20% of the total value of the selected elements is composed of recycled or reused content.
452. The overall implementation approach makes a number of short-, medium- and long-term commitments, including:
- establishing a tracker to review progress on a monthly basis;
 - ensuring the contractor tender package includes all Circular Economy Statement commitments and targets;
 - obliging the demolition contractor and lead contractor to submit evidence that all commitments are addressed in the 'As Built' development, all waste management targets will be reported against, and confirm that the final destination landfills have sufficient space; and
 - obliging the developer to provide a Post Completion Report to the Greater London Authority.

Overheating and cooling

453. London Plan Policy S14 (Managing Heat Risk) details that major development proposals should demonstrate how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy. Policy P69 (Sustainability Standards) of the Southwark Plan 2022 states that development must reduce the risk of overheating, taking into account climate change predictions over the lifetime of the development, in accordance with the cooling hierarchy.
454. The six-step hierarchy that should be followed when developing a cooling strategy for new buildings is as follows:
- minimise internal heat generation through energy efficient design; then
 - reduce the amount of heat entering the building through the orientation, shading, albedo, fenestration, insulation and green roofs and walls; then
 - manage the heat within the building through exposed internal thermal mass and high ceilings; then
 - use passive ventilation; then
 - use mechanical ventilation; then
 - use active cooling systems (ensuring they are the lowest carbon options).
455. The applicant's Energy and Sustainability Plan includes detailed information on minimising the cooling demand and reducing the risk of overheating to all three of the Zone L blocks. The measures employed include:
- full brick deep reveals to all external windows;
 - south facing windows mostly located underneath deck access or projecting balconies giving external shading and reducing internal gains; and
 - maximising the number of dual aspect dwellings, as these allow for cross ventilation and thus provide higher ventilation rates.
456. The applicant's submission includes TM59 overheating analysis, showing a full pass rate without the need for cooling for the 237 dwellings. Although for the non-domestic spaces active cooling would be required, this demand has been through the use of a HVAC system, achieving an area-weighted demand of 115.21 MJm²; this represents a 25% improvement compared to the notional Part L demand of 152.70MJm². The proposal has, therefore, met the cooling and overheating requirements of the London Plan and Southwark Plan.

BREEAM

457. Policy P69 (Sustainability standards) of the Southwark Plan 2022 states that development must achieve a BREEAM rating of 'Excellent' for non-residential development and non-self-contained development over 500 square metres. As the non-domestic space within each of the proposed Zone L buildings has a GIA of less than 300 square metres, a BREEAM assessment is not required by policy and accordingly the applicant has not submitted any pre-assessment information in this regard.

Water efficiency

458. The Sustainability Strategy submitted by the applicant confirms that the proposed development aims to minimise internal potable water consumption to a maximum of 105 litres per person per day for the residential components of the development, as required by London Plan Policy SI5. This will be achieved through the specification of water-efficient sanitary fittings in accordance with the optional water efficiency requirements of the Building Regulations Approved Document Part G. Examples given in the application documentation include low flow, water efficient showers, taps and WCs, along with separate metering of each residential property.

Digital connectivity infrastructure

459. The NPPF recognises the need to support high-quality communications infrastructure for sustainable economic growth and to enhance the provision of local community facilities and services.

460. To ensure London's long-term global competitiveness, Policy SI6 (Digital Connectivity Infrastructure) of the London Plan 2021 requires development proposals to:

- be equipped with sufficient ducting space for full fibre connectivity infrastructure;
- achieve internet speeds of 1GB/s for all end users, through full fibre connectivity or an equivalent.
- meet expected demand for mobile connectivity; and
- avoid reducing mobile capacity in the local area.

461. Although the Zone L RMA does not contain any details about digital connectivity infrastructure, Schedule 22 of the OPP s106 requires a pure fibre connection to be provided to each building within Zone L before that building can be occupied. This will ensure the aims of the NPPF and London Plan are achieved.

Planning obligations

462. London Plan Policy DF1 and Southwark Plan Policy IP3 advise that planning obligations can be secured to overcome the negative impacts of a generally

acceptable proposal. These policies are reinforced by the Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that qualifies for planning obligations. The NPPF echoes the Community Infrastructure Levy Regulation 122 which requires obligations to be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

463. This application is bound by the s106 obligations secured in the legal agreement attached to 18/AP/1604. For this particular RMA there is no requirement for additional mitigation beyond that secured at Outline stage.

Mayoral and Borough Community Infrastructure Levies

464. 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 Borough 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, while the Borough CIL will provide for infrastructure that supports growth in Southwark.

465. On the date of this report, the Council's CIL Team has not been able to prepare estimated Borough and Mayoral CIL figures. The Team will issue the applicant with a CIL liability notice at a similar time to the issuing of the 21/AP/3775 decision notice. The Borough and Mayoral CIL figures contained with the liability notice will be based on the information provided to date by the applicant, and the floor areas including ancillary areas.

Community involvement and engagement

466. This application was accompanied by a Statement of Community Involvement. The document confirms that the following public consultation was undertaken by the applicant during the pre-application and planning application stages:

<u>Developer Consultation: Summary Table</u>	
<u>Date</u>	<u>Form of consultation</u>
Meetings (Pre-application engagement)	
15 June 2021	Design Review Panel, following topics presented:

	<ul style="list-style-type: none"> • Context & Design Response • Public Realm • Servicing & Access • Sustainability • Architectural Character • Residential Accommodation & Communal Facilities
12 July 2021	Meeting and tour of site with Leader of the Council and relevant Cabinet Members
Public Consultation Events (pre-application)	
25 May 2021	Dedicated RMA webinar to introduce proposals for Zone L and explain the RMA process – 85 attendees
16 July – 1 August 2021	Virtual public exhibition – 450 unique users, 4,368 views of the display materials, 13 feedback forms
Other Engagement	
Various	<ul style="list-style-type: none"> • Hard copy newsletter sent to 14,336 local people and distributed in key local locations • Invitations posted and emailed to share details of the exhibition • Virtual Exhibition website • Posters placed in key locations • Frequently asked questions booklet issued • Invitations issued to Surrey Docks and Rotherhithe Ward Councillors, and Alfred Salter Primary School Headteacher.

467. The Statement of Community Involvement sets out the responses from the 13 feedback forms submitted following the virtual public exhibition. A detailed summary of each topic raised and how the applicant responded is provided in the document.

468. The level of pre-application consultation undertaken by the applicant is considered to be an adequate effort to engage with those affected by the proposals. Due to Covid-19 restrictions, face to face meetings were not deemed to be suitable in line with national guidance relating to public meetings during the pandemic. It is ultimately the responsibility of the applicant to decide how to manage public meetings in response to Covid restrictions and national guidance. A virtual exhibition was held between 21 June and 5 July 2021, which was considered to be an acceptable engagement method.

469. The Council, as part of its statutory requirements, sent letters to surrounding residents, issued a press notice publicising the planning application and displayed notices in the vicinity of the site. Details of the consultation undertaken by the Local Planning Authority are set out in the appendices. The responses received are summarised later in this report.

Consultation responses from external consultees

470. City Airport:

- No objection/comments.
 - **Officer response:** Noted.

471. Civil Aviation Authority

- Did not wish to comment.

472. Environment Agency:

- No objection given the conditions attached to the OPP.
 - **Officer response:** This application will be bound by the conditions attached to the OPP. The Environment Agency will be consulted on relevant 'Approval of Details' applications.

473. Historic England:

- No objection/comments.
 - **Officer response:** Noted.

474. GLA [Stage I response]:

- Did not wish to comment.

475. Health and Safety Executive (Fire Risk Unit):

- Section 7 of the fire statement describes the open balcony approach to some of the flats in blocks L1 and L2. The fire statement shows that these balconies are 3.1 metres; there is a risk (according to BS9991, clause 7.3 note1) of smoke logging both laterally and along the balcony when the width of a balcony exceeds 2 metres. The LPA may wish to satisfy themselves that the fire engineered proposals for "voids" and "down-stands" is suitable for this proposal. Resolving this issue may impact on planning considerations such as the design and appearance of the building.
 - **Officer response:** Noted. The applicant's fire consultant (AECOM) has discussed this matter with the London Fire Brigade and

Southwark Council's Building Control department, the outcome of which is that –because there will be a choice of two directions from the apartment door on the deck access facades (one to the external stair and other to the protected stair)– this in line with 7.3 of BS9991. Moreover, where there are individual balconies that exceed 2 metres in width, the vast majority are projecting and the railing is open, and none adjoin a balcony of another residential unit, which will minimise risk of fire spread between apartments. Southwark Council's Building Control department are satisfied that the proposed design is suitable.

- Supplementary information (does not contribute to HSE's overall headline response and is intended only for guidance/clarification purposes): The location of the dry rising main inlets and outlets will require long horizontal runs of the rising fire main, which could affect the performance of the dry rising main and the ability of firefighters to extinguish fires on upper storeys.
 - **Officer response:** Noted. The matter has been discussed between the applicant's fire consultant (AECOM) and Southwark Council's Building Control department, the latter advising that "Given the distance inside the building is only exceeded by 2 metres and the maximum distance from tender is 33.7 metres this has been accepted for purposes of compliance with Building Regulations".

476. London Borough of Lewisham:

- Did not wish to comment.

477. London Borough of Tower Hamlets:

- No objection/comments.
 - **Officer response:** Noted.

478. London Overground:

- Did not wish to comment.

479. London Underground:

- No objections/comments, other than that the Zone L RMA decision notice should be subject to a planning condition stipulating that no works commence until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the Local Planning Authority
 - **Officer response:** The requested condition will be attached.

480. Metropolitan Police:

- No objections/comments other than that positive engagement has been had between the Metropolitan Police and the developer in respect of crime prevention and SBD requirements for this site. The OPP already has a condition attached for buildings to comply with SBD requirements so Zone L will be captured by those conditions.
 - **Officer response:** This application will be bound by the condition attached to the OPP. The Metropolitan Police will be consulted on the relevant 'Approval of Details' application.

481. National Grid:

- Did not wish to comment.

482. Natural England:

- No objection/comments.
 - **Officer response:** Noted.

483. Transport for London:

- No objection/comments other than that the London Plan 2021 requires 20% active EVCP provision and 80% passive EVCP provision, but where a small number of spaces are proposed such as with Zone L, coupled with the momentum towards phasing out new petrol and diesel vehicles in the relatively near future, 100% active provision is recommended.
 - **Officer response:** The Travel Plan sets out that electric vehicle charging points will be provided for 20% of spaces from the outset, with the remaining spaces being equipped with passive provision. This is in accordance with London Plan (2021) Policy T6.1 (C) as well as Schedule 16 Part 2, Clause 3.1. As such the proposals should be deemed acceptable to TfL from a policy perspective

484. UKPN:

- Did not wish to comment.

Community impact and equalities assessment

485. 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:

1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act

2. 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
3. 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.

486. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

487. The Council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights

488. The Council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. The positive impacts have been identified throughout this report. They include:

- Affordable housing: A minimum of 174 affordable units, comprising a mix of social rented and intermediate tenures.
- Accessible accommodation: 10% of all housing would be wheelchair accessible. Wheelchair parking would also be provided for the town centre and residential uses.
- Employment and training opportunities: Local unemployed people would benefit from jobs and training opportunities already secured as part of the OPP.
- Improved and more accessible public realm: The proposed Reel Walk, L2 public square, piazza to the south of L3, and interim landscape within Park Walk, as well as all footways and highways, would all be designed to assist people with mobility impairments. Physical measures such as level or shallow gradient surfaces, dropped kerbs, resting places and outdoor lighting would benefit disabled and older people in particular.
- Public safety: Safer public spaces (through the various proposed active and passive security and surveillance measures) would benefit all groups, but in particular older people, disabled people and women.

489. Officers are satisfied that equality implications have been carefully considered throughout the planning process and that Members have sufficient information available to them to have due regard to the equality impacts of the proposal as required by Section 149 of the Equality Act 2010 in determining whether planning permission should be granted.

Human rights implications

490. This planning application engages certain human rights under the Human Rights Act 2008 (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.

491. This application has the legitimate aim of seeking 'reserved matters' approval for a development zone for which OPP has already been granted. The RMA proposes a residential-led development incorporating flexible commercial/community uses, an above-ground compound in connection with a subterranean UKPN substation and facilities for servicing the UKPN substation, together with various community spaces and publicly-accessible realm. 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.

Positive and proactive engagement: summary table	
Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES

CONCLUSION

492. In land use terms the proposed uses and quantum of floor area accords with the Development Specification and other relevant development plan policies, and are consistent with the principles established by the OPP.

493. The development would deliver 237 new residential units within Zone L and is strongly supported by both development plan policies and the requirements of the OPP. The proposed mix of dwellings complies with the OPP with over 60% of the units containing two or more bedrooms. The quality of the new homes is

good, although some units at lower floor levels would receive daylight and sunlight below the BRE recommendations. However, the high proportion of dual and corner aspect units, provision of private outdoor space for the majority of units, and the quality of communal amenity space are positive factors to be considered in assessing the overall quality of the residential accommodation.

494. The issue raised most commonly by the public objections is the height and scale of the proposed buildings. Associated concerns about the proposal being harmful to or not in-keeping with local character have also been raised. While it is recognised that the three residential blocks would be taller than the buildings immediately to the north and east, the step-up in height would be modest. Moreover, the heights of the three blocks would help achieve a transition from the Town Centre to these lower existing buildings on the edge of the Masterplan, and to the low-rise existing development further beyond. Given that the three proposed buildings would accord with the principles and maximum height parameters established by the OPP, and also taking into account their neighbourly layout and well-resolved articulation and detailing, it is considered that they would sit comfortably within and contribute positively to the townscape.
495. The site layout and provision of public realm accords with the details approved in the OPP Parameter Plans and Design Codes. Subject to high quality execution, as secured by the conditions attached to the OPP, the proposal will have positive place making benefits for this part of the Masterplan.
496. The scheme would entail the loss of 14 trees, which a number of public representations have objected to. The loss of trees from Zone L was examined as part of the OPP, and it was concluded that up to 16 may need to be removed to bring forward a viable and optimal redevelopment of Zone L. This RMA proposes to retain two more trees than anticipated by the OPP (eight as opposed to six), which is welcomed. New tree planting has also been proposed along Quebec Way and in other parts of the site by way of mitigation. The OPP s106 agreement includes obligations setting the minimum number of existing trees to be retained and new trees to be planted across the Masterplan site, thereby ensuring the development as whole provides meaningful canopy cover.
497. Subject to conditions to control plant noise, servicing times, and hours of operation for the commercial/community uses and any associated outdoor dining areas, the proposal would not give rise to significant harm to neighbouring amenity by way of overlooking, loss of privacy, noise or disturbance. At OPP stage the impact on daylight/sunlight and overshadowing was deemed to be acceptable.
498. An EIA Statement of Conformity has been provided to demonstrate that the assumptions, conclusions and mitigation secured at outline stage are still fit for purpose and that this RMA would not give rise to new significant effects.

499. Subject to the necessary mitigation already secured as part of the OPP s106 obligation (to which this RMA will be bound) the proposal would not give rise to unacceptable transport impacts.
500. Subject to compliance with the detailed energy and sustainability strategies submitted and payment of the Carbon Green Fund, the development satisfactorily addresses climate change policies.
501. It is therefore recommended that planning permission be granted for this RMA, subject to the recommended additional conditions as set out in the draft recommendation at Appendix 1.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 797-M Application file: 21/AP/3775 Southwark Local Development Framework and Development Plan Documents	Planning Division, 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: 020 7525 5535 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policies
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received
Appendix 6	Design Review Panel Report
Appendix 7	Proposed Land Use Schedule

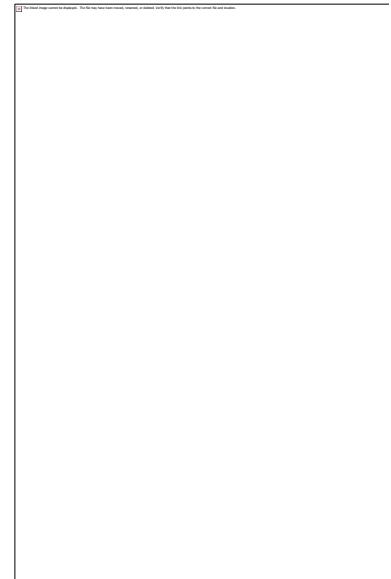
AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Patrick Cronin, Senior Planning Officer	
Version	Final	
Dated	13 July 2022	
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 Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Date final report sent to Constitutional Team		13 July 2022

Recommendation (draft decision notice)**SOUTHWARK COUNCIL**

Town and Country Planning Act 1990 (as amended)

Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)



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RECOMMENDATION (DRAFT DECISION NOTICE)

LBS Reg. No.: 21/AP/3775

Date of Recommendation:

N/A

Applicant c/o Agent
CW BL Holdings Ltd.

Reserved matters is APPROVED for the following development:

Details of all reserved matters (Access, Appearance, Landscaping, Layout and Scale) relating to Development Zone L of the Canada Water Masterplan, comprising the construction of three residential buildings with flexible retail/workspace/community uses (Classes A1-A4, B1 and D1) at ground floor level alongside car parking, cycle parking, landscaping, public realm, plant and associated works.

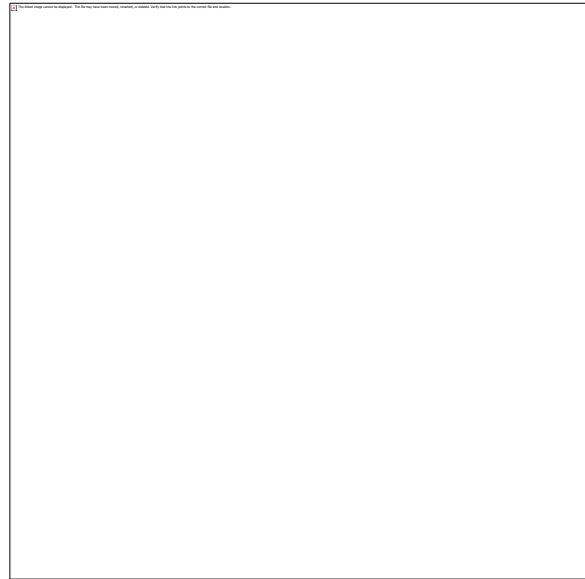
This application is pursuant to hybrid planning permission for the Canada Water Masterplan ref. 18/AP/1604 dated 29th May 2020, which was accompanied by an Environmental Statement. Consequently the application is accompanied by a Statement of Conformity submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) regulations 2017. This ES Statement of Conformity should be read in conjunction with the Canada Water Masterplan ES which can be viewed in full on the Council's website (18/AP/1604).

At

Zone L, Canada Water Masterplan Surrey Quays Road London Southwark

DRAFT

1

RECOMMENDATION (DRAFT)**LBS Registered Number:** 21/AP/3775**Date of Recommendation:**

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In accordance with the valid application received on 1 November 2021 and supporting documents submitted which can be viewed on our Planning Register.

For the reasons outlined in the case officer's report, which is also available on the Planning Register.

The Planning Register can be viewed at: <https://planning.southwark.gov.uk/online-applications/>

Conditions

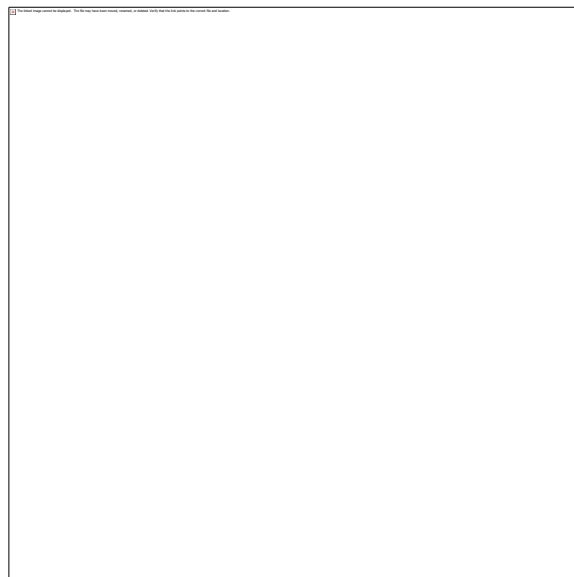
Permission is subject to the following Approved Plans Condition:

1. The development shall be carried out in accordance with the following approved plans:

Reference no./Plan or document name/Rev.	Received on:
'Planning Statement Volume I' - revision 04 - dated 29.06.2022 - produced by DP9	01/11/2021
'Planning Compliance Report Volume I' - revision 04 - dated 29.06.2022 - produced by DP9	01/11/2021
'Environmental Statement (ES) Statement of Conformity (SoC) incorporating Further Environmental Information' - WIE12886-287-R-1.4.1-Zone L RMA SoC - issue 4 - dated October 2021 - produced by Waterman	01/11/2021

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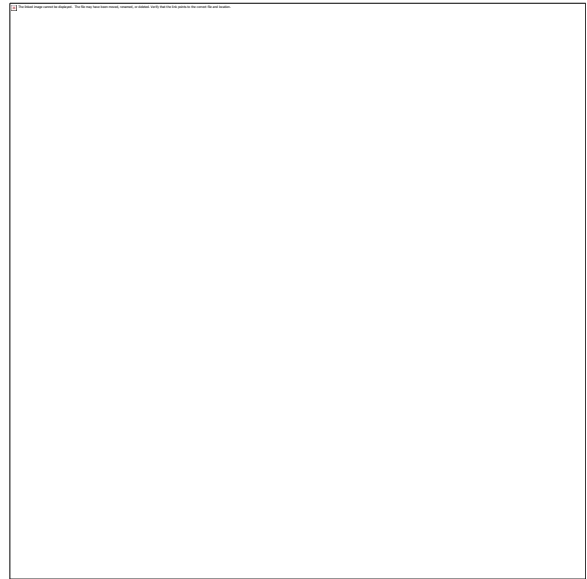
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RECOMMENDATION (DRAFT)**LBS Registered Number:** 21/AP/3775**Date of Recommendation:**

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'Design and Access Statement Volume I' - CWL00-HTL-ZLL-XX-RP-AR-000004 - issue 4 - dated 22.10.2021 - produced by Haworth Tompkins [except where superseded by the 'Public Realm Addendum Play' document listed below]	01/11/2021
'Public Realm Addendum Play' - dated July 2022 - produced by Haworth Tompkins Design and access statement	11/07/2022
'Arboricultural Note' - WIE12886-312-BN2.1.1 - dated June 2022 - produced by Waterman	29/06/2022
'Statement of Community Involvement' - dated August 2021 - produced by EQ	01/11/2021
'Internal Daylight, Sunlight and Overshadowing Report' - ref 8816 - revision 1 - dated 27.09.2021 - produced by Gordon Ingram Associates	01/11/2021
'Detailed Circular Economy Statement' - version 02 - dated 16.09.2021 - produced by AECOM	01/11/2021
'Whole Life Carbon Assessment' - version 01 - dated 14.09.2021 - produced by AECOM	01/11/2021
'Energy Strategy - Statement of Compliance' - version 03 - dated 12.10.2021 - produced by AECOM	01/11/2021
'Fire Statement' - DL6242/R2 - issue 1 - dated 20.08.2021 - prepared by Jensen Hughes	01/11/2021
'Development Zone L - Travel Plan' - undated - produced by ARUP	21/04/2022
'Delivery and Servicing Management Plan' - dated October 2021 - produced by ARUP	01/11/2021

DRAFT**3**

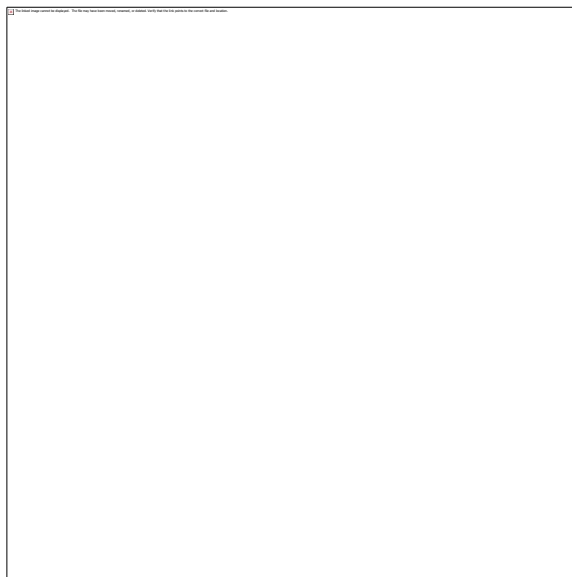
RECOMMENDATION (DRAFT)**LBS Registered Number:** 21/AP/3775**Date of Recommendation:**

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CWL00-HTL-RES-00-DR-AR-041000 - 'Proposed - Ground Floor Plan' - revision P14 - dated 11.07.2022	11/07/2022
CWL00-HTL-RES-01-DR-AR-041001 - 'Proposed - First Floor Plan' - revision P10 - dated 23.05.2022	11/07/2022
CWL00-HTL-RES-02-DR-AR-041002 - 'Proposed - Second Floor Plan' - revision P7 - dated 22.02.2022	21/04/2022
CWL00-HTL-RES-03-DR-AR-041003 - 'Proposed - Third and Fourth Floor Plan' - revision P7 - dated 22.02.2022	21/04/2022
CWL00-HTL-RES-04-DR-AR-041005 - 'Proposed - Fifth and Sixth Floor Plan' - revision P4 - dated 22.02.2022	21/04/2022
CWL00-HTL-RES-07-DR-AR-041007 - 'Proposed - Seventh Floor Plan' - revision P7 - dated 22.02.2022	21/04/2022
CWL00-HTL-RES-08-DR-AR-041008 - 'Proposed - Eighth Floor Plan' - revision P9 - dated 22.02.2022	21/04/2022
CWL00-HTL-RES-09-DR-AR-041009 - 'Proposed - Roof Plan' - revision P12 - dated 23.05.2022	11/07/2022
CWL00-HTL-RES-ZZ-DR-AR-052001 - 'Proposed - Quebec Way - North Elevation' - revision P10 - dated 11.07.2022	11/07/2022
CWL00-HTL-RES-ZZ-DR-AR-052002 - 'Proposed - Reel Street - South Elevation' - revision P10 - dated 11.07.2022	11/07/2022
CWL00-HTL-RES-ZZ-DR-AR-052003 - 'Proposed - Printwork Street - L1 West Elevation' - revision P6 - dated 22.10.2021	01/11/2021
CWL00-HTL-RES-ZZ-DR-AR-052008 - 'Proposed - Park Walk - L3 East Elevation' - revision P9 - dated 23.05.2022	11/07/2022

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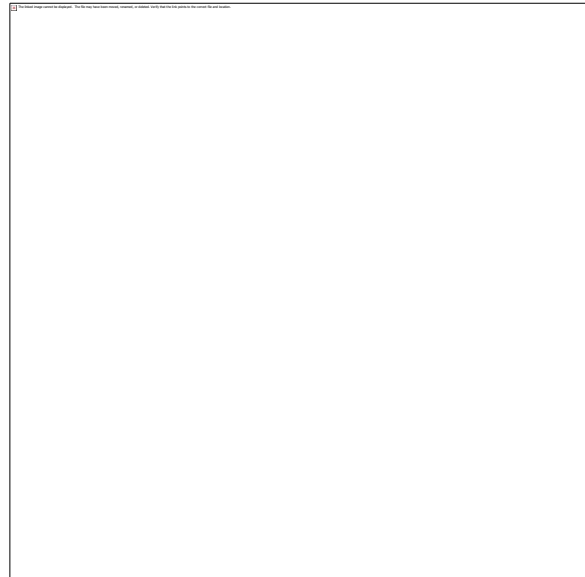
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CWL00-HTL-RES-ZZ-DR-AR-053004 - 'Proposed - Section 04' - revision P8 - dated 23.05.2022	11/07/2022
CWL00-HTL-RES-ZZ-DR-AR-053005 - 'Proposed - Section 05' - revision P6 - dated 23.05.2022	11/07/2022
CWL00-HTL-RES-ZZ-DR-AR-053006 - 'Proposed - Section 06' - revision P7 - dated 11.07.2022	11/07/2022
CWL00-HTL-RES-ZZ-DR-AR-042001 - 'Residential Unit Type 01' - revision P011 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042002 - 'Residential Unit Type 02' - revision P011 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042003 - 'Residential Unit Type 03' - revision P011 - dated 24.01.2022	24/01/2022
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CWL00-HTL-RES-ZZ-DR-AR-042005 - 'Residential Unit Type 05' - revision P011 - dated 24.01.2022	24/01/2022
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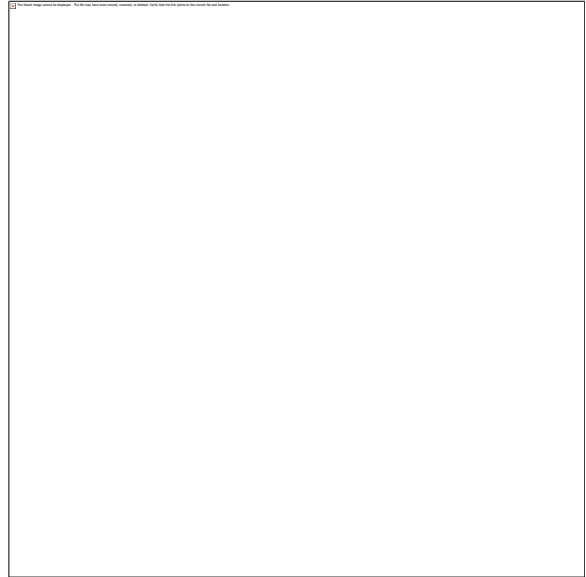
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CWL00-HTL-RES-ZZ-DR-AR-042013 - 'Residential Unit Type 13' - revision P011 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042014 - 'Residential Unit Type 14' - revision P011 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042015 - 'Residential Unit Type 15' - revision P011 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042016 - 'Residential Unit Type 16' - revision P011 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042017 - 'Residential Unit Type 17' - revision P011 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042018 - 'Residential Unit Type 18' - revision P012 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042019 - 'Residential Unit Type 19' - revision P011 - dated 24.01.2022	24/01/2022
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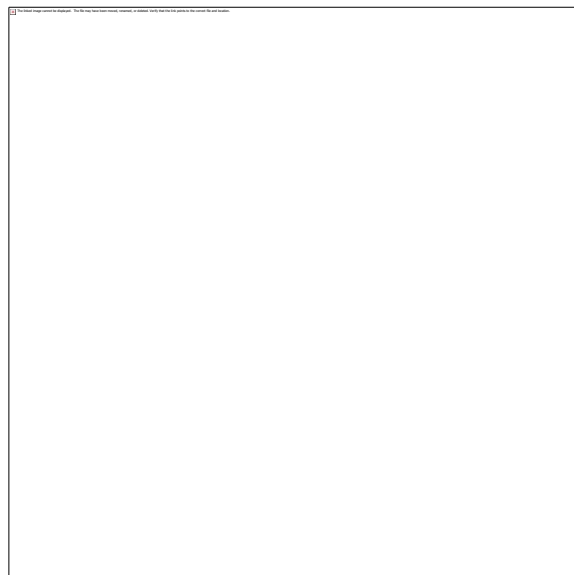
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CWL00-HTL-RES-ZZ-DR-AR-042025 - 'Residential Unit Type 25' - revision P011 - dated 24.01.2022	24/01/2022
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CWL00-HTL-RES-ZZ-DR-AR-042030 - 'Residential Unit Type 30' - revision P10 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042031 - 'Residential Unit Type 31' - revision P10 - dated 24.01.2022	24/01/2022
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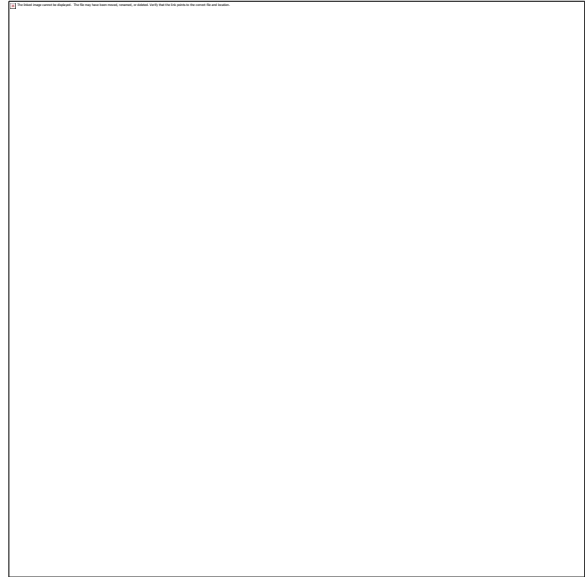
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CWL00-HTL-RES-ZZ-DR-AR-042034 - 'Residential Unit Type 34' - revision P10 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042035 - 'Residential Unit Type 35' - revision P10 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042036 - 'Residential Unit Type 36' - revision P10 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042037 - 'Residential Unit Type 37' - revision P9 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042038 - 'Residential Unit Type 38' - revision P9 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042039 - 'Residential Unit Type 39' - revision P11 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042040 - 'Residential Unit Type 40' - revision P9 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042041 - 'Residential Unit Type 41' - revision P9 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-042042 - 'Residential Unit Type 42' - revision P9 - dated 24.01.2022	24/01/2022
CWL00-HTL-RES-ZZ-DR-AR-210030 - 'L3 - Typical South Facade Bay G+0 - G+2' - revision P1 - dated 22.10.2021	01/11/2021
CWL00-HTL-RES-ZZ-DR-AR-210031 - 'L3 - Typical East Facade Bay G+0 - G+2' - revision P1 - dated 22.10.2021	01/11/2021

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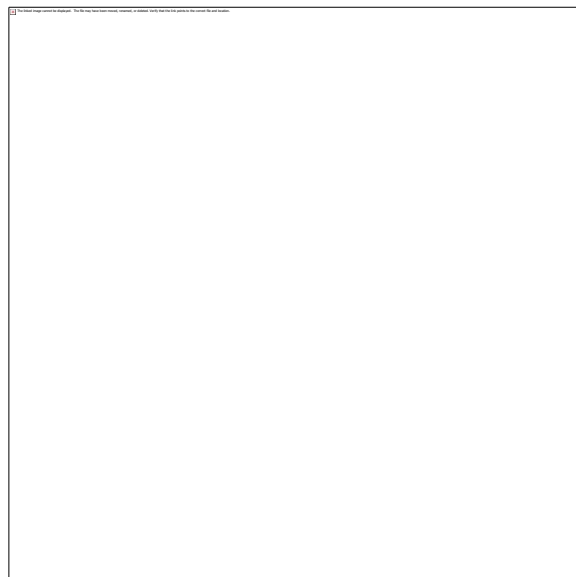
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CWL00-HTL-RES-ZZ-DR-AR-210032 - 'L3 - Typical East Facade Bay G+5 - G+7' - revision P1 - dated 22.10.2021	01/11/2021
CWL00-HTL-RES-ZZ-DR-AR-210010 - 'Typical Balcony Bay' - revision P05 - dated 22.10.2021	01/11/2021
CWL00-HTL-RES-ZZ-DR-AR-210011 - 'Typical Triplex Bay (L1)' - revision P05 - dated 22.10.2021	01/11/2021
CWL00-HTL-RES-ZZ-DR-AR-210012 - 'Typical Window Bay' - revision P05 - dated 22.10.2021	01/11/2021
CWL00-HTL-RES-ZZ-DR-AR-210020 - 'L2 - Typical Masionette Bay' - revision P05 - dated 22.10.2021	01/11/2021
CWL00-HTL-RES-ZZ-DR-AR-210021 - 'L2 - Typical Balcony Bay' - revision P05 - dated 22.10.2021	01/11/2021
CWL00-HTL-RES-ZZ-DR-AR-210022 - 'L2 - Typical Deck Access Bay' - revision P05 - dated 22.10.2021	01/11/2021
CWL00-HTL-RES-ZZ-DR-AR-210040 - 'Substation Typical Bay' - revision P4 - dated 22.10.2021	01/11/2021
CWL10-HTL-RES-ZZ-DR-AR-052001 - 'L1 - Elevation - External North' - revision P11 - dated 23.05.2022	11/07/2022
CWL10-HTL-RES-ZZ-DR-AR-052002 - 'L1 - Elevation - External East' - revision P012 - dated 23.05.2022	11/07/2022
CWL10-HTL-RES-ZZ-DR-AR-052003 - 'L1 - Elevation - External South' - revision P12 - dated 23.05.2022	11/07/2022
CWL10-HTL-RES-ZZ-DR-AR-052004 - 'L1 - Elevation - External West' - revision P09 - dated 22.10.2021	01/11/2021

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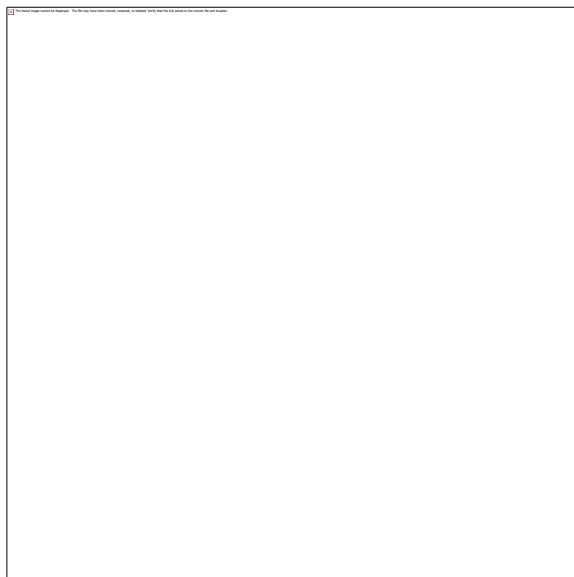
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CWL10-HTL-RES-ZZ-DR-AR-052005 - 'L1 - Elevation - Internal North' - revision P12 - dated 23.05.2022	11/07/2022
CWL10-HTL-RES-ZZ-DR-AR-052006 - 'L1 - Elevation - Internal East' - revision P11 - dated 23.05.2022	11/07/2022
CWL10-HTL-RES-ZZ-DR-AR-052007 - 'L1 - Elevation - Internal South' - revision P09 - dated 22.10.2021	01/11/2021
CWL10-HTL-RES-ZZ-DR-AR-052008 - 'L1 - Elevation - Internal South Deck' - revision P07 - dated 22.10.2021	01/11/2021
CWL20-HTL-RES-ZZ-DR-AR-052001 - 'L2 - Elevation - External North' - revision P013 - dated 11.07.2022	11/07/2022
CWL20-HTL-RES-ZZ-DR-AR-052002 - 'L2 - Elevation - External East' - revision P12 - dated 23.05.2022	11/07/2022
CWL20-HTL-RES-ZZ-DR-AR-052003 - 'L2 - Elevation - External South' - revision P13 - dated 11.07.2022	11/07/2022
CWL20-HTL-RES-ZZ-DR-AR-052004 - 'L2 - Elevation - External West' - revision P09 - dated 22.10.2021	01/11/2021
CWL20-HTL-RES-ZZ-DR-AR-052005 - 'L2 - Elevation - Internal South' - revision P09 - dated 22.10.2021	01/11/2021
CWL20-HTL-RES-ZZ-DR-AR-052006 - 'L2 - Elevation - Internal East' - revision P012 - dated 23.05.2022	11/07/2022
CWL20-HTL-RES-ZZ-DR-AR-052007 - 'L2 - Elevation - Internal South Deck' - revision P07 - dated 22.10.2021	01/11/2021
CWL30-HTL-RES-ZZ-DR-AR-052001 - 'L3 - Elevation - External North' - revision P10 - dated 23.05.2022	11/07/2022

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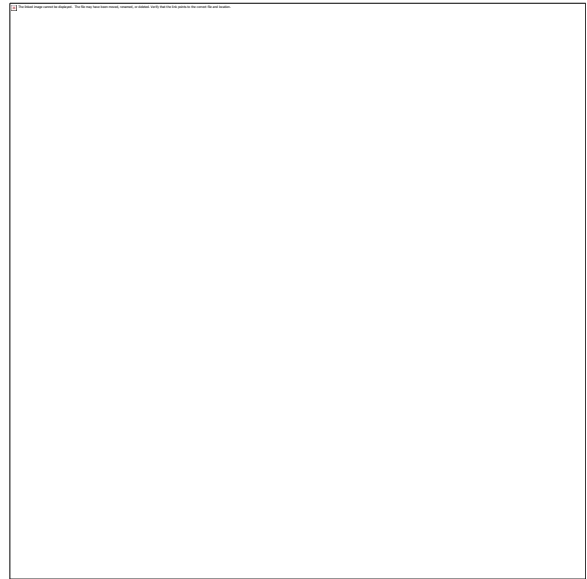
CWL30-HTL-RES-ZZ-DR-AR-052002 - 'L3 - Elevation - External East' - revision P10 - dated 23.05.2022	11/07/2022
CWL30-HTL-RES-ZZ-DR-AR-052003 - 'L3 - Elevation - External South' - revision P10 - dated 23.05.2022	11/07/2022
CWL30-HTL-RES-ZZ-DR-AR-052004 - 'L3 - Elevation - External West' - revision P10 - dated 23.05.2022	11/07/2022
CWL00-TWN-PUB-XX-DR-LS-943300 - 'Surface Finishes Plan with Key Levels' - revision P4 - dated 08.06.2021	01/11/2021
235588-L-SK-021 - 'Transformer Transport Access' - revision H - dated 25.10.2021	01/11/2021
235588-L-SK-022 - 'Switchgear & Megalift Transport Access' - revision G - dated 25.10.2021	01/11/2021
235588-L-SK-024 - 'Relocated Parking Bays & Refuse Swept Path Analysis' - revision F - dated 25.10.2021	01/11/2021
235588-L-SK-015 - 'Reel Street Swept Path Analysis Loading Bays' - revision F - dated 25.10.2021	01/11/2021
235588-L-SK-014 - 'Reel Street Swept Path Analysis Disabled Bays' - revision F - dated 25.10.2021	01/11/2021
235588-L-SK-037 - 'Reel Street Layout' - revision J - dated 22.10.2021	01/11/2021

Reason:

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

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RECOMMENDATION (DRAFT)**LBS Registered Number:** 21/AP/3775**Date of Recommendation:**www.southwark.gov.uk**Permission is subject to the following Pre-Commencements Condition(s)****2. TREE PROTECTION**

Prior to commencement of the development hereby consented (including any demolition, changes to ground levels, pruning or tree removal):

(a) An on-site pre-commencement meeting with the LPA shall take place (date, time, location and other details of which are to be agreed with the LPA in writing prior to the meeting).

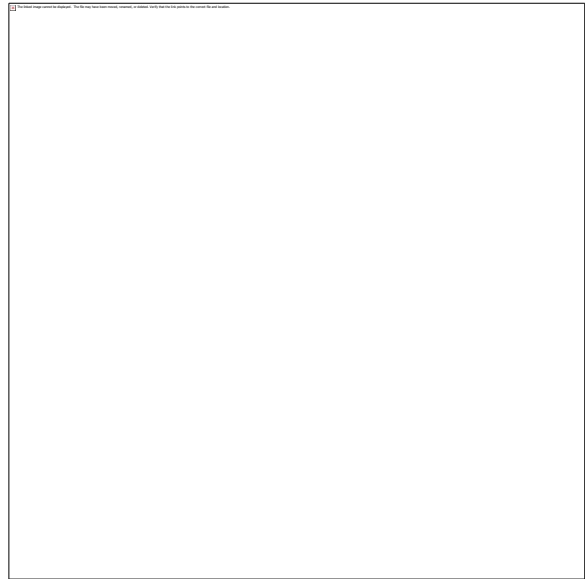
(b) A detailed Arboricultural Method Statement shall be submitted to and approved in writing by the LPA. The detailed Arboricultural Method Statement shall include the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment. 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 submitted to and approved in writing by the LPA showing 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

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recommendations contained in the approved Arboricultural 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 LPA. 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 LPA.

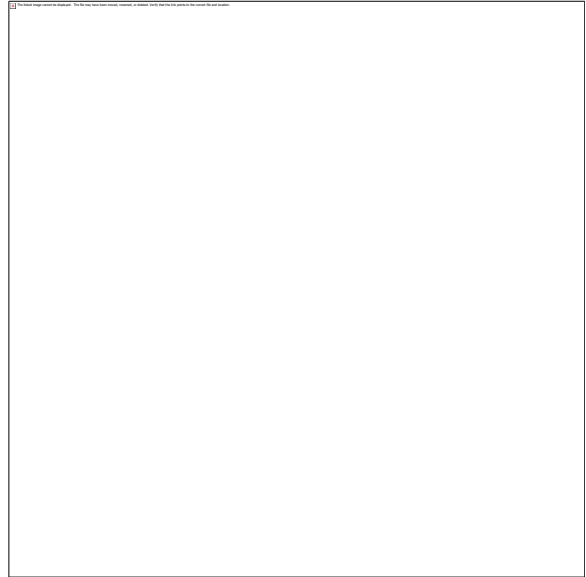
REASON:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2021; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; and Policies P59 (Green Infrastructure) and P61 (Trees) of the Southwark Plan 2022. Regard has also been given to the policies relevant at the time of the OPP approval, namely: Strategic Policies 11 (Open Spaces and Wildlife), 12 (Design and Conservation) and 13 (High Environmental Standards) of The Core Strategy 2011; and Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) 3.13 (Urban Design) and 3.28 (Biodiversity) of the Southwark Plan 2007.

3. DETAILS OF NEW TREE PLANTING

Prior to commencement of the development hereby consented (including

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any demolition, changes to ground levels, pruning or tree removal), full details of the 32 trees to be planted within Zone L shall be submitted to and approved in writing by the LPA. These details shall include as a minimum:

- tree pit cross sections;
- planting and maintenance specifications;
- use of guards or other protective measures; and
- confirmation of location, species, sizes, nursery stock type, supplier and defect period.

All tree planting shall be carried out in accordance with those details and at those times.

All trees and shrubs will conform to the specification for nursery stock as set out in British Standard 3936 Parts 1 (1992) and 4 (1984). Advanced Nursery stock trees shall conform to BS 5236 and BS: 4428 Code of practice for general landscaping operations.

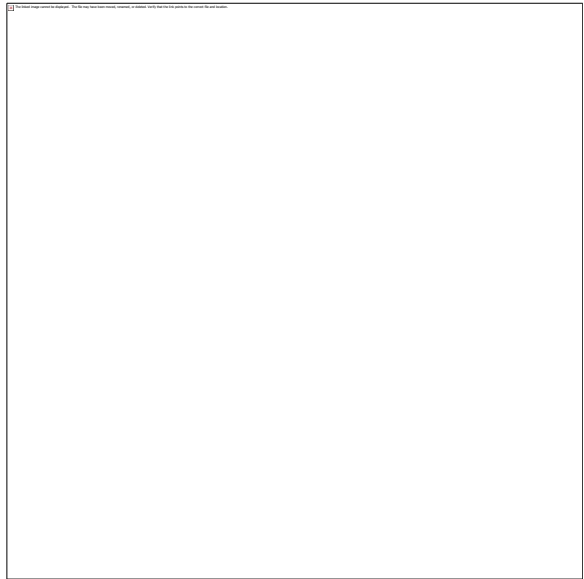
If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the LPA, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the LPA 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: parts 8, 11, 12, 15 and 16 of the National Planning Policy Framework 2021; Policies SI 4 (Managing Heat Risk), SI 13 (Sustainable Drainage), G1 (Green Infrastructure), G5 (Urban Greening) and G7 (Trees

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and Woodlands) of the London Plan 2021; and Policies P59 (Green Infrastructure) and P61 (Trees) of the Southwark Plan 2022. Regard has also been given to the policies relevant at the time of the OPP approval, namely: Strategic Policies 11 (Open Spaces and Wildlife), 12 (Design and Conservation) and 13 (High Environmental Standards) of The Core Strategy 2011; and Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) 3.13 (Urban Design) and 3.28 (Biodiversity) of the Southwark Plan 2007.

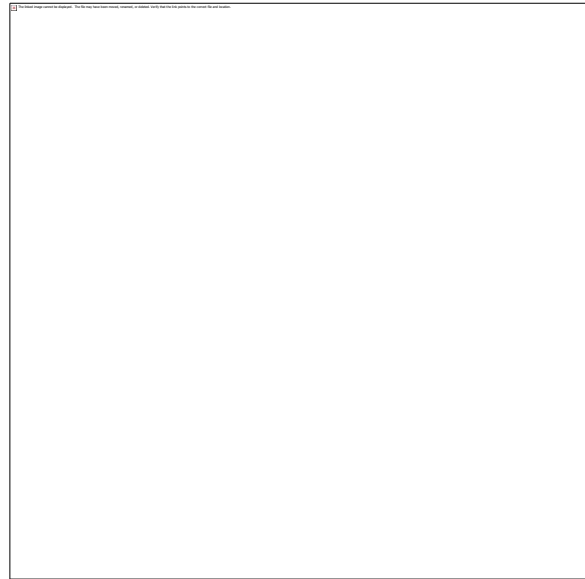
4. DESIGN AND METHOD STATEMENTS RELATING TO IMPACT ON LONDON UNDERGROUND ASSETS

Prior to commencement of the development hereby consented, detailed design and method statements (produced in consultation with London Underground) shall be submitted to and approved in writing by the LPA. These design and method statements shall:

- include a Risk Assessment Method Statement for the different construction phases of Zone L1;
- accommodate the location of the existing London Underground structures and tunnels (pre and post condition survey of London Underground tunnel Assets will be required);
- accommodate ground movement arising from the construction thereof (Ground Movement Impact Assessment of proposed development on London Underground tunnels will be required - the impact due to unloading was assessed previously, the impact due to loading is required);
- include a Monitoring Plan for London Underground tunnel assets (to be discussed and agreed with London Underground Infrastructure Protection Engineer); and
- mitigate the effects of noise and vibration arising from the adjoining

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operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements.

Prior to first occupation of the development hereby consented, all structures and works comprised within the development that are required by the approved design and method statements shall be completed, in their entirety, before any part of the development is occupied.

REASON:

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with: the National Planning Policy Framework 2021; Policy T3 (Transport Capacity, Connectivity and Safeguarding) of the London Plan 2021; and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

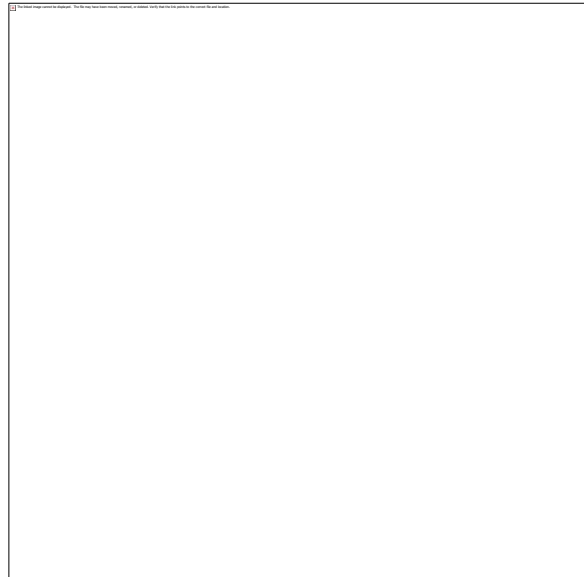
Permission is subject to the following Grade Condition(s)**5. HARD AND SOFT LANDSCAPING**

Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, available rooting space, tree pits, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the LPA.

The landscaping shall not be carried out other than in accordance with any

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such approval given and shall be retained for the duration of the use.

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 equivalent stem girth 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)'.

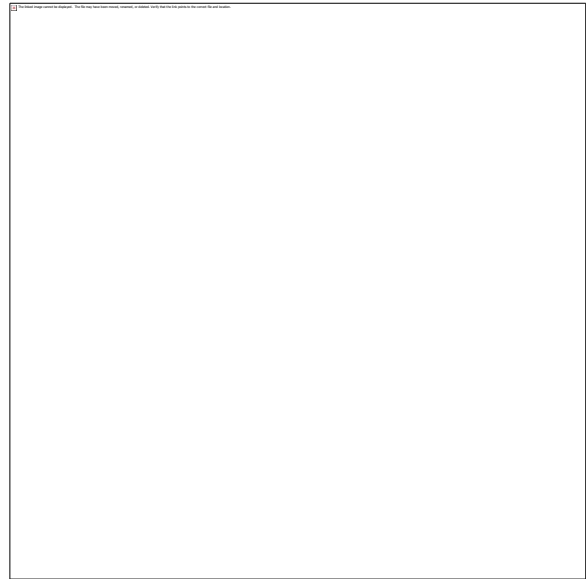
REASON:

So that the LPA may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2021; Policies SI 4 (Managing Heat Risk), SI 13 (Sustainable Drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; ; and Policies P59 (Green Infrastructure) and P61 (Trees) of the Southwark Plan 2022. Regard has also been given to the policies relevant at the time of the OPP approval, namely: Strategic Policies 11 (Open Spaces and Wildlife), 12 (Design and Conservation) and 13 (High Environmental Standards) of The Core Strategy 2011; and Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) 3.13 (Urban Design) and 3.28 (Biodiversity) of the Southwark Plan 2007.

Permission is subject to the following Pre-Occupation Condition(s)

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RECOMMENDATION (DRAFT)**LBS Registered Number:** 21/AP/3775**Date of Recommendation:**www.southwark.gov.uk**6. POST-COMPLETION URBAN GREENING FACTOR REPORT**

Prior to first occupation of the development hereby consented, the applicant shall submit to and receive approval in writing from the LPA a Post-Completion Urban Greening Factor Report evidencing that the development has been constructed in full accordance with the details contained in the approved application stage Urban Greening Factor Report (ref: Public Realm Design and Access Statement - CWL00-TWN-XXX-XX-RP-LS-0000003 - issue 4 - dated 21.10.2021 - produced by Haworth Tompkins [Chapter 6, pages 117-119 specifically]) and achieves the minimum score of 0.37.

REASON:

In order to ensure that the development has maximised opportunities for urban greening, in accordance with: the National Planning Policy Framework; Policy G5 (Urban Greening) of the London Plan 2021; and Policy P60 (Biodiversity) of the Southwark Plan 2022.

7. PROTECTION OF RESIDENTIAL UNITS FROM ADJACENT COMMERCIAL USES

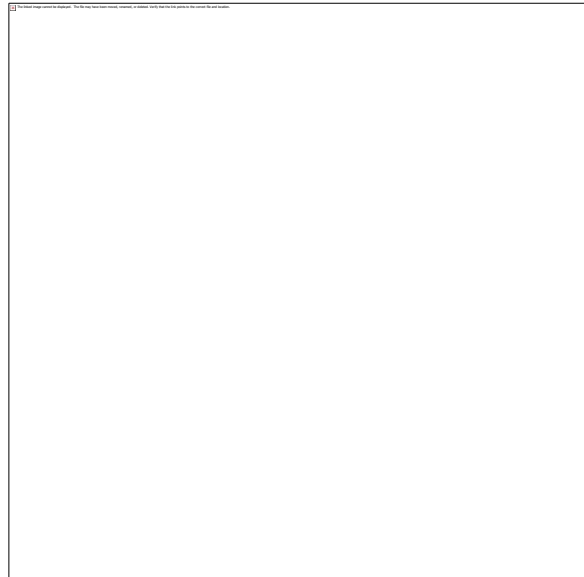
Prior to first occupation of any part of the development hereby consented, an Acoustic Testing and Mitigation Measures Report shall be submitted to and receive approval in writing from the Local Planning Authority.

The Acoustic Testing and Mitigation Measures Report shall:

- contain details of the specification of all vertical and horizontal partitions (party walls, floors and ceilings) between the residential units and any of the flexible commercial/community units granted consent;

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- evidence that pre-occupation testing of the separating partitions was undertaken for airborne sound insulation in accordance with the methodology of ISO 16283-1:2014;
- contain full results of the sound transmission testing;
- demonstrate that party walls, floors and ceilings between any of the flexible commercial/community units to be used wholly or partly for Class A4 use (now Sui Generis drinking establishments) and residential dwellings have been designed to achieve a minimum weighted standardised level difference of 60dB DnTw+Ctr;
- demonstrate that party walls, floors and ceilings between any of the flexible commercial/community units to be used for Class A1, A2, A3, B1 or D1 uses (now all Class E) and residential dwellings have been designed to achieve a minimum weighted standardised level difference of 55dB DnTw+Ctr.

Once the Acoustic Testing and Mitigation Measures Report has been approved, the partitions shall be permanently maintained thereafter.

REASON:

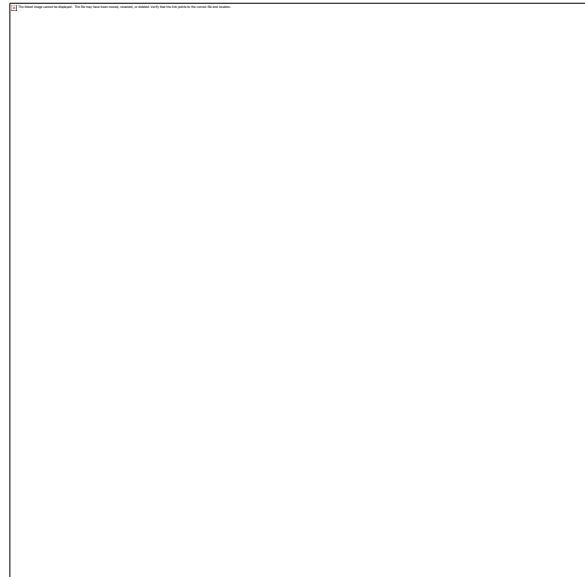
To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises, in accordance with: the National Planning Policy Framework 2021; Policy D14 (Noise) of the London Plan 2022; and Policies P15 (Residential Design) and P56 (Protection of Amenity) of the Southwark Plan 2022.

8. INTERNAL NOISE LEVELS FOR THE RESIDENTIAL UNITS

All of the dwellings hereby consented shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

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

[* refers to night time - 8 hours between 23:00-07:00; # refers to day time - 16 hours between 07:00-23:00]

When assessing mitigation measures to ensure the above standards are met, the tenth highest individual LAMax event measured shall be used, not a time-averaged LAMax.

Following completion of the development and prior to first occupation, a Validation Test shall be carried out on a relevant sample of premises (10% of the dwellings, unless otherwise agreed with the Local Planning Authority), and the Validation Test shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be permanently maintained as such thereafter.

REASON:

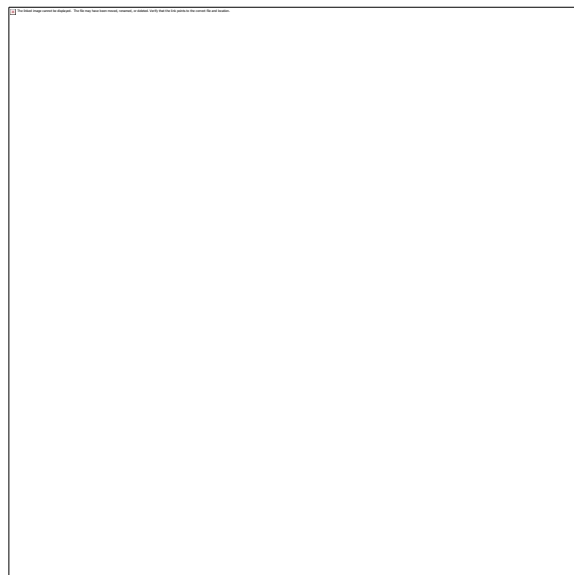
To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources, in accordance with: the National Planning Policy Framework 2021; Policy D14 (Noise) of the London Plan 2021; and Policies P15 (Residential Design) and P56 (Protection of Amenity) of the Southwark Plan 2022.

Permission is subject to the following Compliance Condition(s)**9. SERVICING HOURS**

Notwithstanding any details within the application documents hereby

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approved or any details approved pursuant to conditions attached to this Decision Notice, any deliveries, collections, loading and unloading to the flexible commercial/community uses within the development hereby consented shall take place only between the following hours:

- Mondays to Saturdays: 07:00hrs to 08:00hrs, 09:00hrs to 17:00hrs and 18:00hrs to 21:00hrs;
- Sundays and Bank Holidays: 09:00hrs to 18:00hrs on Saturdays.

REASON:

To safeguard the amenity of neighbouring residential properties, and to reduce vehicle movements on the local road network during peak times, in accordance with: the National Planning Policy Framework 2021; Policies D14 (Noise) of the London Plan 2021 and T7 (Deliveries, Servicing and Construction) of the London Plan 2021; and Policy P56 (Protection of Amenity) of the Southwark Plan 2022.

10. HOURS OF OPERATION: FLEXIBLE COMMUNITY/COMMERCIAL USES

The flexible community/commercial uses (Classes A1-A4, B1 and D1) hereby permitted shall not be carried on outside of the hours of:

- Mondays to Saturdays: 07:00hrs - 23:00hrs;
- Sundays and Bank Holidays: 08:00hrs - 22:00hrs.

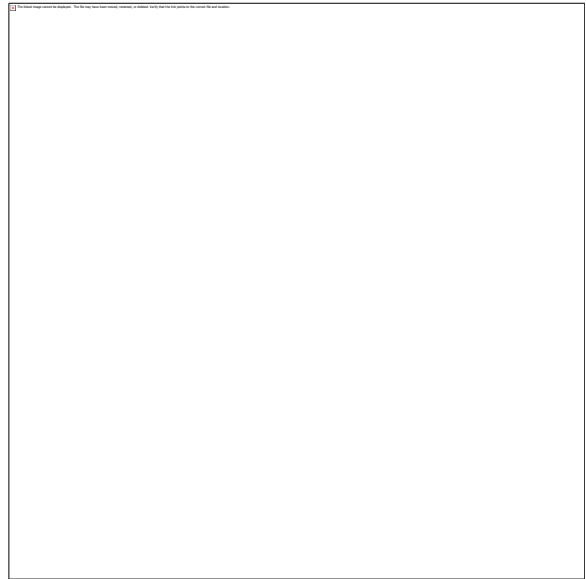
In the event that an application is submitted at a future time to expand these operational hours, such an application shall include an acoustic assessment and scheme of mitigations as necessary to demonstrate that extended operation will not adversely impact on residential amenity.

REASON:

To safeguard the amenity of neighbouring residential properties, in

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accordance with: the National Planning Policy Framework 2021; Policy D14 (Noise) of the London Plan 2021; and Policy P56 (Protection of Amenity) of the Southwark Plan 2022.

11. **HOURS OF USE OF OUTDOOR FURNITURE ASSOCIATED WITH THE FLEXIBLE COMMERCIAL/COMMUNITY UNITS**

Any tables, chairs and/or other outdoor furniture used within any external publicly-accessible part of the site in connection with any of the flexible commercial/community units hereby consented shall be:

- vacated no later than 22:00hrs each day;
- occupied no earlier than 08:00hrs on Mondays to Saturdays;
- occupied no earlier than 10:00hrs on Sundays.

REASON:

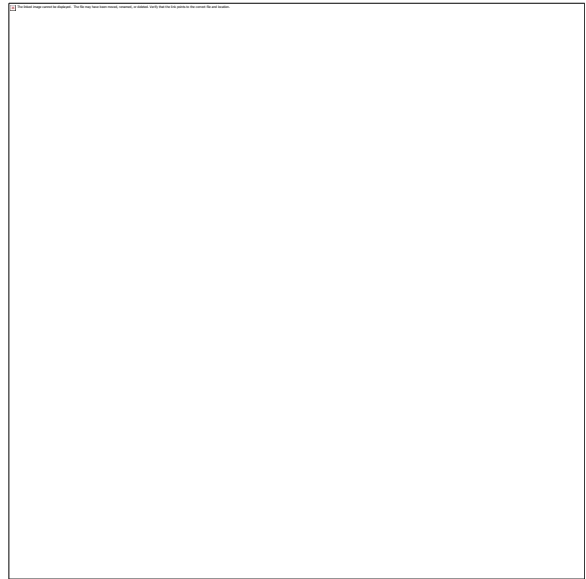
In order to protect the amenities of nearby residential occupiers from noise or disturbance from any activities associated with the use or mis-use of this furniture during the late evening and night-time in accordance with: the National Planning Policy Framework 2019; Policy D14 (Noise) of the London Plan 2021; and Policy P56 (Protection of Amenity) of the Southwark Plan 2021.

12. **FIRE STRATEGY COMPLIANCE**

The development hereby consented shall be undertaken in full accordance with the Fire Strategy (ref: Fire Statement - DL6242/R2 - issue 1 - dated 20.08.2021 - prepared by Jensen Hughes) hereby approved.

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To ensure that the development incorporates all necessary measures to prevent the spread of fire and provides adequate means of escape for future occupiers, all in order to minimise the risk to life and health, in accordance with: the National Planning Policy Framework 2021; and Policy D12 (Fire Safety) of the London Plan 2021.

13. **PROTECTION OF RESIDENTIAL UNITS FROM MUSIC/ENTERTAINMENT NOISE SOURCES**

All of the dwellings hereby consented shall be designed to ensure that the internal noise levels within habitable rooms as a result of externally transmitted music noise from new and existing entertainment noise sources shall not exceed 27dB LAeq (5 minute).

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 associated with non-residential premises, in accordance with: the National Planning Policy Framework 2021; Policy D14 (Noise) of the London Plan 2022; and Policies P15 (Residential Design) and P56 (Protection of Amenity) of the Southwark Plan 2022.

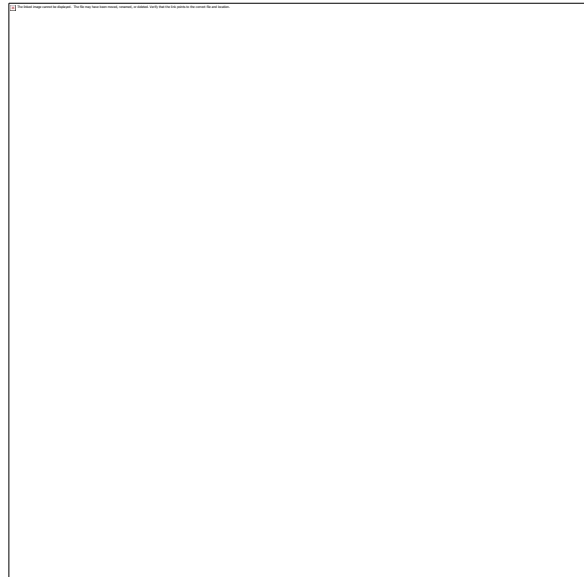
Permission is subject to the following Special Condition(s)

14. **ARBORICULTURAL SITE SUPERVISION AND MONITORING**

All arboricultural supervisory elements shall be undertaken in accordance

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with the approved Arboricultural Method Statement for this site, as evidenced through signed sheets and photographs.

Within 28 days of completion of the development hereby permitted, a completed Schedule of Site Supervision and Monitoring of the Arboricultural Protection Measures conducted in accordance with the details approved under the separate 'TREE PROTECTION' condition attached to this decision notice, shall be submitted for approval in writing to the LPA. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by the retained or pre-appointed tree specialist.

REASON:

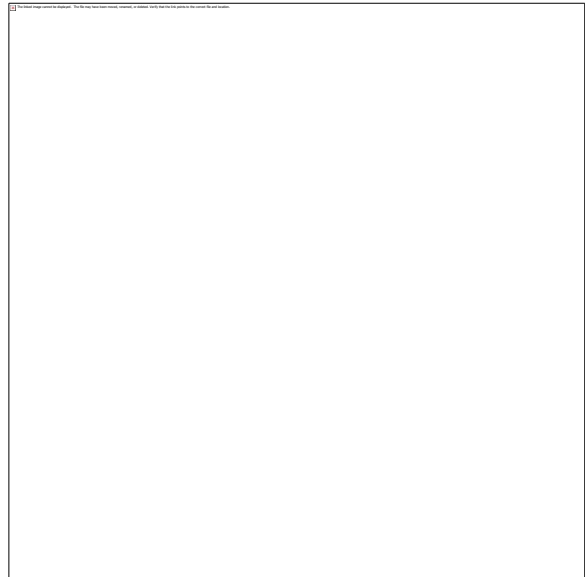
To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with: parts, 8, 11, 12, 15 and 16 of the National Planning Policy Framework 2021; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; and Policies P59 (Green Infrastructure) and P61 (Trees) of the Southwark Plan 2022. Regard has also been given to the policies relevant at the time of the OPP approval, namely: Strategic Policies 11 (Open Spaces and Wildlife), 12 (Design and Conservation) and 13 (High Environmental Standards) of The Core Strategy 2011; and Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) 3.13 (Urban Design) and 3.28 (Biodiversity) of the Southwark Plan 2007.

15. CIRCULAR ECONOMY AND WHOLE LIFE CYCLE MONITORING

(a) The development hereby consented shall be undertaken in full accordance with the approved Circular Economy Statement (ref: Detailed

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Circular Economy Statement - version 02 - dated 16.09.2021 - prepared by AECOM) and Whole Life Carbon Assessment (ref: Whole Life Carbon Assessment - version 01 - dated 14.09.2021 - prepared by AECOM) hereby approved, or such other updated statement or assessment submitted to the LPA.

(b) Prior to occupation of the development hereby consented, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA (at CircularEconomyLPG@london.gov.uk) along with any supporting evidence as per the GLA's Circular Economy Statement Guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the LPA, prior to occupation of the relevant building.

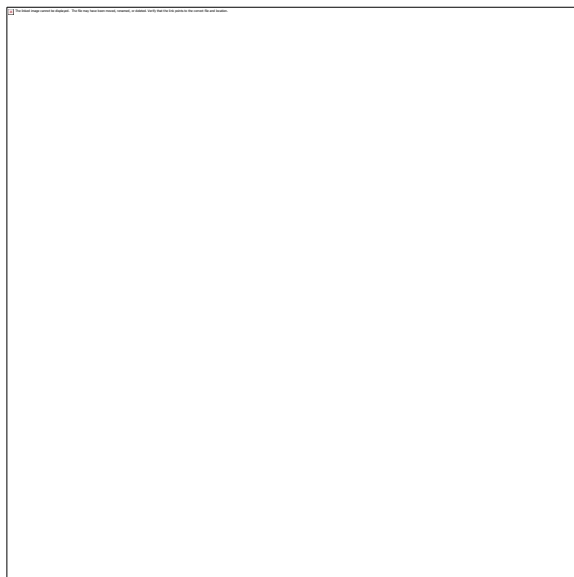
(c) Prior to the occupation of the development hereby consented, the post construction tab of the GLA's whole life carbon assessment template shall be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The Post Construction Assessment shall provide an update of the information submitted at planning submission stage (including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used) and shall be submitted to the GLA (at ZeroCarbonPlanning@london.gov.uk) along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the LPA, prior to occupation of the relevant building.

REASON:

To ensure that the proposal responds appropriately to climate change

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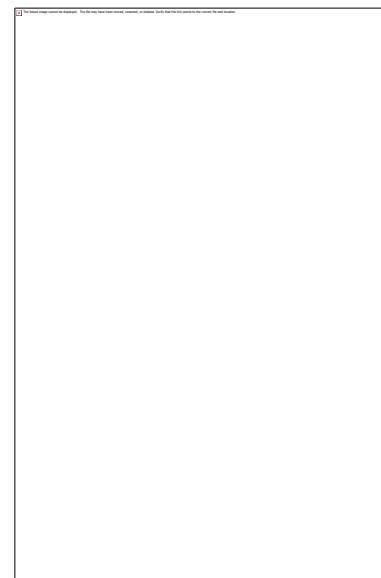
RECOMMENDATION (DRAFT)**LBS Registered Number:** 21/AP/3775**Date of Recommendation:**www.southwark.gov.uk

policies by reducing carbon emissions and minimising waste streams in accordance with: the National Planning Policy Framework 2021; Policies SI7 (Reducing Waste and Supporting the Circular Economy) and SI2 (Minimising Greenhouse Gas Emissions) of the London Plan 2021; and Policies P69 (Sustainability Standards) and P70 (Energy) of the Southwark Plan 2022.

Signed:

Stephen Platts

Director of Planning and Growth

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Informative Notes to Applicant Relating to the Proposed Development

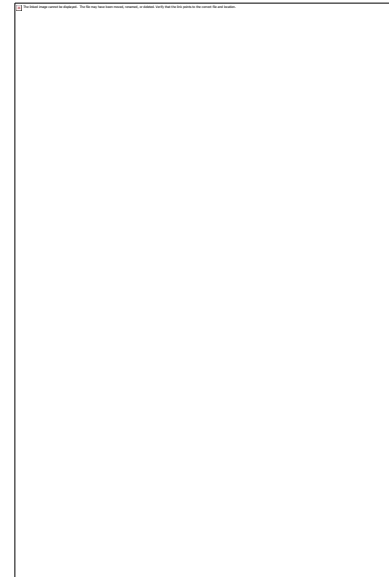
1. FIRE RISK ASSESSMENT/STATEMENT

Paragraph 3.12.9 of London Plan Policy D12 explains that Fire Statements should be produced by someone who is: "third-party independent and suitably-qualified". The Council considers this to be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or a suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. The Council accepts fire statements in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.

The fire risk assessment/statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development. The legal responsibility and liability lies with the 'responsible person'. The responsible person being the person who prepares the fire risk assessment/statement not planning officers who make planning decisions.

2. PARENT APPLICATION (DECISION NOTICE AND S106 LEGAL AGREEMENT) 18/AP/1604
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The applicant is reminded that this Reserved Matters Application is bound by the conditions and s106 legal agreement attached to Outline Planning Permission 18/AP/1604

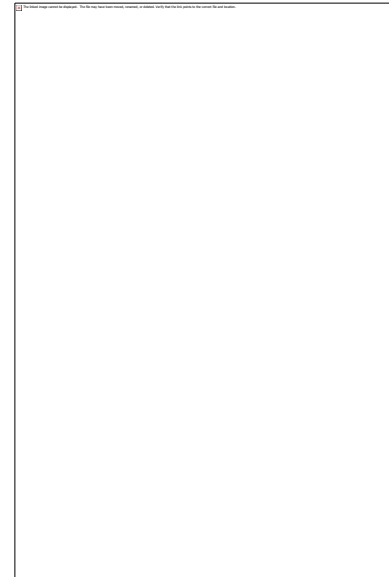
3. ADDITIONAL PUBLIC REALM

For the avoidance of doubt the applicant is advised that Reel Walk, the piazza and the interim landscape on the northermost section of Park Walk all form part of the Additional Public Realm captured by Schedule 18 of the s106 agreement, which sets out controls in respect of standards of construction, maintenance, access and permitted closures.

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Important Notes Relating to the Council's Decision

1. Conditions

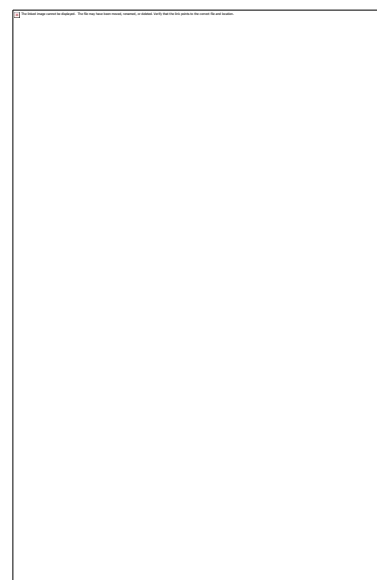
- If permission has been granted you will see that it may be subject to a number of planning conditions. They are an integral part of our decision on your application and are important because they describe how we require you to carry out the approved work or operate the premises. It is YOUR responsibility to comply fully with them. Please pay particular attention to those conditions which have to be met before work commences, such as obtaining approval for the siting and levels of buildings and the protection of trees on the site. If you do not comply with all the conditions in full this may invalidate the permission.
- Further information about how to comply with planning conditions can be found at:
https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12
- Please note that there is a right of appeal against a planning condition. Further information can be found at:
https://www.planningportal.co.uk/info/200207/appeals/108/types_of_appeal

2. Community Infrastructure Levy (CIL) Information

- If your development has been identified as being liable for CIL you need to email [Form 1: CIL Additional Information](#), [Form 2: Assumption of Liability](#) and [Form 6: Commencement Notice](#) to cil.s106@southwark.gov.uk as soon as

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possible, so that you can be issued with a Liability Notice. This should be done at least a day before commencement of the approved development.

- **Payment of the CIL charge is mandatory and the CIL Regulations comprises a range of enforcement powers and penalties for failure to following correct procedures to pay, including stop notices, surcharges, late payment interests and prison terms.**
- To identify whether your development is CIL liable, and further details about CIL including eligibility and procedures for any CIL relief claims, please see the Government's CIL guidance:
<https://www.gov.uk/guidance/community-infrastructure-levy>
- All CIL Forms are available to download from Planning Portal:
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5
- Completed forms and any CIL enquiries should be submitted to cil.s106@southwark.gov.uk

3. National Planning Policy Framework

- In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

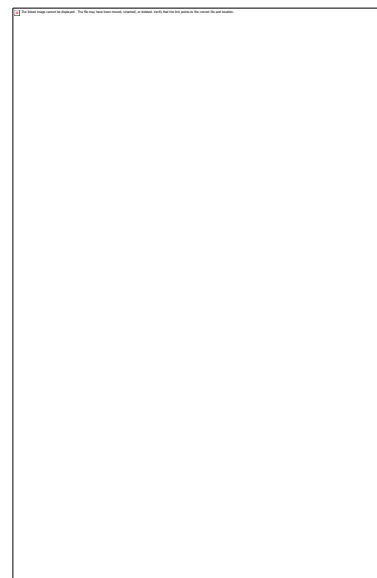
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4. Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

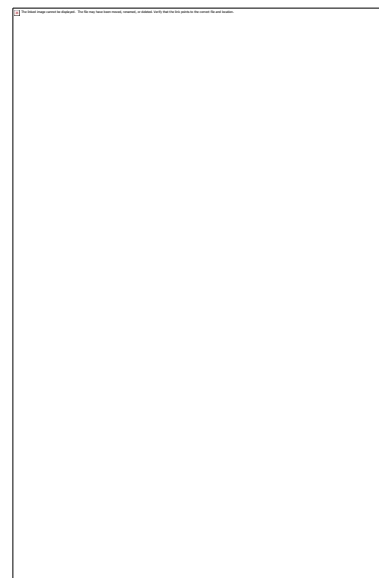
Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If an enforcement notice is or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: **28 days** of the date of service of the enforcement notice, OR within **6 months** (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

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- Further details are on GOV.UK (<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>).

5. Purchase Notice

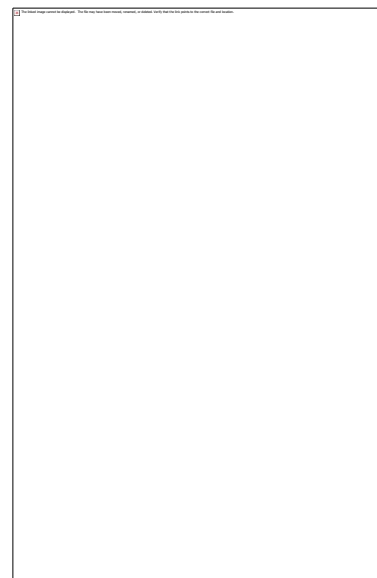
- If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990

6. Provisions for the Benefit of the Disabled

- Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
 - i. Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act].
 - ii. Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
 - iii. Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].

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- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DfEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.

7. Other Approvals Required Prior to the Implementation of this Permission.

- The granting of approval of a reserved matter or outstanding matter does not relieve developers of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities (including the London Borough of Southwark) entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property. In this connection applicants are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.

8. Works Affecting the Public Highway

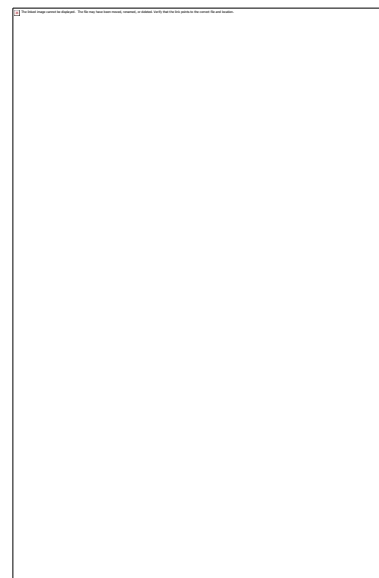
- You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.

9. The Dulwich Estate Scheme of Management

- Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised

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to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].

10. Building Regulations.

- You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].

11. The Party Wall Etc. Act 1996.

- You are advised that you must notify all affected neighbours of work to an existing wall or floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a neighbouring building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].

12. Important

- This is a PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.

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Relevant planning policies

National Planning Policy Framework (NPPF)

1. The revised National Planning Policy Framework ('NPPF') was published on 20 July 2021 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.
2. Paragraph 218 states that the policies in the Framework are material considerations, which should be taken into account in dealing with applications.
3. The relevant chapters of the NPPF are:
 - Chapter 2 - Achieving sustainable development
 - Chapter 5 - Delivering a sufficient supply of homes
 - Chapter 6 - Building a strong, competitive economy
 - Chapter 7 - Ensuring the vitality of town centres
 - 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 2021

4. On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London.
5. The strategic objectives of the London Plan 2021 are to build strong and inclusive communities, make the best use of land, promote a healthy city, optimise housing delivery including affordable housing, conserve and enhance London's global competitiveness, and move towards a more resilient and sustainable city. Development proposals must comply with the various policies within the Plan and should follow the guidance set out within Supplementary Planning Documents, Guidance and Strategies.
6. The relevant policies of the London Plan 2021 are:
 - GG1 - Building strong and inclusive communities

- GG2 - Making the best use of land
- GG3 - Creating a healthy city
- GG4 - Delivering the homes Londoners need
- GG5 - Growing a good economy
- GG6 - Increasing efficiency and resilience
- Policy SD1 - Opportunity Areas
- Policy SD6 - Town centres and high streets
- Policy SD7 - Town centres: development principles and development plan documents
- Policy SD8 - Town centre network
- Policy SD9 - Town centres: Local partnerships and implementation
- Policy SD10 - Strategic and local regeneration
- Policy D1 - London's form, character and capacity for growth
- Policy D2 - Infrastructure requirements for sustainable densities
- Policy D3 - Optimising site capacity through design-led approach
- Policy D4 - Delivering good design
- Policy D5 - Inclusive design
- Policy D6 - Housing quality and standards
- Policy D7 - Accessible housing
- Policy D8 - Public realm
- Policy D9 - Tall buildings
- Policy D11 - Safety, security and resilience to emergency
- Policy D12 - Fire safety
- Policy D13 - Agent of change
- Policy D14 - Noise
- Policy H1 - Increasing housing supply
- Policy H4 - Delivering affordable housing
- Policy H5 - Threshold approach to applications
- Policy H6 - Affordable housing tenure
- Policy H7 - Monitoring of affordable housing
- Policy H8 - Loss of existing housing and estate redevelopment
- Policy H10 - Housing size mix
- Policy S1 - Developing London's social infrastructure
- Policy S4 - Play and informal recreation
- Policy S6 - Public toilets
- Policy E1 - Offices
- Policy E2 - Providing suitable business space
- Policy E3 - Affordable workspace
- Policy E4 - Land for industry, logistics and services to support London's economic function
- Policy E8 - Sector growth opportunities and clusters
- Policy E9 - Retail, market and hot food takeaways
- Policy E11 - Skills and opportunities for all
- Policy HC1 - Heritage conservation and growth

- Policy HC5 - Supporting London's culture and creative industries
- Policy HC6 - Supporting the night-time economy
- Policy G1 - Green infrastructure
- Policy G4 - Open space
- Policy G5 - Urban greening
- Policy G6 - Biodiversity and access to nature
- Policy G7 - Trees and woodlands
- Policy SI 1 - Improving air quality
- Policy SI 2 - Minimising greenhouse gas emissions
- Policy SI 3 - Energy infrastructure
- Policy SI 4 - Managing heat risk
- Policy SI 5 - Water infrastructure
- Policy SI 6 - Digital connectivity infrastructure
- Policy SI 7 - Reducing waste and supporting the circular economy
- Policy SI 8 - Waste capacity and net waste self-sufficiency
- Policy SI 12 - Flood risk management
- Policy SI 13 - Sustainable drainage
- Policy T1 - Strategic approach to transport
- Policy T2 - Healthy Streets
- Policy T3 - Transport capacity, connectivity and safeguarding
- Policy T4 - Assessing and mitigating transport impacts
- Policy T5 - Cycling
- Policy T6 - Car parking
- Policy T6.1 - Residential parking
- Policy T6.2 - Office parking
- Policy T6.3 - Retail parking
- Policy T6.5 - Non-residential disabled persons parking
- Policy T7 - Deliveries, servicing and construction
- Policy T9 - Funding transport infrastructure through planning

Relevant London-level Supplementary Planning Documents/ Guidance and Strategies

7. The relevant London-level supplementary planning documents and guidance documents are as follows:
- Mayor of London: Accessible London - Achieving an Inclusive Environment (SPG, 2004)
 - Mayor of London: Affordable Housing and Viability (SPG, 2017)
 - Mayor of London: Climate Change Mitigation and Energy Strategy (2010)
 - Mayor of London: Climate Change Adaptation Strategy (2011)
 - Mayor of London: Crossrail Funding (SPG, 2016)
 - Mayor of London: Environment Strategy (2018)

- Mayor of London: Housing (SPG, 2016)
- Mayor of London: Planning for Equality and Diversity in London (SPG, 2007)
- Mayor of London: Shaping Neighbourhoods - Character and Context (SPG, 2014)
- Mayor of London: Shaping Neighbourhoods - Play and Informal Recreation (SPG, 2012)
- Mayor of London: Social Infrastructure (SPG, 2015)
- Mayor of London: The Control of Dust and Emissions During Construction and Demolition (SPG, 2014)
- Mayor of London: Transport Strategy (2018)

Southwark Plan 2022

8. The relevant policies of the NSP are as follows:

- ST1 - Southwark's Development Targets
- ST2 - Southwark's Places
- SP1 - Homes for all
- SP2 - Southwark Together
- SP3 - A great start in life
- SP4 - Green and inclusive economy
- SP5 - Thriving neighbourhoods and tackling health inequality
- SP6 - Climate emergency
- AV.15 - Rotherhithe Area Vision
- Policy P1 - Social rented and intermediate housing
- Policy P2 - New family homes
- Policy P8 - Wheelchair accessible and adaptable housing
- Policy P13 - Design of places
- Policy P14 - Design quality
- Policy P15 - Residential design
- Policy P16 - Designing out crime
- Policy P17 - Tall buildings
- Policy P18 - Efficient use of land
- Policy P21 - Conservation of the historic environment and natural heritage
- Policy P28 - Access to employment and training
- Policy P30 - Office and business development
- Policy P31 - Affordable workspace
- Policy P32 - Small shops
- Policy P35 - Town and local centres
- Policy P39 - Shop fronts
- Policy P43 - Outdoor advertisements and signage
- Policy P44 - Broadband and digital infrastructure
- Policy P45 - Healthy developments

- Policy P47 - Community uses
- Policy P49 - Public transport
- Policy P50 - Highway impacts
- Policy P51 - Walking
- Policy P53 - Cycling
- Policy P54 - Car parking
- Policy P55 - Parking standards for disabled people and the physically impaired
- Policy P56 - Protection of amenity
- Policy P59 - Green infrastructure
- Policy P60 - Biodiversity
- Policy P61 - Trees
- Policy P62 - Reducing waste
- Policy P64 - Contaminated land and hazardous substances
- Policy P65 - Improving air quality
- Policy P66 - Reducing noise pollution and enhancing soundscapes
- Policy P67 - Reducing water use
- Policy P68 - Reducing flood risk
- Policy P69 - Sustainability standards
- Policy P70 - Energy

Site allocation

9. The Southwark Plan includes a number of 'Site Allocations'. Site Allocations are detailed development management policies specific to particular potential redevelopment sites in the borough. They specify, among other things, the land uses and development capacity of those sites. The application site is subject to draft Site Allocation NSP81. This is discussed in more detail in the 'Principle of Development' section of the Committee Report.

Relevant Local-level Supplementary Planning Documents

10. The relevant supplementary planning documents and guidance documents from the local development plan are as follows:
- 2015 Technical Update to the Residential Design Standards 2011 (SPD, 2015) [Hereafter referred to as the Council's Residential Design Standards SPD]
 - Design and Access Statements (SPD, 2007)
 - Development Viability (SPD, 2016)
 - Heritage (SPD, 2021)
 - Section 106 Planning Obligations and Community Infrastructure Levy (SPD, 2015 with 2017 Addendum)
 - Sustainability Assessment (SPD, 2009)
 - Sustainable Design and Construction (SPD, 2009)

- Sustainable Transport (SPD, 2010)

Planning history of the site and nearby sites	
Reference and Proposal	Status
<p>18/AP/1604 Hybrid application seeking detailed planning permission for Phase 1 and outline planning permission for future phases, comprising: Outline planning permission (all matters reserved) for demolition of all existing structures and redevelopment to include a number of tall buildings comprising the following mix of uses: retail (Use Classes A1-A5), workspace (B1), hotel (C1), residential (C3), assisted living (C2), student accommodation, leisure (including a cinema)(D2), community facilities (including health and education uses)(D1), public toilets, nightclub, flexible events space, an energy centre, an interim and permanent petrol filling station, a primary electricity substation, a secondary entrance for Surrey Quays Rail Station, a Park Pavilion, landscaping including open spaces and public realm, works to Canada Water Dock, car parking, means of access, associated infrastructure and highways works, demolition or retention with alterations to the Press Hall and/or Spine Building of the Printworks; and Detailed planning permission for the following Development Plots in Phase 1: Plot A1 (south of Surrey Quays Road and west of Deal Porters Way) to provide uses comprising retail (A1-A5), workspace (B1) and 186 residential units (C3) in a 6 and 34 storey building, plus basement; Plot A2 (east of Lower Road and west of Canada Water Dock) to provide a leisure centre (D2), retail (A1-A5), and workspace (B1) in a 4, 5 and 6 storey building, plus basement; Plot K1 (east of Roberts Close) to provide 79 residential units (C3) in a 5 and 6 storey building; Interim Petrol Filling Station (north of Redriff Road and east of Lower Road) to provide a petrol filling station with kiosk, canopy and forecourt area. Each Development Plot with associated car parking, cycle parking, landscaping, public realm, plant and other relevant works.</p>	<p>GRANTED - Major Application 29/05/2020</p>
<p>20/AP/2495 Reserved Matters application (access, appearance, landscaping, layout and scale) in relation to Zone L of the Canada Water Masterplan (hybrid planning permission 18/AP/1604) comprising of the construction of a sub-terranean Primary Sub-Station with a single storey access building, ventilation shaft and associated landscaping, servicing and car parking</p>	<p>07/07/2021</p>

<p>21/AP/3841 Non-material amendment to planning permission 20/AP/2495 dated 07/07/2021 for reserved matters (access, appearance, landscaping, layout and scale) in relation to Zone L of the Canada Water Masterplan (hybrid planning permission 18/AP/1604) comprising of the construction of a subterranean Primary Sub-Station with a single storey access building, ventilation shaft and associated landscaping, servicing and car parking. The amendments make minor design changes to the above ground structure.</p>	Agreed 04/02/2022
<p>21/AP/3338 Details of all reserved matters (Access, Appearance, Landscaping, Layout and Scale) pursuant to hybrid planning permission ref. 18/AP/1604 dated 29th May 2020 for comprehensive mixed use development of the Canada Water Masterplan site. Reserved Matters approval sought for Development Plots H1 and H2 (Development Zone H of the Masterplan), comprising the partial demolition, vertical and horizontal extension and refurbishment of the former Harmsworth Quays Printworks building to provide 45,504 sqm (GEA) of commercial floorspace comprising workspace (Use Class B1) and flexible workspace/retail (A1-A4/B1) with disabled car parking, cycle parking, landscaping, public realm, plant and associated works.</p> <p>This is as an application for subsequent consent accompanied by an environmental statement. Consequently the application is accompanied by a Statement of Conformity submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) regulations 2017. This ES Statement of Conformity should be read in conjunction with the Canada Water Masterplan ES which can be viewed in full on the Councils website (18/AP/1604).</p>	12/07/2022
<p>21/AP/3469 Details of all reserved matters (Access, Appearance, Landscaping, Layout and Scale) pursuant to hybrid planning permission ref. 18/AP/1604 dated 29th May 2020 for comprehensive mixed use development of the Canada Water Masterplan site. Reserved Matters approval sought for the construction of a single carriageway along Printworks Street to serve the Canada Water Masterplan and neighbouring developments and associated public realm and landscape improvements.</p>	16/06/2022

<p>21/AP/3793 Details of all reserved matters (Access, Appearance, Landscaping, Layout and Scale) pursuant to hybrid planning permission ref. 18/AP/1604 dated 29th May 2020 for comprehensive mixed use development of the Canada Water Masterplan site. Reserved Matters approval sought for the construction of an internal servicing street to serve Zones H and L of the Canada Water Masterplan, including associated public realm, car parking, service-bay and landscaping.</p>	Pending consideration
<p>21/AP/4235 Non material amendment to planning permission 18/AP/1604 [dated 29.05.2020] in relation to Development Zones F, H and L for 'Hybrid planning permission for the comprehensive redevelopment of land including the Surrey Quays Shopping Centre, Surrey Quays Leisure Park, former Harmsworth Quays Printworks and land at Roberts Close for a range of land uses, new and improved public realm and associated infrastructure works'. The amendment seeks the following: to rectify minor areas of non-compliance with the approved Parameters Plans for Development Zones F, H and L in respect of location of development zones, minimum extent of public realm and height.</p>	Agreed 16/06/2022
<p>22/AP/1004 Discharge of planning obligation Schedule 11, Part 2, Paragraphs 3.1 and 3.2 of the Section 106 Agreement 18/AP/1604 in respect of Zone L and F Housing delivery plan</p>	Agreed 29/04/2022

Consultation undertaken

Site notice date: 17/11/2021

Press notice date: 18/11/2021

Case officer site visit date: n/a

Neighbour consultation letters sent: 17/11/2021

Internal services consulted

Archaeology
 Community Infrastructure Levy Team
 Design and Conservation Team [Formal]
 Local Economy
 Ecology
 Environmental Protection
 Highways Development and Management
 Flood Risk Management & Urban Drainage
 Urban Forester
 Waste Management
 Transport Policy

Statutory and non-statutory organisations

Environment Agency
 Historic England
 London Underground
 Natural England - London & South East Re
 Transport for London
 Metropolitan Police Service (Designing O

Neighbour and local groups consulted:

23 Osier House 14 Quebec Way London	26 Sitka House 20 Quebec Way London
63 Sequoia House 18 Quebec Way London	33 Hornbeam House 22 Quebec Way London
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Re-consultation:

Consultation responses received

Internal services

Archaeology
 Design and Conservation Team [Formal]
 Local Economy
 Ecology
 Environmental Protection
 Highways Development and Management

Flood Risk Management & Urban Drainage
 Urban Forester
 Waste Management
 Transport Policy

Statutory and non-statutory organisations

Environment Agency
 Historic England

London Underground
 Natural England - London & South East Re
 Transport for London

Metropolitan Police Service (Designing O

Neighbour and local groups consulted:

Flat 29 Claremont House London
 Apartment 42 Claremont House 28 Quebec Way London
 17 Wolfe Crescent London SE16 6SF
 Apartment 19 Claremont House, 24-28 Quebec Way, Canada Water 24-28 Quebec
 Way London
 Flat 22 Sequoia House 18 Quebec Way London
 Apartment 46 Claremont House, 28 Quebec Way London
 15, Claremont House London SE16 7FS
 17 Wolfe Crescent London SE16 6SF
 56 Myddleton Avenue London N4 2FG

Design Review Panel Report

Overview of Southwark Design Review Panel, 15 June 2021

1. Chair: Hilary Satchwell
Panel Members: Ann Griffin; Gwenaël Jerrett; Zeyna Soboh; Timothy Burgess
(Confidential in advance of an application)
2. CANADA WATER ZONE L
Architects: Haworth Tomkins
Clients: British Land
Planning Consultants: DP9
3. The Panel welcomed the opportunity to review this important Reserved Matters proposal, one of the first proposals to come forward under the recently approved Canada Water Masterplan Outline Permission. They thanked the Applicants for their clear and detailed presentation, which had been sent to the Panel in advance. The Chair noted that Tibbalds (where they are a director) have been working on a project with Haworth Tomkins but that this did not represent a prejudicial conflict of interest.
4. The Panel investigated further:
 - The sustainability strategy and the structural frame
 - Air-source heat pumps and the amount of space they need and their visual impact
 - Achieving biodiversity net-gain – how this would be quantified
 - Extent of green roofs
 - Single-aspect homes and their location within the scheme
 - Internal light level assessments and how these have informed the design
 - Parking for wheel-chair homes – acceptability of 7% shortfall
 - Community Room – how will this be used and who will manage it?
 - Bike storage and the western frontage of L1 and L2
 - Why no maisonettes on Reel Walk or Printworks Street?
 - Location and design of UKPN sub-station entrance
 - Whether the Garden in L1 should be public or communal (semi-private?)
 - Brick colour strategy between the two buildings
 - The rain garden design of the public footway area
 - The detailed design of the private amenity linked to the communal gardens in L1 and L2
 - The detailed design of the UKPN vent in L2 – not available at the time

5. The Panel generally endorsed the proposal and felt that it had resolved a complex brief well. They felt the complex modelling and articulation of the design was successful and they welcomed the inclusion of maisonettes and terraced houses at ground level. They raised a number of detailed comments about the building layout and architectural expression as well as the landscape and public realm.

Public realm and landscape

6. The Panel enjoyed how play had been incorporated into the landscape but questioned the different characters of each courtyard and wanted to understand more about how these would work. They noted that the presentation did not include details of the palette of materials which will give the landscape design its sense of quality and materiality. This is important in the context of the Masterplan as a whole and could be criticised if one courtyard is considered to be different from the other when both are providing communal amenity for residents. They also highlighted that the design did not extend to the private gardens of the maisonettes on either side of the courtyard garden and these should be considered as part of the landscape design overall.
7. Looking ahead to future reviews of the Masterplan schemes the Panel highlighted the principles set out in the consented Public Realm Design Guidelines. They encouraged the developers to refer to these important principles of the overarching consent and to demonstrate how future RMA proposals comply with these Design Guidelines.
8. The Panel referred to the visualisation on p54 (L1 courtyard) and felt it appeared a tough and joyless compared to the other landscape drawings – dominated by the deck-access structures and reminiscent of the industrial character of the area. They encouraged a closer connection between the landscape and the architecture especially on these communal spaces with landscape extending ideally to the edge of the buildings. The quality of each space will depend on how it is designed in detail, and managed with seating, lighting and well-chosen planting that will endure. In this regard the Panel felt the proposals were somewhat sketchy and lacked detail at this stage.
9. An important feature of the L1 courtyard is the separation between the public realm and the communal amenity. Early visualisations showed a fence-line and gate separating the public from the communal spaces which the Panel questioned. They encouraged the designers to consider this more carefully, acknowledging the need for security and privacy but also highlighting how this would appear to passers-by. From the discussion it became clear that the L1 courtyard is intended to be for residents only, and therefore the thresholds between public and private need to be more clearly articulated and sensitively handled. The Panel suggested a more subtle and layered approach using

landscape to distinguish the public from the private with gates introduced discretely and only if necessary.

10. The Panel asked about wider improvements like traffic calming measures at Quebec Way –at the junction with Reel Walk– or Reel Street. They encouraged the designers to consider these in the wider context of the Masterplan. These will need to be considered as the design is developed. They suggested that there could be an inherent unfairness in the different design between the L1 courtyard and that of L2. These two spaces differ in their purpose and design and offer a different experience to the occupiers of the buildings. Whilst the public space is welcomed at L2, it is not clear how much of that space will actually provide dedicated communal amenity benefit for residents of L2 and L3.
11. The sub-station vent is an important feature of the L2 courtyard that the design team were not able to present this to the Panel. This is a potentially dominant and intrusive feature that the Panel were not able to investigate or comment on. They were not able to fully comment on the quality of the proposals for the courtyard space at L2 as a consequence.

Layout and architectural expression

12. The Panel supported the use of maisonettes on the ground floor – these generally help to ground the buildings and help to establish a double-height datum with active edges to the street. However, they felt the expression of the maisonettes on the ground floor was understated and more could be made of them to ensure that they make each home feel special. They encouraged the designers to give the maisonettes more attention as individual homes perhaps with greater depth and a stronger sense of identity. They felt the current maisonette design could have a stronger residential language by addressing their specific location on the ground floor and a closer connection to their defensible external space.
13. The double-height communal lobbies on the corners are welcomed and give each block a generous and prominent entrance feature. However, the Panel felt the route to the entrance lobby appears circuitous, with spaces that are dominated by fences and could appear austere and uninviting. The Panel suggested that these lobbies could benefit from further design development and perhaps the involvement of an artist. The inclusion of colour and ideas like the incorporation of seating, glazed tiles or mosaic as well as limiting the dominance of the fenced enclosure could help to give these spaces more of a sense of joy and energy. Potentially the involvement of an artist could further transform these entrance halls into bright and welcoming spaces that will contribute positively to the distinct identity of each block.

14. The Panel questioned why the maisonette typology was not also used on Reel Walk or Printworks Street but acknowledged that the bike storage proposed in these locations was large and generous and that the first floor apartments would also offer these streets a degree of natural surveillance.
15. Success in terms of the architectural character of these blocks will rely on the quality of design and architectural detailing. The Panel asked for bay studies of typical features to be submitted with the application in order to embed the quality of design at the Planning stage. They questioned the distinct choice of brick colours between the blocks and felt the red and the grey bricks might be too different from each other unless part of a wider strategy. To assist they suggested the use of a 'family' of similar bricks where the tonality of the brick or a unique pattern or bond could more subtly differentiate one block from the other.
16. The retail spaces at the base of L3 appear to have been highlighted with arches which and it wasn't clear if this was yet a strong enough part of the wider elevational design. Limited information was presented about this block and the detailed design of these retail spaces so the Panel were not able to comment on this aspect of the design to the same extent. Retail frontages typically require areas for signage and ventilation as well as glazed shopfronts with doors. Without more information about the retail spaces including cross sections and elevations it will be difficult to gauge how successful these retail units will be once occupied and used.

Sustainability

17. The Panel understood that air-source heat pumps was the favoured technology for these blocks but noted that limited information had been provided about the environmental ambitions of the scheme including other measures like the use of renewable energy etc. They wanted to see more information about the size of the plant proposed and any screening which they felt would be necessary because the rooftops were visible from nearby vantage points like Stave Hill.

Conclusion

18. The Panel were positive and generally supported the proposal and felt it held a lot of promise. As one of the first phases of the consented Masterplan it was imperative that this design becomes the quality benchmark for the Masterplan as a whole. They suggested improvements to the detailed landscape design and the architectural expression to be included the application in due course and followed through to construction.

Proposed Land Use Schedule

1. The schedule below lists the various proposed uses on site according to their classification under SI 1987/764 rather than the more recent September 2020 amendment of the Order.

Use Class	Floor(s)	Description	Format	GIA/ area (sq. m)
Block L1 unit fronting Reel Street	00	Classes A1-A4, B1 and D1 (flexi commercial/ community)	Internal	57
Block L2 unit fronting the square	00		Internal	59
Block L2 unit fronting Reel Street	00		Internal	82
Block L3 unit at jcn of Reel Street and Quebec Way	00		Internal	63.5
Block L3 unit at jcn of Park Walk and Quebec Way	00		Internal	42.5
Block L3 unit fronting the piazza	00		Internal	110
Total flexible Classes A1-A4, B1 and D1				414
84 dwellings at Block L1	00-09	Class C3	Internal	8,312
Back-of-house facilities (cycle parking, sprinkler tanks, plant etc) at Block L1	00	Class C3 (ancillary to residential)		294
90 dwellings at Block L2	00-09	Class C3	Internal	7,793
Back-of-house facilities (cycle parking, sprinkler tanks, plant etc) at Block L2	00	Class C3 (ancillary to residential)	Internal	388
63 dwellings at Block L3	01-08	Class C3	Internal	5,740

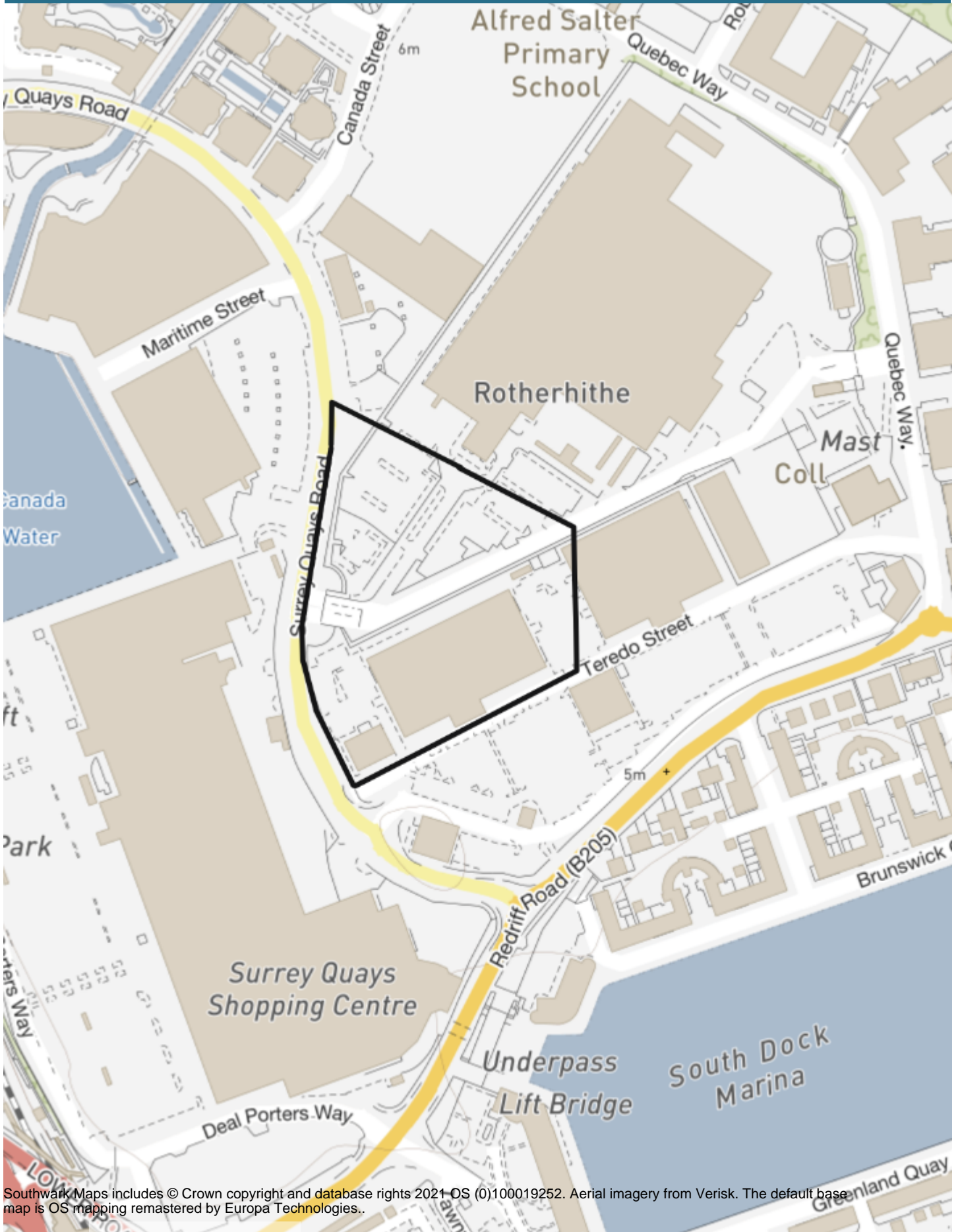
Back-of-house facilities (cycle parking, sprinkler tanks, plant etc) at Block L2	01-08	Class C3 (ancillary to residential)	Internal	248
Total Class C3				22,775
Substation facilities in the L2 square	00	Sui Generis (ancillary to substation)	Internal	92
Total Sui Generis				92
TOTAL PROPOSED INTERNAL AREAS – GIA				<u>23,281</u>

2. Under the new Use Classes Order of September 2020, the land uses listed in the above table by their former classification of Classes A1, A3 and D1 fall into the new Class E (commercial, business and services). Class C3 and the Sui Generis substation use remain unchanged by the new Use Classes Order.



21/AP/4/12

ZONE F, CANADA WATER MASTERPLAN, SURREY QUAYS ROAD, LONDON, SE16 7LL



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Item No. 8.2	Classification: Open	Date: 26 July 2022	Meeting Name: Planning Committee
Report title:	<p>Development Management planning application: Application 21/AP/4712 for: Approval of Reserved Matters</p> <p>Address: Zone F, Canada Water Masterplan, Surrey Quays Road Southwark, SE16 7LL</p> <p>Proposal: Details of all reserved matters (Access, Appearance, Landscaping, Layout and Scale) relating to Development Zone F of the Canada Water Masterplan, comprising a residential-led (Class C3) building and a combined office (Class B1) and residential (Class C3) building, both of which would include flexible retail/workspace (Classes A1-A4 and B1) at ground floor level alongside disabled car parking, cycle parking, servicing provision, landscaping, public realm, plant, a single-storey basement and associated works.</p> <p>This application is pursuant to hybrid planning permission for the Canada Water Masterplan ref. 18/AP/1604 dated 29th May 2020, which was accompanied by an Environmental Statement. Consequently the application is accompanied by a Statement of Conformity submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) regulations 2017. This ES Statement of Conformity should be read in conjunction with the Canada Water Masterplan ES which can be viewed in full on the Council's website (18/AP/1604).</p>		
Ward(s) or groups affected:	Rotherhithe and Surrey Docks		
From:	Director of Planning and Growth		
Application Start Date	04.03.2022	Application Expiry Date	03.06.2022
Earliest Decision Date	07.04.2022	Extension of Time End Date	01.08.2022

RECOMMENDATIONS

1. That planning permission be granted subject to the additional conditions and informatives as set out in the draft recommendation at Appendix 1.
2. It should be noted that this Reserved Matters Application is bound by the s106 legal agreement and conditions attached to the Outline Planning Permission 18/AP/1604.
3. That environmental information be taken into account as required by Regulation 26(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended)

EXECUTIVE SUMMARY

4. This is a Reserved Matters Application (RMA) for works within Canada Water Development Zone F following the grant of outline planning permission for the Canada Water Masterplan (CWM). The development will accommodate 410 residential units and 39,743 sqm (GEA) of commercial floorspace comprising office (Use Class B1) and flexible workspace/retail (A1-A4/B1).
5. The application relates to Zone F of the Masterplan which fronts Surrey Quays Road and covers a portion of the Surrey Quays Leisure Park, including sections of the existing Odeon cinema, and a hardstanding are to the north of existing Pizza Hut building, and the entrance/security hut for the existing Printworks site. The main Printworks building is located within Zone H for which a separate RMA (21/AP/3338) has been submitted. The Zone F proposal is for two buildings known as F1 and F2, which are separated by a new pedestrian route known as Higher Cut.
6. Building F1 is a 37 storey residential tower with a 5 storey “nib” building providing additional residential floor area. F2 consists of an office podium building, up to 10 storeys in height, with a 34 storey residential tower above. All of the proposed residential homes are market units. The required associated affordable housing is being provided elsewhere within the Masterplan site, as allowed for under the OPP s106 agreement.
7. The proposal would largely accord with the principles of the Masterplan as approved by the Outline planning permission (OPP) 18/AP/1604 save for some minor amendments to the approved Plot Extent and Maximum Height Parameter Plans which have been regularised by way of a Non-Material Amendment application as discussed in more detail below.

8. The submission of this application follows a series of pre- and post-application discussions as a result of which improvements were secured in respect of the detailed design.
9. The development would deliver a significant number of new residential units, which is strongly supported by both development plan policies and the requirements of the OPP. Equally, the significant quantum of commercial floorspace would bring positive economic benefits to the borough in accordance with the OPP and development plan policies. 7 retail/workspace units at ground floor level will provide important activation of the buildings' frontages.
10. The office building design seeks to respond to the industrial heritage of the site whilst offering a modern and flexible office environment intended to become a distinctive employment destination within the town centre. The two residential tower buildings would provide exemplary architecture that would be visible from long distances helping to raise the profile of the area. This has been achieved through the arrangement of the towers, in context with the linked commercial building to the base of F2, and by providing slender towers which exhibit a well articulated arrangement of three distinct elements that form the towers. The buildings' height and articulation reflect the central character of Zone F and assist in marking the both the future public park within the Masterplan and routes towards it.
11. The buildings will respond positively to the future planned public realm surrounding the site (Printworks Place, Park Walk Place and Park Walk) and will also help waymark important east-west and north-south pedestrian routes.
12. The proposal responds positively to transport and sustainability policies and there would be no significant harm to neighbour amenity. The land use, quantum, height, design and general arrangement conform to the documents approved under the OPP (save for the non-material changes as agreed). Subject to the appropriate mitigation secured by the conditions and s106 obligations attached to the OPP and the additional recommended conditions to control servicing and operational impacts and compliance with detailed sustainability strategies the proposal is considered to be in line with the principles and parameters of the Masterplan and compliant with development plan policies.

PLANNING SUMMARY TABLES

Housing

Homes	Private Homes	Private HR	Aff.SR Homes	Aff.SR HR	Aff.Int Homes	Aff.Int HR	Homes Total (% of total)	HR Total
Studio	31	34	-	-	-	-	7.5	31
1 bed	132	268	-	-	-	-	32.2	268
2 bed	209	663	-	-	-	-	50.9	663
3 bed	38	196	-	-	-	-	9.3	196
4 bed +	0	0	-	-	-	-	0	0
Total and (% of total)	410	1,161	-	-	-	-	100	1,161

Commercial			
Use class and description	Existing GIA	Proposed GIA	Change +/-
Use Class E (a) to (f) Retail/financial services	0	2,049	+2,193
Use Class E (g) i) Office	0	36,064	+37,541
Employment	Existing no.	Proposed no.	Change +/-
Operational jobs	N/A	2,225-2,895	+2,225-2,895

Parks and child playspace			
	Existing area	Proposed area	Change +/-
Public Open Space	N/A	TBC	TBC
Play Space	N/A	370	+370

Carbon Savings and Trees	
Criterion	Details
CO2 Savings beyond Part L of the Building Regs.	64.9% for residential dwellings 43% for commercial areas
Trees lost	54 trees within the Zone F boundary All on-site trees identified for removal under OPP
Trees gained	The s106 agreement includes an obligation to retain 49 trees or groups of trees across the Masterplan site as well as a tree planting strategy to ensure that 658 new trees (with a canopy cover of 39,433 sqm) are planted across the Masterplan site. For Zone F, nine larger trees are proposed along the Zone edge fronting Surrey Quays Road. Eleven trees are proposed within Higher Cut, which provides the new public access route between the two plots within Zone F, whilst a further nineteen trees are proposed within Park Walk Place.

Greening, Drainage and Sustainable Transport Infrastructure			
Criterion	Existing	Proposed	Change +/-
Urban Greening Factor	N/A	0.28	+0.28
Greenfield Run Off Rate	Unknown	8.1 l/s	/
Green/Brown Roof Coverage	0	2,470	+2,470
Electric Vehicle Charging Points (on site)	0	5	+5
Cycle parking spaces	N/A	1,449	+1,449

** Greenfield run off rates were calculated and agreed as part of the OPP and as such there is no rate specific to Zone H. The Masterplan-wide rate will be known upon completion of all RMAs.*

BACKGROUND INFORMATION

Site description and its role within the Canada Water Masterplan

13. The Canada Water Masterplan (CWM) covers a site area of 21.27 hectares and includes Surrey Quays Shopping Centre, Surrey Quays Leisure Park and the Harmsworth Quays Printworks, as well as the former Rotherhithe Police Station, Dock Office Courtyard and a parcel of land on Roberts Close.
14. The shopping centre is still in operation and there are a range of interim uses taking place across the Masterplan site including a music and entertainment use in the former Printworks building, TEDI University and Global Generation Paper Garden Charity.
15. Permission was granted to British Land in May 2020 for the Masterplan scheme, which envisages the complete transformation of the Canada Water area, creating a major new town centre with a diverse mix of jobs, shops, homes, leisure activities and cultural facilities. Construction is underway on Plots A1, A2 and K1 which were approved in detail as part of the Outline Permission as well as the Dock improvements which was granted RMA in January 2022.
16. The site is bound by Lower Road to the west, a combination of Surrey Quays Road, Canada Water Dock and the edge of The Printworks to the north, Quebec Way to the east and Redriff Road to the south. The Masterplan will deliver a series of buildings subdivided into development zones focussed around three urban spaces, one being Canada Water Dock, an important wetland habitat, the Town Square and a new park.

17. The image below shows each of the approved plots.



Image: Site plan illustrating the Development Zones which form the Canada Water Masterplan

18. This application relates specifically to Zone F which is located within the centre of the masterplan across a portion of the Surrey Quays Leisure Park, which includes sections of the existing Odeon cinema, the entrance/security hut for the existing Printworks site and a hardstanding area to the north of the Pizza Hut building. The demolition of these buildings is approved under the OPP. Zone F covers an area of approximately 0.99 hectares. Once complete, the Zone will be accessed from Surrey Quays Road to the west, New Brunswick Street, a newly created street to the north-east and Park Walk, new vehicle free street to the east of the Zone. The detailed design of Park Walk and New Brunswick Street will be secured under separate RMAs. The OPP requires an east-west public route to be provided through the Zone.



Image: Location of Zone F of the Masterplan showing the wider context and the public route through the Zone required by the OPP.

19. The site is not located within a Conservation Area nor within the curtilage of a Listed Building, however, there are listed buildings in close proximity to the site. The Protected London View from Greenwich Park Wolfe Statue to Tower Bridge and to St Pauls Cathedral passes through the southern part of the CWM area but not Zone F.

The following area designations apply:

- Canada Water Major Town Centre
- Canada Water Opportunity Area
- Canada Water Action Area
- Canada Water Strategic Heating Area
- Air Quality Management Area
- Identified Tall Building Location
- Flood Zone 2/3
- Site Allocation NSP81
- Strategic Cultural Area

20. This Plot lies away from the Transport for London Road Network (TLRN) and Strategic Road Network (SRN), the roads surrounding the site being borough roads, although the Rotherhithe Roundabout (TLRN) and Lower Road (SRN) are within close proximity of the site. Canada Water Underground and bus stations are within walking distance providing access to Jubilee line services and London Overground services on the extended East London Line. Surrey Quays Station is situated close to the southwest of the site. A wide range of buses operate in the area. The site has a PTAL rating of 6a, which indicates 'excellent' access to public transport services.

Surrounding sites

21. Zone F is bounded to the west by the public highway of Surrey Quays Road, beyond which are the Surrey Quays Shopping Centre, the Canada Water Dock and the Unit 1 of the Canada Water Retail Park. Unit 1 and Unit 4 of the Canada Water Retail Park, which is located further to the north of Zone F, currently comprise a range of meanwhile uses but are also subject to redevelopment proposals under 21/AP/2655 and 21/AP/2610 (linked through a s106 agreement) which received a resolution to grant from the Planning Committee in March 2022.
22. The applications seek outline planning permission, for the demolition of all existing buildings and construction of three buildings to provide an office-led development, comprising up to 158,786 sq.m. (GEA) of employment space and town centre uses.
23. Three substantial buildings between 55m AOD and 110m AOD are proposed. The detailed design of each building would be subject to approval as part of future RMAs. However, the current application includes a set of parameter plans and other control documents, which demonstrate the maximum building envelopes for each block

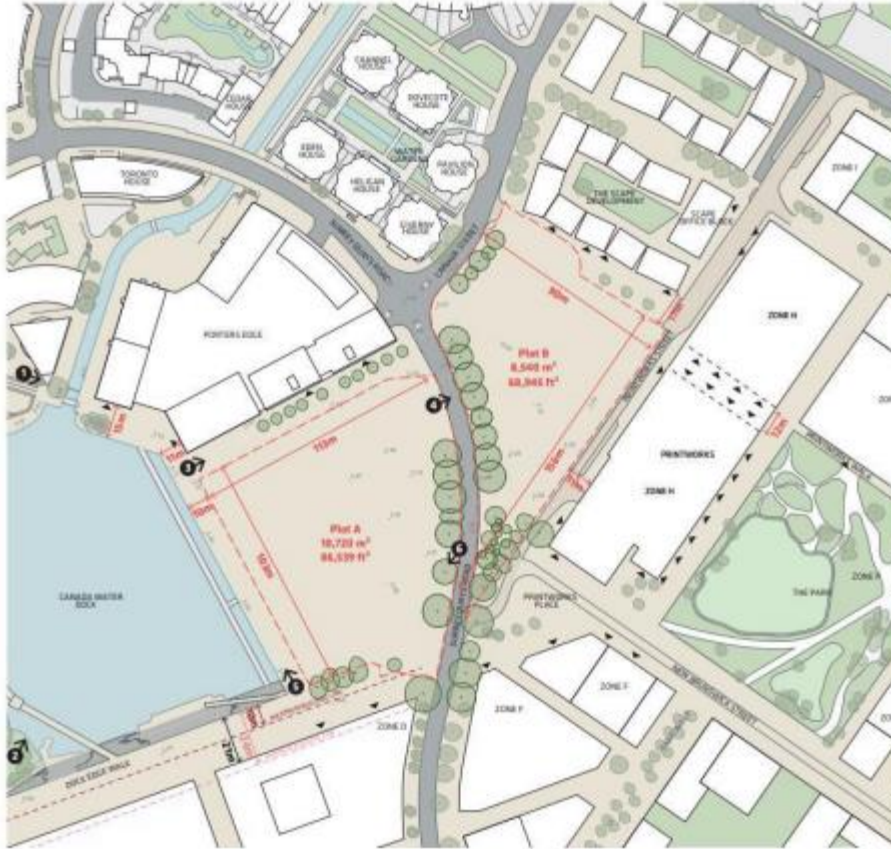


Image: Site plan of the illustrating the two sites which form planning applications 21/AP/2655 and 21/AP/2610 with the proposed Canada Water Masterplan to the south west and east. Zone F is located dues south.

24. These two sites to the north were formerly part of a wider site granted planning permission in 2013 under reference 12/AP/4126. Phase 1 was built out in 2019 and is known as the Porters Edge development. It comprises 235 residential units, a retail store and offices occupied by Decathlon, and other small retail units. Application 21/AP/2655 which was received resolution to grant at Planning Committee in March 2022 proposes development on what would have been Phases 2, 3 & 4 of 12/AP/4126. The historic permission remains live, and although it is unlikely that the 2013 permission will be further built out, it remains a material consideration, when considering the impacts on and from the impacts of the development proposals within Zone F. Consequently, there are two distinct built development scenarios which could feasibly be constructed at the adjoining sites. As a result, key technical assessments submitted with the Zone F RMA, such as the Daylight and Sunlight and Wind, have considered the impact of the two alternative development scenarios which could be built (the extant

permission – 12/AP/4126, or the recent 21/AP/2655 which received a resolution to grant earlier this year).

25. To the northeast of Zone F is the expansive Former Harmsworth Quays Printworks building (“Printworks building”) which was constructed as a Printworks in the 1980s and extended in 2000. The building forms Zone H of the CWM and a RMA application for an office-led use of the building is currently under determination by the council. The proposals include the construction of a new southern extension with a two storey height roof extension provided above the Press Hall.
26. Currently enclosing Zone F around its southern eastern perimeter are the commercial buildings of the Surrey Quays Leisure Park, which stand to the equivalent of 3/4 residential storeys in height, and a large area of surface level car parking. Outline permission has been granted as part of the CWM to redevelop these sites to provide a range of medium-rise mixed-use developments some of which will include tall building elements.

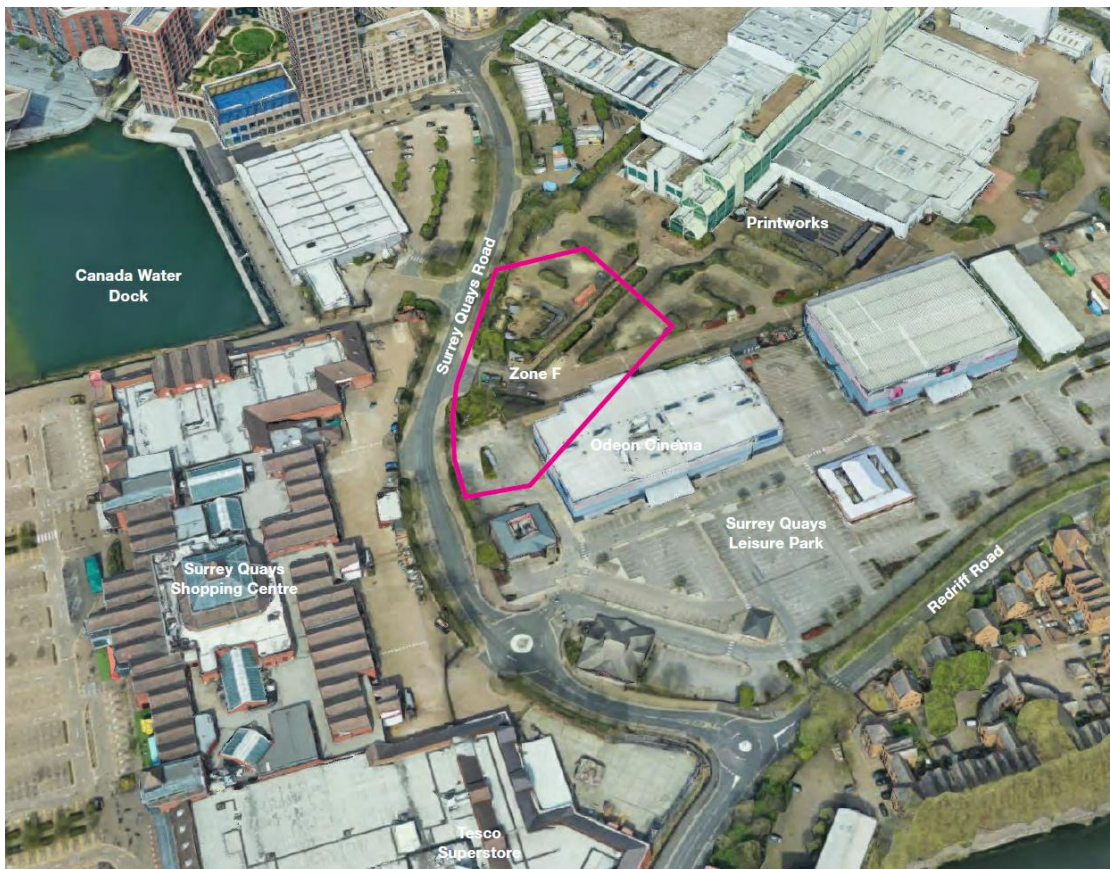


Image: Aerial image of the central area of the CWM, with Development Zone F edged in red and the nearby buildings and routes annotated.

Details of proposal

Overview

27. Permission was granted under 18/AP/1604 for:

'Hybrid application seeking detailed planning permission for Phase 1 and outline planning permission for future phases, comprising:

'Outline planning permission (all matters reserved) for demolition of all existing structures and redevelopment to include a number of tall buildings comprising the following mix of uses: retail (Use Classes A1-A5), workspace (B1), hotel (C1), residential (C3), assisted living (C2), student accommodation, leisure (including a cinema) (D2), community facilities (including health and education uses)(D1), public toilets, nightclub, flexible events space, an energy centre, an interim and permanent petrol filling station, a primary electricity substation, a secondary entrance for Surrey Quays Rail Station, a Park Pavilion, landscaping including open spaces and public realm, works to Canada Water Dock, car parking, means of access, associated infrastructure and highways works, demolition or retention with alterations to the Press Hall and/or Spine Building of the Printworks; and Detailed planning permission for the following Development Plots in Phase 1:

- Plot A1 (south of Surrey Quays Road and west of Deal Porters Way) to provide uses comprising retail (A1-A5), workspace (B1) and 186 residential units (C3) in a 6 and 34 storey building, plus basement;*
- Plot A2 (east of Lower Road and west of Canada Water Dock) to provide a leisure centre (D2), retail (A1-A5), and workspace (B1) in a 4, 5 and 6 storey building, plus basement;*
- Plot K1 (east of Roberts Close) to provide 79 residential units (C3) in a 5 and 6 storey building;*
- Interim Petrol Filling Station (north of Redriff Road and east of Lower Road) to provide a petrol filling station with kiosk, canopy and forecourt area.*

Each Development Plot with associated car parking, cycle parking, landscaping, public realm, plant and other relevant works'.

28. The outline part of the planning permission was granted subject to various parameter plans which establish the maximum parameters within which future buildings and spaces can come forward, such as the maximum building height, minimum and maximum building lines and basement extents. The permitted uses for each Masterplan Zone are controlled by the Parameter Plans, Development Specification and Design Code documents which set out the

detailed design principles, together form the approved documents against which each subsequent Reserved Matters application should be assessed.

29. This Reserved Matters Application (RMA) covers the matters of access, appearance, landscaping, layout and scale for Buildings F1 and F2 which form Development Zone F and which were not determined in detail under the OPP 18/AP/1604.
30. For clarity these comprise:
 - ‘Access’ – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
 - ‘Appearance’ – the aspects of a building or place within the Development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
 - ‘Landscaping’ – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
 - ‘Layout’ – the way in which buildings, routes and open spaces within the Development are provided, situated and orientated in relation to each other and to buildings and spaces outside the Development.
 - ‘Scale’ – the height, width and length of each building proposed within the Development in relation to its surroundings
31. The OPP defines a range of potential uses and maximum floorspace caps which can be delivered within each Zone as well as an overall cap for the Masterplan site (as identified in the table below).



Development Zone	Use Class	Zone B GEA SQ M	Zone C GEA SQ M	Zone D GEA SQ M	Zone E GEA SQ M	Zone F GEA SQ M	Zone G GEA SQ M	Zone H GEA SQ M	Zone J GEA SQ M	Zone L GEA SQ M	Zone M GEA SQ M	Zone N GEA SQ M	Zone P GEA SQ M	MAXIMUM GEA CAP BY USE (SQ M)
Retail	A1-A5	9,000	2,800	32,700	6,600	3,700	21,700	5,300	3,000	800	400	500	150	86,650
Workspace	B1	41,500	27,600	80,300	19,000	38,500	5,000	67,600	1,500	11,500	-	-	-	282,500
Hotel	C1	-	-	7,500	-	-	-	-	-	-	-	-	-	7,500
Assisted Living	C2	-	-	-	3,700	-	15,500	14,400	20,200	9,700	-	-	-	35,700
Residential	C3	27,300	23,000	34,700	13,600	57,700	44,200	41,200	57,700	27,600	4,500	-	-	331,500
Community Facilities	D1	4,600	-	4,600	2,900	33,500	5,000	-	4,000	4,000	2,500	-	150	45,650
Leisure/ Cultural	D2	-	-	20,000	7,500	7,500	-	25,000	-	-	-	-	-	51,500*
Night Club	Sui Generis	-	-	1,500	-	-	-	1,500	-	-	-	-	-	1,500
Student Accommodation	Sui Generis	27,300	23,000	-	-	31,200	30,000	-	-	-	-	-	-	50,300
Energy Centre	Sui Generis	2,000	2,000	-	-	-	-	-	-	-	-	-	-	2,000
Primary Sub-Station	Sui Generis	-	-	-	3,000	-	-	-	-	3,000	-	-	-	3,000
Multi-Storey Car Park	Sui Generis	-	17,200	-	17,200	-	-	-	-	-	-	-	-	17,200
Petrol Filling Station	Sui Generis	-	3,000	-	3,000	-	-	-	-	-	-	-	-	3,000
Transport Infrastructure (potential second entrance to SQ Station)	Sui Generis	500	-	-	-	-	-	-	-	-	-	500	-	500
Flexible Events Space	Sui Generis	-	-	5,000	-	-	-	-	-	-	-	-	-	5,000
Parking and Plant	-	10,200	7,300	30,400	10,500	8,000	31,000**	18,400	13,700	3,400	400	250	200	133,750
Public Toilets	Sui Generis	-	-	-	-	-	-	-	-	-	-	-	-	500***
MAXIMUM GEA CAP PER ZONE (SQ M) (excluding public toilets, parking and plant)	-	76,000	48,900	159,800	36,600	89,900	65,900	82,500	60,700	29,800	5,200	750	150	
TOTAL MAXIMUM GEA CAP (SQ M) (excluding public toilets, parking and plant)		656,200												

32. The proposal is for two separate buildings known as F1 and F2. The specific breakdown of proposed floor areas between the buildings shown in the table below. The table includes a comparison of the proposed GEA against the maximum floor areas allowance set by the Development Specification, as shown in the previous table. The proposed total floor area does not exceed the 89,900 sq m floor area limit.

Land Use	Permitted Allowance (GEA sqm)	Development Plot F1 Proposals (GEA sqm)	Development Plot F2 Proposals (GEA sqm)	Overall Development Zone F Proposals (GEA sqm)
Residential	57,700	26,103	20,715	46,818
Workspace	38,500	-	37,541	37,541
Retail	3,700	460	1,733	2,193
Parking and Plant	8,000	1,636	6,080	7,716

33. The proposal is for:

- A ground + 36-storey residential tower (Plot F1);
 - A ground + 33-storey residential tower (Plot F2)
 - A ground + 9-storey office podium building forming part of Plot F2
 - The development will also provide seven flexible workspace/retail units (Class A1-A4/B1) located on the ground floors across buildings F1 and F2.
34. The Parameter Plans identify Zone F as being an appropriate location for two tall buildings, up to +125m AOD and +116m AOD which, together with the neighbouring Zone G to the south, form the 'Central Cluster' at the heart of the CWM. The two residential towers comply with these height limits.
35. The CWM Design Guidelines identify the Central Cluster as a key area at the centre of the Masterplan which has the important role of bringing together the new Town Centre to the west and the Park Neighbourhood to the east, and between high density consented schemes to the north and low-to mid-rise existing buildings to the east.
36. The Central Cluster's distance from lower neighbours as well as its position at the heart of an Opportunity Area makes it the rational location for a concentration of tall buildings. Brought together into groups, these buildings form a coherent composition creating an identity for the area from afar, and setting a transition to the lower neighbouring context.
37. In terms of access, the Central Cluster will prioritise the pedestrian experience of the public realm and plays an important part connecting the other parts of the Masterplan. In particular, the broad bases of Development Zones F and Zone G RMA (anticipated to be submitted during August 2022) will create the enclosure for the new public Park and the pedestrianised Park Walk, defining the public realm.



Image: Site diagram showing the arrangement of the two blocks that make up Zone F.

Block F1

38. Block F1, the taller of the two buildings at 37 storeys, would occupy the southern part of the Development Zone, bounded by Surrey Quays Road to the west, which is a key vehicular route through the masterplan. Park Walk is to the east, providing a direct linear pedestrianised route from the new Town Square to the Park, a key focal point within the Masterplan. Immediately to the south, within the red line, is a new area of public realm called Park Walk Place. The northern elevation of F1 is bounded by Higher Cut, a curved pedestrian route providing permeability between Blocks F1 and F2.
39. F1 would be would be residential-led, providing 235 homes all in market tenure. A range of 1-, 2-, and 3-bedroom units are proposed. 47 'wheelchair user dwellings' are proposed throughout the building across a range of unit sizes.

There are two separate retail units fronting Higher Cut, Surrey Quays Road and Park Walk.

40. The building has a slender, octagonal form with chamfered corners. Towards its base it has a small five storey “nib” element which provides a communal rooftop amenity space along Park Walk for use by residents.
41. Above the “nib” the tower element has a regular symmetrical plan based around a central core, with no more than 8 residential units per floor. The tower’s chamfered form creates a range of aspects to each residential unit. Balconies are accommodated in large “cuts” which help protect privacy between residential units. Every residential unit, apart from a single studio located at 2nd floor level, has a private external balcony. In addition, two small communal amenity areas are provided within two roof areas at the top of the tower, whilst a larger area atop the ‘nib’ provides play and communal amenity space.
42. At ground floor level, F1 has a prominent residential entrance fronting Park Walk Place which is recessed within the facade, providing a sheltered entrance. Residential cycle storage for F1 is provided at first floor level accessed via the main ground floor reception, or a more direct cycle entrance. Stairs with wheeling gullies or a dedicated cycle lift are available for larger cycles. Two accessible car parking spaces are provided within the Higher Cut.
43. The residential elements will be clad in glazed tiles for the tower elements. Across the buildings the glazed tiles will vary across a gentle range of green and blue tones and hues. The lower ‘nib’ buildings will use more solid, reflective glazed bricks which are smaller in scale, helping create a more solid base.
44. Across the buildings it is proposed that the colour of balustrade and window frames will be developed alongside the glazed tile and brick selection to act as an accent to the proposed colour palette. The balconies are proposed to be made from concrete, with painted steel balustrades.
45. Glazed sawtooth spandrel detailing is employed between windows, which creates a repetitive, vertical language within the façade. Windows are aluminium with chamfered reveals which frame the windows and set them back into the façade.

Block F2

46. Plot F2 consists of a podium office up to 10 storeys in height; rising above the podium is a residential tower up to 34 storeys in height. At ground floor level there would be a generous office entrance opening onto Printworks Place, an

internal service yard accessed from Surrey Quays Road, and 5 separate retail/workspace units providing active frontages along the perimeter of the block. A basement joins both buildings below ground, facilitating shared plant and servicing from a single point of access on Surrey Quays Road.

47. The generous office floorplates address Surrey Quays Road and Park Walk, with a central atrium area that provides daylight into the depth of the plan while providing a central focus to the floorplates animated by the primary lift core, access bridges and washrooms. Two external amenity areas for office occupiers are provided at office levels 7 and 9. Cycle parking is accessed from the main office lobby and is located at lower ground floor with showers and changing facilities at upper ground level.
48. The residential entrance would front New Brunswick Street, being clearly distinct from the accesses to the offices and retail units. F2 would provide 175 homes all in market tenure. A range of 1-, 2-, and 3-bedroom units are proposed. 21 'wheelchair user dwellings' are proposed throughout the building.
49. As with Block F1, the residential tower element has a regular symmetrical plan based around a central core, with no more than 8 residential units per floor. Again, the building's chamfered form is utilised to create varied aspects to each residential unit, and each has access to a private external balcony. A large communal amenity and play area is provided at 13th floor level.
50. For the residential tower element, the approach to materials and detailed design mirrors F1, however distinct materials are used to differentiate between the commercial use of the lower floors and the residential tower. For the office, a façade framework creates a variation in expression across the elevations, employing light grey concrete piers, whilst red toned concrete spandrel panels support a horizontal bands of glazing. An aluminium window system is proposed and will be openable to allow for natural ventilation. A dark spandrel band is designed to mark the uppermost floor.
51. The residential unit mix across both buildings is provided within the table below.

Unit	F1 Proposed		F2 Proposed		Total Proposed	
	No.	%	No	%	No	%
Studio	16	7%	15	9%	31	7.56%
1b2p	74	31%	58	33%	132	32.20%
2b4p	121	51%	88	50%	209	50.97%
3b6p	24	10%	14	8%	38	9.26%

Total	235	100%	175	100%	410	100%
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Landscaping, public space and greening

Trees

52. The OPP established that all existing trees within Zone F will be removed to enable the redevelopment of the zone.
53. A Tree Planting Strategy prepared by Townshend Landscape Architects is submitted with this application. Nine larger trees are proposed along the Zone edge fronting Surrey Quays Road. Eleven trees are proposed within Higher Cut, which provides the new public access route between the two plots within Zone F, whilst a further nineteen trees are proposed immediately within Park Walk Place to the south of Block F1, although a permanent landscaping scheme for this space will be developed as part of a future Park Walk RMA.

Communal amenity, play and public space

54. With respect to communal amenity space, F1 would be served by a large communal terrace at 4th floor and two smaller terraces at 34th floor level. The 4th floor space provides the children's play area for F1 within a walled area containing a variety of door stop play with lawn, mounds, stepping stones, wooden play equipment and terrace furniture providing seating. A small internal amenity area of 35 sq m also opens onto the 4th floor external amenity space.
55. Two smaller terraces at 34th floor are focussed on communal amenity space, and do not provide playspace. They are designed with planted buffers, sensory planting and seating which will benefit from impressive rooftop views across London, and combined provide 100 sq m amenity space. In addition, F1 would have two internal shared residential spaces areas at 2nd and 3rd floors measuring circa 100 sq m each. These are likely to provide home working, seating and meeting spaces and both have access to small communal balcony areas measuring 6 sq m and 9 sq m.



Image: Visualisation of the F1 communal terrace and play area.

56. F2 has a single large garden area atop the roof of the office building, at residential level 13. This is broken down into a series of spaces positioned along a walkable route, which provide a variety of seating areas. Play centred areas provide variety of free-play areas, natural play mounds, tactile play experiences and wooden play equipment which allows different ages to co-exist.
57. F2 would also provide two areas of external amenity space for the office occupiers within the podium building. These are a long slim terrace at level 7 fronting Park Walk, whilst a larger communal roof terrace is provided at level 9. The external environment allows the office users to break out from their internal working environment and enjoy a variety of types of recreation with areas for exercise, outdoor meetings and socialising. The areas will be a mixture of hard surfaces, with seating and planted buffers to ensure the spaces are versatile for a range of uses. A selection of trees which are suitable to grow on roof conditions are also proposed across all the external amenity areas.

Public realm

58. Surrey Quays Road on the Zone's western side provides a key vehicular access. Public realm proposals involve the addition of new street trees within a generous pedestrian footway, the creation of rain gardens to provide greenery and attenuate rainfall, seating and visitor cycle parking integrated into pockets in the planting. Sufficient "spill out" space is maintained outside the retail units at ground floor level. Primary pedestrian routes leading east- west will be accommodated with appropriate crossings on Surrey Quays Road.
59. Higher Cut will be developed to provide an east-west pedestrian link between F1 and F2, connecting Surrey Quays Road and Park Walk. Given its location between two tall buildings a mixture of shade tolerant species will be selected. Proposed tree and vegetation planting is within raised planters which also incorporate areas of seating. To ensure an active frontage is maintained, 4 retail units will address the Higher Cut, and it is envisaged that areas of seating associated with the retail uses can be incorporated within the public realm creating further activity. Two accessible car parking spaces for use solely by residents of the accessible residential units are proposed within the northern extent of the Higher Cut, accessed from Surrey Quays Road.
60. An area of temporary landscaping is proposed at Park Walk Place, immediately in front of the residential entrance to F1. The proposed temporary finishes enable a temporary landscaping scheme and surface for emergency vehicles, and will be superseded by a future RMA for Park Walk which adjoins Development Zone F's eastern boundary. A temporary surface of resin bound gravel with planters, trees and seating areas for people to sit and enjoy whilst also providing wind mitigation.
61. Throughout the public realm a mix of granite, granite setts and resin bound gravel (within the temporarily landscaped areas only) is proposed. A mixture of timber benches integrated into planters and street benches are provided within Higher Cut, Park Walk Place and along Surrey Quays Road. 76 short stay cycle parking for the residential, office, and ground floor retail/workspace uses are also provided across the public realm.

Consultation responses from members of the public and local groups

62. Letters were sent to local residents when the application was validated in March 2022, at this time the application was advertised as EIA development in the local press and 5 site notices were erected around the application site.

63. A total of 4 representations have been received. In total there were no letters of support, 1 neutral and 3 objections. The comments have been summarised in the table below.

Objections	Officer Response
<p>Over-development</p> <ul style="list-style-type: none"> • The proposed buildings will be out of scale to existing local buildings. • The proposed buildings are too tall and too high density. • The proposal is out of keeping with the local neighbourhood. • The development should be accompanied by a secondary school, transport links and community space. • The proposals have learned nothing from the recent pandemic with regards for people's need for outdoor and green space. 	<ul style="list-style-type: none"> • The quantum of proposed residential units and height of the buildings complies with the maximum parameters set by the OPP. • The redevelopment will make a valuable contribution to the townscape and character of the area. • The assessment of the OPP modelled the future demand for school places, and identified that the demand from secondary school places can be absorbed into existing local schools. However, the expansion of local primary schools would be required. The OPP s106 agreement secures financial payments to deliver entry expansion and a top-up payment commensurate with the number of additional homes. • The provision of private and communal amenity space complies with the requirements of the OPP. • Whilst there is limited green space being provided within the red line boundary for this plot

	<p>there are important green spaces that will be delivered throughout the Masterplan. A public park is proposed adjacent to Zone F.</p>
<p>Strain on existing traffic and transport</p> <ul style="list-style-type: none"> • With the cancellation of further transport links to the peninsula, the proposals do not take into account the inadequate transport infrastructure in the area whilst increasing the housing stock. 	<ul style="list-style-type: none"> • The impact of the redevelopment of the town centre on existing transport infrastructure was fully assessed as part of the OPP. A substantial package of mitigation measures including in-kind works and financial payments towards transport and infrastructure improvements was secured to deal with the significant increase in demand that will be generated by the redevelopment. • This development is intended to be car free save for disabled parking provision and servicing/deliveries. As such it will not significantly increase traffic or parking demand. The development seeks to maximise sustainable modes of transport and has made provision for walking and cycling in the design. Further, substantial contributions would be paid towards increasing

	public transport infrastructure as secured in the OPP.	
<p>Green spaces, wildlife and trees</p> <ul style="list-style-type: none"> • The development will negatively affect local flora and fauna. • The development will result in the loss of mature trees. New trees that are planted often don't survive the transfer (as evidenced by those outside the new Decathlon store almost all of which are dead already). 	<ul style="list-style-type: none"> • The impact of the masterplan development on existing trees was fully assessed as part of the OPP. As part of this assessment trees which were not suitable to be retained were identified. Trees which could be retained were also identified. The s106 agreement includes an obligation to retain 49 trees or groups of trees across the Masterplan site as well as a tree planting strategy to ensure that 658 new trees (with a canopy cover of 39,433 sqm) are planted across the Masterplan site. • Impacts upon ecology by way of bat roosting or nesting birds has been duly considered and appropriate surveys undertaken 	
<p>Neighbour impacts</p> <ul style="list-style-type: none"> • The development will reduce daylight and sunlight. • The development will cause negative wind impacts. 	<ul style="list-style-type: none"> • Given the relationship of the buildings to existing and planned future buildings, and for the reasons set out in detail in this report below the development would not have an adverse impact on light for neighbours. 	

	<ul style="list-style-type: none"> The application submission details wind mitigation measures which will ensure that wind impacts will be satisfactorily mitigated. 	
<p>Design</p> <ul style="list-style-type: none"> The tall buildings are aesthetically unpleasant. The development should be lower, and more in style of the surrounding area. 	<ul style="list-style-type: none"> The design of the proposed buildings complies with the maximum parameters, Development Specification and Design Codes approved as part of the OPP. The detailed design of the buildings would provide exemplary architecture that would be visible from long distances helping to raise the profile of the area. 	
<p>Car parking</p> <ul style="list-style-type: none"> Southwark Council plans to start charging local residents for parking permits, not because we local residents need them but because the Council want to accommodate significant development with inadequate parking provision. 	<ul style="list-style-type: none"> This development is intended to be car free save for disabled parking provision and servicing/deliveries. As such it will not significantly increase traffic or parking demand. The development seeks to maximise sustainable modes of transport and has made provision for walking and cycling in the design. Further, substantial contributions would be paid towards increasing public transport infrastructure as secured in the OPP. 	

<p>General dislike of the proposal</p> <ul style="list-style-type: none"> • House prices in the neighbourhood are dropping rapidly (and will be exacerbated by the creation of 410 new homes). • The proposed office space is likely to remain empty. • The plans for more shops are not viable given the mass shift to online purchases. This is a development for the 1990's not the 2020's. • The Council know the development will be hugely disruptive for residents. • The development offers nothing to the local community 	<ul style="list-style-type: none"> • The impact of development on local house prices is not a material planning consideration. The provision of a significant quantum of new residential unit accords with development plan policies for this area and the OPP. • There is no evidence to suggest that the long-term demand for high quality office space within London has declined. The provision of a significant quantum of high quality, flexible office space accords with development plan policies for this area and the OPP. • Construction traffic routes, working hours and mitigation measures would be controlled via a Construction Environmental Management Plan to minimise disruption. 	
Neutral comments	Officer response	
<ul style="list-style-type: none"> • Please include appropriate measures for biodiversity including swift bricks, in accordance with NPPG Natural Environment Paragraph 023 & 	<ul style="list-style-type: none"> • The provision of appropriate biodiversity measures including bat brick/boxes, bird boxes and bespoke insect habitats has 	

Southwark Local Plan/ Biodiversity Action Plan.	been secured under the OPP. Condition 76 of the OPP	
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Planning history of the site, and adjoining or nearby sites

64. The site benefits from outline planning permission (18/AP/1604) for a multi-phased redevelopment known as the Canada Water Masterplan.
65. A full history of decisions relating to this site, and other nearby sites, is provide in Appendix 3 and has also been discussed where relevant within this report.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

66. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use including affordable workspace;
 - Conformity with Outline Permission
 - Environmental impact assessment
 - Design, including layout, scale and appearance
 - Heritage considerations
 - Landscaping and ecology
 - Archaeology
 - Impact of proposed development on amenity of adjoining occupiers and surrounding area, including privacy, daylight and sunlight
 - Transport and highways, including servicing, car parking and cycle parking
 - Environmental matters, including construction management, flooding and air quality
 - Energy and sustainability, including carbon emission reduction
 - Planning obligations (S.106 undertaking or agreement)
 - Mayoral and borough community infrastructure levy (CIL)
 - Consultation responses and community engagement
 - Community impact, equalities assessment and human rights
67. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

68. 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 2021 and the Southwark Plan 2022. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
69. 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.

Planning policy

70. The statutory development plans for the Borough comprise the London Plan (2021) and the Southwark Plan (2022). The National Planning Policy Framework (2021) constitutes a material consideration but is not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report

ASSESSMENT

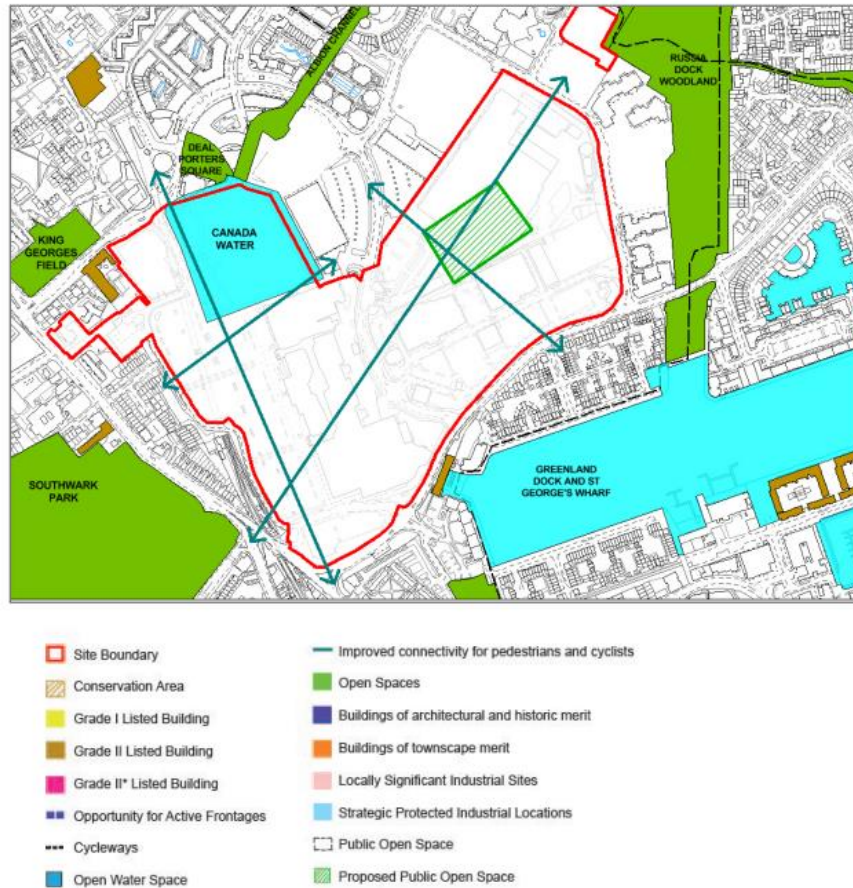
Principle of the proposed development in terms of land use

Relevant policy designations

71. The site is within the Canada Water Opportunity Area, which the London Plan describes as aiming to deliver 5,000 new homes and 20,000 jobs. The Southwark Plan (2022) outlines that the Canada Water Major Town Centre will provide at least 40,000sqm (net) of new retail floor area. Site allocations in Canada Water and Rotherhithe have enormous potential to provide new homes and commercial space, particularly in and around the Canada Water town centre.
72. The site is located within AV.15 Rotherhithe Area Vision. Development in Rotherhithe should:

- Create a new destination around the Canada Water Dock which combines shopping, civic, education, and leisure, business and residential uses.
- Provide as many homes as possible of a range of tenures including social housing while respecting the local character. There will be opportunities for taller buildings on key development sites;
- Transform Canada Water into a new heart for Rotherhithe with a new leisure centre, shops and daytime and evening events and activities around the Dock and in the Harmsworth Quays Printworks.
- New retail space will be provided including a new department store and independent shops, offices and places to eat and drink;
- Provide new education opportunities and health services which will include new school places and a health centre with GPs and could include colleges and universities;
- Complement and improve the historic character, including the docks, and the unique network of open spaces, water and riverside;
- Prioritise walking and cycling and improve public transport, including improved links to Southwark Park, the river, boat services and docks, completion of the Thames Path, a new river crossing to Canary Wharf, better circulation of buses, enhanced cycle routes to support expansion of cycle hire to the area and creating 'healthy streets';
- Improve traffic flow on the road network, particularly on Jamaica Road and Lower Road;
- Provide a range of flexible employment spaces, including premises suitable for smaller businesses;
- Improve roads, pavements and cycleways, particularly the local environment around Albion Street and Lower Road.

73. The site is located within Southwark Plan (2022) site allocation NSP81: Harmsworth Quays, Surrey Quays Leisure Park, Surrey Quays Shopping Centre and Robert's Close.



74. The allocation identifies a minimum residential capacity for the allocation area to provide 2,000-3,995 new homes, and states that development of the site must:
- Provide retail uses; and
 - Provide a new health centre (E(e)) of approximately 2,000m²
 - Provide new education places for 14-19 year olds (F.1(a))
 - Provide new homes (C3)
 - Provide enhanced public realm and civic space - 13,696m²
 - Provide employment floorspace (E(g), B class)
 - Provide leisure uses
75. The allocation confirms that the comprehensive mixed-use redevelopment of the site could include taller buildings, subject to consideration of impacts on existing character, heritage and detailed townscape.
76. In terms of design guidance the allocation states “*The Canada Water vision is to transform Canada Water into a new major town centre destination which*

combines shopping, civic, education, leisure, business and residential uses. Much of the current environment is designed to accommodate trips made by cars. The aspiration is to create high quality streets and spaces that are not dominated by car use or by car parking.

Harmsworth Quays provides an opportunity to expand the town centre eastwards to incorporate uses and activities which will reinforce the town centre, create jobs and boost the local economy. Development on these sites will be expected to maximise the amount of employment space and its contribution to the regeneration of the town centre.

The site should accommodate improved walking routes to Canada Water Station and to public open spaces, with redevelopment enhancing Canada Water Basin for people and wildlife. The scheme should provide links to existing cycle routes and proposed Cycle Super Highway (if the scheme is provided)."

Current land uses and proposed losses

77. Development Zone F contains a section of the Odeon cinema, building and the entrance/security hut for the Printworks building. The OPP for the Masterplan establishes the acceptability of the demolition of each of these buildings, and the loss or relocation of each of the uses.
78. Of particular note, the OPP establishes the acceptability of the demolition of the Odeon cinema, However, the OPP s106 agreement contains an obligation that the cinema be re-provided. The applicant is required to deliver a cinema of a similar or reduced size to the existing, as the final design would respond to the needs of operators in the current market, recognising that many newer cinemas have fewer screens but larger seats and offer a wider food and drink component.
79. The cinema could be delivered within either Development Zone H, F, D or E (the RMA for Zones H and F do not include cinema provision so the two remaining Zones with allocations for leisure/cultural floorspace would be Zone D and E, both of which will be located at the heart of the new town centre where it would be appropriate to deliver a large quantum of commercial, cultural and leisure facilities). Due to the phasing of the works, the need to respond to market demand, and the flexibility allowed within the OPP for the applicant to bring forward Zones in any order, the continuity of cinema provision cannot be ensured, so there may be a period of some years between the existing cinema closing and a new permanent cinema being provided.

80. The s106 obligation requires the Developer to use all reasonable endeavours to secure a future cinema operator for a new premises before they demolish the existing Odeon. They are required to submit evidence of marketing and negotiations to the Council for scrutiny as part of this process. The obligation does allow for demolition of the existing cinema in the event that the Developer is unable to secure a new operator. It would not be reasonable to prevent the redevelopment progressing by preventing demolition of the existing cinema if the Developer is genuinely unable to secure a future operator. However, the Developer remains committed to securing the future provision of a cinema as part of the redevelopment and officers will robustly scrutinise this process as part of the s106 legal obligation.
81. Unfortunately, post-pandemic cinema operators are still in significant financial distress and have not recovered from a loss of audience to streaming services. The big operators are carrying significant debt and are seen as high risk and are not looking to expand. As we move into recession we are likely to see the situation worsen.
82. The loss of the Printworks security hut is also acceptable as the Printworks itself is the subject of a separate Zone H RMA (21/AP/3338) which involves significant extensions and alterations associated with the use of the building. In the event that the current use of the Printworks building continued following implementation of a Zone F RMA, there is ample space for re-provision of the security hut on that site.

Residential use

83. London Plan Policy H1 (Increasing Housing Supply) identifies that councils should optimise housing delivery on suitable brownfield sites, particularly within Opportunity Areas.
84. Southwark Plan Policy SP1 (Homes for All) sets out the council's intention to build more homes of every kind in Southwark and to use every tool at the council's disposal to increase the supply of all different kinds of homes.
85. The aforementioned London Plan and Southwark Plan policies support in principle the redevelopment of Zone F for a mixed use scheme. Furthermore, the proposed use and quantum of development is allowed for within the approved Development Specification of the OPP, which requires the applicant to deliver a minimum of 2,000 residential units across the CWM. The provision of 410 new residential units within Zone F, which will contribute to meeting this target, is strongly supported by both planning policy and the requirements of the OPP.

86. Schedule 11 'Housing' of the OPP s106 requires a minimum of 2,000 residential units (Use Class C3) to be delivered across the CWM as a whole, but the Masterplan could deliver up to around 4,000 new homes based on the maximum GEA floorspace permitted. While the number of homes deliverable at Zone F is not capped by the OPP, Condition 5 of the decision notice limits the total residential floorspace to 57,700 square metres GEA.
87. Schedule 11 of the OPP s106 also obligates the developer to submit a Housing Delivery Plan with each RMA. With respect specifically to housing quantum matters, the Housing Delivery Plan is required to:
- confirm the number of residential units to be provided as part of the RMA; and
 - outline how the number of homes proposed by the RMA will ensure the developer remains on course to ultimately provide at least 2,000 residential units across the CWM as a whole.
88. A Housing Delivery Plan for Zone F has been submitted under reference 22/AP/1005 and the obligation has been discharged. The Housing Delivery Plan sets out that Zone F would deliver 410 homes, amounting to 46,818 sqm GEA of residential floorspace (Class C3), and thus not exceeding the upper limit set for the Development Zone by the OPP (57,700 sqm GEA).
89. The Housing Delivery Plan also explains that, with 912 residential units committed for delivery as part of the Phase 1 Plots (Plots A1 and K1) and submitted RMA's (410 within this Zone F RMA, and a further 237 units within the Zone L RMA), there are 1088 units remaining to be delivered across the Masterplan in order to comply with the 2,000 minimum number that ultimately needs to be delivered. At this point in time, the obligation remains achievable, noting nearly 50% of the 2,000 unit minimum will have been delivered by these earlier development zones.
90. For the reasons given above, the quantum of housing proposed at Zone F complies with the thresholds established by the OPP.

Affordable housing

91. In terms of tenure mix, Schedule 11 of the OPP s106 requires a minimum of 35% of the total habitable rooms across the entire CWM area to be provided as affordable housing, with a minimum of 25% to be social rented and 10% to be intermediate housing. This means that individual development zones are

permitted to deliver more or less than 35% of habitable rooms as affordable housing.

92. Notwithstanding the degree of flexibility individual development zones are afforded, the OPP s106 requires that with every tranche of 500 homes constructed, at least 35% of the habitable rooms must be affordable in the 25:10 ratio of social rent to intermediate. These 500-home milestones ensure that delivery of the affordable housing remains broadly on track with delivery of the CWM housing as a whole. To this end, the Housing Delivery Plan that must accompany each RMA is required to explain how the proposed tenure mix will play its part in maintaining the level of CWM-wide affordable housing at 35% or more when the next 500-home milestone is reached.
93. With respect to the matters of affordable housing and tenure, the Housing Delivery Plan for each RMA must include the following:
 - the number of affordable housing units proposed;
 - the dwelling mix of the proposed affordable housing units;
 - the tenure mix of the proposed affordable housing units;
 - the intermediate housing product(s) to be provided;
 - an indicative programme for the delivery of the proposed affordable housing;
 - where known at the time of submission, details of the proposed Registered Provider;
 - the percentage of the total affordable habitable rooms in those parts of the CWM for which reserved matters have been approved to date, as well as the total affordable habitable rooms within the subject RMA;
 - outline how the number of affordable homes proposed by the RMA will ensure the developer remains on course to ultimately provide a compliant tenure mix at each of the 500-home milestones.
94. There is no affordable housing proposed within Zone F, and all of the 410 units proposed will be market housing.
95. Affordable housing is proposed within the RMA for Zone L (21/AP/3775) which is scheduled for consideration at 26th July committee meeting. Zone L will deliver 237 homes, of which 174 of the homes would be affordable comprising 137 social rent units and 37 intermediate units.
96. The housing proposed at Zone L would deliver 787 habitable rooms, comprising 504 social rented habitable rooms, 99 intermediate habitable rooms, and 184 open market habitable rooms. The applicant's Housing Delivery Plan proposes

that Zone L will be the third zone in CWM to be delivered, following Zones A1 and K1. The affordable housing delivered by these two consented zones are:

- Zone A1 – 25 hab rooms, constituting 4% of the total hab rooms (605) in the zone; and
 - Zone K1 – 258 hab rooms, constituting 100% of the total hab rooms (258) in the zone.
97. Upon completion of Zone L, and in combination with the housing targeted to have already been delivered at Zones A1 and K1, 53.7% of all habitable rooms across the CWM area would be in affordable tenures (with the remaining 47.3% being market habitable rooms).
98. The below table sets out the wider anticipated sequencing of the CWM zones, and with them the attendant affordable housing.

Housing delivery based on anticipated sequencing of residential Zones					
	<u>No. of homes in Zone</u>	<u>No. of hab rooms In Zone</u>	<u>No. of affordable hab rooms in Zone</u>	<u>Affordable hab rooms as a % of total in Zone</u>	<u>Affordable hab rooms as a % of running Masterplan-wide total</u>
Zone A1	186	605	25	4.1%	4.1% (of 605)
Zone K	79	258	258	100%	32.8% (of 863)
Zone L	237	787	603	76.6%	53.7% (of 1650)
The delivery of Zone L would bring the running total of homes to over 500, meaning the first milestone would be reached. As shown above, the 35% minimum would be achieved at this milestone, with 53.7% of habitable rooms in affordable tenures .					
Zone F	410	1161	0	0	31.5% (of 2811)
Zone G	419	1,311	863	65.8%	42.4% (of 4122)
The delivery of Zone G would bring the running total of homes to over 1000, meaning the second milestone would be reached. As shown above, the 35% minimum would be achieved at this milestone, with 42.4% of habitable rooms in affordable tenures .					

Employment uses

99. The OPP establishes a degree of flexibility of proposed uses to be delivered across the masterplan. In addition to new residential accommodation, the OPP establishes that Zone F can deliver a significant amount of high quality workspace. The proposals will provide a quantum of workspace close to the maximum allowed by the OPP, and therefore supports adopted policy and the site allocation vision to deliver jobs at Canada Water.
100. The RMA proposes 37,541 sqm (GEA) office floorspace (excluding parking and plant) within Zone F. The principle of additional office floorspace within Zone F is established by the OPP which sets a maximum cap of 38,500 sqm (excluding parking and plant). Consequently, the proposed use and significant quantum of office floorspace is allowed for and entirely consistent with the approved Development Specification for the OPP. As set out below, both London Plan and Southwark Plan policies support the provision of this plot being developed for a mix of residential and commercial uses.
101. Promoting the economy and creating employment opportunities is a key priority for the planning system. The site lies within a London Plan Opportunity area (Policy SD1) and within a defined Major Town Centre (Policy SD6). London Plan Policy GG5 requires local planning authorities to plan for sufficient employment and industrial spaces to support economic growth whilst Policies E1 and E2 deal specifically with the provision of B Use Class space (now called Class E(g) since the change to the Use Classes order in 2021). London Plan Policy E11 requires development proposals to support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases.
102. Southwark Plan Policy SP4 seeks to ensure that Southwark can develop a strong, green and inclusive economy. To achieve this the development plan aims to deliver at least 460,000sqm of new office space between 2019 and 2036 (equating to around 35,500 jobs). The policy states that around 80% of new offices will be delivered in the Central Activities Zone. Additional offices will be delivered in the Canada Water and Old Kent Road Opportunity Areas and in town centres, the policy sets a target of 20,000 jobs to be delivered in Canada Water. Policy SP4 further requires 10% of all new employment floorspace to be affordable workspace for start-ups and existing and new small and independent businesses in Southwark. Finally, the policy identifies Canada Water as appropriate for delivering 40,000sqm of retail floorspace.

103. This proposal has the potential to deliver 2,225 – 2,895 FTE jobs. This level of employment would make a valuable contribution to the borough and should be regarded as a significant positive benefit of the scheme.

Affordable workspace

104. London Plan Policy E2 requires the provision of a range of low-cost Class B1 business space to be supported to meet the needs of micro, small and medium sized enterprises and to support firms wishing to start up and expand.
105. Policy E3 of the London Plan deals specifically with affordable workspace and identifies the circumstances in which it would be appropriate to secure affordable space.
106. Southwark Plan Policy P31 deals with affordable workspace. Criterion 2 of the policy requires Major 'B Use Class' development proposals to deliver at least 10% of the floorspace as affordable workspace on site at a discounted market rent for a period of at least 30 years.
107. It should be noted the OPP for this site predates the formal adoption of the London Plan (2021) and the Southwark Plan (2022) and therefore formal adoption of any affordable workspace policies. Nevertheless, affordable workspace has been secured as part of the OPP S106 obligations to which this RMA will be bound. It is not open to the Planning Authority to re-negotiate affordable workspace provision as part of a subsequent RMA as this has been established by the OPP.
108. To confirm, across the Outline Phases of the Masterplan (excluding Plots A1/A2/K1 which received detailed planning permission under 18/AP/1604) Schedule 21 of the OPP S106 secures the following obligations:-
- 4,900 sqm GIA of affordable retail space to be offered at 20% discount on market rent for a period of 10 years post practical completion
 - 11,500 sqm GIA of Co-Working space for a period of 15 years post practical completion
 - 7,000 sqm of discounted workspace to be offered at 25% discount on market rent for a period of 15 years post practical completion
109. The obligation requires the affordable retail and workspace to be provided at phased trigger points linked to the phased delivery of commercial floor space across the site but allows sufficient flexibility for it to come forward within any of the plots.

110. The following trigger points have been secured

Affordable Retail

- Not to occupy more than 10,000 sqm of retail floorspace until not less than 980 sqm of affordable retail space has been provided
- Not to occupy more than 20,000 sqm of retail floorspace until not less than 1960 sqm of affordable retail space has been provided
- Not to occupy more than 30,000 sqm of retail floorspace until not less than 2940 sqm of affordable retail space has been provided
- Not to occupy more than 40,000 sqm of retail floorspace until not less than 3920 sqm of affordable retail space has been provided
- Not to occupy more than 49,000 sqm of retail floorspace until not less than 4900 sqm of affordable retail space has been provided

Affordable workspace

- Not to occupy more than 75,000 sqm of workspace (excluding the Phase 1 development) until not less than 3,500 sqm of affordable workspace has been provided
- Not to occupy more than 150,000 sqm of workspace (excluding the Phase 1 development) until not less than 7,000 sqm of affordable workspace has been provided

Co working space

- Not to occupy more than 75,000 sqm of workspace (excluding the Phase 1 development) until not less than 3,500 sqm of co working space has been provided
- Not to occupy more than 150,000 sqm of workspace (excluding the Phase 1 development) until not less than 7,000 sqm of co working space has been provided
- Not to occupy more than 225,000 sqm of workspace (excluding the Phase 1 development) until not less than 11,500 sqm of co working space has been provided.

111. Plot H, L and F as proposed in the current RMAs would deliver circa 83,000 sqm GEA of workspace which means there will be a requirement to provide the first tranche of affordable and co-working space as part of this phase of the development.

112. The legal agreement is worded in a way which requires the applicant to confirm the location of affordable retail and workspace units 6 months prior to practical

completion of a plot which includes retail or workspace development rather than upon submission of an RMA. As such, there is no requirement at this stage for the applicant to confirm whether any of the commercial/retail space within the Printworks building will be affordable. It has however been confirmed that the internal design is such that it could be accommodated by affordable or non-affordable workspace occupiers or a combination of both.

113. For the reasons set out above the proposal accords with the OPP in respect of affordable workspace provision.

Retail and food & drink floorspace

114. This application proposes a series of 7 smaller units located along each elevations of both blocks F1 and F2, and which will be occupied either by office or for retail or food and drink uses. As a town centre location it is entirely appropriate for this development to include a range of retail/café uses. Furthermore retail and café uses are allowed for within the approved Development Specification for the OPP. The proposed location will provide important activation within Higher Cut, Surrey Quays Road, New Brunswick Street and Park Walk.

115. Southwark Plan Policy P35 sets out the requirements for new retail development within town centres. For a development of this scale it is necessary for the proposal to include toilets, public drinking fountains and public seating. These features have already been secured within the s106 legal agreement attached to the OPP to which this RMA will be bound.

Basement

116. A basement is proposed spanning the subterranean area beneath buildings F1 and F2. The areas will be used for residential and commercial servicing, plant and back of house areas, residential cycle parking and to provide space required for attenuation tanks. The depth of all excavations are minimised and do not breach the approved basement extents shown on the Proposed Basement Extents Parameter Plan.

Land use summary

117. As discussed above the proposal is to deliver a mixed use residential and commercial scheme providing 410 residential units and a significant quantum of office floor space with other appropriate town centre uses. This is consistent with the approved OPP and would support the emergence of Canada Water as

a major town centre and employment hub, whilst meeting need for the provision of new homes.

Conformity with outline permission

118. The Development Specification approved under the OPP sets a maximum GEA cap for the whole of the CWM (excluding Phase 1) of 656,200sqm (excluding public toilets, parking and plant). There is also a further requirement to deliver at least 2,000 homes and 46,962 sqm GEA of retail and leisure and 46,962 sqm GEA of office floorspace.
119. The Development Specification identifies which land uses are considered appropriate for each of the Development Zones, whilst also setting maximum floorspace limits for each of the uses. The table below identifies the proposed floor areas for each of the proposed Zone F uses and compares these against the maximum GEA caps set within the Development Specification. The table demonstrates that the proposed uses and the respective quantum of floor area are in compliance with the approved Development Specification.

Land use (excluding parking and plant)	Plot F1 (GEA sqm)	Plot F2 (GEA sqm)	Total floorspace (GEA sqm)	Dev Specification cap
Residential	26,103	20,715	46,818	57,700
Office	-	37,541	37,541	38,500
Retail	460	1,733	2,193	3,700
Total	26,563	59,989	86,552	91,900

120. Paragraph 1 of Part 1 of Schedule 11 to the Section 106 Agreement and Annex 15 prescribe the housing mix for Development Zone F. This requires a maximum of 10% of residential units to be studio flats, all of which are required to be market housing units. 7.5% of the proposed units are studios, and all are market units. This complies with the OPP requirements.
121. The S106 agreement also dictates that a minimum of 60% of residential units shall have two or more bedrooms. 60.2% of the proposed residential units are two or three bedroom units. For Zone F, the S106 agreement does not dictate a minimum proportion of 3+ bed units. Consequently, the proposed mix his complies with the OPP requirements.
122. As a result of the detailed design development for the Zone F buildings, it has been necessary to amend the Parameter Plans approved under 18/AP/1604.

This is because two areas of the detailed design would have marginally exceeded the height parameters set within the building's staged heights shown in the 'Proposed Maximum Heights' Parameter Plan. There is a further area where a 400-600mm wide portion of the Plot F2 office protrudes beyond the Maximum Heights Parameter Plan, at the set-back step in height in the northern part of the site near Printworks Place. This only occurs at levels 9 and 10.

123. The non-material increases in height relate to small areas on the lower parts of the building, and do not result in an increase to the Zone's principal maximum height. It was also proposed to alter the shape of the limit of deviation for the proposed public route through Zone F. This allowed a slightly re-positioned curved public route rather than a linear route prescribed by the Parameter Plan. These minor amendments to the originally approved Parameter Plans have been regularised by way of a Non-material Amendment Application (21/AP/4235).
124. The proposal fully accords with the approved vehicular access and servicing parameter plans. Furthermore the detailed design of the building in terms of the vertical and horizontal parameters, layout of spaces, entry and exit points, façade treatment, architectural style and materials palette, and routes around and through the site, accord with the principles established by the Development Specification and Design Codes approved as part of the OPP.

Environmental impact assessment

Regulatory Framework

125. Environmental Impact Assessment is a process reserved for the types of development that by virtue of their scale or nature have the potential to generate significant environmental effects.
126. At the time of determination of the Outline Planning Permission (OPP) the relevant regulations were the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the '2011 Regs'). An assessment of the likely significant environmental effects of the Canada Water Masterplan was reported in an Environmental Statement (ES) co-ordinated by Waterman Infrastructure & Environment Ltd which accompanied the outline application, submitted in May 2018. This original ES (May 2018) has subsequently been the subject of two ES Addenda (October 2018 and June 2019) and these three documents together comprise the Canada Water Masterplan ES.
127. Condition 7 of the OPP requires each application for reserved matters to contain the information set out in the Reserved Matters Compliance Statement

Checklist which includes the requirement for an Environmental Statement (ES) Statement of Conformity (SoC).

128. An ES SoC is a document that considers the details of the relevant RMA and explains the conformity of those details with the conclusions of the environmental impact assessments reported in the Canada Water Masterplan ES.
129. The RMA details for Development Zone F have been reviewed against the Canada Water Masterplan ES by Waterman and technical specialists who contributed, who confirm that the details conform with the assessment of effects previously undertaken and the mitigation proposed remains proportionate and relevant. The review has identified that the RMA details would not alter the likely significant residual effects previously identified within the approved Canada Water Masterplan ES.
130. As set out above, a non-material amendment has been approved in connection with the RMA for Plots F1 and F2 within Development Zone F because the RMA details fall slightly outside the approved parameters of the OPP. The ES SoC therefore also considers the potential for these non-material amendments to result in any new or changed likely significant residual environmental effects to those identified within the Canada Water Masterplan ES.

Ground conditions and contamination

131. Ground investigation reports completed for Zone F are provided as appendices to the submitted ES SoC. The report provides details of exploratory borehole logs, geotechnical and environmental laboratory test results and groundwater and ground gas monitoring data. It confirms ground conditions to be as per the previous reports undertaken and referenced in the original CWM ES. There are therefore no changes to the likely significant ground conditions effects or mitigation previously identified within the approved Canada Water Masterplan ES in light of this report.
132. Condition 58 of the OPP requires a Phase 2 site investigation for Zone F to be conducted and the results submitted to the council for approval, with further remediation measures to apply if contamination is found to be present. The ground investigation report submitted with the ES SoC, will be submitted to discharge that condition in due course. The Environment Agency has been consulted on this RMA submission and confirm no objection to the proposals, but have requested that they are consulted when the approval of details application for Condition 58 is submitted by the applicant.

Ecology

133. An “Extended” Phase 1 Habitat Survey of Development Zone F which included a Preliminary Roost Assessment (PRA) of the existing buildings and trees within Development Zone F was undertaken in July 2021. This found that a wildlife garden had been created in the southern portion of the car park of the Printworks. The wildlife garden comprises planters planted with a mix of ornamental species, vegetables and herbs, a small pond with predominantly native wetland species and a log pile and insect hotel.
134. This results in a change to the baseline conditions recorded as part of the ‘Extended’ Phase 1 Habitat Survey undertaken in April 2017 (reported in the Canada Water Masterplan ES) which assessed all buildings and trees associated with Development Zone F to have negligible potential for supporting roosting bats. No other changes were identified to the baseline conditions.
135. Although the presence of a log pile, insect hotel and small pond increases the value of Development Zone F for invertebrates, given their limited extent and the surrounding habitats of limited value to invertebrates, any invertebrate population present is likely to be of insufficient size or diversity to be of significant ecological value. Therefore, no significant impacts are anticipated.
136. Zone F does retain its potential for common species of nesting birds. As such, the recommendations previously detailed within the Canada Water Masterplan ES for pre-demolition / pre-clearance nesting bird checks where works are undertaken during the breeding bird season (i.e. March to August) remain valid.
137. In light of the above, it is considered that there are no changes to the likely significant ecology effects previously identified. The mitigation previously identified within the approved Canada Water Masterplan ES remains valid.

Wind

138. The overall form of Plots F1 and F2 would remain similar to the maximum parameter envelope assessed in the Canada Water Masterplan ES. Whilst the NMA will result in minor changes to the approved parameters of Development Zone F, there will be no significant or material change to the wind microclimate effects or mitigation previously identified within the approved Canada Water Masterplan ES as a result.
139. The RMA for Plot F1 and F2 provides the detailed layout and form for both buildings, including the introduction of Higher Cut, a pedestrian route between Plots F1 and F2; confirmation of entrance locations; and the provision of terrace levels to the second, third, fourth and 34th floors of F1 the residential terrace at thirteenth floor of F2, and two terraces associated with the office space at

seventh and ninth floors. Information confirming the locations of entrances and terraces was not available when the assessment of the Outline Proposals, including Development Zone F, was undertaken, as presented in the Canada Water Masterplan ES. As a result, in support of the RMA (as amended by the NMA), Plots F1 and F2 have been assessed qualitatively using the professional judgement of a wind engineer, informed by the wind tunnel testing for the Canada Water Masterplan ES. The results of this assessment are presented in a Pedestrian Level Wind Microclimate Assessment Report for Plots F1/F2.

140. Wind conditions at Plots F1/F2 have been categorised using the Lawson Comfort Criteria, an industry standard approach which provides a set of prescribed criteria for assessing the predicted wind conditions compared against the intended pedestrian uses having regard to the level of comfort required for particular activities (sitting, standing, strolling, walking etc). This approach allows for the suitability for the intended pedestrian uses to be assessed and where windier than suitable conditions identified, appropriate wind mitigation measures to be proposed.
141. In the context of existing surroundings (prior to identified neighbouring cumulative developments being constructed), the ES SoC confirms that wind conditions would be windier than those identified within the OPP ES during the windiest season, due to the absence of buildings situated to the south and south-west to offer shelter. A range of locations including the residential entrance to F1, areas on Park Walk Place, Park Walk, within the Higher Cut areas to the north-west of F2 on Surrey Quays Road, including seating areas, as well as rooftop amenity areas within both F1 and F2, would be windier than suitable for their intended use and would require wind mitigation. In particular, there would be locations with occurrences of strong winds with the potential to be a safety concern to more vulnerable pedestrians and cyclists south of Development Plot F1 within Park Walk Place, in the Higher Cut and on Surrey Quays Road north-west of Development Plot F2.

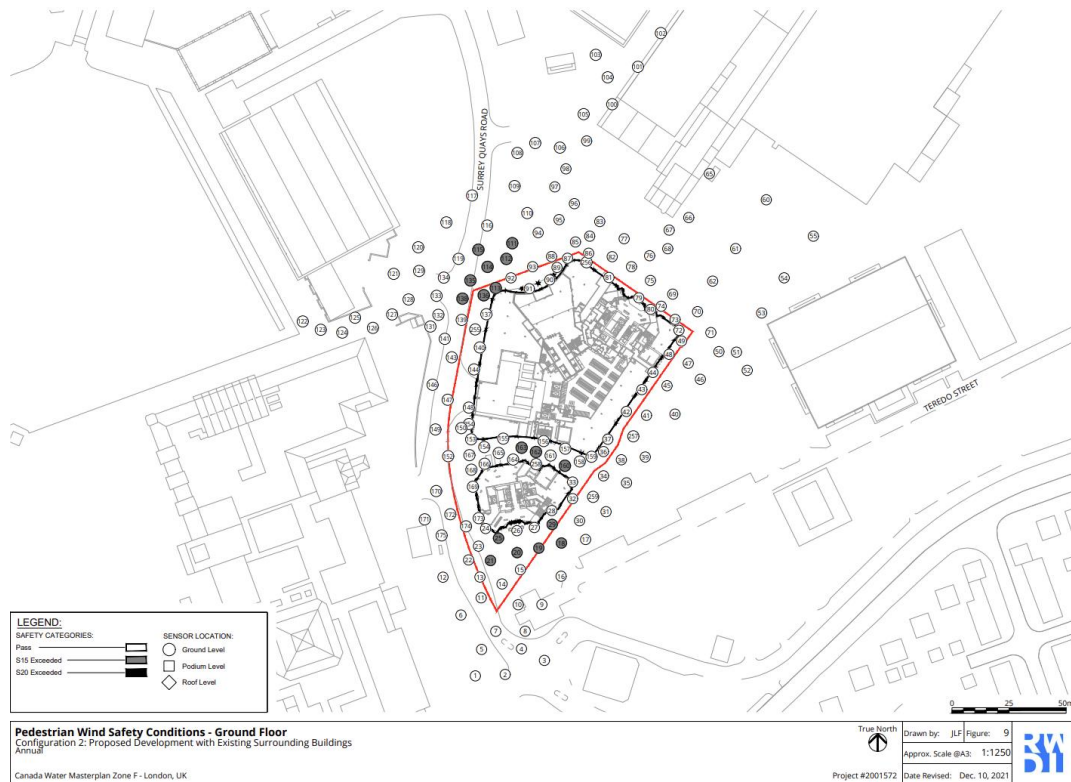


Image: Diagram detailing pedestrian wind safety conditions at ground floor level (proposed development with existing surroundings)

142. The SoC states that as the neighbouring cumulative developments within the other Zones of the Masterplan and nearby development sites are constructed, substantial shelter would be provided from the prevailing southwesterly winds. Wind conditions would be calmer than those presented in the Canada Water Masterplan ES, due to the reduced volume of Development Zone F relative to the maximum massing assessed in the Canada Water Masterplan ES and the detailed design, which would allow wind to more easily flow around the form with reduced impact on the pedestrian levels. As such, wind conditions would generally range from suitable for sitting to standing use, with localised areas of strolling use wind conditions. Therefore all pedestrian thoroughfares and entrances would have suitable conditions for the intended use representing a negligible (insignificant) effect. However, rooftop amenity seating areas would have windier than suitable conditions representing a minor adverse effect prior to the introduction of wind mitigation measures.

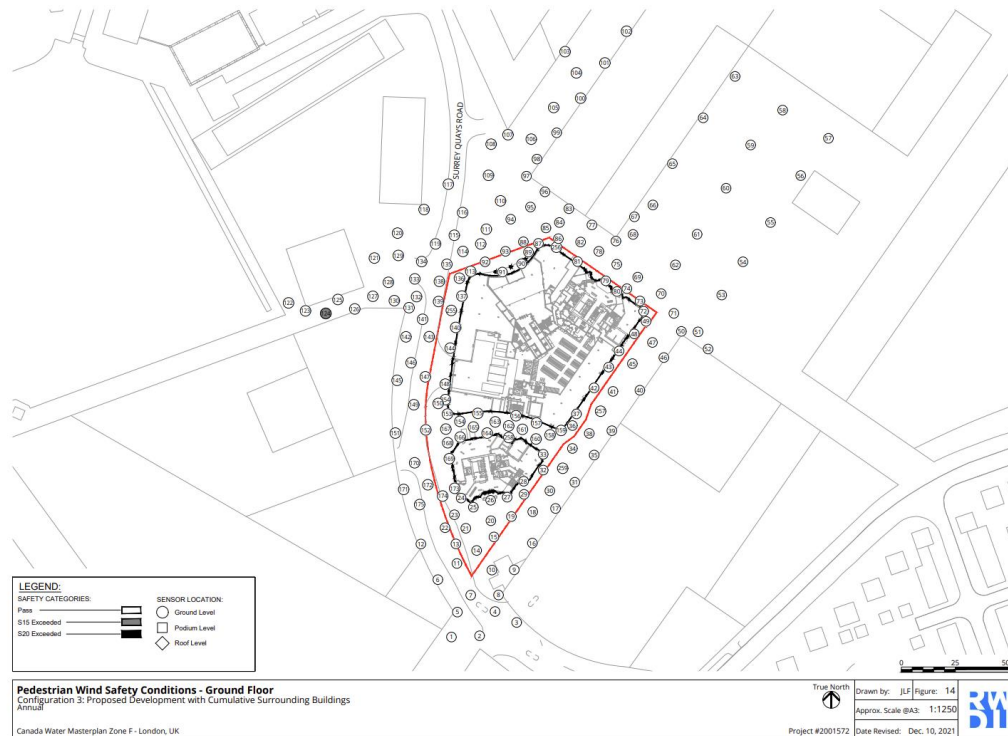


Image: Diagram detailing pedestrian wind safety conditions at ground floor level (proposed development with cumulative surrounding buildings)

143. As identified above, prior to the construction of neighbouring cumulative schemes, entrance locations on the southern elevation of Plot F1, within Higher Cut, areas of Surrey Quays Road for the north west of F2, and rooftop amenity areas would have wind conditions that would be unsuitable for their intended uses. In order to improve wind conditions, wind mitigation in the form of the following measures are implemented into the proposed landscaping scheme:

- 3x deciduous trees 6m tall with 1-1.5m tall shrubs to the west of the northern corner north of the pedestrian crossing on Surrey Quays Road, shrubs extended east by 3m towards the building;
- 2x 1m tall pot with a 1m tall shrub at the north-western corner of Development Plot F2;
- A deciduous tree 6m tall in between the proposed trees to the west of F2 on Surrey Quays Road with shrubs underneath all three trees;
- Shrubs 1.5m in height to shelter seating areas outside the office entrance to F2;
- 4x deciduous trees 3m tall to the west of the seating area within Park Walk Place and planter and shrubs extended north-east by 0.5-1m;
- To the level 10 residential amenity roof terrace, the installation of 50%

porous screen 1m in height, additional proposed shrubs, and hedging 1m in height.

144. All mitigations will fall within Development Zone F RMA boundary and within the New Brunswick Street and Printworks Place RMA which has been submitted concurrently. With the proposed landscaping and wind mitigation in situ, all thoroughfare, entrances and amenity areas would have suitable wind conditions for the intended uses and no locations would have with occurrences of strong winds with the potential to be a safety concern to more vulnerable pedestrians and cyclists.

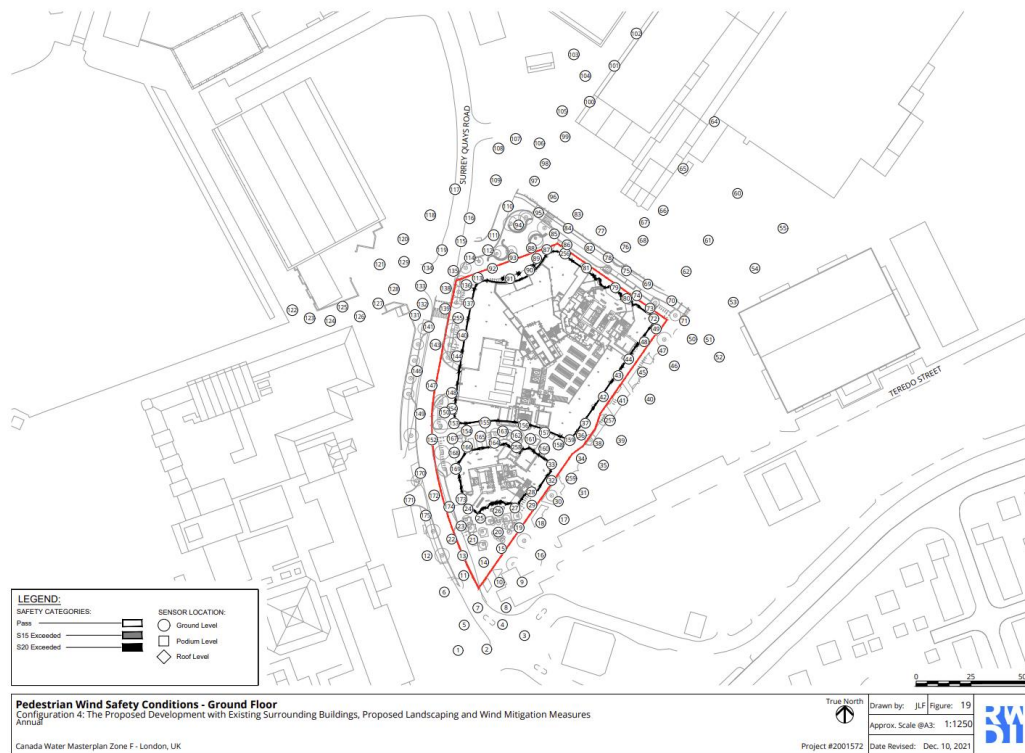


Image: Diagram detailing pedestrian wind safety conditions at ground floor level (proposed development with wind mitigation in place), demonstrating no locations would have with occurrences of strong winds with the potential to be a safety concern to more vulnerable pedestrians and cyclists.

145. As set out previously within this report, there are two alternative development scenarios which could be constructed on the site to the north of Zone F at Unit 1 and Unit 4 of the Canada Water Retail Park. As either of the schemes at the could still be delivered, an Addendum Report providing Additional Cumulative Scenario Wind Microclimate Results (which considers the impacts of the Canada Water Dockside "AIRE" scheme (21/AP/2655) has been undertaken

to ensure that the potential impacts of both development scenarios has been considered.

146. The Addendum report identifies that ground level wind conditions in the assessed scenario would be suitable for the intended uses, and no strong winds posing safety concerns to pedestrians would occur. In short, no new significant wind effects would be introduced through including the Canada Water Dockside "AIRE" scheme (21/AP/2655), as opposed to the historic extant permission (12/AP/4126) which previous wind modelling has factored in.
147. Whilst there would be no potential safety concerns created by Development Zone F, there would, however, be one location with potential safety concerns to more vulnerable pedestrians and cyclists on Dock Edge Walk to the west of Zone F near to the cumulative site subject to the Dockside "AIRE" scheme (21/AP/2655) and the historic extant permission (12/AP/4126). This is likely to be due to the interaction between the neighbouring schemes and CWM Development Zone D and it is expected that this safety concern will be resolved as the RMA applications of both schemes come forward. It is noted that Development Zone F does not make this safety exceedance worse.
148. Using raised tree planters, pots, soft planting and hedges, the wind mitigation strategy provides a safe environment for cyclists and pedestrians, concentrated in vulnerable areas within Zone F. The measures protect the site during interim conditions before the wider Canada Water Masterplan buildings provide Zone F with adequate shelter from strong winds. The temporary scheme in Park Walk Place will be maintained and replaced with a permanent scheme in the Park Walk RMA to be submitted alongside Zone G in due course.
149. There is a condition attached to the OPP requiring submission of detailed wind mitigation measures prior to commencement of above grade works. Such measures would need to take account of the aforementioned factors.
150. Prior to the implementation of the above mitigation measures, wind conditions at thoroughfares, entrances, ground level amenity and rooftop amenity areas of Development Zone F, would introduce new minor and moderate adverse effects. With the implementation of wind mitigation measures, it is considered that significant effects would be mitigated such that there would be no additional significant effects from those previously identified within the approved Canada Water Masterplan ES and the residual effects would be insignificant.

Light pollution

151. The Canada Water Masterplan ES did not assess light pollution from the Outline Proposals as sufficient information was not available at that time. However, the chapter assessed that the likely light pollution effects could range from negligible to major adverse. Now that additional details are available in relation to Zone F a Light Spillage Assessment has been submitted. Development Plot F2 within Development Zone F includes a significant proportion of office space and generous amounts of glazing. Therefore, the potential for light intrusion at night to affect neighbouring residential receptors has been assessed.
152. The ES SoC assesses the impacts from light pollution on residential land uses immediately surrounding Development Zone F. These comprise future CWM Development Zones D and G (both of which are currently approved in outline, but will provide residential accommodation in future RMA's), Development Plot F1 and F2 itself and the extant residential development on the adjacent Decathlon site (Canada Water Sites C and E). Commercial land uses are not considered sensitive to light intrusion, and consequently Development Zone H has not been considered further.
153. The Light Spillage Assessment considers a worst-case scenario where all windows within Zone F are perfectly clean, no blinds are installed, and all lights are on at maximum power throughout the night. However, in terms of future mitigation controls, all external lighting would be switched off for the development between 23:00 and 07:00, unless such light performs a necessary safety or security function at Development Zone F. Where this safety and security lighting is provided and is to be used within this "curfew" period, additional measures would be taken to ensure that this lighting complies with the lower levels of lighting required during these hours.
154. The Assessment identifies that, without mitigation, the light pollution impacts on Zone D could be Major Adverse, Moderate and Major Adverse impacts on Zone G, Moderate Adverse on the adjoining extant residential permission at the Canada Water Retail Park Site. Finally, the impact on Development Plot F2 could be negligible pre-curfew and Moderate Adverse post-curfew. However, night-time light pollution will be minimised through the appropriate location and selection of light controls including time clocks. With this mitigation, the effects are considered to range between Negligible to Minor Adverse. This range of effects conforms with the likely effects which were identified within the CWM ES.

155. External lighting does not form part of the RMA, and has not been considered within the assessment. There are conditions attached the OPP to control external lighting on the buildings and within areas of public realm.

Solar glare

156. The CWM ES did not include the Outline Proposals within the Solar Glare assessment as the detailed façade design had not been developed at that stage. However, the chapter assessed that the likely solar glare effects could range from negligible to major adverse.
157. Development Plots F1 and F2 which form Development Zone F, have the potential to give off solar reflections which would be visible by road users. A detailed technical assessment has therefore been undertaken to confirm the visibility of the Development Plots from neighbouring sensitive receptors and their potential to reflect sunlight.
158. The assessment presents a worst-case scenario assessment as its analysis excludes the surrounding development plots (for which detailed reserved matters design has not yet been granted), neighbouring cumulative schemes and vegetation, all of which would provide further shading and screening from solar reflection for road users.
159. A separate best-case assessment has also been provided which shows Development Zone F in the context of the consented CWM (but without any surrounding cumulative schemes). The detailed massing for Development Plots A1, A2 and K1 have been included alongside the Maximum Parameter envelopes for all the other Development Plots of the CWM. This shows the best-case potential for the future zones to block the view of Zone F or to screen part of the reflections.
160. The solar glare assessment has been undertaken to provide an assessment from nearby road locations which are considered sensitive. The assessment illustrates the potential occurrence of solar reflections from Development Zone F as well as the duration of solar reflections and proximity to a road user's line of sight.
161. There would be no significant effects at 7 of the 16 assessment locations. Of the viewpoints which do see effects, one viewpoint would experience a negligible effect, three viewpoints experience a minor adverse effect, three viewpoints experience a moderate adverse effect and two viewpoints experience a major adverse effect.

162. However, the assessed scenario represents a worst-case condition where the CWM site is cleared, no surrounding Zones of the CWM are built out, no vegetation has been considered and no neighbouring consented cumulative schemes have been implemented. With the Maximum Parameters of the surrounding Development Zones of the CWM in place, notably Development Zones L, H, D and G, effects would be reduced to mainly negligible with two viewpoints experiencing a minor adverse effect (not significant) and one viewpoint (Location 12) experiencing a moderate adverse (significant) effect.
163. Viewpoint 12 relates to a location for a road user travelling south on Surrey Quays Road; three viewpoints have been assessed looking at different traffic lights. Within two of the viewpoints instances of potential solar reflections would be visible throughout the year. However, with the maximum parameters in place a smaller portion of the façade would give off potential solar reflections. Reflections within 5° to 10° of the driver's line of sight would only occur for very short periods of time.

Socio-economics

164. The Applicant's appointed socio-economic specialists (Quod) have reviewed the socio-economic assessment within the Canada Water Masterplan ES in light of the Plot F1 and F2 proposals. The floorspace of Plots F1 and F2 will be within the maximum parameters of Development Zone F of total floorspace and uses of the approved OPP as considered by the socio-economic assessment.
165. Together, Plots F1 and F2 would deliver 2,225 to 2,895 jobs, and 410 residential units resulting in a population of circa 650 residents. This falls within the ranges set out in the approved Canada Water Masterplan ES across all scenarios. Therefore, the proposals for buildings F1 and F2 are in conformity with the likely significant socioeconomic effects identified within the approved Canada Water Masterplan ES.
166. The effects of the Zone F RMA proposal on employment creation, housing, population, healthcare and education facilities and additional spending would accord with the OPP ES, as the proposed development would not alter the scale or significance of the socio-economic effects as previously identified.

Transportation and access

167. The Applicant's transport consultants (Arup) have reviewed the Transport Chapter of the Canada Water Masterplan ES and the Transport Assessment (TA) in light of the Plot F1 and F2 proposals. Although the baseline traffic data is not considered to be representative of the current conditions given the Covid-

19 pandemic, it is considered that reliance on the data used for the approved Canada Water Masterplan ES and TA remains appropriate.

168. The total floorspace of Plots F1 and F2 will be within the maximum floorspace parameters of the approved Canada Water Masterplan. The proposals are therefore in conformity with the assessment of likely significant transport effects and the transport related mitigation previously identified within the approved Canada Water Masterplan ES remains accurate and valid.

Noise and vibration

169. The CWM ES submitted with the OPP considered ES noise impacts that might occur as a result of non-residential uses, building plant and road traffic noise associated with the development of the entire masterplan. While some noise from non-residential uses was anticipated, this was considered entirely reasonable given the stated aim to increase the scale and range of the town centre offer, including the night-time economy, at Canada Water.
170. As the proposals for Development Zone F are in conformity with the approved floorspace areas and uses, there will be no significant or material change to the traffic data which was assessed within the OPP. As a result, road traffic-related noise and vibration effects identified within the approved CWM ES remain accurate and valid.
171. Conditions attached to the OPP require that the rated sound level from any plant, together with any associated ducting to be provided, shall not exceed the background sound level (LA90 15min) at the nearest noise sensitive premises and the specific plant sound level shall be 10 dB(A) or more below the representative background sound level in that location, with the background, rating and specific sound levels to be calculated fully in accordance with the methodology of BS 4142:20141.
172. All plant proposed for Plots F1 and F2 will be designed in line with the OPP requirements and agreed noise limits. As such, the proposals are and/or will be in conformity with the assessment of noise and vibration likely significant effects.

Air quality

173. The ES for the OPP set out a comprehensive assessment of air quality and the impacts that might be experienced during construction and on completion of the

development. It confirmed that the overall air quality impacts were considered to be negligible on the basis of changes in nitrogen dioxide concentrations and particulate matter for each of 90 identified sensitive receptors.

174. The ES SoC confirms that the traffic data used for the approved CWM ES remains appropriate and the associated traffic generation for Development Zone F would not change.
175. Zone F would be served by air source heat pumps which would not generate emissions to air. A back-up generator would be installed for emergencies. As the back-up generator would only be tested for approximately 15 hours a year the impact on local air quality would not be significant. An air quality assessment has also been undertaken to assess the cumulative effects of the proposed emergency generators across the Canada Water Masterplan. This confirmed that the cumulative effect of the emergency generators on local air quality is considered insignificant.
176. Given that Zone F only includes seven disabled car parking spaces and there would be no emissions to air from the air source heat pumps, the Development Zone F proposals would be Air Quality Neutral. Accordingly, the proposals are in conformity with the likely significant air quality effects previously identified within the approved CWM ES, which identified that emissions from traffic and heating plant associated with the Development would be Insignificant to Negligible.

Water resources and flood risk

177. A site-wide Flood Risk Assessment was approved for the whole masterplan area as part of the OPP. This confirmed that generally, the site is at low risk of flooding and through the implementation of the site-wide sustainable drainage strategy, the risk of flooding would not be increased elsewhere. The site benefits from the strategic flood defences along the Thames, but in the unlikely event that these defences were breached, some isolated pockets of the site that are lower lying could be susceptible to fluvial flooding. These are located within Zones M and E, but not Zone F, the subject of this RMA.
178. There have been no changes to baseline flood risk data since the production of the FRA approved under the OPP. Surface water runoff would be restricted and attenuated for both Zone F and public realm. Runoff from the plots provides an improvement in runoff rates over the approved strategy.
179. Water storage provision within Development Zone F is based on consumption of 105 litres per person per day. Low flow, water efficient showers, taps and

WCs would be provided, and each residential property will be separately metered.

180. In light of the above it is considered that there will be no change to the water resources and flood risk effects or mitigation previously identified within the approved CWM ES.

Archaeology (buried heritage)

181. As reported in the CWM ES, Development Zone F lies within the extent of the former dock ponds, and MOLA previously assessed that the construction of a basement to a maximum depth of –2.0m OD (plus 1m structural slab) as approved as part of the CWM (Proposed Basement Extents Parameter Plan drawing referenced: CWM-AAM-MP-ZZ-DR-A-07005 Rev P4) would, in the northern half of the plot, entirely remove any surviving remains of the former dock walls and in the southern half entirely remove remains of former early/mid-20th century warehouses. All other archaeological remains will have been removed by the construction of the former ponds.
182. As agreed at OPP no pre-determination investigation works were deemed necessary. Monitoring would comprise a programme of archaeological mitigation works and a programme of archaeological and geoarchaeological evaluation prior to any development beginning (excluding demolition).
183. Planning conditions were imposed within the OPP which require the approval by the council of additional archaeological details prior to commencement of any works (excluding demolition) within Zone F. Condition 64 requires the applicant to secure the implementation of a programme of archaeological and geoarchaeological investigation works in accordance with a written scheme of investigation and Condition 65 requires that the applicant secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation.
184. In light of the above, the likely significant archaeology (buried heritage) effects are in conformity with the assessment contained Canada Water Masterplan ES and the mitigation previously identified is secured and therefore required to be complied with.

Daylight, sunlight and overshadowing

185. At the time of granting the OPP the impact on daylight, sunlight and overshadowing arising from the development on nearby receptors was

assessed using the maximum building envelopes created by the Parameter Plans. On this basis the impact deemed to be acceptable was the 'worst case scenario' and any refinement of the development proposals within the maximum envelopes would have the same or a lesser impact.

186. The daylight consultant has reviewed the RMA details for Plots F1 and F2. Comparison of the 3D model for F1 and F2 with the Maximum Parameters approved for the Canada Water Masterplan considered in the Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare Chapter of the Canada Water Masterplan ES. The comparison has shown that the changes to the Maximum Parameter envelope (as a result of the non-material amendments within 21/AP/4235) are very minor and their location is such that they are unlikely to further obstruct the view of the sky from the closest neighbouring windows. As such, this will not affect the assessment of effects of Daylight, Sunlight and Overshadowing on neighbouring properties compared with the Canada Water Masterplan ES.

Townscape, visual and built heritage

187. The non-material amendments to the maximum parameter envelope proposed would be very slight relative to the scale of Development Zone F and the proposed detailed design would not noticeably increase the perceptible scale and bulk of Development Zone F in comparison to the maximum parameters of the approved Canada Water Masterplan assessed within the Canada Water Masterplan ES.
188. Noting the above, the detailed RMA proposals would be in conformity with the townscape visual or built heritage effects assessed in the approved Canada Water Masterplan ES. Accordingly there would be no change to the townscape, visual and built heritage effects or mitigation previously identified within the approved Canada Water Masterplan ES.

Cumulative effects

189. Given that no change is anticipated to the significance of environmental effects reported in the technical chapters of the Canada Water Masterplan ES, there would be no change to the cumulative effects previously assessed in the Canada Water Masterplan ES.

Housing

Dwelling mix

190. Annex 15 of the S106 agreement for the OPP requires that a maximum of 10% of residential units shall be studio flats, and these will all be for market tenure. A minimum of 60% of residential units shall have two or more bedrooms.
191. The table below confirms that the proposed mix complies with the requirements of Annex 15 of the S106 agreement.

Dwelling distribution across Zone F		
Unit size	S106 requirements	Proposed
Studio	10% maximum	31 (7.56%)
1-bed	N/A	132 (32.20%)
2- or more beds	60% minimum	247 (60.24%)
All units	N/A	410 (100%)

192. The proposed mix of units across the two residential blocks is set out in more detail below:

Unit size	F1 Proposed		F2 Proposed		Total Proposed	
	No.	%	No	%	No	%
Studio	16	7%	15	9%	31	7.56%
1 bed	74	31%	58	33%	132	32.20%
2 bed	121	51%	88	50%	209	50.97%
3 bed	24	10%	14	8%	38	9.26%
Total	235	100%	175	100%	410	100%

193. The proposed mix of units across the Zone complies with the requirements of Annex 15 of the S106 agreement. The s106 agreement exempts the most central Zones (B, C, D and F) from the requirement to provide a minimum percentage of 3 bed and larger units. Whilst the percentage of family size (3 bed or more) is relatively low, accounting for just over 9% of the units, it is noted that this complies with the requirements of the OPP which does not set a minimum proportion of 3+ bed units for Zone F. Importantly other Development Zones within the masterplan will deliver higher proportions of family size accommodation. For instance, the OPP requires Zones E, G, H, J and L to provide a minimum of 20% of units with three, four or five bedrooms.

194. Zone F will contribute towards meeting local and strategic housing needs by delivering a significant number of new homes (410). The required affordable housing, in order to ensure an overall minimum of 35% affordable housing by habitable room, will be delivered within the wider CWM area.

Wheelchair dwellings

195. The S106 agreement for the CWM states that unless otherwise agreed by the council, the proposed development must provide no less than 10% of the residential units in each development zone to M4(3) 'wheelchair user' standards. The remaining residential units in each development zone must be built to M4(2) 'accessible and adaptable' standards. The policies concerned with wheelchair housing within the Southwark Plan 2022 and the London Plan 2021 are not relevant to this RMA, as the terms secured within the CWM S106 as part of the OPP take precedence.

196. This planning application proposes 47 M4(3) 'wheelchair user' dwellings in Buildings F1 and F2 totalling 11.4% of the total number of dwellings within Plot F. These 47 dwellings would be distributed as follows:

- x 16 1-bedroom 2-person units;
- x 26 2-bedroom 4-person units; and
- x 5 3-bedroom 6-person units.

197. The remaining 89% of the proposed dwellings would comply with M4(2) 'accessible and adaptable' standards. Wheelchair user dwellings would not be clustered together and would be distributed across Buildings F1 and F2, to ensure that wheelchair users have a degree of choice over the location and level of their home. All of these homes would be readily useable by wheelchair users at the point of completion and could be easily adapted to meet the needs of occupants.

198. Zone F would be car-free, with the exception of 5 accessible on-street spaces for residents and 2 spaces within the service yard for commercial use. 3 accessible residential spaces would be located on New Brunswick Street close to the residential entrance to F2, and a further 2 will be located on Higher Cut, accessed via a vehicle crossover from Surrey Quays Road. This provision equates to 1% of the total number of units.

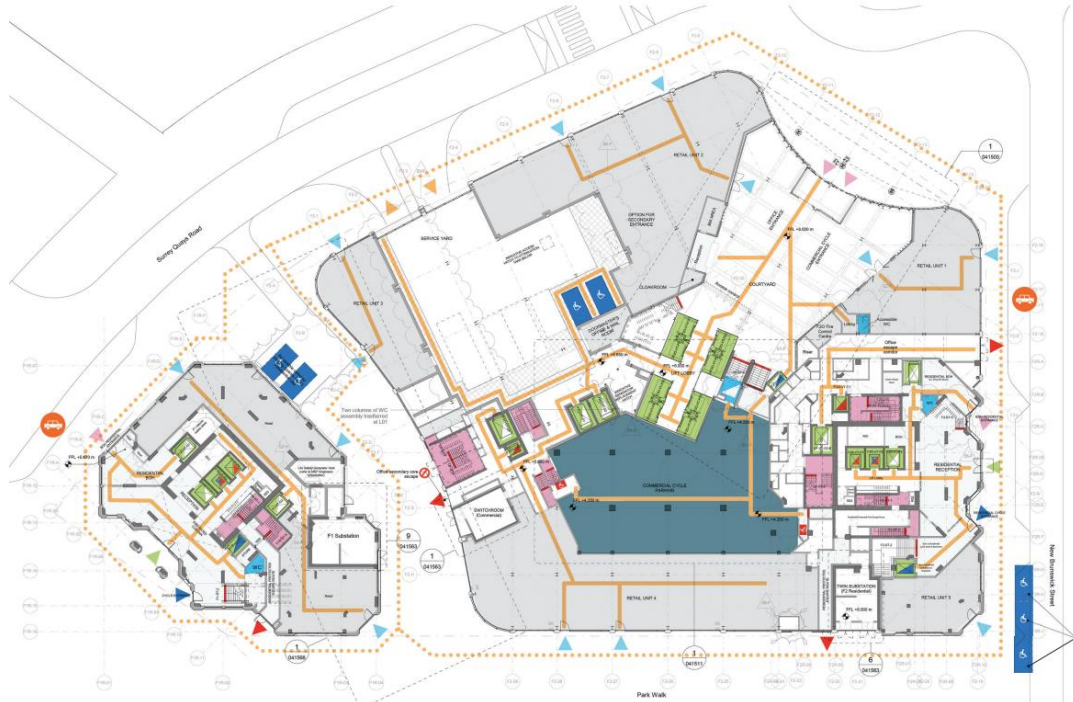


Image: Ground plan of Zone F1 and F2, with the Blue Badge bays shown in dark blue. Entrances to the residential lobbies are denoted by light green triangular arrows.

199. F1 and F2 provide step-free access throughout both buildings and all outdoor spaces, as well as a compliant mix of wheelchair homes and the provision of conveniently located wheelchair parking spaces. It is considered that Zone F would provide adequately for the needs of wheelchair users.

Density

200. Neither the London Plan nor the Southwark Plan set prescriptive density ranges within which schemes must fall; instead, both encourage the optimisation of site of capacity through a design-led approach, involving an evaluation of the site's attributes, its surrounding context and its capacity for growth. This process must have regard to the need to make efficient use of land while ensuring a high standard of architectural design and residential accommodation is achieved.
201. The Zone F site occupies an area of 9,982 sq m (1 hectare). The scheme would deliver non-residential floorspace totalling 47,360 square metres (GEA). The proposed residential element would deliver 1161 actual habitable rooms. Whilst the development would provide a high residential density, as demonstrated within this report, the quantum of residential and non-residential floor area, and

the proposed mix of units sits within the required limits set by the approved Development Specification.

202. The proposed massing sits within the vertical and horizontal parameters set by the OPP Parameter Plans. Furthermore, and as explained in within this report, the scheme would:

- deliver a mix of dwelling sizes compliant with the OPP s106;
- provide residential accommodation of a good standard;
- be of a high standard of architectural design; and
- cause no undue harm to the local environment or existing residents' amenity.
-

203. On account of the above, the scheme's density is considered acceptable.

Quality of residential accommodation

204. Policy D6 of the London Plan (2021) sets out the quantitative and qualitative requirements of new residential accommodation. Quantitative metrics include the minimum size of dwellings, rooms and outdoor spaces. Qualitatively, the policy seeks to maximise dual aspect and naturally-lit layouts, make tenures imperceptible from each other, and ensure robust maintenance and management strategies are in place. Southwark Plan (2022) Policy P15 requires all development to achieve an exemplary standard of accommodation that will contribute to creating healthy and safe places where people of all ages want to live and can thrive. The policy states that this is especially important for higher density schemes.

Aspect and outlook

205. Southwark Plan (2022) policy P15 requires residential development to be predominantly dual aspect and allow for natural cross ventilation. It states that single aspect dwellings will not be acceptable if they have three or more bedrooms, or are north facing or where the façade is exposed to high noise levels. Similarly, London Plan Policy D6 states that housing development should maximise the provision of dual aspect dwellings, balancing this against the need to optimise site capacity.

206. The tower elements of both F1 and F2 have been designed with chamfered corners which allow the introduction of a second aspect to each unit to improve the range and quality of aspects. Balconies to each of the units are accommodated in large cuts, which allow windows within them to provide

additional aspects, whilst at the same time protecting privacy between adjoining units.

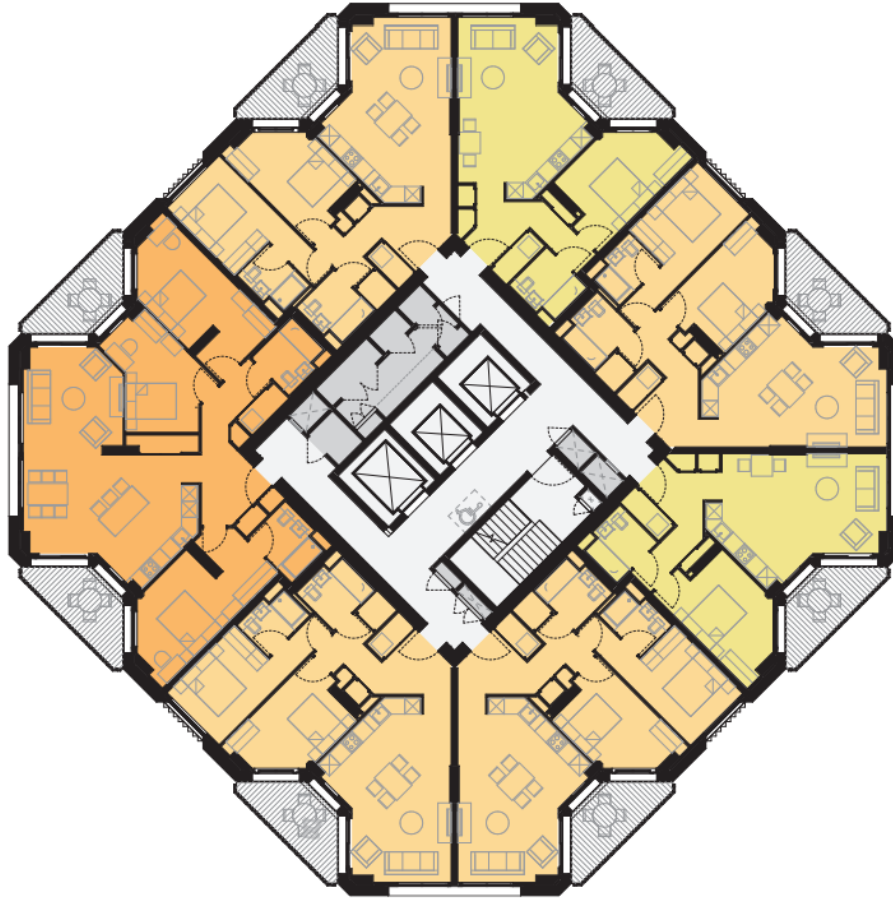


Image: Illustrating a typical floor within the tower, with chamfered corners and additional aspects provided from the balconies.

207. The image above demonstrates that the chamfered corners ensures that each unit benefits from a second aspect, with the exception of a single studio at 2nd floor level within F1 (see image below) This is the same studio which also has no private external amenity space. The studio is south facing, rather than north facing, and has views onto the public realm at Park Walk Place, and will receive high levels of natural light. It is also generously sized (43.8 sq m).



1. Level 2

Image: Illustrating level 2 of F1 and the single studio which will be single aspect.

208. The size of the 3 bed units, and their locations on corners ensures that each is a genuine dual aspect unit with openable windows on two external walls on adjacent sides of the unit, looking in different directions 90 degrees apart. Whilst the smaller units, due to their size, may not have elevations that are set 90 degrees apart, all but the previously highlighted studio have multiple windows looking in more than one direction. This provides various benefits such as better daylight, a greater chance of direct sunlight for longer periods, natural cross ventilation and a greater capacity to address overheating, whilst the primary habitable areas are offered a choice of views. Overall, across both buildings the proposed units are predominantly dual aspect (96%) and allow for natural cross ventilation.

209. The units on the upper floors of both towers will benefit from very unrestricted views given that F1 and F2 are tall buildings. Views from the lower floors will become more enclosed as the wider CWM is constructed, most notably the adjoining plots within Zone G (to the south east) and Zone D (to the south west). These Zones will be developed in accordance with the parameter plans approved under the OPP, which established that the minimum separation of distances of between 20-24m between the plots is acceptable.
210. On the lower floors, there will be a number of units which have more restricted views. These are the north facing units within F1, which looks across Higher Cut directly towards the office podium of F2 (which can be seen in the image below). The office element rises in height level with the residential 12th floor, although the impact will be greater on the units on the lower floors which will have the most restricted outlook.



isric View from North East

Image: Visual demonstrating the separation between F1 (left) and the office within F2 (right). The numbers indicate:

- 1 - F2 office, shared rooftop garden;
- 2 - F2 residential terrace;
- 3 - F1 residential terrace;

- 4 - F1 residential tower top amenity areas;
- 5 - Balconies;
- 6 - F2 office terrace;
- 7- Biodiverse roof.

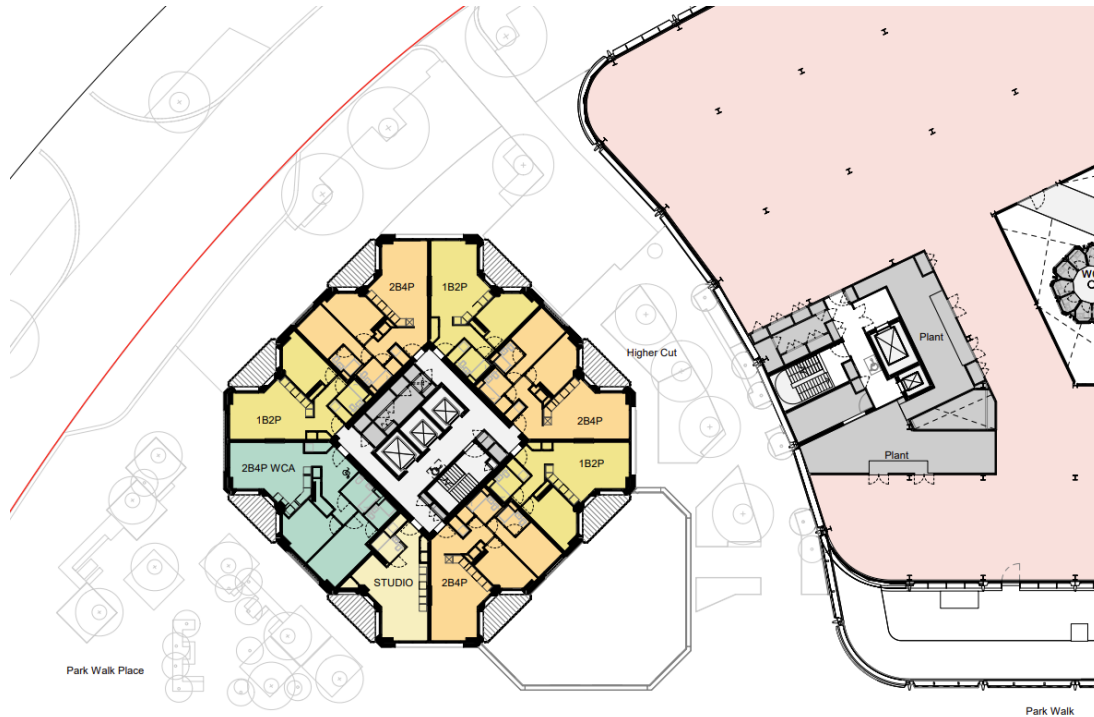


Image: Plan showing the separation between F1 (left) and the office within F2 (right).

211. Units which are located within the chamfered corners of F1, whilst looking towards the office podium, will also benefit from a second aspect away from the neighbouring office. In total, there are 9 units from 4th-12th residential levels which have views predominantly towards the office podium. In each of the units the window and door arrangement around the 'cut' balconies provide some variation of aspect and views ensuring that each unit has more than a single viewpoint directly towards the neighbouring building. Furthermore, the key habitable rooms for each of these flats would have generously proportioned windows to provide occupiers with a broad viewframe. The layout of the units also prioritises the living spaces for long views. Thus, despite the single direction of outward views from these dwellings, the arrangement and orientation of the buildings means the majority of occupiers would, on balance, benefit from an acceptable quality of outlook, with only 9 out of 410 units having views which are predominantly towards the adjoining office building.

212. In summary, the proposal would achieve a clear predominance of dual aspect, with all proposed dwellings benefitting from an acceptable quality of outlook. When balanced against the need to achieve an efficient use of land as required by Southwark Plan (2022) policy P18 (Efficient use of land) and policy D6 of the London Plan 2021, it is considered that the new dwellings' quality of aspect and outlook would be acceptable.

Privacy within the proposed dwellings

213. In order to prevent harmful overlooking, the 2015 Technical Update to the Residential Design Standards SPD 2011 requires developments to achieve:

- A distance of 12 metres between windows on a highway-fronting elevation and those opposite at existing buildings, and;
- A distance of 21 metres between windows on a rear elevation and those opposite at existing buildings

214. The separation distances to adjoining Zones within the Masterplan are already established by the OPP and are far in excess of 12m required on highway-fronting elevations.

215. As with the outlook considerations assessed in the previous section, the residential units within F1 on residential floors 2-12, face the office element within F2, and consequently have the potential to be most affected by a loss of privacy caused by overlooking from the neighbouring commercial use. The image below shows that the residential and commercial façades would have separation distances between 12m and increasing to 20m as F1's chamfered form cuts away from F2.



Image: Plan typical separation distances between F1 and F2 (5th-12th floors)

216. On the 2nd, 3rd and 4th floors shared residential amenity areas are proposed within the most constrained parts of the floorplan, in order to reduce the potential for overlooking. Within F2, the office core is positioned within the most central location which would have the tightest relationship with F1, and thereby provides visual protection for privacy. The layout of the residential units prioritises the living spaces for long views, whilst bedrooms (which are generally used outside standard office hours) generally have the more close, more direct views to the office building.
217. Overall, a 12m separation distance is maintained to each of the affected windows, and the internal layouts of the units has been developed to mitigate against potential overlooking as far as possible. When balanced against the need to achieve an efficient use of land as required by Southwark Plan (2022) policy P18 (Efficient use of land) and policy D6 of the London Plan 2021, it is considered that the new dwellings' privacy and quality of accommodation would be acceptable.

Internal daylight within the proposed dwellings

218. A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted by the applicant, which considers light to the proposed dwellings using the Average Daylight Factor (ADF).
219. ADF is the most appropriate method for analysing new dwellings where the layout and window positions are known. The ADF, which measures the overall amount of daylight in a space, is the ratio of the average illuminance on the

working plane (table height) in a room to the illuminance on an unobstructed horizontal surface outdoors, expressed as a percentage. The ADF takes into account the VSC value, i.e. the amount of daylight received on windows, the size and number of windows, the diffuse visible transmittance of the glazing used, the maintenance factor and the reflectance of the room surfaces. Therefore, it is considered as a more detailed and representative measure of the daylight levels within a living area, but only appropriate when good information about the affected rooms is available.

220. 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/kitchen/dining rooms (LKDs).
221. As previously set out, there are two separate development scenarios which could come forward within the neighbouring site to the north. This is because there is an extant permission (12/AP/4126) for a wider masterplan granted planning permission in 2013 under reference 12/AP/4126. Phase 1 of the masterplan has been built and is known as the Porters Edge development. However, whilst unlikely, the later phases could still be implemented, and is a material consideration. The alternative development scenario for the same site is a 100% commercial masterplan known as the AIRE Scheme. The proposals (21/AP/2655) currently have a resolution to grant, and are likely to be implemented in the future. Consequently, there are two distinct built development scenarios which could feasibly be constructed at the adjoining sites. As either of the neighbouring schemes could still be delivered, the daylight and sunlight report assesses the impact of both scenarios on the new units within Zone. For the purposes of this report the scenario with the historic permission is known as the “Without AIRE Scenario”, whilst the scenario with the recent commercial masterplan is known as the “AIRE Scheme Scenario”.
222. The proposed development contains 1074 habitable rooms requiring ADF testing. The applicant has provided a daylight assessment with the planning application, the results of the impacts of both development scenarios which are summarised in the following tables:

Without AIRE Scenario

ADF results for all proposed dwellings			
<u>Block</u>	<u>Number of rooms tested</u>	<u>Rooms satisfying BRE</u>	<u>Rooms not satisfying BRE</u>
Block F1	623	511 (82% of all F1)	112 (18% of all F1)

			Which breaks down as 70 beds and 42 lkd
Block F2	451	427 (95% of all F2)	24 (5% of all L2) Which breaks down as 20 beds and 4 lkd
Total	1074	938 (87% of all rooms)	136 (13% of all rooms) Which breaks down as 90 beds and 46 lkd

AIRE Scheme Scenario

ADF results for all proposed dwellings			
<u>Block</u>	<u>Number of rooms tested</u>	<u>Rooms satisfying BRE</u>	<u>Rooms not satisfying BRE</u>
Block F1	623	512 (82% of all F1)	111 (18% of all F1) Which breaks down as 71 beds and 40 lkd
Block F2	451	427 (95% of all F2)	24 (5% of all F2) Which breaks down as 20 beds and 4 lkd
Total	1074	939 (87% of all rooms)	135 (13% of all rooms) Which breaks down as 89 beds and 46 lkd

Without AIRE scenario

223. Of the 136 rooms that do not satisfy the BRE guidance, 46 are living, kitchen or dining rooms and 90 are bedrooms.

With AIRE scenario

224. Of the 135 rooms that do not satisfy the BRE guidance, 46 are living, kitchen or dining rooms and 89 are bedrooms.

Conclusion

225. Of the 135 rooms (for the "Without Aire scenario) and the 136 rooms for the "With AIRE" scenario that do not satisfy the BRE guidance, the vast majority are affected by oversailing balconies or decks on the floor above, which reduce direct light to the rooms; given the amenity value these balconies provide, a balanced judgement must be made in this respect. It is important to note that the ADF levels of the non-compliant rooms are not untypical for an inner London location. Given the high density surroundings, it is considered that the proposed dwellings would achieve acceptable internal daylight levels.

226. In summary, while the lower ADFs are a negative aspect of the development, the vast majority in both scenarios (87% of the rooms within the development) would meet the internal daylight levels advised by the BRE guidance. Overall, the quality of accommodation is not such that it would be reasonable to refuse permission.

227. In both scenarios, the studio unit at level 2 of F1, which does not have access to a private balcony, would receive a compliant level of ADF (2%).

Internal sunlight within the proposed dwellings

228. The assessment of sunlight within both new buildings is undertaken using the Annual Probable Sunlight Hours (APSH) test. The APSH test calculates the percentage of statistically probable hours of sunlight received by each window in both the summer and winter months. March 21st through to September 21st is considered to be the summer period while September 21st to March 21st is considered the winter period. The guidelines suggest that windows should receive at least 25% total APSH with 5% of this total being enjoyed in the winter months.

229. The emphasis of the BRE guidance is on living rooms rather than bedrooms and kitchens. The guide recommends that "Sensitive layout design of flats will attempt to ensure that each individual dwelling has at least one main living room which can receive a reasonable amount of sunlight ... Where possible, living rooms should face the southern or western parts of the sky and kitchens towards the north or east."

230. The degree of satisfaction for future occupants is related to the expectation of sunlight; if a room is north facing, or in a densely-built urban area, the absence of sunlight is likely to be considered more acceptable. As the expectation for sunlight within bedrooms is generally lower, only the living rooms and lkd's of F1 and F2 with windows orientated towards 90 degrees of due south have been presented within the report.

Without AIRE Scenario

<u>APSH and WPSH results for all proposed dwellings</u>		
<u>Blocks F1 and F2</u>	<u>Number of rooms tested</u>	<u>APSH - Windows satisfying BRE</u>
	293	255 (87% of all windows tested)

With AIRE Scenario

<u>APSH and WPSH results for all proposed dwellings</u>		
<u>Blocks F1 and F2</u>	<u>Number of rooms tested</u>	<u>APSH - Windows satisfying BRE</u>
	293	255 (87% of all windows tested)

Without AIRE Scenario

231. When looking at the sunlight levels for the 293 living areas with a window facing within 90° of due south, 255 (87%) meet or exceed the recommendation for annual sunlight levels.

With AIRE Scenario

232. When looking at the sunlight levels for the 293 living areas with a window facing within 90° of due south, 255 (87%) meet or exceed recommendation for annual sunlight levels.

Conclusion

233. The results demonstrate that, for living rooms and lkds only, a good level of sun-lighting would be achieved. However, as with the daylight results, the apartments that will experience lower levels of sunlight are generally as a result of being overhung by a balcony. For those located on the lowest storeys, this is also a function of the overshadowing effect of the surrounding context
234. In both scenarios, the studio unit at level 2 of F1, which does not have access to a private balcony, has very good levels of annual and winter sunlight.

Overshadowing of communal external amenity areas

235. The BRE guide suggests that, “at least half of the amenity areas ... should receive at least two hours of sunlight on 21st March”. Although the BRE guidance advises that the best date for preparing shadow plots is the equinox (21st March), it recognises that “plots for summertime (e.g. 21st June) may be helpful as they will show the reduced shadowing then, although it should be borne in mind that 21st June represents the best case of minimum shadow, and that shadows for the rest of the year will be longer”.
236. The applicant’s daylight and sunlight report has assessed the impact of the proposed development in terms of overshadowing on both March 21st and June 21st for each of the proposed amenity spaces across F1 and F2. Good levels of sunlight are seen within the scheme, with all terraces provided at podium and roof level exceeding BRE’s minimum recommendation, apart from one. The affected roof terrace which is located at level 34 of Plot F1 to the north-west, whilst technically falling short of guidance on 21st March, will see the recommended levels two days later (23rd March) and is therefore still considered to perform well.

Dwelling sizes, room sizes and provision of built-in storage

237. The internal area of all of the proposed homes would satisfy the minimum floor areas set out in the Council’s Residential Design Standards SPD.
238. All dwellings would have built-in storage space of a size that meets the minimum requirements of the Council’s Residential Design Standards SPD.

239. In summary, the dwelling, room and built-in storage sizes are considered acceptable.

Floor-to-ceiling height

240. All dwellings would have a floor-to-ceiling height of 2.5 metres. London Plan Policy D6 states that the minimum floor to ceiling height must be 2.5 metres for at least 75% of the Gross Internal Area of each dwelling and the Council's Residential Design Standards SPD, states a minimum headroom of 2.3 metres. This would contribute to the sense of space within all the dwellings.

Internal noise and vibration levels

241. It is recommended that conditions be imposed requiring pre-occupation testing of the separating floors and walls to demonstrate that the relevant acoustic performance standards, as prescribed by the Building Regulations, have been met. This will ensure that the occupiers of the dwellings do not experience excess noise, transmitted either vertically or horizontally, from adjacent sound sources.

On-site storage facilities for refuse and deliveries

242. Both F1 and F2 would have a dedicated waste chute in each residential core direct to waste managed refuse stores at basement level, where refuse is sorted and compacted prior to collection. Both towers also have a managed interim waste store accessed from the ground floor core for larger cardboard items and glass.

243. Although neither of the blocks would have externally accessible storage for deliveries and other bulky items, the buildings will be served by concierges, who will handle deliveries. Drivers will be responsible for the unloading/loading of goods from the vehicle. Goods will be moved to the residential receptions by the driver and can be placed into post boxes or delivery stores, or taken directly to the resident's unit. This is considered acceptable and in line with policy requirements.

Conclusion on quality of residential accommodation

244. The proposal would deliver 410 new homes benefitting from a good quality of outlook, with a large majority of the units being dual aspect. 13% of the proposed rooms would not achieve the internal light levels recommended by the BRE guidelines, which although not untypical for inner London, would compromise the quality of living accommodation to a degree. Sunlight to

bedrooms has not been tested, and whilst it must be acknowledged that there are some instances of room and dwelling size non-compliance, these are on the whole relatively minor, and all flats would nevertheless achieve a logical layout with practically-sized rooms. The high ceilings would contribute to the sense of space and prevent the smaller units from feeling oppressive.

245. The quality of the proposed accommodation is considered to be high.

External amenity space and young people's play space

Private external amenity space

246. All new residential development must provide an adequate amount of useable external amenity space, which can take the form of private gardens, balconies, terraces and/or roof gardens. Annex 17 of the OPP s106 stipulates the required amenity space standards, which are closely aligned to the minimum requirements of the Council's Residential Design Standards SPD.

247. The following requirements apply to all flats:

- where a flat contains three or more bedrooms, a minimum of 10 square metres of private amenity space must be provided; and
- where a flat contains two or fewer bedrooms, at least 10 square metres of private amenity space should be provided, but where this is not possible any shortfall can be added to the communal space.

248. With the exception of a single studio at 2nd floor level within F1, every unit has access to a private external balcony. All 3 beds, with the exception of 4 across F1 and F2, would have 10 sq m external balconies. With the exception of the 4 three bed duplex units (2 in F1 and 2 in F2), the amenity space would be provided across two separate balconies per unit, rather than a single larger balcony area. The 4 non-compliant 3 beds (of a total 38) would each have 9.5 sqm balconies. Across the development as a whole 367 of the 410 of the proposed dwelling would not be provided with 10 square metres of private amenity space. In the vast majority of these instances the units would have balconies measuring 9.5 sq m, marginally short of the 10 sq m target, although 5 of the units are provided with private amenity balconies measuring between 5.9 and 6.3 sqm. To compensate for these small private amenity space shortfalls, and as the Council's Residential Design Standards SPD allows, there would be provision of communal amenity space within each of the blocks, as explained in the table below:

Private amenity space shortfall and offset				
	<u>Total private amenity shortfall (sq. m)</u>	<u>Communal requirement (shortfall + 50 sq. m)</u>	<u>Communal provision (sq. m)</u>	<u>Surplus (sq. m)</u>
Block F1	133 sq m	183 sq m	185.9 sq m	+2.9 sq m
Block F2	83.7 sq m	132.7 sq m	225 sq m	+132.7 sq m

249. In summary, the small shortfalls in balconies or terrace sizes is mitigated by the additional external communal amenity areas provided for both F1 and F2, and the private outdoor amenity space provision is considered to be acceptable.
250. A single studio located at 2nd floor level of F1 would have no private outdoor space at all. The studio in question is south facing, would be slightly oversized at 43.8 sqm (compared to a 39 sq m minimum) and would have access to a communal amenity balcony also located at second floor level, a short distance from the studio itself. The unit would also have access to all other external communal amenity areas. On balance, this is considered to be acceptable.

Communal outdoor amenity space

251. As mentioned in the preceding paragraphs, the proposed development would deliver 410.9 square metres of communal outdoor amenity space. This is 135.6 square metres more than the minimum requirement and should be seen as a benefit of the proposal.
252. The communal amenity area is provided within a single large terrace at residential 13th floor level on F2, and across two communal balconies at 2nd and 3rd floors, a larger 4th terrace, and 2 rooftop terraces at 34th floor on F1. The amenity areas provide a variety of spaces for relaxation, socialising and sitting out, and in the case of the 34th floor terraces, expansive views across London. In addition, F1 has three indoor communal amenity space, which whilst not counted in the total amenity space calculations, would provide additional space for residents to socialise.
253. The format and quantum of communal amenity space meets the expectations of policies D6 of the London Plan, and as such is considered acceptable.
254. Planning conditions are recommended requiring details of the landscaping, treatment and enclosures of the communal amenity spaces, and for the facilities

to be delivered prior to occupation of any of the dwellings. A condition within the OPP secures unrestricted and equitable access to the communal amenity space for all residents within their own block.

Young people's play space

255. The OPP established a methodology to determine the quantum of on-site playspace for each of the Reserved Matters Applications. Annex 24 of the S106 sets out the child yield methodology for the CWM (by child age groups) and Annex 29 sets out that 10 sqm is required for each child.
256. Officers consider on-site play space provision to be the priority given the size of the application site, the importance of play space as part of design quality, and as existing play spaces within the wider Canada Water area are well used by existing communities.
257. Using the child yield methodology the proposed unit mix across Development Zone F results in a total children's play space requirement for the proposed development of 350 square metres. The table below shows how this breaks down across the three age groups within F1 and F2, and how the application proposes to meet the requirements.

<u>Play space provision</u>				
<u>Block</u>	<u>Young person yield from development</u>	<u>Area of play space required (sq.m)</u>		<u>Format of proposed provision</u>
Block F1	Aged under 5	130	= 210 sqm	On-site, Block F1 Level 4 terrace, 212 sq.m [surplus: 2 sq.m]
	Aged 5 to 11	50		
	Aged 12 to18	30		
Block F2	Aged under 5	90	= 140. sqm	On-site, Block F2 Level 13 terrace, 158 sq.m [surplus: 18 sq.m]
	Aged 5 to 11	30		
	Aged 12 to18	20		
<u>Summary</u>				
Both Blocks	Aged up to 11	350	=350	212 sqm (Satisfied on-site)
	Aged 12 to18	50		158 sqm (Satisfied on-site)

258. The London Plan (2021) recommends that under-5s play space be at least 100 square metres in size, in part because the space needs to be of an adequate size to ensure carers can sit and talk while supervising children. Accordingly, the under 5s play space for both F1 and F2 exceeds 100 square metres. Whilst play is provided for older children on-site, as the overall CWM continues to be delivered there will be additional play facilities nearby, most notably at the new public park which will be located a short distance to the north of Zone F.
259. The approach to on-site play across F1 and F2 maximises doorstep' play on-site in a safe and welcoming environment, as well as providing some areas of play space for older children. The two terraces within F1 and F2 provide play centred areas with a variety of free-play areas, natural play mounds, tactile play experiences and wooden play equipment which allows different ages to play together.

Play Spaces Provision per age profile



F1 Back Garden, Level 4



F2 Back garden space, Level 10

Image: Plan illustrating the allocation of play areas within F1 and F2

260. The OPP contains a planning condition which requires further details of in relation to the play spaces, including equipment and treatment, and for the facilities to be delivered prior to occupation of any of the dwellings.

Privacy, outlook, noise and odour impacts on nearby residential occupiers

Policy background

261. Policy 56 (Protection of amenity) of the Southwark Plan (2022) seeks to ensure that all development sets high standards for protecting daylight and sunlight and 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. The Council's Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.
262. The impact of the development in terms of daylight and sunlight was assessed and deemed to be acceptable as part of the OPP. At that time, a building envelope, in terms of the maximum height and footprint of a building on this plot was established, having taken account of known development on neighbouring sites, and the relationship with other parts of the masterplan.

Outlook and privacy

263. In order to prevent harmful overlooking, the 2015 Technical Update to the Residential Design Standards SPD 2011 requires developments to achieve:
- A distance of 12 metres between windows on a highway-fronting elevation and those opposite at existing buildings, and;
 - A distance of 21 metres between windows on a rear elevation and those opposite at existing buildings
264. Given the Development Zone's position within a central area of the CWM, it is located a significant distance from the nearest existing residential properties. The closest identified residential properties are those within Brunswick Quay to the south of the site beyond Redriff Road. There are also existing residential properties within the Porter's Edge development north of the Development Zone.
265. Both are circa 100m from Zone F, and whilst the outlook from neighbouring properties would undoubtedly change, largely because of the form of the towers, it is not considered that the proposals would have any significant impact on the existing residents' privacy or outlook.



Image: Identifying the Development Zones within the Canada Water Masterplan

266. Development Zones D, G and H of the CWM adjoin Zone F. The positioning of each of the neighbouring Development Zones is controlled by the Parameter Plans approved under the OPP, which ensures that sufficient separation distances are maintained between each of the Development Zones. For instance, the Parameter Plans ensure a 24m separation distance between Zone H and Zone F and 20m separations between Zone F and Zone G and Zone H.
267. The proposals for Zones D, G and H are at different stages of design development. However, as Reserved Matters are yet to be submitted for Zones D and G, the final layout of each is currently unknown, and it is not possible to undertake a detailed review of the future proposals. However, as any

forthcoming detailed design must accord with the approved Parameter Plans, the current Zone F proposals will not have an unacceptable impact on the development of future CWM Development Zones. The distances that will be retained are sufficient to prevent any unacceptable level of harm arising by way of loss of outlook or privacy and would comply with the standards set out in the SPD.

268. The RMA for Zone H was recently approved by Planning Committee (11th July 2022). The distance that will be retained between the commercial building on Zone H and the buildings subject of this RMA is sufficient to ensure that an acceptable level of amenity will be afforded to future resident in terms of overlooking and loss of privacy.

Noise

269. London Plan Policy D14 and Southwark Plan Policy P56 require developments to manage the impacts of noise. Noise impact arising from the redevelopment as a whole was assessed in the ES submitted with the OPP and appropriate conditions were attached to prevent any harm arising in terms of plant, equipment and soundproofing. Now that a specific range of uses have been identified for this plot, additional conditions are recommended for this RMA to restrict operating hours for the commercial units, servicing hours and use of the terraces. These additional conditions are necessary to protect the amenity of existing and future residents.
270. Rooftop plant is proposed atop the tower elements within both blocks F1 and F2. The podium roof level of F2 would also incorporate roof-level plant, and there would be twin substations at ground floor level of both blocks. Condition 84 within the OPP controls plant noise and states that the sound level from any plant to be provided within any building within the CWM shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises and the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location.
271. The condition is considered sufficient to ensure that the proposed plant will not have an unacceptably adverse impact on existing or future neighbouring residents.

Noise environment within dwellings

272. The Environmental Protection Team was consulted on this RMA application and is satisfied that no unacceptable noise or disturbance would arise from the range of uses proposed subject to the imposition of a number of conditions to ensure satisfactory internal noise levels within proposed residential units,

control soundproofing between commercial and residential units, and to restrict the commercial unit opening hours (07:00-23:00 Monday – Saturday and 08.00 - 22:00 Sundays and bank holidays) and delivery hours (07:00 to 21:00 on Mondays to Saturdays and 09:00 to 18:00 on Sundays and Bank Holidays).

Odour

273. The OPP permits the use of the ground floor retail units for food and drink restaurant uses, and at this stage units within F2 have been identified by the applicant as being suitable for food and beverage uses. To protect the surrounding dwellings from odour disturbance, the OPP is subject to a condition recommended requiring the Local Planning Authority's approval of a scheme of extraction and ventilation for any restaurant or hot food takeaway uses within the development or any other uses where hot food preparation is to take place.
274. For those units within F2 which could be used for food and beverage operations, a route for a kitchen extract to be ducted up to roof has been allocated in the commercial office core. Were a food and beverage unit to occupy a unit in F1, extract will be via louvres at level 1, utilising a UV filtration system to ensure air quality is acceptable. However, in either scenario, full details would be provided to the council to enable discharge of the planning condition.

Daylight, sunlight and overshadowing impacts on nearby residential occupiers

275. The NPPF sets out guidance with regards to daylight/sunlight impact and states that “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”. The intention of this guidance is to ensure that a proportionate approach is taken to applying the BRE guidance in urban areas. London Plan Policy D6 sets out the policy position with regards to this matter and states “the design of development should provide sufficient daylight and sunlight to new and surrounding houses that is appropriate for its context”. Policy D9 (Tall Buildings) states that daylight and sunlight conditions around the building(s) and neighbourhood must be carefully considered. Southwark Plan Policies identify the need to properly consider the impact of daylight/sunlight without being prescriptive about standards.

276. The Building Research Establishment guidance sets out the rationale for testing the daylight impacts of new development through various tests. The first is the Vertical Sky Component test (VSC), which is the most readily adopted. This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the buildings which look towards the site. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations.
277. The most effective way to assess quality and quantity of daylight within a living area is by calculating the Average Daylight Factor (ADF), this is the most appropriate methods for assessing the potential impact on dwellings where the layout and window positions are known. The ADF, which measures the overall amount of daylight in a space, is the ratio of the average illuminance on the working plane (table height) in a room to the illuminance on an unobstructed horizontal surface outdoors, expressed as a percentage. The ADF takes into account the VSC value, i.e. the amount of daylight received on windows, the size and number of windows, the diffuse visible transmittance of the glazing used, the maintenance factor and the reflectance of the room surfaces. Therefore, it is considered as a more detailed and representative measure of the daylight levels within a living area, but only appropriate when good information about the affected rooms is available.
278. The third method is the No Sky Line (NSL) or Daylight Distribution (DD) method which is a measure to assess the distribution of daylight in a space and the percentage of area that lays beyond the no-sky line (i.e. the area that receives no direct skylight). This is important as it indicates how good the distribution of daylight is in a room. If more than 20% of the working plane lies beyond the no-sky line poor daylight levels are expected within the space
279. In terms of the impact upon neighbouring buildings the OPP included a full assessment of daylight, sunlight and overshadowing impact based on a maximum 3D envelope for each plot as created by the limitations of the parameter plans. By assessing the maximum parameters this represented a worst-case scenario in terms of impact that would either remain the same or improve as each building was developed in detail. The assessment was undertaken in accordance with industry standard guidance drafted by the Building Research Establishment (BRE).
280. The impact on neighbours in this respect was deemed to be acceptable at the time of granting the OPP. This included an assessment of the impact upon the Porters Edge development as well as the consented but unconstructed Phases 2, 3 and 4 of the that outline permission and the adjacent CWM plots (Zones G, D, H). Given the assessment undertaken at outline stage it would not be

reasonable to reassess that impact as part of the RMA unless there has been a significant change in baseline conditions or a significant change to the worst case scenario tested at outline stage.

281. There has however been a change in respect of the adjacent development site which contains the unconstructed later Phases 2, 3, 4 of the Porters Edge development. The OPP tested the impact on the extant permission for residential-led redevelopment of that site. It has recently become known that the extant permission is unlikely to be implemented and there is a resolution to grant a new planning permission for commercial redevelopment of that site (21/AP/2655). However, the application submitted under reference 21/AP/2655 fully considered the impact of the approved Canada Water Masterplan development maximum parameters and the relationship was deemed to be acceptable. There is no requirement for this RMA to address this change in circumstances given the 100% commercial nature of the adjoining development.
282. The minor amendments to the height and footprint of the development are not considered to be a significant change to the worst case scenario tested at outline stage as confirmed by the technical specialist responsible for preparing the ES Statement of Conformity.

Overshadowing of amenity spaces

283. As with the above analysis, the OPP assessed sunlight impacts arising from the Masterplan development on the basis of the maximum 3D envelope. The analysis included the potential impact on the new park. It is not necessary or appropriate to re-visit this as part of the RMA.

Design

284. The OPP establishes that within the Masterplan tall buildings will play a significant role in transforming Canada Water into a new town centre. Zone F, alongside Zone G, is referred to as the Central Cluster, an area which the OPP identified as a suitable location for tall residential buildings, whilst the neighbouring Zone D is identified as an appropriate location for the tallest building within the Masterplan. The approved Maximum Heights Parameter Plan details the maximum heights for the tall buildings located within Development Zone F; these are +125m AOD at the location of the F1 tower and +116m AOD at the location of Development Plot F2 tower. The drawing also prescribes heights for the base and podium buildings located within Development Zone F; these are +45m AOD and +49m AOD respectively.
285. F1 is residential tower of 37 storeys (ground +36 storeys) built to the maximum

height parameter approved by the OPP of +125.00m AOD. It also has a small podium “nib” element which is five storeys in height. F2 is podium office building of 10 storeys (ground +9 storeys) with a residential tower of 34 storeys (ground +33 storeys), again built to its maximum height parameter approved by the OPP of +116.00m AOD.

Site layout, access and public realm

286. The CWM Parameter Plans and Design Guidelines identify the requirement for a pedestrian route in Development Zone F which would separate the two buildings (F1 and F2) within the Zone, whilst providing pedestrian access between Park Walk and Zone D. The Design Guidelines outlines that there should be no permanent vehicular access in Park Walk, on frontages facing the Park, and secondary pedestrian routes in Development Zone F, with the exception of managed servicing, maintenance and emergency access.
287. The proposed building is surrounded on all sides by public realm which provides pedestrian access around the site. The main public realm areas as part of this RMA are Surrey Quays Road which runs to the west of Zone F, Park Walk Place to the south of F1 and the Higher Cut, a pedestrianised walkway which leads between F1 and F2. As part of a separate RMA it is proposed to create a street along the east of Zone F. This street, named Park Walk, will create a pedestrian and cycle route to the new public park to the north. The detailed design will be secured by a future RMA. Similarly, New Brunswick Street to the north is also outside Zone F, and the detailed design of the street is to be secured under a separate RMA.
288. The main residential entrance to F1 is located to the south, from Park Walk Place, which will form an area of public realm at the south of Park Walk, providing long views to the park itself. It will form a key new pedestrian street linking together Southwark Park and Russia Dock Woodland which forms part of the Masterplan’s Green Link Strategy. Park Walk Place is included within the Zone F RMA to enable a temporary landscaping scheme and surface for emergency vehicles. However, this will be replaced by a future landscaping scheme which will be secured under the wider Park Walk RMA. The temporary landscaping involves temporary resin bound gravel surface with planters, trees and benches providing space for people to sit.

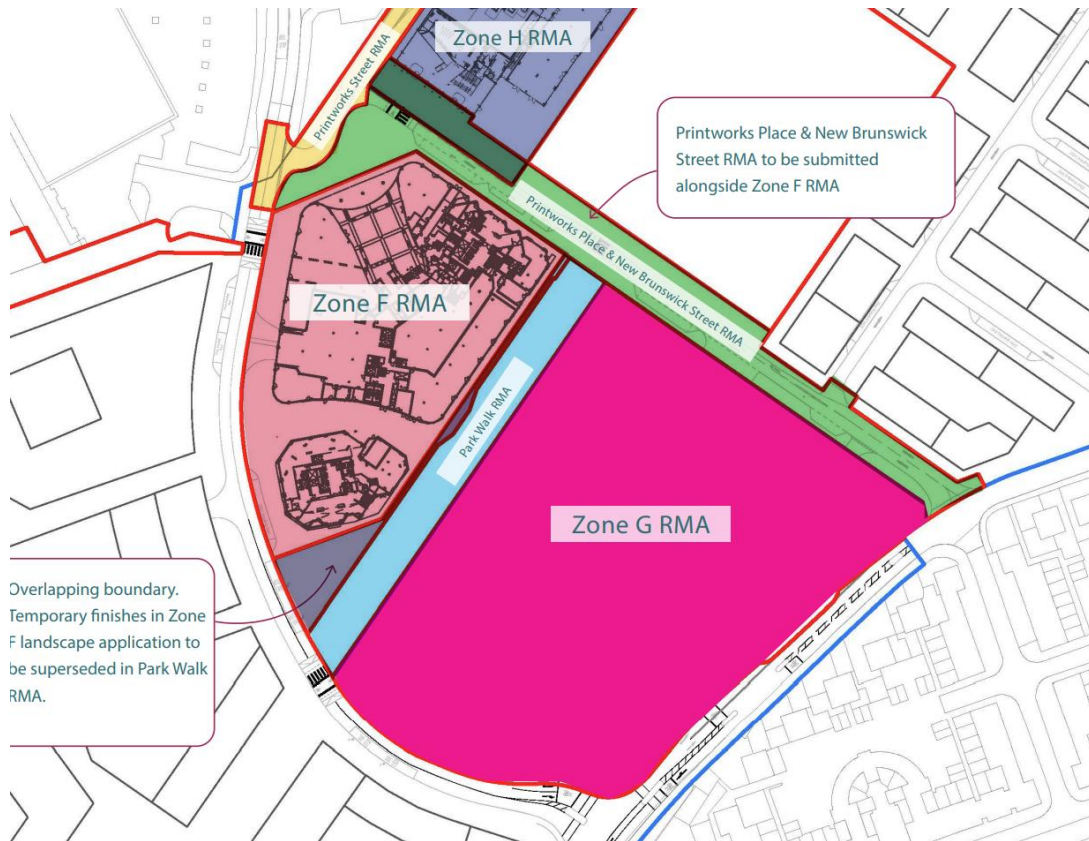


Image: Detailing the site layout and areas of public realm

289. The main F2 residential entrance is located on New Brunswick Street to the north, with the new public park immediately opposite. New Brunswick Street is designed as a neighbourhood street linking Surrey Quays road to Redriff Road further to the south-east. A servicing layby, primarily for the use of ground floor retail units within F2, and 3 accessible car parking spaces for F2, are provided on New Brunswick Street, however vehicular access to the street will be controlled using an access control system further to the south.
290. To the north-west, Printworks Place, which is included within the New Brunswick Street RMA, forms another nodal point, part of the strategic green link which connects Russia Dock Woodland and Southwark Park through the Masterplan. The space also accommodates the meeting of Printworks Street and New Brunswick Street with Surrey Quays Road as well as pedestrian and cycle movement through the space. The main entrance to the F2 office podium as well as the neighbouring Plot H buildings will face onto the space.
291. Surrey Quays Road provides key vehicular access through the masterplan. Tree planting is proposed along the length of Zone F on Surrey Quays Road, and a generous footpath is also proposed. Seating and visitor cycle parking

will be integrated into pockets in the planting. Rain gardens are also proposed which provide an attractive greener, more natural system allowing the water to slowly percolate through the system. In order to activate the street, two retail units are proposed fronting Surrey Quays Road within F2, and an expansive corner retail unit is proposed within F1.



Image: Illustrative view looking along Surrey Quays Road

292. In order to keep as much servicing as possible off-street, an internal ground floor service yard is provided within F2. This is accessed via a dropped kerb and crossing from Surrey Quays Road, and will be used for servicing of the retail, office and residential uses. A further servicing layby is provided adjacent to F1 on Surrey Quays Road.
293. A curved pedestrian route known as the Higher Cut provides a connection from Park Walk to Surrey Quays Road between F1 and F2. Whilst the central areas of F1 and F2 fronting Higher Cut provide cores or back of house areas, the majority of the ground floors of both buildings are occupied by 4 retail units which will open out onto the pedestrian area. Given its position between two tall buildings, the route will be shaded for much of the day, and woodland planting and shade tolerant species are proposed. Raised planters and generous benches and seating areas are proposed, and it is envisaged that the retail units will be able to “spill out” within the area.



Image: Impression of the Higher Cut from Park Walk looking west to Surrey Quays Road

294. A vehicular crossover from Surrey Quays Road accommodates infrequent access for emergency and maintenance vehicles. In addition, as previously covered within this report, two accessible parking spaces for use by F1 residents are proposed within the northern section of the Higher Cut. Whilst the spaces do interrupt this pedestrianised route, it is likely that the spaces will be in infrequent use (given that they are restricted solely for use by residents within M4(3) units in F2) and minimal street markings will ensure pedestrian priority of the space is maintained. If no residents are identified who require disabled parking spaces, this area could be temporarily repurposed with moveable planters to avoid the spaces lying empty and maximise the green and pedestrian environment. A management plan to achieve this (whilst ensuring no disabled user is inconvenienced) can be secured by condition.

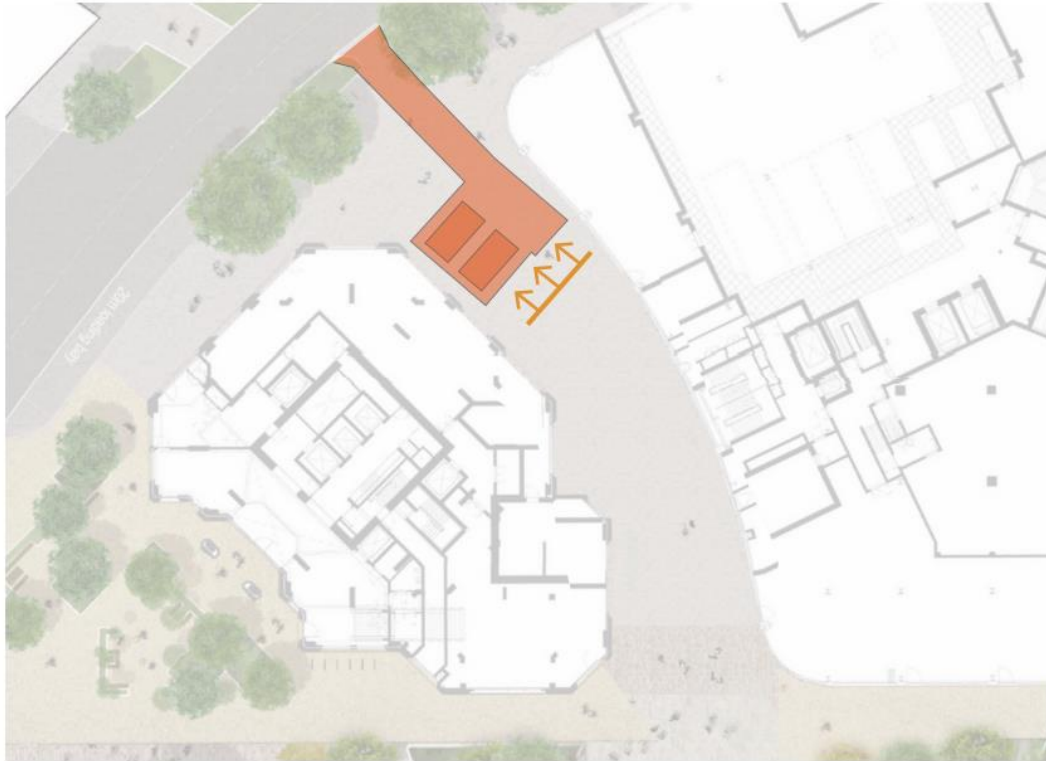


Image: Depicting the access and location of the accessible parking spaces

295. Access for cycles is provided through the main residential entrances and office entrances, whilst short-stay cycle parking is provided throughout the public realm.
296. The site layout is logical responding well to the context and the approved parameters in terms of locations of buildings and public realm provision. The layout is in accordance with the approved parameter plan and design code, as amended through the NMA in relation to the precise alignment of the Higher Cut route.

Height, scale, massing and appropriateness of tall buildings

297. The tower elements of F1 (37 storeys) and F2 (34 storeys, with 10 storey office podium) are +125m AOD and +116m AOD in height. Consequently, they are defined as a tall buildings under the development plan. These heights and specific locations within the masterplan are set out in the approved OPP. What remains to be determined, as part of this RMA, is the design quality.
298. The OPP allows for a number of tall buildings throughout the CW Masterplan specifically identifying that tall buildings should be located within fixed locations

within the Central Cluster, which Zone F is located within. The maximum height and width parameters of the Zone F tall buildings have been carefully fixed and are tightly controlled by the approved Parameter Plans as part of the OPP. Both F1 and F2 comply with these set parameters.

299. The grouping of F1 and F2, when brought together with future tall buildings within Zones G and D, will form a coherent composition creating an identity for the area from afar, and setting a transition to the lower neighbouring context towards and beyond the edges of the Masterplan.
300. The F1 and F2 towers form a pair of slender buildings, with octagonal forms which are rotated at 45 degrees to each other, thereby creating visual interest and interplay between the towers. The rotation also ensures that the orientation of F1 relates to the axis of Park Walk, with the residential entrance facing onto Park Walk Place. Similarly, the orientation of F2 relates to the public park, with the residential entrance having a prominent position onto New Brunswick Street and the park immediately to the north. Both towers have chamfered corners which increases their sense of slenderness, whilst their inset balconies help further accentuate the towers' vertical forms.
301. The OPP Design Guide requires the buildings within the Central Cluster to set the enclosure for the Park and the Park Walk, defining the public realm. As a result of its location, the F2 residential tower acts as a marker at the corner of the new public park located immediately to the north. F2 will also form a coherent visual relationship with an adjoining tower within Zone G, which will come forward in a future RMA. Both towers will emerge from lower podium buildings which address the park. Similarly, the F1 tower formally addresses Park Walk Place, providing focus to the key public realm space.
302. Landmark towers, such as those proposed for Zone F, should be of exemplary architecture and act as a way finder to identify important places in the borough. The buildings would be visible from long distances that would help to raise the profile of the area. This has been achieved by the arrangement of the towers in context with the linked commercial buildings to the base of F2, and by providing a well articulated arrangement of three distinct elements that form the towers. Officers are confident that the design adds interest to the skyline and puts the Masterplan on the map. The height and articulation emphasises the central character of Zone F marking both the park and routes towards it and ensures that it would have a presence within the borough and the wider London context.
303. Both F1 and F2 have lower "nib" buildings which are designed to appear as separate forms that add to the diversity of the streetscape, whilst employing the similar language of facade elements. These elements, which are 5 storeys in F1 and 9 storeys in F2, provide a clear expression of the buildings' base,

helping integrate with the scale of the surrounding masterplan, whilst retaining a clear connection to the architecture of the towers.

304. The OPP Design Code requires that the tops of the tall buildings are clearly articulated and are proportionate to the height of the building. The roof profiles of both F1 and F2 are both articulated to accentuate the slenderness of the towers and provide a “crown” with elements set back from the principal façade, creating further visual interest.
305. The F2 office forms a smaller podium building, up to 10 commercial floors in height. It takes up the majority of the floorplate of these levels, providing an open plan office facing all four streets which bound the site. This podium element assists by creating a more human scale where the development addresses both the Park and the pedestrian route along Park Walk. On Park Walk and addressing Printworks Place the height of the office podium steps back to further reduce its visual impact. Along Surrey Quays Road, the F2 office podium has subtly curved facades which provide a positive response to the historic curved route of Surrey Quays Road. Fronting Printworks Place to the north, the office podium has a concave façade, which responds to the public realm while clearly identifying the entrance into the office, addressing visitors arriving from Canada Water station.



Image: Image showing the office podium step back from Park Walk Place

306. The CWM Design Guidelines approved under the OPP set a tall building hierarchy for the Central Cluster with the tallest building within Zone F being to

the south. The RMA follows the Guidelines as the taller F1 is located to the south of the Zone facing Park Walk Place.

- 307. The division of Zone F into two separate buildings complies with the requirements set by the OPP Parameter Plans and Design Guide, and assists with site permeability with Higher Cut providing direct access through the site, whilst also creating opportunities for active frontages at ground floor level.
- 308. As covered later in this report, in compliance with the requirements of the London Plan policy D4, the Zone F proposals were presented to Southwark's Design Review Panel in July 2021.
- 309. Overall the scale and mass of the proposed building is considered to be appropriate for this location and sits within the approved maximum height parameters for the OPP.

Architectural design and materials

- 310. The CWM Design Guidelines state that materials used should have enduring quality, with natural finishes and deep reveals. Primary building materials should generally be brick, wood, concrete, glass, metal and terracotta. Other materials may be used with care and consideration.
- 311. The design of the 10 storey F2 office podium takes reference from the industrial history of the area. As a result, the architectural language of frame and infill that exists in local warehouse typologies has been adopted within the design.
- 312. The building's façade frame is formed of concrete piers, whilst an insulated infill panel formed of profiled concrete spans the bay widths. Spandrel panels support a horizontal band of glazing, helping create grid which is both of a human scale and also proportional to the overall building. The façade creates a series of bays, which provide a strong horizontal rhythm though the use of concrete spandrels supporting the horizontal glazing. A vertical rhythm is maintained with light grey concrete columns between each bay.
- 313. The design utilises a simple palette of robust materials which resonate with the industrial and dockland history of Canada Water. The textured horizontal spandrel panels are generally a red toned concrete, although a variation of darker grey toned panels are used to highlight the building top. At the top of the building a dark horizontal fin is used terminate the vertical columns. Dark horizontal spandrel banding is also used at the bottom of the building, identifying the base. Where the building turns a corner, the bays are gently curved to soften the massing whilst responding to the geometry of the site.

314. An aluminium window system is proposed, with windows which are openable at the top and mid levels to allow for natural ventilation and improved building performance. Windows which are not north facing contain vertical or horizontal fins which improve the façade performance (in terms of solar shading) whilst still allowing views out.
315. The entrance to the office building faces onto the public space of Printworks Place. A double height colonnade and setback at the base marks the building entrance, and creates a transition between external and internal space at ground floor. The offices benefit from a generously sized reception, which will also be open to members of the public up to the access control barriers which are located deep within the building.
316. Internally, the offices are set around an internal 'courtyard' area with a rooflight which allows natural light and ventilation throughout all floors. The typical office floorplates allow for flexible, adaptable, open plan office space which can be subdivided into up to 4 tenancies per floor to provide a range of tenancy size options.
317. The internal service yard is proposed at ground floor level within the F2 podium building, opening onto Surrey Quays Road. The entrance to the yard will take up two of the ground floor façade bays. Either side of the yard entrance, retail units will maintain ground floor activity within this key frontage. Shutters will enclose the yard when not in use, and the detailed design for these will be secured by planning condition.



Image: View of Printworks Place with the office podium in the foreground and the F1 and F2 tower above.



Image: View from the park of F2, with the taller F1 tower seen to the rear

318. The F1 and F2 residential towers are simple vertical forms clad in robust and refined glazed tiles that adapt subtly to light and orientation. The vertical forms interlock with a more solid brick clad base, expressed within the lower “nib” elements that connect the towers with the ground plane and surrounding scale of the masterplan. The top of the towers are marked with stepped massing, which creates “crowns” to the buildings. The residential entrances at the base of each tower are expressed as a double height stepped façade, which provides residents with a level of protection from the public realm beyond and creates a strongly defined entrance.



Key

- ① Duplex Apartment
- ② Private Residential Terrace Amenity
- ③ Shared Residential Terrace Amenity

Image: Stepped massing, creating “crowns” to the residential towers

319. As previously mentioned, the chamfered corners, and cut inset balconies emphasise the slenderness, whilst enabling residential units to have a variety of aspects. No more than 8 units are accessed from each core.
320. Across both F1 and F2 buildings the glazed tiles will vary between a gentle range of green and blue tones and hues. The lower ‘nib’ buildings will use more solid, reflective glazed bricks which are smaller in scale than the tiles which will be used above. This helps create a more solid base to the buildings.
321. Across the buildings it is proposed that the colour of balustrade and window frames will be developed alongside the glazed tile and brick selection to act as an accent to the proposed colour palette. The balconies are proposed to be made from concrete, with painted steel balustrades.

322. The residential facade has been designed to maximise aspect, daylight and views. A balance between the solidity and the windows minimises overheating and provide sufficient daylight to the internal units. The living room windows are grouped together to form a double order on the facade and accentuate the proportion of glazing and slenderness of the tower. A saw-toothed profile spandrel panel sits between the windows to form the double order and add depth to the facade.
323. The same architectural idea is applied to the bedroom windows, where the single or double bedrooms' windows are grouped with a saw-toothed spandrel that sits between. Overall, this creates a repetitive, vertical language within the façades. Windows are aluminium with chamfered reveals which frame the windows and set them back into the façade.
324. Large scale bay studies have been provided with the submission to demonstrate design quality. Conditions were attached the OPP in respect of securing detailed sample materials and mock panels to ensure high quality execution.
325. To ensure the buildings have a human scale and provide active frontages 7 retail units with are proposed across the ground floor. The submission includes detailed studies which illustrate how the facade design is based on a simple series of bays that provide shopfronts which can be enhanced by tenants subject to their specific requirements. This ensures maximum flexibility to attract a diverse range of potential tenants. A condition attached to the OPP requires full details of the design code for the proposed frontage of the retail units; this will include shopfront designs, advertisement zones, ventilation grilles and awnings. Again, this will ensure high quality execution.

Heritage considerations and impact on protected views

326. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to consider the impacts of a development on a listed building or its setting and to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
327. Chapter 16 of the NPPF contains national policy on the conservation of the historic environment. It explains that great weight should be given to the conservation of heritage assets. The more important the asset, the greater the weight should be (paragraph 199). Any harm to, or loss of significance of a designated heritage asset should require clear and convincing justification (paragraph 200). Pursuant to paragraph 201, where a proposed development would lead to substantial harm or total loss of significance of a designated

heritage asset, permission should be refused unless certain specified criteria are met. Paragraph 202 explains that where a development would give rise to less than substantial harm to a designated heritage asset, the harm should be weighed against the public benefits of the scheme. Paragraph 203 deals with non-designated heritage assets and explains that the effect of development on such assets should be taking into account, and a balanced judgment should be formed having regard to the scale of any harm or loss and the significance of the asset. Working through the relevant paragraphs of the NPPF will ensure that a decision-maker has complied with its statutory duty in relation to Conservation Areas and Listed Buildings

328. Development plan policies (London Plan Policy HC1 and Southwark Plans Policies P19, P20 and P21) echo the requirements of the NPPF in respect of heritage assets and require all development to conserve or enhance the significance and the settings of all heritage assets and avoid causing harm
329. The site does not include any listed buildings and is not in a conservation area. However within the vicinity of the site are a number of heritage assets including: The Grade II Listed Dock Manager's Office and 1-14 Dock Offices on Surrey Quays Road and the Turntable and machinery of the former swing road bridge near Redriff Road. Nearby are the Grade II Registered Southwark Park and the Grade II Listed Former Pumping Station on Renforth Street. The area is rich in undesignated heritage assets and structures including the Canada Water Dock and its associated Dock structures and channels, Greenland Dock and Stave Hill. Further afield are a number of Conservation Areas including the St Marys Rotherhithe and the Edward III's Rotherhithe Conservation Areas, both located on the banks of the river, north of the Masterplan. The north bank of the river in Tower Hamlets also includes a number of conservation areas.
330. Due to the scale and massing of the proposed buildings they will be visible from various viewpoints within the area, as well as in longer views. The application is accompanied by a viewpoint study which identifies the visual impact of the proposed development. It consists of a series of accurately prepared photomontage images or Accurate Visual Representations (AVR) which are designed to show the visibility and appearance of the proposed development from a range of publicly accessible locations around the site. The views are a refined selection of updated views previously agreed as part of the Townscape, Built Heritage and Visual Impact Assessment (TVBHIA), which formed a chapter of the original CWM ES. The TVBHIA included over 50 views both protected and sensitive which demonstrate the OPP maximum masterplan presence in the round. The views examined in detail how the maximum parameters would appear from several vantage points both in the context of protected views and panoramas as well as incidental and important local views.

331. During the determination of the OPP careful consideration was given to the impact of the proposed tall buildings on London View Management Framework views especially from Greenwich Park towards grade I listed St Paul's Cathedral. As a consequence the taller buildings, including those within Zone F, are arranged to step away from the protected Vista. The updated view within the RMA viewpoint study - 1 LVMF 5A.2 - Greenwich Park: the General Wolfe statue demonstrates that the Zone F buildings will step away from the protected Vista and avoids tall buildings rising sharply along the edges of the protected vista.
332. Another important view is View 6 - London Bridge: downstream - Point B. The updated view demonstrates that the Zone F tall buildings will be seen through the frame and around the southern tower of Tower Bridge. The individual buildings are both elegant in proportion and given the different set height parameters for Zones G and D will there will be an easy differentiation between the buildings within the central Masterplan area. The OPP confirmed that any that harm arising due to the cluster of tall buildings is limited to this northern end of London Bridge and is of the lowest order of less than substantial because it does not interrupt the bridge and stays within the frame of the towers and galleries. As Zone F buildings comply with the approved Maximum Parameters this continues to be the case.
333. The Views Assessment provides a series of local views from locations such as Southwark Park, Stave Hill, Russia Dock Woodland and Greenland Dock. The Zone F tall buildings would be visible from each of these views, but would always be read as part of a distinct Central Cluster of tall buildings as permitted by the OPP.
334. The proposed tall buildings would be visible from within the closest conservation areas to the north-west of the site, including from Waterside Gardens on the northern side of the Thames above the buildings in the St Mary's Rotherhithe Conservation Area. In determining the OPP Officers were satisfied that that there is no harm to the setting of the conservation areas. The impact of the introduction of two tall towers with lower podium, contained within the approved Maximum Parameters, formed part of that assessment and the proposal was deemed to be acceptable. This RMA application does not introduce any new considerations in respect of impact on heritage assets. The slightly amended footprint and height would have no discernible impact on views of the development from the nearby conservation areas or longer views of the Masterplan redevelopment from the River Thames. The detailed design of the towers, which falls to be assessed under this RMA, does not raise any new or further concerns about the impact of the buildings on heritage assets.

Design Review Panel

335. The proposed development was considered by the Council's Design Review Panel at the pre-application stage in July 2021. Their full comments are attached as Appendix 6 but in summary the following views were expressed:-
336. The Panel enjoyed the design development of the residential towers and the commercial mid-rise building which they felt demonstrated a clarity of thought and a consistent approach. However, they questioned the language applied to the smaller residential elements – the 'Nibs' – which they felt lacked a clear rationale at that stage.
337. The Panel queried the limited landscaping information and encouraged the designers to integrate the landscape masterplan into their proposals and to explore the possibility of extending the landscape up to and in to the buildings.
338. The Panel generally endorsed the direction of travel and commended the highly sustainable and multi-disciplinary design ambition encouraged by the applicant. They highlighted areas for further development especially in respect of public realm, architectural character and detail as well as environmental performance which they asked the designers to resolve before submitting a planning application.
339. The Panel noted that the presentation did not provide detail on the microclimate and wind effects of the proposed building arrangements. They also wanted to see more about the circular economy principles of the scheme, in order to appreciate how the architects envisage the building's components could be re-used in future.
340. The scheme architects responded positively to the Panel's feedback. They have provided a detailed landscape and public realm strategy within the Design and Access Statement. This has been reviewed by officers, including the Council's Urban Forester, and is considered to be acceptable.
341. The application is also accompanied by additional microclimate and wind assessment information which demonstrates that, subject to identified mitigation measures, the environmental effects are satisfactory. Finally, a detailed circular economy strategy is submitted with the application. This outlines the key circular economy principles that the development will follow.

Inclusive access

342. Policy D5 of the London Plan requires development proposals to achieve the highest standards of accessible and inclusive design, requiring applications to be supported by an inclusive design statement within the Design and Access Statement. The Mayor provides detailed guidance on creating inclusive neighborhoods in the Accessible London SPG 2004.
343. Southwark Plan (2022) Policy D13 requires development to provide accessible and inclusive design for all ages and people with disabilities. Developments must be designed for diverse communities in Southwark and to ensure accessibility, inclusivity, and interaction, regardless of disability, age or gender, and allow all to participate equally, confidently and independently in everyday activities.
344. The applicant's Access Statement sets out the various inclusive access measures. These include:
- Accessible routes to all connections with local pedestrian routes and public transport
 - Safe spaces and routes for pedestrians and cyclists, segregated from vehicle traffic
 - Provision of accessible car parking spaces including 5 on-street spaces for residents and 2 spaces within the service yard for commercial use
 - Provision of accessible cycle parking spaces for residents, staff and visitors;
 - Wheelchair-accessible sanitary facilities in commercial buildings, including changing facilities for cyclists, and at all reception areas;
 - Step-free access to all parts of the buildings, including balconies and roof terraces
 - 89% of dwellings will be designed to meet Building Regulation M4(2) and 11% of the dwellings will be designed to meet building regulation M4(3);
 - Access to a second lift for all residents of wheelchair accessible homes
 - Emergency evacuation strategy for disabled people including the provision of protected evacuation lifts.
345. The proposal is ambitious in its inclusive design principles creating a convenient and welcoming set of buildings and public spaces that can be entered, used and exited safely, easily and with dignity for all.

Designing-out crime

346. Policy D3 of the London Plan 2021 states that measures to design out crime should be integral to development proposals and be considered early in the design process. Developments should ensure good natural surveillance, clear sight lines, appropriate lighting, logical and well-used routes and a lack of potential hiding places. Policy P16 of the Southwark Plan 2022 reinforces this and states that development must provide clear and uniform signage that helps people move around and effective street lighting to illuminate the public realm.
347. This development will be required to achieve SBD accreditation. Compliance has been secured by way of Condition 73 attached to the OPP which requires the submission of details of security measures prior to the commencement of above ground works for each of the Development Plots.
348. The overall masterplanning strategy for Canada Water aims to build sustainable communities and reduce security risks associated with crime by encouraging and maximising natural surveillance, accommodating active frontages and activity support.
349. These measures will be supplemented by a balance of natural (e.g. overlooked space), technological (e.g. video surveillance systems) and human surveillance. Cognisant of current anti-social behaviour issues, the new development is a very deliberate effort to create a convivial place that can foster positive community activities in the heart of the site.
350. The Metropolitan Police's Secure by Design Officer has assessed the proposal and is confident that certification can be attained.

Public realm, landscaping, trees and urban greening

351. London Plan (2021) Policy G7 and Southwark Plan (2022) Policy P61 recognise the importance of retaining and planting new trees wherever possible within new developments, Policy G5 requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The policy identifies a scoring system for measuring urban greening on a particular site (Urban Greening Factor) and suggests a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development.

Public realm and landscaping

352. With the exception of Surrey Quays Road and Printworks Place, the application boundary for this RMA is drawn tightly around the building structure. The Zone is surrounded by a series of street and public spaces, including the new Park, which are all subject to separate approvals and will, in combination, provide extensive areas of landscape and public realm.
353. This RMA seeks detailed approval for temporary landscaping works within Park Walk Place, at the entrance to F1. Details of the permanent landscape design surrounding the building will come forward as part of separate, future RMAs for Park Walk which runs to the east of Zone F. Park Walk is proposed to be a pedestrianised street with expansive and varied planting and seating areas throughout. The temporary proposals for Park Walk Place comprise temporary resin bound gravel surface with planters, trees which provide wind mitigation providing space for people to sit. The temporary landscaping and public realm also ensures that emergency vehicles can access F1 if necessary.
354. New tree planting is proposed along the length of Zone F on Surrey Quays Road, and a generous footpath is also proposed. Seating and visitor cycle parking will be integrated into pockets in the planting. Rain gardens are also proposed which provide an attractive greener, more natural system allowing the water to slowly percolate through the system.
355. A RMA has been submitted for New Brunswick Street which runs to the north of F2 and Printworks Place (21/AP/4616) which forms the public realm area immediately outside F2's office entrance. The submitted details show that Printworks Place has been designed as a key intersection and area of public realm between the Park Neighbourhood, Central Cluster and Town Centre, as defined in the OPP. The space has been designed for pedestrians and cyclists and would provide planting, seating and opportunities for public art with the intention of creating a space to dwell as well as providing an important link into the entrances to Printworks Building H1 and F2. This application has not yet been approved. The application also includes New Brunswick Street and the submitted details show that the street, which will be vehicular access controlled, will be pedestrian focussed with street trees and planting beds to create year-round visual interest and to contribute to the overall biodiversity of the scheme. Informal play opportunities are to be provided along the pavements to form play trails.
356. The curved pedestrian route known as the Higher Cut provides a connection from Park Walk to Surrey Quays Road between F1 and F2. Given its position

between two tall buildings, the route will be shaded for much of the day, and woodland planting and shade tolerant species are proposed. Raised planters and benches and seating areas are proposed, and it is envisaged that the retail units (which could include food and drink uses) will be able to provide additional tables and chairs allowing them to “spill out” within the area.

357. Having reviewed the design and access statement and landscaping proposals, the council’s Urban Forester considers the materials and specifications to be of a high quality, with appropriately-selected indicative trees and other soft planting.
358. The Urban Forester queried whether the mature trees within pits on the terraces, and in constrained locations at grade would have a minimum 5 cubic metres of soil volume, which is required to support healthy trees of the scale proposed. The applicant has since confirmed that the necessary soil volumes will be accommodated across the development.
359. Trees in pits proposed in the Higher Cut will be above ground level due to the basement level below limiting the available depth. However, this is only the case in this location and not on Park Walk or New Brunswick Street (which will be part of separate RMAs) where there is sufficient depth for tree planting at grade.
360. A draft version of a Landscaping Maintenance Plan was supplied at pre-application stage and officers were able to sense check the document. Condition 74 of the OPP requires details of the intended maintenance regime for all areas of landscaping and a detailed Maintenance Plan will be submitted as part of the condition discharge process. Similarly, the condition requires detailed planting specifications for all landscaping. The final proposed planting species will be secured at this stage.

Trees

361. A Tree Planting Strategy prepared by Townshend Landscape Architects forms part of this RMA. This complies with the Indicative Tree Planting Plan secured as Annex 27 of the OPP s106 agreement.
362. Standard trees are proposed along the Zone edge fronting Surrey Quays Road, whilst trees within pits are proposed within Higher Cut, which provides the new public access route between the two plots within Zone F. Tree planting is proposed within the temporary landscaping scheme within Park Walk Place, although this will be replaced by a future RMA for Park Walk.

363. The Tree Retention Plan within Annex 17 of the S106 agreement for the OPP establishes that all existing trees within Zone F will be removed to enable the redevelopment of the zone. However, the S106 agreement includes an obligation to ensure that 658 new trees (with a canopy cover of 39,433 sqm) are planted across the Masterplan site.

Green infrastructure, ecology and biodiversity

Urban greening

364. The OPP was not subject to an Urban Greening Factor Assessment as it predated the formal adoption of the London Plan 2021 and Southwark Plan 2022. Nevertheless, at the time of granting the OPP significant enhancements were secured in respect of landscaping, habitat and ecology enhancements and tree planting. Through the approved Parameter Plans, Design Codes, conditions and obligations attached to the OPP the redevelopment of the town centre as a whole will bring significant benefits in respect of urban greening.
365. The proposed development provides landscaped areas across a series of podium and roof terraces for both the commercial and residential occupiers and within the areas of public realm within the Zone fronting Surrey Quays Road, within Higher Cut and Park Walk Place. There are further significant areas of public realm outside, but immediately adjacent, to Zone F. These are Printworks Place, Park Walk and New Brunswick Street, which will be subject to separate Reserved Matters Applications in due course.

The proposed development would achieve an urban greening factor of 0.28, which does not meet the 0.35 target, through a combination of:

- mature shrubs
 - rain gardens
 - perennial planting;
 - standard trees
 - trees planted within pits; and
 - extensive green roof areas.
366. At ground floor level surrounding the buildings, the development is required to provide large paved areas in order to facilitate pedestrian, cycle and vehicular movement around the building. Tree planting is provided on Surrey Quays Road within connected rain garden beds. Low level planting and tree planting has also been provided within Higher Cut to increase greening and biodiversity.

367. Whilst the areas of green roof and planting has been maximised where possible within the buildings roofs, these are balanced with the requirements to provide lift over runs, and plant. Similarly, the amenity and play terraces also provide a balance green and hard landscaping to ensure they are functional for all different users. Accordingly, not all of the roof is available to be planted.
368. Park Walk Place (the public realm area immediately outside the residential entrance to F1) is included in the Development Zone F RMA in a temporary condition. This temporary condition includes areas of sacrificial hard surfaces which will need to be removed to deliver the optimal permanent scheme. The permanent proposals for this route will follow in a subsequent RMA, along with more detail on the greening strategy. This is likely to improve the UGF for this area.
369. Whilst the urban greening score falls short of policy targets, the RMA boundary is generally tight to the building and therefore urban greening measures which may come forward as part of the surrounding public realm (subject to future Reserved Matters Applications) are not accounted for in this score. For instance, RMAs relating to New Brunswick Street, Park Walk and Park Walk Place will also provide the opportunity for additional greening which will contribute to the UGF surrounding Plot F. Overall, whilst the UGF score does not meet the 0.35 across the plot, it is considered that, as the score is not able to factor-in greening within adjacent areas of public realm (because these areas are subject to their own personal RMAs), the 0.28 score that has been achieved is acceptable in this instance. Overall it is clear that redevelopment of this part of the Masterplan will introduce more soft landscape and urban greening benefits.

Ecology and biodiversity

370. The protection and enhancement of opportunities for biodiversity is a material planning consideration. London Plan Policy G6 requires development proposals to manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. Southwark Plan Policy P60 seeks to protect and enhance the nature conservation value of Sites of Importance for Nature Conservation (SINCs), enhance populations of protected species and increase biodiversity net gains by requiring developments to include features such as green and brown roofs, green walls, soft landscaping, nest boxes, habitat restoration and expansion, improved green links and buffering of existing habitats.
371. The impact of the development upon ecology was robustly considered as part

of the OPP (within the Environmental Statement) when the principle of the development was established. Appropriate ecological surveys were submitted and those surveys have subsequently been updated by way additional bat surveys.

372. The Masterplan redevelopment will significantly enhance provision of public open space and opportunities for habitat creation throughout the town centre. Ecological enhancements for this RMA will comprise features to be incorporated into the building fabric (biodiverse roofs) and planting for the terraces.
373. There are already conditions attached to the OPP in respect of soft landscaping, green/brown/biodiverse roofs and walls, biodiversity, habitat and ecology features, precautionary bat surveys and ecologically sensitive lighting. Finally, Schedule 3 of the s106 agreement to which this RMA will be bound includes an obligation for the applicant to submit a site wide ecology management plan and a financial obligation was secured towards toward the cost of monitoring the ecological works proposed to Canada Water Dock, The Park and other habitat and ecological enhancements to be delivered across the Masterplan site.
374. The impact of the proposal upon ecology has been fully considered and opportunities to enhance ecology have been maximised.

Transport and highways

375. The OPP was subject to robust scrutiny of the transport impacts that may arise from the wholesale redevelopment of the Masterplan site. The OPP secured a range of mitigation measures including substantial contributions to improve public transport infrastructure, including improvements to Canada Water and Surrey Quays station, and improvements to the operation of the highway network. This application was accompanied by a Framework Travel Plan and a Delivery, Servicing and Refuse Management Plan specific to the proposed uses for this plot.

Site layout

376. The proposal has been designed to accommodate vehicle movements associated with servicing and deliveries, car parking for mobility impaired motorists, and access for emergency vehicles. Surrey Quays Road routes along the western boundary of Development Zone F connecting Redriff Road (B205) to the south with the A200 Lower Road to the west. To the east of Zone F, New Brunswick Street is proposed to have a short two-way section forming

a junction with Redriff Road to the south. New Brunswick Street will form an access controlled one-way northbound route linking with Printworks Street to form a junction with Surrey Quays Road to the north of Development Zone F. Park Walk (which is subject to a separate RMA) will provide a new pedestrian and cycle route running north-south to the east of Zone F.

377. In order to improve permeability through the site, a pedestrianised route known as Higher Cut is proposed between buildings F1 and F2. This will connect Surrey Quays Road to the west and Park Walk to the east, which in turn directs pedestrians to the new public park to the north east of Zone F. As part of the wider CWM, further public cycle and pedestrian only routes are proposed along Park Walk, Middle Cut, Town Square and The Park. The routes will link to key transport hubs such as Surrey Quays station and Canada Water station, as well as local bus stops. Overall, when compared to the existing site layout which contains boundary fencing between the cinema and Printworks sites, the proposal will resolve current severance issues through the site, improving east to west as well as north to south permeability.

Trip generation

378. Given the car-free nature of the proposals (apart from a limited number of Blue Badge parking spaces), the trips associated with the commercial and residential uses will predominately be by sustainable travel modes including on public transport, by bicycle and on foot. The Transport Assessment estimates that the development would generate a total of 1,363 two-way trips in the AM peak hour and 1,093 two-way trips in the PM peak hour. Of the AM peak two-way trips, 915 would be by public transport, 241 on foot and 130 by cycle. Of the PM peak hour two-way trips, 741 would be by public transport, 184 on foot and 106 by cycle. Trip generation estimates are based on the proposed development floor areas for the commercial space and the quantum of residential units. The trip generation relating to the retail/workspace trips has been reduced by 20% to reflect linked trips rather than additional trips to the local network.
379. As part of the OPP significant contributions were secured towards improvements to public transport to mitigate the potential impact. Specifically;
- Surrey Quays Station contribution
 - Canada Water Station contribution
 - Bus contribution
 - Bus infrastructure improvements
 - Highways works
 - Signage and Legible London strategy
 - Cycle hire expansion and membership

380. The trip generation impact arising from this RMA accords with the assumptions made at OPP stage and has been addressed by the mitigation already secured in the S106 agreement.

Servicing and deliveries

381. London Plan Policy T7 deals with servicing and delivery arrangements during construction and end use. The policy requires provision of adequate space for servicing, storage and deliveries to be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans should be submitted (appropriate to the scale of the development).

382. The OPP includes an approved site-wide Delivery and Servicing Management Plan, which forms Annex 19 to the Section 106 Agreement (to which this RMA will be bound). An updated Delivery and Service Management Plan (DSMP) for Plots F1 and F2 has been produced in line with the framework and principles set out in the approved site-wide Delivery and Servicing Management Plan.

383. The development proposes an internal service yard in Plot F2 at ground floor level, which will be accessed from Surrey Quays Road. The service yard contains four loading bays. The loading bays are suitable to accommodate one 10m rigid heavy goods vehicle (HGV), two 8m medium goods vehicle (MGV) and one 6m light goods vehicle (LGV) at any one time. The service yard can also accommodate refuse vehicles and all office and residential waste will be collected from the yard.

384. An external layby is located on Surrey Quays Road and on New Brunswick Street (subject to a separate RMA). These can each accommodate small vehicles such as transit vans and small box vans up to 8m in length. The layby on Surrey Quays Road will be directly accessed from the public highway. Access to the New Brunswick Street layby will be controlled by an access control system further south along the road.

385. Maximum daily servicing and delivery trips are estimated at 161 vehicles per day (13 during the peak hour) using a booking delivery system and minimising movements during the morning and evening peak. The office use attracts the greatest number of vehicles per day (73) with residential (43) and retail (45) evenly split. The delivery vehicle booking-in system will be provided by the site management team to control the movement of commercial vehicles entering and leaving the internal service yard and to manage the number of vehicles using the loading bays. The internal service yard will be used for all deliveries

to the office, to retail units 2, 3 and 4 and for the majority of deliveries to residential units within both F1 and F2. Additional laybys for residential deliveries to F1 and F2 are available on Surrey Quays Road and New Brunswick Street. The layby on Surrey Quays Road will also be used for deliveries to retail unit 3 and some of the deliveries to retail units 6 and 7. The layby on New Brunswick Street will be used for deliveries to retail units 1 and 5.

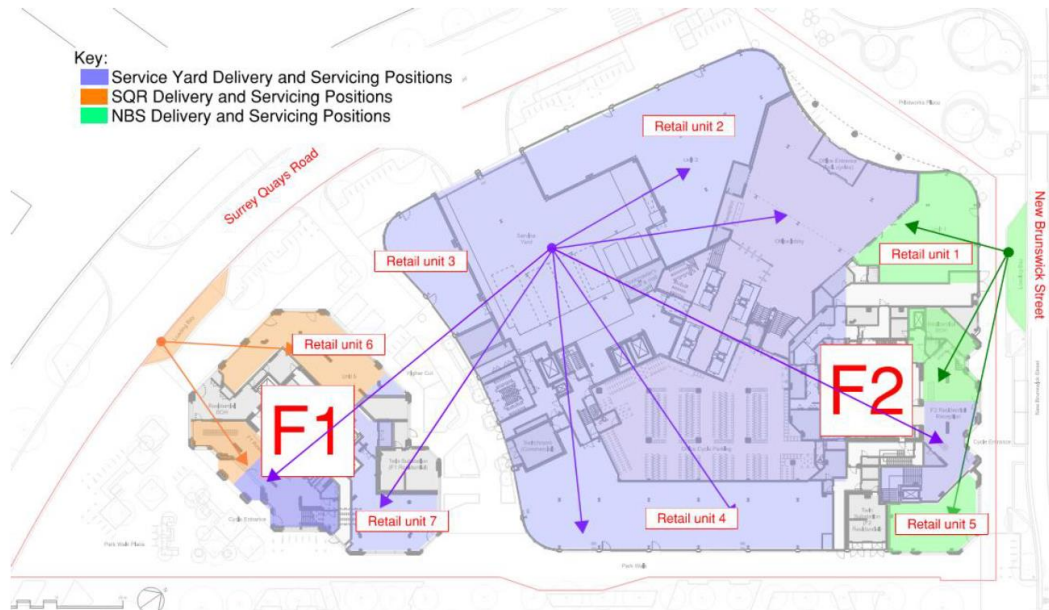


Image: Site plan illustrating the service yard and two loading bays

386. The delivery booking system will ensure that servicing vehicles and deliveries are scheduled and prioritised accordingly whilst ensuring that commercial deliveries are timed to avoid periods of peak demand. Specifically no deliveries will be permitted within the internal loading bay between 8am-9am and 5pm to 6pm on weekdays.
387. The applicant originally proposed a 22 hours daily servicing period, 7 days per week. However, due to the relationship of this site to residential neighbours in close proximity this is not acceptable. Servicing should be restricted to 07:00 to 21:00 on Mondays to Saturdays and 09:00 to 18:00hrs on Sundays & Bank Holidays (with an additional exclusion of 08:00 – 09:00 and 17:00 – 18:00 to minimise peak hour traffic). The restricted times will be controlled via conditions attached to this RMA.
388. It should be noted that servicing restrictions will vary from plot to plot across the Masterplan reflecting the location of the plot; the form and function of the

occupier; any relevant history and the impacts to residential amenity. As such the servicing restrictions imposed on this RMA will not set a precedent for restrictions on other RMAS which will be assessed on their merits.

389. It is envisaged that the yard would accommodate approximately 139 deliveries per day. This covers all office deliveries, the majority of retail deliveries, as well as some of the residential deliveries. 38 deliveries are expected across the Surrey Quays Road and New Brunswick Street laybys.
390. Delivery vehicles will be able to pull into the service yard from Surrey Quays Road and reverse within the service yard into their allocated loading bay. All deliveries can be transferred to the offices or retail units moving through the basement back of house, with the exception of retail units 1, 5 and 6 which will utilise the Surrey Quays Road and New Brunswick Street laybys.
391. With respect to the residential element, approximately 43 daily deliveries would be generated. Drivers will be responsible for the unloading/loading of goods from the vehicle whether within the internal service yard or in the on-street layby. Goods will be taken to the residential receptions by the driver where they can be placed into post boxes or delivery stores, or taken directly to the resident's unit. Large deliveries and fresh food will need to be taken directly to the resident's unit.
392. Schedule 16, Part 2 of the s106 agreement secured as part of the OPP (to which this RMA will be bound) requires submission of a DSMP prior to occupation of the development (by which times exact occupiers will be known). As such, the final DSMP for this building will be subject to future approval but it will be required to confirm the maximum servicing/delivery vehicles per day and will be required to adhere to the aforementioned servicing hours.

Refuse storage arrangements

393. A Delivery, Servicing and Refuse Management Plan (prepared by Arup) forms part of the RMA submission.

Refuse strategy for the commercial uses

394. With the exception of waste from retail units 1 and 5, refuse collection for the proposed commercial elements (including the offices) would take place on a daily basis from the service yard. The commercial waste will be stored within a large communal waste store at the basement level, and will be taken from each

of the units by the tenants as required periodically throughout the day. The waste will then be brought from the basement waste store to the service yard each day immediately prior to collection.

395. As with the approach to deliveries, waste collection for retail units 1 and 5 will be via the New Brunswick Street layby. Commercial waste from retail units 1 & 5 will be stored within the units themselves and collected directly from the layby on New Brunswick Street.

Refuse strategy for the residential use

396. Bi-separator waste chutes accessed from the residential floors will be used by residents to dispose of their waste into 1,100 litre Eurobins located at basement level. When full, these bins will be removed and replaced with empty bins under the waste chute discharge points. Full bins will be compacted with an in-bin compactor. Glass, food and waste which is too large to fit within the chute will be taken by residents to an interim waste store at ground floor level of both F1 and F2. These bins will be periodically emptied within the basement waste store, with the empty bins returned to the interim residential waste stores.
397. The waste bins will be transferred to the internal service yard once a week for collection. Each waste stream is collected separately by the local authority so a suitable space to temporarily hold one waste stream in the service yard is provided. All transfers of waste will take place internally within the building. The Council's Waste Contract Performance Manager has reviewed the waste proposals for both the residential and commercial uses and has confirmed that they are acceptable.

Car parking

398. The CWM Development Specification limits residential car parking to a maximum of 0.1 spaces per residential unit, including disabled parking, across the development. For office uses the Development Specification permits zero standard car parking spaces, with limited provision for disabled users.

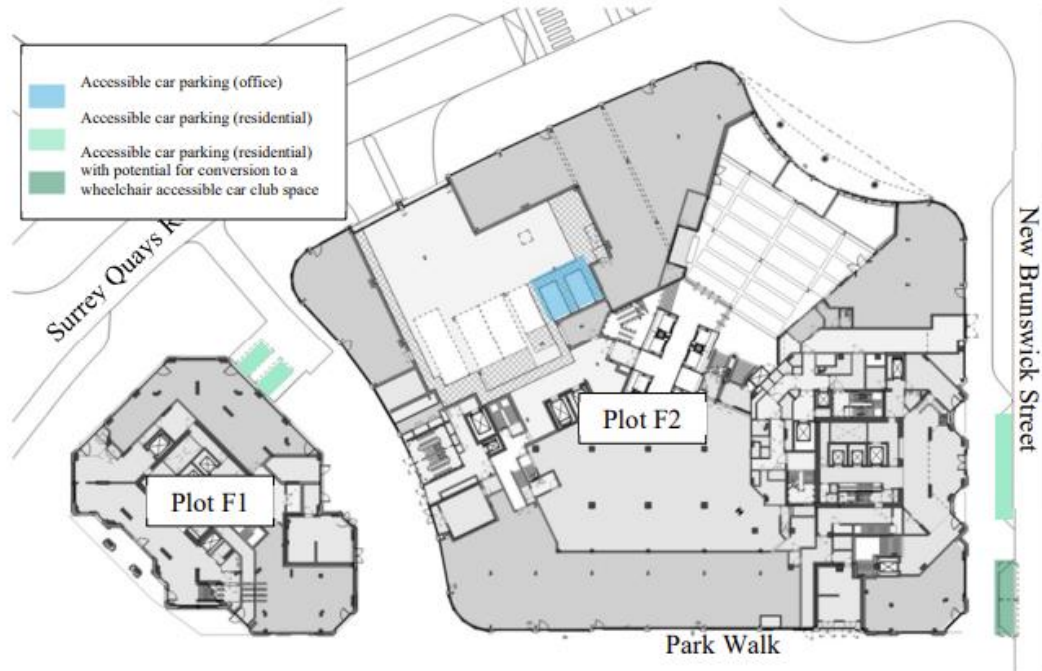


Image: Site plan illustrating the accessible residential and commercial car parking bays

Residential car parking

399. In accordance with the approved Development Specification the proposed residential development is car-free within the exception of the provision of 5 disabled car parking spaces, which will all include electric vehicle charging facilities. The largely car-free development is supported by both London Plan and Southwark Plan policies.
400. 2 spaces will be located between F1 and F2 on the Higher Cut to serve residents F1, accessed via a vehicle crossover from Surrey Quays Road. Development Zone F will have building management presence 24 hours a day (i.e. residential concierge, security, building management team). This means that there will be capacity to provide a banksman to assist disabled users driving in and out of the spaces at all times.
401. The Higher Cut was primarily conceived as a pedestrian walkway, and the incursion of parked cars will have some negative impact on the quality of the public realm. Officers have pushed the applicant to reconsider whether a more appropriate location for the accessible parking spaces can be provided. However, the applicant, following a detailed evaluation of the various options to re-locate the parking spaces, has demonstrated that each alternative location

would have significant downsides, such as the loss of active frontages from the ground floor retail units, the creation of retail units with unusable layouts, issues with servicing of the development or the location of the accessible parking spaces well in excess of 50m from the residential entrance to F1, thus affecting ease of use by disabled residents. On balance, it is considered that the proposed location within Higher Cut is acceptable.

402. The CW Masterplan S106 agreement includes an obligation that all private accessible residential units are marketed to potential occupiers for a period of at least 18 months, with no less than 6 months following practical completion. In the event that an accessible unit is not purchased within the marketing period, it may revert to a non-accessible unit. In the event that marketing of the units is unsuccessful, it would be inappropriate for the allocated area within the Higher Cut to be retained as car parking. Consequently, a condition is recommended to be attached to this RMA which precludes the retention of the car parking in the event that marketing of the accessible units is unsuccessful. Following unsuccessful marketing the condition requires details of an appropriate landscaping scheme to ensure that the former parking spaces will be carefully incorporated into the public realm. The landscaping must then be retained in perpetuity, unless a future need arises.
403. 3 further residential accessible car parking spaces will be provided on New Brunswick Street close to the residential entrance to F2. Whilst New Brunswick Street is the subject of a separate RMA, condition 95 of the OPP requires that car parking which is approved in connection with residential units within a building shall be provided prior to the first occupation of any residential unit.
404. Southwark Plan (2022) Policy P55 supports the provision of accessible car parking spaces up to a maximum of 1 space per wheelchair accessible unit. The proposed provision of 5 spaces for 47 wheelchair accessible units equates to 0.1 spaces per unit. Policy P55 requires that accessible spaces are located in close proximity to the nearest entrance of lift core. The 5 accessible parking spaces are located within acceptable distances to the cores to buildings F1 and F2.
405. The CW Masterplan S106 agreement includes an obligation to provide five car club spaces across the CW Masterplan to enable occupiers of residential units of each development plot to rent a car through a Car Club Scheme to be approved by the Council. This includes an obligation to promote the Car Club Scheme including provision of one year's free membership (including membership fee only) from the date of first occupation of any residential unit for the first and subsequent occupier within a 12-month period of first occupation.

Commercial car parking

406. The commercial floorspace is car-free with the exception of two accessible car parking spaces located within the service yard within F2. One parking space is provided per proposed use, i.e. 1 space for the office use and 1 for the retail units at ground floor. This is in compliance with Southwark Plan (2022) Policy P54 which confirms that retail uses should have at least 1 on or off street parking bay.

Cycle parking

407. Appendix 2 of the approved Development Specification sets the minimum cycle parking standards for the subsequent reserved matters applications. For residential units the Development Specification requires 1 space per studio or 1 person 1 bedroom dwelling, 1.5 spaces per 2 person 1 bedroom dwelling, 2 spaces per all other dwellings. For short-stay parking, the first 5-40 dwellings require 2 spaces, and thereafter 1 space is required per 40 units. This requirement pre-dated the adoption of the London Plan (2021) and the Southwark Plan (2022)

408. The application proposes 417 long stay spaces for the 235 units within building F1 and 303 long stay spaces for the 175 units within building F2. In addition, 7 and 5 short stay spaces are provided for buildings F1 and F2 respectively. Spaces would be provided in a mix of Sheffield stands and double stackers. 47 (6.5%) spaces for adapted or over-sized cycles are provided. This exceeds the 5% requirement within the London Cycle Design Standards (2016).

409. 578 long stay cycle spaces are provided for the commercial uses. Again, the spaces would be provided in a mix of Sheffield stands and double stackers. For each use a minimum of 50% of the spaces are Sheffield stands or lower tier spaces which enable those who wish to, to avoid using the upper tier of the cycle stackers. More than 5% of the spaces would be sized to accommodate adapted or over-sized cycles. In addition, the commercial cycle storage provides 47 folding cycle lockers, and 27 male, 27 female, 3 gender neutral and 2 unisex accessible shower cubicles. The table below identifies the cycle parking quantum by use.

Land use	Adapted/ oversize cycle spaces	Sheffield stand spaces	Two-tier stacker spaces	Folding bike lockers	Total
F1 residential	24	25	368	0	417
F2 residential	23	8	272	0	303
F1/2 commercial	29	16	486	47	578
Total	76	49	1126	47	1298

410. The F1 residential cycle store is located on the level 1 mezzanine, whereas the F2 residential cycle store is located in the lower ground, with both accessed via cycle stairs or cycle lift within the main residential lobby. Both are accessed via cycle stairs with wheeling gullies or the option of lifts from within the lobby. For each cycle store, additional service lifts are available in the event that the cycle lifts are out of service.
411. The office cycle store is located on a lower ground level, with associated changing facilities immediately above the store at upper ground floor. Again, both are accessed via cycle stairs with wheeling gullies or lifts from within the main office reception., and additional service lifts are available in the event that the cycle lifts are out of service.
412. In addition to the long-stay facilities, the application proposes 12 short stay cycle spaces for the residential uses and 139 for the commercial uses. These are provided within clusters of Sheffield stands be arranged in the public realm fronting Surrey Quays Road, Higher Cut and immediately outside the F2 office entrance. 9 of the spaces (6.5%) would accommodate adapted or over-sized cycles.
413. In summary, the details submitted with the application indicate the short stay facilities would be in a fit-for-purpose format and well-distributed, while all long stay cycle parking would be secure, covered, practically arranged and well-located in relation to the residential and commercial cores. The total provision of cycle spaces complies with the standards set by the Development Specification.

Travel plan

414. The OPP includes an approved Framework Site-Wide Travel Plan, which forms Annex 20 of the S106. This sets the principles for the site as a whole and

provides the governing framework within which Travel Plans for individual plots will be prepared. In accordance with Annex 1 of the OPP, a Travel Plan is required to accompany the submission of Reserved Matters applications. Consequently, a plot specific travel plan has been submitted. The plan sets out the measures that will be taken to maximum sustainable modes of transport for staff and visitors.

415. The Travel Plan prepared by Arup outlines measures and initiatives proposed by the applicant to support residents and commercial occupiers to make sustainable travel choices. These include the provision of free TfL Cycle Hire Scheme membership for occupiers for the first three years, promotion of location cycle groups such as *Southwark Cyclists* and the provision of a travel information pack for every residential unit. New residents will also benefit from provision of 1 year's free membership to a car club for the 12 months from first occupation of a residential unit in line with the CW Masterplan Car Club Scheme S106 obligation.
416. The Travel Plan outlines that commercial occupiers will also be provided with employee information pack which outline measures to encouraging active and sustainable transport choices.

Improving access to cycle hire options

417. In accordance with Schedule 19 of the S106 land will be safeguarded across the masterplan for the provision of cycle hire docking stations for the TfL Cycle Hire scheme. No space is allocated on the Zone F plots.
418. The development would also benefit from Legible London signs and existing sign map refresh, as secured in the s106 agreement.

Healthy streets

419. London Plan Policy T2 requires development proposals to demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance. The masterplan development provides the opportunity to greatly improve the pedestrian and cycling environment, moving away from the current car-based and car parking dominated layout of the town centre. In particular, the vehicle and walking routes proposed across the masterplan site are arranged in accordance with the following hierarchy:
- The primary routes are Lower Road (and the gyratory) and Redriff Road and these will carry the majority of traffic accessing the masterplan

development as well as through traffic from the wider area;

- As a secondary route, Surrey Quays Road will carry the majority of traffic associated with the development and local bus services. The realigned Deal Porters Way (to be known as the High Street) is also classified as a secondary route and will provide a bus route through the centre of the masterplan development;
- The remaining tertiary routes will carry lower volumes of traffic and will provide a local access and servicing function; and
- A comprehensive network of pedestrian and cycle routes will be provided that will enable the masterplan development to promote the Healthy Streets philosophy by providing high quality car free alternative walking and cycling routes.
- An indicative bus infrastructure plan has been agreed with TfL and the Council for the CWM area. The plan contains:
 - up to three new bus stops, proposed to be provided along Quebec Way, Surrey Quays Road and Deal Porters Way and new bus standing facilities in Printworks Street and a bus driver facility located in the Printworks Building;
 - the retention of existing bus stops along the A200 Lower Road, Surrey Quays Road and Redriff Road; and
 - the relocation of existing bus stops along Surrey Quays Road and Deal Porters Way.

420. The application is car free save for 7 disabled spaces (5 residential; 2 commercial) thus promoting walking, cycling and use of public transport. Contributions have been secured for sustainable transport modes to accommodate the demand created by future occupiers of the site. The scheme has been designed to enhance public realm around the site as well as within the surrounding network of streets. The scheme has been designed to minimise air and noise pollution as much as possible.

Transport summary

421. Overall the transport and traffic related implications have been fully considered. The Council's Highways and Transport Teams are satisfied with the proposal. The scheme minimises vehicle movements by prioritising use of public transport, walking and cycling, and by encouraging consolidation of deliveries. As such it conforms with the policies promoting sustainable travel. A range of improvements to public transport infrastructure, and to local streets, are important and necessary to mitigate the impacts of this large scale development. The necessary mitigation has already been secured as part of the OPP.

Environmental matters

Construction management

422. The construction related impacts of this development were considered as part of the ES submitted with the OPP. Schedule 23 of the s106 agreement (to which this RMA will be bound) secures the provision of detailed CEMPs for each development plot.
423. Subject to the submission of a detailed CEMP at the appropriate time it is not anticipated that any unacceptable long terms impacts will arise as a result of the necessary construction process.

Fire safety

424. Policy D12 of the London Plan 2021 expects all development proposals to achieve the highest standards of fire safety and requires applications to be supported by an independent Fire Strategy, produced by a third party suitably qualified assessor.
425. A Fire Strategy was submitted with the application. Among other things, the Fire Strategy details the building construction, means of escape, features that reduce the risk to life, access and facilities for firefighting, and compliance with Building Regulations Approved Document B. The Strategy was produced by fire risk engineering consultancy OFR Fire and Risk Consultants. Both the author and reviewer of the report, who has checked and approved the contents, are certified fire risk engineers (Member of the Institute of Fire Engineers).
426. Both towers provide a single stair core. The applicant has confirmed that Zone F has been designed cognisant of recent developments in fire safety regulations and guidance, including the policies within the new London Plan. Recognising the heights and complexity of the Zone F buildings, the design seeks to raise the bar above the 'minimum' requirements set out in standard guidance.
427. To ensure reasonable provision is made for the safe evacuation of all building occupants (including persons of reduced mobility in line with the London Plan), and safe entry and egress for London Fire Brigade personnel, a "defence in depth" philosophy has been applied to the Zone F design. The buildings are provided with smoke detection and alarm systems, sprinkler protection, extensive compartmentation, dedicated evacuation lifts, fire service access lifts, smoke extraction systems in escape routes, and non-combustible external

cladding and insulation. These safety systems are, as far as possible, independent of each other, meaning that the failure of one system does not affect the effectiveness of other barriers. The philosophy ensures that safety is not wholly dependent on any single element of the design, construction, maintenance, or operation of the building.

428. Throughout the design stages of Zone F, discussions have taken place with Building Control bodies, the London Fire Brigade (LFB), the GLA, warranty providers and insurers, and their feedback has informed the design. The proposals have also been subject to a peer review by an independent third-party reviewer.
429. The London Fire Brigade (LFB) was consulted on the application. The consultation response confirms that the LFB has no further observations to make. Therefore, the relevant fire risk minimisation policies of the London Plan are deemed to have been satisfied. A condition is recommended to ensure the construction and in-use operation of the building are carried out in accordance with the Fire Strategy.

Flood risk, resilience and safety

430. The application site is located within Flood Zone 3, with a high risk of tidal flooding but benefitting from the Thames Tidal defences and therefore a Flood Risk Assessment was submitted as part of the OPP detailing how the site wide Masterplan development has been designed to address flood risk and SUDs proposals. This confirmed that, through the implementation of the site-wide sustainable drainage strategy, the risk of flooding would not be increased elsewhere. The site benefits from the strategic flood defences along the Thames, but in the unlikely event that these defences were breached, some isolated pockets of the site that are lower lying could be susceptible to fluvial flooding. These are located within Zones M and E, but not Zone F, the subject of this RMA.
431. There have been no changes to baseline flood risk data since production of the FRA approved under the OPP. Surface water runoff would be restricted and attenuated for both Zone F and the public realm. Consequently, it is considered that there will be no change to the water resources and flood risk effects or mitigation previously identified within the approved CWM ES.
432. The scheme is targeting the use of the following water reduction measures:-
- Selection of low flow and flush sanitary fittings.

- Water metering will be provided within the development, covering both the incoming supply and also monitoring water usage of high-consumption systems and building areas
- Water leak detection systems will be provided, which will monitor leaks throughout the development
- Sanitary supply shut off devices, such as PIR linked to the lighting systems, will be included to only supply water to spaces (such as WCs and hand basin taps) when it is required.

Sustainable urban drainage

433. The approved Flood Risk Assessment (FRA) for the CWM included attenuation details for all Development Zones. The proposed surface water drainage strategy for Development Zone F includes the provision of green and blue roofs and a below ground storage tank, to attenuate the collected surface water to the greenfield discharge rate under the 1-in-100 year storm event, plus 40% climate change allowance. This is in line with the principles set out in the approved FRA.
434. The majority of public realm within Zone F is served by an attenuation tank within the basement below the F2 service yard. There are small fringe areas of public realm towards the edges of the Zone which will be served by additional attenuation tanks located just outside the RMA boundary, either beneath Park Walk or Printworks Place. In addition, the roofs of F1 and F2 provide blue roof systems which will collect rainwater which will be discharged to the basement attenuation tank.
435. Condition 17 of the OPP requires that, prior to the commencement of each Development Plot a detailed surface water drainage strategy relating to that Development Plot shall be submitted to the council for approval in consultation with Thames Water and the Environmental Agency. This will identify the range of sustainable drainage measures to be implemented within Zone F, and will be verified by the Council's Flood Risk Management Team prior to the commencement of works.

Energy and sustainability

436. A site wide approach to energy and carbon emission reductions was approved as part of the OPP. Schedule 18 of the s106 agreement (to which this RMA will be bound) sets out the necessary obligations for each RMA. The following obligations have been secured:-

- Submission of an Energy Review to identify the most appropriate energy solution for the Development including an evaluation of the opportunity to connect to a District Heat Network (DHN) or External Heat Network (EHN) - to be submitted upon implementation of a plot that would create more than 100,000 GEA of floor space or each whole multiple of 100,000 sqm
- Each RMA to include an Energy and Sustainability Plan which must address up-to-date development plan policies, demonstrate how policy targets will be met, be consistent with the approved site wide strategy and demonstrate future proofing for a DHN or EHN
- Necessary carbon offset contributions for each RMA must be calculated according to current adopted calculations (at the time of determination of the RMA) and are payable upon implementation of that RMA
- 5 year monitoring reports to be submitted post construction.

437. This application has been accompanied by an Energy and Sustainability Plan as well as Whole Life Carbon Assessment and Circular Economy Statement to address current policy requirements (discussed further below).

Whole life cycle and carbon capture

438. A Whole Life Carbon Assessment and GLA Template was submitted. The Assessment states there is a lack of suitable existing buildings and structures on site to refurbish and re-utilise (or at least a lack of structures that have any sort of reasonable expectation for reuse as commercial or residential developments). Therefore, it is not possible to use any existing structures to repurpose and reduce whole life carbon

439. However, opportunities for the new-build include a 100% electric HVAC solution which facilitates long-term decarbonisation through the decarbonisation of the UK grid, and a strategy which puts energy reduction first, through use of fabric-first design standards, high-efficiency decentralised services approach led by heat pumps, underpinned by energy performance and benchmarking targets.

440. In terms of new material selection, it is proposed to utilise cement replacements and low -carbon steelwork, whilst low-carbon precast cassette slabs are proposed to be used within the commercial office construction.

Carbon emission reduction

441. This application includes an Energy Strategy which suggests that the non-residential parts of the scheme would achieve a carbon saving of 43% on site, whilst the residential parts would achieve a carbon saving of 64.9%. The shortfalls between 40% and zero carbon will be met by way of a carbon offset payment which would accord with current adopted policies and the OPP.
442. To this end a payment of £869,250 (205 tonnes x 30 x £95) would be payable for the non-residential development. A payment of £401,280 (140.8 tonnes x 30 x £95) would be payable for the residential.

Be Lean (use less energy)

443. In terms of meeting the “Be Lean” tier of the hierarchy, a range of passive and active measures are proposed. The measures include:
- Optimisation of building façades through balancing the performance specification of the solar-control glass and the actual proportions of glazing and opaque façade elements to reduce the risk of overheating;
 - Building design to maintain the maximum floor to ceiling heights possible
 - High thermal envelope performance to reduce uncontrolled heat transfer through the building fabric;
 - Optimisation of size and g-value of the glazing to provide a balance between minimising heat gain and maximising natural daylight (to reduce lighting energy);
 - Openable windows and dual-aspect living rooms to prevent overheating in summer and allow for natural cross flow ventilation of the residential units;
 - Deep window reveals and inset balconies to provide solar shading;
 - Minimising heat loss from heating and hot water systems; and minimising internal gains through the use of efficient LED lighting
 - High efficiency ventilation for the commercial use to minimise mechanical cooling.
 - Low energy and high efficacy lighting systems, fittings and controls;
 - A controls systems to monitor and operate the plant and equipment as efficiently as possible

Be Clean (supply energy efficiently)

444. The possibility of employing a decentralised energy network was investigated at OPP stage and again at the point of preparation of this RMA. Currently there is no district heating network available. However, a plan is under development

and a new network might become available in the coming years. The development has been designed to allow future connection to a district heating network should one become available. The Zone F buildings will have pipe sleeves and plant rooms to accept future connections and the associated plant from a district heating system within 10 metres of the development, should one be available in the future. Ongoing review of the possibility to connect is secured in Schedule 24 of the S106 agreement

Be Green (Use low or carbon zero energy)

445. With respect to the “Be Green” tier of the hierarchy, the applicant has proposed that a central communal heating system is installed that utilises high efficiency heat pumps. These will be installed on the site to serve the space heating and domestic water demand. The system design allows for future connection to a district heating network of either high or low temperature heat supply.
446. Low temperature hot water generation will be provided via Air Source Heat Pumps (ASHPs). Water source heat pumps (WHSPs) will be utilised to step-up the temperatures to feed cycle showers. Chilled water will also be provided through the use of ASHPs. The office fit-out is likely to include computer rooms or servers which will require a constant cooling demand and create the opportunity of a steady heat source to the heat pump. Therefore, the heat pumps will be able to maximise the waste heat, which would otherwise be rejected to atmosphere, to supply the space heating and domestic hot water demand within Development Zone.
447. The applicant has investigated but discounted the introduction of further renewable technologies for a variety of factors including site constraints, the development footprint, surrounding environment and access limitations. Notwithstanding this, the site-wide carbon emissions would be reduced by 33% through the proposed ‘Be Green’ measures, and the applicant has demonstrated that opportunities for renewable energy by producing, storing and using renewable energy on-site have been maximised.

Be Seen (Monitor and review)

448. In respect of ‘Be Seen’ measures, the applicant has committed to:
- metering of energy usage on all floors, per tenancy and per dwelling which will allow building owners and occupiers to view and interrogate where potential energy savings can be made throughout the building
 - developing detailed energy monitoring and reporting plan to ensure reporting over period of five years; and

- using fully metered electricity and water supplies.

449. The London Plan asks developers to monitor energy use during the occupation and to incorporate monitoring equipment to enable occupants to monitor and reduce their energy use. 5 years post completion monitoring has been secured in the OPP s106 agreement to which this RMA will be bound.

Circular economy

450. Circular Economy is defined as one where materials are retained in use at their highest value for as long as possible and are then reused or recycled, leaving a minimum of residual waste. London Plan Policy SI7 seeks to promote resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal through the requirement of new development to submit a circular economy statement. Such statements must demonstrate how all materials arising from demolition and remediation works will be re-used and/or recycled; how the proposal's design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life; opportunities for managing as much waste as possible on site; adequate and easily accessible storage space and collection systems to support recycling and re-use; specify how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy. The statement must also identify how performance will be monitored and reported.

451. The applicant has provided a circular economy statement with the application in line with the GLA's requirements. The statement proposed the key commitments:

- On-site reuse and recycling of existing materials where feasible
- Off-site reuse and recycling of existing materials wherever possible (minimum of 95%) to avoid materials going to landfill
- Sustainably sourced materials with high recycled content and reuse potential will be specified wherever practicable, and Environmental Product Declarations will be sought as often as possible.
- A minimum of 20% of the total value of materials used will derive from recycled and reused content in the products and materials selected
- The principal contractor will be required to monitor construction site impacts and complying with BREEAM and project targets set during the design stage.

- The design will support operational waste management through provision of dedicated space for the segregation and storage of operational recyclable waste.
- The project has followed the energy hierarchy with a range of passive and active measures included to reduce energy demand and consumption. Air source heat pumps will provide low energy heating and cooling.
- In order to minimise the weight of steel in the office, and the thickness of the concrete slabs in the residential towers, the grid of each building has been optimised. This approach ensures the minimum possible material 'inputs' into the structure.
- The structural fabric of both the office and residential buildings are designed to be adaptable. The layout of the towers is intended to allow for future adaptability of units and mix. The steel frame structure of the office building allows flexibility to introduce voids and interconnecting stairs between floors.
- Fragile, aesthetic surface finishes for internal and external areas are avoided, and will mean there is less need for frequent repair and replacement.
- The proposals maximise opportunities to use Modern Methods of Construction (MMC). This will speed up construction, optimise deliveries to site and minimise off-site construction waste.

452. The proposed commitments to minimise the quantities of materials and other resources (energy, land, water) used, and measures for sourcing materials responsibly and sustainably are considered to be acceptable in principle. Compliance with the CES should be secured by Condition.

Cooling and overheating

453. London Plan SI4 requires major development proposals to demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the London Plan cooling hierarchy. The six-step hierarchy is as follows:

- Minimise internal heat generation through energy efficient design; then
- Reduce the amount of heat entering the building through the orientation, shading, albedo, fenestration, insulation and green roofs and walls; then
- Manage the heat within the building through exposed internal thermal mass and high ceilings; then
- Use passive ventilation; then
- Use mechanical ventilation; then

- Use active cooling systems (ensuring they are the lowest carbon options).

454. The Energy Strategy submitted with the application identifies that steps set out in the hierarchy have been applied to the residential elements of the development. This is set out below in sequential order.

Minimise internal heat generation through energy efficient design

455. The glazing ratio is optimised throughout the building to provide sufficient daylight and solar control glass applied to minimise solar gains. LED lighting and energy efficient appliances are proposed to reduce internal heat gains.

Reduce heat entering the building

456. The building has a mix of external shading such as window reveals and balconies.

Manage the heat within the building

457. In the residential element, the corridors (classed as non-domestic spaces) benefit from the lower energy supply temperatures of the ambient loop energy networks operating at temperatures below 27°C. Therefore, mitigating overheating in summer months 2.53m and 2.76m floor to ceiling heights in occupied areas will act as a heat preventing measure. High thermal mass is proposed in living rooms and some bedrooms.

Use passive ventilation

458. Openable windows to all residential units will enable natural ventilation and free cooling throughout the majority of residential units within F1 and F2. However, the east and south east facing flats in levels 2 to 9 within the F1 tower are subject to potential higher external noise levels, and consequently residents may chose not to naturally ventilate. For these limited units, high efficiency fan coil units fed by the Water Source Heat Pump system is proposed to provide additional cooling.

BREEAM

459. Southwark Plan Policy P69 requires the development to achieve BREEAM 'excellent'. A BREEAM Pre-assessment report has been undertaken which confirms that the development is on target to achieve a BREEAM Excellent

rating for the office spaces and a BREEAM Excellent rating for the retail spaces. Condition 83 attached to the OPP secures compliance with BREEAM "Excellent" rating for any workspace (use class B1) or retail (use classes A1-A5).

Digital connectivity

460. The NPPF recognises the need to support high-quality communications infrastructure for sustainable economic growth and to enhance the provision of local community facilities and services.
461. London Plan Policy SI6 introduces the need for new developments to address London's requirements for enhanced digital connectivity. The policy requires development proposals to ensure that sufficient ducting space for full fibre connectivity infrastructure is provided to all end users, to meet expected demand for mobile connectivity generated by the development, to take appropriate measures to avoid reducing mobile connectivity in surrounding areas; and to support the effective use of rooftops and the public realm (such as street furniture and bins) to accommodate well-designed and suitably located mobile digital infrastructure.
462. Although the Zone F RMA does not contain details about digital connectivity infrastructure, Schedule 22 of the s106 requires a pure fibre connection to be provided to both buildings within Zone F before they can be occupied. This will ensure the aims of the NPPF and London Plan are achieved.

Summary

463. In conclusion, the documents submitted with this RMA reflect the principles established by the OPP and meet the requirements of the s106 agreement and current development plan policies in respect of climate change. It is necessary to add additional conditions to this RMA to secure compliance with documents that have been submitted to address current development plan policies for climate change such as CES and WLC Assessments.

Planning obligations (S.106 agreement)

464. London Plan Policy Df1 and Southwark Plan Policy IP3 advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. These policies are reinforced by the Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that

qualifies for planning obligations. The NPPF echoes the Community Infrastructure Levy Regulation 122 which requires obligations to be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

465. This application is bound by the s106 obligations secured in the legal agreement attached to 18/AP/1604. For this particular RMA there is no requirement for additional mitigation beyond that secured at Outline stage.

Mayoral and borough community infrastructure levies

466. 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 Borough 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, while the Borough CIL will provide for infrastructure that supports growth in Southwark.

467. To be provided in the addendum.

468. It should be noted that this is an estimate, based on information provided to date by the applicant, and the floor areas including ancillary areas will be checked when CIL Additional information and Assumption of liability forms are submitted after planning approval has been obtained. It also does not take any account of the potential for CIL relief for the delivery of affordable housing.

Community involvement and engagement

469. This application was accompanied by a Statement of Community Involvement. The document confirms that the following public consultation was undertaken by the applicant during the pre-application and planning application stages:

<u>Developer Consultation: Summary Table</u>	<u>Form of consultation</u>
	Public Consultation Events (pre-application)

23 rd & 28 th October 2021	<p>Two 'pop-up' events in the Surrey Quays Shopping Centre, outside Tesco. 120 public attendees. 2 feedback forms completed.</p> <p>The focus of the events was to share plans for Zone F, materials on the wider Masterplan were also displayed to provide an overview of the development.</p>
18 th October-1 st November 2021	Virtual public exhibition – 342 unique users, 2,484 views of the display materials, 8 feedback forms completed. 11 social media posts to signpost the virtual exhibition.
Other Engagement	<ul style="list-style-type: none"> • E-newsletter sent to c.2,500 people in the area to share details of the virtual and in-person events, with an invitation to view the proposals • Virtual Exhibition website • Posters placed in key locations • A freephone number to arrange a call back appointment with the project team • Frequently asked questions booklet issued • Social media posts signposting the information events across Twitter, Instagram and Facebook, shared to over 4,500 followers • Invitations to meet issued to Surrey Docks and Rotherhithe Ward Councillors.

470. The Statement of Community Involvement sets out the responses from the 8 feedback forms submitted following the virtual public exhibition. In addition, 1 comment was received via the Canada Water Masterplan Twitter account and 6 respondents chose to submit more general comments. A detailed summary of each topic raised and how the applicant responded is provided in the document.

471. The level of pre-application consultation undertaken by the applicant is considered to be an adequate effort to engage with those affected by the proposals. The applicants utilised a mix of in-person pop-up events, and a virtual exhibition was between 18 October and 1 November 2021, which was considered to be an acceptable engagement method.

472. The Council, as part of its statutory requirements, sent letters to surrounding residents, issued a press notice publicising the planning application and displayed 5 site notices in the vicinity of the site. Details of the consultation undertaken by the Local Planning Authority are set out in the appendices. The responses received are summarised later in this report

Consultation responses from external and statutory consultees

473. **London Fire Service:** The London Fire Brigade (LFB) has been consulted with regard to the above-mentioned premises and have no further observations to make.

474. **Transport for London:** No objection.

475. **London Underground:** Do not wish to comment.

476. **GLA:** Do not wish to comment.

477. **Civil Aviation Authority:** Do not wish to comment

478. **London Borough of Lewisham:** No objection

479. **London Borough of Tower Hamlets:** No objection

480. **Environment Agency:** No objection. Conditions attached to the Outline Permission should be applied and Environment Agency should be consulted at Approval of Details stage.

Officer comment: This application will be bound by the conditions attached to the OPP. The Environment Agency will be consulted on relevant Approval of Details Applications.

481. **Historic England:** No objection.

482. **Secure by Design:** Have been in contact with the developer to discuss the crime prevention and SBD requirements for this site. It is positive that the developer has engaged in this way.

The wider masterplan already has a condition for buildings to comply with SBD requirements so this portion of the masterplan will be captured by those conditions.

Officer comment: There is already a relevant condition attached to the OPP.

483. **Thames Water:** Foul water drainage conditions recommended.

Officer comment: There is already a relevant drainage condition attached to the OPP.

Community impact and equalities assessment

484. 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:

1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
2. 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
3. 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.

485. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership. The OPP was subject to detailed assessment and the permission allows a range of uses, specific parameters and mitigation, all of which this application complies with. The application would deliver a significant amount of commercial development including a large quantum of affordable workspace within the Masterplan thus presenting opportunities to enhance access to employment for all residents of the borough including those with protected characteristics. The RMA would deliver 410 market residential units. However, across the Masterplan a minimum of 35% of all units would be affordable units, comprising a mix of social rented and intermediate tenures. 11% of all housing would be wheelchair accessible within

Zone F. Wheelchair parking would also be provided for the office, retail and residential uses.

Human rights implications

486. This planning application engages certain human rights under the Human Rights Act 2008 (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.
487. This application has the legitimate aim of delivering commercial development. 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.

Positive and proactive statement

488. The council has published its development plan 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.
489. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan, and this service was used by the applicant in this case.

Positive and proactive engagement: summary table	
Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	

CONCLUSION

490. In land use terms the proposed uses and quantum of floor area accords with the Development Specification and other relevant development plan policies and is consistent with the principles established by the OPP.
491. The development would deliver 410 new residential units within Zone F and is strongly supported by both development plan policies and the requirements of the OPP. The proposed mix of units complies with the OPP with 60% of all units being 2 or 3 bed homes. The quality of the new homes is good, albeit some units at lower floor levels will receive daylight and sunlight below the BRE recommendations. However, the high proportion of dual aspect units and quality of communal amenity space are positive factors to be considered in assessing the overall quality of the new residential accommodation.
492. All of the proposed units are market units. Notwithstanding this, the S106 agreement for the OPP requires the masterplan to deliver 35% affordable housing (measured by habitable room), with a tenure split of 25% social rent and 10% intermediate. Affordable housing units will be delivered across other Zones within the Masterplan.
493. The proposed development would deliver a significant amount of commercial floorspace creating for circa 2,225 – 2,895 FTE jobs, which would make a positive contribution to employment opportunities in the borough. Obligations secured as part of the OPP include the provision of affordable retail and workspace within the masterplan development, which could be delivered within this phase.
494. In design terms the proposed buildings accord with the principles and maximum height parameters established by the OPP. The office building design seeks to respond to the industrial heritage of the site whilst offering a modern and flexible office environment. The two residential tower buildings would provide exemplary architecture that would be visible from long distances helping to raise the profile of the area. This has been achieved through the arrangement of the towers and by providing slender towers which are well articulated. The building's height and articulation emphasises the central character of Zone F and assist in marking the future public park within the Masterplan and routes towards it.
495. The site layout and provision of public realm accords with the details approved in the OPP Design Codes. Subject to high quality execution, as secured by the

conditions attached to the OPP, the proposal will have a positive place making benefit for this part of the Masterplan.

496. Subject to conditions to control plant noise and detailed operation and servicing hours the proposal would not give rise to significant harm to neighbouring amenity by way of overlooking, loss of privacy, noise or disturbance. At OPP stage the impact on daylight/sunlight and overshadowing was deemed to be acceptable.
497. An EIA Statement of Conformity has been provided to demonstrate that the assumptions, conclusions and mitigation secured at outline stage are still fit for purpose and that this RMA would not give rise to new significant effects.
498. Subject to the necessary mitigation already secured as part of the OPP s106 obligation (to which this RMA will be bound) the proposal would not give rise to unacceptable transport impacts.
499. Subject to compliance with the detailed energy and sustainability strategies submitted and payment of the Carbon Green Fund, the development satisfactorily addresses climate change policies.
500. It is therefore recommended that planning permission be granted for this RMA, subject to the recommended additional conditions as set out in the draft recommendation at Appendix 1.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents	Planning Division, 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: 020 7525 1770 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policy
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received.
Appendix 6	DRP Report

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Billy Pattison, Senior Planning Officer	
Version	Final	
Dated	13 July 2022	
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, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Date final report sent to Constitutional Team		13 July 2022

APPENDIX 1**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		Reg. Number	21/AP/4712
	BL CW Holdings Ltd		
Application Type	Approval of Reserved Matters		
Recommendation	APPROVE reserved matters	Case Number	468-G

Draft of Decision Notice**Reserved matters is APPROVED for the following development:**

Details of all reserved matters (Access, Appearance, Landscaping, Layout and Scale) relating to Development Zone F of the Canada Water Masterplan, comprising a residential-led (Class C3) building and a combined office (Class B1) and residential (Class C3) building, both of which would include flexible retail/workspace (Classes A1-A4 and B1) at ground floor level alongside disabled car parking, cycle parking, servicing provision, landscaping, public realm, plant, a single-storey basement and associated works.

This application is pursuant to hybrid planning permission for the Canada Water Masterplan ref. 18/AP/1604 dated 29th May 2020, which was accompanied by an Environmental Statement. Consequently the application is accompanied by a Statement of Conformity submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) regulations 2017. This ES Statement of Conformity should be read in conjunction with the Canada Water Masterplan ES which can be viewed in full on the Council's website (18/AP/1604).

Canada Water Masterplan: Land Bound By Lower Road (West), Redriff Road (South), Quebec Way (East), Surrey Quays Road London Southwark

In accordance with application received on 23 December 2021 and Applicant's Drawing Nos.:

CWF00-AHM-XXX-XX-DR-AR-PL0800 Proposed Site Location Plan 1:1500 A1 P01

CWF00-AHM-XXX-XX-DR-AR-PL0810 Proposed Site plan 1:500 A1 P01

CWF00-AHM-XXX-XX-DR-AR-PL0820 Red Line Context Plan 1:500 A1 P01

CWF00-AHM-XXX-B1-DR-AR-PL0990 Proposed Basement Plan 1:200 A1 P01

CWF00-AHM-XXX-00-DR-AR-PL1000 Proposed Ground Floor Plan 1:200 A1 P02

CWF00-AHM-XXX-M0-DR-AR-PL1001 Proposed Upper Ground Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-01-DR-AR-PL1010 Proposed Office First Floor Plan / Residential First Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-01-DR-AR-PL1011 Proposed Residential Second Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-02-DR-AR-PL1020 Proposed Office Second Floor Plan / Residential Third Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-03-DR-AR-PL1030 Proposed Office Third Floor Plan / Residential Fourth Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-04-DR-AR-PL1040 Proposed Office Fourth Floor Plan / Residential Fifth Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-05-DR-AR-PL1050 Proposed Office Fifth Floor Plan / Residential Sixth Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-05-DR-AR-PL1051 Proposed Residential Seventh Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-06-DR-AR-PL1060 Proposed Office Sixth Floor Plan / Residential Eighth Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-07-DR-AR-PL1070 Proposed Office Seventh Floor Plan / Residential Ninth Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-08-DR-AR-PL1080 Proposed Office Eighth Floor Plan / Residential Tenth Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-08-DR-AR-PL1081 Proposed Residential Eleventh Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-09-DR-AR-PL1090 Proposed Office Ninth Floor Plan / Residential Twelfth Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-10-DR-AR-PL1100 Proposed Office Tenth Floor Plan / Residential Thirteenth Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-25-DR-AR-PL1250 Proposed Typical Upper Tower Floor Plan (Residential Level 25) 1:200 A1 P01

CWF00-AHM-XXX-34-DR-AR-PL1340 Proposed Residential Thirty Fourth Floor Plan 1:200 A1 P01

CWF00-AHM-XXX-RF-DR-AR-PL1360 Proposed Roof Plan 1:200 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL2000 Proposed South Elevation Development Plot F1 1:250 A1 P02

CWF00-AHM-XXX-ZZ-DR-AR-PL2010 Proposed North Elevation Development Plot F1 'The Cut' 1:250 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL2020 Proposed West Elevation Development Plot F1 1:250 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL2030 Proposed South East Elevation Development Plots F1 & F2 1:250 A1 P02

CWF00-AHM-XXX-ZZ-DR-AR-PL2040 Proposed North East Elevation Development Plot F2 1:250 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL2050 Proposed North Elevation Development Plot F2 1:250 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL2060 Proposed West Elevation Development Plot F2 1:250 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL2070 Proposed South Elevation Development Plot F2 'The Cut' 1:250 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL2080 Proposed South West Residential Tower Elevation Development Plot F2 1:250 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL2090 Proposed North West Residential Tower Elevation Development Plot F2 1:250 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL2500 Proposed Context Elevation- Surrey Quays Road 1:500 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL2510 Proposed Context Elevation- Park Walk 1:500 A1 P02

CWF00-AHM-XXX-ZZ-DR-AR-PL2520 Proposed Context Elevation- New Brunswick Street 1:500 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL3000 Proposed Section A-A 1:250 A1 P01

CWF00-AHM-XXX-ZZ-DR-AR-PL3010 Proposed Section B-B 1:250 A1 P01

CWF00-AHM-RES-XX-DR-AR-PL4000 Facade Bay Study - Residential Tower Lower 1:50 A1 P02

CWF00-AHM-RES-XX-DR-AR-PL4010 Facade Bay Study - Residential Tower Typical 1:50 A1 P01

CWF00-AHM-RES-XX-DR-AR-PL4020 Facade Bay Study - Residential Tower Upper 1:50 A1 P01

CWF00-AHM-RES-XX-DR-AR-PL4030 Facade Bay Study - Residential Nib Building 1:50 A1 P01 CWF20-AHM-OFF-XX-DR-AR-PL4040 Facade Bay Study - Office Entrance 1:50 A1 P01

CWF20-AHM-OFF-XX-DR-AR-PL4050 Facade Bay Study - Retail Entrance 1:50 A1 P01

CWF10-AHM-RES-ZZ-DR-AR-PL4500 Typical Flat Layouts- Development Plot F1 Tower 2nd and 3rd Floors 1:100 A1 P01

CWF10-AHM-RES-ZZ-DR-AR-PL4510 Typical Flat Layouts- Development Plot F1 Tower 4th and 5th Floors 1:100 A1 P01

CWF10-AHM-RES-ZZ-DR-AR-PL4520 Typical Flat Layouts- Development Plot F1 Tower 6th and 8th Floors 1:100 A1 P01

CWF10-AHM-RES-ZZ-DR-AR-PL4530 Typical Flat Layouts- Development Plot F1 Tower 9th and 14th Floors 1:100 A1 P01

CWF10-AHM-RES-ZZ-DR-AR-PL4540 Typical Flat Layouts- Development Plot F1 Tower 15th and 33rd Floors 1:100 A1 P01

CWF10-AHM-RES-ZZ-DR-AR-PL4550 Typical Flat Layouts- Development Plot F1 Tower 34th and 35th Floors 1:100 A1 P01

CWF20-AHM-RES-ZZ-DR-AR-PL4560 Typical Flat Layouts- Development Plot F2 Tower 1st and 2nd Floors 1:100 A1 P01

CWF20-AHM-RES-ZZ-DR-AR-PL4570 Typical Flat Layouts- Development Plot F2 Tower 3rd and 8th Floors 1:100 A1 P01

CWF20-AHM-RES-ZZ-DR-AR-PL4580 Typical Flat Layouts- Development Plot F2 Tower 9th and 10th Floors 1:100 A1 P01

CWF20-AHM-RES-ZZ-DR-AR-PL4590 Typical Flat Layouts- Development Plot F2 Tower 13th and 14th Floors 1:100 A1 P01

CWF20-AHM-RES-ZZ-DR-AR-PL4600 Typical Flat Layouts- Development Plot F2 Tower 17th and 18th Floors 1:100 A1 P01

CWF20-AHM-RES-ZZ-DR-AR-PL4610 Typical Flat Layouts- Development Plot F2 Tower 28th Floor 1:100 A1 P01

CWF00-AHM-RES-XX-DR-AR-PL5500 Residential Layout Plan- Typical Studio 1:50 A3 P01

CWF00-AHM-RES-XX-DR-AR-PL5510 Residential Layout Plan- Typical Flat 1B2P 1:50 A3 P01

CWF00-AHM-RES-XX-DR-AR-PL5520 Residential Layout Plan- Typical Flat 2B4P 1:50 A3 P01

CWF00-AHM-RES-XX-DR-AR-PL5530 Residential Layout Plan- Typical Flat 3B6P 1:50 A3 P01

CWF00-AHM-RES-XX-DR-AR-PL5540 Residential Layout Plan- Typical Flat 1B2P WC.A 1:50 A3 P01

CWF00-AHM-RES-XX-DR-AR-PL5550 Residential Layout Plan- Typical Flat 2B4P WC.A 1:50 A3 P01

CWF00-AHM-RES-XX-DR-AR-PL5560 Residential Layout Plan- Typical Duplex 3B5P Lower Level 1:50 A3 P01

CWF00-AHM-RES-XX-DR-AR-PL5570 Residential Layout Plan- Typical Duplex 3B5P Upper Level 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5580 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5590 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5600 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5610 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5620 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5640 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5650 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5660 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5670 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5680 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5690 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5700 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5710 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5720 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5730 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

CWF10-AHM-RES-02-DR-AR-PL5740 Residential Layout Plan- Atypical Studio 0.A.1 1:50 A3 P01

Ground Floor Urban greening Factor Plan CWF00-TWN-PUB-XX-DR-LS-306001 1:200 A0 P2

Urban Greening Factor Calculations 2110_UGF_00 1:200 A1 P4

Urban Greening Factor Calculations 2110_UGF_02 1:200 A1 P4

Urban Greening Factor Calculations 2110_UGF_03 1:200 A1 P4

Urban Greening Factor Calculations 2110_UGF_04 1:200 A1 P1

Tree Planting Strategy Plan - CWF00-TWN-PUB-XX-DR-LS-305001/P1

Circular Economy Statement CWH12-ARP-ZZZ-XX-RP-SU-000005/P01

Energy and Sustainability Statement – December 2021

Environmental Statement (ES) Statement of Conformity (SoC) incorporating Further Environmental Information - WIE12886-281-R-1.4.2-Development Zone F RMA SoC/Rev 04 – December 2021

Wind Assessment Addendum - Additional Cumulative Scenario Wind Microclimate Results - April 2022

Design and Access Statement Rev 02 – March 2022

Delivery, Servicing and Refuse Management Plan – December 2021

Delivery, Servicing and Refuse Management Plan Addendum – 08/06/2022

Fire Statement - LO19062/Rev0 – December 2021

Internal Daylight, Sunlight and Overshadowing Assessment/ Rev 02 – December 2021

Internal Daylight, Sunlight and Overshadowing Assessment Addendum/ Rev 02 – 28 February 2022

Planning Compliance Report/ Rev 02 – May 2022

Statement of Community Involvement - December 2021

Travel Plan – December 2021

Whole Life Carbon Assessment ref: CWH12-ARP-ZZZ-XX-RP-SU-000004/P01

Permission is subject to the following Pre-Occupation Condition(s)

1. Prior to the commencement of any restaurant or cafe use, full particulars and details of a scheme for the extraction and ventilation of the associated commercial kitchen shall be submitted to and approved by the Local Planning Authority. The scheme shall include:
 - details of extraction rate and efflux velocity of extracted air;
 - full details of grease, particle and odour abatement plant;
 - the location and orientation of the extraction ductwork and discharge terminal; and
 - a Management and Servicing Plan for maintenance of the extraction system.

Once approved the scheme shall be implemented in full and permanently maintained thereafter.

REASON: In order to ensure that that any installed ventilation, ducting and ancillary equipment in the interests of amenity will not cause amenity impacts such as odour, fume or noise nuisance and will not detract from the appearance of the building, in accordance with: the National Planning Policy Framework 2021; and P56 (Protection of Amenity) of the Southwark Plan 2022.

2. The residential units hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise (when the windows and doors are closed):

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

Living rooms- 35dB LAeq T †

Dining room - 40 dB LAeq T †

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

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

Prior to Occupation of Development Plot F1 and Development Plot F2, a report for that Plot shall be submitted to the Local Planning Authority for approval in writing demonstrating that the above standards, for the relevant Development Plot, have been achieved having carried out a validation test on a relevant sample of residential units (minimum 10%). The residential units shall not be Occupied until

such time as the submitted details are approved and any measures required, implemented or installed in order to achieve the above standards shall be maintained permanently 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: the National Planning Policy Framework 2021; Policy D14 (Noise) of the London Plan 2021; and Policies P15 (Residential Design) and P56 (Protection of Amenity) of the Southwark Plan 2022.

3. Prior to first use of any commercial unit as an A4/sui generis drinking establishment, a scheme of sound insulation shall be submitted to and approved by the Local Planning Authority to ensure that the LFmax sound from amplified and non-amplified music and speech shall not exceed the lowest L90,-5min –1m from the facade of any nearby residential premises at all third octave bands between 63Hz and 8kHz. Once approved the scheme shall be installed in full 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: the National Planning Policy Framework 2021; Policy D14 (Noise) of the London Plan 2021; and Policies P15 (Residential Design) and P56 (Protection of Amenity) of the Southwark Plan 2022.

- 4 Party walls, floors and ceilings between the commercial premises and residential dwellings shall be designed to achieve the following minimum weighted standardized level differences:

- o 50dB DnTw+Ctr (for B1/E(g)(i)/office to residential adjacencies)
- o 57dB DnTw+Ctr (for other class E / A1-A3 to residential adjacencies)
- o 60dB DnTw+Ctr (for A4/sui generis bar/drinking establishment to residential adjacencies)

Pre-occupation testing of the separating partitions shall be undertaken for airborne sound insulation in accordance with the methodology of ISO 16283-1:2014. Details of the specification of the partition together with full results of the sound transmission testing shall be submitted to the Local Planning Authority for written approval prior to the use commencing and once approved the partition 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, in accordance with: the National Planning Policy Framework 2021; Policy D14 (Noise) of the London Plan 2022; and Policies P15 (Residential Design) and P56 (Protection of Amenity) of the Southwark Plan 2022.

Permission is subject to the following Compliance Condition(s)

5. Any servicing deliveries or collections to the commercial units shall only be between the following hours:

07:00 to 21:00 on Mondays to Saturdays (with an exclusion between the hours of 08:00 - 09:00 and 17:00 - 18:00 to avoid peak travel periods) and 09:00 to 18:00hrs on Sundays & Bank Holidays

Reason: To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2021 and Southwark Plan Policy P56 Protection of amenity (2022).

- 6 The non-residential external terraces hereby approved shall not be used outside of the hours 08:00 - 22:00 on any day.

Reason: To safeguard the amenities of neighbouring residential properties in accordance with Southwark Plan (2022) Policy P56 Protection of amenity.

7. (i) The development shall be undertaken in full accordance with the approved Circular Economy Statement (ref:CWH12-ARP-ZZZ-XX-RP-SU-000005 P01) and Whole Life Carbon Assessment (ref: CWH12-ARP-ZZZ-XX-RP-SU-000004 P01) hereby approved., or any subsequent updated documents submitted and approved by the Council.

(ii) Prior to occupation, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: CircularEconomyLPG@london.gov.uk along with any supporting evidence as per the GLA's Circular Economy Statement Guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted.

(iii) Prior to the occupation of the development, the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission

stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the relevant building.

Reason: To ensure that the proposal responds appropriately to climate change policies by reducing carbon emissions and minimising waste streams in accordance with London Plan (2021) Policy SI7 Reducing waste and supporting the circular economy and SI2 Minimising greenhouse gas emissions and Southwark Plan (2022) Policies P69 Sustainability standards and P70 Energy

8. The development shall be undertaken in full accordance with the Fire Strategy (Ref:LO20055 10/06/22 R02) prepared by OFR consultants hereby approved.

Reason: To ensure that the development incorporates all necessary measures to prevent the spread of fire as we all providing adequate means of escape for future occupiers and to comply with London Plan (2021) Policy D2 Fire safety.

9. (i) The development shall be undertaken in full accordance with the Urban Greening Factor report (contained within page 235 of the Design and Access Statement) hereby approved.

(ii) Prior to first occupation of the development hereby approved the applicant shall submit evidence that the development has been constructed in full accordance with the details contained in the UGF Assessment hereby approved.

Reason: In order to ensure that the development has maximised opportunities for urban greening in accordance with Policy G5 (Urban Greening) of the London Plan 2021 and Policy P60 (Biodiversity) of the Southwark Plan 2022

10. The permitted hours of use for the commercial (non-office) uses hereby permitted shall be between 6am and 12am unless otherwise agreed in writing with the Local Planning Authority.

REASON: To safeguard the amenity of neighbouring residential properties, in accordance with: the National Planning Policy Framework 2021; Policy D14 (Noise) of the London Plan 2021; and Policy P56 (Protection of Amenity) of the Southwark Plan 2022.

11. Any tables, chairs and/or other outdoor furniture used within any external publicly-accessible part of the site in connection with any of the flexible commercial units hereby consented shall be:
- vacated no later than 22:00hrs each day;
 - occupied no earlier than 08:00hrs on Mondays to Saturdays;
 - occupied no earlier than 10:00hrs on Sundays.

REASON: In order to protect the amenities of nearby residential occupiers from noise or disturbance from any activities associated with the use or mis-use of this furniture during the late evening and night-time in accordance with: the National Planning Policy Framework 2019; Policy D14 (Noise) of the London Plan 2021; and Policy P56 (Protection of Amenity) of the Southwark Plan 2021.

12. The non-residential external terraces hereby approved shall not be used outside of the hours 08:00 - 22:00 on any day.

Reason: To safeguard the amenities of neighbouring residential properties in accordance with Southwark Plan (2022) Policy P56 Protection of amenity

Informatives

1 FIRE RISK ASSESSMENT/STATEMENT

Paragraph 3.12.9 of London Plan Policy D12 explains that Fire Statements should be produced by someone who is: "third-party independent and suitably-qualified". The Council considers this to be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or a suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. The Council accepts fire statements in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.

The fire risk assessment/statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development. The legal responsibility and liability lies with the 'responsible person'. The responsible person being the person who prepares the fire risk assessment/statement not planning officers who make planning decisions.

2 PARENT APPLICATION (DECISION NOTICE AND S106 LEGAL AGREEMENT) 18/AP/1604

The applicant is reminded that this Reserved Matters Application is bound by the conditions and s106 legal agreement attached to Outline Planning Permission 18/AP/1604

- 3 For the avoidance of doubt the applicant is advised that Higher Cut forms part of the Additional Public Realm captured by Schedule 18 of the s106 agreement which sets out controls in respect of standards of construction, maintenance, access and permitted closures.

APPENDIX 2

Relevant planning policies

National Planning Policy Framework (NPPF)

The revised National Planning Policy Framework ('NPPF') was published on 20 July 2021 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.

Paragraph 218 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

The relevant chapters of the NPPF are:

- 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 2021 Policies

On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London.

The relevant policies of the London Plan 2021 are:

GG1 Building strong and inclusive communities

GG2 Making the best use of land

GG3 Creating a healthy city

GG5 Growing a good economy

GG6 Increasing efficiency and resilience

Policy SD1 Opportunity Areas
Policy SD6 Town centres and high streets
Policy SD7 Town centres: development principles and Development Plan Documents
Policy SD8 Town centre network
Policy SD9 Town centres: Local partnerships and implementation
Policy SD10 Strategic and local regeneration
Policy D1 London's form, character and capacity for growth
Policy D2 Infrastructure requirements for sustainable densities
Policy D3 Optimising site capacity through the design-led approach
Policy D4 Delivering good design
Policy D5 Inclusive design
Policy D7 Accessible housing
Policy D8 Public realm
Policy D9 Tall buildings
Policy D11 Safety, security and resilience to emergency
Policy D12 Fire safety
Policy D14 Noise
Policy H1 Increasing housing supply
Policy H4 Delivering affordable housing
Policy H7 Monitoring of affordable housing
Policy H10 Housing size mix
Policy S1 Developing London's social infrastructure
Policy E1 Offices
Policy E2 Providing suitable business space
Policy E3 Affordable workspace
Policy E4 Land for industry, logistics and services to support London's economic function
Policy E8 Sector growth opportunities and clusters
Policy E11 Skills and opportunities for all
Policy HC1 Heritage conservation and growth
Policy HC3 Strategic and Local Views
Policy HC4 London View Management Framework
Policy HC5 Supporting London's culture and creative industries
Policy HC6 Supporting the night-time economy
Policy G1 Green infrastructure
Policy G5 Urban greening

Policy G6 Biodiversity and access to nature
 Policy G7 Trees and woodlands
 Policy SI 1 Improving air quality
 Policy SI 2 Minimising greenhouse gas emissions
 Policy SI 3 Energy infrastructure
 Policy SI 4 Managing heat risk
 Policy SI 5 Water infrastructure
 Policy SI 6 Digital connectivity infrastructure
 Policy SI 7 Reducing waste and supporting the circular economy
 Policy SI 8 Waste capacity and net waste self-sufficiency
 Policy SI 12 Flood risk management
 Policy SI 13 Sustainable drainage
 Policy T1 Strategic approach to transport
 Policy T2 Healthy Streets
 Policy T3 Transport capacity, connectivity and safeguarding
 Policy T4 Assessing and mitigating transport impacts
 Policy T5 Cycling
 Policy T6 Car parking
 Policy T6.1 Residential parking
 Policy T6.2 Office parking
 Policy T6.5 Non-residential disabled persons parking
 Policy T7 Deliveries, servicing and construction
 Policy T9 Funding transport infrastructure through planning

Southwark Plan 2022

ST1 Southwark's Development targets
 ST2 Southwark's Places
 SP1 Homes for all
 SP2 Southwark Together
 SP3 Great start in life
 SP4 Green and inclusive economy
 SP5 Thriving neighbourhoods and tackling health equalities
 SP6 Climate Change
 AV.15 Rotherhithe Area Vision
 P1 Social rented and intermediate housing
 P2 New family homes
 P8 Wheelchair accessible and adaptable housing

P13 Design of places
 P14 Design quality
 P15 Residential design
 P16 Designing out crime
 P17 Tall buildings
 P18 Efficient use of land
 P22 Borough views
 P23 Archaeology
 P28 Access to employment and training
 P30 Office and business development
 P31 Affordable workspace
 P35 Town and local centres
 P39 Shop fronts
 P45 Healthy developments
 P46 Leisure, arts and culture
 P50 Highways impacts
 P51 Walking
 P53 Cycling
 P54 Car Parking
 P55 Parking standards for disabled people and the mobility impaired
 P56 Protection of amenity
 P57 Open space
 P59 Green infrastructure
 P60 Biodiversity
 P61 Trees
 P62 Reducing waste
 P64 Contaminated land and hazardous substances
 P65 Improving air quality
 P66 Reducing noise pollution and enhancing soundscapes
 P67 Reducing water use
 P68 Reducing flood risk
 P69 Sustainability standards
 P70 Energy
 NSP781 Harmsworth Quays, Surrey Quays Leisure Park, Surrey Quays
 Shopping Centre and Robert's Close

Mayors SPD/SPGs

Culture and Night-Time Economy (November 2017)

Housing Supplementary Planning Guidance (March 2016)
Social Infrastructure (May 2015)
Accessible London: Achieving an Inclusive Environment (October 2014)
The control of dust and emissions during construction and demolition (July 2014)
Town Centres (July 2014)
Character and Context (June 2014)
Sustainable Design and Construction (April 2014)
Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy (April 2013)
Land for Industry and Transport (September 2012)
London View Management Framework (March 2012)
Planning for Equality and Diversity in London (October 2007)

Southwark SPDs/SPGs

Design and Access Statements (2007)
Technical Update to the Residential Design Standards 2011 (2015)
S106 and CIL (2015)
S106 and CIL Addendum (2017)
Sustainability Assessments (2007)
Sustainable Design and Construction (2009)
Sustainable Transport (2009)

APPENDIX 3

Planning history of the site and nearby sites

Reference and Proposal	Status
<p>18/AP/1604</p> <p>Hybrid application seeking detailed planning permission for Phase 1 and outline planning permission for future phases, comprising:</p> <p>Outline planning permission (all matters reserved) for demolition of all existing structures and redevelopment to include a number of tall buildings comprising the following mix of uses: retail (Use Classes A1-A5), workspace (B1), hotel (C1), residential (C3), assisted living (C2), student accommodation, leisure (including a cinema)(D2), community facilities (including health and education uses)(D1), public toilets, nightclub, flexible events space, an energy centre, an interim and permanent petrol filling station, a primary electricity substation, a secondary entrance for Surrey Quays Rail Station, a Park Pavilion, landscaping including open spaces and public realm, works to Canada Water Dock, car parking, means of access, associated infrastructure and highways works, demolition or retention with alterations to the Press Hall and/or Spine Building of the Printworks; and</p> <p>Detailed planning permission for the following Development Plots in Phase 1:</p> <p>Plot A1 (south of Surrey Quays Road and west of Deal Porters Way) to provide uses comprising retail (A1-A5), workspace (B1) and 186 residential units (C3) in a 6 and 34 storey building, plus basement;</p> <p>Plot A2 (east of Lower Road and west of Canada Water Dock) to provide a leisure centre (D2), retail (A1-A5), and workspace (B1) in a 4, 5 and 6 storey building, plus basement; Plot K1 (east of Roberts Close) to provide 79 residential units (C3) in a 5 and 6 storey building;</p> <p>Interim Petrol Filling Station (north of Redriff Road and east of Lower Road) to provide a petrol filling station with kiosk, canopy and forecourt area. Each Development Plot with associated car parking, cycle parking, landscaping, public realm, plant and other relevant works.</p>	<p>GRANTED - Major Application 29/05/2020</p>

APPENDIX 4**Consultation undertaken**

Site notice date: 09/03/2022

Press notice date: 10/03/2022

Case officer site visit date: n/a

Neighbour consultation letters sent: 08/03/2022

Internal services consulted

Archaeology

Community Infrastructure Levy Team

Design and Conservation Team [Formal]

Local Economy

Ecology

Environmental Protection

Highways Development and Management

Section 106 Team

Flood Risk Management & Urban Drainage

Transport Policy

Urban Forester

Waste Management

Statutory and non-statutory organisations

Environment Agency

London Fire & Emergency Planning Authori

London Underground

Natural England - London & South East Re

Metropolitan Police Service

Transport for London

Thames Water

Neighbour and local groups consulted:

9 Brunswick Quay London Southwark

3 Brunswick Quay London Southwark

115 Redriff Road London Southwark

105 Redriff Road London Southwark

109 Redriff Road London Southwark

107 Redriff Road London Southwark

7 Brunswick Quay London Southwark

5 Brunswick Quay London Southwark

1 Brunswick Quay London Southwark

113 Redriff Road London Southwark

111 Redriff Road London Southwark

1 Surrey Quays Road London Southwark

115 Brunswick Quay London Southwark

Management Suite Surrey Quays Shopping Centre Redriff Road

East Warehouse Canada Water Retail Park Surrey Quays Road
113 Brunswick Quay London Southwark
97 Redriff Road London Southwark
1A Brunswick Quay London Southwark
27 Surrey Quays Shopping Centre Redriff Road London
46 - 50 Surrey Quays Shopping Centre Redriff Road London
103 Redriff Road London Southwark
13 Brunswick Quay London Southwark
99 Redriff Road London Southwark
Dirtybird Restaurant Printworks Surrey Quays Road
Unit 1 Canada Water Retail Park Surrey Quays Road
101 Redriff Road London Southwark
Unit 4 Canada Water Retail Park Surrey Quays Road
Printworks Surrey Quays Road London
15 Brunswick Quay London Southwark
53 Surrey Quays Shopping Centre Redriff Road London
2A Brunswick Quay London Southwark
11 Brunswick Quay London Southwark
14 Surrey Quays Shopping Centre Redriff Road London
35 Surrey Quays Shopping Centre Redriff Road London
5 Surrey Quays Shopping Centre Redriff Road London
10-12 Surrey Quays Shopping Centre Redriff Road London
37 Surrey Quays Shopping Centre Redriff Road London

19 Surrey Quays Shopping Centre Redriff Road London
Thrive Business Hub Surrey Quays Leisure Park Teredo Street London
The League Of Adventure Canada Street London
28 Surrey Quays Shopping Centre Redriff Road London
2-4 Surrey Quays Shopping Centre Redriff Road London
Flat 1 1 Teredo Street London
3 Surrey Quays Shopping Centre Redriff Road London
First Floor 59 Surrey Quays Shopping Centre Redriff Road
45 Surrey Quays Shopping Centre Redriff Road London
1 Surrey Quays Shopping Centre Redriff Road London
Security Lodge Surrey Quays Leisure Park Surrey Quays Road
Unit D1 Surrey Quays Shopping Centre Redriff Road
22 Surrey Quays Shopping Centre Redriff Road London
42 Surrey Quays Shopping Centre Redriff Road London
18 Surrey Quays Shopping Centre Redriff Road London
44 Surrey Quays Shopping Centre Redriff Road London
53-55 Surrey Quays Shopping Centre Redriff Road London
6 Surrey Quays Shopping Centre Redriff Road London
30-34 Surrey Quays Shopping Centre Redriff Road London
16 Surrey Quays Shopping Centre Redriff Road London
11-13 Surrey Quays Shopping Centre Redriff Road London
20 Surrey Quays Shopping Centre Redriff Road London
1 Teredo Street London Southwark

Surrey Quays Leisure Park Surrey Quays Road London
First Floor 63 Surrey Quays Shopping Centre Redriff Road
Security Lodge Santander Atm Surrey Quays Leisure Park Surrey Quays Road
Car Wash At Car Park Surrey Quays Shopping Centre Redriff Road
Fattie Arbuckles The Mast Leisure Park Surrey Quays Road
Pizza Hut The Mast Leisure Park Surrey Quays Road
Uci Cinema The Mast Leisure Park Surrey Quays Road
National Halal Centre Surrey Quays Shopping Centre Redriff Road
Gala Bingo The Mast Leisure Park Surrey Quays Road
The Mast Leisure Park Surrey Quays Road London
49-51 Surrey Quays Shopping Centre Redriff Road London
47 Surrey Quays Shopping Centre Redriff Road London
43 Surrey Quays Shopping Centre Redriff Road London
39-41 Surrey Quays Shopping Centre Redriff Road London
33 Surrey Quays Shopping Centre Redriff Road London
24-26 Surrey Quays Shopping Centre Redriff Road London
21-23 Surrey Quays Shopping Centre Redriff Road London
17 Surrey Quays Shopping Centre Redriff Road London
15 Surrey Quays Shopping Centre Redriff Road London
8 Surrey Quays Shopping Centre Redriff Road London
3 Teredo Street London Southwark
7-9 Surrey Quays Shopping Centre Redriff Road London
31 Surrey Quays Shopping Centre Redriff Road London

25 Surrey Quays Shopping Centre Redriff Road London

29 Surrey Quays Shopping Centre Redriff Road London

45C Surrey Quays Shopping Centre Redriff Road London

Re-consultation:

APPENDIX 5**Consultation responses received****Internal services**

Design and Conservation Team [Formal]

Ecology

Environmental Protection

Section 106 Team

Transport Policy

Urban Forester

Statutory and non-statutory organisations

Environment Agency

Natural England - London & South East Re

Metropolitan Police Service (Designing O

Neighbour and local groups consulted:

140 Plover Way London SE16 7TZ

7, Omega Gate London SE167PR

240 Blackfriars Road London SE1 8NW

31 KINBURN STREET LONDON se16 6dw

DRP Report

SOUTHWARK DESIGN REVIEW PANEL
AGENDA: 15 JUNE 2021

Chair: Nick Hayhurst
Panel Members: Catherine Birkin; Eleanor Connolly; Richard Cottrell; Lemma Redda

CANADA WATER ZONE F

Architects: AHMM

Clients: British Land

Planning Consultants: DP9

The Panel welcomed the opportunity to review this important proposal, one of the first phases of development arising from the earlier outline permission for the Canada Water Masterplan. They noted the involvement of the contractors Mace in the development of the detailed design and felt this gave them a high degree of confidence in the quality and potential materiality of the scheme.

The Panel investigated further:

- Public realm and landscape – influence of landscape beyond the building line
- The involvement of the Masterplan landscape Architects in this proposal
- Will relate to retail and paving etc.
- The design of the public realm in the ‘Cut’ and the active frontage on either side
- The design of the ‘Nib’ buildings
- How does this proposal relate to the parameters in the outline permission
- Materiality of the towers and the ‘Nib’ buildings
- The compositional devices used to define the massing of the plot
- Microclimate and surrounding areas
- Daylight levels and whether these had been tested
- Cut-through – curved
- The design of the atrium
- The journey for residents from pavement to apartment
- The cross section sketch and how the high level amenity will be appreciated

- Overlooking and experience of residents looking into the 'Cut' – these properties are single-aspect facing north east

In this case and where the overall envelope has been defined in the outline permission, the Panel 's role is limited to the matters of detailed design. They thanked the Applicants for their clear and thorough presentation and highlighted areas where further design development was appropriate.

Landscape and public realm

The presentation did not include any detail about the landscape. The Panel felt this proposal has to be appraised in its setting and in the context of the Outline permission including the agreed landscape masterplan. Whilst this aspect may be out of the architect's control they encouraged the designers to integrate the landscape masterplan into their proposals and to explore the possibility of extending the landscape up to and in to the buildings.

In future presentations, the panel wanted to see more detail about the masterplan landscape associated with each plot including materials, proposed fixtures and fittings as well as planting. Without the landscape it is difficult to gauge how the buildings and public open space will be seen in the context of one another and experienced by the pedestrian.

Internally, the roof terraces are welcomed although there was limited information in the presentation about these or how they will be used. The Panel requested more information about the communal terraces. These are located high up and they wanted to ensure equality of access to these spaces, with inclusive multi-generational spaces and high quality uses. They wanted to see how internal communal spaces relate to these outdoor spaces.

Arrangement and composition of the blocks

In considering the arrangement the Panel relied on the views around the site. The panel felt that the aspect from Printwork Place and Park Walk was working successfully and they encouraged the designers to continue looking at the design in the round especially from the Park.

The Panel enjoyed the design development of the residential towers and the commercial mid-rise building. They felt these demonstrated a clarity of thought and a consistent approach with the former defining the skyline and the latter defining the edges of the large city block. The Panel considered the formal development of the commercial element successful and that the proposal synthesised changes in level and overall form with the proposed design language. Similarly, the Panel felt that the approach to the residential towers as a four-sided form successful.

The Panel questioned the language applied to the smaller residential elements – the ‘Nibs’ – which felt weak and anomalous and lacking a clear rationale at this stage. As the third ‘language’ on the site, these smaller buildings could help to ground the scheme in its context. However, they felt these buildings were unresolved both in their design and in their relationship to the other blocks. In particular they questioned the ‘Nib’ at the corner of the park and encouraged the designers to reconsider this altogether. The Panel suggested that the architects review the design of the ‘Nibs’ and perhaps test a singular design language for all the residential elements with the approach to the tower adapted at the lower level to include the ‘Nib’ elements.

The Panel welcomed the creation of a combined basement to service the two towers and the office block but wanted to see how this will be experienced or operate in practice. The basement will also have to be designed to allow for public realm in the ‘Cut’ as it extends under this new route.

Architecture and functionality

Most of the flat types appear to be high quality and the layouts appear logical. The Panel would like to get a better idea of the common areas, the corridors and communal spaces to understand how people might access their properties or use the facilities in the block.

In the main, the Panel endorsed the proposed materiality and they supported the idea of a solid expression. They felt the big-block glazed terracotta panels could work well with the cement-free panels. At this stage it is critical to understand how the building will be designed in detail – for example window cills and heads as well as balcony design and the junctions of buildings

The Panel would like to see the internal layouts of the penthouse apartments. These form the ‘crown’ of the building and are an essential component of the design. They endorsed the articulated tops of the buildings and wanted to gauge how the internal layouts were affected by this.

The design of the office block was considered to be sound in the main. The Panel welcomed the double-height scale of the entrance and wanted to see it developed in cross section and detailed design. They welcomed the darker 1st floor spandrel and felt this improved the presence of the shops at the ground floor – helping to give the building a stronger base.

The entrances of the residential towers are a little underwhelming at this stage and need to reflect the scale of the towers above. With towers of this scale it is important to consider these in the round including the soffits. The soffits (their colour and materiality) contribute to the design of the main entrances and the design of the tower as a whole with the undersides of the balconies being prominent in views from below.

Sustainability

The Panel welcomed the environmental aspirations of this proposal and they were interested in the UCL study into this design. They wanted to see more about the circular economy principles of the scheme – acknowledging that this was an aspiration at this time.

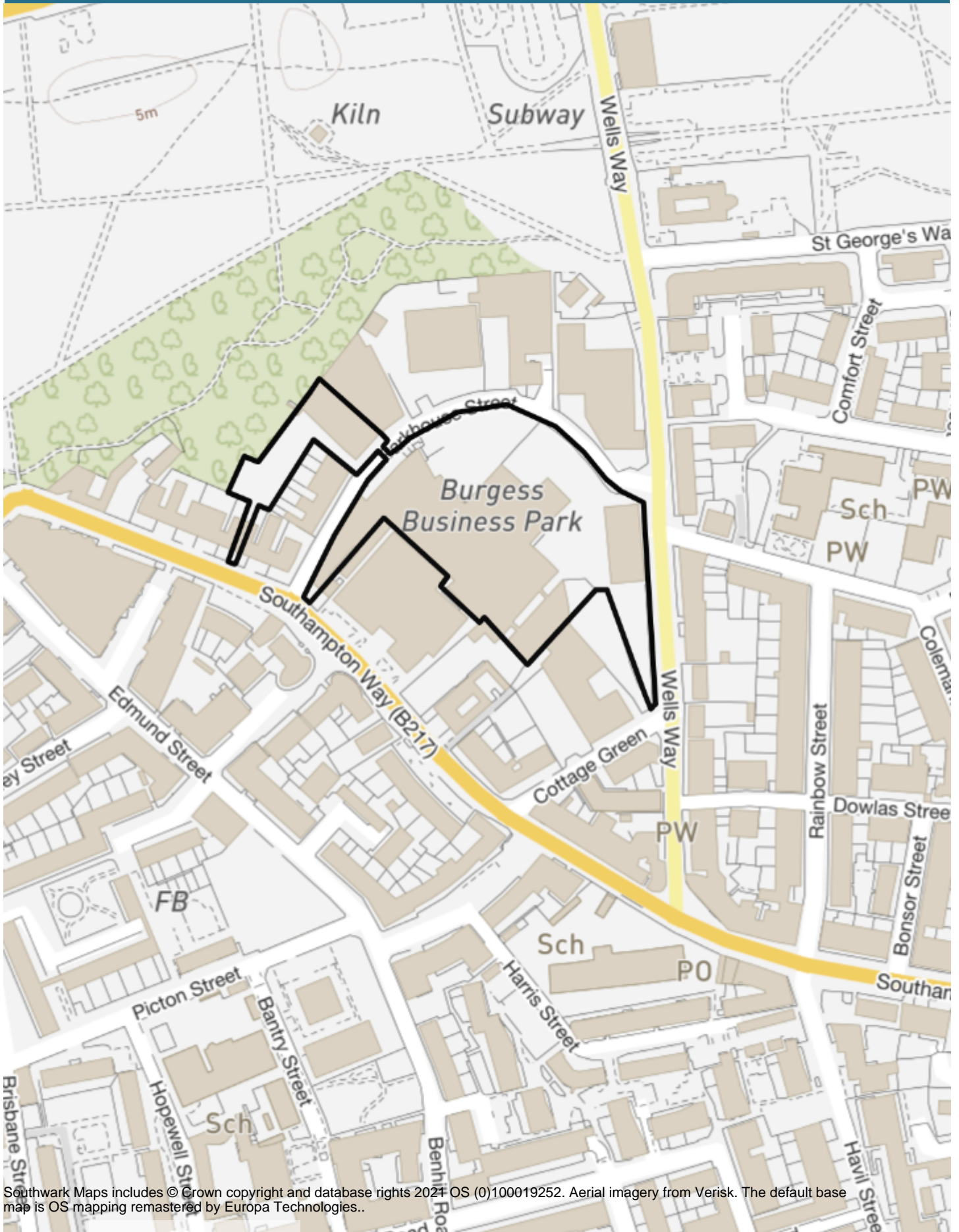
They wanted to appreciate how the architects envisage the building's components could be re-used in future.

Environmental

The presentation did not include any details about the wind and micro-climate effect of the proposed arrangement. The introduction of the two towers, together with the narrow 'Cut' as well as the close proximity of Plot G and the open setting of the Park will need to be tested for micro-climate and wind effects.

Conclusion

The Panel generally endorsed the direction of travel and commended the highly sustainable and multi-disciplinary design ambition encouraged by the Applicant. They highlighted areas for further development especially in respect of public realm, architectural character and detail as well as environmental performance which they asked the designers to resolve before submitting a planning application.



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Scale = 1:1000000



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Item No. 8.3	Classification: Open	Date: 26 July 2022	Meeting Name: Planning Committee
Report title:	<p>Development Management planning application: Application 21/AP/1342 for: Full Planning Application</p> <p>Address: BURGESS INDUSTRIAL PARK, PARKHOUSE STREET, LONDON SE5 7TJ</p> <p>Proposal: Demolition of the existing buildings and redevelopment of the site to provide residential units (Class C3), flexible commercial floorspace (Class E) and community floorspace (Class F) within 12 blocks of between 2-13 storeys, with car and cycle parking and associated hard and soft landscaping and public realm improvements.</p> <p><u>Further information to describe the proposal:</u> 375 residential units; 5,118sqm of class E floorspace; 112sqm of class F floorspace; Maximum AOD height of 13-storey tower is 48.25m</p>		
Ward(s) or groups affected:	St Giles		
From:	Director of Planning and Growth		
Application Start Date	18/05/2021	Extended Expiry Date	30/09/2022
Earliest Decision Date	19/03/2022		

RECOMMENDATIONS

1. That planning permission be granted subject to conditions, the applicant entering into an appropriate legal agreement, and referral to the Mayor of London.
2. That environmental information be taken into account as required by Regulation 26 of the Town and Country Planning (Environmental Impact Assessments) Regulations 2017 (as amended).
3. That following the issuing of the permission, the director of planning and growth places a statement on the Statutory Register pursuant to Regulation 30 of the Town and Country Planning (Environmental Impact Assessments) Regulations 2017 (as amended) and that for the purposes of Regulation 30(1)(d) the main reasons and considerations on which the planning committee's decision is based shall be set out as in this report, and shall inform the Secretary of State of the decision.
4. That in the event that the requirements of paragraph 1 above are not met by 30

September 2022, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 499 of this report.

EXECUTIVE SUMMARY

5. This is a major application which seeks to redevelop an industrial estate to provide a mixed-use development comprising employment floorspace (class E), community use floorspace (class F) and 375 residential units within 12 blocks ranging from 2-13 storeys high. The site forms a substantial part of what was formerly designated the Parkhouse Street local Preferred Industrial Location (PIL) under the 2011 Core Strategy and the 2007 Saved Southwark Plan, and within the PIL only employment uses or sui generis uses (i.e. not falling within a particular use class) were permitted. This planning application was submitted in April 2021 when the Core Strategy and 2007 Southwark Plan were still in use, and as such it was considered at the time to be a departure from these plans because it proposed residential units in an area designated for employment use.
6. The 2022 Southwark Plan has subsequently been adopted however, which replaced the Core Strategy and 2007 Southwark Plan. The 2022 Southwark Plan designates the former PIL for mixed-use development comprising replacement employment floorspace, housing, retail, community and leisure uses under site allocation NSP25. Of note is that last year the Planning Committee resolved to grant permission for two other developments within the former PIL which included employment floorspace and residential units. The change towards a mixed-use development within the former PIL is therefore already underway, consistent with the Southwark Plan site allocation.
7. Also of note is that this application follows a previous refusal of planning permission for a mixed-use redevelopment on the site. The previous application proposed up to 3,725sqm of employment floorspace, up to 128sqm of leisure floorspace, up to 551sqm of mixed retail uses and 499 residential units within 13 blocks of between 2-12 storeys high. It was recommended for approval by officers but was refused by the Planning Committee in November 2018 owing to concerns regarding the loss of employment floorspace and the residential accommodation not being of exemplary design to justify the high density proposed. An appeal was subsequently lodged and was dismissed. The Planning Inspector who dealt with the appeal found the loss of employment floorspace to be acceptable, but concluded that too many compromises had been made regarding the quality of residential accommodation proposed, that there would have been harm to the character and appearance of the area, and that there would have been an unacceptable loss of daylight and sunlight to some of the properties on Parkhouse Street and Wells Way. This previous application is described in the report as the appeal scheme.
8. The application now before Members therefore seeks to address the concerns raised by the appeal scheme, and this has been aided by the Parkhouse Street Local Development Study (LDS). The LDS was commissioned by the Council to guide the various developments coming forward in the area and whilst it is not a statutory planning document, it has proved a useful tool in ensuring that the different developments being proposed would work well together to form an attractive new neighbourhood. In summary, changes which have been made to

the proposal compared to the appeal scheme include the provision of additional employment space within the development, a reduction in the number of residential units, a general reduction in the building heights proposed across the development (except for the 13 storey tower which would be taller than the equivalent tower in the appeal scheme), improvements to the quality of accommodation and public realm including childrens' playspace, and improvements to the servicing arrangements.

9. The uses proposed under this application comprising class E and class F floorspace and new residential units would comply with site allocation NSP25 in the Southwark Plan 2022. Whilst there would be a significant loss of employment space, the new space being provided would be of high quality and would include 20% affordable workspace. The financial viability of providing different amounts of employment floorspace and affordable housing within the development has been independently tested on behalf of the Council. The proposed development would deliver 137 affordable homes which would equate to 35.4% affordable housing by habitable room with a policy compliant tenure split between social rented and shared-ownership housing. This amount of affordable housing would not be financially viable, but the applicant has committed to delivering it in any event and it would be secured through the s106 agreement. Policy IP3 of the Southwark Plan makes it clear that where a site cannot viably meet all of the land use requirements of a site allocation, the delivery of affordable housing should be prioritised. Delivering more employment floorspace on the site would reduce the amount of affordable housing which could be delivered, therefore the reduction in employment floorspace on the site can be supported in this instance given the outcome of the viability testing.
10. The application is accompanied by an Environmental Statement which identifies some adverse effects which would arise from the proposed development, and these are set out in detail in the report. There would be some adverse impacts upon daylight and sunlight to neighbouring properties, but these would generally be less than those of the appeal scheme and are considered to be acceptable when weighed in the balance with all the benefits and disbenefits arising from the proposal. With the exception of the 13-storey tower, compared to the appeal scheme the building heights across the proposed development have generally been reduced. As such it is considered that it would have an acceptable impact upon the existing townscape and would not cause any significant harm to nearby heritage assets. The 13-storey tower is classed as a tall building as it would be over 30m in height. The inclusion of a tall building on the site does not accord with some of the locational tests within the Southwark Plan's tall buildings policy. However, it is concluded that it would not be harmful, and that the identified benefits of the scheme are material considerations which can outweigh the failure to fully comply with development plan in this respect.
11. The proposal would provide an exemplary standard of residential accommodation, including sound proofing within the new dwellings which would limit the potential for noise complaints against existing commercial occupiers. Overall the quality of accommodation now proposed is considered to address the concerns raised in the appeal scheme. The proposal would deliver a policy compliant amount of wheelchair accessible housing and whilst it would only provide 20.3% 3+ bed dwellings rather than the 25% now required by the 2022 Southwark Plan, the 20% proposed complied with the Core Strategy which was

in force when the application was submitted.

12. The proposal would require the removal of 12 trees from the site, although 53 new trees would be planted, to supplement high quality new landscaping and public realm. This would provide greening and increase biodiversity on what is currently a largely hard-surfaced site. The provision of a significant quantum of playspace within the public realm is considered to be a very positive aspect of the proposal, as it would be accessible to both existing and future residents. Ecological impacts upon Burgess Park have been carefully considered through an independent ecological assessment, and following mitigation through conditions and planning obligations it is concluded that the proposal could deliver some biodiversity enhancements to the park.
13. The proposal would provide 14 accessible parking spaces, and future occupiers would be prevented from obtaining parking permits on the surrounding streets. Whilst the proposal would result in additional vehicle trips, these would not adversely impact upon the surrounding highway network and a s106 contribution would be required towards bus improvements in the local area. The proposal would incorporate measures to reduce its carbon dioxide emissions, and a contribution to the Council's Carbon Off-set Green Fund would be secured through a s106 agreement; matters relating to circular economy and whole life carbon have been taken into account. The proposal would be air quality neutral, and impacts relating to ground conditions, flood risk, wind microclimate, fire safety, digital connectivity, archaeology and socioeconomics, equalities impacts and health have all been considered and are found to be acceptable, subject to a number of conditions and planning obligations.
14. Overall it is considered that the concerns raised by the appeal scheme have been addressed, and that the benefits of the proposal, including delivery of high quality workspace and 375 new homes, would outweigh any potential harm caused. It is therefore recommended that planning permission be granted, subject to conditions, a s106 agreement and referral to the GLA and Secretary of State.

Planning summary tables

Housing

Units	Private Units	Private HR.	Aff.SR Units	Aff.SR HR	Aff.Int Units	Aff.Int HR	Total Units (%)	Total HR
Studio	15	30	0	0	0	0	4	30
1 bed	81	163	23	47	28	56	35.2	266
2 bed	94	363	32	116	25	75	40.2	554
3 bed	48	262	29	154	0	0	20.5	416
Total	238	818	84	317	53	131	100	1,266
% HR		64.61%		25.04%		10.35%		

Commercial

Use Class	Existing sqm	Proposed sqm	Change +/-
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Use Class E (g) i) Office	0	0	N/A
Use Class E (g) ii) and iii) research and light industrial	11,472.3	5,118	+5,118
Affordable workspace Use Class E (20% of total)		900.8	+900.8
Use Class B8 Storage/Distribution	572	0	-572
Use Class B2 Industrial	0	0	/
Use Class F community use	0	112	+112
Sui Generis	515	0	-515
Jobs	180 (all temporary jobs)	80-260	+80-260 permanent jobs

Open space and child playspace

	Existing sqm	Proposed sqm	Change +/-
Public Open Space	0	1,240sqm	+1,240sqm
Play Space	0	1,471	+1,471

Carbon neutrality and trees

CO2 Savings beyond part L Bldg. Regs.	61.8% (63% including unregulated savings)
Trees lost	5 x category B, 6 x category C, 1 x category U (12 in total)
Trees gained	53 (+41)

	Existing	Proposed	Change +/-
Urban Greening Factor	Unknown	0.4	+0.4
Greenfield Run Off Rate	Unknown	14.5l/s	
Green/Brown Roofs	0sqm	3,710 sqm	+3,710 sqm
EVCP (on site)	0	14	+14
Cycle parking spaces	Unknown	833	

CIL and s106

Southwark CIL (estimated)	£1,909,023.45
MCIL (estimated)	£1,635,569.87
S106	£1,412,313.26

BACKGROUND INFORMATION

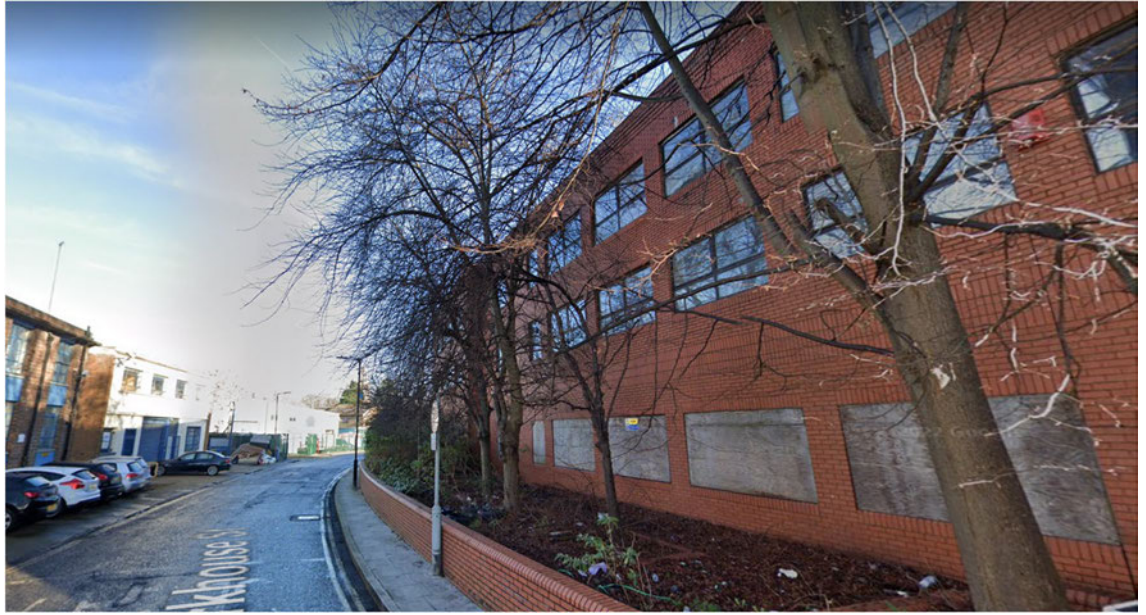
Site location and description

15. The site is located on the north-eastern side of Southampton Way and measures 1.59 hectares (ha). Parkhouse Street forms a loop off Southampton Way and connects with Wells Way to the east. The site sits within that loop and also extends to the northern side of Parkhouse Street. It currently contains a series of buildings which are within office, light industrial and storage use, 33 and 45 Southampton Way which are in residential use, and a large brick chimney. Whilst the site is in a predominantly industrial area, it adjoins residential uses on Southampton Way and Parkhouse Street and there are houses on the opposite side of Wells Way. Part of the site adjoins Burgess Park to the north which is Metropolitan Open Land (MOL) and a Site of Importance for Nature Conservation (SINC). There is a wooded area within the park which immediately adjoins the site which is known as the New Church Road Nature Area.

Existing building – view from Wells Way



Existing building – 10-12 Parkhouse Street



Existing building – Proposed block B



Existing yard at rear of 1-13 Parkhouse Street



16. There are a number of current planning applications in the Parkhouse Street area. In 2021 the Planning Committee resolved to grant permission for two mixed-used developments on Parkhouse Street, comprising residential units and employment space and these sites sit opposite the application site. The first is 21-23 Parkhouse Street, for which planning permission was granted in April 2022 following the completion of a s106 agreement. The second is at 25-33 Parkhouse Street, and planning permission was granted in May 2022 following the completion of a s106 agreement. There are two pending applications for mixed-use residential and employment floorspace, one at 35-39 Parkhouse Street and another at 5-7 Cottage Green / 69 Southampton Way. Details of these applications are provided later in the report and in Appendix 3.
17. The site is subject to the following designations in the Southwark Plan 2022:
- Urban Zone
 - Air Quality Management Area
 - Hot food takeaway schools exclusion zone
 - Site allocation NSP25
 - Public transport accessibility level (PTAL) of 2-4 (low to medium)
18. The site is within the setting of a number of heritage assets including the grade II listed Collingwood House on Cottage Green and 73, 75 and 77 Southampton Way. In addition, the proposed development could affect the setting of a number of heritage assets in the wider area including the grade II Listed 113 Wells Way, the Wells Way Baths, the former Church of St George on Wells Way, and the Addington Square Conservation Area which is to the west across Burgess Park.

Details of proposal

19. Full planning permission has been sought by Peachtree Services Ltd. for a comprehensive mixed-use redevelopment of the site, which would be known as Camberwell Union. Numbers 33 and 45 Southampton Way, the chimney and a building next to 13 Parkhouse Street would be retained, but all other structures on the site would be demolished. The proposal is for class E and class F floorspace and 375 residential units, laid out in a series of 12 buildings ranging from 2-13 storeys in height. Class E floorspace comprises commercial, business and services uses and class F comprises local community and learning uses. The existing and proposed floorspace figures are set out below:

Land use	Existing GIA sqm	Proposed GIA sqm	Difference
Class E	12,559.3	5,118	-7,441.3
Class F	0	112	+112
Class C3 residential	135	34,466	+34,331
Total	12,694.3	39,696	+27,001.7

20. Most of the development would be located on the larger, southern part of the site which sits to the south and west of Parkhouse Street and Wells Way, with two blocks located on the smaller part of the site which adjoins Burgess Park. On the larger part of the site the blocks would be arranged around a new public square which is described as the Garden Square, and which would include the retained chimney. There would be two new streets leading to the square; the Garden Street would start close to the junction of Wells Way with Parkhouse Street leading south-west, and would then turn north-west leading to the Garden Square and onto Parkhouse Street beyond. There would be a smaller, secondary street described as The Mews leading from Parkhouse Street to the Garden Square, and the Mews would be the focus of the class E floorspace within the development.

Proposed site layout



21. **Blocks A and B** – These blocks would be located on the northern part of the site. Block A would be a 2-storey terrace comprising 4 x 3-bedroom houses with a staggered footprint, measuring a maximum of 6.97m high above ground level with a flat roof.
22. Block B would be formed from an existing 2-storey plus basement commercial building which would be retained, modified internally, and new rooflights provided along its north-eastern flank. This building measures 12.34m above ground level to the ridge of its pitched roof.
23. Both blocks could be accessed from an existing vehicular access on Parkhouse Street leading to two accessible car parking spaces, cycle parking and refuse storage. There would be a secondary pedestrian and cyclist access to this part of the site via an existing haulingway at 33 Southampton Way.
24. **Block C** – This would be located opposite 1-13 Parkhouse Street and would be 2-storeys high (7.35m high above ground level) with a flat roof. It would contain 4 residential units which would all have gardens at ground floor level. There would be a substation and refuse store at the eastern end of this block.
25. **Blocks D and E**– These adjoining blocks would be located on the south-western side of the Garden Square. Block D would have frontages to Parkhouse Street and the Garden Square and would be 5-6-storeys high fronting Parkhouse Street (21.35m above ground level), and 6 storeys fronting the square. It would contain class E floorspace, residential units and associated cycle storage, plant

and bin stores at ground floor level, with 42 residential units above. There would be a communal roof terrace at 5th floor level facing Parkhouse Street.

26. Block E would line the south-western side of the Garden Square and would contain class E and class F floorspace, cycle parking, refuse storage and plant space at ground floor level, with 32 residential units above. It would be part 5, part 6 storeys high (a maximum of 21.35m above ground level) and there would be a communal roof terrace at 5th floor level at the southern end of the block.
27. **Block F** – This would be a standalone block with a curved footprint fronting Parkhouse Street, and backing onto the Mews and the Garden Square. It would contain class E floorspace, a residential entrance, bin and bike stores and plant space at ground floor level, class E floorspace and residential units at first floor level, and 41 residential units above. It would be 7-storeys high (a maximum of 26.3m above ground level) with the top floor set back along the Parkhouse Street frontage. There would be communal amenity space at second floor level which would be connected to communal amenity space within blocks G and H via a pedestrian footbridge across the Mews.
28. **Blocks G and H** - These blocks would be connected to each other. Block G would front Parkhouse Street close to the junction with Wells Way, and would also have frontages onto the Mews and the Garden Street. It would be 7-storeys high (26m above ground level) and would contain class E floorspace, bin and bike stores and a residential entrance at ground floor level, class E floorspace and residential units at first floor level, and residential units on the upper floors (37 residential units in total).

The Mews



29. Block H would be the tallest part of the development in the form of a 13-storey

tower measuring 44.24m above ground level. It would front onto the Garden Square, and would also have frontages to the Mews and the Garden Street. It would contain class E floorspace, bin and bike stores, a residential entrance and residential units at ground floor level, class E floorspace and residential units at first floor level, and residential units above (75 residential units in total). Its communal amenity space would be at second floor podium level, connected to block F's amenity space by the elevated footbridge.

Proposed tower, view from Garden Square



30. **Blocks I, J and K** - These adjoining blocks would sit parallel with the Garden Street. Blocks I and J would be 6-8 storeys high and would measure a maximum of 28.62m and 25.67m above ground level. The ground floor would contain two residential units, with the remainder of the ground floor given over to communal residential entrances, cycle parking, refuse storage and plant space. The upper floors of these blocks would be residential and there would be a roof terrace at 7th floor level. Block I would contain 53 residential units and block J would contain 42 residential units.
31. Block K would be located next to Wells Way with frontages to this street and to the Garden Street. It would be 6-storeys high (24.24m above ground level) and would contain residential units, a communal residential entrance, a management office, cycle parking, refuse storage, plant space and a substation at ground floor level, with residential units on the upper floors (33 residential units in total). There would be a communal garden on the roof of the building.

32. Block L - This block would adjoin Block K and would sit parallel with Wells Way. It would be 4-storeys high (13.5m above ground level) with a 3-storey section in the centre of the block and would be entirely residential, made up of 12 duplex units.
33. Materials for the proposed development would comprise London stock brick, concrete and metal cladding.
34. There would be a one-way servicing route around the edges of the site which vehicles would enter from Parkhouse and exit onto Wells Way. Servicing would also take place from the Mews and this is set out in the transport section of this report. There would be 14 accessible off-street parking spaces to serve the development.

Phasing

35. The construction work would take approximately 3 years to complete and would be carried out in two broad phases. Phase 1 would comprise blocks A and B (to be completed in early 2025) and phase 2 would comprise blocks C to L (to be completed in early 2026).

Amendments to the application

36. A number of amendments have been made to the application as follows:
37. Reduction in the number of units from 386 to 375;
Increase in class E floorspace from 4,410sqm to 5,118sqm;
Omission of extension to block B and removal of residential units within this block;
Amendments to the footprint of block C and revised window positions;
Amendments to residential layouts and balcony positions;
Amendments to refuse stores and cycle parking;
Amendments to the detailed design of block H
Massing reduction to block I;
Alterations to the footprint of block L;
Amendments to pavement widths around the edges of the site;
Amendments to playspace and landscaping;
38. A number of new and updated reports have also been submitted including an updated bat survey report, accommodation schedules, commercial strategy and Environmental Statement (ES) statement of conformity.
39. The changes outlined above have been subject to a 30 day reconsultation. A number of other changes have been made after the reconsultation had been triggered, including amendments to some internal layouts to provide additional wheelchair user dwellings which necessitated a modest revision to the footprint of block C, relocating some playspace from the rear gardens of the houses in block A to communal gardens at the front of block A and responses to officer queries regarding daylight and sunlight. Given the minor nature of these changes which would not result in any impacts outside of the site, they have not been subject to a further re-consultation.

Previous application

40. This application follows an earlier planning application which was also for a comprehensive redevelopment of the site, the development description for which read as follows:
- ‘Demolition of the existing buildings and redevelopment of the site to provide 499 residential units, up to 3,725sqm (GIA) of Class B1 commercial floorspace, up to 128 sqm (GIA) of Class D2 leisure floorspace and up to 551sqm of Class A1-A3 floorspace within 13 blocks of between 2-12 storeys, with car and cycle parking and associated hard and soft landscaping’ (reference: 17/AP/4797).
41. Officers recommended this application for approval, however it was refused by the Planning Committee in November 2018 for the following two reasons:
- 1) The density of the development would significantly exceed the expected range for the area and would fail to provide the requisite exemplary standard of accommodation, owing to insufficient amenity space and the residential units not significantly exceeding minimum floorspace standards. This would be contrary to saved policy 4.3 ‘Quality of accommodation’ of the Southwark Plan (2007), policy 3.5 ‘Quality and design of housing developments’ of the London Plan (2016) and guidance within the Residential Design Standards Supplementary Planning Document (2015 – Technical update).
 - 2) The proposed development would result in a significant loss of employment floorspace on a site within a local Preferred Industrial Location. This would be contrary to Strategic policy 10 ‘Jobs and businesses’ of the Core Strategy (2011), policy 4.4 ‘Managing industrial land and premises’ of the London Plan (2016) and emerging site designation NSP23 in the draft New Southwark Plan (December 2017) which seek to protect existing employment floorspace, and as such would fail to maximise the potential for job creation in the borough.
42. An appeal was lodged and was subsequently DISMISSED by the Secretary of State following a Public Inquiry. This is described in the report as the appeal scheme.
43. In summary, the Inspector found that too many compromises had been made regarding the quality of accommodation, with particular concerns regarding unit sizes including wheelchair units, and lack of private and communal amenity space. It was not considered to be exemplary design and as such the high density was not justified. The Inspector concluded that whilst the proposal would have been contrary to the employment policies in the adopted development plan by introducing housing into an industrial area, it would not result in a detrimental effect on the Borough’s stock of employment land and premises.
44. The Inspector found that the proposal would cause harm to the character and appearance of the area and would fail to relate successfully to the existing townscape, in particular by overwhelming the brick chimney and rising up steeply at the edges of the site to a series of large and bulky central blocks. Regarding heritage assets, it was found that whilst there would be some harm to the former Church of St George, it would be less than substantial, and the setting of nearby listed buildings and structures would be preserved. The Inspector considered

that whilst in many ways the proposed development would be able to successfully integrate with the existing residential uses on adjoining land, there were concerns about the effect on daylight to some properties on Parkhouse Street and Wells Way which would result in unacceptable harm to those residents. The Inspector was satisfied that the proposal would not conflict with policies relating to walking and cycling, it would not have an unacceptable impact upon highway safety or ecology and biodiversity in Burgess Park, and that flood risk matters could be addressed by way of a condition. The appeal decision is attached as Appendix 7.

45. The application now before Members seeks to address the concerns outlined in the appeal decision, aided by the Parkhouse Street Local Development Study, details of which are provided later in the report. The full planning history for the site is set out at Appendix 3.

Comments from members of the public and local groups

Initial consultation

46. A total of 32 representations have been received objecting to the application on the following grounds:
- 47.
- Development too high, overdevelopment and inappropriate design
 - Harm to heritage assets
 - Inadequate parking
 - Inadequate public transport provisions
 - Increase in traffic
 - Strain on existing community facilities including schools, GPs and dental surgeries
 - Affect local ecology including Burgess Park due to overshadowing, increased use of the park and light pollution
 - Close to adjoining properties
 - Conflict with local plan, including departure from industrial land policies
 - Increased risk of flooding
 - General dislike of proposal
 - Increased pollution and carbon emissions
 - Loss of light
 - Loss of privacy
 - Noise nuisance, including during construction and weekend working
 - Out of keeping with character of area
 - Over development
 - More open space needed on development
 - Residential amenity
 - Information missing from plans
 - In 2014 it was agreed that the site should be incorporated into Burgess Park
 - Concerns the developer is trying to garner support for the application
 - Lack of affordable housing and not clear why a developer profit cannot be made as the site has been largely unused for 10 years
 - Removal of trees on Wells Way
 - Impact of new access from Wells Way on the bus stop
 - Should be constructed of buff brick
 - Support new housing and workspace, but the proposal is too high.

- The appeal decision is a material consideration and the concerns it raised have not been adequately assessed
- Unnecessary development in a densely populated area. Would still be inappropriate if it were 100% social housing
- Only benefits the developers, social cleansing of the poor aided by the Council
- Whilst objecting to the application, welcome the reduction in the number of dwellings which makes the density more appropriate, and lower building heights in front of and behind 1-13 Parkhouse Street
- Accommodation not exemplary, too many single aspect units, no natural ventilation to bathrooms
- Loss of industrial buildings in the area is causing more people to have to travel further to work which impacts carbon emissions and pollution;
- Would set a precedent for the approval of other developments on appeal;
- Mixing residential and employment uses is inappropriate and would adversely impact both uses
- Lack of improvements to the surrounding area
- Incorrect references in the Design and Access Statement to a new route into Burgess Park

48. A total of 41 representations have been received in support of the application on the following grounds:

- Opportunity to create a hub and increase high quality spaces in the area;
- Use of reputable architects linked to other high quality residential schemes;
- Robust traffic management plan required as Southampton Way is unable to sustain the construction traffic;
- London and the UK is suffering a housing crisis. New developments are needed and the industrial estate adds nothing to the neighbourhood;
- Would be good for the local area;
- Provision of community space within the development;
- Support the public square, focus on green landscaping and new trees which would support biodiversity;
- Support sustainability measures including electric vehicle charging points and green roofs;
- Good pedestrian and cyclist accessibility;
- Would deliver a new neighbourhood including 35% affordable homes;
- Would bring new jobs and workspace for the community;
- Would transform the current, underused site into a green new community hub;
- Would provide family housing;
- Appropriate design using brick and metal to retain the character of Camberwell.

49. One neutral comment has been received on the following grounds:

- Concerns regarding the content of a leaflet being circulated advising that there would be significant loss of light and overshadowing;
- Question this as nobody has visited the property to assess it, front bedroom gets too hot and some shade would be welcome;
- Consider it unlikely the daylight / sunlight impacts would be as significant as set out in the leaflet, including to Burgess Park;
- The purpose of the leaflet seems to be to prevent a proposal for many new homes for the sake of some additional daylight and sunlight.

Second round of consultation

50. This comprised notification letters and emails, site notices and a press notice. As well as outlining the changes made to the plans, the notification letters clarified an error in the original description in relation to the height of the tallest building on the site. On the original notification letter the tallest building was incorrectly described as 12-storeys instead of 13 storeys as shown on the plans. The height of the building had not increased, the letter simply corrected an error.
51. Reconsultation letters were sent on 10th and 11th February 2022.
52. 55 representations have been received objecting to the application, raising the following new issues:
- Contrary to the recently revised Local Plan
 - Does not provide new connections and permeability to the area
 - No dialogue with recently approved projects
 - Harmful impact upon the local economy
 - Inaccurate information in daylight and sunlight report
 - Amended plans do not address previous concerns
 - Support letters recently uploaded to the Council's website do not contain any text and should be disregarded – officer response – the applicant sent the support letters to the case officer directly. They contained personal details which have been redacted and where addresses were provided, all but one of them were from addresses within the borough
 - Loss of vegetation on the site
 - Daylight and sunlight information not updated to reflect amended plans
 - Overload on UKPN system
 - The space where block A is proposed would be better suited to providing a nursery or other community use
 - Consultation period too short
 - An earlier comment posted on the Council's website should be removed or redacted;
 - Impact on existing cycle route along Wells Way and question whether the developer owns part of the pavement currently used for cycling;
 - Carbon impact arising from demolition of the existing buildings;
 - Given the high values in London the developer should be able to make a profit, and it can be done with lower rise developments
53. One representation was received in support of the application raising the following new issues:
- Increased density benefits more people, including increased income and amenities
 - There are already tall buildings in the area
 - Existing low density buildings are difficult to heat and take up much land with their large gardens, which contributes to climate change.
54. One comment has been received as follows:
- Redeveloping the site is a good idea but would cause an unacceptable increase in traffic on Wells Way

- More trees should be planted along the west side of Wells Way to minimise loss of privacy
- The height of the tallest buildings should be reduced to minimise the impact on the park where possible

55. Friends of Burgess Park

Response to first consultation:

Object to the application on the following grounds:

- Close to adjoining properties
- Conflict with local plan
- Development too high
- Inadequate public transport provisions
- Increase danger of flooding
- Loss of light
- Out of keeping with character of area
- Over development
- Residential Amenity
- Main concern is heights of buildings across the site allocation and implications for the park edge, skyline, sense of openness and amenity value of the park.
- Tower height impacts upon the scaling of 10 and 11-storey buildings proposed on the park edge on other sites and is out of keeping with the area. Cumulative impact of this and other schemes needs to be considered. Building heights do not step down enough at the edges of the site.
- Tall buildings contrary to policy and not of exemplary design due to lack of playspace, inadequate urban greening factor and lack of sunlight to public realm. Contrary to advice in the LDS by exceeding the height of the chimney.
- Impact upon the setting of neighbouring listed buildings. Overall impact upon Burgess Park and Addington Square not adequately considered.
- Loss of employment space and loss of jobs.
- Lack of parking and impact upon public transport, including from the cumulative schemes.
- Loss of daylight and sunlight to neighbouring properties and proposed new residential units on Parkhouse Street.
- 76% of the units would be dual aspect, so one quarter are not.
- Insufficient affordable housing
- If it is not possible to promote a viable or deliverable development which meets all of the policy requirements and considerations, the Council should refuse this scheme which is not exceptional and compromises in too many areas.
- Cumulative impact assessments do not consider the scaffolding yard site (Southampton Way/Cottage Green).
- Impact on local services.
- Would create access for future development in the vacant plot behind 3 Cottage Green. Southwark must make a commitment for this to become a green, community shared space.
- Risk of ground and surface water flooding.

56. Response to second consultation:

- Continue to object to the height of the tallest building, 13 storeys. Has been used as the driver for the overall height proposals put forward for 21-23 and 25-33 Parkhouse Street developments. The access point to Burgess Park has been refused, negating the rationale for the "entrance way and marker" towers at 10 and 11 storeys. Impact on skyline including from Burgess Park, St George's Church and other local heritage;
- No policy support for a tall building in this location;
- Wells Way and the Southwark Cycle Spine: The Camberwell area vision map shows the cycle route along Wells Way: Question how this application would enhance this cycle route. The pavement area which currently exists as a cycle route on Wells Way is subsumed into the development. This is currently set out as a mini cycle route and is essential for the continuing and future viability of Wells Way as a safe and preferred cycle route. Question whether the developer owns this land. Concerns regarding reducing the quality of this route for cyclists and the potential for a cycle route along Wells Way.
- FOBP has consistently objected to the route across the park.
- Support the points made by Wells Way Tenants and Residents Association about many of the aspects of design do not meet the requirements to be exemplary.
- Support the retention of Block B as industrial space, retaining the design aesthetic without adding any additional residential space of height and bulk to the building.
- Support the provision of all play and amenity space on the site;
- Support the reduction in the height of block I;
- Support the improvement in the Urban Greening Factor which meets the Mayor's target score;
- Support the industrial provision but it does not re-provide the full amount.

57. Wells Way Tenants and Residents Association

Response to first consultation:

Object to the application on the following grounds:

- Welcome reduced density and that proposal now within the range set out in adopted policy, pleased that space standards now meet/exceed the minimum and not opposed to mixed-use redevelopment, but consider that the development is of a size and scale that is entirely out of character for the neighbourhood.
- Excessive height – the tower at the centre of the development would be taller than under the appeal scheme, contrary to planning policy for this area and would have negative impacts upon St George's Church and cause overshadowing and loss of daylight and sunlight
- Loss of employment space which conflicts with policy. The site has been run down and is being used as justification for less employment space in the development
- Errors in planning statement which show that most of the space is occupied so the site is not unusable or obsolete

- 50% affordable housing is required due to the loss of industrial floorspace
- Accommodation not exemplary – 24% single aspect units, most bathrooms do not have windows, 20% of the rooms do not meet the recommended average daylight factor and 23% do not meet levels of sky visibility, insufficient urban greening factor score, lack of 3+ bed units, amenity space not exemplary, balcony sizes not provided and lack of playspace.
- Overshadowing and loss of daylight and sunlight.
- Different PTAL levels given for the site.
- Planning statement notes a reduction in storey heights of the tower but it would be taller than in the appeal scheme;
- Planning statement states that the car wash is closed but this was temporary due to Covid 19 and it is now fully operational.
- The existing floorspace is given in the planning statement as 12,559.3sqm but when you add up the figures for each individual unit it comes to 12,970sqm.

58. Response to second consultation:

- Not easy for residents in the local community to assess another set of amendments to the plans for this site;
- There is no VuCity virtual 3d model available;
- Welcome the increased footway width on Parkhouse Street, removal of mobile antenna equipment from the chimney and the improvement to the urban greening factor which would meet the target score.
- Consider the size and scale of the development is still out of character for the neighbourhood;
- Excessive height - minor reduction to block I, but height of the tallest building unchanged and other neighbouring schemes will mean the introduction of multiple tall buildings in a neighbourhood which currently has none.
- Does not fully reprovide employment floorspace. Welcome the increase but there will still be a significant loss
- Not exemplary in a number of ways, e.g. 24% single aspect which is not improved compared to the original plans, kitchens and bathrooms without windows; insufficient 3+ bed units and some units only meet the minimum GLA balcony sizes.
- Concerns regarding daylight/sunlight remain and sky visibility has reduced;
- Public amenity space does not comply with BRE guidance for sun on the ground.
- Too many existing properties will suffer loss of daylight/sunlight. Seven properties on Wells Way alone will experience VSC/NSL reductions of more than 40%.

59. The Camberwell Society

Response to first consultation:

Object to the application on the following grounds:

- Height and visual impact - tower taller than under previous application and

significantly taller than the retained chimney, development does not step down enough at the edges of the site

- Not of exemplary design - lack of playspace and inadequate urban greening factor)
- Insufficient transport capacity – low PTAL, 20-30 minutes from Denmark Hill Station and existing bus services at capacity; questionable whether they can accommodate the increase in commuters from the scheme and other emerging developments nearby
- Welcome the Local Development Study (LDS) but should have been carried out before major schemes were developed
- Although the new application has been improved (e.g. number of residential units reduced, visual link with the lime kiln in Burgess Park, pedestrian routes through the site and new public open spaces have been incorporated) the Camberwell Society objects to this application based on the above observations and on the grounds of over-development.

60. Response to second consultation:

The reasons for our initial objection to the proposals remain largely unaltered.

- Tall building not appropriate for this site due to negative impact on daylight /sunlight and harm to the nearby Grade II listed former church of St George.

- The amended plans do not suggest any improvements regarding the quality of the design, which would make it exemplary. The proposal is not of exemplary architectural design as needed for tall buildings and would not comply with planning policies.

- The revised transport assessment states that the site is well connected to the surrounding public transport networks', although the site is still located in an area with a very poor PTAL rating of 2. It is considered that most people would use busses and the local bus network would not be able to accommodate the increased number of passengers from this and other developments.

61. Camberwell Identity Group (CIG)

- The applicant approached CIG to gain support for the planning application. CIG is made up of different community groups, some of whom will already have placed comments (objections or support) on the application in their own right.

- Purpose of discussion with the developers was to raise issues specific to the Camberwell Brand Identity and to the local artists' studios/manufacturing businesses being removed from the site:

- To incorporate the Identity branding including the colour palette, Camberwell 'C' and keystone shape that has been developed by CIG;

- To plant and landscape the development to resonate with Camberwell's health, medical and market garden heritage by incorporating botanicals with medical and health benefits.

- To design bespoke (and imaginative) street furniture to link the development with its former manufacturing business residents by commissioning their

fabrication with the artisans/manufacturers who are currently located in Burgess Business Park.

- The New Southwark plan requires developments to 'respond positively to local character and townscape'. CIG's concern is related to Camberwell Union's urban experience, lacking any visible link or expression of Camberwell as a place with a unique identity. A proposed art wall is a link to the Arts sector but would want to see some reference to Camberwell's Medical heritage.

- The development will be replacing artists and fabricators studios and manufacturing businesses with some maker spaces – a cut in employment numbers. Would be some compensation to those that will have to move to ensure that the new development's street furniture, play areas, public seating etc. are all bespoke designed and built by the departing/departed manufacturers as their legacy in the area.

- Unless can receive an assurance that these requirements are addressed as a formal condition of any planning consent that is granted, CIG would have to object to this development.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- Principle of proposed development in terms of land use and compliance with site allocation NSP25
- Equality implications
- Environmental impact assessment
- Design, including building heights and impacts upon local and strategic views
- Impact on heritage assets
- Trees and landscaping
- Ecology
- Affordable housing
- Mix of dwellings
- Wheelchair accessible housing
- Quality of accommodation
- Impact of proposed development on amenity of adjoining occupiers and surrounding area
- Noise and vibration
- Transport
- Air quality
- Ground conditions and contamination
- Flood risk and drainage
- Sustainable development implications
- Wind microclimate
- Fire safety
- Digital connectivity
- Archaeology
- Socio-economic impacts and health

- Planning obligations (S.106 undertaking or agreement)
- Mayoral and Borough community infrastructure levy (CIL)
- Community involvement and engagement
- Community impact
- Consultation responses from external and statutory consultees
- Human rights Positive and proactive statement

63. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

64. 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 2021 and the Southwark Plan 2022. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
65. 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.

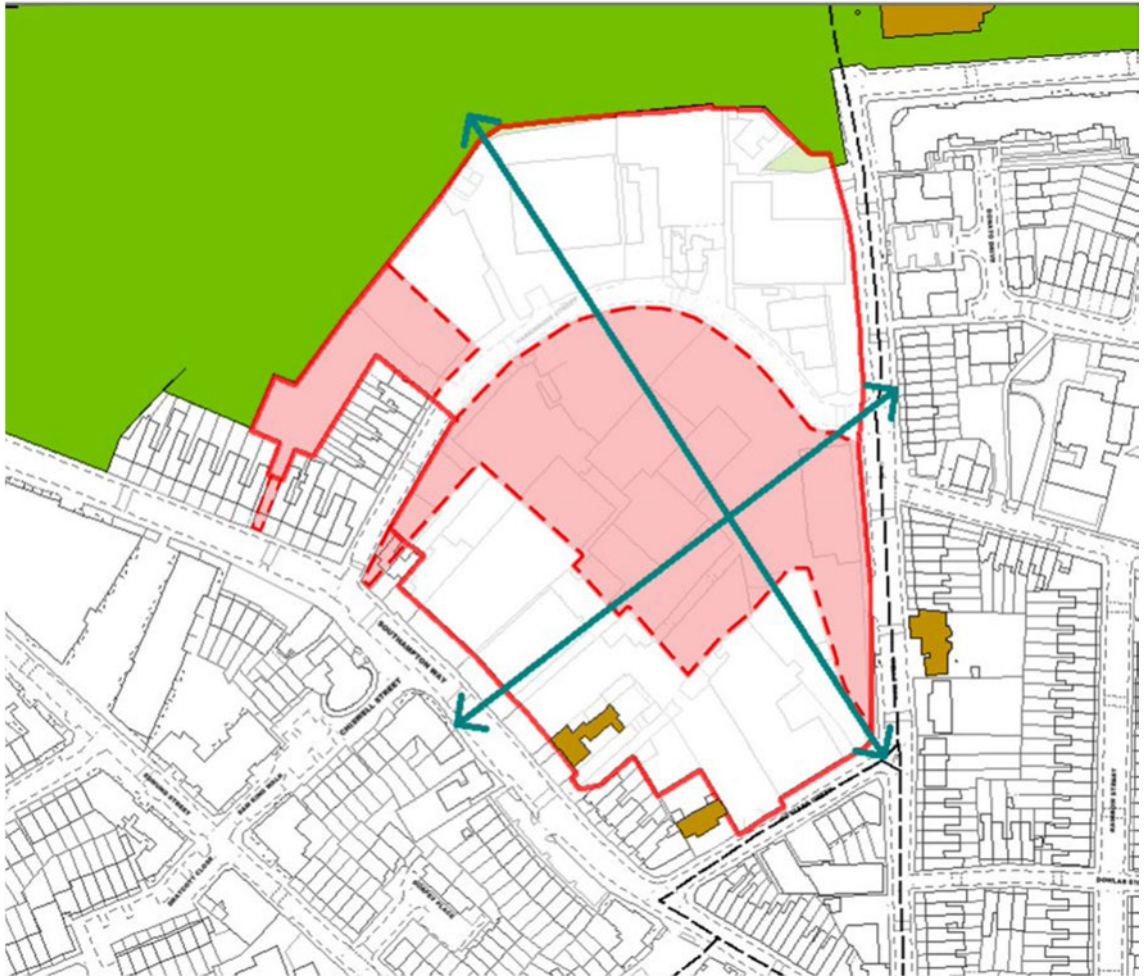
Planning policy

66. The statutory development plan for the Borough comprises the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework (2021) constitutes a material consideration but is not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

Site allocation NSP25

67. The site falls within site allocation NSP25 in the Southwark Plan which covers much of the Parkhouse Street area. The site forms a significant part of the overall site allocation as shown on the image below, which shows the full extent of NSP25 with the application site shaded red. The various requirements for NSP25 are set out below.

Extent of site allocation NSP25 with application site shaded in red



68. NSP25 states that redevelopment of the site must:

- Ensure every individual development proposal increases or provides at least the amount of employment floorspace (E(g), B class) currently on the site; and
- Provide new homes (C3); and
- Enhance permeability including new north-south and east-west green links; and
- Provide public realm improvements including a square.

Redevelopment of the site should:

- Provide industrial employment space (E(g)(iii)); (industrial processes)
- Provide active frontages (retail, community or leisure uses) at appropriate ground floor locations.

69. The site allocation has a minimum residential capacity of 681 homes. The design and accessibility guidance states that development should establish green links

into Burgess Park and from Chiswell Street to Newent Close, opening up access for new and existing residents with a new public realm offer throughout the site. Consideration should be given to focal points of activity and active frontages that encourage footfall. Redevelopment should enhance existing and proposed pedestrian and cycle routes including the Southwark Spine, and good accessibility to bus stops.

Other relevant guidance

70. The Council commissioned a Local Development Study (LDS) which was completed in October 2020. The purpose of the Parkhouse Street LDS is to promote a design strategy for development for the Parkhouse Street area in order to co-ordinate developer activities and encourage a cohesive form of development across the various landownerships. The LDS covers the area outlined in red below which is described in the LDS as the composite site. Currently there are 5 landowners which have submitted proposals for sites in this area and timescales are broadly in parallel, which presents a unique opportunity to address wider and shared objectives in order to deliver a co-ordinated approach to development in the area.

Extent of LDS area



71. The LDS sets out a strategic response to the planning policy guidance that exists and is to be used as the basis for discussion between the various landowners. It should be noted that the LDS has no statutory Planning status; it is however an agreed reference point for a cohesive design approach. Relevant to this particular application is the principle of a mixed use redevelopment, maintaining an appropriate buffer to Burgess Park, a physical and potentially a visual link to the Lime Kiln in Burgess Park with active uses along the link, a consistent shoulder height along the Parkhouse Street frontage, the mix of uses, and public realm improvements to Parkhouse Street. Planning applications at two of the neighbouring sites have recently been granted which followed guidance contained in the LDS (21-23 Parkhouse Street reference: 19/AP/0469 and 25-33

Parkhouse Street reference: 20/AP/0858).

ASSESSMENT

Principle of proposed development in terms of land use and compliance with site allocation NSP 25

72. When this application was submitted in April 2021 the Core Strategy and the saved Southwark Plan were still in use. Under these plans the site was designated a preferred industrial location (PIL), in which only industrial and sui generis uses were permitted. The application was therefore advertised as a departure from the adopted development plan. The Southwark Plan 2022 has since been adopted however, and designates the site for mixed-use development including employment uses and residential. The site is therefore no longer subject to the PIL designation, and in light of this, the proposed development would no longer constitute a departure from the adopted development plan. It is noted that four planning applications have been submitted in the Parkhouse Street area which include residential uses, two of which have recently been granted permission following the completion of s106 agreements.
73. As set out earlier in the report, one of the reasons the Council refused planning permission for the appeal scheme was because of the loss of employment floorspace, although the Inspector did not find this aspect of the proposal to be unacceptable. There would still be a significant loss of employment floorspace arising from this proposal, although it would provide 779sqm more than the appeal scheme and this is explained further below.
74. The National Planning Policy Framework (NPPF) was updated in July 2021. The framework sets out a number of key principles, including a focus on driving and supporting sustainable economic development. Section 6 of the NPPF 'Building a strong, competitive economy' states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity.
75. A number of representations have been received raising land use concerns, including that employment space is being lost in Camberwell, and questioning the provision of residential uses alongside industrial uses. One objection states that in 2014 it was agreed that the site would be incorporated into Burgess Park. However, the site was allocated for industrial purposes at that time under the Saved Southwark Plan and Core Strategy, and not for park use. Another objector considers that the site of proposed block A would be better suited for a nursery, although the proposed land uses are in accordance with the Southwark Plan as set out below. Representations received in support of the application include the provision of employment space to activate Parkhouse Street, new community space and much needed new housing. The GLA has raised concerns regarding the loss of employment floorspace and has advised that replacement employment space should be maximised.
76. Policy E4 of the London Plan 2021 seeks to ensure that there is a sufficient

supply of land and premises in London to meet current and future demands for industrial and related functions, and the site falls within the 'locally significant industrial site' category under this policy. Policy E6 of the London Plan relates specifically to locally significant industrial sites, and requires boroughs to designate such sites in their development plans and to make clear the range of industrial and related uses which would be acceptable in these locations. Policy E7 of the London Plan relates to industrial intensification, co-location and substitution. Development plans and proposals should be proactive and encourage the intensification of business uses occupying all categories of industrial land. In locally significant industrial sites the scope for co-locating industrial uses with residential and other uses may be considered, and must be plan-led. This is subject to certain criteria being met such as industrial uses not being compromised in terms of their continued efficient function, access and servicing, and subject to appropriate design mitigation within the residential units to enable industrial uses to function efficiently.

77. At borough level and in line with policy E7 of the London Plan, the site forms part of site allocation NSP25. This requires each individual development proposal within NSP25 to increase or provide at least the amount of employment floorspace currently on the site, and to provide new homes. The requirement for each individual site within NSP25 to at least re-provide the existing employment floorspace is a direct result of the appeal decision. The version of NSP25 which was in use at the time the appeal was being considered did not make this clear. The Inspector therefore concluded that when the preferred industrial location was considered as a whole, including recent developments such as a Big Yellow Storage facility which provided additional B class floorspace (as it was then), the loss across the entire PIL would only have amounted to 2,870sqm which the Inspector concluded would not be harmful. The Council had concerns with this approach and the potential for incremental employment space losses across different sites, and amended the site allocation to make it clear that the requirement relates to each individual development proposal.
78. Policy P30 of the Southwark Plan requires replacement or increased employment space where required by site allocations. In exceptional circumstances a loss of employment floorspace may be accepted where the retention or uplift in employment space is not feasible. This must be demonstrated by a marketing exercise for two years immediately prior to any planning application, and should be for its existing condition and as an opportunity for an improved employment use through redevelopment which shows that there is now demand.
79. Existing employment floorspace – At present there is 12,559.3sqm of employment floorspace at the site, and an objector has raised that a breakdown of the unit sizes provided in the Planning Statement indicates that the total existing floorspace is higher than this. Officers have reviewed this and consider that 12,559.3sqm is the correct figure, and this was accepted at the appeal. The table below provides a breakdown of the existing occupiers:

Unit	Floorspace sqm (GIA)	Occupation details
Unit 1	1,092.6	Vacant and derelict
Unit 2	991.7	Occupied by Out of Order Design as a design studio

Unit 3	1,173.8	Occupied by Arebyte as artists studios
Unit 4	1,598	Occupied by Access Mobility Transport Ltd.
Unit 5	1,563.9	Occupied by Arebyte as artists studios
Unit 6	1,260.8	Occupied by Out of Order Design as a design studio
Unit 7	572	Occupied by Peachtree Services Ltd. for self-storage
Unit 9	677	Vacant
10-12 Parkhouse Street	2,104	Vacant office building with Prior Approval for residential
15-19 Parkhouse Street	1,010	Occupied by Tannery Arts Ltd. as a workshop
2 Parkhouse Street	515.5	Occupied by Continental Car Wash
Total	12,559.3	8,170.2sqm occupied (65%)

80. The Planning Statement advises that the existing floorspace is of poor quality; both parts of the site only have one access point, the site contains large areas of parking, the buildings are of poor quality construction with inefficient layouts and design, and they have limited environmental credentials. The submission advises that these issues render them unsuitable to meet modern requirements, and that their poor state of repair would require a significant amount of investment to bring them up to modern standards.
81. Of the 12, 559.3sqm of existing floorspace, 8,170.2sqm (65%) is occupied and this includes a car wash on the site which is listed in the Planning Statement as being vacant, but which re-opened following the easing of Covid 19 restrictions. All of the existing occupiers are on temporary leases, albeit that the car wash and Arebyte artist studios occupied the site when the appeal scheme was first submitted to the Council. The existing uses include artist studios, a design studio, a workshop, storage and the car wash. The applicant took over the management of the site some 13 years ago and has advised that several of the units, including 10-12 Parkhouse Street, have been vacant for over 10 years in spite of marketing to seek to fill the space.
82. When the appeal scheme was being considered only 3,938sqm (31.3%) of the employment space was occupied, which included 1,598sqm which was occupied by Arebyte as a meanwhile use. At that time the permanent uses on the site employed 57 people in total, mainly at Swiss Postal Solutions which has subsequently vacated. Following the refusal of the appeal scheme and its subsequent dismissal by the Secretary of State, more of the site is occupied, although now entirely on a temporary basis on short term leases. The tenancies for the existing businesses on the site started between December 2018 and September 2021. All tenancies are short term, have no rights to renew and contain rolling landlords break clauses exercisable at any time on 6 months notice.

83. Proposed employment floorspace – The proposed development would provide 5,118sqm of class E floorspace. Class E covers a broad range of uses including retail, food and drink, offices and light industrial. The Planning Statement sets out that the class E space would include approximately 5% food and drink uses and 7% retail uses (a total of 614sqm), with the remainder (4,504sqm) to be used for light industrial purposes. Whilst the focus of NSP25 is on providing employment space, it does state that redevelopment of the site should provide retail, community or leisure uses at appropriate ground floor locations. The provision of food, drink and retail uses within the development would therefore be acceptable in land use terms.
84. It is noted that policy P36 of the Southwark Plan requires an impact assessment for main town centre uses which are proposed outside of town centres, such as the site. However, as there is a specific requirement in the site allocation to replace or increase the existing amount of employment floorspace, no impact assessment is required.
85. The appeal scheme would have provided 3,725sqm of employment floorspace. At paragraph 386 of the appeal decision the Inspector concludes that when calculating the amount of employment space which would need to be replaced, it would be reasonable to exclude 10-12 Parkhouse Street from the calculation because it benefitted from a Prior Approval for change of use from office space to residential. This building measures 2,104sqm and still has Prior Approval for change of use to residential, although this has not been implemented. If this building is deducted from the calculations in line with the appeal decision, then there would be a need to replace 10,455.3sqm of employment space on the site. The proposed development would provide 4,504sqm of employment floorspace (which excludes the food, drink and retail uses) and this would equate to a 43% re-provision when 10-12 Parkhouse Street is excluded. Whilst it is noted that the provision of food, drink and retail uses would reduce the amount of employment space on the site, officers consider that these uses would be a positive aspect of the proposal in terms of place-making. They would provide facilities which existing and new residents could use, and would help to draw people into the site. It is however, recommended that a condition be imposed limiting the extent of these uses to 12% and requiring the remainder of the class E floorspace to be fitted out and provided as light industrial floorspace.
86. Whilst the proposal would provide 779sqm more employment floorspace than the appeal scheme, it would still result in a significant loss, equating to 5,951.3sqm when 10-12 Parkhouse Street is excluded. Whilst it is noted that no two year marketing exercise has been undertaken to justify the loss of employment floorspace as required by policy P30, this application was submitted prior to the adoption of the 2022 Southwark Plan, and a marketing exercise was not a requirement under the previous 2011 Core Strategy and 2007 Southwark Plan which were in force when the application was submitted. Providing a larger amount of employment floorspace on the site would reduce the number of new homes which could be accommodated here, and this in turn impacts on viability and the ability of the development to provide affordable housing.
87. Policy IP3 of the Southwark Plan relates to Community Infrastructure Levy (CIL) and s106 planning obligations. Part 3 of the policy requires a viability assessment

to be provided where a proposed development departs from any planning policy requirements (including land use requirements comprising those set out as 'must' or 'should' in the site allocation policies) due to viability. In circumstances where it has been demonstrated that all policy requirements cannot be viably supported by a specific development, priority will be given to the provision of social rented and intermediate housing in housing-led and mixed-use schemes. The weight to be given to a viability assessment will be assessed alongside other material considerations, ensuring that developments remain acceptable in planning terms.

88. The viability of the proposed development has been independently reviewed by Avison Young (AY) on behalf of the Council. AY has tested the impact that delivering different quantum of class E floorspace on the site would have on the amount of affordable housing which could be provided, and the five options which have been tested are set out below. Of note is that the site is a locally significant industrial site in the London Plan, and policy H5 of the London Plan expects that on these sites, where there would be a net loss of industrial capacity, 50% affordable housing should be provided; where it is not, the application must be supported by a detailed viability appraisal to justify the level of provision. This has been tested as option 1 below. The Southwark Plan requires all of the employment floorspace to be re-provided, and for a minimum of 35% affordable housing to be provided and this has been tested as option 2 below. Either of these scenarios would be policy compliant, i.e. the applicant could provide less than the existing employment space but would need to provide 50% affordable housing, or could re-provide all of the employment space and provide a minimum of 35% affordable housing. Either option would be policy compliant.
89. Option 1 – This option tests the proposed quantum of class E and class F floorspace (5,230sqm) and 375 residential units comprising 50% affordable housing with a 50/50 tenure split between social rented and shared ownership habitable rooms. AY has advised that this option would not be viable, with a deficit of £8,621,670.
90. Option 2 – This option tests 12,599.3sqm of class E floorspace (i.e. full provision), 112sqm of class F floorspace and 301 residential units with 35% affordable housing (a tenure split of 25% social rented and 10% intermediate). 301 residential units were tested owing to the need to provide the full replacement floorspace within the same building envelopes as proposed. AY has advised that this option would not be viable, with a deficit of £9,715,158.
91. Option 3 – This tests the applicant's proposal which is for 5,118sqm of class E floorspace, 112sqm of class F floorspace and 375 residential units with 35.4% affordable housing (25% social rented and 10% intermediate). AY has advised that this option would not be viable, with a deficit of £3,669,126. The applicant has nonetheless committed to delivering 35.4% affordable housing with a policy compliant tenure split. AY has undertaken a sensitivity analysis and has concluded that with some small changes which could occur to key variables over time, such as the residential and commercial values achieved for the proposed development, the scheme would be capable of becoming viable. The s106 agreement would secure early and late stage viability reviews with the ability to

secure additional affordable housing if the viability of the development were to improve over time. Given that policy IP3 of the Southwark Plan requires affordable housing to be prioritised where the requirements of site allocations cannot be viably met, officers consider that that this option can be supported.

92. **Quality of employment floorspace** – The design of the class E floorspace has been informed by a commercial strategy which accompanies the application. It considers that demand for space in this area is likely to arise from existing and new small businesses, predominantly employing between 1-9 people, but also businesses employing up to 49 people and the proposed design would allow for this.
93. The employment floorspace would be provided on the northern part of the main site, concentrated on the Mews which would be the commercial heart of the site. This would allow businesses to cluster together, with the potential to foster collaborative working over time. The class E units would also extend around the Garden Square helping to activate this space, and also north onto Parkhouse Street as shown on the images below (class E and F floorspace highlighted in purple). The location of these uses would provide active frontages to Parkhouse Street and within the site, and would allow for a quieter, residential character along the Garden Street.

Proposed class E and class F floorspace, ground and first floor levels



94. The class E floorspace along the Mews and fronting Parkhouse Street would be double height creating to a strong presence onto the street, and the entirety of block B on Parkhouse Street would be retained in employment use. It would have floor to ceiling heights of 4.5m at ground floor level and 3.150m at first floor level. This would align with the Old Kent Road Workspace Demand Study (May 2019) which indicates that for light industrial uses including studios and maker spaces, ceiling heights should generally be around 3.5m on average, and up to 4.4m. The units would not have yards, but would have recessed entrance bays and double height entrances to enable large equipment to be brought in and out. There would be a mix of single and double height spaces which could be adapted to suit end user requirements, and sufficient space for goods lifts to be installed if required.
95. The space could be used for a range of different functions, with a number of

different typologies set out in the commercial strategy including micro maker space (50sqm), maker mews (100sqm) and medium factory (500-1,000sqm). The potential types of uses identified include jewellery making, food production, textile manufacturing and a craft brewery.

96. The servicing arrangements for the commercial uses are set out in full in the transport section of this report. The Mews would be used for servicing, and would incorporate on-street loading bays.
97. The GLA has also requested details of the proposed extract, ventilation and drainage systems for fumes and dust arising from the employment uses. The units could be both naturally and mechanically ventilated, and a condition for full details has been included in the draft recommendation.
98. In accordance with policy E7 of the London Plan, a planning obligation is required to ensure that the commercial floorspace is completed in advance of any of the residential units being occupied. A condition has also been included in the draft recommendation to secure an appropriate level of fit-out for the units.
99. Job creation – Based on current employment densities the site would have supported around 636 jobs if fully occupied. The buildings have not been fully occupied for at least 13 years however, and when the appeal scheme was under consideration it only supported 57 permanent jobs.
100. The ES advises that the site now supports 180 jobs, although all of the businesses are on short-term leases. The proposed employment space has been designed as light industrial space which the Council's Local Economy Team (LET) has advised could support 50 jobs, with a further 30 from the food, drink and retail uses. These 80 jobs in total would exceed the 57 permanent jobs at the site when the appeal scheme was being considered. The applicant considers that the proposal could support up to 260 jobs based on a more intensive use of the class E floorspace, but officers note that if occupied as light industrial floorspace which it has been specifically designed for, occupancy levels would likely be lower. Some 370 jobs would be created during the construction period and employment and training provisions for borough residents would be secured through the s106 agreement.
101. To mitigate the loss of employment floorspace a contribution of £139,074.90 would be provided through the s106 agreement, to contribute towards skills and employment programmes in the borough. This has been calculated in accordance with the Council's adopted Planning Obligations and CIL SPD and following consultation with the Local Economy Team. The applicant has also increased the proposed affordable workspace within the development from the 10% required by policy to 20%, and this is considered later in the report.
102. Retention of existing businesses - Policy P31 of the Southwark Plan 'Affordable workspace' requires development to retain small and independent businesses on a site and where they are at risk of displacement, and to provide suitable affordable workspace for them within the completed development.

Policy P33 'Business Relocation' requires applicants to provide a business relocation strategy in consultation with affected businesses which must set out viable relocation options. In its Stage 1 report the GLA has advised that the applicant should confirm whether the existing tenants will be offered the right of return. The GLA has advised that in line with London Plan Policy HC5, the delivery of space suitable and affordable for the creative industries would be strongly supported.

103. The only two businesses which occupied the site at the time the appeal scheme was submitted and are still present at the site now are Arebyte which was and remains a temporary use, and the Continental Car Wash. Some of the space is occupied by the applicant, and all of the other occupiers are new businesses to the site which occupy it on a temporary basis with flexible leases. The commercial floorspace within the proposed development has not therefore been specifically designed with the existing businesses in mind, and no business relocation strategy has been provided. However, the floorspace would be suitable for some of the existing occupiers in any event, including artist and design studios. Whilst the lack of a business relocation strategy is noted, officers are mindful of the benefits of meanwhile uses on sites including providing flexible, affordable accommodation and site security. Rigidly applying the business relocation policies to meanwhile uses could potentially discourage developers from allowing them on their sites. In light of this officers recommend that this be accepted save for the existing car wash which should be provided with relocation assistance, and this is explained further in the equality implications section of this report.
104. Affordable workspace – Policy E2 (C) of the London Plan requires proposals for new B1 floorspace (now class E) greater than 2,500 sqm (GEA) or a locally determined lower threshold to consider the scope to provide a proportion of flexible workspace suitable for micro, small and medium-sized enterprises. Policy E3 relates to affordable workspace and the use of planning obligations to secure affordable workspace at below market rates. Policy E8 of the London Plan is also relevant, which states that employment opportunities for Londoners across a diverse range of sectors should be promoted and supported, along with support for the development of business growth and sector-specific opportunities. It requires the delivery of suitable workspaces to support the evolution of London's diverse sectors including start-up space and affordable workspace.
105. At borough level policy P31 of the Southwark Plan states that developments proposing 500sqm GIA or more of employment floorspace must:
- Deliver at least 10% of the proposed gross employment floorspace as affordable workspace on site at discount market rents; and
 - Secure the affordable workspace for at least 30 years; and
 - Provide affordable workspace of a type and specification that meets current local demand; and
 - Prioritise affordable workspace for existing small and independent businesses occupying the site that are at risk of displacement. Where this is not feasible, affordable workspace must be targeted for small and independent businesses

from the local area with an identified need; and

- Collaborate with the Council, local businesses, business associations and workspace providers to identify the businesses that will be nominated for occupying affordable workspace.

106. In order to meet the requirements of the policy, the following heads of terms have been agreed by the applicant. This includes provision of 20% affordable workspace, which would exceed the policy requirement, in recognition of the loss of employment floorspace which would arise.
- 20% affordable workspace (900.8 sqm) to be provided;
 - The affordable workspace to be secured for a 30 year term and the same occupier could remain for the entire period;
 - No more than 50% of the market rate floorspace to be occupied until the affordable workspace has been fitted-out ready for occupation;
 - Rent on the affordable workspace to be £15 per square foot (index linked) inclusive of service charge for the 30 year term. This currently equates to a 25% discount on market value;
 - Flexible leases;
 - Applicants for the affordable workspace must either have an existing small and independent business in Southwark or be a resident of Southwark and the proposed use must be from a specific sector which has a social, cultural or economic development purpose or to accommodate an existing occupier at the site;
 - During the construction period, a database of interested parties must be compiled and maintained;
 - On completion, the affordable workspace must be marketed using a website, newspapers, agencies, managing agent, database, and external signage. It must be actively marketed for nine months to Southwark businesses and residents. Only if the space remains unoccupied after this period of marketing can it be made available to the same types of businesses outside of Southwark which would be permitted to remain in the affordable space, paying affordable rent, for up to five years. After those five years, the process would start again. During this time the existing tenant(s) could remain until a suitable Southwark tenant is found;
 - The day-to-day management of the space to be carried out by a suitably competent management company;
 - Each unit would be equipped with mechanical and electrical fit-out, sprinklers, heating and cooling provision and kitchen and WC facilities.
107. The provision of 20% affordable workspace on the site which would exceed the 10% policy requirement would be beneficial to businesses seeking low cost affordable workspace in the area, and is considered to be a positive aspect of the proposal.
108. Provision of class F floorspace – NSP25 states that redevelopment of the site should provide active frontages (retail, community or leisure uses) at appropriate ground floor locations. The proposed development would deliver 112 sqm of community floorspace in the Garden Square, at the heart of the development. This has been included in the application following pre-application consultation with neighbouring residents, and would comply with the site

allocation. Details of how the space would be managed and used by the local community should be secured by way of a planning obligation.

109. Provision of residential units - The NPPF makes it clear that delivering a significant number of new homes is a key priority for the planning system. London Plan Policies GG4 and H1 reinforce the importance of delivering new homes, setting a 10 year target of 23,550 new dwellings for Southwark. The Southwark Plan has identified capacity to meet the London Plan target of 23,550 by 2028.
110. The provision of new housing on the site would comply with site allocation NSP25. Of note is that the Planning Committee resolved to grant permission for two developments on Parkhouse Street which include residential accommodation, one at 21-23 Parkhouse Street (reference: 19/AP/0469) and another at 25-33 Parkhouse Street (reference: 20/AP/0858). Following the completion of s106 agreements planning permission was granted in April 2022 for the proposed development at 21-23 Parkhouse Street and in May this year for the proposed development at 25-33 Parkhouse Street.

Agent of change principles (ability for commercial and residential uses to co-exist)

111. E7 of the London Plan supports the intensification of industrial uses and co-locating industrial and residential uses, provided the ability of the industrial uses to operate efficiently is not compromised. Light industrial uses can generally sit comfortably alongside residential uses. However, it is important to ensure that such uses are accommodated within buildings that are fit for purpose in terms of layout and construction techniques, and that proper regard has been given to technical matters such as soundproofing and ventilation. London Plan policy D13 requires all developments to consider 'agent of change' principles to ensure that where new developments are proposed close to existing noise-generating uses, they are designed in a sensitive way to protect the new occupiers, such as residents and businesses, from noise and other impacts. Policy E7 of the London Plan also seeks to ensure that industrial activities are not compromised in areas where residential uses are provided alongside industrial uses. This is an important consideration for this site given the proximity of proposed residential uses in relation to existing and proposed employment uses.
112. A number of measures have been incorporated into the design to ensure that the residential and employment uses within the proposed development could co-exist successfully, and that the new residential units would not impact upon the continued operation of employment uses in the area. It has been designed with reinforced concrete frames in order to avoid noise and vibration transfer between residential and employment uses, and there would be separate residential entrance routes. Servicing activities would be concentrated in certain areas, and ventilation and extraction would be designed into each commercial unit to ensure no loss of amenity to the residential units within the development. On the advice of the Council's Environmental Protection Team (EPT) a number of conditions have been included in the draft recommendation to ensure that the residential units would be appropriately sound-proofed, which should reduce the likelihood of any noise complaints against neighbouring industrial uses. It is noted that some of the neighbouring sites are subject to planning applications

for redevelopment including residential in any event.

113. **Land use conclusion** - Overall, the proposed development is considered to be acceptable in land use terms. Although there would be a significant loss of employment floorspace, it has been demonstrated that the development currently cannot viably deliver any additional employment floorspace whilst maintaining the provision of 35% affordable housing. Policy IP3 of the Southwark Plan makes it clear that where the requirements of site allocations cannot be viably met, the priority should be the delivery of affordable housing. The proposal would deliver 35.4% affordable housing with a policy compliant tenure split. The proposal would deliver high quality class E and F floorspace and the number of permanent jobs at the site would increase compared to those which existed when the appeal scheme was being considered; a contribution of £139,074.90 would be secured in mitigation of the loss of employment floorspace, together with 20% affordable workspace which would exceed the policy requirement. The larger proportion of affordable workspace, and the overall quality of the new employment space, are significant benefits of the current application. The mix of uses proposed have the potential to create a vibrant and attractive destination in the heart of Parkhouse Street, and officers consider that it can be supported in land use terms.

Equality implications

114. The site contains one business owned by a person from an ethnic minority, who would be given assistance by the developer in finding a new premises if required. The proposed development would provide high quality employment space at the site and would provide new homes, potentially benefitting a broad range of people and resulting in positive equality impacts.

Legal context

115. The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, pregnancy and maternity, race, religion, or beliefs and sex and sexual orientation. Section 149 of the Equality Act 2010 places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. 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 and which are set out below. Officers have taken this into account in the assessment of the application and Members must be mindful of this duty when determining all planning applications.
116. 1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
2. 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

3. 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.

117. This section of the report examines the impact of the proposal on those with protected characteristics and with a particular focus on the Council's legal duties under s.149 of the Equality Act 2010. The main issue is the displacement of existing businesses. The proposed development would require the demolition of most of the existing buildings on the site, and the new buildings would be delivered in two phases.

Available material

118. The applicant has submitted an Equality Statement in support of the application. It sets out how all of the existing businesses at the site occupy it on a temporary basis. The leases expire in 2025, with rolling break clauses which can be triggered before then. The Equality Statement advises that the existing businesses benefit from favourable rents owing to the planned redevelopment of the site and the necessary flexibility this requires, and that all of the businesses are aware that a redevelopment is proposed. In light of this no analysis of the equalities impacts of displacing the existing businesses has been provided other than in relation to the Continental Car Wash, and no measures have been put forward to support the existing businesses.

Summary of equality impacts

119. The Equalities Statement advises that the proposal would have positive, neutral and no equality effects in relation to age, disability, gender and gender reassignment, marriage and civil partnership, pregnancy and maternity, race and sexual orientation. However, officers consider that there could be a negative impact in relation to race on account of the loss of the Continental Car Wash. The business owner is from an ethnic minority and the employees are Eastern European. There are no proposals to accommodate this business within the development therefore it would have to relocate. The business owner could potentially experience difficulties in finding alternative premises. The Equalities Statement considers this to be a neutral impact because the use is temporary, although officers consider it to be negative and note that whilst the use may be on a temporary lease now, it has been at the site for many years. It is therefore recommended that clauses be included in the s106 agreement to provide relocation assistance to this business, should it be required.

120. A Commercial Strategy has been submitted with the application which sets out a commitment to develop Camberwell Social Union in order to help to build a sustainable and community focussed commercial cluster in the development. The concept of developing Camberwell Social Union is set out further in a document entitled 'Social impact vision and delivery'. Measures proposed include devising a support package for new local businesses, particularly those from a BAME background, to help them to access space and provide business support. The applicant would work with the Council to monitor the uptake of the commercial space by ethnicity and demography, to help inform a strategy which would best support local businesses. The document sets out how a rent credit voucher is being considered, which would be offered to businesses at the site which provide apprenticeships, mentoring and volunteering. A BAME Young People's Council would be trialled to help meet the needs of young people from ethnic minority backgrounds, and it is proposed that young people be involved in the design of the public realm. Whilst these are noted as positive measures and are welcomed, they are not current policy requirements. If they are to be given weight in the decision making process, they would need to be secured in the permission, and this would most appropriate through the s106 agreement.
121. Conclusion to equality implications – Other than the car wash, no equalities information has been provided for the existing businesses at the site on the basis that they are temporary uses. The equality impacts of the proposal would generally be positive, except for a potential adverse effect in relation to race owing to the loss of the car wash. The s106 agreement would therefore require the developer to assist this business in finding alternative premises, although this may or may not be successful. Members must therefore keep this firmly in mind in the decision-making process, and weigh this impact in the balance with all of the other benefits and disbenefits of the proposal. Given the range of positive equality impacts which would arise, officers consider that the benefits would outweigh the harm in this instance.

Environmental impact assessment

122. The application is accompanied by an Environmental Statement (ES) dated April 2021. The ES has been independently reviewed by Land Use Consultants (LUC) on behalf of the Council and following the submission of additional information and clarifications, LUC has advised that the ES is sound.
123. Applications where an Environmental Impact Assessment (EIA) is required will either be mandatory or discretionary depending on whether they constitute Schedule 1 (mandatory) or Schedule 2 (discretionary) development in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). In this case the proposed development falls under Schedule 2, Category 10b 'urban development project' of the EIA Regulations where the threshold for these projects is development including one hectare or more of urban development which is not dwellinghouse development, or development including more than 150 dwellings, or development where the overall area of the development exceeds 5 hectares. Notwithstanding this, an EIA is only required if the development is likely to generate significant environmental effects having regard to the criteria set out in Schedule 3 of the Regulations, which include:

- the characteristics of the development;
 - the location of the development; and
 - the types and characteristics of the potential impact.
124. It is considered that the proposed development could generate significant environmental effects based upon a review of Schedule 3, and therefore an EIA is required.
125. Regulation 26 of the EIA Regulations precludes the granting of planning permission unless the Council has first taken the environmental information into consideration. The environmental information means the ES including any further information, together with any representations made by consultation bodies and any other person about the environmental effects of the development.
126. The ES must assess the likely environmental impacts at each stage of the development programme, and consider impacts arising from the demolition and construction phases as well as the impacts arising from the completed and operational development.
127. The 2017 EIA Regulations introduced a requirement for mitigation and monitoring of significant residual (i.e. after mitigation) adverse effects on the environment, which would be secured by planning obligations and conditions.
128. The submitted ES comprises the Main Report (volume 1), Built Heritage, Townscape and Visual Impact Assessment (volume 2), Appendices (volume 3), and a Non-Technical Summary. It sets out the results of the EIA and provides a detailed verification of the potential beneficial and adverse environmental impacts in relation to the proposed development, including the following areas of impact (in the order that they appear in the ES):
- Socio Economics
 - Traffic and Transport
 - Noise and Vibration
 - Air Quality
 - Daylight, Sunlight, Overshadowing and Light Pollution
 - Wind Microclimate
 - Effect interactions
 - Likely significant effects and conclusions
 - Mitigation and monitoring
 - Built Heritage, Townscape and Visual Impact Assessment
129. Issues relating to aviation, ecology and biodiversity, TV and radio reception, land take and soils, project vulnerability and waste have been scoped out of the ES on the basis that no significant environmental effects would be likely to occur. Ecology, soil conditions and land contamination and waste (circular economy) are considered later in the report.
130. The 2017 EIA regulations introduced climate change and health as topics which must be considered. Climate change is considered within each of the topics outlined above, and a Climate Change Technical Note and Greenhouse Gases Assessment are appended to the ES. Of note is that guidance from the Institute

of Environmental Management and Assessment (IEMA) which is used to prepare Environmental Statements states that any net increase in greenhouse gas emissions associated with a project, no matter how small, is considered a significant effect. Greenhouse gas emissions would occur during demolition and construction including from producing new materials and transporting those materials to site, as well as any energy associated with construction activities and later the operation of the development. These are all unavoidable requirements, however they would be minimised where possible through measures such as recycling waste materials and the use of low carbon technology for space and water heating. Health is considered in the socio-economic section of this report, and a separate Health Impact Assessment is appended to the ES.

131. In assessing the likely environmental effects of a scheme, the ES must identify the existing (baseline) environmental conditions prevailing at the site, and the likely environmental impacts (including magnitude, duration, and significance) taking account of potential sensitive receptors. It further identifies measures to mitigate any adverse impacts, and a summary of potential positive and negative residual effects remaining after mitigation measures is included in the ES in order to assess their significance and acceptability. The ES takes account of the phased nature of the development, and that blocks A and B which form phase 1 could be occupied whilst works on phase 2 (blocks C-L) are ongoing.
132. The environmental effects of the proposed development are expressed as follows:

Scale of an effect:

133. • Major – These effects may represent key factors in the decision-making process. Potentially associated with sites and features of national importance or could be important considerations at a regional or district scale. Major effects may also relate to resources or features which are unique to a receptor and which, if lost, cannot be replaced or relocated.
- Moderate - These effects, if adverse, are likely to be important at a local scale and on their own could have a material influence on decision-making.
- Minor - These effects may be raised as local issues and may be of relevance in the detailed design of the project, but are unlikely to be critical in the decision-making process.
- Negligible - Effects which are beneath levels of perception, within normal bounds of variation or within the margin of forecasting error, these effects are unlikely to influence decision-making, irrespective of other effects.

Nature of an effect:

134. • Adverse - Detrimental or negative effects to an environmental / socio-economic resource or receptor. The quality of the environment is diminished or harmed.
- Beneficial - Advantageous or positive effect to an environmental / socioeconomic resource or receptor. The quality of the environment is enhanced.
- Neutral - Where the quality of the environment is preserved or sustained or where there is an equal balance of benefit and harm.

Geographic extent of effect

135. At a spatial level, 'site' or 'local' effects are those affecting the application site and neighbouring receptors, while effects upon receptors in the borough beyond the vicinity of the application site and its neighbours are at a 'district / borough' level. Effects affecting Greater London are at a 'regional' level and those which affect different parts of the country, or England, are considered being at a 'national' level.

Effect duration

136. For the purposes of the ES effects that are generated by demolition and construction activities are classed as temporary, and further classified as short-term or medium-term depending on the duration. Effects from the completed and operational development are classed as permanent or long-term effects.

Direct and indirect effects

137. The ES identifies whether an effect is direct, i.e. resulting without any intervening factors, or indirect, i.e. not directly caused or resulting from something else.

Effect significance

138. Following the identification of an environmental effect, its scale, nature, geographical extent and duration and whether it is direct, indirect, reversible or irreversible, the ES sets out whether the effect (pre-mitigation) is significant or not significant. Following identification of whether the potential or 'unmitigated' effects are significant or not, the requirement for any mitigation to either eliminate or reduce likely significant adverse effects has been considered. Where mitigation measures are identified to eliminate or reduce significant adverse effects, these have been incorporated into the proposed development or through measures such as management plans. The ES then highlights whether the 'residual' effect (i.e. after mitigation) would remain significant and generally classifies them as follows:

- 'Moderate' or 'major' effects are deemed to be 'significant'.
- 'Minor' effects are 'not significant', although they may be a matter of local concern; and
- 'Negligible' effects are 'not significant' and not a matter of local concern.

139. Additional environmental information or 'Further Information' has been received during the course of the application and the plans have been amended. An ES Statement of Conformity setting out that the additional information does not alter the conclusions of the ES has therefore been submitted. In accordance with Regulation 25 of the EIA Regulations all statutory consultees and neighbours have been re-consulted in writing, site notices have been displayed and an advertisement has been displayed in the local press. The assessment of the ES and Further Information and the conclusions reached regarding the environmental effects of the proposed development as well as mitigation measures (where required), are set out in the relevant sections of this report,

although cumulative impacts are considered below.

Alternatives

140. Regulation 18(3)(d) of the EIA Regulations sets out the information that is required within an ES, which includes a description of the reasonable alternatives studied by the developer and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment. The ES considers three alternative options which are the 'Do Nothing' scenario, 'Alternative Sites', and 'Alternative Design brief'.

The 'Do Nothing' scenario

141. This scenario would involve leaving the site in its current condition. This option has not been considered by the applicant on the basis that the site represents an opportunity to redevelop a brownfield area in the heart of London in a sustainable manner, providing high quality residential accommodation, space for office uses and leisure. The ES advises that this would lead to employment opportunities and other direct and indirect socio-economic benefits which would not otherwise be realised if the site were left as it is.
142. The Southwark Plan 2022 been adopted and the site forms part of site allocation NSP25 which supports a move away from a solely industrial site to a mixed use development including employment space and new homes. Officers consider that the 'Do Nothing' scenario could result in a number of missed opportunities including the provision of high quality workspace, the delivery of a significant quantum of new housing including affordable housing, and the provision of new public realm. However it must also be noted that the number of long terms jobs on site, if the current buildings were brought back into optimum use, could be higher than those likely under the proposed scheme.

Alternative sites

143. The ES advises that no alternative sites have been considered for the proposed development, and that the site is an area of brownfield land in need of regeneration. It advises that the site is in an area which is undergoing regeneration and so it is appropriate to consider it as a viable redevelopment opportunity. Officers again note that the Southwark Plan designates the site for comprehensive redevelopment.

Alternative designs

144. The ES sets out how the design has progressed, from the initial designs prior to the submission of the appeal scheme, through to the current proposal. This includes amendments to the master plan layouts, differing quantum of development for block A, alterations to the building heights, and alterations to the energy strategy. The ES does not consider a wholly commercial scheme on the site, due to concerns such as the location of the site and public transport access. The ES notes that the proposed development seeks to retain the positive elements of the appeal scheme such as place-making and the provision of new

residential accommodation, but has been amended to take account of the appeal decision and advice from Council officers. It is again noted that the Southwark Plan site allocation requires a mix of uses on the site including housing.

Cumulative effects

145. Two types of cumulative effects have been considered within the ES. The first is how the various effects of the proposal could interact to jointly affect receptors at and around the site (effect interactions). The second is effects arising from the proposed development combined with effects from other developments in the surrounding area (i.e. cumulative schemes).
146. With regard to effect interactions, these are considered in chapter 12 of the ES which advises that during demolition and construction there would be adverse effect interactions in relation to noise, dust and visual amenity for properties on Southampton Way, Parkhouse Street, Wells Way, Cottage Green and new residential units on the site ranging from minor to significant in scale. Officers note that construction would be a temporary process, and that mitigation, through a construction management / logistics plan would reduce these effects as far as reasonably practical. Following the completion of the development, effect interactions at locations along Southampton Way, Parkhouse Street and Wells Way as a result of daylight / sunlight effects would range from minor adverse to major adverse, with a minor adverse impact upon overshadowing to Burgess Park. Daylight and sunlight impacts and the impact upon Burgess Park are considered later in the report.
147. With regard to cumulative impacts in conjunction with other developments in the area, the ES advises that if the proposal is built at the same time as another consented developments within 100m of the site, there would be cumulative noise and vibration effects during demolition and construction which would be temporary, local, and moderate adverse (significant), with negligible impacts arising from the cumulative effects of construction traffic. Negligible noise and vibration effects are anticipated from the completed development with neighbouring developments taken into account. The ES predicts that the impact upon social infrastructure would be minor and that the overall cumulative effects on education, healthcare, open space and play space would be negligible and not significant. In relation to transport, no significant effects are anticipated. With regard to air quality, if other consented developments nearby were being constructed at the same time air quality effects could arise, but with mitigation in place the impact would not be significant. Upon completion of the development no significant air quality effects are anticipated when consented developments near to the site are considered.
148. With regard to daylight, in the cumulative scenario the ES predicts that 90% of the windows tested for Vertical Sky Component and 90% of the rooms tested for No Sky Line would comply with the BRE guidance. Of those remaining, 14 would experience no impact, 41 would experience a negligible effect, and 8 properties would experience impacts ranging from minor to moderate adverse, although it is noted that the impacts would fall within these categories with just the proposed development taken into account. There would be no changes to sunlight effects when other developments are taken into account. The ES does not consider

impacts when the planning application for the neighbouring scaffold yard site is taken into account, as this was submitted after the ES had been completed. Daylight / sunlight impacts from that proposed development would need to take account of the proposed development on the application site. Overshadowing to Burgess Park would increase in the cumulative scenario, and this is considered in the ecology section of this report. No additional shadowing would occur to rear gardens on Wells Way or St George's Primary School. There are not expected to be any significant environmental effects on wind conditions within and surrounding the site if consented developments on the neighbouring sites are completed. With regard to townscape and visual impact, in the cumulative scenario the ES concludes that impacts would range from negligible neutral, to minor / moderate beneficial.

149. The overall conclusion of the ES is that during demolition and construction, moderate adverse effects would occur in relation to noise and vibration, which would be local and short term. An adverse effect is identified in relation to climate change which would be at a global scale and long term, although as noted above, any increase in greenhouse gas emissions is deemed to be significant and details of how these would be reduced are set out later in the report. For the completed development there would be significant adverse effects relating to daylight and sunlight and climate change (as noted above). The completed development would have significant beneficial effects in relation to the provision of new homes and visual amenity, including when considered cumulatively with neighbouring developments. Officers concur with the findings of the ES, and Land Use Consultants which have independently reviewed the ES on behalf of the Council consider it to be sound. The ES recommends a number of mitigation measures which would be secured through conditions or planning obligations.

Design, including building heights and impacts upon local and strategic views

150. In assessing the appeal scheme the Inspector raised concerns regarding the overall height, scale and massing of the proposed development and the impact upon the local townscape. In order to address this, most of the building heights across the development have been reduced. The only exception to this is the 13-storey tower. In the appeal scheme a 12-storey tower was proposed. A 13-storey tower is now proposed which would measure 44.24m above ground level, 6.3m taller than under the appeal scheme and this is considered in detail below. Also of note is that planning permission has recently been granted for developments at 21-23 and 25-33 Parkhouse Street, which include a 10 and 11-storey building respectively, located on the opposite side of Parkhouse Street.
151. The NPPF stresses that good design is a key aspect of sustainable development and is indivisible from good planning (paragraph 124). Chapter 3 of the London Plan seeks to ensure that new developments optimise site capacity whilst delivering the highest standard of design in the interest of good place making. New developments must enhance the existing context and character of the area, providing high quality public realm that is inclusive for all with high quality architecture and landscaping.

152. The importance of good design is reinforced in the Southwark Plan. Policies P13 and P14 require all new buildings to be of appropriate height, scale and massing, respond to and enhance local distinctiveness and architectural character; and to conserve and enhance the significance of the local historic environment. Any new development must take account of and improve existing patterns of development and movement, permeability and street widths; and ensure that buildings, public spaces and routes are positioned according to their function, importance and use. There is a strong emphasis upon improving opportunities for sustainable modes of travel by enhancing connections, routes and green infrastructure. Furthermore, all new development must be attractive, safe and fully accessible and inclusive for all.
153. Site allocation NSP25 assumes redevelopment at a higher density than the existing buildings, and employment space to be re-provided, along with new homes. The overall area should have enhanced east-west and north south routes, including into Burgess Park. The site allocation requires a comprehensive mixed-use redevelopment of Burgess Business Park which 'could include taller buildings subject to consideration of impacts on existing character, heritage and townscape'. The Southwark Plan defines tall buildings as being over 30m, and taller buildings as generally higher than their surrounding context, but not significantly taller to qualify as tall buildings.
154. The proposed development is one of several submitted for planning permission in this area. In order to ensure that the various developments add up to a coherent whole, a Local Development Study (LDS) has been undertaken. This suggests that new buildings should follow the alignment of a widened and improved Parkhouse Street, with a key pedestrian space at the heart of the development that provides an appropriate setting to the retained chimney. The scale of the buildings along Parkhouse Street is suggested as six storeys, but is not specified elsewhere. However, the LDS notes an opportunity for taller landmark buildings at key locations including at the centre of the site and fronting the park. The image below which is taken from the LDS sets out where taller buildings could be located.

Extract from the Parkhouse Street LDS



155. With regard to heritage, the LDS requires new buildings to respect the setting of St Georges Church steeple (just to the east of Burgess Business Park area) and to remain subservient. It recommends that the historic brick chimney in the centre of Burgess Business Park site is a focal point and prominent feature in the setting of adjacent buildings. With regard to the park, the study suggests a 5m protection zone 'within each site along the park edge' and a secure boundary structure. A key objective is to 'build on the historic industrial character of the site...' In this respect the LDS references a traditional warehouse building on the southern part of the site. Whilst the LDS has no planning status, it has been a useful tool for applicants when designing their proposals.
156. A number of design concerns have been raised during public consultation on the application, including that the proposed development would be too tall and out of context with the surrounding area, and that the site is not suitable for a tall building in policy terms. Representations received in support of the application include that the site is currently empty in appearance, the site and wider area need to be redeveloped, the proposed design is appropriate, and it reflects the character of the area. A Built Heritage, Townscape and Visual Impact Assessment (TVIA) has been submitted with the application, and includes a built heritage assessment. The TVIA considers 11 views within the local area, including from within Burgess Park, and together with one strategic view.
157. Site context – The site sits within an area containing a mix of small units and yards of different eras, interspersed with pockets of terraced houses. The extent to which it has a coherent character is linked to the strong geometry of the crescent of Parkhouse Street itself, and its location adjacent to the leafy southern boundary of Burgess Park.

158. Demolition of existing buildings – The site is not in a conservation area and it does not contain any listed buildings. The LDS references a brick warehouse building on the south-eastern boundary of the site as being of distinctive architectural character, to serve as a reference for future built form. The LDS recognises the importance and local interest of the chimney and recommends that it should be retained. Officers have no objection to the demolition of the existing buildings on the site, and the retention of the chimney as an undesignated heritage asset is important in maintaining the local identity and should be secured by way of a condition.
159. Site layout - London Plan policy D8 requires new developments to create well designed, accessible, safe, inclusive attractive and well-connected public realm where appropriate. The policy sets out a range of criteria which new public realm should address. Site allocation NSP25 identifies the need for enhanced public realm, and a diagram included in the allocation shows a new north-south and east-west route through the site.
160. The appeal scheme included an L-shaped central street and whilst the Inspector did not challenge the site layout, noting that it would improve permeability in the area, paragraph 413 of the appeal decision concludes that the knuckle of the L shaped street would not be large enough to provide a focal space within the development. The image below shows the layout proposed under the appeal scheme.

Appeal scheme layout



161. The LDS recommends a public space at the heart of the development, focussed

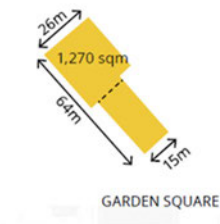
on the retained chimney, with new routes through the site. The images below show the layout suggested in the LDS, together with the layout of the proposed development.

LDS layout on left hand side, LDS with proposal overlaid on right hand side



162. The scheme would form part of the comprehensive, mixed-use and higher density development of the wider area envisaged by NSP25. It would closely follow the approach to site layout recommended in the LDS, with the provision of a 1,270sqm Garden Square at the heart of the development. The Garden Square would be similar in size to open space outside Chumleigh Gardens, as shown on the image below. Officers consider that this addresses the point raised in the appeal decision regarding insufficient space around the tall building to act as a focal point.

Image showing proposed Garden Square and similar size space at Chumleigh Gardens



The southern part of the Garden Square is 15m wide



163. The masterplan layout would be defined by a series of new routes and spaces introduced across the site. The Garden Street would be a wide route with a green and residential character, including integrated playspace within the public realm. By contrast the Mews would be a more intimate, commercial street and the Garden Square, which would connect these two routes, would have a more civic character lined with commercial uses and incorporating the retained chimney. These differences would establish an interesting and attractive hierarchy of spaces within the development, each with their own different characters.
164. The new routes would not only offer permeability across the site north to south and east to west, but would also knit-back to pre-established access points and features of local interest including the retained chimney and the protected tree on Parkhouse Street . The east-west route would link up with a route next to the Big Yellow building which currently terminates at the site boundary. This would create a new connection across the site from Wells Way to Southampton Way, significantly increasing permeability in the local area. Planning obligations to ensure that this route is delivered, together with appropriate landscaping and public realm between this site, the Big Yellow and the scaffold yard site (if that scheme is granted) should be secured. The chimney, being a local landmark, would become the focal point of the Garden Square at the intersection of these new routes. Finally, the north-south route would link up with proposed developments at 21-23 and 25-33 Parkhouse Street, offering an axial view of the chimney from the park and the listed Lime kiln.
165. These routes and spaces have become the framework around which the development has been arranged. Parkhouse Street would be lined with buildings which would rise from 2-storeys to 6-storeys with a set back 7th floor, with block F having a curved footprint which would reinforce the curvature of the street. The buildings fronting the street would be set sufficiently far back to allow the existing pavements to be widened, with new tree planting focussed on the new entrances into the site. The buildings would arranged as a series of blocks (Blocks D, E, I, J and K), rising from 6-storeys and stepping to 7 and 8 storeys at the centre of the site to line the new routes and public spaces.

166. Compared to the appeal scheme, servicing access has predominantly been diverted to the Mews and along the edges of the site, allowing the Garden Street and Garden Square to be largely vehicle free; this is considered to be a significant improvement on the appeal scheme which proposed some servicing taking place from the central street.
167. The LDS recommends that for new buildings there should be a protection zone of at least 5m created within each site along the Burgess Park edge, including any balconies. In this instance the separation distance between block A and the park boundary would generally be 3.4m, with a 2m pinchpoint in one location. However, it is noted that block A is only 2 storeys high, so has limited visibility or impact over the park edge. Block B is also closer than 5m, but is an existing building being retained, so this relationship is maintained. At the request of the Council's Parks and Leisure Service a 2.4m high brick wall planted as a green wall would be provided along the boundary, and this is considered further in the ecology section of this report.
168. Overall, the site layout and urban design principles for the masterplan are considered to be logical and appropriate, and the scale of the proposed blocks would be measured and highly articulated; this is considered further below. In particular, the arrangement of blocks around new areas of public realm ensures that the masterplan would be generous and accessible. With its highly articulated blocks and measured scale which reduces towards the edges of the site, the masterplan demonstrates how it has complied with the Council's adopted urban design policies and with the LDS.
169. Height, scale and massing - In the appeal decision the Inspector noted that the planned regeneration of the area is likely to result in considerable change to the townscape over time (paragraph 409 of the Inspector's report). This reflects NSP25 which expects development on the site to be at higher densities. However, at paragraph 507 of the appeal decision the Inspector raises concerns about the relationship of the development with its townscape context, in particular the way that the development would rise up steeply from the perimeters of the site to a series of tall central blocks, resulting in an imposing cluster of buildings of considerable bulk and solidity when viewed from the surrounding area. Concerns were also raised that the brick chimney would have been overwhelmed by the scale and proximity of the proposed buildings.
170. In seeking to address these concerns, the buildings across the development have generally been made lower (with the notable exception of the tallest building), resulting in a significant reduction in the number of residential units. The difference between the appeal scheme and the current proposal in terms of storey heights is shown on the images below. As noted earlier in the report, the proposed tower would be taller than under the appeal scheme, and this is considered further below in the tall building assessment.

Proposed building heights



171. The proposed development would consist of blocks of varying heights, as do the planned developments on the neighbouring sites. Height would be concentrated at the centre of the site, stepping down towards the edges close to the existing low rise residential buildings, and this would result in a skyline which would be varied and layered. It would avoid any abrupt incursion of the tallest building on the lower scale surroundings, and means that views of the tower would be limited and appropriate. The range of heights, from 2-storeys next to the park to 13-storeys at the centre of the site is considered to be appropriate, and would provide a more gradual stepping up of heights compared the appeal scheme as shown on the image below. In this way, the development is considered to have addressed the concerns raised in the appeal decision regarding its relationship with the existing townscape.

Proposed view from Wells Way looking north. Appeal scheme massing in red, proposal massing in blue

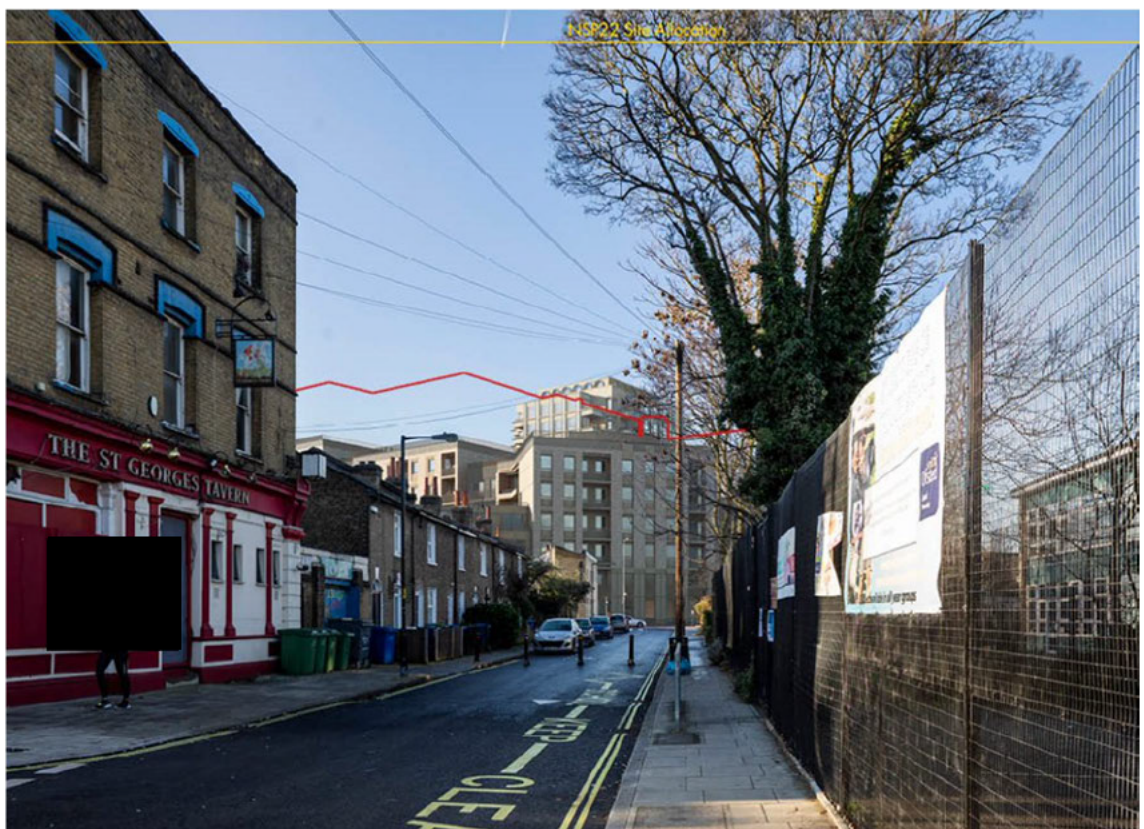


172. On Parkhouse Street heights have been reduced to create a 6-storey shoulder height with a set-back 7th floor, and this aligns with guidance in the LDS which recommends a 6-storey shoulder height along this street. The proposed development, together with the other proposed developments on the northern side of Parkhouse Street, would help to create a coherent frontage to the street.

Proposed view along Parkhouse Street looking east, showing block B (black outlines are of consented buildings on the Aylesbury Estate)



Proposed view from Coleman Road, with appeal scheme massing in red



173. Detailed design – Each block has been designed to reflect the industrial heritage of the site and at the same time an effort has been made to give them a

unique identity. The new buildings are designed as a modern interpretation of warehouse architecture, brick clad and with robust, deep-set reveals and a strong industrial aesthetic which would comply with guidance in the LDS.

174. Blocks D, F and G which would face onto Parkhouse Street would have inset-balconies and a set-back lighter and articulated roofline. At the centre of the site and facing onto the Garden Street, projecting balconies are proposed which would reflect the predominant residential character of that part of the site. At the edges and where the new blocks would face directly onto established residential buildings, (blocks A, C and L), the design adapts again to reflect the terraced house design of the existing properties. The design of block L is considered to be successful and would sit comfortably opposite the existing dwellings on Wells Way.

Proposed blocks F and L



Proposed units fronting the Garden Street



175. Overall it is considered that the design of the buildings would be of a very high quality in terms of their architecture, with an appropriate site layout, height, scale and massing. Conditions requiring material samples, detailed drawings, internal finishes to common areas and a mock-up panel for the tower have been included in the draft recommendation.
176. Tall building assessment - The proposed development would contain a single building which would be over 30m and would therefore be defined as a tall building under the Southwark Plan. It would be in the form of a 13-storey tower located towards the centre of the site, with frontages to the Garden Square, the Garden Street and the Mews. It would contain double height commercial floorspace at its base, and residential accommodation above.
177. The appeal scheme included a number of tall buildings which would have been at least 30m in height, with buildings of 9, 10 and 11-storeys and most notably a 12-storey tower at the centre of the site. The design conclusions in the appeal decision relate to the height, scale and massing of the overall development, which included taller blocks at the edges of the site. The appeal decision does not suggest that the site is not capable of accommodating a tall building, and officers note that two tall buildings of over 30m in height have recently been consented at 21-23 and 25-33 Parkhouse Street.
178. Policy D9 of the London Plan relates to tall buildings, and sets out a list of criteria against which to assess the impact of a proposed tall building (location/visual/functional/environment /cumulative). Part B of the policy states that Boroughs should determine if there are locations where tall buildings may be an appropriate form of development, which should be identified on a map. The site and the Burgess Business Park area are not specifically identified as a

location for tall buildings in the Southwark Plan, although NSP25 states that the site could include *taller* buildings.

179. Policy D9 (C) of the London Plan sets out a range of impact criteria against which to assess tall building proposals. Functional and environmental impacts are considered in relevant sections of this report. The GLA has raised concerns that part C of the policy has not been adequately addressed. This requires consideration of views of the building from different distances, impacts upon heritage assets, and functional impacts including detailed design, servicing, and environmental impacts. These issues are considered to have been addressed in the various documents which support the planning application, including a TVIA which considers impacts on views and heritage assets, a transport assessment, and the environmental statement which considers a broad range of issues including socio-economics and wind microclimate. The applicant has also submitted a statement which specifically addresses part C of the policy. The design related impacts of the proposed tall building are considered below:

London Plan Policy D9 C- Impacts: Views, visual impact and relationship with surrounding area including way finding, cumulative impact.

180. The group of sites covered by the Parkhouse Street LDS would together read as new neighbourhood which would be large enough to define a new character for the area. The LDS, although not a statutory planning document, has laid down key urban design principles to shape a coherent and attractive overall character, albeit one at a taller and more intensely developed scale than the low rise and underused semi-industrial area that exists at present. Although the area is within a number of different land ownerships, the proposals on the various sites have been brought forward within the guidance set out in the LDS and this would allow for a comprehensive development which is coordinated, and where the individual sites can make a proper contribution to the quality of the new neighbourhood.
181. The location for height within this area was anticipated in the LDS, which highlighted the sensitivities of local heritage assets and recognised the importance of views, especially from Burgess Park. In this way, the centre of the site was recognised as an appropriate location for the tallest element of the masterplan. The proposed tall building would be located at the centre of the site, at the confluence of the Garden Square, the Garden Street and the Mews.
182. The proposed application masterplan goes on to embed the principles defined in the Council's tall buildings policies, with a substantial part of the site being dedicated to public realm, a high level of permeability across the site, the creation of pedestrian-priority spaces, integrated play and a new Garden Square centred on the chimney, all arranged around the proposed tower.
183. In itself and as a part of the greater whole, the proposal would not be tall enough to have a significant impact upon long range strategic views. The site falls within the extended area of strategic view 1A.1 (Alexandra Palace viewing terrace to St Paul's Cathedral). Policy HC4 of the London Plan 'London View Management Framework' states that development in the background of a protected view should not harm the composition of the view or the ability to recognise the strategically important landmark which is the focus of the view. The TVIA assesses the impact upon this view and confirms that whilst the top of the 13-

storey tower would be slightly visible between the dome and western towers of St Paul's, given the very low visibility it would not impact upon the ability of the observer to appreciate the strategically important landmark. The scale of the proposed development would not disrupt the elevated backdrop of the view and is considered to comply with the London Plan policy; the GLA is also satisfied that there would be no harm to this view.

184. There would be mid to long range views from east to west across Burgess Park towards the site where the proposed buildings, alongside those proposed on neighbouring sites, would be visible along the southern edge of the park. There is no doubt that the proposed development, along with adjacent developments, would change these views quite considerably from one where buildings are not by and large visible above the Burgess Park tree canopy, to one where the proposed development and adjoining developments would be obvious features rising above the tree line. However, Burgess Park is a very large and open space. The tops of buildings rising above trees would provide an edge or boundary to the park which is considered to be appropriate for a new neighbourhood. Having viewed the application material it is not considered that the proposal would impact upon the openness of the MOL at Burgess Park and this is considered further below.

Proposed view from Burgess Park



Cumulative view from Albany Road (view 6) (proposal outlined in blue)



Architectural quality and materials

185. This has been considered above in relation to detailed design, and the design of the tall building is considered to be exemplary. It would have a strong base containing double height commercial space which would provide an appropriate presence and activation onto the Garden Square. Its materials and detailing would be of a high quality, and the top of the building would be lightened to provide an appropriate crown to the building. The residential accommodation is considered to be exemplary overall, as set out in the quality of accommodation section of this report.
186. Policy P17 of the Southwark Plan covers similar ground to that of policy D9 of the London Plan, albeit a little less detailed. It expects tall buildings to be located in major town centres, opportunity area cores, action area cores and the central activities zone, or where identified in site allocations. It is noted that the site is not in one of these locations, and this has been referred to in responses from neighbouring residents. NSP25 expects that development will be at a higher density to incorporate replacement employment space and new housing. It states that comprehensive, mixed-use redevelopment of the site could include taller buildings subject to consideration of impacts on existing character, heritage and townscape. As the proposed development would include a tall building, i.e. over 30m, the proposal does not fully align with the guidance in NSP25 in this respect.
187. It is therefore necessary to consider whether there are benefits to the development which should outweigh the non-compliance with this element of the site allocation, and whether harm arises from the additional height. In submitted objections, reference is made to the impact on local character and on Burgess Park. However, after careful consideration of the views, both locally and across the park, officers conclude that the building would sit comfortably in the context, either alone or as part of a wider development of other substantial buildings, including two tall buildings at 21-23 and 25-33 Parkhouse Street which would be

closer to the park boundary. The scale of development supports the delivery of more new homes, and the ability to provide a policy compliant level of affordable housing. No significant harm has been identified in relation to amenity or heritage as set out later in the report, and on balance, the inclusion of a tall (rather than 'taller') building within the scheme could be justified.

188. Part D of London Plan policy D9 advises that free to enter publically accessible areas should be incorporated into tall buildings where appropriate, particularly more prominent tall buildings. In this instance no public access is proposed, and this is considered to be acceptable given the proposed height, which would not be of a London-wide scale.

189. In addition, policy P17 of the Southwark Plan also sets out the following criteria for buildings over 30m in height.

1. Is located at a point of landmark significance;

190. Whilst not currently at a point of landmark significance, the proposed tower would define the central point of the wider development. It would be at the confluence of the Garden Street, the Garden Square and the Mews, and the focus of new routes connecting Wells Way and Southampton Way, and connecting with Parkhouse Street to the north. It would align with the LDS guidance and is considered to be acceptable in this respect.

2. Have a height that is proportionate to the significance of the proposed location and the size of the site;

191. Whilst considerably taller than its context, a 13-storey tower in this location is considered to be appropriate. It would be at the heart of a new residential neighbourhood, anchored on the Garden Square and providing a visual marker for the new square from the surrounding area. Compared to the appeal scheme the proposed buildings at the edges of the site have been reduced which would provide better definition to the tower as the tall building within the development, and avoid the creation of a mass of tall and bulky buildings towards the centre of the site which was a criticism of the appeal scheme. The site is some 1.59 hectares in size, and the height of the tower is considered to be proportionate to this.

3. Make a positive contribution to the London skyline and landscaping, taking into account the cumulative effect of existing tall buildings and emerging proposals for tall buildings;

192. The single tall building within the development would have a local rather than London-wide impact, and would not adversely affect any strategic views. Nevertheless it would be part of a carefully considered composition both with regard to the development itself and with the wider redevelopment of the Burgess Business Park area. The scheme is one of several at a similar scale which would completely change the character and function of the Parkhouse Street area, and overall coherence has been ensured in part by the LDS which laid down basic urban design principles for developers follow. This includes the approach to layout and mass, as well as an architectural language and material pallet which

would ensure the buildings complement one another, but have enough variety to form an interesting part of the townscape. The proposed tower, when considered in conjunction with the adjacent development proposals, is considered to be acceptable in terms of cumulative impacts and this has been considered in the TVIA.

193. The landscaping and public realm for the proposed development are considered to be of an exceptionally high standard, focussed on a generous Garden Square and an attractive Garden Street. The pavement would be widened along Parkhouse Street with new tree planting at the site entrances, and playspace would be incorporated in the public realm, making it accessible to all members of the community. The public realm provision is therefore considered to be acceptable, and would meet the requirements of the Southwark Plan.

4. Not cause a harmful impact on strategic views as set out in the London View Management Framework, and to our Borough views.

194. The impact upon strategic views is set out above. No borough views would be affected by the proposed development.

5. Responds positively to local character and townscape

195. This is considered above.

6. Provide a functional public space that is appropriate to the height and size of the proposed building;

196. As explained above, the tall building would be anchored in the Garden Square, at the confluence of new routes through the site. The new spaces around the tall building are considered to be generous and appropriate to its height.

7. Provide a new publically accessible space at or near the top of the building and communal facilities for users and residents where appropriate.

197. This is considered above. Communal gardens for the tower would be provided at second floor podium level.

198. Overall it is concluded that the proposed tall building on the site would be acceptable and that it would be of exemplary design. Policy P17 requirements relating to heritage assets, environmental impacts, energy efficiency and public realm are considered elsewhere in the report.

Impact upon the openness of Burgess Park Metropolitan Open Land (MOL)

199. Concerns have been raised by neighbouring residents, Friends of Burgess Park and the Council's Parks and Leisure Service regarding the impact of the proposed development upon the openness of Burgess Park.

200. MOL is a spatial designation, which applies only to land formally designated as MOL and not to any land outside of the designated area. The proposed

development has been properly assessed in terms of its impact and potential for harm to the land within Burgess Park, in terms of impact on views across the park, and impact on issues such as overshadowing, light pollution, and impact on the ecology. However, this assessment has not referenced or relied on policies relating to MOL. This issue was tested at the High Court in October 2020 in a challenge to the Canada Water Masterplan permission, which was granted under reference 18/AP/1604. The High Court decision confirmed that the protection of openness relates only to development on MOL itself, not to development outside its boundaries. In this instance there would be no development on the MOL.

Comments of the Design Review Panel (DRP)

201. The DRP reviewed the planning application in October 2021. The Panel recognised that the form and massing approach was consistent with the aspirations in the LDS, and also noted the findings of the Inspector in the appeal decision. Whilst the panel generally endorsed the design, they highlighted a number of questions and observations which the scheme should resolve before officers make a recommendation to the Planning Committee.
202. The Panel was generally satisfied with the proposed form and massing, and recognised that the site was part of an area undergoing a wider transformation. They welcomed the height and density reduction compared to the appeal scheme, and considered that the proposed layout balanced the mix of uses appropriately. The Panel requested cross sections across the public spaces and these have been provided in the application. It was considered that the detailed design could be improved in some areas, including around the tower and adjoining podium, and it was questioned whether the views and setting of listed buildings from Cottage Green would be acceptable. The Panel wanted more information as to why an existing warehouse on the site was not being retained, but concluded that its demolition was justified given that the proposal would deliver the wider aspirations of the LDS. The Panel commented on the landscaping proposals and the need to ensure that the retained brick chimney is adequately restored. The Panel was supportive of the workspace strategy, including concentrating it on the Mews, and commented that the Council must satisfy itself regarding quality of accommodation and sustainability. These matters are addressed within the report, and the DRP report is attached as Appendix 6.
203. To conclude in relation to design, it is considered that the proposed development would align with the aspirations for the area laid down in the Southwark Plan through site allocation NSP25, and the design principles set out in the LDS. It represents an exemplary standard of design and would be an acceptable form of development in this location. Whilst it would be markedly taller than the existing development in the area and would include a single element which would be defined as a 'tall building' under the local plan, for the reasons set out above the proposal is considered to be acceptable in this respect. Officers consider that that the design amendments including reducing most of the building heights and providing a Garden Square at the heart of the development address the design concerns raised in the appeal decision, and can be supported. The townscape and visual impacts are considered comprehensively within the ES, and officers have reviewed this material and are satisfied that the impacts would be

acceptable for the reasons outlined above.

Impact on heritage assets

204. The impact upon heritage assets is considered in detail in the appeal decision. Whilst the Inspector found that there would be a small degree of harm to the significance of the former Church of St George, it was considered to be at the low end of the scale of less than substantial harm, and outweighed by the public benefits arising from the proposal.
205. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to consider the impacts of a development on a listed building or its setting and to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
206. Section 16 of the NPPF contains national policy on the conservation of the historic environment. It explains that great weight should be given to the conservation of heritage assets. The more important the asset, the greater the weight should be (paragraph 194). Any harm to, or loss of significance of a designated heritage asset should require clear and convincing justification. Paragraph 201 explains that where a development would give rise to less than substantial harm to a designated heritage asset, the harm should be weighed against the public benefits of the scheme. Paragraph 203 deals with non-designated heritage assets and explains that the effect of development on such assets should be taking into account, and a balanced judgment should be formed having regard to the scale of any harm or loss and the significance of the asset. Working through the relevant paragraphs of the NPPF will ensure that a decision-maker has complied with its statutory duty in relation to Conservation Areas and Listed Buildings.
207. The heritage policies of the London Plan are set out in Chapter 7 and assert that development affecting heritage assets and their settings should conserve their significance by being sympathetic in their form, scale, materials and architectural detail. The Council's policies echo the requirements of the NPPF in respect of heritage assets, and require all development to conserve or enhance the significance and the settings of all heritage assets and avoid causing harm. Where there is harm to a heritage asset the NPPF requires the Council to ascertain the scale and degree of the harm caused and to balance that against the public benefits arising as a consequence of the proposal. Policies P19, P20 and P21 of the Southwark Plan afford protection to listed buildings and conservation areas, including their setting, together with protected trees and undesignated heritage assets.
208. The site does not include any listed buildings and is not in a conservation area. However, there are a number of listed buildings nearby and the site has a direct relationship with Burgess Park to the north.
209. The application includes a TVIA which includes Accurate Visual Renderings (AVRs) overlaid onto current photographs to demonstrate, from defined viewpoints, how the proposed development would appear in the context. These views help to understand the development in the round and have been used to

assess the impact of the proposal on the affected heritage assets. In the TVIA the wider visual impact of the proposal is assessed and particular attention is paid to the impact upon the immediately surrounding heritage assets as well as those that are visible from Burgess Park. In this respect a series of dynamic views is presented along the axial route from the Old Kent Road where the development would form the immediate backdrop to the Grade II Listed former St Georges Church, as well as the views from Addington Square Conservation Area and the Grade II listed Lime Kiln. The ES concludes that in townscape and visual terms impacts would range from negligible neutral to moderate beneficial.

210. The nearest listed buildings include the grade II listed Collingwood House on Cottage Green, Nos 73,75 and 77 Southampton Way, and No 113 Wells Way. Slightly further away is the grade II listed former Church of St George, the spire of which is visible from a number of vantage points within Burgess Park – the impact upon the setting of these listed buildings are considered below. The nearest conservation area is the Addington Square Conservation Area which is approximately 330m to the west of the site. However, given the scale of the proposed development and the separation distance, it would have no impact upon its setting. At the centre of the site is a large brick chimney - a historic remnant of the industrial heritage of the site. This is considered to be an undesignated heritage asset which would be preserved by the proposed development. A condition has been included in the draft recommendation to ensure the retention of the chimney including protection during construction, and requiring the removal of telecommunications equipment which is currently attached to it.
211. The TVIA concludes that there would be some adverse effects during demolition and construction, arising from the visual impact of tower cranes although this would be temporary in nature and are considered to be negligible to minor adverse over short to medium distances. Following the completion and operation of the development it concludes that the special interest and setting of neighbouring listed buildings would be preserved and in some cases the settings enhanced through the removal of existing industrial buildings. Given the temporary nature of construction works, officers are satisfied that there would be no undue harm arising.
212. An important influencing factor for the height and massing of the proposal has been the townscape view from the main east-west path in Burgess Park which focuses on the spire of the grade II listed former Church of St George which is a recognisable local landmark. Objections received following public consultation on the application raise concerns regarding the impact upon this heritage asset.
213. The spire of the former church is the focus of the main pathway axis from the Old Kent Road where it forms a visual beacon helping to orientate visitors to the area and marking the main route across the park. Whilst this may not have been its historic purpose, its presence is recognised in the modern parkland setting and its location at the end of the park axis contributes positively to its significance.
214. The series of views submitted with the application (views 2, 3 and 4) demonstrate that the tallest element of the development would be located to the left of the

spire and, whilst it would remain in the view for the duration of the 500m plus walk, it would not cause harm to the setting of the former church and would generally remain subservient in the views. The views also include the cumulative impact of the three other proposed developments on Parkhouse Street (21-23, 25-33 and 35-39). These also demonstrate that the cumulative impact would not be harmful, with proposed buildings generally remaining subservient and stepping away from the spire, preserving its prominent silhouette when viewed from the park.

Cumulative view from Burgess Park (view 4) (proposal outlined in blue)



215. In the remaining views from the park the TVIA demonstrates that the proposed development conforms with the principles set out in the LDS, forming a generally consistent 'shoulder' height at the edge of the park, with taller elements set back and located towards the centre of the former industrial site. In these views the brick chimney would be prominent and would remain visible over the new 'shoulder' buildings proposed on Parkhouse Street and at the edge of the park. This is considered to address concerns raised in the appeal decision about the scale and proximity of the proposed buildings overwhelming the brick chimney.
216. The most sensitive heritage asset in the immediate area is the Grade II Listed Collingwood House. Whilst it is acknowledged that the current street frontage setting of Collingwood House on Cottage Green is affected by a neighbouring tyre shop and other industrial developments, it can be appreciated as a well preserved historic building dating from Georgian London and worthy of its listed status.
217. View 10 within the TVIA demonstrates that that lower scale blocks at the southern edge of the site (blocks I and J) would generally remain well below the eaves line of Collingwood House when viewed from Cottage Green, and the 13-storey tower forming block H would sit below the ridge-line, only becoming visible as one

moves further along the road away from the listed building, and always behind the buildings which would remain in the foreground. This was anticipated in the LDS, with lower blocks shown at the southern edges of the site in order to reduce the dominance of taller elements located at the centre of the site. There would be limited, if any, harm arising to the setting of Collingwood House as a result of the proposed development.

Image of Collingwood House (view 10)



218. Grade II listed buildings at 73, 75 and 77 Southampton Way have been considered within the TVIA. The views show that the proposed development would sit below the ridge line of these buildings when viewed from Southampton Way. From longer views north and south along this street the upper floors of the proposed development may be visible through gaps in the building line, and the 13-storey tower would be clearly visible. The proposal would remove some industrial buildings near to this site and overall it is considered that the special interest of these listed buildings and their settings would be preserved.
219. The more modest listed building at 113 Wells Way is directly opposite the site and where the proposals include a four-storey block of stacked maisonettes forming block L. This modestly scaled block would sit comfortably in the established Wells Way character, and would contribute positively to this residential setting. There would be no harm arising to the immediate setting of 113 Wells Way due to the modest scale of development immediately opposite it, and because the new development would not intrude on any views of the listed building when viewed from the street.
220. The TVIA also considers the impacts upon the former Camberwell Baths on Wells Way and the Almshouses at Chumleigh Gardens. It concludes that the proposed development would have a negligible, neutral effect upon these heritage assets and given their distance from the site, officers agree with this assessment.

221. In conclusion, where the impact of this proposal on the historic environment is concerned, officers are satisfied that there would be limited (if any) harm arising due to the visibility of the proposal from Burgess Park, Wells Way or Cottage Green; there would be no direct impact on any listed buildings or conservation areas. Any harm arising due to visibility in the wider setting of heritage assets would be extremely limited and of the lowest order of less than substantial as defined by the NPPF, and can be considered in the balance against the public benefits arising. In these instances, decision-makers are advised by paragraph 202 of the NPPF to weigh “any harm against the public benefits of the proposal including, where appropriate, securing its optimum viable use.” In this case the contribution of the new public realm, the quality of design, and the inclusion of affordable housing and affordable workspace have been considered in the balance and found to be acceptable justification for the very limited harm arising.

Trees and landscaping

222. The proposed development would require the removal of 12 existing trees, but 53 new semi-mature trees would be planted resulting in an overall increase in canopy cover. This would be supplemented by other new landscaping which would improve biodiversity at the site. Concerns have been raised during public consultation on the application regarding the felling of trees on Wells Way.
223. Policy G7 of the London Plan ‘Trees and woodlands’ states that development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed. Policy P61 of the Southwark Plan ‘Trees’ states that development must retain and protect significant existing trees and must retain and enhance the borough’s trees and canopy cover.
224. Trees - An arboricultural impact assessment report has been submitted with the application. The assessment was valid for a period of 12 months, therefore on the advice of the Council’s Urban Forester a condition for an updated assessment has been included in the draft recommendation.
225. There are currently 21 individual trees and one group of trees in and adjacent to the site comprising one category A tree (high quality), 8 category B trees and 1 category B group (moderate quality), 11 category C trees (low quality) and 1 category U tree (unsuitable for retention). These are predominantly located around the edges of the site and the species includes Lime, London Plane, Sycamore and Ginkgo. Some of the trees which have been surveyed sit outside of the site boundary, including group of trees G1 which sits within Burgess Park, four street trees along Wells Way, and a category A London Plane tree on Parkhouse Street (T9) which is protected by Tree Preservation Order number 86B.
226. Following amendments to the application to allow two existing street trees on Wells Way to be retained, 10 trees would need be removed in order to facilitate the development and that a further two trees (T7 and T13) are recommended for removal owing to their poor condition – T7 is a dead tree. The trees to be removed comprise 5 category B, 6 category C and one category U trees. It is

noted that two street trees on Wells Way would still need to be removed following the amendments, and these are T15 and T16 which are both category C Ginkgo trees. Officers have considered whether they could be retained, but this would not be possible owing to the need to provide adequate pavement widths around the trees, defensible space in front of proposed block L, and sufficient space for the trees to continue to thrive. They would be replaced with two new street trees on Wells Way, and the removal of the existing and position of the two new street trees have been discussed and agreed with the Council's Urban Forester and the Highways Development Management Team.

227. No works are proposed to the Burgess Park trees T1, G1 and G21, although the Council's Urban Forester has advised that they may need to be crown lifted and laterally reduced over the boundary, which would not cause any harm to the trees. An informative advising the applicant to consult the Council's Parks and Leisure Service if any work is required to trees within the park has been included in the draft recommendation. The Council's Parks and Leisure Service has advised that that the developer should consider any existing trees on the boundary and shade they may cast into the new residential units. Given the low rise nature of block A which would have dual aspect accommodation at ground floor level, it is not considered that any significant issues would arise.
228. 53 new trees would be planted throughout the site including two replacement street trees on Wells Way and trees at the entrances into the site off Parkhouse Street, and the revisions to the scheme include increasing pavement widths to allow sufficient space for the new trees to thrive. The proposal would result in a net increase in tree canopy cover, which is welcomed. Conditions are recommended to secure the new tree planting and to protect the retained trees during construction, including the off-site protected tree, the roots for which extend under the site. The planting of any new trees in the pavement would need to be agreed with the Council's Highways Development Management Team, and it is recommended that a clause be included in the s106 agreement requiring a bond of £3,500 per street tree which the Council could use towards tree planting in the wider area in the event that not all of the street trees can be planted, or that any of them fail / die within a specified time period.
229. Landscaping – Policy G1 of the London Plan 'Green infrastructure' states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. Green infrastructure is defined in the plan as comprising the network of parks, rivers, water spaces and green spaces, plus the green elements of the built environment such as street trees, green roofs and sustainable drainage systems. Policy G4 of the London Plan 'open space' states that development proposals should, where possible, create areas of publicly accessible open space, particularly in areas of deficiency.
230. The Garden Square would be at the heart of the new development, at the confluence of new and existing routes and significantly enhancing permeability across the site and connections with the surrounding area. It would be predominantly hard landscaped reflecting the industrial character of the site, and would include areas of seating and raised planters. The existing brick chimney would be retained and would act as a focal point from within the development and the local surrounding area.

Proposed Garden Square



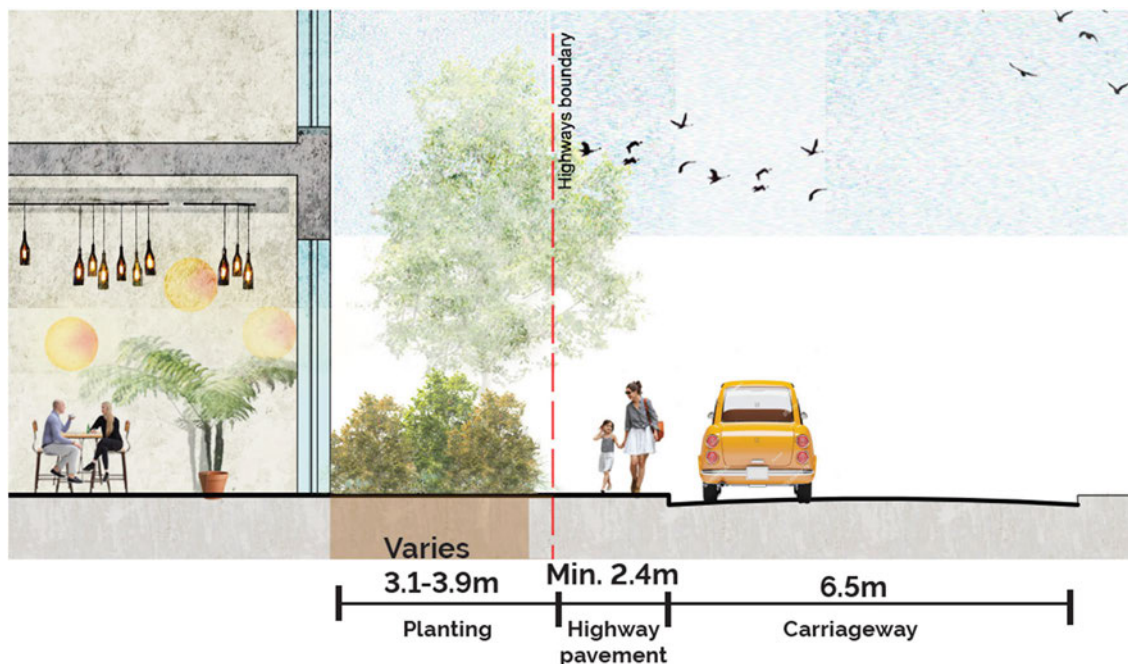
231. The Garden Street would measure 13-20m wide and would be laid out as a linear garden with 4m wide footpaths and a play trail. The Garden Square and Garden Street would form very attractive additions to the area which could be enjoyed by existing and new residents. Permeable paving would be provided throughout the site to provide consistency across the development, and large, feature trees would be planted in the Garden Square, with semi-mature trees on Parkhouse Street, focussed on the entrances to the site.

Proposed Garden Street



232. Around the edges of the site new planters containing shrubs are proposed outside blocks F and G fronting Parkhouse Street, and soft landscaping would be provided in the various communal gardens throughout the development. The Mews would be hard landscaped, reflective of this being the commercial hub of the development, and the alignment of this route would allow for views of the protected tree on Parkhouse Street. A mix of hard and soft landscaped areas would be provided around blocks A and B, with a new green wall proposed along the boundary with the park.

Proposed section across Parkhouse Street



233. Urban Greening Factor - Policy G5 of the London Plan 'Urban greening' requires boroughs to develop their own urban greening factor (UGF) policies, and sets an interim target score of 0.4 for developments which are predominantly residential.
234. The plans have been amended and the urban greening factor has been increased from 0.33 to 0.4 which would meet the London Plan target. This has partially been achieved by shortening the length of block L on Wells Way and allowing for an enlarged play area and landscaping to be provided instead. A condition to secure the urban greening factor has been included in the draft recommendation.
235. The Council's Urban Forrester has reviewed the landscaping proposals and arboricultural report and has recommended conditions and a planning obligation.
236. Overall, the existing site offers limited greening and the proposed development would provide new green infrastructure, landscaping and tree planting which would be a positive addition to the streetscene and positive in terms of canopy cover, biodiversity and habitat creation.

Ecology

237. The appeal scheme included a block of 5 x 2-storey houses in a similar position to proposed block A, close to the boundary with Burgess Park. It also included an extension to the existing building which would form block B. The Inspector concluded that the appeal scheme would not have resulted in any significant adverse effects in relation to ecology and biodiversity in the park.
238. Burgess Park which adjoins the rear of the north-western part of the site is a borough level site of importance for nature conservation (SINC). The area of the park which immediately adjoins the site is identified as the New Church Road Nature Area which forms part of the wider SINC designation and is one of the most important habitats in the park. The Council has recently completed a £3

million improvement project to remove the redundant New Church Road and undertake habitat improvements in this area. The nature area now contains semi-natural broadleaved woodland interspersed with areas of grassland, and includes features such as bird and bat boxes and bug hotels.

239. Neighbouring residents and local groups have raised ecological impacts upon Burgess Park as a concern, and the GLA has commented that the impacts of shading, noise and lighting must be taken into account. Some consultation responses, including from the Council's Parks and Leisure Service, have raised concerns that a new route would be provided from the site into Burgess Park, and the potential for ecological impacts arising from this. For clarity, no new route into the park is shown on the plans and none is proposed as part of this application. The Council's Parks and Leisure Service has advised that accesses into the park from any of the residential or commercial buildings would not be permitted in any event.
240. Policy G6 of the London Plan 'Biodiversity and access to nature' states that SINC's should be protected. Where harm to a SINC is unavoidable and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the policy sets out a mitigation hierarchy which must be followed. The policy states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
241. Policy P60 of the Southwark Plan 'Biodiversity' states that development must contribute to net gains in biodiversity including through enhancing the nature conservation value of SINC's, protecting and avoiding damage to SINC's, protected species and habitats, and including features such as green and brown roofs, green walls and soft landscaping. As stated earlier in the report the LDS recommends the creation of a 5m buffer zone between new buildings and Burgess Park. The Council's Parks and Leisure Service has requested a 5-10m planted buffer, and has commented that the park is open 24/7 and that issues arising where residential buildings interface with public spaces can be difficult to resolve.
242. The part of the site adjoining the park currently comprises a yard and employment building. It was formerly used as a minibus depot, and the building is now occupied by Tannery Arts as a workshop; the yard is separated from the park by palisade fencing. Proposed block A would have rear gardens backing onto the park, and the existing building which would form block B physically adjoins the park, with its rear wall forming part of the boundary treatment.
243. Block A would comprise four x 2-storey houses. Three of the houses would be set 3.4m back from the park boundary, save for a 2m pinch point as shown on the image below. The fourth house would be set 8m back from the park boundary, but also with a pinch point to the side. In the appeal scheme block A would have been within closer to the park boundary, therefore the current proposal is an improvement in this respect.

Proposed block A with footprint of appeal scheme overlaid in blue



244. Proposed block A would not comply with the LDS owing to its proximity to the park boundary. This part of the site is limited in size and is constrained by the park to the north and 1-13 Parkhouse Street to the south. A careful balance therefore has to be struck between ensuring that there would be no harm to the park, and protecting the amenities of the residential properties to the south. The relationship with the park would be broadly as per the appeal scheme which the Inspector found to be acceptable with regard to ecology, and an independent ecology report commissioned by the Council has confirmed this, as explained below. It is therefore considered that the proximity of block A to the park would be acceptable. The Council's Parks and Leisure Service has requested that the boundary treatment be in the form of a 2.4m high brick wall, planted to form a green wall and a condition to secure the wall together with a method statement for its construction has been included in the draft recommendation. The s106 agreement would secure a contribution of £9,500 to enable the Council to plant it as a green wall on the park side. The GLA has requested details of a planted buffer along the park edge including means for ensuring that residents would not remove it. In response the applicant has advised that a planted green screen / wall would be provided at the end of the gardens, and it is recommended that the s106 agreement includes a requirement to ensure that these remain in place and are not removed by future occupiers.
245. Block B would be formed from an existing building which physically adjoins the park and its rear wall forms the boundary treatment. It would be retained in employment use with some modifications to the roof. It does not have any windows facing the park and none would be inserted under the proposed plans; a condition preventing any from being inserted in the future has been included in the draft recommendation.
246. A preliminary ecological appraisal has been submitted with the application and is appended to the ES, together with a biodiversity net gain assessment. It comprises a desk top study, a phase 1 habitat survey, a protected species survey and an evaluation of the site's importance for nature conservation.

247. The appraisal identifies the site as being predominantly hardstanding and buildings, with some scattered trees and areas of scrub and shrubs. 45 Southampton Way has been identified as having a low potential to support roosting bats, and an updated bat emergence survey has been submitted during the course of the application which confirms that no bats were seen emerging from the building during a dusk survey. Four bats were however, recorded commuting to the west of the site. The Council's Ecology Officer has reviewed the updated survey and has confirmed that it is acceptable.
248. The appraisal also identifies that there could be some impacts upon breeding birds, and Japanese knotweed was found at the site which is an invasive species under the Wildlife and Countryside Act (1981). Mitigation measures proposed include only removing habitats which are of value to breeding birds outside of the breeding season, use of an ecologist if bird nests are found on the site, and careful removal and disposal of Japanese knotweed. Ecological enhancements proposed include new tree planting, a green wall, green roofs, soft landscaping including native species, bird and bat boxes and a wildlife sensitive lighting strategy. The biodiversity net gain assessment undertaken demonstrates that the biodiversity value of the site would increase from 0.26 to 2.14 (a net percentage change of 708.54%) as a result of the proposal which is a significant positive aspect and is welcomed.
249. The ES which accompanies the application considers some potential impacts upon Burgess Park. It advises that the construction and operational phases of the development could potentially result in the disruption of commuting and foraging habitat within Burgess Park due to increased lighting. It predicts that after 11pm a very localised area of the park next to block B would experience light spillage of up to 2.5 lux which it concludes would have a negligible to moderate impact. The final lighting scheme for the development should therefore be designed to minimise any light spillage into Burgess Park, and glazing used which would minimise light spillage which could be secured by way of a condition.
250. The ES also considers transient overshadowing to Burgess Park. It predicts that the proposed development would have a minor adverse effect, with the test for 21st March showing that there would be a small strip of shadow from block A cast onto the park from 8am which would move in a clockwise direction until 1pm, with no more shadowing after this. A similar impact would occur on 21st June, although the shadow would occur from 6am. A further test has been carried out for 21st December, when owing to the low position of the sun, for two hours until 11am shadowing would extend significantly further into the park than those cast by the existing buildings, which would reduce incrementally across the remainder of the day. The affected area is heavily treed, and the Council's Ecology Officer has reviewed the application and has not raised any concerns regarding the proposal.

Cumulative impacts

251. A number of the objections to the application, including from Friends of Burgess Park, relate to cumulative ecological impacts, taking into account proposed developments at 21-23, 25-33 and 35-39 Parkhouse Street which would also adjoin the park. As set out earlier in the report, planning permission has recently been granted for the proposed developments at 21-23 and 25-33 Parkhouse Street and the application at 35-39 is still under consideration (reference

19/AP/2011).

252. The Council commissioned an independent ecology report prepared by an external ecologist to assess the cumulative ecological impacts of these four proposed developments, and the report considers cumulative construction impacts, overshadowing, increased recreational pressure and light spillage.
253. With regard to overshadowing, the report concludes that the area of woodland which would experience increased shadowing is broadly the area which supports the lowest understorey diversity. Whilst some disturbance upon the woodland is therefore possible, it is not considered likely that this would significantly impact the conservation status of the New Church Road Nature Area or Burgess Park as a whole, nor would it likely impact bird, bats or invertebrates. The greatest overshadowing impact is predicted for the winter months when trees and most flora are dormant. The woodland understory is not of sufficient diversity or structure for the additional shadowing to be considered significant in ecological terms i.e. any change to the woodland community would not affect its conservation status or ecological functionality given the site's urban location, existing level of disturbance, and the presence of common species. It is therefore concluded that any impact would not be significant. It is noted that block A would only be 2-storeys high and block B would be formed from an existing building; they would only cast any significant shadow onto the park during the winter months when the sun is low in the sky and the trees and most of the flora would be dormant.
254. As for potential impacts upon birds and bats, the report concludes that without mitigation there could be temporary impacts arising from construction, and permanent local impacts including from lighting and increased use of the park. Mitigation is recommended through a Construction Environmental Management Plan including measures to minimise any contamination issues and issues with surface-water run-off. Within the completed development lighting controls and landscaping are proposed, and a landscape and habitat management should be required. There would be enhanced opportunities for ecology and biodiversity on the sites through the provision of living roofs and appropriate planting, and all of these matters have been agreed with the applicant and would be secured by way of conditions and s106 obligations.
255. By way of mitigation the report suggests that the developments coming forward provide an opportunity for the creation of a small strategic habitat bank in the park, which the developments adjoining the park could fund. This could be in the form of new meadow planting, bird and bat boxes, insect hotels and stag beetle loggeries. To this end and in consultation with the Council's Ecology Officer, a contribution of £1,674 would be secured through the s106 agreement towards habitat creation in Burgess Park; this is based on the amount of floorspace proposed within block A and includes provision for monitoring and maintenance. Improvements in biodiversity delivered through this mechanism alongside enhanced green infrastructure and habitat within the red line boundaries of each of the developments presents an opportunity for notable improvements in local biodiversity. The report concludes that if all recommended mitigation is secured from all of the developments, there would be a permanent positive impact at a local scale.

256. Overall, following the independent ecological assessment commissioned by the Council, consultation with the Council's Ecology Officer and subject to mitigation which could be secured by conditions and s106 obligations, the proposed development is considered to be acceptable with regard to ecology, and it would significantly enhance biodiversity on the application site through new tree planting and landscaping.

Affordable housing

257. The proposed development would provide 35.4% affordable housing, which would equate to 137 affordable homes. There would be a policy compliant tenure split of social rented and shared-ownership units.
258. Section 5 of the NPPF sets out the government's approach to the delivery of significant new housing including a requirement for housing of different sizes, types and tenures to meet the needs of different groups. The supporting text to policy H4 of the London Plan 'Delivering affordable housing' sets out that there is a need for the provision of 43,500 affordable homes per year across London.
259. At borough level, strategic policy SP1 'Homes for all' of the Southwark Plan requires 2,355 new homes to be delivered per annum. Policy P1 'Social rented and intermediate housing' of the Southwark Plan requires developments of 10 or more residential units to provide a minimum of 35% affordable housing, comprising a minimum of 25% as social rented and the remainder as intermediate. This policy sets out that for affordable housing purposes a habitable room of up to 28sqm is counted as one habitable room, a room between 28.1-42sqm is counted as two habitable rooms and so on.
260. There would be 137 affordable units within the development which would be located in blocks C, F, I, J, K and L. There would be 1,266 habitable rooms within the development, 448 of which would be affordable which would equate to 35.4%. The tenure split would comprise 25.04% social rented habitable rooms and 10.35% shared ownership habitable rooms which would be policy compliant.

Mix of affordable housing by habitable room

Unit type	Private market habitable rooms	Social rented habitable rooms	Shared ownership habitable rooms	Total habitable rooms
Studios	30	0	0	30
1-bed	163	47	56	266
2-bed	363	116	75	554
3-bed	262	154	0	416
Total	818 (64.61%)	317 (25.04%)	131 (10.35%)	1,266

Mix of affordable housing by unit

Unit type	Social rented	Shared ownership	Total
1-bed	23	28	51
2-bed	32	25	57
3-bed	29	0	29
Total	84	53	137

261. The quality of accommodation is considered in detail later in the report. Of note is that all of the affordable units would exceed the minimum space standards, with 1-bed units ranging in size from 52sqm to 71.1sqm, 2-bed units ranging in size from 64sqm to 100sqm, and 3-bed units ranging in size from 91.5 to 113.7sqm.
262. The Residential Design Standards SPD recommends that rooms are separated within a unit where possible, particularly for social housing where frequently more people live in the dwelling. Whilst the living spaces would generally be open plan, the layout of the 2 and 3-bed social rented units would allow for some separation between the kitchen and living spaces, and a condition for details of how this would be achieved has been included in the draft recommendation.
263. The residential units throughout the development have been designed to be tenure blind. Block C would be an affordable block comprising town houses. All of the residential units in block F would be social rented units, all but three of which would have views out onto the communal podium garden which would sit at the rear of this block. Blocks I and J would contain a mix of private and affordable units which would be accessed via a communal entrance shared by both tenures. Block K would be fully social rented units, and block L would contain a mix of private and affordable units in the form of maisonettes. The maisonettes spanning the ground and first floor levels would be social rented and would have their own front doors and private gardens to the rear. The private units would be located on the upper floors of this block.
264. **Viability** - The application is supported by a Financial Viability Appraisal (FVA) which has been independently reviewed by Avison Young (AY) on behalf of the Council. Following negotiations with the applicant's viability consultant, the agreed position is that the proposed development would have a deficit of £3,669,126. Notwithstanding this the applicant has committed to providing 35.4% affordable housing which would be secured in the s106 agreement. As the strategic target for affordable housing in both the London Plan and the Southwark Plan is 50% and 35% is a minimum, early and late stage viability reviews are required and would be secured through the s106 agreement.
265. The GLA's viability team has also reviewed the FVA and raised concerns regarding insufficient analysis of land transactions to inform the value of the development, and justification for the current value of the site given the poor conditions of the buildings. This latter concern has also been raised by a

neighbouring resident. These matters have been considered in detail by AY which has considered a range of comparable land transactions in its own analysis of the scheme viability, and has also concluded that the benchmark land value of the site (£19.15m) is appropriate. The GLA has reviewed AY's report and is supportive of its findings.

Affordable housing monitoring

266. It is recommended that the s106 agreement includes clauses to monitor the provision of affordable housing, together with a monitoring fee of £132.35 per unit. This would ensure that the provision of the affordable homes can be monitored and they remain in perpetuity, unless the proposed tenure allows for staircasing/purchase of the property. The clauses would require the developer to provide plans showing the location of the social rented and intermediate homes, to ensure the exact location of these homes are identified and can be monitored by the Council.
267. The developer would be required to notify the Council at several stages throughout the development, including at practical completion, to ensure that the Council can check that the provision of the affordable homes is as approved. The developer would be required to provide the Council with as-built plans of the development identifying the address (as approved by the street naming and numbering service) and tenure of each unit. The developer would also be required to allow the Council access to the development with reasonable notice in order to verify the submitted plans.

Mix of dwellings

268. Policy P2 of the Southwark Plan 'New family homes' requires a minimum of 60% of the residential units to contain two or more bedrooms with a mix of 2-bed 3 person and 2-bed 4 person homes, and a minimum of 25% of the units to contain three or more bedrooms in the Urban Zone. A maximum of 5% studio units is permitted and these can only be private units.

Proposed unit mix

Unit type	Number of units	Percentage of units %
Studio	15	4%
1-bed	132	35.2%
2-bed	151	40.2%
3-bed	77	20.5%
Total	375	100%

269. The proposed development would deliver 60.7% 2+ bed units with a mix of 2-bed three person and 2-bed four person units, and the 4% studio units would all be private units. The proposal would not meet the 25% requirement for 3+ bed units, because the scheme was designed in accordance with the Core Strategy and Saved Southwark Plan which have now been rescinded following the recent adoption of the Southwark Plan 2022 on 23rd February this year. Information on the Council's website made it clear that applications which were submitted after 8th December 2021 would be determined in accordance with the Southwark Plan

2022, and the application was submitted well before then, in April 2021. Whilst it is normally expected that an application would be determined based on the policies in place at the time of determination, given when the application was submitted it is not considered that it would be reasonable to expect the plans to be amended at this stage, particularly when the scheme is considered to be in overall compliance with the Southwark Plan as a whole.

Wheelchair accessible housing

270. In the appeal decision the Inspector raised a number of concerns regarding the quality of accommodation, including the size of the proposed wheelchair accessible units which did not comply with the larger unit sizes set out in the Council's adopted Residential Design Standards SPD. This issue has now been addressed, as set out below.
271. Policy D7 of the London Plan 'Accessible housing' requires residential development to provide at least 10% of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and for the remaining dwellings to meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. Policy P7 of the Southwark Plan requires the 10% to be based on habitable rooms rather than unit numbers. It also states that where those homes are affordable wheelchair user homes, 10% of the social rented homes must meet Building Regulations M4(3)(2)(b) standard (wheelchair accessible dwellings). It sets out larger minimum floor areas which wheelchair accessible dwellings must meet, and requires a mix of dwelling sizes and tenures that meet the above standards, including family homes. Two bedroom three person affordable wheelchair homes will not be acceptable.
272. There would be 40 wheelchair user dwellings M4(3) which would equate to 10.6% in terms of units which would exceed the London Plan requirement which is welcomed. This would equate to 15.3% in terms of habitable rooms which is the Southwark Plan measure and would exceed the 10% requirement. 17% of the social rented wheelchair accessible habitable rooms would meet Building Regulations standard M4(3)(2)(b) which would comply with the Southwark Plan. The following mix of wheelchair accessible units is proposed:

Private units

2b3p = 11 units

3b4p = 15 units

Social rented units

1b2p = 5 units

2b4p = 4 units

3p4p = 5 units

273. The wheelchair units would all exceed the larger unit sizes set out in the Residential Design Standards SPD and Southwark Plan and following an amendment to the plans, where they would be above ground floor level they would be served by two lifts. The remaining units within the development would meet M4 (2) standard and a condition to secure the units to these standards has

been included in the draft recommendation. Planning obligations to ensure appropriate marketing and retention of the units are recommended.

Quality of accommodation

274. In the appeal decision the Inspector concluded that too many compromises had been made with regard to the quality of accommodation, and that it could not be described as exemplary in order to justify the high density of the proposal. Particular concerns were raised regarding the size of some of the units including wheelchair accessible units, and lack of private and communal amenity space. Not all of the residential units would have had private amenity space in the appeal scheme, and insufficient communal space would have been provided to make up for the shortfall. In the current proposal all of the units would meet or exceed the minimum sizes, including the larger sizes for wheelchair units, all of the units would have private amenity space, and any shortfalls in private space would be made up for in the communal provision. The amount of playspace within the development has been significantly increased since the appeal scheme, including the provision of a Garden Street with integrated play.
275. Policy D6 of the London Plan 'Housing quality and standards' requires housing developments to be of high quality design and to provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.
276. Policy P15 of the Southwark Plan requires developments to achieve an exemplary standard of residential design, and sets out a number of criteria which must be met. The Council's Residential Design Standards SPD establishes minimum room and overall flat sizes dependant on occupancy levels, and units should be dual aspect to allow for good levels of light, outlook and cross-ventilation. Concerns have been raised during public consultation on the application that the proposal would not be of exemplary design, including concerns regarding aspect and internal light levels.
277. Suitability of the site for residential use - Policy D14 of the London Plan 'Noise' seeks to reduce, manage and mitigate noise in order to improve health and quality of life, and provides details of how this can be achieved including through design elements such as adequate separation distances, screening, layout, and adopting good acoustic principles.
278. Chapter 8 of the ES 'Noise and vibration' considers whether noise levels at the site are such that it would be suitable for residential use. There are a number of industrial uses adjoining and close to the site and the proposal would introduce a significant number of new residential occupiers in close proximity to these industrial uses. It is noted that there are already residential uses around the site and numbers 45, 47 and 73 Southampton Way adjoin industrial premises.
279. The ES advises that short and long-term noise monitoring was undertaken at eight locations on the site, and that with mitigation in place, noise levels within the proposed residential units with the windows partially open would be acceptable. The only exception to this would be those units with facades facing the scaffold yard which could be affected by high levels of noise when the yard is operational. The scaffold yard office is open 8am to 5pm Monday to Friday,

and the yard itself is used from 7am until around 6pm during the week and sometimes opens on Saturday mornings until lunchtime / early afternoon. Additional mitigation is therefore recommended for these facades, including enhanced double glazing and a condition to secure this is recommended. With this mitigation in place, the ES predicts that the proposed development would not compromise the surrounding employment uses. It is noted that the scaffold yard is subject to a planning application for redevelopment for employment space and residential units, therefore the use of this neighbouring site may change by the time the residential units in this development are occupied in any event.

280. With regard to external spaces, the proposed roof terraces and play areas would achieve acceptable noise levels, but not all of the balconies would, particularly those facing the scaffold yard. The ES therefore recommends mitigation in the form of solid balconies. These have not been shown on the plans however, on the basis that the requirement for this would be assessed at detailed design stage and a condition to secure this has also been included in the draft recommendation. The Council's Environmental Protection Team (EPT) has recommended a number of conditions to ensure that noise levels within the dwellings would fall within acceptable limits, and these have also been included in the draft recommendation. Of note is that at paragraph 377 of the appeal decision the Inspector concludes that adequate safeguards through planning conditions would be provided to ensure that the noise environments inside and outside the new residential units would be sufficient to avoid justifiable complaints being made in relation to noise.

Unit sizes

Flats	SPD minimum sqm	Proposed unit sizes sqm	SPD amenity space minimum sqm	Amenity space proposed sqm
Studio	37 or 39	40.1	10	8
1-bed	50	52-71.1	10	5-25.3
2-bed	61-79	64-96.6	10	6.2-119.8
3-bed	74-102	78-193.9	10	10- 68.9
Houses				
2-bed houses	79	100	50	26.2-53.9
3-bed houses	84	89.3	50	50.1-92

281. All of the residential units would meet or exceed the minimum overall floorspace requirements set out in the Nationally Described Space Standards, and they would all comply with the minimum room sizes set out in the SPD including storage requirements. They would also comply with new requirements set out in policy D6 of the London Plan 'Housing quality and standards'. This policy requires bedroom widths to be at least 2.15m for single bedrooms, 2.75m for a first double bedroom and 2.55m for a second double bedroom, and for single bedrooms to be at least 7.5sqm
282. Internal daylight and sunlight - A daylight and sunlight assessment for the proposed dwellings has been submitted, based on the Building Research Establishment (BRE) Guidance. The modelling for the daylight / sunlight testing takes account of the proposed developments at 21-23, 25-33 and 35-39

Parkhouse Street. The tests undertaken are Average Daylight Factor, No Sky Line, Room Depth Criterion and Annual Probable sunlight hours. However, it is predominantly Average Daylight Factor and Annual Probably Sunlight Hours which are used for planning purposes, therefore only these tests have been reviewed.

283. Average Daylight Factor (ADF) determines the natural internal light or day lit appearance of a room and the BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. No value is given for studios and given the shared living and sleeping spaces officers consider that 2% would be appropriate.
284. Annual Probable Sunlight Hours (APSH) should be considered for all windows facing within 90 degrees of due south (windows outside of this orientation do not receive direct sunlight in the UK). The guidance advises that windows should receive at least 25% APSH, with 5% of this total being enjoyed during the winter months.
285. An objector has raised concerns that the assessment does not consider the impact which the proposed development on the scaffold yard site would have on this proposed development. Two new buildings of 4-6 storeys are proposed on this neighbouring site and the ES which accompanies the Burgess Business Park application was completed before the scaffold yard site application was submitted. The applicant's daylight and sunlight consultant has advised that the proposed development on the scaffold yard site would result in some minor reductions of 30% in VSC to some windows in proposed block I on the application site. This would only marginally transgress the BRE guidance and is considered to be acceptable.
286. Daylight - For AFD, of the 1,068 habitable rooms assessed, 78.5% would comply with the BRE guidance. This represents a good level of compliance for an urban area. Most of the rooms which would not comply with the guidance (120) would be bedrooms with ADFs ranging from 0.1% to 0.9%. For the other rooms which would not comply, the livingrooms would have ADFs ranging from 0.4% to 1.4%, the open plan living spaces would have ADFs ranging from 0.4% to 1.8%, the kitchens would have ADFs ranging from 0.5% to 1.8% and the studios would have ADFs ranging from 0.4% to 1.5%.
287. Sunlight - A total of 58% of the living spaces tested would meet or exceed the BRE guidance for annual sun, including the units within block C; 70.5% would meet or exceed the guidance for winter sun. The sunlight results for the top floor of block L were missing however. These have subsequently been provided separately and all but one of the rooms tested would comply in relation to APSH, with a non-compliant kitchen still receiving 23% APSH which is close to the 25% recommended in the BRE guidance. All of the top floor block L rooms would comply in relation to winter sun.
288. For the living spaces which would not comply with the guidance, they would receive annual sun ranging from 0% to 24% and winter sun ranging from 0% to 4%. This includes seven open plan living spaces and 10 livingrooms which would not receive any sunlight, and these would be located in blocks D, E, F, G, J and K.

289. 665 bedrooms within the proposed development were tested for sunlight. Of these, 218 would comply with the BRE guidance in relation to APSH test (32.7%) and 251 would comply in relation to winter sun (37.7%). Those which would not comply with the BRE guidance would receive APSH ranging from 0% to 24% and winter sun ranging from 0% to 4%.
290. A number of factors affect the amount of daylight and sunlight reaching the units, including the provision of balconies which can obstruct light to the windows below, proximity to other structures, and window sizes. In this instance some units facing into the site would be affected by the proposed buildings opposite, some would be close to the Big Yellow building to the west of the site, and some would be in close proximity to the retained chimney.
291. For the units next to the Big Yellow, on the advice of officers the layouts have been amended so that the livingspaces would face out onto the Garden Square rather than towards the Big Yellow building. Whilst this means that they would have lower levels of sunlight, they would have a more attractive outlook. The window sizes have been enlarged since the appeal scheme, and the site layout improved by pulling away from the boundary with the Big Yellow building and the provision of a generous Garden Square. A direct comparison with the appeal scheme is not possible owing to different approaches to the testing, and it is also noted that the current proposal includes more ground floor residential units than the appeal scheme (along the Garden Street) owing to concentrating most of the commercial floorspace along the Mews which is considered to be a positive change. Whilst the shortfalls are noted and would generally occur at ground to third floor levels, the overall compliance rate would be good for ADF, particularly given the size of the proposed development, and the majority of the units would comply with the BRE guidance in relation to sunlight. Overall the quality of accommodation is therefore considered to be acceptable in this respect.
292. Privacy - The Council's Residential Design Standards SPD recommends a minimum of 21m between the rear elevation of properties, and a 12m separation distance between properties which face one another across a highway.
293. No windows are shown in the eastern elevation of proposed block A, therefore there would be no direct overlooking between blocks A and B. There would be a very close relationship between block C and a building at the rear of 47 Southampton Way, and this is considered in detail below in relation to neighbour amenity.
294. There would be 13-20m across the Garden Street and 26-33m across the Garden Square which would exceed the 12m minimum recommended in the Residential Design Standards SPD where properties face each other across a street. Some of the flats around the podium gardens would have windows overlooking the communal gardens which would provide an attractive outlook, and planting would be provided around the edges of the gardens to maintain privacy and this should be secured by way of a condition.
295. There would be some instances of closer relationships however, including 8-9m between opposing residential windows at the corners of blocks F and G facing each other across the Mews. Whilst noted, this would affect a small number of

units and the windows would be slightly off-set from each to restrict direct views. There would also be some instances of close relationships at the inward facing corners of blocks K and L. A condition is therefore recommended requiring obscure glazing or other privacy devices to prevent direct views between the affected units, and this should not significantly affect the quality or usability of the accommodation.

296. All of the residential units which would front onto a street would have defensible space, including modest paved areas at the front of blocks C and L enclosed by railings and planters.

Aspect and outlook

297. Policy P15 of the Southwark Plan 'Residential design' requires residential units to be predominantly dual aspect and allow for natural cross ventilation. In circumstances where due to site constraints it is impossible or impractical to provide dual aspect dwellings, it must be demonstrated how overheating and ventilation will be mitigated (this is considered later in the report). Single aspect dwellings will not be acceptable if they have three or more bedrooms, or are north-facing, or where the façade is exposed to high noise levels.
298. A high proportion of the units (76%) would be dual aspect, with 80% dual aspect in the private tenure and 67% dual aspect in the affordable tenure. The overall figure of 76% dual aspect homes is a significant improvement upon the 67% proposed under the appeal scheme.
299. There would be some single aspect units in block D which would face north-west rather than directly due north. One such unit at first floor level would have an open plan living space with an ADF of 1.5%, one bedroom with an ADF of 1.8% and another with an ADF of 0.7%. The equivalent flats on the levels above would see their daylight levels improve, and none of these units would have 3 or more bedrooms. Overall the quality of these units are considered to be acceptable. All of these units would be in the private tenure.
300. There would also be some single aspect units in blocks I, J and K and whilst none of them would have three or more bedrooms, some would be north-west facing and some would face onto the scaffold yard. The north-west-facing units in block I would receive good daylight levels, with just one bedroom with an ADF of 0.9% against the recommended 1%. The open plan living spaces would have ADFs ranging from 1.1% to 2.4% against a recommended 2% and the daylight levels would improve higher up the building. In blocks J and K there would be some duplex units spanning ground and first floor levels which would have open plan living spaces with ADFs of 0.5% and 0.6% and bedrooms ranging from 0.5% to 2.1%. Again, daylight levels would improve higher up the building and the units would have an attractive outlook onto the Garden Street. The units facing the scaffold yard would face south-east and would receive good levels of daylight and sunlight. They would be provided with enhanced double glazing and all of the units would be mechanically ventilated. As noted earlier in the report, the scaffold yard site is subject to a planning application for redevelopment including residential units, therefore the use of this site could change in the future. Furthermore, these single aspect units would be similar to the equivalent blocks in the appeal scheme, and the Inspector did not raise this as a particular concern.

Overall it is considered that the proposal has optimised the development of the site, following guidance within the LDS, and would provide a very high standard of residential design.

301. A number of the proposed buildings would be in close proximity to existing buildings as set out below, although the relationships would be broadly similar to those of the appeal scheme and the Inspector did not raise any significant concerns regarding the impact this would have on the quality of accommodation.

Block B

302. The existing building which would become block B adjoins a 2-storey vacant commercial building at 21-23 Parkhouse Street which is owned by the Council. Block B would be retained in employment use, with new rooflights added next to number 21-23. Given that this would result in two commercial buildings alongside each other, no adverse impacts are anticipated. This neighbouring site has a resolution for permission for mixed use redevelopment, in two separate blocks. The blocks would be set back from the boundary and as such the proposed rooflights in block B would not compromise any planned residential development on the neighbouring site.

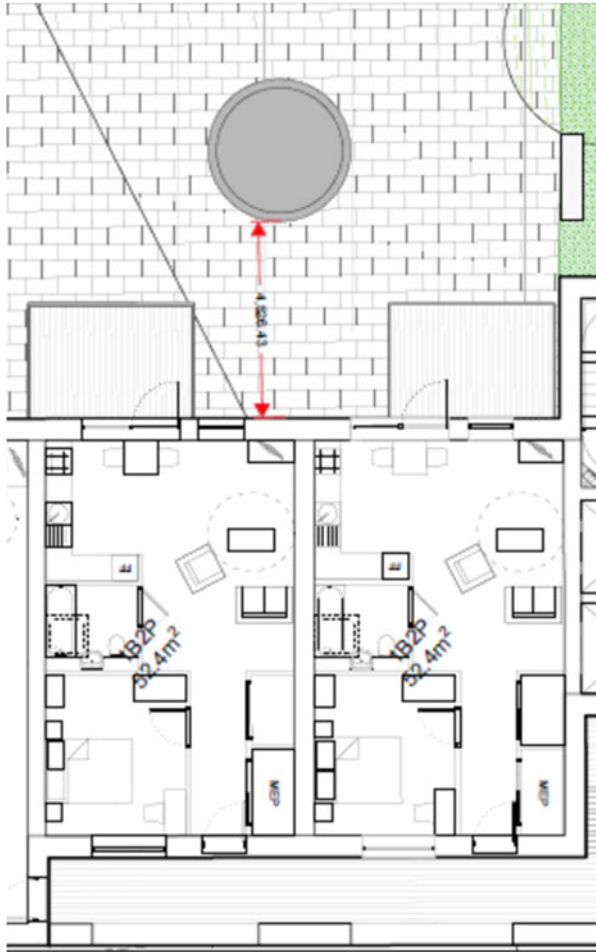
Block C

303. This block would have windows to the rear which would be close to existing residential accommodation at the rear of 47 Southampton Way. The plans have been amended to improve the relationship, but it would still be close given the narrowness of this part of the site; this is considered further below in relation to impact upon the amenity of neighbouring properties.

Blocks D and E

304. These blocks which would contain residential accommodation from first floor level upwards would include residential windows located between 7.5-14m from the rear of the Big Yellow storage facility on Southampton Way. This would be an improvement over the appeal scheme which proposed a separation distance of 6-10m, and as outlined earlier in the report the plans have been amended to orientate the living spaces towards Garden Square.
305. There would be 10 units in block E which would be in close proximity to the retained chimney, with a separation distance of 4.5m as shown on the image below. The balconies to these units have been repositioned so that they would be off-set from the chimney rather than directly facing it. At the first floor the affected rooms would comprise two bedrooms with ADFs of 0.4% and 0.8% and an open plan living space with an ADF of 0.4%. The values would generally increase higher up the building, partially due the shape of the chimney which tapers at the top. Whilst these aspects of some of the units in this block are noted, the site layout would align with the LDS in providing a block in this location, and the retention of the chimney is an important and positive aspect of the design. As such this is considered to be acceptable.

Image showing relationship of a unit in block E with the retained chimney



Blocks I, J and K

Balconies to proposed block I would be located a minimum of 7m off the boundary with the church at 9-11 Cottage Green. The church forms part of a mixed use development including office space, training facilities and recording studios which was granted consent in 2009 (reference: 08-AP-1476). It is permitted to open from 8am to 8pm Monday to Friday, 9am to 10pm on Saturday and 10am to 5pm on Sunday. The main part of the building is 2-storeys fronting Cottage Green, and it drops down in height at the rear where it extends right up to the site boundary, as does the existing building immediately adjoining part of the application site.

306. Some of the balconies to proposed block I would face a small hospitality suite at the rear of the church which has no windows facing the application site. As such this relationship is considered to be acceptable. As stated, conditions have been included in the draft recommendation to ensure that the noise levels within the flats would fall within acceptable levels. If the church site ever came forward for redevelopment in the future, any residential building on it could be set a similar distance from the boundary. It is therefore not considered that the proposal would

unduly hinder redevelopment potential of the church site, and the Inspector did not raise any particular concerns about this relationship in the appeal decision.

307. Block I would also be located approximately 4.7m off the boundary with the scaffold yard which is currently subject to a planning application for redevelopment including commercial space and 50 residential units. The relationship between the two proposals is shown on the image below, with the proposed buildings on the scaffold yard site shown in red. This is considered in more detail later in the report in relation to privacy and light levels but overall, the relationship is considered to be acceptable.

Proposed plans for the scaffold yard site shown in red



Block L

308. The plans have been amended to reduce the length of this block, the southern portion of which would have been in very close proximity to the site at the rear. It would now be between 3m and 10.5m off the boundary with the adjoining site and if a new building on this site were set back a similar distance and windows sensitively positioned, there should be no harm to its redevelopment potential. The site at the rear contains an area of open yard and a large shed structure which was previously on this neighbouring site as recently been removed.

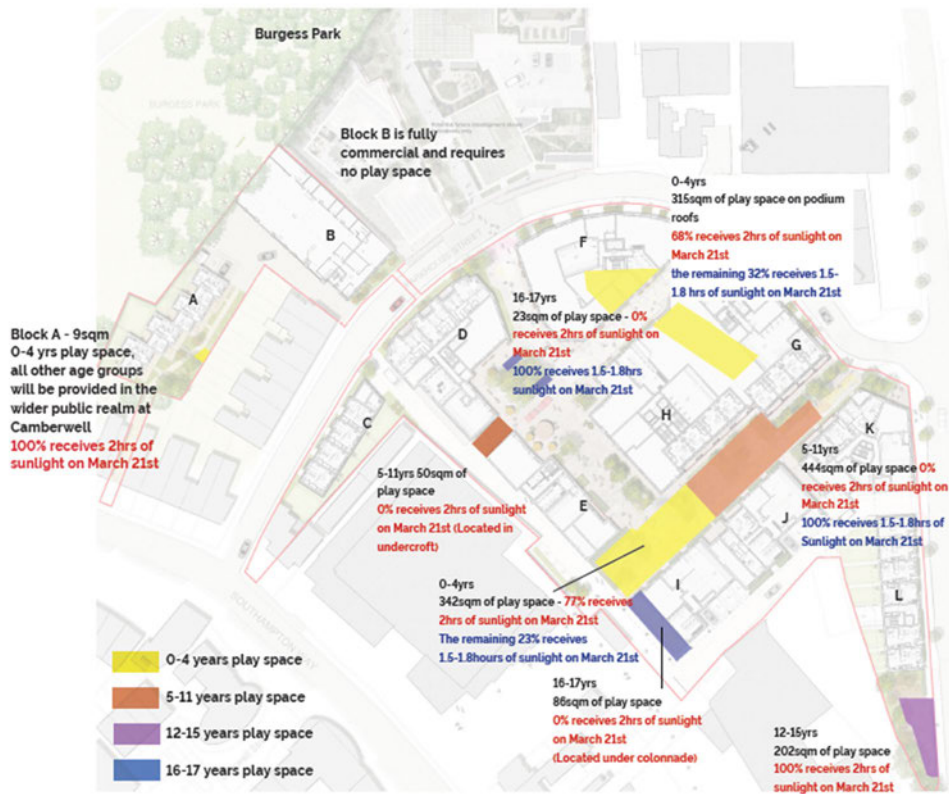
Amenity space and childrens' playspace

309. Section 3 of the Residential Design Standards SPD sets out the Council's amenity space requirements for residential developments. Flats should have a minimum of 10sqm of private amenity space, and any shortfall must be added to the communal provision. Houses, such as those proposed in blocks A and C are required to have a minimum of 50sqm of private garden space, and gardens should be at least 10m in length. Policy D6 of the London Plan requires private outdoor amenity space to have a minimum depth and width of 1.5m, and this

requirement would be met. Policy P2 of the Southwark Plan requires family homes in apartment blocks to have direct access to outdoor amenity space and allow for oversight of children outside.

310. The GLA's playspace calculator takes account of the site PTAL. Sites which have a low PTAL are required to provide more playspace than those with a higher PTAL and better public transport links. The site has a PTAL ranging from 2-4; most is PTAL 2, but a proportion of the western part of the site is PTAL 4. As a result of this the applicant considers that the playspace requirements should be based on a PTAL of 3-4 rather than 1-2. This would require 1,468sqm of playspace whereas PTAL 1-2 would require 1,718sqm (a difference of 238sqm).
311. The site is within walking distance of Burgess Park, with one entrance off Southampton Way which would be approximately 200m from proposed block C, and another on Wells Way which would be approximately 115m from proposed block L. The proposal would also significantly improve permeability across the site and in light of this, and the PTAL range across the site, officers consider that basing the playspace requirement on a PTAL of 3-4 would be an acceptable approach in this instance.
312. The proposal would deliver 1,471sqm sqm of playspace as set out below, which would exceed the requirements based on a PTAL of 3-4 and would cater for all age groups. The Southwark Plan requires playspace to be at ground or low podium level which the development would achieve. Most of the playspace would be in the public realm as shown on the image below, and includes two areas where the play space would be in a covered area, comprising a climbing wall beneath blocks D and E, and table tennis at the base of block I. The play provision within the proposed development is considered to be a very positive aspect of the proposal, and would be a significant improvement on the appeal scheme. The appeal scheme only proposed to cater for the 0-5 age group on-site, and the Inspector raised concerns about the quantum of space and also its location. Some of the playspace would have been provided in a segregated area in the equivalent of the Garden Street, but under the appeal scheme that street would have been used by servicing vehicles whereas now, it would be for pedestrians only.

Proposed play provision



Type of space	Policy requirement (sqm)	Proposed (sqm)	Difference (sqm)
Child play space	1,461 comprising: 0-4 = 664 5-11 = 491 12-15 = 200 16-17 = 106	1,471 comprising 0-4 = 666 5-11 = 494 12-15 = 202 16-17 = 109	0 – policy compliant (+10sqm)
Private amenity Space	10 sqm per flat and 50sqm per house – any shortfall in 1 and 2 bed units to be added to the communal provision	<u>Block A</u> 314.6sqm	<u>Block A</u> 0 – policy compliant (+114.6sqm)
		<u>Block C</u> 208sqm	<u>Block C</u> 19sqm shortfall

		<u>Block D</u> 423.4sqm	<u>Block D</u> 13.8sqm shortfall
		<u>Block E</u> 307.2sqm	<u>Block E</u> 30sqm shortfall
		<u>Blocks F, G and H</u> 1,581sqm	<u>Blocks F, G and H</u> 253.1sqm shortfall
		<u>Block I</u> 423.7sqm	<u>Block I</u> 127.2sqm shortfall
		<u>Blocks J and K</u> 633sqm	<u>Blocks J and K</u> 163.3sqm shortfall
		<u>Block L</u> 378sqm	<u>Block L</u> 0 – policy compliant
Communal amenity space	50 per development + any shortfall of private amenity space (50sqm communal provision is generally applied per block rather than per development)		
	<u>Block A</u> No communal amenity space requirement for houses. All units within block A would have at least 50sqm of private amenity space.	<u>Block A</u> 65sqm	<u>Block A</u> Policy compliant +65sqm.

<u>Block C</u>	<u>Block C</u>	<u>Block C</u>
19sqm required to make up for private amenity space shortfall.	36sqm	Policy compliant +17sqm
<u>Block D</u>	<u>Block D</u>	<u>Block D</u>
63.8sqm (50sqm+13.8 shortfall in private amenity space)	80sqm	Policy compliant +16.2sqm
<u>Block E</u>	<u>Block E</u>	<u>Block E</u>
80sqm (50sqm + 30sqm shortfall in private amenity space)	80sqm	Policy compliant
<u>Blocks F, G and H (shared podium)</u>	<u>Blocks F,G and H</u>	<u>Blocks F, G and H</u>
403.1 (150sqm + 253.1sqm shortfall in private amenity space)	618sqm	Policy compliant +214.9sqm
<u>Block I</u>	<u>Block I</u>	<u>Block I</u>
177.2sqm (50sqm + 127.2sqm shortfall in private amenity space)	423.7sqm	Policy compliant +246.5sqm
<u>Blocks J and K</u>	<u>Blocks J and K</u>	<u>Blocks J and K</u>
263.3sqm (100sqm + 163.3sqm shortfall in private amenity space)	392sqm	Policy compliant +128.7sqm

	<u>Block L</u>	<u>Block L</u>	<u>Block L</u>
	50sqm (there would be no private amenity space shortfall for this block)	50sqm	Policy compliant

313. All of the flats would have private amenity space, with all balconies complying with the minimum dimensions set out in the London Plan. Each block would also have communal amenity space which was not the case for the appeal scheme. In the appeal scheme 8% of the units would not have had any private amenity space, therefore the current proposal is a significant improvement in this respect. In addition, all of the 3-bed units would have at least 10sqm of amenity space and this was not the case for the appeal scheme. As set out in the table above, the shortfalls in private amenity space would be made up for in the communal provision.
314. The Residential Design Standards SPD requires houses to have a minimum of 50sqm of garden space, and for gardens to measure at least 10m deep and extend the full width of the dwelling.
315. The proposed houses in block A would meet the 50sqm requirement, although this is made up of front and rear gardens and a terrace at first floor level, totalling between 50.1sqm to 80sqm. The rear gardens would range from 3.4m to 8m in depth which would not meet the SPD requirement. Whilst this is noted, given the overall quantum of amenity space for each dwelling, this is considered to be acceptable. This block was shown as five houses in the appeal scheme and has subsequently been reduced to four, creating a more spacious environment for each of the dwellings. The Inspector noted that three of the units would not have met the private amenity space standard, but did not comment on the garden depths. All of the units would now comply in terms of quantum of amenity space and officers consider that this can be supported.
316. The proposed houses in block C would all have modest front gardens and gardens to the rear. Two of the houses would have a garden of at least 50sqm and the other two would have gardens of 36sqm and 45sqm. In order to mitigate these two shortfalls the plans have been amended to create a communal garden at the side of the block. The rear gardens to this block would not meet the depth requirements set out in the SPD, which is a consequence of the narrowness of this part of the site and its proximity to a building at the rear which contains residential and live/work units. In the appeal scheme block C was a 3-storey block of flats and it would now be a 2-storey block containing houses, which would be a less intensive use of the space. It is also noted that the LDS indicates a building on this part of the site, and overall this arrangement is considered to be acceptable.
317. Overshadowing of amenity space – The BRE guidance advises that for an amenity area to be adequately lit it should receive at least 2 hours sunlight over half of its area on the 21st March. The testing undertaken takes into account the

proposed developments at 21-23, 25-33 and 35-39 Parkhouse Street.

318. The communal gardens for blocks A, D, E, I, J, K and L would comply with the BRE guidance. On the podium garden for blocks F, G and H, 42% of the space would receive two hours of sun on the ground and in the Garden Square, 21% of the space would receive two hours of sun on the ground although this would be located between blocks D and F close to Parkhouse Street rather than on the square itself. On the Garden Street 35% of the space would receive two hours of sun on the ground. When considered in June when the weather would be better and people tend to spend more time outdoors, approximately 80% of the communal gardens for blocks F, G and H, 76% of the Garden Square and 93% of the Garden Street would receive at least 2 hours of sun on the ground.
319. For the private gardens, two out of the four gardens in block A would comply with the BRE guidance, with the remaining two having 0% and 26% of the area receiving at least two hours of sun on the ground. In block C, three of the gardens would have no space which would receive at least two hours of sun on the ground. All of the gardens in block L would comply with the BRE guidance. On 21 June the gardens for the block A houses would have areas with at least 2 hours of sun on the ground ranging from 82% to 95%. For block C the figures would range from 81% to 92% so the gardens would experience good levels of sunlight during the summer months. Whilst it is noted that not all of the amenity space would comply with the BRE guidance, the site layout broadly follows the guidance set out in the LDS and the building heights are considered to be appropriate.
320. The proposed playspaces have been analysed for sun on the ground as shown on the diagram above. Excluding the two playspaces which would be undercover, four out of the six remaining play areas would comply with the BRE guidance. For the two spaces which would not comply, all of the space would receive between 1.5 and 1.8 hours of sun on the ground (i.e. an hour and a half and an hour and 48 minutes) against a target of two hours which would not be significantly short of the BRE guidance. The variety of different play areas across the site, with most of them in the public realm including in an attractive Garden Street is considered to be a very positive aspect of the proposal which is welcomed, and is a significant improvement on the appeal scheme.
321. Secured by Design – Security measures which would be incorporated into the development include controlled access to the residential blocks, secure windows and doors and external lighting. The application has been reviewed by the Metropolitan Police and comments have been provided regarding the need to incorporate certain measures such as segregated residential and commercial cycle parking, appropriate levels of lighting and secure entry points. The conclusion of the comments is that the development should be able to achieve the requirements of secured by design, and a condition to this effect has been included in the draft recommendation.
322. To conclude, overall it is considered that the quality of accommodation can be described as exemplary as set out in the summary table below. The applicant has sought to address the Inspector's concerns relating to the appeal scheme, and a schedule provided by the applicant setting out how each of the concerns have been addressed is included as appendix 7. Whilst not every unit would

comply with all of the exemplary criteria, the Inspector noted at paragraph 350 of the appeal decision that it would be unreasonable to expect a development of this scale and complexity to be perfect in every respect. The Inspector refers to the Mayor's Housing SPG where it advises that a failure to meet one standard would not necessarily lead to a failure to comply with the London Plan, but that a combination of failures would cause concern. All of the units would meet the minimum floorspace requirements and 45% would exceed them by more than 10%; all of the wheelchair accessible units would meet the larger unit sizes and a significant majority of the units would be dual aspect and would comply with the BRE guidance for average daylight factor. All of the units would have private amenity space, each block would have communal amenity space, and any private space shortfalls would be made up for in the communal provision. All of the playspace requirements for the development would be met on site, and most of it would be in the public realm. In light of this it is considered that the Inspector's concerns regarding quality of accommodation have been addressed.

Exemplary residential design criteria from Southwark Residential Design Standards SPD	Commentary
Significantly exceed minimum floorspace standards	45% of the units would exceed the standards in the Residential Design Standards SPD by more than 10%.
Provide for bulk storage	All the units would have bulk storage which would meet or exceed the minimum requirements set out in the SPD.
Include a predominance of dual aspects units	76% of the proposed units would be dual or triple aspect.
Exceed minimum ceiling heights of 2.5m	All rooms within the proposed dwellings would have at least 2.5 metre floor-to-ceiling heights.
Have natural light and ventilation in all kitchens and bathrooms	50 of the units (13.3%) would have bathrooms which would be naturally lit and ventilated and all of the kitchens would have natural light and ventilation. The bathrooms would be provided with extractor fans for ventilation.
Exceed amenity space standards set out in the SPD	The proposed amenity space is set out later in the report. Where the recommended 10 sqm private amenity space has not been met, the shortfall has been included as communal amenity space in line with the Residential Design Standards SPD.
Meet good sunlight and daylight standards	The majority of the units would comply with the BRE guidance for daylight and sunlight.

Have excellent accessibility within dwellings including meeting M4(2) standard for all non-wheelchair user homes	The proposal would comply with the London Plan and Southwark Plan and would provide in excess of 10% wheelchair accessible dwellings. The remainder would meet M4(2) standard.
Minimise corridor lengths by having an increased number of cores	A maximum of 8 units per core is proposed, complying with the Mayor's Housing Design SPG which advises no more than 8 flats per core. There would be no long corridors within the residential blocks.
Minimise noise nuisance in flatted developments by staking floors so that bedrooms are above bedrooms, lounges above lounges etc.	The plans demonstrate that a good level of stacking would be achieved.
Obtain Secure by Design certification	The development would be cable of achieving Secured by Design Accreditation and a condition to require this is recommended.
Have exceptional environmental performance that exceeds the standards set out in the Sustainable Design and Construction SPD	The development can achieve BREEAM "excellent" for the employment space and community space. The development would need to make a carbon off set contribution to bring the development to carbon zero in accordance with the London Plan and this would be secured through the s106 agreement.
Maximise the potential of the site as demonstrated in the applicant's Design and Access Statement	The potential of the site would be maximised, delivering good quality commercial floor space, new dwellings, attractive public realm including a new public square, outdoor space, and play space without unduly compromising local visual, residential amenity or the biodiversity value of Burgess Park.
Make a positive contribution to local context, character and communities including contributing to the	The proposed development would make a positive contribution to local context and character in terms of its quality of design and other benefits including affordable housing, employment space and affordable

streetscape	workspace.
Be tenure blind	The scheme has been designed as tenure blind.
Provide no material differences in appearance between affordable and market homes in apartment blocks including shared entrances	There are no material differences in the appearance or design of affordable and market accommodation.
Provide the opportunity for residents of all tenures to access on site facilities	The scheme facilitates uniform access for all residents to the common amenity and play spaces and this would be secured by condition.
Provide communal facilities including gardens and community rooms	The scheme provides a new public communal facility located on the Garden Square providing 112m ² of Class F accommodation for the local community, and residents would be able to use some of the class E floorspace which may be used for shops and cafes.
Provide green communal amenity space for all residents and additional communal play areas for children (aged up to 16) for apartments. Communal amenity space should be designed to provide multiple benefits (e.g. Recreation, food growing, habitat creation, SUDS)	Each block of flats would have communal amenity space and all of the playspace requirements for the development would be met on the site. The Garden Square and Garden Street would provide significant new areas of public realm which would include playspace and which the local community could use.
Maximise the use of sustainable technologies and materials	The development would comprise high quality buildings designed to minimise energy use through the use of high performance insulation, air source heat pumps, photovoltaic panels and green roofs.

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

323. When considering the appeal scheme, the Inspector raised concerns regarding daylight impacts to properties on Parkhouse Street and Wells Way; sunlight impacts to properties on Wells Way were also noted. Impacts regarding overshadowing and outlook were found to be acceptable, and privacy impacts could be mitigated by conditions. At paragraph 503 of the appeal decision when weighing all of the planning issues in the balance, the Inspector states that 'the harm I have identified in terms of daylight and sunlight to some nearby residential properties may not be sufficient in itself to turn away the scheme, but it is a further indication that the development would be out of harmony with its receiving environment'.
324. Policy P56 of the Southwark Plan states that development should not be permitted when it causes an unacceptable loss of amenity to present or future occupiers or users. Amenity considerations which will be taken into account include privacy and outlook, overlooking, smell, noise, vibration, daylight, sunlight and wind microclimate impacts. The adopted Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.
325. A development of the size and scale proposed would have impacts upon the amenities of the occupiers of properties both adjoining and in the vicinity of the site. The application is accompanied by an Environmental Statement (ES) in order to ascertain the likely associated environmental impacts and how these impacts can be mitigated. The ES deals with the substantive environmental issues. An assessment then needs to be made as to whether the residual impacts would amount to such significant harm as to justify the refusal of planning permission. Amenity concerns have been raised by neighbouring residents, including loss of light, loss of privacy, noise and disturbance.
326. Impact of the proposed uses – The proposed development would contain class E and F floorspace and residential uses. Given the broad range of uses which classes E and F contain, a condition is recommended requiring the uses described in the application to be provided, i.e. light industrial, food, drink, retail and community use floorspace.
327. Light industrial uses generally sit comfortably alongside residential uses and no adverse amenity impacts are anticipated, particularly compared to the existing uses on the site. Agent of change principles have been taken into account to ensure that there would be no adverse impacts upon neighbouring industrial uses, and this would be reinforced through conditions. Conditions are also recommended limiting the opening hours of any food and drink uses and the community use unit to 7am to 11pm daily, limiting servicing hours and plant noise, and requiring details of extraction and ventilation equipment to be provided.
328. Policy P18 of the Southwark Plan 'Efficient use of land' states that development will be permitted which optimises land use, does not unreasonably compromise the development potential or legitimate activities on neighbouring sites, and provides adequate servicing facilities, circulation space and access to, from and through the site.

329. The proposed development would introduce a significant quantum of residential properties in close proximity to existing industrial uses and this has been considered in detail in the quality of accommodation section of the report, as it would have implications for both existing neighbouring uses and future occupiers of the development. Conditions have been included in the draft recommendation to ensure that the proposed dwellings would be adequately sound-proofed which would reduce the likelihood of noise complaints against existing businesses. It is noted that the site is allocated for redevelopment including residential uses in the Southwark Plan, and the proposed development would be consistent with this.
330. There would be a roof terrace of approximately 80sqm at 5th floor level on block D opposite 1-13 Parkhouse Street. It would be approximately 16.5m from the properties opposite and would sit well above their roof level. It would also sit well above the roof levels of proposed block C and the live/work units at the rear of 47 Southampton Way. However, it would still be quite a close relationship with block C therefore a condition preventing the terrace from being used before 8am and after 10pm has been included in the draft recommendation. The other terraces within the proposed development would not be in particularly close proximity to any residential uses.

Impact of the proposed buildings

Daylight and sunlight

331. Chapter 10 of the ES considers daylight, sunlight, overshadowing and light pollution and is informed by a daylight and sunlight report which is appended to the ES and is based on the BRE guidance on daylight and sunlight. Detailed testing has not been undertaken to assess the daylight and sunlight impacts during demolition and construction, on the basis that the greatest impacts would occur upon completion of the proposed development.
332. An objector has raised concerns that the daylight and sunlight information has not been updated to reflect the amended plans. As set out earlier in the report, a Statement of Conformity confirming that the amendments to the plans do not materially alter the conclusions of the original ES has been submitted and LUC has confirmed that it is acceptable. This is a common approach where amended plans are submitted for EIA development. Rather than amending the entire ES, its findings are reviewed and consideration is given as to whether its conclusions would be materially affected by the proposed amendments. As such the daylight and sunlight results outlined below represent a worst case scenario. The massing of proposed blocks B and I have been amended which would only have localised impacts upon 13 Parkhouse Street and potentially a small number of properties on Southampton Way and Cottage Green, where the impacts could be less than those stated. The amendments to the footprint of block C would reduce impacts upon accommodation at the rear of 47 Southampton Way.

Completed development

333. With regard to daylight, the following tests have been undertaken:

334. Vertical Sky Component (VSC) is the amount of skylight reaching a window expressed as a percentage. The guidance recommends that the windows of neighbouring properties achieve a VSC of at least 27%, and notes that if the VSC is reduced to no less than 0.8 times its former value (i.e. 20% reduction) following the construction of a development, then the reduction will not be noticeable.
335. No-Sky Line (NSL) is the area of a room at desk height that can see the sky. The guidance suggests that the NSL should not be reduced to less than 0.8 times its former value (i.e. no more than a 20% reduction). This is also known as daylight distribution.
336. Sunlight - Annual Probable Sunlight Hours (APSH). This should be considered for all windows facing within 90 degrees of due south (windows outside of this orientation do not receive direct sunlight in the UK). The guidance advises that windows should receive at least 25% APSH, with 5% of this total being enjoyed during the winter months. If a window receives less than 25% of the APSH or less than 5% of the APSH during winter, and is reduced to less than 0.8 times its former value during either period and has a reduction in sunlight received over the whole year of greater than 4%, then sunlight to the building may be adversely affected.
337. Of note is that paragraph 445 of the appeal decision states that 'a VSC of 27% may be hard to achieve and I consider that 20%, as discussed at the Inquiry, would be a more appropriate yardstick to follow in this case'. As such in designing the proposed development, a retained VSC of 20% has been targeted for the neighbouring buildings. The appeal decision is a material consideration in the determination of this application and should be taken into account. However, officers note the reference to 'in this case' means that this is specific to this site; it does not mean that 20% would necessarily be appropriate on other sites, which must be considered on their own merits and with regard to their unique circumstances.
338. For daylight, the ES considers the impacts upon the following neighbouring buildings:

Southampton Way – numbers 1-6 Claremont Villas, 23-47 (odds), 56, 60-64 (evens) 73, 75, 77, 79 and 33-47 (odds), Newman House
 Parkhouse Street - numbers 1-13 (odds), 37 and 39
 Wells Way - numbers 77-121 (odds)
 Cottage Green - numbers 1, 8-14 (evens) and Collingwood House
 Coleman Road – number 1

The ES also considers the impacts upon residential accommodation within the proposed developments at 21-23, 25-33 and 35-39 Parkhouse Street and this is considered further below.

339. The ES describes the impacts upon VSC, NSL and APSH as follows:

Scale of effect	Daylight criteria
Negligible	0 – 19.9% alteration (BRE compliant)
Minor	20-29.9% alteration
Moderate	30-39.9% alteration

Major	40% or greater alteration
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340. Owing to differences in the number of windows tested for the appeal scheme and the current application and differences in the way in which the results are expressed, it is difficult to make a direct comparison of BRE compliance between the two schemes. The figures given below therefore, give a broad indication but are not an exact comparison. It is noted however, that in general, heights across the proposed development have been reduced compared to the appeal scheme.
341. In summary, for the current proposal for VSC, of the 590 windows tested 529 (89.6%) would comply with the BRE guidance and as such would experience negligible effects. Under the appeal scheme 72% of the windows would have complied with the BRE guidance for VSC. If 20% is considered an appropriate VSC as per the appeal decision, the compliance rate for the proposed development would increase to 97.4% For NSL, 324 (89%) of the rooms tested would comply with the BRE guidance and for the appeal scheme the figure was 73%. For APSH of 134 of the rooms tested (94%) would comply with the BRE guidance, and for the appeal scheme the figure was also 94 although this related to windows rather than rooms.

Daylight

Southampton Way

342. The properties on Southampton Way are located to the north-west and south-west of the application site. Only two properties would experience impacts which would not comply with the BRE guidance, these being numbers 47 and 62 which are considered below. The impacts upon all of the other properties tested on Southampton Way would comply with the BRE guidance in relation to VSC and NSL.
343. 47 Southampton Way is one half of an attractive semi-detached pair which has been converted into four flats. It also has a 2-storey building at the rear, and the planning history suggests that it contains two live/work units on the ground floor and two residential units above, all granted under Lawful Development Certificates. The ground floor live/work units are likely to have a very poor quality outlook because they are single aspect facing onto the existing single-storey car wash building which extends right up to the boundary with number 47. The first floor residential accommodation looks out over the roof of the car wash and as such has a good level of outlook across Parkhouse Street.
344. Proposed block C would be 2-storeys high and would be located directly in front of these live/work and residential windows. The plans have been amended to increase the separation distance between block C and this neighbouring building from a range of 2.5m-5.5m to 3.1m-7m which would lessen the impact upon it. The amendments would bring block C within 7.7m of the rear of 45 Southampton Way as opposed to 9.5m on the plans which were originally submitted with this application but views and outlook from the three windows in the rear of this building would be towards the rear gardens of block C, with the building off to the left in the view.
345. Of the 25 windows tested, 18 would comply with the BRE guidance in relation to

VSC, with 15 experiencing improvements in their VSCs. Of the seven which would not comply, one would experience a minor adverse effect, two would experience a moderate adverse effect and four would experience a major adverse effect. The moderate and major effects would range from 35.6% to 57.8% VSC reductions. The affected windows would have retained VSCs ranging from 5.7% to 21.3% and it is noted that three windows would have retained VSCs above 20%. Also of note is that this would be an improvement on the appeal scheme which would have resulted in 11 windows experiencing major adverse effects.

346. For NSL at 47 Southampton Way, of the 14 rooms tested, two would not comply with the BRE guidance. One room would experience a minor adverse effect and the other a moderate adverse effect, with their NSLs being reduced by 22.1% and 35.2%. Of note is that 5 rooms would see improvements to their NSL as a result of the proposal.
347. The major adverse effects upon the residential and live/work units at the rear of 47 Southampton Way are noted. This harm must be weighed in the balance with all of the benefits and disbenefits of the proposal, including improvements to a number of windows within this building, When weighed in the balance, officers consider that the benefits would outweigh the harm cause to these four existing units in this instance.
348. One window at 62 Southampton Way would not comply with the BRE guidance in relation to VSC, as it would experience a 23.5% reduction which would be a minor adverse effect (the VSC would reduce from 11.5% to 8.8%). There would be no change to the NSL however, therefore overall the impact would be acceptable.

Parkhouse Street

349. The terrace formed by 1-13 Parkhouse Street contains flats on the ground floor and flats and maisonettes above. Proposed block A would be located at the rear of this terrace and would be approximately 0.5m taller than the equivalent block in the appeal scheme. The ES identifies that with the exception of number 13, all of the impacts would comply with the BRE guidance in relation to VSC and NSL. The ES identifies three windows in the side elevation of number 13 which would have been affected by an extension to block B. However, it is no longer proposed to extend block B therefore there would be no impact upon these windows. As such the impact upon this property would comply with the BRE guidance.
350. The impacts upon 37 and 39 Parkhouse Street would not comply with the BRE guidance. This is a pair of 1950s semi-detached properties which have been subdivided to form four self-contained flats and they would sit opposite proposed block F.
351. At number 37 two windows would experience major adverse effects for both VSC and NSL. A ground floor livingroom window would experience a 51.8% VSC reduction (with a retained VSC of 17.2%) and a NSL reduction of 60.9%. A second living room window would experience a 48.8% VSC reduction (with a retained VSC of 19%), and a NSL reduction of 56.1%.

352. At number 39 none of the windows tested would comply with the BRE guidance in relation to VSC and two rooms would not comply in relation to NSL, and these effects would be minor adverse and major adverse. The VSC reductions would range from 21.1% to 47.1%, with retained VSCs ranging from 18% to 21.8%. Two rooms would experience NSL reductions of 59.3% and 63.5%.
353. These significant adverse effects are noted, although these buildings currently look out onto an open car park and as such most of the windows at the front have high VSCs. The retained VSCs would not be significantly below the 20% which the Inspector considered would be acceptable, and the application site is allocated for redevelopment in the Southwark Plan. Block F would have a 6-storey shoulder height which would be consistent with guidance contained in the LDS, and it is also noted that planning application 19/AP/2011 which seeks to redevelop 35-39 Parkhouse Street proposes to demolish these dwellings, although this application is yet to be determined. In light of these factors, it is considered that the impacts upon these dwellings would not justify withholding planning permission.

Wells Way

354. These properties are located to the east of the application site, on the eastern side of Wells Way. They would sit directly opposite proposed block L. Of the 79 windows tested for VSC, 35 (44%) would comply with the BRE guidance and 44 (56%) would not, with 9 windows experiencing a minor effect, 23 experiencing a moderate effect, and 12 experiencing a major effect. For the windows experiencing moderate and major effects the VSC reductions would range from 31% to 45.8%, with resultant VSCs ranging from 19.2% to 26.1%. This is an improvement on the appeal scheme which saw 17 windows experiencing a major adverse effect, as opposed to 12 as a result of the current proposal. Moreover, the length of block L has been reduced during the course of the application, which would reduce the impacts upon the properties opposite.
355. For NSL, of the 59 rooms tested, 29 (49%) would comply with the BRE guidance and 30 (51%) would not, with 11 windows experiencing a minor effect, 8 experiencing a moderate effect, and 11 experiencing a major effect. The moderate and major effects would be reductions ranging from 30.3% to 63.4%.
356. Whilst the major effects to these properties are noted, this is partly because some of them sit opposite part of the application site which contains a low-rise building of less than 2-storeys in height and an open area of parking, therefore some of the existing properties have very high existing VSCs of up to 37.9%. The site is allocated for redevelopment in the Southwark Plan and block L which would sit opposite the Wells Way properties would be 4-storeys high which would be appropriate for this part of the site and would respect the 2-storey buildings opposite. Moreover, the vast majority of the windows would retain a VSC of at least 20% in line with the appeal decision.

Cottage Green

357. The only property on Cottage Green which would experience an effect which would not comply with the BRE guidance would be number 12 where one room

would experience a minor adverse effect in relation to NSL, which would be reduced by 28.7%. However, the windows to this room would comply in relation to VSC, therefore the impact would be acceptable.

Coleman Road

358. Number 1 Coleman Road has been tested and the impacts upon VSC and NSL would comply with the BRE guidance.

Sunlight

359. All of the properties tested on Southampton Way, Cottage Green (Collingwood House) and Coleman Road would comply with the BRE guidance relating to APSH.
360. On Parkhouse Street of the 38 rooms tested, 36 (94.7%) would comply with the BRE guidance. The two properties which would experience impacts which would not comply with the guidance are numbers 13 and 37 Parkhouse Street. At number 13 there is an open plan living space which is served by a number of windows, three of which have been tested for sunlight. For annual sun, one window would comply with the BRE guidance and the other two would experience APSH reductions of 22.7% and 36.4% (with retained APSH of 17% and 7%). Two of the windows would lose all of their winter sun, although they only receive 2% and 1% of winter sun at present, and the other window does not currently receive any winter sun.
361. At 37 Parkhouse Street one livingroom would experience a major adverse effect on its winter sun, with a reduction of 85.2%. It would however, retain 4% of the winter sunlight hours which would be just below the 5% recommended in the BRE guidance and it would retain 49% of the APSH, well in excess of the recommended 25%.
362. On Wells Way, of the 59 rooms tested, 51 (86.4%) would comply with the BRE guidance. Of the eight rooms which would not comply with the BRE guidance, one room within 77 Wells Way would not meet the guidance for winter sun, with a 55.6% reduction, but it would receive 4% winter sun against a target of 5% which would not be a significant shortfall. At numbers 81, 91 and 113 Wells Way, one room in each property would not meet the guidance in relation to annual sun, with reductions of 25%, 51.1% and 22.6% and retained APSH ranging from 21% to 24% which would not be significantly below the 25% target. Three rooms at 85, 89 and 93 Wells Way would not comply with the BRE guidance for winter or annual sun, with winter sun being reduced by between 55.6% to 80% (retained winter sun ranging from 2% to 4%) and annual sun being reduced by between 46.7% to 74.2% (retained annual sun ranging from 8% to 16%). These impacts range from minor to major in the ES.
363. The sunlight impacts to the properties outlined above are noted, particularly those to properties on Wells Way, some of which currently look out onto low rise buildings and an open area of car parking. The impacts upon these properties must be weighed in the balance with the other benefits and dis-benefits arising from the proposal. Officers consider that the harm arising would be outweighed by benefits including the regeneration of an ageing industrial estate, the provision

of high quality employment floorspace including affordable workspace, and the provision of new housing.

Overshadowing

364. The BRE guidance advises that for an amenity area to be adequately lit it should receive at least 2 hours sunlight over half of its area on the 21st March. If the area receiving 2 hours sunlight is reduced by more than 20% it is considered that the change may be noticeable.
365. The ES categorises the impacts upon sun hours on the ground as follows:

Scale and nature of effect	Numerical criteria on 21st March
Negligible	Over 50% of the area will receive 2 hours of sunlight or less than 20% alteration in area which receives 2 hours of direct sunlight
Minor adverse / beneficial	20-20.9% reduction or increase in area which receives 2 hours of direct sunlight (and below 50% retained area)
Moderate adverse / beneficial	30-39% reduction or increase in area which receives 2 hours of direct sunlight (and below 50% retained area)
Major adverse / beneficial	40% or more reduction or increase in area which receives 2 hours of direct sunlight (and below 50% retained area)

366. The following amenity areas have been tested within the ES:

Rear gardens of 1-13 Parkhouse Street
 Rear gardens of 77-113 Wells Way
 Playground to St George's Primary School
 45 and 47 Southampton Way
 Burgess Park (transient overshadowing - this is considered in the ecology section of this report)

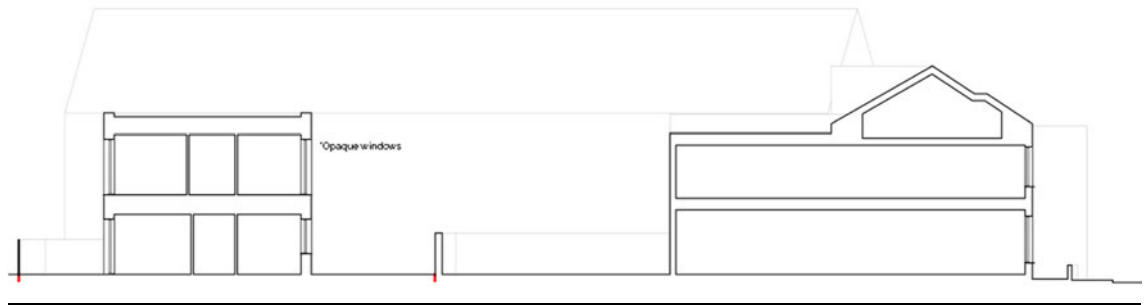
367. The impacts upon the rear gardens of 1-11 Parkhouse Street and St George's Primary School would comply with the BRE guidance, with no changes to the area of garden / playground which would receive more than 2 hours of sun on the ground. At 13 Parkhouse Street the area of the garden which would receive at least 2 hours of sun on the ground would reduce from 26% to 19%. This would equate to a 26.9% reduction which would be a minor adverse impact.
368. There are two front gardens to 37 and 39 Parkhouse Street and the overshadowing impacts upon them would comply with the BRE guidance. There do not appear to be any gardens at the rear of these properties, only a small courtyard area which is shaded by the buildings themselves owing to its location between the two projecting wings of the buildings.

369. Transient overshadowing studies shows a small improvement to outdoor space at rears of 45 and 47 Southampton Way, given that proposed block C would sit further away from these neighbouring buildings than the existing structures on this part of the site. The properties on Cottage Green sit to the south of the site and as such would not be affected by overshadowing from the development.

Privacy and overlooking

370. Southampton Way – There would be a window-to-window separation distance of 15- 17m between first floor windows in the side elevation of proposed block A and windows at the rear of 29 and 31 Southampton Way. A condition for obscure glazing is therefore recommended.
371. Block C would replace a series of existing one and two storey structures and would sit at the rear of 45 Southampton Way and in front of the 2-storey live/work building at the rear of 47 Southampton Way.
372. No windows are shown in the side elevation of block C facing number 45. There would be a minimum separation distance of approximately 3.8m between windows at the rear of block C and existing windows in the live/work building. At ground floor level boundary treatment would screen any views, but it would be more problematic at first floor level. A condition is therefore recommended requiring a detailed study showing the first floor window positions in the building at the rear so that the relationship can be properly considered, together with details of any required privacy devices such as directional screens to prevent direct overlooking.
373. Whilst block C would have a close relationship with its immediate neighbours, the existing buildings on the site are a series of rather ramshackle structures, predominantly with corrugated metal roofs and of an untidy and unsightly appearance. The proposal would result in a much more tidy, uniform appearance with an attractive new building on the site. When considered in the round, the relationship between the two buildings is considered to be acceptable.
374. There would be a separation distance of approximately 32m between windows in the side elevation of block I and windows in the rears of 73-79 Southampton Way, therefore no loss of privacy would occur.
375. 1-13 Parkhouse Street - There would be a minimum separation distance of 15.5m between the rear of these properties and the houses in proposed block A, slightly less than the 16.1m separation distance for the appeal scheme. The ground floor windows would not cause any direct overlooking due to existing boundary treatment at the rear of the Parkhouse Street terrace, and any upwards views would be oblique. There could be overlooking between the first floor windows therefore a condition requiring details of privacy devices to be employed on block A is recommended. This would only need to apply to three of the dwellings, because the dwelling at the rear of number 1 Parkhouse Street would achieve a separation distance of approximately 22m which would comply with the Residential Design Standards SPD.

Proposed section showing relationship between block A and 11 Parkhouse Street



376. Following amendments to the plans, the existing commercial building on the northern part of the site would be retained in class E use and would become block B. The building would largely remain as is, save for internal modifications and new rooflights along the eastern elevation. The rooflights would provide upwards only views and do not raise any privacy concerns. There would be a separation distance of approximately 13m between block C and 1-13 Parkhouse Street which would exceed the 12m recommended in the Residential Design Standards SPD where properties face each other across a street.
377. At 37 and 39 Parkhouse Street there would be a minimum of approximately 16m to block G, which would comply with the Residential Design Standards SPD.
378. Wells Way - There would be a minimum of 15m between windows within the proposed development and the properties on Wells Way. This would exceed the 12m recommended in the Residential Design Standards SPD where properties face each other across a street.
379. Cottage Green - The closest property on Cottage Green would be approximately 57m from windows at the rear of proposed block I and as such no loss of privacy would occur.

Impact upon neighbouring development proposals

380. As set out earlier in the report there are three proposed developments on Parkhouse Street which would contain residential accommodation. The ES has considered the potential daylight, sunlight and overshadowing impacts upon these developments and officers have assessed any likely privacy impacts. For daylight, the ES used vertical sky component. However, as these only assess light to a single point in the very centre of a window, officers requested that average daylight factor testing be carried out. The room layouts and uses of the proposed developments are available in the public domain, and this approach is in accordance with the BRE guidance. There is also a fourth proposed development at the scaffold yard site. This is not considered in the ES because the ES had already been prepared by the time the scaffold yard application was submitted, but officers have considered the impact upon this proposed development later in the report. The image below shows the layout of these four neighbouring proposed developments in relation to the development proposed

on the application site.

Plan showing location of neighbouring proposed developments



21-23 Parkhouse Street

381. This site contains a vacant warehouse building and is subject to a redevelopment proposal under planning permission reference 19/AP/0469 (granted on 14.4.2022) for employment space and residential units. It would be in the form of two blocks, with commercial space in the block fronting Parkhouse Street (block A) and ground floor commercial and upper floor residential units in the block at the rear (block B) as shown on the image above.
382. There would be a minimum separation distance of approximately 17m between residential windows in proposed block D and the commercial block in the proposed development at 21-23 Parkhouse Street which would comply with the Residential design standards SPD. As such the relationship of the two proposed buildings facing each other across Parkhouse Street is considered to be acceptable.
383. With regard to daylight, the residential block within this proposed neighbouring development would be next to the park, and therefore set back from Parkhouse Street meaning that it would be less impacted by the proposed development on the application site.
384. Two windows serving dual aspect, open plan living spaces within this neighbouring proposed development would experience VSC reductions.

However, they would still have ADFs of 2.6% and 3.6% and as such would receive good levels of daylight. Two further open plan living spaces which would be at first floor level within this neighbouring proposed development would experience ADF reductions of 0.1%, resulting in a 1.3% ADF for one of the rooms and 1.5% for the other. Whilst short of the 2% recommendation, these daylight levels are considered to be acceptable given that this area is allocated for redevelopment with an expectation of higher densities. One single-aspect kitchen within this neighbouring proposed development would experience a NSL reduction of 22.8% which would not be significant compared to the BRE recommendation of no more than 20%.

385. With regard to sunlight, one window serving an open plan living space would see its annual sunlight reduced from 13% to 5%. However, the room would be served by two other windows which would receive 43% and 44% APSH and overall the room would be well sunlit. The affected window would comply with the BRE guidance in relation to winter sun.
386. With regard to overshadowing, the communal amenity space for this neighbouring proposed development would be located at 7th floor level on the western side of block B. The majority of this space would continue to receive more than 2 hours of sun on the ground following the completion of the proposed development.

25-33 Parkhouse Street

387. This site contains a warehouse building which is in storage and distribution use and is subject to a redevelopment proposal under planning permission reference 20/AP/0858 (granted 27.5.2022). This is for employment space and residential units.
388. With regard to privacy, there would be a 16.4m separation distance between residential units in the two proposed developments facing each other across Parkhouse Street; this would exceed the 12m recommended in the Residential Design Standards SPD where properties face each other across a street.
389. With regard to daylight, 39 windows within this development would have VSC reductions; 18 of these would serve livingrooms and open plan living spaces and they would have ADF levels which would exceed the BRE guidance. The remaining 21 windows would serve bedrooms, 17 of which would have ADF levels in excess of the BRE guidance and the remaining bedrooms would have ADFs ranging from 0.7% to 0.8% which would not be significantly below the BRE recommendation of 1%. For NSL, 22 rooms would experience reductions ranging from 21% to 91.7%. Of note is that 16 of these would serve bedrooms which can be considered less sensitive in relation to daylight. The remaining rooms would be livingrooms which would all comply with the BRE guidance for ADF.
390. For sunlight, 7 single-aspect bedrooms would not meet the BRE recommendations for APSH, with the retained APSH ranging from 14% to 18% against a target of 25%. Six of these windows would also see reductions in winter sun. The reductions would range from 46.7% to 100% and the resultant winter sun which they would receive would range from 0% to 4% against a target of 5%.

391. The proposed development on this neighbouring site includes an area of public realm and playspace along its boundary with number 21-23. Overshadowing studies show that the proposed development on the application site would result in a reduction in the area receiving two hours of sun on the ground in the green link from 65% to 50% in line with the BRE guidance. Two roof terraces proposed within this neighbouring development would not experience any overshadowing as a result of the proposal.

35-39 Parkhouse Street

392. As stated this site currently contains a warehouse building and 37 and 39 Parkhouse Street which contain 4 flats in total. The impact upon these flats has been considered earlier in the report. The site is subject to a redevelopment proposal for employment space and residential units, and this application is still under consideration (reference: 19/AP/2011).
393. With regard to privacy, there would be a minimum separation distance of approximately 13m between residential windows which would face each other across the street and this would comply with the Residential Design Standards SPD.
394. With regard to daylight, 61 windows would experience VSC reductions. Of these, 39 would serve bedrooms which would meet the BRE recommendation for ADF. The remaining 22 windows would serve open plan living spaces and without the proposed development in place they would have ADFs ranging from 1.1% to 1.9% due to their recessed position within the proposed building. With the proposed development in place, the ADFs would range from 0.2% to 1.4%. For NSL, 26 rooms would experience reductions, 9 of which would be bedrooms which are considered to be less sensitive to daylight, although they would meet the BRE criteria for ADF. The remaining open plan living spaces would experience NSL reductions ranging from 21.7% to 90.7%.
395. With regard to sunlight, 12 open plan living spaces would not comply with the BRE guidance for APSH or winter sun, although 11 of them would not comply for APSH even without the proposed development in place. The remaining one would comply with the BRE guidance for winter sun, and would have annual sun of 12%. A further three bedrooms would comply with the BRE guidance in relation to APSH, but would not comply in relation to winter sun, with winter sun ranging from 2% to 3%. There would be no overshadowing to two roof terraces within this development as a result of the proposal.
396. Whilst the daylight and sunlight impacts to the proposed developments at 25-33 and 35-39 Parkhouse Street are noted, the consented flats on these sites would be due south-facing and would currently look out onto an open area of parking on the application site. As such they would receive very high levels of daylight and sunlight for a dense urban location. This open area of parking would be replaced by new buildings and the orientation of the sites is such that it is inevitable that development on the application site would cause some loss of light and shadowing to the neighbouring sites to the north. However, the proposed heights along Parkhouse Street would align with the LDS guidance, and the blocks would be set back from the site boundary to allow the pavement widths to

be increased. Overall it is considered that this relationship would be acceptable.

5-7 Cottage Green and 69 Southampton Way

397. This is the scaffold yard site and applications for planning permission and listed building consent to redevelop it have been submitted (references: 21/AP/1254 and 21/AP/1255). The proposal is for class E and F floorspace and residential units in two separate blocks, block A fronting Southampton Way and block B fronting Cottage Green. There would be a separation distance of approximately 16m to the block A fronting Southampton Way and secondary windows in the side of block I, and 18m to windows to block B fronting Cottage Green and windows in the rear of block I, although the windows would be off-set from each other, with no direct views. Whilst this would be below the 21m recommended in the Residential Design Standards SPD, the distances are considered to be sufficient to provide a good level of privacy between the dwellings, and it is noted that there would be a new route through to Southampton Way connecting these new developments, so the rear of proposed block A on the scaffold yard site would not be particularly enclosed in any event.
398. The ES does not consider impacts upon daylight and sunlight to this neighbouring proposed development because the ES was completed before the neighbouring application was submitted. However, some testing has been carried out as part of the application for the scaffold yard site, and some additional testing has been undertaken following a request from officers. The proposed development on the scaffold yard site would result in some minor reductions of 30% in VSC to some windows in block I on the application site. This would only marginally transgress the BRE guidance and is considered to be acceptable. With the development on the Burgess Business Park site in place, the proposed flats on the scaffold yard site would still receive good levels of daylight and sunlight as set out below.
399. For block A of the scaffold yard site which would front Southampton Way, 26 of the 36 rooms (72.2%) tested for ADF would meet BRE's criteria. Three of the rooms which would not meet the criteria would be bedrooms, which would only be 0.1-0.2% below BRE's recommended ADF target. A further six rooms falling short of BRE's criteria would be LKDs; three of these would not meet the BRE criteria in the existing condition with ADFs ranging from 0.8% to 1.8%, which would reduce to 0.7% to 1.3% with the proposed development in place. The remaining three which would meet the BRE criteria in the existing condition would be located in a constrained location on the north eastern elevation, retaining ADFs of 1.3%, 1.4% and 1.9%. The final room seeing below the BRE's recommended ADF target is a fifth storey kitchen which would be situated beneath a balcony and would retain an ADF of 1.5% ADF. Overall these daylight levels are considered to be acceptable.
400. For block B within the scaffold yard site 16 of the 19 rooms (84.2%) tested for ADF would meet BRE's criteria. The three rooms which fall short would serve LKDs which would see a loss of 0.1% ADF, retaining ADFs of 1-1.2%. These reductions are not considered to be significant and it is noted that in the existing condition these three LKDs would not meet the BRE target.
401. Light pollution – Chapter 10 of the ES sets out how light pollution effects would only be experienced upon the completion and operation of the class E and F

floorspace. It does note however, the potential for temporary effects during demolition and construction, but predicts that these are unlikely to be noticeable.

402. The ES assesses the potential for light pollution to existing properties at 1-13 Parkhouse Street (odds), 35-43 and 45-47 Southampton Way (odds), 13-69 Wells Way (odds), the three proposed developments on Parkhouse Street, and Burgess Park; the impact upon Burgess Park is considered earlier in the report in relation to ecology.
403. The ES predicts that the proposed development would not result in any significant light pollution effects to the properties outlined above.

Conclusion on amenity impacts

404. To conclude, it is recognised that there would be some adverse impacts upon some of the neighbouring residential properties in terms of daylight and sunlight. However, these would be much reduced compared to the appeal scheme owing to the reduction in most of the building heights across the development. Along Wells Way the impacts would be greater because these buildings currently look out onto low rise buildings and open areas of parking. However, for the most part the retained VSCs would be reasonably high and the site is allocated for redevelopment, at higher densities, in the Southwark Plan.
405. Daylight and sunlight is only one element of amenity, and the existing neighbouring buildings would benefit from improved outlook over well-designed new buildings rather than the existing, rather run down industrial estate. They would also benefit from the proposed retail and community space, new routes through the site and new play provision including the Garden Street. The daylight and sunlight impacts must be weighed in the balance with all of the other positive and negative impacts of the proposal and given the significant positive impacts which would arise, officers consider that the benefits would outweigh the harm in this instance, and that impact upon amenity would not be sufficient to withhold planning permission.
406. Overall, for the reasons set out above it is considered that the proposed development would not result in any unacceptable loss of amenity to neighbouring properties or compromise the continued use of the neighbouring industrial units. It is also concluded that there would be no significant adverse impacts upon the quality of residential accommodation which is proposed on some of the neighbouring sites. The applicants have collaborated, facilitated by the LDS, to ensure that each development site should be capable of providing a high standard of residential accommodation, and no objections have been received from the developers for the neighbouring sites.

Noise and vibration

407. Noise and vibration is considered in chapter 8 of the ES which takes into account impacts from demolition and construction activities, and from the completed and operational development.

Demolition and construction

408. With mitigation measures in place, the ES predicts that demolition and construction work would result in adverse, direct, temporary and irreversible effects of a moderate scale. No significant effects are anticipated in relation to vibration. The ES recommends that a construction management plan and construction logistics plan be required, and a condition to secure this (construction management and logistics combined) has been included in the draft recommendation.
409. Concerns have been raised by neighbouring residents regarding noise and disturbance during construction, including the potential for working on Saturday mornings. An outline construction logistics plan submitted with the application gives the construction hours as 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays. The weekday hours would align with the Council's standard construction hours, but on Saturdays work hours should be from 9am to 2pm and this would be secured by way of a condition. No work is permitted on Sundays or Bank Holidays.

Completed development

410. The suitability of the site for residential use and necessary mitigation has been considered in the 'Quality of accommodation' section of this report. Noise from the completed development would emanate from plant, the proposed class E and F uses and servicing activities, and conditions to help to mitigate this has been included in the draft recommendation. With mitigation measures in place the ES predicts that there would be no likely significant noise and vibration effects.

Transport

411. The appeal scheme comprised 499 residential units and 3,981sqm of class E and F floorspace. The Inspector concluded that, subject to mitigation, the transport impacts of that development would have been acceptable. The proposal now before Members would provide 375 residential units and 5,230sqm of class E and F floorspace. For the reasons set out below, it is concluded that the transport impacts of the proposed development would be acceptable.
412. The development would provide 14 accessible parking spaces at various locations across the site, and all servicing would take place from within the site. The proposal would result in additional vehicle trips, details of which are set out below, but these would not have an adverse impact on the highway network. Neighbouring residents have raised a number of transport related concerns including lack of car and cycle parking, impact upon public transport, and increased traffic on the surrounding roads.
413. The transport policies of the 2021 London Plan are set out in chapter 10 and seek to ensure sustainable modes of travel, with more journeys made by walking and cycling and the delivery of healthy streets. Policy T4 requires the transport impacts of proposals to be assessed and mitigated, and cycle and car parking requirements are set out in policies T5, T6, T6.1 and T6.5. Policy T7 relates to deliveries, servicing and construction and requires development proposals to

facilitate safe, clean, and efficient deliveries and servicing. Policy P50 of the Southwark Plan relates to highways impacts.

414. The site has a public transport accessibility level (PTAL) ranging from 2 (low) to 4 (medium). Most of the site has a low PTAL, but the western part of the site where blocks A, B, C and 45 Southampton Way are situated has a PTAL of 4. The site is within the East Camberwell Controlled Parking Zone (CPZ) and there are a number of on-street parking spaces for permit holders or for pay and display. It is approximately 480 metres to the numerous bus routes on the A215 Camberwell Road and there are bus stops outside the site on Wells Way serving routes 343 and 136. It is approximately 2.4km to Elephant and Castle train/tube station. There are currently around 50 car parking spaces on the site.

Demolition and construction

415. The ES predicts that during the peak construction period in 2023 there would be 20 construction vehicles per hour, 10 going into the site and 10 coming out, and a maximum of 114 HGV movements per day (57 vehicles in and 57 vehicles out); there would be a general policy of not providing any parking for construction workers on the site. The highest increase in vehicle movements would be along Parkhouse Street, Southampton Way and Wells Way which could experience 10 x 2-way HGV movements per hour, but the ES predicts that this would have a negligible impact upon pedestrians. The outline construction logistics plan submitted with the application sets out ways in which the construction process would be managed, including construction vehicle routes to be agreed with the Council, the pre-booking of deliveries to the site, and consolidating vehicle trips. With mitigation in place the ES predicts that there would be no significant transport impacts during demolition and construction. The outline construction logistics plan has been reviewed by the Council's Transport Policy Team and a more detailed plan is required, which would be secured by way of a condition.

Completed development

416. Healthy streets assessment – Policy T2 of the London Plan requires development proposals to demonstrate how they would deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance, how they would reduce the dominance of vehicles on London's streets whether stationary or moving, and how they would be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport. The table below is based on a similar table within the applicant's TA.

Healthy streets criteria

- | Indicator | Response to indicator |
|------------------------------------|---|
| Pedestrians from all walks of life | Restricted vehicular access for refuse collection and some deliveries only;

Pedestrian only Garden Street; |
| Easy to cross | A scheme of highway works would be secured, including the provision of a raised |

	pedestrian table. The proposed development would provide new connections across the site.
People choose to walk, cycle and use public transport	The proposal would improve the pedestrian environment along Parkhouse Street and would provide attractive landscaping and a pedestrian only Garden Street. Cycle parking would be provided in accordance with the London Plan and Southwark Plan standards.
Places to stop and rest	Seating areas would be incorporated into the landscaping and play areas within the site would be publically accessible
Clean air	The only parking which would be provided would be 14 accessible parking spaces. Future occupiers would be prevented from obtaining parking permits which would encourage alternative modes of travel.
Shade and shelter	The Garden Street and Garden Square would provide landscaping to create shade and shelter.
People feel safe	Active frontages and sensitively-lit routes would ensure that natural surveillance occurs.
People feel relaxed	The proposal would deliver wider pavements with street trees on Parkhouse Streets and active uses along the Mews and Garden Square. The Garden Square and Garden Street would be pleasant environments for walking.
Not too noisy	Servicing vehicles would only be able to access certain parts of the site. The commercial units would be designed to ensure that no unacceptable noise outbreak would occur.
Things to see and do	Burgess Park is located to the north of the site which provides a lake, sports facilities, tennis courts and BMX track.

418. Transport for London (TfL) has requested that the applicant identifies and assesses routes to other local facilities that are within walking distance of the site, including the nearest place of worship. The nearest place of worship is understood to be the church on Cottage Green. There are local shops to the south-east of the site, a minimum of approximately 310m away. It is recommended that the s106 agreement secures repaving around the perimeter of the site on Parkhouse Street and Wells Way. This would improve the environment for pedestrians and would be proportionate to the scale of the development.
419. Access and servicing – Pedestrian and cyclist access to blocks A and B would be from Parkhouse Street and via an existing haulingway between 33 and 35 Southampton Way. On the larger, southern part of the site the Garden Street would be for pedestrians only, except for emergency vehicles. Cyclists would be expected to dismount when using this street. From the Garden Street the proposed layout would allow for a pedestrian connection to Southampton Way next to the Big Yellow storage facility, and the Garden Square at the heart of the development would provide pedestrian access onto Parkhouse Street. TfL has requested a contribution of £20k for Legible London signage to assist with wayfinding, and this would be secured through the s106 agreement. TfL has also requested a condition for a management plan setting out details of how the routes within the site would be designed in accordance with the Mayor's Healthy Streets approach to ensure a safe walking and cycling environment, and this has been included in the draft recommendation.
420. Pavement widths around the edges of the site would be at least 2.4m and whilst Transport for London (TfL) has requested 2.5m, 2.4m would comply with the Council's Streetscape Design Manual. The only area which would not achieve this width would be outside block C where the existing pavement is currently 1.2m wide. In order to allow for some defensible space outside this block the pavement width would gradually increase from the existing 1.2m to 2.4m moving west to east along Parkhouse Street, and the Council's Highways Development Management Team has confirmed that this would be acceptable. On Wells Way it would be necessary to adjust the position of the bus stop to ensure a clear 2.4m wide pavement behind it, and TfL has advised that the bus stop should be replaced in any event; a clause to secure this has been included in the draft recommendation, including the potential provision of a contribution towards providing countdown facilities at the bus stop.
421. Concerns have been raised in response to public consultation on the application that the proposal would build upon the existing pavement along Wells Way making it narrower, and that the wide pavement in this location is also used by cyclists. Officers have liaised with the Council's Development Management Team and it has been confirmed that the cycle route along Wells Way (LN23) is an on-road cycle route. The pavement is wide in this location but the western part of the pavement is within the applicant's ownership. As such there are no objections to the position of proposed block L, because an adequate footway width along Wells Way would remain.
422. An outline Delivery and Servicing Plan has been submitted with the application. It originally showed two new loading bays on Parkhouse Street, outside proposed blocks F and G and these have subsequently been omitted at the request of the

Council's Highways Development Management Team. All of the servicing would now take place from within the site.

423. Blocks A and B would be serviced from a courtyard area between the two buildings and vehicles could enter and exit the site in a forward gear. On the larger part of the site there would be a new vehicular route along the south-eastern and south-western boundaries of the site. Servicing vehicles and refuse trucks would enter from Parkhouse Street, travel south and east through the site and exit onto Wells Way via a double height haulingway between blocks K and L. A condition is recommended requiring details to demonstrate the method of ensuring that this would operate as a one-way route. This route would also provide access to 9 accessible car parking spaces. The route would be at least 4.5m wide which would be sufficient for a vehicle to stop and load / unload, and a car to pass. There would be dedicated loading areas for refuse collection along this route, and whilst it would be a shared surface, a small upstand would be provided along a footway area to identify where pedestrians would be expected. Planting next to vehicular entrances off Parkhouse Street would need to be kept below 600mm in height in order to maintain adequate visibility, and this would be secured by way of a condition.
424. There would also be a loading area in the Mews, and the only vehicles which would be permitted to use this route would be servicing and delivery vehicles. This street would operate as a one-way route, with vehicles entering from Parkhouse Street, travelling along the Mews, then turning right to travel a short distance across the northern part of the Garden Square, and exiting left further along Parkhouse Street. An accessible parking space shown next to block D would need to be relocated because tracking diagrams show this space being accessed from the north near to block B. This means drivers would be travelling in the opposite direction to the servicing vehicles coming from the Mews. A condition to relocate this space has therefore been included in the draft recommendation.

Proposed servicing routes



425. The vehicular accesses onto and off the site would be controlled by automatic bollards connected to a concierge. The bollards would be set at least 6m back to allow vehicles to wait within the site, and a condition to determine their final position has been included in the draft recommendation. The provision of a servicing route around the edges of the site is considered to be a significant improvement on the appeal scheme, which would allow the Garden Street to be fully pedestrianised, save for emergency vehicle access. The appeal scheme proposed a number of servicing vehicles travelling along the equivalent of the Garden Street and Garden Square.
426. Refuse and recycling stores would be provided at various locations across the site, and would comply with the Council's guidance in respect of the amount of refuse / recycling storage required for the residential units. There would be an on-site management team and for block A and they would transfer the individual bins to a shared store for blocks A and B on collection day. The refuse stores have been amended to address comments from the Council's Waste Management Team and overall the arrangements are considered to be acceptable. A planning obligation requiring all of the new vehicle routes within the development to be constructed to adoptable standards is recommended.
427. Vehicle swept paths for refuse vehicles and 10m rigid vehicles have been provided which demonstrate that they could enter and exit the site in a forward gear, including on the northern part of the site where blocks A and B would be located. Following an amendment to one of the plans, the Council's Highways Development Management Plan is now satisfied that the vehicle swept paths and access arrangements would be acceptable.
428. The outline Delivery and Servicing Plan (DSP) states that an on-site facilities management team would manage and monitor the use of the servicing areas and vehicles wishing to access these areas would need to notify the management team via intercom. There would be an on-site concierge available 24/7 who could take receipt of deliveries on behalf of residents and store them in a delivery storage area, and potentially a booking system for deliveries to the class E and F floorspace. A condition requiring a full DSP has been included in the draft recommendation, which includes limiting servicing hours to 8am to 8pm Monday to Saturday. This would provide a broad timeframe for deliveries to take place, but would also protect the amenities of future residential occupiers.
429. Trip generation - The ES predicts that the completed development would result in a small reduction in vehicle trips compared to the existing situation. However, the Council's transport officers consider that vehicle trips would increase. Officers' own assessment suggests that there would be 20 and 27 net additional two-way vehicle movements in the morning and evening peak hours respectively. However, officers consider that 83 x 2-way servicing trips would occur, which is significantly less than the 225 predicted by the applicant. Servicing would be via a mix of heavy and light goods vehicles, but predominantly cars and vans of up to 3.5 tonnes. Even taking into account likely vehicle movements from other committed developments in the locality, it is considered that these would not have any noticeable adverse impact on existing vehicular traffic on the surrounding roads. TfL has commented that the proportion of vehicle trips from the residential uses would be expected to be lower than predicted owing to no parking being provided on site, except for accessible parking. Of note is that a number of travel

plan measures are proposed to reduce vehicle trips, and these are considered later in the report.

430. Public transport trips –The TA predicts that during the morning peak the proposal could generate 101 underground / rail trips and 166 in the evening peak which would not have a significant impact upon the existing capacity. Network Rail has no objection to the application, but notes the wish to work with local authorities to increase capacity in the future. On the buses there could be 164 additional trips during the morning peak and 249 during the evening peak and concerns have been raised by neighbouring residents that this would make the buses overcrowded.
431. The impact upon buses falls within the remit of TfL which has reviewed the application and advised that the bus routes operating along Wells Way were running at capacity during peak times before the Covid 19 pandemic. TfL has therefore sought a contribution of £475,000 towards additional bus capacity which would be secured through the s106 agreement.
432. Cycle parking – There would be a total of 833 cycle parking spaces with the development which would meet the London Plan and Southwark Plan requirements. This would comprise 759 long-stay spaces and 74 short-stay spaces.
433. Commercial and residential cycle parking would be segregated and provided in a number of stores across the site, and 20% of all long-stay cycle parking would be in the form of Sheffield stands. TfL has raised some specific concerns including regarding the spacing of some of the stands and that there is no provision for accessible and cargo bike parking; a condition to address this has therefore been included in the draft recommendation. The cycle stores would be sheltered and secure, and conveniently located. A condition requiring details of changing and showering facilities for the class E floorspace space to be submitted for approval has also been included in the draft recommendation.
434. The TfL cycle hire scheme does not currently extend into the area, although TfL are seeking to expand it and a contribution of £220,000 towards this would be secured through the s106 agreement. This would be in accordance with policy P53 of the Southwark Plan. If the scheme is extended into the area prior to the occupation of the development, the s106 agreement would also secure 2 years free cycle hire business accounts for commercial occupiers and 2 years free cycle hire membership per household for the residential units.
435. Parking – With the exception of 14 wheelchair accessible car parking spaces which are considered below, the development would be car-free. Concerns have been raised in response to public consultation on the application that the lack of any parking for the employment space would exclude businesses which have a vehicle. Whilst this is noted, parking standards within the Southwark Plan operate as maximums in order to encourage sustainable modes of travel. Space would be provided within the development for servicing of the development to take place from within the site.
436. As the site is located in a CPZ, a planning obligation preventing future occupiers of the development from being able to obtain parking permits is recommended.

As stated above, a number of measures to encourage sustainable modes of travel are proposed, and these are set out later in the report. There would be six motorcycle parking spaces, two near block A and four within the main part of the site. TfL has commented that with these spaces included the development would not be genuinely car free, as these spaces would encourage non-sustainable modes of travel to the site. A condition requiring the removal of these spaces has therefore been included in the draft recommendation.

437. Policy P54 of the Southwark Plan 'Car parking' requires developments to provide a minimum of three years free membership, per eligible adult who is the primary occupier of the development, to a car club if a car club bay is located within 850m of the development, and / or contribute towards the provision of new car club bays proportionate to the size and scale of the development if it creates 80 units or more. The submission advises that the proposed development would deliver two car club spaces and although they are not shown on the plans, the site is large enough to accommodate them. This would be in addition to the provision of three years membership for every eligible adult living within the development and for each of the businesses, which could include van hire and this would be secured in the s106 agreement. As set out below, a contribution to increase bus capacity would also be provided.
438. Accessible car parking – Policy T6.1 'Residential parking' of the 2021 London Plan requires 10% accessible car parking spaces, with 3% to be provided from the outset and details of how the remaining 7% could be provided to be set out in a Parking Design and Management Plan. Policy P55 of the Southwark Plan requires accessible car parking spaces up to a maximum of one car parking space per wheelchair accessible unit.
439. There would be 13 accessible parking spaces to serve the residential units and one for the commercial space. For the residential units this would equate to 3.4% provision (based on the total number of units); this would meet the London Plan requirement for the provision of accessible spaces from the outset. It would equate to 3.8% provision for the wheelchair accessible dwellings and this would not exceed the Southwark Plan maximum of one space per wheelchair accessible unit. The spaces would be located next to blocks A and B and at the rears of blocks E, I and J. A condition requiring a Parking Design and Management Plan has been included in the draft recommendation which would need to provide details of the remaining 6.6%, some of which could be provided on-street which would be permissible under the London Plan. The parking spaces would be fitted with electric vehicle charging points which would also be secured by way of condition, including a requirement for the charging points to be active and ready for use from the outset.
440. Travel plan – A Residential Travel Plan and a Site-Wide Framework Travel Plan for the non-residential uses have been submitted which set out measures which would be implemented to encourage sustainable modes of travel by residents living at the site and people working at and visiting the site. This includes the appointment of a travel plan coordinator, travel packs and cycling/public transport promotional materials. The draft travel plan sets targets for increasing sustainable modes of travel which would be monitored for progress, and the travel plan would be secured by way of a condition. Measures including car club membership and cycle parking would also be secured through conditions and

planning obligations.

441. The ES concludes that subject to mitigation through construction management and logistics plans, there would be no significant traffic or transport effects arising from the construction or operation of the development and officers concur with this assessment. The proposal would not result in any significant adverse impacts by way of traffic generation, and all servicing would take place from within the site. The cycle parking arrangements would be acceptable subject to a condition for cargo bike and accessible cycle parking, and planning obligations would secure contributions towards various transport measures including improvements to bus facilities, the cycle hire scheme, the provision of car club membership and preventing future occupiers from being able to obtain parking permits in the surrounding CPZ. Overall the transport impacts of the proposed development are considered to be acceptable.

Air quality

442. The site sits within an air quality management area. Policy SI1 of the London Plan 'Improving Air Quality' seeks to minimise the impact of development on air quality and sets a number of requirements including minimising exposure to existing poor air quality, reducing emissions from the demolition and construction of buildings, being at least 'air quality neutral', and not leading to a deterioration in air quality. Policy P65 of the Southwark Plan 'Air quality' requires development to achieve or exceed air quality neutral standards. It states that any shortfall in air quality standards on site must be secured of site through planning obligations or as a financial contribution.
443. The impact upon air quality is considered in chapter 9 of the ES. It considers impacts upon surrounding receptors, together with impacts upon future occupiers of the site. Concerns have been raised by neighbouring residents regarding increased pollution as a result of the proposed development.

Demolition and construction

444. Demolition and construction activities would result in emissions from construction vehicles and plant, and dust which would impact upon air quality. Measures to reduce this would be secured in a construction management plan including dust suppression measures, damping down of materials and the use of wheel washing facilities and a condition for a construction management plan has been included in the draft recommendation. The ES concludes that following mitigation measures, the demolition and construction impacts upon air quality would result in an adverse local impact of medium term duration which would not be significant.

Completed development

445. The ES advises that air quality impacts upon existing occupiers and future occupiers of the proposed development could arise from road traffic and an emergency generator in block H which would be powered by diesel; further details of the back-up generator including its specification and details of its extract flue should be secured by way of a condition. The ES concludes that the

completed development would not result in any significant air quality effects to existing receptors and that air quality for future residents within the development would be acceptable. The residential and non-residential units would incorporate a mechanically ventilated heat recovery (MVHR) system and the residential units would have openable windows.

446. An assessment has been submitted which demonstrates that the development would be air quality neutral. This has been verified by officers in the Transport Policy Team given that officers consider that there would be a different number of vehicle trips than those predicted by the applicant.

Ground conditions and contamination

447. Policy E7 of the London Plan requires consideration to be given to mitigating the potential for contamination on sites where residential uses are proposed alongside industrial uses.
448. A Phase 1 Land Contamination Assessment has been submitted which advises that contamination is likely to be present on the site owing to its existing industrial nature and historical uses. The report has been reviewed by EPT and Environment Agency and a condition for further contamination investigations and remediation has been included in the draft recommendation, together with a condition requiring an asbestos survey to be undertaken.
449. The area was extensively bombed during WWII therefore the potential exists for unexploded ordnance (UXO) to be found during construction works. The submission advises that a preliminary UXO assessment would be necessary prior to any intrusive investigation, and an informative to this effect is recommended.

Flood risk and drainage

450. Policy SI 12 of the London Plan 'Flood risk management' states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy P68 of the Southwark Plan 'Reducing flood risk' states that development must not increase flood risk on or off site and sets out the requirements for achieving this. This includes that finished floor levels are set no lower than 300mm above the predicted maximum water level where they are located within an area at risk of flooding. Concerns have been raised that the application material assesses the site as having a low risk of surface water flooding due to its topography, whilst the Council's maps show that part of the site is affected by both groundwater and surface water flooding.
451. The site is located in Flood Zone 3 as identified by the Environment Agency flood map, which indicates a high probability of flooding. Paragraph 159 of the NPPF advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. In line with the NPPF, the Council has a Strategic Flood Risk Assessment which acknowledges that development within flood zone 3 is

required, and is allowed with the application of the Exception Test set out the NPPF.

452. Paragraph 163 of the NPPF states that the need for the exception test will depend on the potential vulnerability of the site and of the proposed development, in line with the Flood Risk Vulnerability Classification set out in national planning guidance. The development would contain some ground floor residential units which are classified as more vulnerable uses under the NPPF.
453. For the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, and that a site-specific flood risk assessment must demonstrate that no adverse impacts would occur. Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.
454. The site is located on previously developed land and there are strong sustainability reasons why it should be redeveloped. The development of brownfield sites such as this will be necessary if accommodation is to be provided to meet the current shortfall in housing in the area. The site is allocated for mixed-use development including housing in the Southwark Plan, and the proposed design is capable of providing good quality housing.
455. A Flood Risk Assessment (FRA) is appended to the ES. With regard to fluvial (river) flooding, it advises that the site is protected by the Thames Barrier and does not fall within the Environment Agency's modelled breach inundation zone. The Environment Agency has been consulted on the application and has not raised any objections.
456. With regarding to drainage, policy SI 13 of the London Plan 'Sustainable drainage' states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. The FRA notes that the majority of the site has a very low risk of surface water flooding, although Parkhouse Street, Wells Way and Cottage Green have areas of medium and high risk of surface water flooding, and part of the site has a risk of ground water flooding. No new basements are proposed to the development, and it is not anticipated that the proposal would increase the risk of ground or surface water flooding at the site or elsewhere.
457. Finished floor levels would be set 300mm above the existing ground levels on the parts of the site which are at risk of surface water flooding, and surface water would be managed through a range of measures. This includes blue roofs, permeable paving, below ground tanks, green roofs and rainwater harvesting. Any residual run-off following these measures would be discharged into the public sewers. The details have been reviewed by the Council's Flood Risk and Drainage Team, the GLA and Thames Water. Additional information was requested, including details of the attenuation tank volumes, and the consultees are now broadly satisfied with the proposals. Further information has been requested in the event that planning permission is granted, which would be

secured by way of conditions. This includes a condition for a post-completion verification report evidencing that the drainage measures have been installed and details of who would be responsible for maintaining them. The proposed development would achieve greenfield run-off rates and would therefore be policy compliant in this respect.

Sustainable development implications

458. Policy SI 2 'Minimising greenhouse gas emissions' of the 2021 London Plan sets out that development proposals should be net zero carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the Mayor's energy hierarchy. The energy hierarchy is as follows:
- Be lean – use less energy
 - Be clean – supply energy efficiently;
 - Be green – use renewable energy;
 - Be seen – monitor, verify and report on energy performance
459. This policy requires major development to be zero carbon and to achieve an on-site reduction in carbon dioxide emissions of 35% beyond Building Regulations Part L 2013, including a 10% reduction through energy efficiency measures under the 'be lean' stage for residential uses and 15% for non-residential uses. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided either through a payment in lieu contribution to the borough's carbon offset fund, or off-site provided an alternative proposal is identified and delivery is certain. The zero carbon requirement is repeated through policy P70 of the Southwark Plan 'Energy', although with the requirement for 100% on-site savings for residential units and a minimum of 40% on-site savings for non-residential uses. The Southwark Plan policy also includes the option for the zero carbon shortfall to be offset with a financial contribution or offsite provision to be secured where it has been demonstrated that achieving zero carbon on-site is not possible. The applicant has submitted an Energy Strategy Report in support of the application.
460. Be lean (use less energy) - Measures under this category would include high levels of insulation and air tightness, mechanical heat recovery for the residential units and low energy lighting. Measures under this category would result in a 13% reduction in carbon emissions for the residential units and 15% for the class E and F floorspace space which would meet the respective 10% and 15% requirements set out in the London Plan.
461. Be clean – supply energy efficiently - There are no planned district heating networks in this area, therefore no carbon dioxide emissions savings would be achieved under this category. However, the s106 agreement would require the development to be future-proofed for connection in the event that a network were to come online.
462. Be green – use renewable energy - The proposed development would use air source heat pumps to provide space heating and hot water. There would be individual heat pumps for the dwellings in block A and block B, with pumps for

the remainder of the blocks set within three centralised systems. The heat pumps would require electricity, some of which would be generated through the provision of 150sqm of photovoltaic panels (PVs) on the roofs of some of the blocks. It is not clear whether this is the maximum amount of PVs which could be provided, therefore a condition requiring this to be investigated further with a view to increasing the PV provision has been included in the draft recommendation. Measures under this category would result in a 64% reduction in carbon emissions for the residential units and a 52.2% reduction for the non-residential units.

463. Conclusion on energy strategy - The proposed energy strategy would achieve an overall on-site reduction in carbon emissions of 61.8% beyond the Building Regulations, significantly exceeding the 35% on-site requirement under the London Plan. Whilst it would not meet the Southwark Plan policy of 100% on-site savings for the residential units, there may be scope to provide further PV on the buildings and a condition to secure this is recommended. There are a number of detailed technical queries raised by the GLA which the applicant is responding to, including information on energy costs to occupiers and clarification regarding some of the inputs into the energy strategy. In consultation with GLA officers it is recommended that these matters be secured by way of a condition.
464. In order to meet the carbon zero requirements a contribution of £437,760 towards the Council's Carbon off-set Green fund would be required as follows:
- Residential = 129.7 carbon tonnes shortfall x £95 x 30 (years) = £369,645
 Non-residential – 23.9 carbon tonnes shortfall x £95 x 30 (years) = £68,115
 Total = £437,760
465. Be seen – Policy SI 2 of the London Plan introduces new 'be seen' requirements to monitor, verify and report on energy performance. Clauses would be included in the s106 agreement to verify the actual carbon savings delivered by the development, with an adjustment to the carbon off-set green fund contribution if required.

Unregulated carbon emissions

466. Policy SI-2 of the London Plan now requires major development proposals to calculate and minimise carbon emissions from other parts of the development which are not covered by the Building Regulations (unregulated emissions) such as from plant and equipment. The applicant has advised that with unregulated savings taken into account the overall on-site reduction in carbon emissions would increase from 61.8% to 63% through the provision of more energy efficient lighting. The applicant has also advised that energy efficient domestic appliances would be installed.

Overheating

467. Policy SI 4 of the London Plan 'Managing heat risk' requires major development proposals to demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems.

468. A thermal comfort overheating analysis report has been submitted with the application. Measures proposed to ensure that there would be no overheating within the development include solar control glass, low energy lighting, energy efficient fittings and recessed windows. All of the residential units would have fully openable windows for natural ventilation and they would also be mechanically ventilated, as would the class E and F floorspace. Additional measures may be required for the residential units facing south near to the scaffold yard site and church / recording studios, such as solar shading and internal blinds. The GLA has commented that any mitigation measures should be secured as part of the base build and not to interfere with the opening of the windows, and requiring guidance for occupants on minimising overheating risks; it is recommended that these measures and guidance be secured by way of a condition.

Whole life-cycle carbon emissions and circular economy

469. Part F of policy SI 2 of the London Plan states that development proposals referable to the Mayor should calculate whole life-cycle carbon (WLC) emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions. Whole life-cycle carbon emissions are the carbon emissions resulting from the construction and the use of a building over its entire life, including producing construction materials right through to its demolition and disposal.
470. Circular economy – Policy SI7 of the London Plan ‘Reducing waste and supporting the circular economy’ seeks to achieve resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal. Applications which are referable to the GLA should promote circular economy outcomes and aim to be net zero-waste, and should be accompanied by a Circular Economy Statement. A combined whole life carbon and circular economy statement has been submitted with the application which has been updated during the course of the application to address comments made by the GLA.
471. With regard to whole life carbon, it is estimated that the majority of the emissions would arise during the production of construction materials. The applicant proposes to reduce carbon emissions by 29.59% by replacing cement with a minimum of 50% GGBS (Ground Granulated Blast-furnace Slag) which is a by-product from blast-furnaces used to make iron. Other measures include the use of reclaimed brick where possible, or bricks with a high recycled materials content. The construction of the development including transporting construction materials to the site would account for 13% of the whole life cycle carbon emissions and measures such as sourcing materials locally where possible to minimise transportation impacts are proposed. The operational phase of the development including any replacement products and energy consumption from day-to-day use would account for 34% of the whole life carbon emissions, with measures proposed including air source heat pumps and PVs. The end of life of the development demolition and disposal would account for 2%. The GLA requires some additional information to address new WLC guidance which it has recently published. A condition to this effect has been included in the draft recommendation.
472. With regard to circular economy which seeks to reduce waste, the ES predicts

that 2,200 tonnes of construction waste would be generated. The GLA has requested that a pre-demolition audit be undertaken which would be secured by way of condition. Measures proposed to reduce waste include setting aside all of the concrete from demolition of the existing buildings to be used as a piling mat for the development, and reusing or recycling demolition materials where possible; during construction materials with a high recycled material content would be used where possible. An operational waste strategy has been submitted which sets out the refuse and recycling strategy for the completed development. Refuse and recycling stores would be provided throughout the development and sufficient space for storage of the required number of bins would be provided.

473. The GLA has raised concerns that a pre-demolition audit should have been provided, in order to further minimise waste arising from the construction process. The applicant has advised that this would be carried out once a contractor has been appointed. It has therefore been agreed that an audit should be secured by way of a condition and fed into a revised circular economy statement which should be submitted for approval.

BREEAM

474. Policy P69 'Sustainability standards' of the Southwark Plan requires the class E and F floorspace within the development to achieve at least BREEAM 'excellent'. A BREEM pre-assessment has been submitted with the application which advises that the commercial space would be on course to achieve 'excellent'. A condition to secure this has been included in the draft recommendation, including an 'excellent' score under the 'Wat 01' category which is a requirement of policy SI 5 of the London Plan.

Water resources

475. Policy SI 5 also requires developments to incorporate measures such as smart metering and water saving measures to help to achieve lower water consumption rates. The development would incorporate measures such as water meters and water efficient fittings. The GLA has requested that a condition limiting mains water consumption to 105 litres or less per person per day and this has been included in the draft recommendation. Thames Water has requested a condition and a number of informatives, and these have also been included in the draft recommendation.

Sustainability statement

476. A Sustainability Statement has been submitted with the application which reviews the proposed development to identify whether it has been developed in accordance with the sustainability objectives of the various planning policies. The three overarching objectives for sustainable development set out in the NPPF relate to economy, society, and the environment.
477. With regard to economic and social objectives, the proposed development would provide high quality employment floorspace, would generate construction jobs, jobs within the completed development, and spending in the local economy. It also would deliver new, high quality public realm and playspace, and a significant

quantum of new housing including affordable housing. With regard to the environment, the statement draws on the various sustainability documents outlined earlier in the report including the energy strategy, whole life carbon and circular economy statement and the BREEAM report. Measures would be incorporated to reduce carbon emissions from the proposed development and to use resources efficiently. Overall it is concluded that sustainability objectives have been appropriately and adequately considered.

Wind microclimate

478. Policy D8 of the London Plan 'Public realm' requires climatic conditions including wind microclimate to be taken into account in the design of new public realm. Both policies D9 of the London Plan and P17 of the Southwark Plan seek to ensure that tall buildings do not result in adverse wind conditions.
479. This issue is covered in chapter 11 of the ES which considers the likely wind conditions as a result of the proposed development, and the suitability of those conditions for pedestrian comfort. It considers the completed development only, and not the demolition and construction phase. It is noted that there would be hoarding around the site during construction works in any event.
480. Wind conditions following the completion of the development would be suitable for sitting to strolling, with no instances of strong winds likely to occur. The assessment includes routes through and around the site, the bus stop on Wells Way, and private balconies and communal amenity areas within the development. One seating area proposed on a podium garden should be relocated to a more sheltered area within the podium, and this could be secured by way of a condition.

Fire safety

481. Policy D12 of the London Plan (Fire Safety) requires all development proposals to achieve the highest standards of fire safety. All development proposals must be accompanied by a fire statement, i.e. an independent fire strategy produced by a third party, suitably qualified assessor.
482. A Fire Safety Statement has been submitted which has been prepared by fire engineers at Sweco. Following concerns raised by the GLA, the report has been amended to reflect the London Plan policy.
483. The Fire Safety Statement demonstrates that fire appliances would be able to enter and exit the site in order to access each of the buildings. All buildings would be provided with an automatic fire detection and alarm system and smoke ventilation system, and sprinklers would be provided to all residential blocks with a floor greater than 11m above ground. Materials would be used which would comply with the Building Regulations in relation to fire safety to prevent fires from spreading, and protected fire fighter stairs, lifts and evacuation lifts would be provided; the 13-storey tower would have two stair cores. The statement advises that any future modifications to the development would need to be undertaken in accordance with fire safety regulations including the Building Regulations. It is considered that the Fire Safety Statement addresses the requirements set out in the London Plan policy and that it should be secured by way of a condition.

Detailed fire safety matters would be considered under the Building Regulations at the next stage of the design. The GLA has confirmed that they are satisfied with the updated Fire Safety Statement.

484. Although the Health and Safety Executive (HSE) is not a statutory consultee for this application because it was submitted before 1st August 2021, they requested that an additional form be provided. This has been submitted and sent to the HSE, and Members will be provided with an update through an Addendum report.

Digital connectivity

485. London Plan Policy SI6 introduces the need for new developments to address London's requirements for enhanced digital connectivity. The policy requires development proposals to ensure that sufficient ducting space for full fibre connectivity infrastructure is provided to all end users, to meet expected demand for mobile connectivity generated by the development, to take appropriate measures to avoid reducing mobile connectivity in surrounding areas, and to support the effective use of rooftops and the public realm (such as street furniture and bins) to accommodate well-designed and suitably located mobile digital infrastructure. This is repeated through policy P44 of the Southwark Plan 'Broadband and digital infrastructure'.
486. In order to address this requirement a condition is recommended to ensure that the appropriate ducting for future connection to the full fibre infrastructure would be installed within the proposed development.
487. It is noted that the existing telecoms equipment on the brick chimney would be removed. The telecoms providers rent this space from the applicant and they have been served with the relevant notices. The onus is on the telecoms providers to find alternative locations for this equipment to ensure that they would continue to provide adequate coverage to the area.

Archaeology

488. The site is not in an Archaeological Priority Zone (APZ). The Council's Archaeologist has confirmed that no archaeological response is necessary for this application.

Socio-economic impacts and health

489. This is considered in chapter 6 of the ES. Concerns have been raised regarding pressure on local services as a result of the proposal.

Demolition and construction

490. The ES predicts that there would be 370 construction workers on the site over the course of the 3 year construction period. It predicts that these construction workers would spend approximately £1.8m in the local area during the construction period. The ES advises that the construction phase of the development could increase trips to hospital A&E departments by 0.003%, which

it concludes would be a negligible impact on capacity.

Completed development

491. The ES predicts that the completed development would support between 70 and 155 jobs at the site. It is noted that the ES figures are predicated on a range of class E uses including food and drink uses, and a condition is recommended requiring 88% of it to be light industrial floorspace which could support a lower number of jobs. The new resident population is estimated at 819 people is predicted to result in £3.9m of expenditure in the borough per year, and the proposal would contribute 16% towards the borough's annual housing target of 2,355 new homes, albeit delivered over a 3 year build period.
492. Regarding impacts upon services, the ES advises that the completed development could increase A&E trips by 0.1%. With regard to GP provision, there are currently 11 surgeries within a 1.6km (1 mile) radius of the site supported by 50 doctors, and all are accepting new patients. The Department for Health recommends a target patient list size of 1,800 patients per GP, and the average across the 11 surgeries is 1,879 so falling just above the recommended list size. The ES advises that the provision is constrained at present, and operating at 104% capacity. The ES therefore predicts that the additional resident population from the proposed development would have a minor adverse effect, but that the effect would not be significant. It is noted that CIL contributions can be put towards health facilities.
493. The applicant has provided a supplementary report regarding the impact upon dental care. It advises that there are 13 dentist practices within one-mile of the site, 10 of which are accepting new patients. The proposed development would increase the number of visits to dental surgeries by 0.3% and given the number of surgeries close to the site which are accepting patients, the report concludes that this would not have a significant adverse impact upon dental care provision.
494. Education has been considered in the ES, which advises that early years provision is currently operating under capacity and that surplus places would remain when children from the proposed development are factored in. It advises that there would be sufficient capacity to accommodate children within the proposed development requiring primary, secondary and further education. The need for additional primary school places has been considered through the preparation of the Southwark Plan and informed by regular monitoring of the demand for school places. A Cabinet report entitled 'Pupil Place Planning' dated 19 October 2021 advises that Southwark currently has considerable overcapacity in primary schools, both at reception and across the school year groups. There is sufficient capacity for secondary school places in the borough, and demand is expected to plateau and then decrease steadily from 2023-24.
495. The ES considers open space and play space and owing to the proximity to Burgess Park, it concludes that the proposed development would have a negligible effect on open space provision and playspace at a local level and that the effect would not be significant. Of note is an expectation within the ES that the proposed development would contribute towards off-site play provision in the local area. The site is in Camberwell which is identified as an open space deficiency area in the Council's Open Space Strategy. Although it is at the edge

of Burgess Park, the park is mainly allocated to the Aylesbury sub-area. However, the site allocation does not require open space to be delivered as part of the development. It instead requires green links and public realm, both of which would be delivered as part of the proposal.

496. With regard to socio-economics, the ES concludes that the only significant effect would be a major, beneficial, long term effect on housing provision at a district level.
497. The ES includes a Health Impact Assessment (HIA) which assesses the potential impact of the scheme on the health and wellbeing of the population. The HIA concludes that the proposed development would have an overall positive impact upon health, including through the provision of high quality housing and playspace. One potentially negative impact identified is noise arising from construction activities, although this would be temporary in nature and the ES predicts that it would be unlikely to have a material impact upon health outcomes. Officers concur with this, and note that a construction management plan would help to reduce noise arising from construction activities.

Planning obligations (S.106 agreement)

498. Policy DF1 of the London Plan advises 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. Policy IP3 of the Southwark Plan sets out similar requirements, and further information is contained within the Council's adopted Planning Obligations and Community Infrastructure Levy SPD.

Planning obligation	Mitigation	Applicant's position
Affordable housing	35.4% by habitable room, to be completed and made available before more than 50% of the private units can be occupied	Agreed
Affordable housing monitoring fee	£18,131.95	Agreed
Affordable housing monitoring clauses	As set out earlier in this report	Agreed
Affordable housing review mechanism	Early and late stage review mechanisms up to 50% affordable housing	Agreed
Employment during	83 sustained jobs for unemployed borough	Agreed

construction	residents, 83 short courses and 20 construction industry apprenticeships, or a payment of £399,350 for shortfall, and the associated employment, skills and business support plan	
Employment within the completed development	14 sustained jobs or a payment of £60,200 for shortfall	Agreed
Local procurement	During construction	Agreed
Delivery of the employment space	Employment space in each phase to be delivered before any of the residential units in that phase can be occupied.	Agreed
Loss of employment floorspace contribution	£139,074.90. Towards employment and training schemes in the borough.	Agreed
Delivery of 20% affordable workspace	In accordance with the terms provided earlier in the report, including £15 per square foot, index linked.	Agreed
Provision of a workspace marketing and management plan / strategy	To ensure that the workspace would be properly marketed and managed	Agreed
Post-completion monitoring of the affordable workspace	Terms to require monitoring of the space to be submitted to the Council.	Agreed
Community use agreement for class F unit	Details of the fit out, hours of use and charging strategy to be submitted for approval.	Agreed
Public access to be maintained through the site	Public access across the site, to all of the ground level play areas within the development and to the route next to the Big Yellow building connecting with Southampton Way.	Agreed

Relocation assistance	The provision of relocation assistance to the Continental Car Wash if required.	Agreed
Scheme of works to ensure consistent landscaping work and boundary treatment with scaffold yard site and the Big Yellow site	To ensure that the developments integrate successfully with each other to create a cohesive public realm.	Agreed
Ecology contribution	£1,674 towards the creation of new habitat in Burgess Park	Agreed
Burgess Park contribution for green wall along site boundary	£9,500 to enable the Council to plant the new boundary wall as a green wall on the park side.	Agreed
Retention of green walls at rear of block A	Terms to ensure that these could not be removed by future occupiers.	Agreed
Street tree bond	£14k (£3,500 x 4 trees) in the event that the proposed street trees cannot be planted or die and new trees need to be planted.	Agreed
Highway works	S278 agreement to secure the following: -Pre-commencement highways condition survey - All internal vehicular routes to be constructed to adoptable standards. - Resurfacing the carriageway of Parkhouse Street from its junction with Wells Way to its junction with Southampton Way. - Upgrading the existing speed cushions outside 5 Parkhouse Street to a raised pedestrian crossing using	Agreed

	<p>materials required in the SSDM;</p> <ul style="list-style-type: none"> - Upgrading of speed cushions outside 21-23 and 35 -39 Parkhouse Street to raised tables; - Repave the footway including new kerbing fronting the development using materials in accordance with the SSDM (precast concrete slabs and 150mm wide granite kerbs) including: <ul style="list-style-type: none"> - Along Parkhouse Street, including outside block B - Wells Way from the existing vehicle crossover southwards to the corner point of the site on Cottage Green (including the corner); - Refresh road markings following kerb installation on Wells Way and reinstate on Parkhouse Street after resurfacing. - Reconstruct existing vehicle crossovers on Parkhouse Street, near the junction with Wells Way and on the north side of Parkhouse Street between 13 Parkhouse Street and block B in accordance with the SSDM; - Construct three new crossovers on Parkhouse Street and one on Wells Way; - Rebuild any redundant vehicular crossovers fronting the development as footway, potentially including between 33 and 35 Southampton Way in accordance with SSDM standards; - Provide access arrangements such as a 	
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	<p>dropped kerb construction to accommodate refuse collection from residential blocks (two on Parkhouse Street and one on Wells Way).</p> <ul style="list-style-type: none"> - Promote all necessary Traffic Regulation Orders (TMOs) to amend waiting and loading restrictions. - Tree pits for any new, replacement or existing trees fronting the development to be constructed in accordance with the SSDM standards. - Rectify any damaged footways, kerbs, inspection covers and street furniture due to the construction of the development. 	
Provision of new LED streetlights along Wells Way and potential relocation of two streetlights on Parkhouse Street	£6,750 for new LED lighting (15 lanterns) along Wells Way	Agreed
Upgrading and potential re-positioning of bus stop on Wells Way to include count down facilities	Subject to further discussion and costings with TfL.	Agreed
Delivery service plan bond	£42,730 (plus £1,600 monitoring fee)	Agreed
TfL bus contribution	£475,000	Agreed
TfL cycle hire contribution	£220,000 towards a cycle hire docking station in the vicinity of the site in the event that the cycle hire zone is agreed to be extended into Camberwell within 2 years of the occupation of the	Agreed

	development	
TfL Legible London contribution	£20,000 to assist with wayfinding in the area	Agreed
Safeguard land for provision of a future cycle hire docking station on the site.	To ensure that a docking station could be provided on the site in future, if required.	Agreed
TfL cycle hire membership	Two years free cycle hire business accounts for commercial occupiers and 2 years free cycle hire membership per household for the residential units.	Agreed
Provision of two car club spaces	Location to be agreed.	Agreed
Car club membership	3 years membership for each eligible resident within the development including the commercial occupiers.	Agreed
Parking permit exemption	Future residents and businesses would be prevented from obtaining parking permits for the surrounding streets	Agreed
Carbon offset fund	£437,760	Agreed
Future-proofing for district heating network	To enable the development to connect to future district heating networks if deemed feasible	Agreed
Post-installation review of energy measures installed	Review to verify the carbon savings delivered with an adjustment to the carbon offset green fund contribution if required.	Agreed
Total financial contributions	£1,384,620.86 (excludes servicing monitoring fee)	Agreed
Administration and monitoring	£27,692.41	Agreed

fee (excluding affordable housing monitoring fee and servicing bond)		
Grand total	£1,412,313.26	Agreed

499. In the event that an agreement has not been completed by 30 September 2022, the committee is asked to authorise the Director of Planning and Growth to refuse permission, if appropriate, for the following reason:

In the absence of a signed S106 legal agreement there is no mechanism in place to mitigate against the adverse impacts of the development including through contributions, and it would therefore be contrary to policy DF1 'Delivery of the Plan and Planning Obligations' of the London Plan 2021, Policy IP3 'Community Infrastructure Levy (CIL) and Section 106 planning obligations' of the Southwark Plan 2022, and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).

Mayoral and borough community infrastructure levy (CIL)

500. 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 invests in London as a whole, primarily Crossrail. Southwark's CIL will provide for infrastructure that supports growth in Southwark.
501. The site is located within Southwark CIL Zone 3 and MCIL zone 2 £60/sqm. Based on the floor areas provided in the applicant's CIL Form 1 dated 28 Feb 2022 and Accommodation Schedule, the gross amount of CIL is approximately £3,544,593.32, including £1,909,023.45 of Borough CIL and £1,635,569.87 of Mayoral CIL. Assuming the affordable housing tenures qualify for CIL Mandatory Social Housing Relief, potentially around £797,380.62 could be claimed. It should be noted that this is an estimate, and the floor areas on approved drawings and relief eligibility would be checked when the related CIL Assumption of Liability Form and CIL relief forms are submitted, after planning permission has been obtained.
502. The Council's Parks and Leisure Service has requested CIL or s106 contributions to mitigate the impact of the proposed development on local facilities, and it is noted that CIL can be spent on improvements to district parks such as Burgess Park, although this excludes playspace. Following the amendments to the plans, all of the playspace requirements for the development would be met on the site. 25% of local or neighbourhood CIL is made available to local community areas. The 25% of funds raised each year will be allocated through Community Investment Plans which set out the selected projects considered to have the most strategic benefit for the whole ward, or alternatively which meet specific ward

issues which councillors for that ward have identified as a priority.

Other matters

Utilities

503. The application is accompanied by a Utilities Report which identifies the various utilities within or adjacent to the site, including electricity cables, substations sewers, gas pipes and BT cables. An objector has commented that the proposed development could overload the UK Power Network (UKPN) system. In the event that planning permission is granted, the developer would need to secure all necessary consents from the relevant utilities providers before carrying out any work which could impact upon them.

Community involvement and engagement

504. A Statement of Community Involvement (SCI) and engagement summary template have been submitted with the application, detailing the pre-application consultation undertaken with key stakeholders and the local community prior to the submission of the planning application.
505. The SCI advises that two rounds of public consultation were undertaken, with information brochures and freepost questionnaire packs sent to the local community, an online consultation hub and public webinar events. A dedicated website was set up for the project which was advertised on Facebook. Webinar events were hosted owing to Covid 19 restrictions in place at the time. Meetings were held with the local ward Councillors and two cabinet members, the Wells Way Triangle Residents Association and four local businesses.
506. The first round of consultation ran from 19th November until 15th December 2020, with information distributed to 4,335 addresses in the local area, and public online events held on 26th and 28th November 2020 which were attended by a total of 28 people. 405 people responded to the questionnaire and in terms of feedback received, 79% of the respondents supported the provision of active ground floors, 80% supported using the industrial land to bring more jobs and homes to this part of Camberwell, 72% wanted to see creative industries at the site, and a small number of comments were made about height and massing.
507. The second round of consultation ran from 28th January until 17th February 2021. Information was sent to 4,335 addresses in the local area and public online events were held on 4th and 6th February 2021 which were attended by a total of 12 people, including from Friends of Burgess Park. The information provided showed more detailed design and visualisations for the proposals. Overall support for the scheme was at 48% based on 488 respondents to this particular question, with most of the concerns relating to the 14-storey tower, and concerns regarding impact upon transport capacity and local services. 72% supported the proposed public realm provision and 67% supported the focus on pedestrian and cyclist accessibility.
508. Following the public consultations the height of the tower was reduced from 14 to 13 storeys, the number of residential units was reduced, a community unit was included in the proposal within the Garden Square, the height of block C was

reduced, and the length of block L was reduced.

Consultation responses from external and statutory consultees

Greater London Authority

509. Land use principles: The significant loss of industrial capacity on this Locally Significant Industrial Site (LSIS) is of strategic concern. The provision of employment floorspace, including space suitable for light industrial uses, should be maximised and appropriately secured as Use Class E(g) (offices, research and development, light industrial).
510. Affordable housing: 35% affordable housing (habitable room). The provision falls below the 50% threshold for LSIS, set out in London Plan Policy H6. The viability is currently being scrutinised by GLA officers to ensure the offer is the maximum amount. Further details required regarding rental levels and income thresholds. Early and late stage reviews must be secured.
511. Urban design: The provision of new public realm and improved pedestrian routes is strongly supported. Whilst the site is not currently identified within an area identified for tall buildings, the emerging site allocation proposes that the site be designated as appropriate for tall buildings, subject to consideration of existing character, townscape and heritage. Further information should be provided in terms of the visual and functional impacts of the tall buildings to address London Plan Policy D9C.
512. Heritage: GLA officers consider the harm to the significance of Grade II listed Church of St George to be less than substantial and outweighed by the wider public benefits arising from the proposals. Notwithstanding this, high-quality detailing and materials must be appropriately secured, to reduce any harm to heritage assets.
513. Transport: Cycle parking must be provided for the commercial use. Financial contributions towards Legible London signage, footway improvements, bus capacity and cycle hire docking stations are required. A Travel Plan, Parking Management Plan, Delivery and Servicing Plan, Construction Logistics Plan to be secured by condition.
514. Further information on energy, whole-life carbon, circular economy, water, urban greening, biodiversity and trees.
515. Recommendation That Southwark Council be advised that the application does not yet comply with the London Plan for the reasons set out in paragraph 124. Possible remedies set out in the stage 1 report could address these deficiencies.
516. Green infrastructure comments - The applicant should avoid impacts to the SINC, and set out in the application how they will avoid direct or indirect impacts on the SINC. No consideration appears to have been given to the potential impact of

shading, noise or lighting during construction or operation. This should be provided prior to Stage 2.

517. The applicant should seek to implement the guidance with relation to the SINC boundary, including the creation of a soft transition between the site and the SINC. Currently the transition is formed by a hedgerow and private gardens, which would therefore be subject to change by residents.
518. The application material includes reference to a new green link to Burgess Park. It is not clear if the green link would require a new pedestrian access into the Park. This should be clarified prior to Stage 2, with an assessment of the potential impact of increasing footfall across the site boundary, if appropriate.
519. London Plan Policy G6 states that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively. Policy G6 further states that development proposals should aim to secure net biodiversity gain. The proposed development has been reported to deliver a net gain of 708%. No further information is required regarding net gain.
520. The applicant has calculated the UGF of the proposed development as 0.33 which is below the target of 0.4 for predominantly residential development set by Policy G5 of the London Plan.
521. Details of existing trees across the site as well as proposed tree retention and removal should be provided with the application. Wherever possible, trees of value should be retained.
522. The applicant should consider including a more diverse range of proposed tree species, with large-canopied trees preferred.
523. Officer response – Overshadowing, light pollution and construction impacts upon Burgess Park have been considered and are set out in the officer report. A green wall would be provided between the park and block A. No new route is proposed into the park, and the plans have been amended and would meet the London Plan Urban Greening Factor target. An arboricultural impact assessment has been provided and details are set out in the officer report in relation to trees and landscaping. Details of tree species would be secured as part of a landscaping condition.

Transport for London (TfL)

524. Site Description - The site is approximately 400 metres east of Camberwell Road which forms part of the Strategic Road Network (SRN). While the Local Planning Authority is also the Highway Authority for those roads, TfL is the Traffic Authority and has a duty to ensure that any development does not have an adverse impact on the SRN.
525. The bus stop on the Wells Way serves the 136 and 343 bus routes. These provide connections with the Bakerloo line, Northern line, Jubilee line, London Overground, DLR and National Rail. The bus stop approximately 450m away on Camberwell Road has 10 bus routes providing connections to the Piccadilly,

Victoria, Circle and District and Hammersmith and City lines.

526. Quietway 7 is located to the east and proposed Quietway 8 and 9 are also in close proximity to the north of the site.
527. Healthy Streets – The TfL has launched the Healthy Streets approach aims to improve air quality, reduce congestion and make attractive places to live, work and do business. TfL expects all developments to deliver improvements that support the ten Healthy Street indicators in line with the London Plan policy T2.
528. The submitted Active Travel Zone (ATZ) assessment highlighted eight routes from the site. The applicant should also identify and assess routes to other local facilities that are within walking distance, including the nearest place of worship. The submitted healthy street assessment highlights key routes and the potential for improvement, and mitigatory measures should be secured.
529. Given the number of recent residential-led planning applications in the vicinity of the site and the current industrial nature of the area with relatively poor quality footways and crossing facilities, the Council would be supported in seeking contributions to a pool of s106 funding for local off-site pedestrian and cycle improvements. This could be achieved by widening the footway and the provision of raised crossings.
530. Walking and Cycling - The proposed development provides a network walking and cycling routes within the site, improving the site permeability which is welcomed, although there is a risk of vehicle conflict, covered further below.
531. The proposed development should widen the footway to at least 2.5 metres as part of the s278 works. An additional measure to encourage pedestrian movement is for the provision of a continuous-height footway along the site frontage, with raised tables at the junctions of internal roads.
532. Wayfinding will be important for the commercial element therefore a contribution of £20k towards Legible London signage should be secured.
533. Internal site layout - The proposed development is to provide two internal one-way roads through the site, with the proposed perimeter road accommodating vehicular access to provide a direct connection to the residential units. The second road is exclusive to delivery and servicing vehicles for the commercial units with bollards preventing access to other traffic.
534. The applicant should also provide information which details how these roads have been designed in accordance with the Mayor's Healthy Streets approach. This includes demonstrating how walking and cycling will be safe, comfortable and convenient e.g. ensuring a low-speed environment and sufficiently wide, clearly delineated footways on both sides of the carriageway through a condition for a management plan.
535. Cycle Parking – The London Plan minimum cycle parking requirements would be met for the residential units. It is unclear whether any cycle parking is proposed for the commercial uses and this is required. The location of short stay parking within the public realm in an easily accessible location is welcomed.

536. All cycle parking should be designed in line with London Cycle Design Standards (LCDS). Some areas of concern are the need for 5% larger cycle stands for cargo bikes etc. 20% Sheffield stands required, better spacing between cycle racks, and the provision of shower and changing facilities. Inadequate cycle parking raises equalities issues and should be addressed prior to determination.
537. Car and Motor Cycle Parking – The 6 proposed motorcycle spaces should be removed as they have not been justified.
538. 13 disabled persons' car parking spaces for residents and one disabled persons' parking space for commercial use are to be provided which meets the requirements of the London Plan for provision at the outset. A parking design and management plan (PDMP) should be secured by condition.
539. TfL would support the Council in seeking a contribution towards a CPZ in this area. Future occupiers should be exempt from obtaining permits. Active electric vehicle charging points should be provided from the outset.
540. Trip Generation - The bus routes operating along Wells Way were, pre-pandemic, were running at capacity at peak times, and the number of residential developments in planning in the Burgess Business Park area will add to this in the future. TfL would support the Council in securing a s106 contribution pooled towards future additional capacity on this corridor; a contribution of £475,000 is sought.
541. TfL expects the applicant to provide a s106 contribution of £220,000 towards the installation of a Santander Cycles docking station serving the site.
542. TfL is concerned with the level of vehicular trips for residential use. Noting the development is car free except for the provision disabled person parking, it is unclear why the trip generation anticipates 10 percent of trips will be via vehicles. This figure should not exceed three percent.
543. Freight - A full delivery and servicing plan (DSP) and a construction logistics plan (CLP) should be secured by condition and prepared in line with TfL guidance. The applicant is encouraged to identify opportunities to consolidate servicing trips and deliveries for construction where possible to minimise the impact on the surrounding road network. The use of cargo bikes for both servicing and construction should be maximised.
544. Travel Plan - A Travel Plan should also be secured by condition. It should contain targets and measures to promote active travel. Free membership of Santander Cycles should be offered to initial residents and office occupiers.
545. Historic England (HE) (first and second consultations)

On the basis of this information, HE do not wish to offer any comments. We suggest that you seek the views of your specialist conservation advisers, as relevant.

Environment Agency

546. No objection to the application; advice provided regarding flood risk and controlled waters. This includes links to best practice guidance and has been forwarded to the applicant for information.

Thames Water

547. Waste Comments - with regard to FOUL WATER sewerage network infrastructure capacity, Thames Water would not have any objection to the application, based on the information provided.
548. With regard to SURFACE WATER network infrastructure capacity, Thames Water would not have any objection to the application, based on the information provided.
549. There are public sewers crossing or close to the proposed development. If significant work is planned near the sewers, the risk of damage must be minimised. Thames Water need to check that the development does not limit repair or maintenance activities, or inhibit the services we provide in any other way (link to Thames Water guidance to be provided in an informative).
550. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge' The developer must demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer (details to and link to Thames Water guidance to be provided in an informative).
551. Water Comments - Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water request that a condition be added to any planning permission to address this.
552. There are water mains crossing or close to the development. Thames Water do not permit the building over or construction within 3m of water mains. Thames Water need to check works within 3m of a water mains. Link to guidance to be provided in an informative.
553. The proposed development is located within 15m of underground water assets, informative recommended.
554. Waste water - Thames Water confirm that there will be sufficient capacity in our sewerage network to accept the surface water discharge rate provided as part of the enquiry. This does not preclude the requirement in the London Plan to achieve greenfield run-off rates.

Network Rail

555. Network Rail have no objections to the proposed development. However, whilst the proposal in isolation is not expected to drive an increase in demand which requires specific rail network capacity improvements, the strong development growth within the area in totality is likely to drive increased capacity requirements

in the future. Network Rail would look to work with local authorities to explore options which ensure sufficient capacity is provided in the medium and long term to mitigate the cumulative impact of new developments.

556. Would also encourage the developers and promoters of the scheme to consider the impact, not only on the railway itself, but also on the first and last mile element of passengers' journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected. Developing access to the railway using first and last mile principles has a number of benefits including:
- Aligning with local and national policy to reduce carbon emissions and meet net-zero targets, by encouraging more active modes of transport such as walking and cycling
 - Providing a seamless journey experience where various modes of transport are integrated, including bus and rail services
 - Providing an accessible and inclusive offering of transport modes to both local residents and visitors
 - Improving connections between communities which may not be as well-served by public transport
 - Reduces the reliance on the car to travel to and from rail stations.

557. Officer response – The applicant has responded that: regarding the first and last mile principles, this work has been covered in our Transport Assessment in the Active Travel Zone work undertaken (Chapter 4). This included reviewing opportunities to improve safety, connectivity and encourage active and sustainable travel modes to key destinations, which included bus stops and train stations. These comments were forwarded to Network Rail which responded that the comments are noted, and that Network Rail has nothing further to add.

London Underground/DLR Infrastructure Protection

558. No comment to make on this planning application as submitted.

Metropolitan Police

559. Initial comments - The development will need to be discussed in detail with regards to security. To summarise, it will be essential that all commercial and residential areas are kept separate from one another with separate cycle and bin stores, as well as entrances and corridors. There should be no crossover of users. The majority of residential blocks will need to be compartmentalised for security, meaning that people who live there should only be accessing the floor they live on and any communal areas. Each block must have secure lobbies, secure cycle stores, secure bins stores. The landscaping strategy including play areas, lighting, and vehicle parking will need to be discussed. The use of tested and accredited products in the name of the fabricator namely doorsets, windows, gates and glazing will be essential throughout this development, as is access control, CCTV, secure perimeter treatments, secure bin stores and cycle stores.
560. Overall it is considered that the development could achieve the security

requirements of Secured By Design if engagement is sought with the Designing Out Crime Unit. Achieving Secured By Design should be welcomed, especially as Southwark is a high crime borough.

561. Follow-up comments - The project architects have contacted the Designing out Crime unit but a meeting has not been agreed yet. The development is suitable to achieve Secured By Design accreditation and a condition to secure this is recommended.

London Fire and Emergency Planning Authority

562. No response at the time of writing.

Health and Safety Executive (HSE)

563. Initial response that cannot comment on applications submitted before 1st August 2021. Follow-up response requesting that an additional fire safety form be completed and submitted for review.

EDF

564. No response at the time of writing.

Natural England

565. No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
566. The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into this development.

Arqiva

567. Arqiva is responsible for providing the BBC, ITV and the majority of the UK's radio transmission network and is responsible for ensuring the integrity of Re-Broadcast Links. Tall infrastructure such as wind turbines and other tall structures have the potential to block radio transmission links and rebroadcasting links (through direct blocking of radio signal or deflecting signal). Our radio transmission networks normally operate with a 100m buffer either side of a radio link, free from interference by tall development.
568. Have considered whether this development is likely to have an adverse effect on our operations and have concluded that we have no objections to this development.

569. Please note, Aqiva do not comment upon domestic reception, and the developer may need to commission their own studies to understand if the development is likely to impact upon domestic reception.

570. Officer response – a condition to require a study regarding domestic reception has been included in the draft recommendation.

City of London

571. No response received at the time of writing.

London Borough of Islington

572. No response received at the time of writing.

London Borough of Haringey

573. No response received at the time of writing.

Fields in Trust

574. No response received at the time of writing.

UK Power Networks

575. No response received at the time of writing.

Veolia

576. No response received at the time of writing.

Community impact assessment

577. The Council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights. The Council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. Details of the equality implications of the application have been set out earlier in the report.

Human rights implications

578. This planning application engages certain human rights under the Human Rights Act 2008 (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.

579. This application has the legitimate aim of providing a comprehensive mixed-use development including class E and F floorspace and residential units. 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.

Positive and proactive statement

580. The council has published its development plan 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.
581. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and submissions that are in accordance with the application requirements.

Positive and proactive engagement: summary table

Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	YES

CONCLUSION

582. This application is for a comprehensive redevelopment of an ageing industrial estate which would deliver new employment and retail floorspace, new homes and new community floorspace, and this would comply with the site allocation in the Southwark Plan.
583. A significant proportion of the industrial estate is currently vacant, and some of the space has been vacant for over a decade. The proposal would deliver new, high quality employment floorspace including 20% affordable workspace, and would have the ability to accommodate a broad range of employment uses and support permanent jobs at the site. The development would also allow for an element of retail, food and drink uses and a community space which would serve new and existing local residents and would help to attract people to the site.
584. Whilst the proposal would result in a reduction in employment floorspace compared to that which currently exists at the site and no marketing exercise has been submitted, it has been demonstrated that a higher amount of commercial floorspace would affect the viability of the scheme. Planning policies in both the

London Plan and Southwark Plan make it clear that where a proposal cannot viably deliver all of the required planning obligations or land use requirements set out in site allocations, the priority should be for affordable housing. If additional employment floorspace were to be provided, this would reduce the amount of housing and affordable housing which could be delivered.

585. The proposed development would make a significant contribution to housing delivery in the Southwark. There is a pressing need for housing in the borough and the scheme would deliver 375 new homes, including 137 affordable housing units. This would equate to 35.4% affordable housing by habitable room, with a policy compliant tenure split of social rented and shared-ownership accommodation and a policy compliant amount of wheelchair accessible housing. Whilst the proposal would not fully comply with policy P2 of the Southwark Plan by providing 20% 3+ bed units instead of 25%, the application was submitted in April 2021 when the Core Strategy (2011) was still in use and which required 20% 3+ bed units. On balance, this is considered acceptable.
586. It is considered that the proposed development has successfully addressed the concerns raised in the appeal decision. Regarding the quality of accommodation, for the reasons set out earlier in the report officers are of the view that the residential accommodation can now be described as exemplary. With the exception of the 13-storey tower, the heights of the proposed development have been reduced, and as such would have less of an impact upon the neighbouring residential occupiers and a more successful relationship with the existing townscape. It is recognised that the inclusion of a tall building does not accord with some of the locational tests within policy. However, it is concluded that the inclusion of a tall building would not be harmful, and that the identified benefits of the scheme are material considerations which can outweigh the failure to fully comply with development plan.
587. Following the refusal of the appeal scheme the Council commissioned the Parkhouse Street LDS to guide developments coming forward in this area. The applicant engaged with the LDS process and the proposed design responds to the LDS requirements successfully. The design would be of a very high quality, reflecting the industrial heritage of the area and retaining an existing brick chimney stack. The chimney would sit within the Garden Square which would be at the heart of the new development and would provide an attractive setting to the tall building. The Garden Square would be connected to a new pedestrian-only Garden Street which would incorporate a significant amount of playspace. The provision of playspace within the public realm which could be used by existing and future residents alike is considered to be a very positive aspect of the proposal and is welcomed. The provision of new routes through the site would introduce permeability across the site including connecting Wells Way with Southampton Way.
588. The impact upon heritage assets in the vicinity of the site has been carefully considered. Officers are satisfied that there would be limited (if any) harm arising to the nearby heritage assets as there would be no direct impact on any listed buildings or conservation areas. Any harm arising due to visibility in the wider setting of heritage assets would be extremely limited and of the lowest order of less than substantial as defined by the NPPF, and can be considered in the balance against the public benefits arising. In this instance the contribution of the

new public realm, the high quality of design, and the inclusion of affordable housing and affordable workspace have been considered in the balance and are found to be acceptable justification for the harm (if any) arising.

589. The benefits of the scheme need to be weighed against some localised, adverse impacts including an equality issue relating to the loss of the car wash, impacts during construction, and impacts upon daylight and sunlight to neighbouring properties. The impact upon four residential and live/work units at the rear of 47 Southampton Way are noted, although some windows to this neighbouring block would experience improvements and there would be some benefit to their outlook due to the removal of the poor quality existing structures. Impacts upon daylight and sunlight to properties on Wells Way are also noted, although these properties currently look out onto a low rise building and areas of open parking and as such currently receive high levels of daylight and sunlight. In light of the wider public benefits of the scheme it is considered that on balance, these benefits would outweigh the limited harm to local amenity.
590. New landscaping and tree planting would be delivered which would provide greening and increase biodiversity on what is currently a largely hard-surfaced site. Ecological impacts upon the adjoining SINC have been carefully considered through an independent ecological assessment, and following mitigation through conditions and planning obligations it is concluded that the proposal could deliver some biodiversity enhancements to Burgess Park. On-site carbon reductions of over 61% would be achieved, and matters relating to circular economy and whole life carbon have been taken into account. Impacts relating to transport, air quality, ground conditions, flood risk, wind microclimate, fire safety, digital connectivity, archaeology and socioeconomics and health have all been considered and are found to be acceptable, subject to a number of conditions and planning obligations.
591. Officers have assessed the conclusions of the submitted Environmental Statement, and conditions and planning obligations are recommended in order to secure appropriate mitigation. Overall whilst there are some minor areas of non-compliance as set out earlier in the report, the proposed development is considered to be in overall conformity with the development plan when read as a whole. Subject to the completion of a s106 agreement and conditions, it is recommended that planning permission be granted following referral to the Mayor of London and the Secretary of State.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
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 0254 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	NPPF and planning policies
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received
Appendix 6	Design Review Panel report
Appendix 7	Appeal decision

AUDIT TRAIL

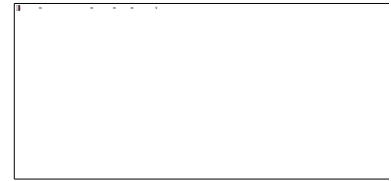
Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Victoria Lewis, Team Leader	
Version	Final	
Dated	21 June 2022	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Date final report sent to Constitutional Team		14 July 2022

Recommendation

SOUTHWARK COUNCIL

Town and Country Planning Act 1990 (as amended)

Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)



www.southwark.gov.uk

RECOMMENDATION

LBS Reg. No.: 21/AP/1342

Date of Recommendation:

Applicant Peachtree Services LTD

Grant subject to Legal Agreement, Referral to the GLA and Referral to SoS for the following development:

Demolition of the existing buildings and redevelopment of the site to provide residential units (Class C3), flexible commercial floorspace (Class E) and community floorspace (Class F) within 12 blocks of between 2-13 storeys, with car and cycle parking and associated hard and soft landscaping and public realm improvements.

At

Burgess Industrial Park Parkhouse Street London SE5 7TJ

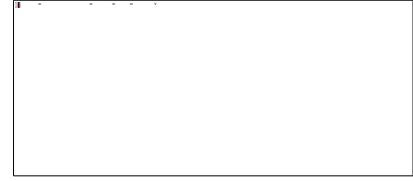
In accordance with the valid application received on 18 May 2021 and supporting documents submitted which can be viewed on our Planning Register.

For the reasons outlined in the case officer's report, which is also available on the Planning Register.

The Planning Register can be viewed at: <https://planning.southwark.gov.uk/online-applications/>

Conditions

Permission is subject to the following Approved Plans Condition:

DRAFT**RECOMMENDATION****LBS Registered Number:** 21/AP/1342**Date of Recommendation:**

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1. The development shall be carried out in accordance with the following approved plans:

Reference no./Plan or document name/Rev.

Received on:

DUN-BUR HTA-A PA2 BB-S2 DR 0245 Rev D Block B SW elevation	13/07/2022
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DUN-BUR HTA-A PA2 BB-S3 DR 0246 Rev D Block B SE elevation	13/07/2022
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DUN-BUR HTA-A PA2 BB-S4 DR 0247 Rev D Block B NW elevations	13/07/2022
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DUN-BUR HTA-A PA2 BC-S1 DR 0250 Rev D Block C elevations	13/07/2022
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DUN-BUR HTA-A PA2 BD-S1 DR 0253 Revision D Block D NE & SE elevations	13/07/2022
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DUN-BUR HTA-A PA2 BD-S2 DR 0254 Rev D Block D SW & NW elevations	13/07/2022
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DUN-BUR HTA-A PA2 BE-S1 DR 0257 Rev D Block E NE & SE elevations	13/07/2022
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DUN-BUR HTA-A PA2 BE-S2 DR 0258 Rev D Block E SW & NW elevations	13/07/2022
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DUN-BUR HTA-A PA2 BF-S1 DR 0260 Revision D Block F SW elevation	13/07/2022
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DUN-BUR HTA-A PA2 BF-S2 DR 0261 Rev D Block F NW elevation	13/07/2022
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DUN-BUR HTA-A PA2 BF-S3 DR 0262 Rev D Block F N elevation	13/07/2022
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DUN-BUR HTA-A PA2 BF-S4 DR 0263 Rev D Block F facade detail elevation	13/07/2022
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DUN-BUR HTA-A PA2 BG AND H-S1 DR 0265 Rev D Block G & H SE elevation	13/07/2022
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DUN-BUR HTA-A PA2 BG AND H-S2 DR 0266 Rev D Block G &	13/07/2022
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H SW elevation

DUN-BUR HTA-A PA2 BG AND H-S3 DR 0267 Rev D Block G & H NW elevation 13/07/2022

DUN-BUR HTA-A PA2 BG-S1 DR 0268 Rev D Block G NE elevation 13/07/2022

DUN-BUR HTA-A PA2 BH-S1 DR 0269 Rev D Block H NE & SW elevations 13/07/2022

DUN-BUR HTA-A PA2 BH-S2 DR 0270 Rev D Block H facade detail elevation 13/07/2022

DUN-BUR HTA-A PA2 BJ-S1 DR 0278 Rev D Block J facade detail elevation 13/07/2022

DUN-BUR HTA-A PA2 BL-S2 DR 0286 Rev D Block L Facade detail elevation 13/07/2022

DUN-BUR HTA-A PA2 BI AND J-S1 DR 0275 Rev D Block I & J NW elevation 13/07/2022

DUN-BUR HTA-A PA2 BI AND J-S2 DR 0276 Rev D Block I & J SE elevation 13/07/2022

DUN-BUR HTA-A PA2 BI-S1 DR 0277 Rev D Block I - SW elevation 13/07/2022

DUN-BUR HTA-A PA2 BK-S1 DR 0280 Rev D Block K - E elevation 13/07/2022

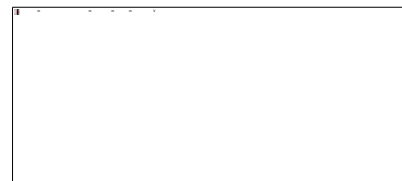
DUN-BUR HTA-A PA2 BK-S2 DR 0281 Rev D Block L NW & NE elevations 13/07/2022

DUN-BUR HTA-A PA2 BL-S1 DR 0285 Rev D Block L, E, S & W elevations 13/07/2022

DUN-BUR HTA-A PA2 SAA-DR 0113 Rev D blocks E, H, G section AA 13/07/2022

DUN-BUR HTA-A PA2 SBB-DR 0114 Rev D Blocks J, H, F Section BB 13/07/2022

DUN-BUR HTA-A PA2 BA-S1 DR 0240 Rev D Block A elevations 13/07/2022

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DUN-BUR HTA-A PA2 BB-S1 DR 0244 Rev D block B NE 13/07/2022
elevation

DUN-BUR HTA-A PA2 SCC-DR 0115 Rev D Blocks I, D, Section 13/07/2022
CC

DUN-BUR HTA-A PA2 SEL-DR 0130 Rev D Street elevation east 13/07/2022
blocks L & K

DUN-BUR HTA-A PA2 SEL-DR 0131 Revision D Street 13/07/2022
elevation South-east blocks E, H & G

DUN-BUR HTA-A PA2 SEL-DR 0132 Rev D street elevation 13/07/2022
north-east blocks I, E & D

DUN-BUR HTA-A PA2 SEL-DR 0133 Rev D Street elevation 13/07/2022
north-west blocks G, F, D & C

DUN-BUR HTA-A PA2 BA-00 AND 01 DR 0200 Rev D Block A 13/07/2022
ground & first floor plan

DUN-BUR HTA-A PA2 BA-R1 DR 0201 Rev D Block A roof plan 13/07/2022

DUN-BUR HTA-A PA2 BB-00 AND 01 DR 0202 Rev D Block B 13/07/2022
ground and first floor plan

DUN-BUR HTA-A PA2 BB-02 AND R1 DR 0203 Rev D Block B 13/07/2022
second floor and roof plan

DUN-BUR HTA-A PA2 BC-00-R1 DR 0204 Rev E block C 13/07/2022
ground, first and roof plan

DUN-BUR HTA-A PA2 BD-00-01 DR 0205 Rev D Block D ground 13/07/2022
and first floor plan

DUN-BUR HTA-A PA2 BD-02-05 DR 0206 Rev D Block D 13/07/2022
second-fifth floor plan

DUN-BUR HTA-A PA2 BD-R1 DR 0206 Rev D Block D roof plan 13/07/2022

DUN-BUR HTA-A PA2 BE-00-01 DR 0207 Rev E Block E ground 13/07/2022
& first floor plan

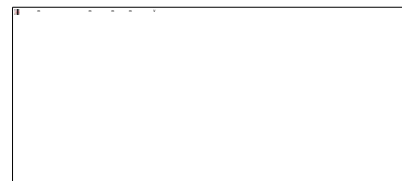
DUN-BUR HTA-A PA2 BE-R1 DR 0208 Rev D Block E roof plan 13/07/2022

DUN-BUR HTA-A PA2 BF-00 DR 0209 Rev D Block F ground 13/07/2022

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floor plan

DUN-BUR HTA-A PA2 BF-01 DR 0210 Rev D Block F first floor plan 13/07/2022

DUN-BUR HTA-A PA2 BF-02-05 DR 0211 Rev D Block F second-fifth floor plan 13/07/2022

DUN-BUR HTA-A PA2 BF-06 DR 0212 Rev D Block F sixth floor plan 13/07/2022

DUN-BUR HTA-A PA2 BF-R1 DR 0213 Rev D Block F roof plan 13/07/2022

DUN-BUR HTA-A PA2 BG AND H-00 DR 0214 Rev D Blocks G & H ground floor plan 13/07/2022

DUN-BUR HTA-A PA2 BG AND H-01 DR 0215 Rev D Blocks G & H first floor plan 13/07/2022

DUN-BUR HTA-A PA2 BG AND H-02 DR 0216 Rev D blocks G & H second floor plan 13/07/2022

DUN-BUR HTA-A PA2 BG AND H-03-05 DR 0217 Rev D Blocks G & H third-fifth floor plan 13/07/2022

DUN-BUR HTA-A PA2 BG AND H-06 DR 0218 Rev D Blocks G & H sixth floor plan 13/07/2022

DUN-BUR HTA-A PA2 BG AND H-07-11 DR 0219 Rev D blocks G & H seventh-eleventh floor plan 13/07/2022

DUN-BUR HTA-A PA2 BG AND H-12 DR 0220 Rev D blocks G & H twelfth floor plan 13/07/2022

DUN-BUR HTA-A PA2 BG AND H-R1 DR 0221 Rev D blocks G & H roof plan 13/07/2022

DUN-BUR HTA-A PA2 BI AND J-00-01 DR 0222 Rev D blocks I & J ground & first floor plan 13/07/2022

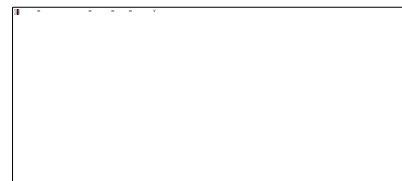
DUN-BUR HTA-A PA2 BI AND J-02 AND 06 DR 0223 Rev D Blocks I & J secon-fifth & sixth floor plan 13/07/2022

DUN-BUR HTA-A PA2 BI AND J-08 AND R1 DR 0224 Rev D blocks I & J seventh floor and roof plan 13/07/2022

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DUN-BUR HTA-A PA2 BK-00-01 DR 0225 Rev D block K ground & first floor plan 13/07/2022

DUN-BUR HTA-A PA2 BK-02-R1 DR 0226 Rev D Block K second-fifth floor & roof plan 13/07/2022

DUN-BUR HTA-A PA2 BL-00 AND 01 DR 0227 Rev D block L ground & first floor plan 13/07/2022

DUN-BUR HTA-A PA2 BL-02-R1 DR 0228 Rev D Block L second, third & roof plan 13/07/2022

DUN-BUR HTA-A PA2 D01-00 DR 0101 Rev L Ground floor plan 13/07/2022

DUN-BUR HTA-A PA2 D01-01 DR 0102 Rev L first floor plan 13/07/2022

DUN-BUR HTA-A PA2 D01-02 DR 0103 Rev K second floor plan 13/07/2022

DUN-BUR HTA-A PA2 D01-03 DR 0104 Rev K third floor plan 13/07/2022

DUN-BUR HTA-A PA2 D01-04 DR 0105 Rev K fourth floor plan 13/07/2022

DUN-BUR HTA-A PA2 D01-06 DR 0107 Rev K sixth floor plan 13/07/2022

DUN-BUR HTA-A PA2 D01-07 DR 0108 Rev J seventh floor plan 13/07/2022

DUN-BUR HTA-A PA2 D01-08 DR 0109 Rev H eighth floor plan 13/07/2022

DUN-BUR-HTA-A-PA2-D001-09-DR-0110 Rev H ninth floor plan 13/07/2022

DUN-BUR HTA-A PA2 D01-10 DR 0111 Rev H tenth floor plan 13/07/2022

DUN-BUR HTA-A PA2 D01-11 DR 0112 Rev H eleventh floor plan 13/07/2022

DUN-BUR HTA-A PA2 D01-12 DR 0113 Rev H twelfth floor plan 13/07/2022

DUN-BUR HTA-A PA2 D01-B1-DR 0100 Rev A Basement plan 13/07/2022

DUN-BUR HTA-A PA2 D01-R1-DR 0114 Rev H roof plan 13/07/2022

DUN-BUR HTA-A PA2 D01-05 DR 0106 Rev K fifth floor plan 13/07/2022

DUN-BUR HTA-L DR 00 0900 PUBLIC REALM GA PLAN Rev E 13/07/2022

DUN-BUR HTA-L DR 00 0920 PUBLIC REALM SECTIONS Rev C 13/07/2022

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DUN-BUR HTA-L DR 00 0921 PUBLIC REALM SECTIONS Rev 13/07/2022
C

DUN-BUR HTA-L DR ZZ 0905 PUBLIC REALM ILLUSTRATIVE 13/07/2022
PLAN Rev B

DUN-BUR HTA-L DR ZZ 0910 COMMUNAL AMENITY GA Rev 13/07/2022
B

DUN-BUR HTA-L DR ZZ 0915 COMMUNAL AMENITY 13/07/2022
ILLUSTRATIVE PLAN Rev B

DUN-BUR HTA-L DR ZZ 0922 COMMUNAL AMENITY 13/07/2022
SECTIONS Rev A

Reason:

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

Permission is subject to the following Time Limit:

2. 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.

Permission is subject to the following Pre-Commencements Condition(s)

3. FULL FIBRE CONNECTIVITY

Prior to commencement of the development hereby approved, detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be

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carried out in accordance with these plans and maintained as such in perpetuity.

Reason:

To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness in accordance with Policy SI6 of the London Plan (2021) and policy P44 'Broadband and digital infrastructure' of the Southwark Plan (2022).

Construction management / logistics plan

4.

No development shall take place, including any works of demolition, until a written construction environmental management plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to construction site management and to use all best endeavours to minimise off-site impacts, and will include the following information:

- A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts (including identified contamination) and the identified remedial measures;
- Site perimeter continuous automated noise, dust and vibration monitoring;
- Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding location, height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
- Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Constructor Scheme;
- Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;
- At least Silver FORS membership for transport operators;
- Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations including locations of recycling activities on the site;

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- Details to minimise impacts upon the adjoining Site of Interest for Nature Conservation (Burgess Park) by way of contamination, noise, dust, light pollution and surface-run-off;
- Measures to maximise the use of sustainable modes of transport for deliveries and collections;
- Measures to protect pedestrians and cyclists in line with the Mayor of London's Vision Zero;
- A commitment that all Non-Road Mobile Machinery equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the standard as stipulated by the Mayor of London;
- Compliance with the Non-Road Mobile Machinery Low Emission Zone for London;
- Measures for the pre-booking of deliveries to and collections from the site;
- Measures to minimise and consolidate vehicle trips to and from the site;
- The scope, location and design of the site offices and welfare facilities in each phase of the development;
- To follow current best construction practice, including the following:-

Southwark Council's Technical Guide for Demolition & Construction at <http://www.southwark.gov.uk/construction>
Section 61 of Control of Pollution Act 1974,
The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition',
The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',
BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Noise',
BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Vibration'
BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration,
BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting.

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

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Construction work shall only take place between 8am to 6pm Monday to Friday, 9am to 2pm on Saturdays and not at all on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity), and the National Planning Policy Framework 2021. in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy (2011), Saved Policy 3.2 'Protection of amenity' of the Southwark Plan (2007), and the National Planning Policy Framework (2019).

5. **Circular Economy**

Prior to the commencement of development, including demolition, an updated Circular Economy Statement demonstrating compliance with Part B of Policy SI 7 'Reducing waste and supporting the circular economy' of the London Plan 2021 and including a pre-demolition audit shall be submitted and approved in writing by the Local planning Authority. The assessment shall develop a strategy for the implementation of circular economy principles in both the approved building's and wider site's operational phase, in addition to developing an end-of-life strategy for the development according to circular economy principles, including disassembly and deconstruction.

Reason

To promote resource conservation, waste reduction, material re-use, recycling and reduction in material being sent to land fill in compliance with Policy SI 7 of the London plan 2021

6. **Site contamination**

a) Prior to the commencement of development (excluding demotion), an intrusive site investigation and associated risk assessment shall be

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completed to fully characterise the nature and extent of any contamination of soils, ground water, ground gas and vapour on the site.

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 offsite receptors in accordance with the National Planning Policy Framework (2021); P67 Reducing water use, P68 Reducing flood risk, P63 Land for waste management, P64 Contaminated land and hazardous substances of the Southwark Plan (2022).

7. Updated energy strategy

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Prior to the commencement of development (excluding demolition) an updated energy strategy to address the following outstanding issues as detailed in the Greater London Authority's Energy Memo dated 21st June 2022 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Thermal bridging information;

Details of energy costs for occupiers of the development;

Further justification for the provision of a separate heating system for block A;

Provision of a plan showing the location of the site energy centre;

Additional calculations for the heat pump outputs;

Details to demonstrate whether or not additional photovoltaic panels could be provided within the development.

Reason

To ensure that the development would comply with policy SI 2 'Minimising greenhouse gas emissions' of the London Plan 2021.

8. Drainage Strategy and finished floor levels

No works (excluding demolition and site clearance) shall commence until full details of 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 a reduction in surface water runoff rates during the 1% Annual Exceedance Probability (AEP) event plus climate change allowance, as detailed in the Drainage Strategy report prepared by Waterman (ref: WIE12954-100-5-2-1-DS, dated March 2021). 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 and maintained as such thereafter, and finished floor levels in areas of medium or high risk of surface water

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flooding on the northern and eastern parts of the site must be raised 300mm above the existing ground levels.

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 SI 13 of the London Plan (2021).

9. Prior to works commencing, including any demolition, an updated Arboricultural Impact Assessment and 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 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,

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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 Chapters 7 (Ensuring the vitality of town centres), 8 (Promoting healthy and safe communities), 11 (Making effective use of land) and 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy G7 (Trees and Woodlands) of the London Plan (2021); Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

10. New tree planting

Prior to works commencing (excluding demolition), full details of all proposed planting of 53 trees shall be submitted to and approved in writing by the Local Planning Authority. This shall include new street trees, Elm New horizon species trees and existing category B trees being removed to be replaced by trees with an equivalent (or greater) CAVAT value. The details will also include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.

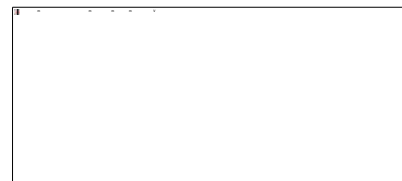
If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and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

Reason: To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit

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of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2021 and policies P13 (Design of places), P14 (Design quality), P56 (Protection of amenity) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

11. ACCESSIBLE AND WHEELCHAIR DWELLINGS

Before the development hereby permitted is commenced, the applicant shall submit written confirmation from the appointed building control body that the specifications for each dwelling identified in the detailed construction plans and as set out in the HTA unit compliance matrix for Southwark (revision M dated 13th June 2022) meet the standard of the Approved Document M of the Building Regulations (2015) 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 Access to and use of building standard:

Reason: To ensure the development complies with: Chapters 5 (Delivering a sufficient supply of homes) and 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy D7 (Accessible housing) of the London Plan (2021), and; Policy P8 (Wheelchair Accessible and Adaptable Housing) of the Southwark Plan (2022).

12. Chimney retention

Prior to the commencement of development, including any demolition, details to ensure the protection of the existing brick chimney stack during demolition and construction works shall be submitted to and approved in writing by the Local Planning Authority, and the works carried out in accordance with the details thereby approved.

Within one year of the commencement of development a scheme for the restoration of the existing brick chimney on the site including the removal of the existing telecomms equipment attached to it shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the details thereby approved.

Reason:

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To protect the chimney as part of the industrial heritage of the site, in accordance with policy P21 'Conservation of the historic environment and natural heritage' of the Southwark Plan (2022)

13. ASBESTOS SURVEY

Prior to the commencement of any demolition of the existing buildings or external structures on the site, an Asbestos Survey including an intrusive survey in accordance with HSG264, supported by an appropriate mitigation scheme to control risks to future occupiers must be submitted to and approved in writing by the Local Planning Authority.

The mitigation scheme must identify potential sources of asbestos contamination and detail removal or mitigation appropriate to the proposed end use. The development must be carried out in accordance with the details thereby approved.

Reason:

To ensure that risks from potential asbestos are appropriately managed, in accordance with policy P56 'Protection of amenity' of the Southwark Plan (2022) and the National Planning Policy Framework 2021.

14. Back-up Generator Extract Ventilation

Prior to the commencement of development (excluding demolition), full particulars and details of a scheme for the extraction and ventilation of the back-up generator including acoustic information shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved.

Reason

In order to ensure that that any installed ventilation, ducting and ancillary equipment in the interests of amenity will not cause amenity impacts such as odour, fume or noise nuisance and will not detract from the appearance of the building in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P65 (Improving air quality), and the National Planning Policy Framework 2021.

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15. Whole Life-Cycle Carbon Assessment

Prior to the commencement of development (including any demolition), a revised whole life carbon assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be based on the Mayor of London's Whole life-cycle carbon assessments guidance dated March 2022 and must demonstrate compliance with Part F of Policy SI 2 - Minimising greenhouse gas emissions of the London Plan 2021. The development shall be carried out in accordance with the details thereby approved.

Reason:

To ensure whole life-cycle carbon is calculated and reduced, and to demonstrate compliance with: the National Planning Policy Framework 2021; and Policy SI 2 (Minimising Greenhouse Gas Emissions) of the London Plan 2021 and policies P15 ('Residential Design') and P70 ('Energy') of the Southwark Plan 2022.

Permission is subject to the following Grade Condition(s)

16. HARD AND SOFT LANDSCAPING

Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, available rooting space, tree pits, 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 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

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later), shall be replaced in the next planting season by specimens of the equivalent stem girth and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason: So that the Council may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2021; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity), Policy P57 (Open Space) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

17. **CYCLE STORAGE DETAILS**

Before any above grade work hereby authorised begins, details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles for the class E and F floorspace and residential units shall be submitted to and approved in writing by the Local Planning Authority. All cycle parking must comply with the London Cycle Design Standards and must include 5% of spaces for larger bicycles and 20% Sheffield stands. 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 Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy T5 (Cycling) of the London Plan (2021); Policy P53 (Cycling) of the Southwark Plan (2022).

18. **DETAILS OF THE IMPACT ON TELECOMMUNICATIONS SERVICES**

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Before any above grade work hereby authorised begins, details of how the impact of the development on television, radio, telephone and other telecommunications services will be assessed, the method and results of surveys carried out, and the measures to be taken to rectify any problems identified shall be submitted to and approved in writing by the Local Planning Authority. The premises shall not be occupied until any such mitigation measures as may have been approved have been implemented.

Reason: In order to ensure that any adverse impacts of the development on reception of residential properties is identified and resolved satisfactorily in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy P56 (Protection of Amenity) and Policy P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan (2022).

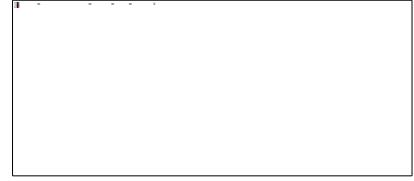
19. SAMPLE MATERIALS/PANELS/BOARDS

Prior to above grade works commencing, material samples/sample-panels/sample-boards of all external facing materials 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 to ensure 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 Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of Places) and Policy P14 (Design Quality) of the Southwark Plan (2022).

20. ECOLOGICAL MANAGEMENT PLAN

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

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be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

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

21. CONTROL OF INVASIVE PLANTS

Before any above grade work hereby authorised begins, a detailed method statement for the removal or long-term management /eradication of Japanese Knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds, root and/or stem (whichever the case may be) of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reasons: Japanese Knotweed is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring.

22. a) The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of above grade works.

b) The approved security measures shall be implemented in full and prior to occupation of the development details to demonstrate that it has achieved

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Secured by Design accreditation from the Metropolitan Police shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention, in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy D11 (Safety, security and resilience to emergency) of the London Plan (2021); Policy P13 (Design of Places), Policy P14 (Design Quality) and Policy P16 (Designing out Crime) of the Southwark Plan (2022).

23. OBSCURE GLAZING / PRIVACY DEVICES

Prior to the commencement of above grade work on any of the following blocks, details of obscure glazing or other privacy devices for that block shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved, with the obscure glazing / privacy devices provided prior the occupation of units affected and retained as such thereafter.

- Block A - first floor rear windows to houses 1, 2 and 3 from right to left (top opening only and obscure glazed up to 1.8m) and side windows in house 4 facing Southampton Way.
- Blocks F and G - windows within these blocks facing each other.
- Blocks F, G and H - windows facing onto the podium gardens.
- Blocks K and L - windows within these blocks facing each other including at inward facing corners

Reason:

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at from undue overlooking in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

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24. Class E (g) (iii) FIT OUT - light industrial

Before any work above grade hereby authorised begins, full particulars shall be submitted to and approved in writing by the Local Planning Authority of a scheme showing that the employment floorspace shall be fitted-out to an appropriate level for class E(g) (iii) use. This 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. The facilities shall be provided in accordance with the approved details.

Reason:

In order to ensure that the site continues to provide employment floorspace which can accommodate light industrial uses in accordance with site allocation NSP25 of the Southwark Plan 2022.

25. Tower mock-up

A full-scale mock-up of the façade of the 13-storey tower to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority before any above ground work in connection with the tower is carried out; the development shall not be carried out otherwise than in accordance with any such approval given. The mock-up must present all aspects of the tall building and demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with the NPPF (2021), policy D9 'Tall buildings' of the London Plan (2021) and policy P17 'Tall buildings' of the Southwark Plan (2022).

26. Detailed drawings

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Section detail-drawings for each particular block at a scale of at least 1:10 through:

- the facades;
- the balconies;
- parapets; and
- 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 before any above grade work hereby authorised begins on that particular block (except for demolition works). 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 P13 'Design of places' and P14 'Design quality' of the Southwark Plan 2022.

27. Green wall / boundary treatment

a) Before any above grade work hereby authorised begins, detailed drawings and a method statement (including arboricultural assessment) for a 2.4m high brick wall which shall be constructed along the boundary between the site and Burgess Park shall be submitted to and approved in writing by the Local Planning Authority. The wall shall be capable of being planted as a green wall on both sides, and the side facing into the site shall be planted as a green wall prior to the occupation of the development and maintained as such thereafter, in accordance with a maintenance schedule which shall also be submitted for approval in writing prior to the occupation of the development. The wall shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

b) Boundary treatment for all other boundaries shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above grade works and maintained as such thereafter.

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The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In the interests of visual and residential amenity and to ensure an appropriate boundary between the site and Burgess Park, in accordance with policies P14 'Design quality', P60 'Biodiversity' and P61 'Trees' of the Southwark Plan 2022.

28. Separation of kitchen and living spaces

Prior to the commencement of above grade works, details of the means of ensuring that there would be adequate separation between kitchen and living spaces between the 2 and 3-bedroom social rented units hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved and maintained as such thereafter.

Reason:

To ensure that there would be adequate separation between the kitchen and living spaces in the interests of the amenity of future occupiers, in accordance with policy P15 'Residential design' of the Southwark Plan (2022) and guidance within the Residential Design Standards SPD (2015).

29. **PLAYSPACE AND ACCESS TO AMENITY SPACE**

Prior to the commencement of above grade works, details of the play equipment to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority. The play equipment shall be provided in accordance with the details thereby approved prior to the occupation of the residential units. All playspace and communal amenity space within the development shall be available to all residential occupiers of the development regardless of tenure, in perpetuity.

Reason:

To ensure that there would be adequate play facilities to serve the development, in accordance with saved policy 4.2 'Quality of

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accommodation' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

30. Revised details of block D parking space

Notwithstanding the details shown on the approved plans, revised plans and tracking diagrams showing the accessible parking space next to block D relocated elsewhere within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above grade works. The development shall be carried out in accordance with the details thereby approved and the parking space provided prior to the occupation of the development and maintained as such thereafter.

Reason: In the interests of vehicular, cyclist and pedestrian safety, in accordance with policies P50 'Highway impacts', P51 'Walking' and P53 'Cycling' of the Southwark Plan (2022).

31. PARKING DESIGN AND MANAGEMENT PLAN

Prior to the commencement of above grade works, a Parking Design and Management Plan detailing how an additional 6.6% wheelchair accessible parking spaces to serve the wheelchair accessible residential units could be provided shall be submitted to and approved in writing by the Local Planning Authority. Any of the spaces which are onsite shall be safeguarded for future use by occupiers of the wheelchair accessible units if required.

Reason:

To ensure that there would be adequate provision for wheelchair accessible parking spaces, in accordance with policy T6.1 'Residential parking' of the London Plan 2021.

32. Bird and bat boxes

Details of bird and bat nesting bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above grade works. No less than 24 swift bricks and 12 bat bricks shall be provided on the site and the details shall include the exact location, specification and

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design of the habitats. The bricks shall be installed with 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 nesting bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter. Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2021); Policy G6 (Biodiversity and access to nature) of the London Plan (2021); P56 Protection of amenity, P57 Open space, P58 Open Water space, P59 Green infrastructure, P60 Bioiversity, P66 Reducing noise pollution and enhancing soundscapes and P69 Sustainable standards of the Southwark Plan (2022).

33. Healthy Streets

Prior to the commencement of above grade works, a management plan detailing how the new routes through the site have been designed in accordance with the Mayor's Healthy Streets approach shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- demonstrating how walking and cycling will be safe, comfortable and convenient;
- ensuring a low-speed environment;
- ensuring sufficiently wide, clearly delineated footways on any carriageways;
- demonstrating a maximum of 4 metres access width for vehicle routes;
- demonstrating the operation of a one-way system for vehicles within the site;
- detailing the final position of bollards at the entrances to the site.

The development shall be carried out in accordance with the details thereby approved, and maintained as such thereafter.

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Reason:

To ensure that a safe walking and cycling environment in accordance with Policy T2 'Healthy streets' of the London Plan (2021).

34. GREEN ROOFS FOR BIODIVERSITY

Before any above grade work hereby authorised begins, details of the biodiversity green roofs shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity green roof(s) 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 biodiversity green roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

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

Discharge of this condition will be granted on receiving the details of the green/brown roofs and Southwark Council agreeing the submitted plans, and once the green roofs are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2021) and policy P60 'Biodiversity' of the Southwark Plan (2022).

35. Overlooking Study

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Prior to the commencement of above grade works, a detailed study showing the relationship between existing windows in the residential and live/work units at the rear of 47 Southampton Way and the windows in proposed block C, together with details of any required privacy devices to ensure that there would be no mutual overlooking, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved and maintained as such thereafter.

Reason:

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at from undue overlooking in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

36. Extract / Ventilation - commercial uses

Prior to the commencement of above grade works to a particular block, full particulars and details of a scheme for the extraction and ventilation of of any class E or F floorspace within that block shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- o Details of extraction rate and efflux velocity of extracted air
- o Full details of grease, particle and odour abatement plant
- o The location and orientation of the extraction ductwork and discharge terminal
- o A management servicing plan for maintenance of the extraction system

The development shall be carried out in accordance with the details thereby approved.

Reason

In order to ensure that that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with

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Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy SI 1 (Air quality) of the London Plan (2021); P64 (Contaminated land and hazardous substances) P65 (Improving air quality) and P56 (Protection of Amenity) of the Southwark Plan (2022).

Permission is subject to the following Pre-Occupation Condition(s)

37. LANDSCAPE MANAGEMENT PLAN

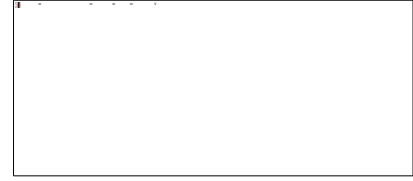
Prior to the occupation of the development or any phase of the development, whichever is the sooner, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority.

Details of an irrigation schedule shall be provided for all trees to ensure successful establishment.

For stem girths of up to 20cm the schedule shall be a minimum of three years, and five years for stem girths greater than 20cm. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

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

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and

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wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

38. BREEAM REPORT AND POST CONSTRUCTION REVIEW

(a) Before any fit out works to the class E and class F units hereby authorised begins, an independently verified BREEAM report for that unit (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) Before the first occupation of a class E or class F unit hereby permitted, a certified Post Construction Review for that unit (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 Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) of the National Planning Policy Framework (2021); Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan (2021); Policy P69 (Sustainability Standards) and Policy P70 (Energy) of the Southwark Plan (2022).

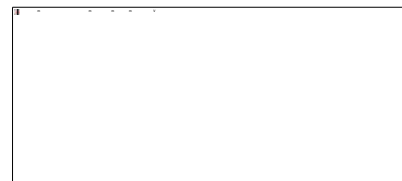
39. External lighting and glazing

Prior to the occupation of the development a wildlife sensitive lighting strategy which takes into account lighting from within the development, shows that no lighting will be provided on terraces within block A facing Burgess Park and incorporates the use of glazing to minimise light spillage shall be submitted to and approved in writing by the Local Planning Authority. The recommended lighting specification using LEDs (at 3 lux) is because they have little UV. The spectrum recommended is 80% amber and 20% white with a clear view, no UV, horizontal light spread ideally less than 70° and a timer. The lighting shall also comply with Guidance Note 1 for the

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reduction of obtrusive light (2021) from the Institute of Lighting Professionals and Bat Conservation Trust Guidance note 8 'Bats and Artificial lighting'.

Reason:

To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended), and to ensure that there would be no amenity or ecology issues arising from the lighting, in accordance with policies P56 'Protection of amenity' and P60 'Biodiversity' of the Southwark Plan (2022).

40. Plant Noise

The Rated sound level from any plant, together with any associated ducting, shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014+A1:2019.

Suitable acoustic treatments shall be used to ensure compliance with the above standard. A validation test shall be carried out and the results submitted to the Local Planning Authority for approval in writing to demonstrate compliance with the above standard prior to the occupation of the development. Once approved the plant and any acoustic treatments shall be permanently maintained thereafter.

Reason: To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery, in accordance with: Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policies D13 (Agent of change) and D14 (Noise) of the London Plan (2021); Policy P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan (2022).

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41. Water network upgrades

No development shall be occupied until confirmation has been provided that either:

a) all water network upgrades required to accommodate the additional flows to serve the development have been completed; or

b) a development and infrastructure phasing plan has been agreed with Thames Water to allow the development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

42. DETAILS OF THE SHOWERING FACILITIES

Before the first occupation of the development, details of showering and changing facilities to be provided for commercial units over 1000 sqm shall be submitted to and approved in writing by the Local Planning Authority and thereafter the shower and changing facilities shall be retained and the space used for no other purpose.

Reason: In order to ensure that satisfactory facilities are provided and retained in order to encourage the use of non-car based travel, in accordance with: Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy T2 (Healthy streets) of the London Plan (2021); Policy P50 (Highways Impacts) and Policy P51 (Walking) of the Southwark Plan (2022).

43. TRAVEL PLAN AND DETAILED TRANSPORT METHODS SURVEY

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a) The measures set out in the Residential Travel Plan and Site-Wide Framework Travel Plans by Santec shall be implemented upon the first occupation of the development

b) At the start of the second year of operation of the approved Travel Plan, a detailed survey showing the methods of transport used by all those users of the building to and from the site and how this compares with the proposed measures and any additional measures to be taken to encourage the use of public transport, walking and cycling to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise in accordance with any such approval given.

Reason: In order that the use of non-car based travel is encouraged in accordance with: Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy T2 (Healthy streets) of the London Plan (2021); Policy P50 (Highways Impacts), Policy P51 (Walking) and Policy P54 (Car Parking) of the Southwark Plan (2022)

44. Advertisement design strategy

Any external signage to the development shall be designed and implemented in accordance with a Signage Design Strategy which shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. Any illuminated signage shall be statically illuminated and the illumination shall not exceed 600 cd/m², save for any advertisements which face towards residential accommodation where any illumination shall not exceed a surface brightness of 350 candelas.m⁻² between 2100 - 0700 hours.

Reason: To ensure that the signage would be acceptable in terms of its visual impact and impact upon amenity and public safety, in accordance with policy P43 'Outdoor advertisements and signage' of the Southwark Plan 2022 and the Town and Country Planning (Control of Advertisements) Regulations (2007).

45. Residential - Entertainment Noise Internal noise levels

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The development must be designed to ensure that habitable rooms are not exposed to entertainment noise in excess of 27dB LAeq (5 minute). A written report shall be submitted to and approved by the Local Planning Authority detailing acoustic predictions and mitigation measures to ensure the above standard is met. Following completion of the development but prior to residential occupation, a validation test shall be carried out on a relevant sample of premises. The results shall be submitted to the Local Planning Authority for approval in writing and the approved scheme shall be 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 the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P66 (Reducing noise pollution and enhancing soundscapes), and the National Planning Policy Framework 2021.

46. Residential - Vertical sound transmission between potentially loud commercial and residential properties

a) 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.

b) A report shall be submitted to and approved in writing by the Local Planning Authority 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.

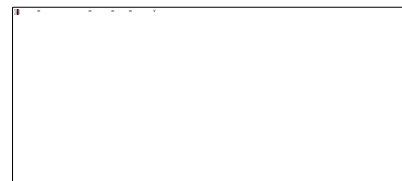
c) Following completion of the development and prior to occupation, a validation test shall be carried out on a relevant sample of premises. The results shall be submitted to the Local Planning Authority for approval in writing and the approved scheme shall be permanently maintained thereafter.

Reason

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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 in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P66 (Reducing noise pollution and enhancing soundscapes), and the National Planning Policy Framework 2021.

47. PROVISION OF REFUSE STORAGE

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

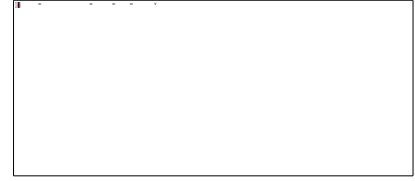
Reason:

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Chapters 8 (Promoting healthy and safe communities) and 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P56 (Protection of amenity) and Policy P62 (Reducing waste) of the Southwark Plan (2022).

48. Sound transmission between residential properties

The habitable rooms within the development that share a party wall element with plant rooms and commercial properties 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.

Prior to the occupation of the development 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 Local Planning Authority for approval in writing. The approved scheme shall be implemented prior to

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the of the occupation of the residential units and 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 adjacent premises in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P66 (Reducing noise pollution and enhancing soundscapes), and the National Planning Policy Framework 2021.

49. **Wind microclimate**

The proposed podium level seating area near probe location 255 as identified in chapter 11 'Wind microclimate' of the Environmental Statement shall either be relocated within the podium garden to an area with suitable wind conditions for sitting, or mitigation measures shall be provided around the seating area to ensure that it would be suitable for sitting as set out in the Lawson Comfort Criteria. Details of any mitigation measures required shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall be carried out in accordance with the details thereby approved prior to the first use of the podium gardens and maintained as such thereafter.

Reason: In the interests of the amenity of future occupiers, in accordance with policy P15 'Residential design' of the Southwark Plan (2022).

50. **Overheating**

Prior to the occupation of blocks I, J and K details of any additional measures required to prevent any of the units within these blocks from overheating shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved, and any mitigation measures required shall be provided at no expense to the occupiers prior to the occupation of the affected units and maintained as such thereafter. Guidance on avoiding overheating shall be provided to occupiers of the affected units in perpetuity.

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Reason: In the interests of the amenity of future occupiers, in accordance with policy P15 'Residential design' of the Southwark Plan (2022)

51. 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 LAeq 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.

Prior to the occupation of the development a validation test shall be carried out on a relevant sample of the residential units which shall include units in the rear of blocks I, J and K which would adjoin the scaffold yard and are likely to require enhanced glazing. The results shall be submitted to the Local Planning Authority for approval in writing and the approved scheme shall be 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 Chapter 8 (Promoting healthy and safe communities) and Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P15 (Residential Design), Policy P56 (Protection of Amenity) and Policy P69 (Sustainability Standards) of the Southwark Plan (2022)

52. **SERVICING PLAN AND HOURS**

Prior to the occupation of the development hereby permitted, a Servicing Management Plan detailing how all elements of the site are to be serviced shall be submitted to and approved in writing by the Local Planning Authority. This shall include details for maximising the use of bicycles and other sustainable methods for deliveries, measures to protect pedestrians and cyclists in line with the Mayor of London's Vision Zero, and at least silver FORS membership for transport operators servicing the site. The servicing of the development shall be carried out in accordance with the approval given

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and the Service Management Plan shall remain extant for as long as the development is occupied.

Servicing for the class E and F floorspace shall only take place between the hours of 0800-2000 Mondays to Saturdays and not at all on Sundays. No servicing by Heavy Goods Vehicles shall take place between 0800-0900 and 1500-1600 during school term time.

Reason:

To ensure that and occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policies D3 (Optimising site capacity through the design-led approach) and T7 (Deliveries, servicing and construction) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

53. Car parking spaces / electric charging points

Prior to occupation of the development hereby permitted, the accessible parking spaces shown on the plans shall be made available and retained for the purposes of car parking for disabled residents for as long as the development is occupied. Each of the spaces shall be fitted with an active electric vehicle charging point which shall be maintained in good working order thereafter.

Reason:

In accordance with Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy T6 (Car parking) of the London Plan (2021); Policy P54 (Car parking) of the Southwark Plan (2022).

54. FIT OUT OF ENTRANCE LOBBIES

Prior to the occupation of the development, details of the internal fit out and finishes to the residential entrance lobbies demonstrating that this aspect of the development would be tenure blind shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried

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out in accordance with the development thereby approved and maintained as such thereafter.

Reason:

To ensure that both residential entrance lobbies would be of a high standard of design, in accordance with policy P15 'Residential design' of the Southwark Plan (2022).

55. a) Private gardens, balconies and communal external amenity areas shall be designed to attain 50dB(A) LAeq, 16hr † . Where this is not possible to achieve despite implementing all reasonable mitigation measures, the standard can be reduced by 5dB so that the sound level does not exceed 55dB LAeq, 16hr.

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

b) Where this requires the provision of a solid balcony balustrade, details of the balustrades shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in accordance with the details thereby approved, and maintained as such thereafter.

Reason:

In the interests of the amenity of future occupiers and the visual amenity of the development, in accordance with policies P14 'Design quality' and P15 'Residential design' of the Southwark Plan (2022).

56. Drainage verification report

No dwelling on the site shall be occupied until a drainage verification report prepared by a suitably qualified engineer has been submitted to and approved in writing by the Local Planning Authority. The report shall provide evidence that the drainage system (incorporating SuDS) has been constructed according to the approved details and specifications (or detail any minor variations where relevant) as detailed in the Drainage Strategy report prepared by Waterman (ref: WIE12954-100-5-2-1-DS, dated March 2021) and shall include plans, photographs and national grid references of key components of the drainage network such as surface water attenuation

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structures, flow control devices and outfalls. The report shall also include details of the responsible management company. The development shall be carried out in accordance with the details thereby approved and maintained as such thereafter.

Reason: To ensure the surface water drainage complies with Southwark's Strategic Flood Risk Assessment and Policy SI 13 of the London Plan (2021).

Permission is subject to the following Compliance Condition(s)

57. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment of enactment of those Orders) 88% of the class E floorspace hereby approved shall be used for use class E (g) (iii) purposes only unless otherwise agreed by way of a formal application for planning permission. The remaining 12% of the class E floorspace may be used for class E (a) and (b) purposes. The class F floorspace shall be for class F2(b) use only.

Reason:

In accordance with the application details and order to ensure that the site continues to provide employment floorspace which can accommodate light industrial uses in accordance with site allocation NSP25 of the Southwark Plan 2022.

58. **RESTRICTION ON THE INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT**

Notwithstanding the provisions of Parts 24 and 25 The Town & Country Planning [General Permitted Development] Order 1995 [as amended or re-enacted] no external telecommunications equipment or structures shall be placed on the roof or any other part of a building hereby permitted.

Reason:

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In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of places), Policy P14 (Design quality) and P56 (Protection of amenity) of the Southwark Plan (2022).

59. Notwithstanding the provisions of classes A-H of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alterations shall be carried out to the dwelling houses within blocks A and C.

Reason: To safeguard the character and the amenities of the premises and adjoining properties in accordance with Chapter 12 (Achieving good design) of the National Planning Policy Framework (2021); Policies D4 (Delivering good design) and HC1 (Heritage conservation and growth) of the London Plan (2021); Policy P13 (Design of Places), Policy P14 (Design Quality) and Policy P56 (Protection of Amenity) of the Southwark Plan (2022).

60. RESTRICTION ON THE INSTALLATION OF APPURTENANCES ON THE ELEVATIONS

No meter boxes, flues, vents or pipes [other than rainwater pipes] or other appurtenances not shown on the approved drawings shall be fixed or installed on the street elevations of the buildings.

Reason:

To ensure such works do not detract from the appearance of the building (s) in accordance with Chapter 12 (Achieving well-designed places) the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of places) and Policy P14 (Design quality) of the Southwark Plan (2022).

61. RESTRICTION ON THE INSTALLATION OF ROOF PLANT

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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.

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 Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of places), Policy P14 (Design quality) and P56 (Protection of amenity) of the Southwark Plan (2022).

62. COMPOSTING AND RAINWATER COLLECTION FACILITIES

Facilities for the composting of organic waste and the collection of rainwater for recycling shall be provided for the dwellings hereby approved and shall be maintained for the duration of the use.

Reason:

To encourage household recycling and the reduction of household waste and water consumption in accordance with Chapter 8 (Promoting healthy and safe communities) the National Planning Policy Framework (2021); Policy P62 (Reducing waste) and Policy P67 (Reducing water use) of the Southwark Plan (2022).

63. HOURS OF USE

The class F unit and any units within the development used for food and drink purposes (use class Eb) shall not be carried on outside of the hours of 7am to 11pm daily.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with Chapter 8 (Promoting healthy and safe communities) of the

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National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

64. Water efficiency

Each dwelling hereby permitted shall be constructed to achieve at least the optional standard 36(2b) of Approved Document G of the Building Regulations (2015).

Reason:

To ensure the development complies with Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) of the National Planning Policy Framework (2021); Policy SI 5 (Water infrastructure) of the London Plan (2021); and Policy P67 (Reducing water use) of the Southwark Plan (2022).

65. URBAN GREENING FACTOR

The measures set out in the urban greening factor calculation to achieve a score of at least 0.4 shall be implemented in full.

Reason:

In order to meet the requirements of policy G5 'Urban greening' of the London Plan (2021).

66. No further windows block B

No windows or other openings shall be inserted in the rear elevation of block B which adjoins Burgess Park.

Reason:

To ensure that there would be no adverse impacts upon the biodiversity of Burgess Park, in accordance with policy P60 'Biodiversity' of the Southwark Plan (2022).

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67. Hours of use block D terrace

The roof terrace hereby permitted on block D shall only be used between the hours of 8am and 10pm daily.

Reason: To ensure that there would be no loss of amenity to neighbouring residential occupiers, in accordance with policy P56 'Protection of amenity' of the Southwark Plan (2022).

68. No motorcycle parking

Notwithstanding the details shown on the approved plans, no motorcycle spaces shall be provided within the development.

Reason: To encourage sustainable modes of travel such as walking, cycling and public transport in accordance with policy T6.1 'Residential parking' of the London Plan (2021).

69. FIRE SAFETY STRATEGY

Access to the site by fire appliances shall be maintained at all times, smoke and fire alarms and sprinklers shall be provided in accordance with the Fire Safety Statement by Sweco (Revision 2), and the 13-storey tower shall be provided with two stair cores.

Reason:

In order to ensure that the fire safety of the proposed development has been duly considered, as required by policy D12 'Fire safety' of the London Plan (2021).

70. Biodiversity Net Gain

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The ecological measures including biodiverse green roofs, new trees, amenity grassland and shrubs set out in the Biodiversity Net Gain assessment by the Ecology Consultancy shall be implemented in full prior to the occupation of the development and maintained as such thereafter.

Reason: To comply with London Plan Policy G6 (Biodiversity and access to nature'), Southwark Plan 2022 policy P60 ('Biodiversity') and the National Planning Policy Framework 2021.

71. Residential units and building heights

The development hereby permitted is limited to 375 residential units, 5,118sqm (GIA) of class E floorspace, 112sqm (GIA) of class F floorspace and a maximum parapet height of 48.25m (AOD) to the 13-storey tower.

Reason: This is in accordance with the application details and the approved plans.

72. Visibility splays

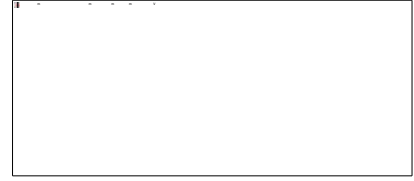
The pedestrian visibility splays at the vehicular entrances / exits for the development shall be maintained clear of obstructions and any landscaping or vegetation within the visibility splays shall be maintained so that it does not exceed 0.6m in height.

Reason:

In the interests of pedestrian, cyclist and highway safety in accordance with policies P50 'Highway impacts', P51 'Walking' and P53 'Cycling' of the Southwark Plan (2022).

73. Domestic gas boilers

Any back-up domestic gas boilers shall meet 'ultra-low NOx' criteria such that the dry NOx emission rate does not exceed 40mg/kWh.

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To minimise the impact of the development on local air quality within the designated Air Quality Management Area in accordance with the Southwark Plan 2022 Policy P65 (Improving air quality); Policy P70 (Energy), and the National Planning Policy Framework 2021.

Permission is subject to the following Special Condition(s)**74. PILING METHOD STATEMENT**

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for the contamination of ground water has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure that the risks of contaminating ground water 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 offsite receptors in accordance with the National Planning Policy Framework (2021); P67 Reducing water use, P68 Reducing flood risk, P63 Land for waste management, P64 Contaminated land and hazardous substances of the Southwark Plan (2022).

75. Arboricultural Site Supervision

a) All Arboricultural Supervisory elements are to be undertaken in accordance with BS5837 key stages outlined in in the approved Arboricultural Method Statement for this site, as evidenced through signed sheets and photographs, as appropriate.

b) The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in tree protection condition shall be submitted for approval in writing by the Local Planning Authority

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within 28 days of completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by the retained or pre-appointed tree specialist.

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2021 Parts 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

Signed: *Stephen Platts*

Director of Planning and Growth

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Informative Notes to Applicant Relating to the Proposed Development

1. Paragraph 3.12.9 of Policy D12 explains that Fire Statements should be produced by someone who is:
"third-party independent and suitably-qualified" The Council considers this to be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or a suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. The Council accepts Fire Statements in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.

The fire risk assessment/statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development. The legal responsibility and liability lies with the 'responsible person'. The responsible person being the person who prepares the fire risk assessment/statement not planning officers who make planning decisions.

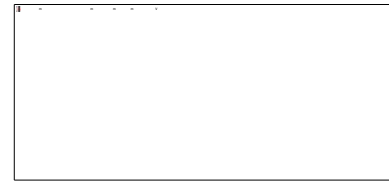
2. **Drainage**

The applicant is to note that surface water from private areas is not permitted to flow onto public highway in accordance with Section 163 of the Highways Act 1980. Detailed drawings should be submitted as part of the s278 application confirming this requirement.

Prior to works commencing on site (including any demolition) a joint condition survey should be arranged with Southwark Highway Development Team to

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catalogue condition of streets and drainage gullies. Please contact Hernan Castano, Highway Development Manager on 020 7525 4706 to arrange.

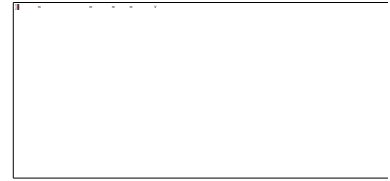
The Highway Authority requires works to all existing and any proposed new streets and spaces (given for adoption or not) to be designed and constructed to adoptable standards. Southwark Council's published adoptable standards as Highway Authority are contained in the Southwark Streetscape Design Manual (SSDM), <https://www.southwark.gov.uk/transport-and-roads/asset-management-and-streetscape-design/southwark-streetscape-design-manual-ssdm>

The applicant will be required to enter into an s278 agreement under the Highways Act 1980 for any works to existing adopted Highways.

Thames Water

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc may be required before the Company can give its consent. Applications should be made at <https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent> or alternatively to Waste Water Quality, Crossness

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STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above

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or near our pipes or other structures.
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

UXO

The development of the site should include adequate provision for the surveying the site for potential Unexploded Ordinance. If that survey work identifies any anomalies that may be UXO, the site operators must contact both the police and the local Authority at an early opportunity to agree timescales and further actions

Nesting birds and bats

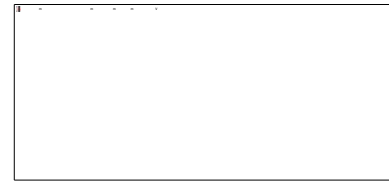
Site clearance activities should be undertaken between September and February, inclusive, to avoid any potential impacts to breeding birds during their main breeding season. If site clearance during the breeding season (March - August inclusive) is unavoidable then potential nesting habitat must be inspected by a suitably qualified ecologist no more than 48 hours before work commences to identify active birds' nests. Should bird nests be present, the nest and a suitable buffer of habitat around it must be retained until the young are confirmed to have left the nest by a suitably qualified ecologist. If bats are found to be present on the site, a suitably qualified ecologist must be instructed straightaway.

Works to trees in Burgess Park

You are required to consult the Council's Parks and Leisure Service if any work is required to trees within Burgess park (020 7525 0878)

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Important Notes Relating to the Council's Decision

1. Conditions

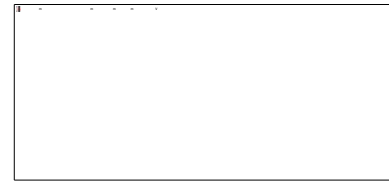
- If permission has been granted you will see that it may be subject to a number of planning conditions. They are an integral part of our decision on your application and are important because they describe how we require you to carry out the approved work or operate the premises. It is YOUR responsibility to comply fully with them. Please pay particular attention to those conditions which have to be met before work commences, such as obtaining approval for the siting and levels of buildings and the protection of trees on the site. If you do not comply with all the conditions in full this may invalidate the permission.
- Further information about how to comply with planning conditions can be found at:
https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12
- Please note that there is a right of appeal against a planning condition. Further information can be found at:
https://www.planningportal.co.uk/info/200207/appeals/108/types_of_appeal

2. Community Infrastructure Levy (CIL) Information

- If your development has been identified as being liable for CIL you need to email [Form 1: CIL Additional Information](#), [Form 2: Assumption of Liability](#) and [Form 6: Commencement Notice](#) to cil.s106@southwark.gov.uk as soon as possible, so that you can be issued with a Liability Notice. This should be done at least a day before commencement of the approved development.
- **Payment of the CIL charge is mandatory and the CIL Regulations comprises a range of enforcement powers and penalties for failure to following correct procedures to pay, including stop notices, surcharges, late payment interests and prison terms.**

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- To identify whether your development is CIL liable, and further details about CIL including eligibility and procedures for any CIL relief claims, please see the Government's CIL guidance:

<https://www.gov.uk/guidance/community-infrastructure-levy>

- All CIL Forms are available to download from Planning Portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

- Completed forms and any CIL enquiries should be submitted to cil.s106@southwark.gov.uk

3. National Planning Policy Framework

- In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

4. Appeals to the Secretary of State

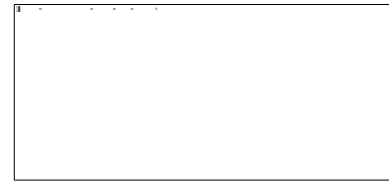
- If you are aggrieved by the decision of your local planning authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If an enforcement notice is or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: **28 days** of the date of service of the enforcement notice, OR within **6 months** (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.

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- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.
- Further details are on GOV.UK (<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>).

5. Purchase Notice

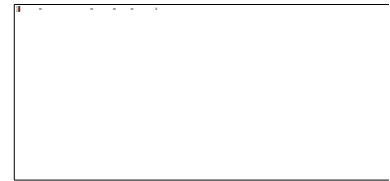
- If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990

6. Provisions for the Benefit of the Disabled

- Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
 - i. Buildings or premises to which the public are to be admitted whether on

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payment or otherwise. [Part III of the Act].

- ii. Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
 - iii. Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DfEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.

7. Other Approvals Required Prior to the Implementation of this Permission.

- The granting of approval of a reserved matter or outstanding matter does not relieve developers of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities (including the London Borough of Southwark) entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property. In this connection applicants are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.

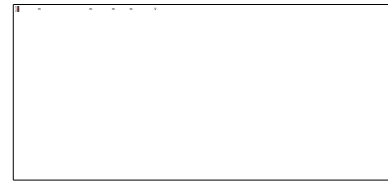
8. Works Affecting the Public Highway

- You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.

9. The Dulwich Estate Scheme of Management

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- Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].

10. Building Regulations.

- You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].

11. The Party Wall Etc. Act 1996.

- You are advised that you must notify all affected neighbours of work to an existing wall or floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a neighbouring building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].

12. Important

- This is a PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.

APPENDIX 2**NPPF and planning policies**

The site is subject to the following designations in the Southwark Plan 2022:

- Urban Zone
- Air Quality Management Area
- Hot food takeaway schools exclusion zone
- Site allocation NSP25
- Public transport accessibility level (PTAL) of 2-4 (low to medium)

National Planning Policy Framework

The revised National Planning Policy Framework ('NPPF') was published in July 2021 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.

Paragraph 218 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

Section 2 – Achieving sustainable development

Section 5 – Delivering a sufficient supply of homes

Section 6 – Building a strong, competitive economy

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

National Planning Practice Guidance

The London Plan 2021

On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London. The relevant policies are:

GG1 Building strong and inclusive communities

GG2 Making the best use of land

GG3 Creating a healthy city

GD4 Delivering the homes Londoners need

GG5 Growing a good economy

GG6 Increasing efficiency and resilience

Policy D1 London's form, character and capacity for growth

Policy D2 Infrastructure requirements for sustainable densities

Policy D3 Optimising site capacity through the design-led approach

Policy D4 Delivering good design

Policy D5 Inclusive design

Policy D6 Housing quality and standards

Policy D7 Accessible housing

Policy D8 Public realm

Policy D9 Tall buildings

Policy D11 Safety, security and resilience to emergency

Policy D12 Fire safety

Policy D13 Agent of change

Policy D14 Noise

Policy H1 Increasing housing supply

Policy H4 Delivering affordable housing

Policy H5 Threshold approach to affordable housing

Policy H6 Affordable housing tenure

Policy H7 Monitoring of affordable housing

Policy H10 Housing size mix

Policy SD4 Play and informal recreation

Policy E2 Providing suitable business space

Policy E3 Affordable workspace

Policy E4 - Land for industry, logistics and services to support London's economic function

Policy E6 - Locally Significant Industrial Sites

Policy E7 - Industrial intensification, co-location and substitution

Policy E8 Sector growth opportunities and clusters

Policy E11 Skills and opportunities for all

Policy HC1 Heritage conservation and growth

Policy HC3 Strategic and local views

Policy HC4 London view management framework

Policy G1 Green infrastructure

Policy G3 Metropolitan open land

Policy G5 Urban greening

Policy G6 Biodiversity and access to nature

Policy G7 Trees and woodlands

Policy SI 1 Improving air quality

Policy SI 2 Minimising greenhouse gas emissions

Policy SI 3 Energy infrastructure

Policy SI 4 Managing heat risk

Policy SI 5 Water infrastructure

Policy SI 6 Digital connectivity infrastructure

Policy SI 7 Reducing waste and supporting the circular economy

Policy SI 12 Flood risk management

Policy SI 13 Sustainable drainage

Policy T1 Strategic approach to transport

Policy T2 Healthy Streets

Policy T3 Transport capacity, connectivity and safeguarding
 Policy T4 Assessing and mitigating transport impacts
 Policy T5 Cycling
 Policy T6 Car parking
 Policy T6.1 Residential car parking
 Policy T6.5 Non-residential disabled persons parking
 Policy T7 Deliveries, servicing and construction
 Policy T9 Funding transport infrastructure through planning
 Policy DF1 Delivery of the Plan and Planning Obligations

New Southwark Plan (2022)

The Southwark Plan 2022 was adopted on 23 February 2022. The plan provides strategic policies, development management policies, area visions and site allocations which set out the strategy for managing growth and development across the borough from 2019 to 2036. The relevant policies are set out below:

ST1 Southwark's Development Targets
 ST2 Southwark's Places
 SP1 Homes for all
 SP2 Southwark Together
 SP4 Green and inclusive economy
 SP5 Thriving neighbourhoods and tackling health inequalities
 SP6 Climate emergency
 AV.05 Camberwell Area Vision
 P1 Social rented and intermediate housing
 P2 New family homes
 P8 Wheelchair accessible and adaptable housing
 P13 Design of places
 P14 Design quality
 P15 Residential design
 P16 Designing out crime
 P17 Tall buildings
 P18 Efficient use of land
 P19 Listed buildings and structures
 P20 Conservation areas
 P21 Conservation of the historic environment and natural heritage
 P22 Borough views
 P23 Archaeology
 P28 Access to employment and training
 P30 Office and business development
 P31 Affordable Workspace
 P33 Business relocation
 P36 Development outside town centres
 P44 Broadband and digital infrastructure

P45 Healthy developments
 P47 Community uses
 P49 Public transport
 P50 Highways impacts
 P51 Walking
 P53 Cycling
 P54 Car parking
 Policy P55 Parking standards for disabled people and the physically impaired
 P56 Protection of amenity
 P59 Green infrastructure
 P60 Biodiversity
 P61 Trees
 P62 Reducing waste
 P64 Contaminated land and hazardous substances
 P65 Improving air quality
 P66 Reducing noise pollution and enhancing soundscapes
 P67 Reducing water use
 P68 Reducing flood risk
 P69 Sustainability standards
 P70 Energy
 IP2 Transport infrastructure
 IP3 Community infrastructure levy (CIL) and Section 106 planning obligations

The Southwark Plan places the site within the Camberwell Area Vision (AV.05). This sets out what development in Camberwell should seek to achieve, including providing as many new homes as possible while respecting the local character of the area, complementing and improving the town centre with more large and small shops, entertainment, leisure, workspaces, cultural activities and well-designed public spaces for visitors to linger, and improving the local streetscape and environment including new urban greening.

Site designation – The Southwark Plan also places the site within site allocation NSP 25 which covers the entire PIL. It advises that redevelopment of the site must:

- Ensure every individual development proposal increases or provides at least the amount of employment floorspace (B class) currently on the site; and
- Provide new homes (C3); and
- Enhance permeability including new north-south and east-west green links; and
- Provide public realm improvements including a square.

Redevelopment of the site should:

- Provide industrial employment space (B1c, B2, B8);
- Provide active frontages (A1, A2, A3, A4, D1, D2) at appropriate ground floor locations.

The design and accessibility guidance to the site allocation states that the development should establish green links into Burgess Park and from Chiswell Street to Newent Close, opening up access for new and existing residents with a new public realm offer throughout the site. Consideration should be given to focal points of activity and active frontages that encourage footfall. Redevelopment should enhance existing and proposed pedestrian and cycle routes including the Southwark Spine and good accessibility to bus stops.

Supplementary Planning Guidance and London Plan Guidance

Greater London Authority

Whole Life Carbon (2022)

Circular Economy Statements (2022)

Be Seen energy monitoring (2021)

Energy Assessment Guidance (2020)

Affordable housing and viability SPG (2017)

Housing SPG (2016)

Accessible London: Achieving an Inclusive Environment SPG (2014)

The Control of Dust and Emissions during Construction and Demolition SPG (2014)

Play and informal recreation SPG (2012)

London View Management Framework (2012)

Planning for equality and diversity in London (2007)

London Borough of Southwark

Heritage SPD 2021

Section 106 Planning Obligations/CIL SPD (2020)

Development Viability SPD (2016)

Technical Update to the Residential Design Standards SPD (2015)

Affordable housing SPD (2008 - Adopted and 2011 - Draft)

Residential Design Standards SPD (2015 – Technical update)

Sustainable design and construction SPD (2009)

Sustainability assessments SPD (2009)

Statement of Community Involvement (2008)

Statement of Community Involvement (Draft 2021)

Development Consultation Charter (Draft 2021)

APPENDIX 3**Planning history of the site and nearby sites****Relevant planning history of the application site**10-12 Parkhouse Street

20/AP/0581 – Change of use from Use Class B1(A) (Offices) to Class C3 (residential) to provide 39 flats including 45 on-site cycle spaces and 20 on-site car parking spaces. Prior approval GRANTED in April 2020.

Entire application site

17/AP/4797 - Demolition of the existing buildings and redevelopment of the site to provide 499 residential units, up to 3,725sqm (GIA) of Class B1 commercial floorspace, up to 128 sqm (GIA) of Class D2 leisure floorspace and up to 551sqm of Class A1-A3 floorspace within 13 blocks of between 2-12 storeys, with car and cycle parking and associated hard and soft landscaping. Planning permission was REFUSED in January 2019 for the following reasons:

1) The density of the development would significantly exceed the expected range for the area and would fail to provide the requisite exemplary standard of accommodation, owing to insufficient amenity space and the residential units not significantly exceeding minimum floorspace standards. This would be contrary to saved policy 4.3 'Quality of accommodation' of the Southwark Plan (2007), policy 3.5 'Quality and design of housing developments' of the London Plan (2016) and guidance within the Residential Design Standards Supplementary Planning Document (2015 – Technical update)

2) The proposed development would result in a significant loss of employment floorspace on a site within a local Preferred Industrial Location. This would be contrary to Strategic policy 10 'Jobs and businesses' of the Core Strategy (2011), policy 4.4 'Managing industrial land and premises' of the London Plan (2016) and emerging site designation NSP23 in the draft New Southwark Plan (December 2017) which seek to protect existing employment floorspace, and as such would fail to maximise the potential for job creation in the borough.

An appeal was subsequently lodged and was DISMISSED following a Public Inquiry. Reasons for dismissing the appeal related to the density of the proposed development and quality of accommodation, harm to the character and appearance of the area, and impact upon daylight to properties on Parkhouse Street; full details are provided in the officer report (reference: APP/A5840/W/19/322558).

Relevant planning history of adjoining and neighbouring sites

21-23 Parkhouse Street

19/AP/0469 'Demolition of existing building and erection of two blocks (Block A and Block B) of 5 storeys and part-7/part-10 storeys (total AOD 35.86m). Block A comprises 5-storey block for commercial/employment use (962 sqm). Block B comprises ground floor commercial/employment use (129sqm) and 33 residential dwellings (3 x studios; 6 x 1b flats, 18 x 2b flats, 6 x 3b flats) and 1 accessible car parking spaces with associated landscaping, cycle parking and refuse store'. Planning permission was GRANTED in April 2022 following the completion of a s106 agreement. This site is owned by the Council.

17/AP/1723 - Demolition of existing building and erection of two blocks (Block A and Block B) of 5 and 9 storeys. Block A to comprise a 5-storey block for B1(c) commercial/employment use (1030sqm). Block B to comprise a 9-storey block with ground floor B1(c) commercial/employment use (89sqm) and 32 residential dwellings (8x1 bed, 16x2 bed, 8x3 bed), together with associated accessible and car-club parking, landscaping, cycle parking and refuse store. This application was WITHDRAWN to allow for revisions to be made to the massing and to address other matters.

25-33 Parkhouse Street

20/AP/0858 - The redevelopment of the site to provide a mixed-use development comprising buildings up to 11 storeys in height and accommodating new homes (Use Class C3) and commercial floorspace (Use Class B1c), car parking, cycle parking and associated landscaping. Planning permission was GRANTED in May 2022 following the completion of a s106 agreement.

21/AP/1415 - Variation of condition 2 (time limit) of planning permission 20/AP/1343 (for Temporary change of use from B2 (general industrial) to B8 (storage and distribution) for 12 months) to enable the B8 use to continue for a further 12 months (until 7th July 2022). Planning permission was GRANTED in August 2021.

20/AP/1343 - Temporary change of use from B2 (general industrial) to B8 (storage and distribution) for 12 months. Planning permission was GRANTED in July 2020.

20/AP/0437 – Request for a screening opinion relating to proposed redevelopment of 25-33 Parkhouse Street to provide 128 homes and 1, 400sqm of commercial floorspace (class B1c). A negative screening opinion was adopted in May 2020, confirming that the proposed development would not require an Environmental Impact Assessment to be undertaken.

35-39 Parkhouse Street

19/AP/2011 'Demolition of existing buildings and construction of a mixed use building ranging from six to 10 storeys in height (35.15m AOD) comprising 100 residential

units (Use Class C3) and 1,323 sqm (GIA) of Class B1/B2/B8 floorspace) with associated car parking, landscaping and other associated works'. Application UNDER CONSIDERATION.

1-13 Southampton Way

21/AP/0451 - Clearance of site and redevelopment to provide 32 homes and a flexible commercial (use class E) / community unit (Use Class F2) in a building ranging in height from three to seven storeys, along with cycle parking, refuse facilities and landscaped public realm including provision of land to be incorporated into Burgess Park. Planning permission was REFUSED in December 2021 for the following reason:

The proposal would result in inappropriate development within Metropolitan Open Land (MOL) would also result in a significant impact on the openness of MOL by way of the sites scale, massing and location abutting Burgess Park. As such the proposal is contrary to saved policy Saved Policy 3.25 - Metropolitan Open Land of the Southwark Plan 2007, Policy G3 Metropolitan Open Land of the London Plan 2021 and paragraphs 148 and 149 of the National Planning Policy Framework 2021.

5-7 Cottage Green And 69 Southampton Way (the scaffold yard)

21/AP/1254 - Demolition of existing structures, including removal and alterations to the flank elevation of grade II listed no. 73 Southampton Way, and construction of two buildings fronting onto Southampton Way (4 to 6 storeys) and Cottage Green (4 to 6 storeys) comprising 50 residential units and 672sqm GEA commercial units for Class E and F uses, associated roof terraces, landscaping and public realm enhancements, refuse storage, and cycle and car parking. The proposal would be within the setting of the grade II listed buildings 1, 2 and 3 Cottage Green and 73,75 and 77 Southampton Way. Application UNDER CONSIDERATION.

21/AP/1255 - Listed building consent application for the demolition and external alterations to parts within the site that are attached to the flank elevation of grade II listed no. 73 Southampton Way. Application UNDER CONSIDERATION.

75-77 Southampton Way

21/AP/1651 and 21/AP/1652 (Listed Building Consent) - Change of use from a 11-unit HMO (Hostel) (Sui Generis) into 6 self-contained flats (C3 Use Class), (comprising 2 x one bedroom flats at Lower Ground Floor level, 2 x one bedroom flats at Ground Floor Level, 1 x one bedroom flat at First Floor Level, 1 x one bedroom flat at Second Floor Level. Both applications were GRANTED in November 2021.

Consultation undertaken

Site notice date: 19/05/2021

Press notice date: 20/05/2021

Case officer site visit date: 19/05/2021 and various

Neighbour consultation letters sent: 11/02/2022

Internal services consulted

Parks and Cemeteries
 Community Infrastructure Levy Team
 Environmental Protection
 Transport Policy
 Archaeology
 Design and Conservation Team [Formal]
 Local Economy
 Ecology
 Highways Development and Management
 Highways Licensing
 Housing Regeneration and Delivery
 Flood Risk Management & Urban Drainage
 Urban Forester
 Waste Management
 Planning Policy Team

Statutory and non-statutory organisations

Network Rail
 EDF Energy
 UK Power Networks
 Environment Agency
 Great London Authority
 Historic England
 London Fire & Emergency Planning Authority
 London Underground
 Natural England - London & South East Region
 Network Rail
 Metropolitan Police Service (Designing Out Crime)
 Health and Safety Executive
 Transport for London
 Thames Water
 National Casework Unit
 Scheduled ancient monument society
 Aqiva
 The Fields Trust

Neighbour and local groups consulted:

Flat 19 Hogan Court 57 Edmund Street
 Flat 13 Hogan Court 57 Edmund Street
 Flat 6 Hogan Court 57 Edmund Street
 Flat 1 47 Southampton Way London
 Flat 2 2A Cottage Green London
 Flat 6 14 Coleman Road London
 Flat 7 8 Benhill Road London
 Flat 3 8 Benhill Road London
 Flat 6 8 Benhill Road London
 Unit 10 Burgess Industrial Park
 Parkhouse Street
 19 Chiswell Street London Southwark
 67 Southampton Way London Southwark
 78 Southampton Way London Southwark
 Room 4 75-77 Southampton Way
 London
 Flat 8 Mori Court 61 Edmund Street
 Flat 5 Mori Court 61 Edmund Street
 Flat 1 Mori Court 61 Edmund Street
 Flat 8 60 Southampton Way London
 Flat 28 Hogan Court 57 Edmund Street
 33A Southampton Way London
 Southwark
 48 Rainbow Street London Southwark
 Flat 19 Hodgkin Court 2 Dobson Walk
 27A Southampton Way London
 Southwark
 Flat 29 Hodgkin Court 2 Dobson Walk
 Flat 12 Hodgkin Court 2 Dobson Walk
 Flat 18 Hogan Court 57 Edmund Street
 Flat 20 Hambling Court 42 Southampton
 Way
 Flat 2 14 Coleman Road London
 13 Parkhouse Street London Southwark
 44 Rainbow Street London Southwark
 18 Rainbow Street London Southwark
 12 Rainbow Street London Southwark
 107 Wells Way London Southwark
 1 Coleman Road London Southwark
 13A Parkhouse Street London
 Southwark
 Flat 24 Hambling Court 42 Southampton
 Way
 Flat 13 Leigh Court 1 Sam King Walk
 Flat 32 Hodgkin Court 2 Dobson Walk
 Flat 4 Kitaj Court 59 Edmund Street
 Flat 1 Hogan Court 57 Edmund Street
 Room 8 75-77 Southampton Way
 London
 Flat 6 23 Chiswell Street London
 Living Accommodation 156 Wells Way
 London
 1A Parkhouse Street London Southwark
 19A Southampton Way London
 Southwark
 17A Southampton Way London
 Southwark
 34 Rainbow Street London Southwark
 147 Wells Way London Southwark
 131 Wells Way London Southwark
 Flat 1 113 Wells Way London
 101 Wells Way London Southwark
 89 Southampton Way London Southwark
 21 Southampton Way London Southwark
 5-7 Cottage Green London Southwark
 Flat 3 54 Southampton Way London
 Flat 8 To 9 14 Coleman Road London
 2 Cottage Green London Southwark
 Flat 1 Leigh Court 1 Sam King Walk
 Flat 22 Hodgkin Court 2 Dobson Walk
 Flat 1 Hodgkin Court 2 Dobson Walk
 Flat 6 Barrett Court 1 Dobson Walk
 Flat 29 Hogan Court 57 Edmund Street
 Flat 11 Hogan Court 57 Edmund Street
 Flat 5 Hogan Court 57 Edmund Street
 Flat 25 Hambling Court 42 Southampton
 Way
 Flat 7 Hambling Court 42 Southampton
 Way
 Flat 4 23 Chiswell Street London
 56 Southampton Way London Southwark
 Flat 7 Mori Court 61 Edmund Street
 Room 2 75-77 Southampton Way
 London
 Flat 5 Newman House Southampton
 Way
 Flat 15 Leigh Court 1 Sam King Walk
 1 Dowlas Street London Southwark
 141 Wells Way London Southwark
 Excluding Part Ground Floor 9-11
 Cottage Green London
 St Georges Tavern 14 Coleman Road
 London
 6 Dowlas Street London Southwark
 First Floor Flat 4 Claremont Villas
 Southampton Way
 Flat 4 Newman House Southampton
 Way
 Flat A 52 Rainbow Street London
 41A Southampton Way London

Southwark
 69 Southampton Way London Southwark
 Flat 34 Hambling Court 42 Southampton
 Way
 Flat 3 Leigh Court 1 Sam King Walk
 Flat 5 Barrett Court 1 Dobson Walk
 Flat 12 Mori Court 61 Edmund Street
 Flat 23 Hogan Court 57 Edmund Street
 Flat 9 Hogan Court 57 Edmund Street
 Flat 3 To 4 14 Coleman Road London
 Flat 4 60 Southampton Way London
 41B Southampton Way London
 Southwark
 23B Southampton Way London
 Southwark
 40 Rainbow Street London Southwark
 145 Wells Way London Southwark
 Ground Floor Flat 1 Claremont Villas
 Southampton Way
 137 Wells Way London Southwark
 129 Wells Way London Southwark
 121 Wells Way London Southwark
 105 Wells Way London Southwark
 42 Rainbow Street London Southwark
 Flat 20 Leigh Court 1 Sam King Walk
 2 Sam King Walk London Southwark
 Flat 11 Hodgkin Court 2 Dobson Walk
 Flat 9 Barrett Court 1 Dobson Walk
 Flat 13 Mori Court 61 Edmund Street
 Flat 10 Hogan Court 57 Edmund Street
 Flat 30 Hambling Court 42 Southampton
 Way
 Flat 11 23 Chiswell Street London
 Flat 10 60 Southampton Way London
 Ground Floor Flat 89 Southampton Way
 London
 76 Southampton Way London Southwark
 88 Tower Mill Road London Southwark
 94 Southampton Way London Southwark
 2 Parkhouse Street London Southwark
 69 Wells Way London Southwark
 Flat 6 Leigh Court 1 Sam King Walk
 Flat 9 Mori Court 61 Edmund Street
 99 Southampton Way London Southwark
 Flat 1 23 Chiswell Street London
 30 Rainbow Street London Southwark
 97 Wells Way London Southwark
 95 Wells Way London Southwark
 87 Wells Way London Southwark
 79 Wells Way London Southwark
 Ground Floor Flat 4 Claremont Villas
 Southampton Way
 Flat A 56 Rainbow Street London
 Flat 29 Hambling Court 42 Southampton
 Way
 Flat 18 Leigh Court 1 Sam King Walk
 Flat 19 Hambling Court 42 Southampton
 Way
 Flat 9 Hambling Court 42 Southampton
 Way
 Flat 4 Hambling Court 42 Southampton
 Way
 Flat 1 Hambling Court 42 Southampton
 Way
 Flat 21 Hodgkin Court 2 Dobson Walk
 Flat 18 Hodgkin Court 2 Dobson Walk
 Flat 25 Hogan Court 57 Edmund Street
 Flat 15 Hogan Court 57 Edmund Street
 63 Edmund Street London Southwark
 74 Southampton Way London Southwark
 6 Benhill Road London Southwark
 11A Parkhouse Street London
 Southwark
 43A Southampton Way London
 Southwark
 5 Parkhouse Street London Southwark
 8 Coleman Road London Southwark
 2 Coleman Road London Southwark
 10 Coleman Road London Southwark
 36 Rainbow Street London Southwark
 20 Rainbow Street London Southwark
 127 Wells Way London Southwark
 117 Wells Way London Southwark
 113 Southampton Way London
 Southwark
 93 Wells Way London Southwark
 77 Wells Way London Southwark
 97 Southampton Way London Southwark
 First Floor Flat 3 Claremont Villas
 Southampton Way
 Flat 4 113 Wells Way London
 Flat 2 113 Wells Way London
 146-154 Wells Way London Southwark
 Flat 6 83 Tower Mill Road London
 Unit Three And Ground Floor Unit Four
 And First Floor Unit Five Burgess
 Industrial Estate Parkhouse Street
 Flat 14 Leigh Court 1 Sam King Walk
 Flat 9 Leigh Court 1 Sam King Walk
 4 Sam King Walk London Southwark
 Flat 25 Hodgkin Court 2 Dobson Walk
 Flat 23 Hodgkin Court 2 Dobson Walk
 Flat 4 Hodgkin Court 2 Dobson Walk
 Flat 5 Kitaj Court 59 Edmund Street

Flat 21 Hogan Court 57 Edmund Street
 Flat 8 Hogan Court 57 Edmund Street
 Flat 2 Hogan Court 57 Edmund Street
 Flat 33 Hambling Court 42 Southampton
 Way
 Flat 26 Hambling Court 42 Southampton
 Way
 Flat 17 Hambling Court 42 Southampton
 Way
 Flat 13 Hambling Court 42 Southampton
 Way
 Flat 12 Hambling Court 42 Southampton
 Way
 Flat 8 23 Chiswell Street London
 Flat 2 60 Southampton Way London
 Flat 5 14 Coleman Road London
 92 Southampton Way London Southwark
 6 Southampton Way London Southwark
 Flat 4 73 Wells Way London
 Flat 2 63 Wells Way London
 67 Wells Way London Southwark
 61 Wells Way London Southwark
 Flat 10 14 Coleman Road London
 50 Southampton Way London Southwark
 48 Southampton Way London Southwark
 Room 3 75-77 Southampton Way
 London
 Unit 5 Ground Floor Burgess Industrial
 Estate Parkhouse Street
 12 Parkhouse Street London Southwark
 13 Southampton Way London Southwark
 Flat 2 Mori Court 61 Edmund Street
 35A-35B Southampton Way London
 Southwark
 Flat 4 Hogan Court 57 Edmund Street
 16 Rainbow Street London Southwark
 3 Dowlas Street London Southwark
 66 Wells Way London Southwark
 Flat 12 Barrett Court 1 Dobson Walk
 Flat 31 Hambling Court 42 Southampton
 Way
 St Georges C Of E Primary School
 Coleman Road London
 27 Southampton Way London Southwark
 Unit 4 First Floor Burgess Industrial
 Estate Parkhouse Street
 21A Southampton Way London
 Southwark
 Ground Floor Flat 3 Claremont Villas
 Southampton Way
 First Floor Flat 2 Claremont Villas
 Southampton Way
 Flat 4 54 Southampton Way London
 Flat 24 Leigh Court 1 Sam King Walk
 1-3 Southampton Way London
 Southwark
 84 Tower Mill Road London Southwark
 Rear Of 35-39 Parkhouse Street London
 Unit 6 First Floor Burgess Industrial
 Estate Parkhouse Street
 49 - 51 Southampton Way London
 Southwark
 49 - 65 Southampton Way London
 Southwark
 24 Rainbow Street London Southwark
 17B Southampton Way London
 Southwark
 Room 1 75-77 Southampton Way
 London
 Flat 11 60 Southampton Way London
 119 Southampton Way London
 Southwark
 117 Southampton Way London
 Southwark
 Flat 1 Collingwood House 3 Cottage
 Green
 Flat 3 73 Wells Way London
 39C Southampton Way London
 Southwark
 Flat 1 54 Southampton Way London
 Flat 32 Hambling Court 42 Southampton
 Way
 Flat 27 Hambling Court 42 Southampton
 Way
 Flat 9 63 Wells Way London
 Flat 7 60 Southampton Way London
 Flat 2 Collingwood House 3 Cottage
 Green
 14A Coleman Road London Southwark
 Flat 1 73 Wells Way London
 Flat 3 113 Wells Way London
 Flat 1 83 Tower Mill Road London
 Flat 4 83 Tower Mill Road London
 Ground Floor And Basement 101
 Southampton Way London
 Room 11 75-77 Southampton Way
 London
 Flat 1 2A Cottage Green London
 Flat 7 14 Coleman Road London
 Room 10 75-77 Southampton Way
 London
 Room 9 75-77 Southampton Way
 London
 Room 6 75-77 Southampton Way

London
 Room 12 75-77 Southampton Way
 London
 Flat 24 Hodgkin Court 2 Dobson Walk
 Flat 11 Barrett Court 1 Dobson Walk
 135 Wells Way London Southwark
 83 Wells Way London Southwark
 7 Parkhouse Street London Southwark
 Flat 3 Hogan Court 57 Edmund Street
 Flat 10 Hambling Court 42 Southampton
 Way
 Flat 2 Leigh Court 1 Sam King Walk
 Flat 13 Barrett Court 1 Dobson Walk
 Flat 8 Leigh Court 1 Sam King Walk
 9 Parkhouse Street London Southwark
 Flat 9 23 Chiswell Street London
 Flat 3 23 Chiswell Street London
 Ground Floor Flat 103 Southampton
 Way London
 Ground Floor Rear Flat 4E 79
 Southampton Way London
 17 Chiswell Street London Southwark
 12 Chiswell Street London Southwark
 96 Southampton Way London Southwark
 88 Southampton Way London Southwark
 82 Southampton Way London Southwark
 52 Southampton Way London Southwark
 44 Southampton Way London Southwark
 Flat 1 119 Southampton Way London
 Flat 1 45 Southampton Way London
 Flat 2 119 Southampton Way London
 1 Cottage Green London Southwark
 Part Ground Floor 9-11 Cottage Green
 London
 Maisonette Basement And Ground
 Floors 73B Southampton Way London
 Maisonette First And Second Floors 73A
 Southampton Way London
 Flat 10 23 Chiswell Street London
 Flat 5 23 Chiswell Street London
 Flat 2 23 Chiswell Street London
 8 Cottage Green London Southwark
 Flat 1 14 Coleman Road London
 Flat 2 73 Wells Way London
 Flat 9 8 Benhill Road London
 Flat 5 8 Benhill Road London
 Flat 5 63 Wells Way London
 Flat 1 8 Benhill Road London
 10 Chiswell Street London Southwark
 79B Southampton Way London
 Southwark
 Flat 10 Mori Court 61 Edmund Street
 14 Cottage Green London Southwark
 Flat 15 Mori Court 61 Edmund Street
 Flat 14 Mori Court 61 Edmund Street
 Flat 11 Mori Court 61 Edmund Street
 Flat 3 Mori Court 61 Edmund Street
 15 Edmund Street London Southwark
 34 Southampton Way London Southwark
 111 Wells Way London Southwark
 85 Wells Way London Southwark
 39 Parkhouse Street London Southwark
 Flat 2 8 Benhill Road London
 71 Wells Way London Southwark
 46 Southampton Way London Southwark
 38 Rainbow Street London Southwark
 22 Rainbow Street London Southwark
 Flat A 54 Rainbow Street London
 15A Southampton Way London
 Southwark
 105 Southampton Way London
 Southwark
 First Floor Flat 5 Claremont Villas
 Southampton Way
 6 Cottage Green London Southwark
 Flat 30 Hodgkin Court 2 Dobson Walk
 5-7 Southampton Way London
 Southwark
 Flat A 25 Southampton Way London
 2 Dowlas Street London Southwark
 139 Wells Way London Southwark
 50 Rainbow Street London Southwark
 107 Southampton Way London
 Southwark
 125 Wells Way London Southwark
 37 Southampton Way London Southwark
 15B Southampton Way London
 Southwark
 Unit 9 Burgess Industrial Park
 Parkhouse Street
 Flat 5 113 Wells Way London
 Flat B 56 Rainbow Street London
 43B Southampton Way London
 Southwark
 Flat 1 Newman House Southampton
 Way
 33B Southampton Way London
 Southwark
 Flat 2 83 Tower Mill Road London
 Flat 5 83 Tower Mill Road London
 Flat 6 Hambling Court 42 Southampton
 Way
 Flat 16 Leigh Court 1 Sam King Walk
 3 Sam King Walk London Southwark

Flat 16 Hambling Court 42 Southampton Way
 Flat 22 Hambling Court 42 Southampton Way
 Flat 26 Hodgkin Court 2 Dobson Walk
 Flat 14 Hambling Court 42 Southampton Way
 6 Sam King Walk London Southwark
 Flat 11 Hambling Court 42 Southampton Way
 Flat 15 Hodgkin Court 2 Dobson Walk
 Flat 7 Hodgkin Court 2 Dobson Walk
 Flat 10 Hodgkin Court 2 Dobson Walk
 Flat 1 Kitaj Court 59 Edmund Street
 Flat 13 Hodgkin Court 2 Dobson Walk
 Flat 5 Hodgkin Court 2 Dobson Walk
 Flat 3 Barrett Court 1 Dobson Walk
 Flat 20 Hogan Court 57 Edmund Street
 Flat 12 Hogan Court 57 Edmund Street
 79A Southampton Way London Southwark
 Room 5 75-77 Southampton Way London
 12 Cottage Green London Southwark
 Flat 9 60 Southampton Way London
 Flat 3 47 Southampton Way London
 Flat 1 63 Wells Way London
 Flat 4 8 Benhill Road London
 98 Southampton Way London Southwark
 75 Wells Way London Southwark
 Flat B 133 Wells Way London
 Flat 21 Leigh Court 1 Sam King Walk
 Flat 2 Newman House Southampton Way
 Flat B 54 Rainbow Street London
 4 Coleman Road London Southwark
 32 Rainbow Street London Southwark
 99 Wells Way London Southwark
 Ground Floor Flat 5 Claremont Villas Southampton Way
 41 Southampton Way London Southwark
 91 Wells Way London Southwark
 Flat 6 54 Southampton Way London
 Flat 11 Leigh Court 1 Sam King Walk
 Flat 5 Leigh Court 1 Sam King Walk
 Flat 4 Leigh Court 1 Sam King Walk
 Flat 3 Kitaj Court 59 Edmund Street
 Flat 18 Hambling Court 42 Southampton Way
 Flat 3 60 Southampton Way London
 Flat 12 60 Southampton Way London
 62 Southampton Way London Southwark
 84 Southampton Way London Southwark
 37A Parkhouse Street London Southwark
 Flat B 16 Coleman Road London
 19B Southampton Way London Southwark
 28 Rainbow Street London Southwark
 5 Dowlas Street London Southwark
 143 Wells Way London Southwark
 123 Wells Way London Southwark
 95 Southampton Way London Southwark
 31 Southampton Way London Southwark
 17 Southampton Way London Southwark
 43 Parkhouse Street London Southwark
 10 Parkhouse Street London Southwark
 21-23 Parkhouse Street London Southwark
 Flat 23 Leigh Court 1 Sam King Walk
 Flat 31 Hodgkin Court 2 Dobson Walk
 Flat 20 Hodgkin Court 2 Dobson Walk
 Flat 17 Hodgkin Court 2 Dobson Walk
 Flat 16 Hodgkin Court 2 Dobson Walk
 Flat 9 Hodgkin Court 2 Dobson Walk
 Flat 8 Hodgkin Court 2 Dobson Walk
 Flat 14 Barrett Court 1 Dobson Walk
 Flat 2 Barrett Court 1 Dobson Walk
 Flat 14 Hogan Court 57 Edmund Street
 Flat 23 Hambling Court 42 Southampton Way
 Flat 8 Hambling Court 42 Southampton Way
 Flat 6 60 Southampton Way London
 Flat 6 73 Wells Way London
 90 Southampton Way London Southwark
 7A Parkhouse Street London Southwark
 Flat B 52 Rainbow Street London
 39B Southampton Way London Southwark
 3 Parkhouse Street London Southwark
 1 Parkhouse Street London Southwark
 4 Dowlas Street London Southwark
 89 Wells Way London Southwark
 Flat 19 Leigh Court 1 Sam King Walk
 Flat 17 Leigh Court 1 Sam King Walk
 Flat 14 Hodgkin Court 2 Dobson Walk
 Flat 6 Hodgkin Court 2 Dobson Walk
 Flat 4 Barrett Court 1 Dobson Walk
 Flat 26 Hogan Court 57 Edmund Street
 Flat 22 Hogan Court 57 Edmund Street
 Flat 16 Hogan Court 57 Edmund Street
 Flat 15 Hambling Court 42 Southampton Way

Flat 1A 60 Southampton Way London
 16 Chiswell Street London Southwark
 Flat 8 63 Wells Way London
 9A Parkhouse Street London Southwark
 31A Southampton Way London
 Southwark
 15C Southampton Way London
 Southwark
 37 Parkhouse Street London Southwark
 3A Parkhouse Street London Southwark
 26 Rainbow Street London Southwark
 85 Southampton Way London Southwark
 35 Southampton Way London Southwark
 75-77 Southampton Way London
 Southwark
 Flat 5 54 Southampton Way London
 Flat 2 54 Southampton Way London
 The Well Community Church Wells Way
 London
 10 Cottage Green London Southwark
 Flat 12 Leigh Court 1 Sam King Walk
 Flat 7 Leigh Court 1 Sam King Walk
 Flat 10 Barrett Court 1 Dobson Walk
 46 Rainbow Street London Southwark
 Flat 21 Hambling Court 42 Southampton
 Way
 Flat 5 Hambling Court 42 Southampton
 Way
 Flat 3 Hambling Court 42 Southampton
 Way
 Flat 4 47 Southampton Way London
 Flat A 133 Wells Way London
 Flat 2 47 Southampton Way London
 Flat 1 60 Southampton Way London
 Flat 5 60 Southampton Way London
 Flat 28 Hambling Court 42 Southampton
 Way
 Flat 5 73 Wells Way London
 65 Wells Way London Southwark
 86 Southampton Way London Southwark
 80 Southampton Way London Southwark
 107 Wells Way London SE5 7SZ
 103 Wells Way London SE5 7SZ
 111 Wells Way London SE5 7SZ
 119 Wells Way London SE5 7SZ
 Flat 1 113 Wells Way London
 30 Rainbow Street London SE5 7TD
 18 Rainbow Street London SE5 7TD
 16 Rainbow Street London SE5 7TD
 Flat 23 Leigh Court 1 Sam King Walk
 Flat 9 Evison House 3 Benhill Road
 Flat 3 Evison House 3 Benhill Road
 109 Wells Way London SE5 7SZ
 58 Coleman Road London SE5 7TG
 6 Coleman Road London SE5 7TG
 22 Coleman Road London SE5 7TG
 30 Coleman Road London SE5 7TG
 2 Coleman Road London SE5 7TG
 Flat B 32 Coleman Road London
 143 Southampton Way London SE5
 7EW
 41 Southampton Way London SE5 7SW
 27 Rainbow Street London SE5 7TB
 25 Rainbow Street London SE5 7TB
 29 Rainbow Street London SE5 7TB
 37 Rainbow Street London SE5 7TB
 33 Rainbow Street London SE5 7TB
 97 Wells Way London SE5 7SZ
 4 Dowlas Street London SE5 7TA
 6 Dowlas Street London SE5 7TA
 Flat 11 Leigh Court 1 Sam King Walk
 12 Cottage Green London SE5 7ST
 Flat 28 Hodgkin Court 2 Dobson Walk
 Flat 21 Hodgkin Court 2 Dobson Walk
 Flat 23 Hodgkin Court 2 Dobson Walk
 14 Barrett Court 1 Dobson Walk London
 9 Palfrey Court 74 Edmund Street
 London
 109 Wells Way London SE5 7SZ
 Flat 14 Sunset Buildings London SE5
 7NR
 38A Coleman Road Camberwell London
 6 Claremont Villas Southampton Way
 London
 Flat B 32 Coleman Road London
 107 Wells Way London SE5 7SZ
 30 Hambling Court 42 Southampton Way
 London
 101 Wells Way London SE5 7SZ
 13 Barrett Court 1 Dobson Walk London
 128 Benhill Road London SE5 7LZ
 3A Parkhouse Street London SE5 7TQ
 117 Coleman Road London SE5 7TF
 91 Coleman Road London SE5 7TF
 91 Coleman Road London SE5 7TF
 13 Parkhouse Street London SE5 7TQ
 Flat 11 Evison House 3 Benhill Road
 16 Lamb House London SE5 7JF
 5 Lamb House London SE5 7JF
 6 Lamb House London SE5 7JF
 20 Keats House London SE5 7JA
 Flat 26 Keats House Ellington Estate
 London
 31 Keats House London SE5 7JA

34 Gateley London SE15 6FB
 20 Gately Court London SE15 6FB
 44 Gateley Court London SE15 6FB
 23 Gately Court London SE15 6FB
 75 Cronin Street London SE15 7JG
 79 Cronin Street London SE15 6JG
 101 London SE15 6JD
 3 Cronin Street London SE15 6JJ
 30 Cronin Street London SE15 6JJ
 144 Benhill Road Camberwell London
 42 Southampton Way London SE5 7TT
 Flat 4, 129 Southampton Way London
 SE5 7EW
 First Floor Flat 4 Claremont Villas
 Southampton Way
 Flat 5 113 Wells Way London
 Flat 4 113 Wells Way London
 Flat 2 113 Wells Way London
 15 Rowan Court Southwark SE15 6PE
 4 Rowan Court Southwark SE15 6PE
 3 Garnies Close Southwark SE15 6HW
 13 Amstel Court Southwark SE15 6LN
 8 Amstel Court Southwark SE15 6LN
 7 Amstel Court Southwark SE15 6LN
 79 Coleman Rd London SE5 7TF
 1 Chamberlain Court, Silwood Street
 London SE16 2AZ
 67A Trinity Church Square London SE1
 4HT
 8 Omega Gate London SE16 7PR
 16 Putney Park Lane London SW15 5HD
 185 New Kings Road London SW6 4SW
 56 Culverden Rd London SW12 9LS
 15 Sutherland Square London SE17
 3EQ
 5 Soane House Roland Way London
 33 Hawkslade Rd London SE15 3DQ
 31 Portland Street London SE17 2PG
 Unit 4 First Floor Burgess Industrial
 Estate Parkhouse Street
 Hanover Park Houe 14-16 Hanover Park
 Peckham
 50 Coleman Road London SE5 7TG
 13 Parkhouse Street London SE5 7TQ
 6 Claremont Villas Southampton Way
 London
 3 Parkhouse Street London SE5 7TQ
 9 Parkhouse Street London SE5 7TQ
 7 Parkhouse Street London SE5 7TQ
 5 Parkhouse Street London SE5 7TQ
 50 Rainbow Street London SE5 7TD
 38 Rainbow Street London SE5 7TD
 36 Rainbow Street London SE5 7TD
 44 Rainbow Street London SE5 7TD
 Flat A 38 Coleman Road London
 Flat A 36 Coleman Road London
 3A Parkhouse Street London SE5 7TQ
 13A Parkhouse Street London SE5 7TQ
 11A Parkhouse Street London SE5 7TQ
 7A Parkhouse Street London SE5 7TQ
 5A Parkhouse Street London SE5 7TQ
 Flat 6 56 Coleman Road London
 86 Tower Mill Road London SE15 6BP
 Flat 24 60 St Georges Way London
 Flat 10 Ayres Court 74 New Church
 Road
 95 Southampton Way London SE5 7SX
 107 Southampton Way London SE5 7SX
 113 Southampton Way London SE5 7SX
 101 Wells Way London SE5 7SZ
 Flat 30 Hambling Court 42 Southampton
 Way
 Park Office Chumleigh Gardens London
 Flat 3 133 Southampton Way London
 7 Parkhouse Street London SE5 7TQ
 Wells Way Camberwell Southwark
 133 A Wells Way London SE5 7SZ
 69 Coleman Road London SE5 7TF
 Flat 11 Leigh Court 1 Sam King Walk
 London
 133A Wells Way London SE5 7SZ
 14 Addington Square London SE5 7JZ
 47 Southampton Way London SE5 7SW
 3 Tilson Close London SE5 7TZ
 41A Southampton Way London SE5
 7SW
 68 Coleman Road London SE5 7TG
 18 Rainbow St London SE5 7TD
 34 Kemerton Road London
 52 Vicarage Grove London SE5 7LP
 58 Colman Road London SE5 7TG
 5 Claremont Villas Southampton Way
 London
 2 Coleman Road London SE5 7TG
 109 Wells Way London
 13 Leigh Court 1 Sam King Walk London
 3A Parkhouse Street London SE5 7TQ
 Flat 53 Andoversford Court London
 42 Camberwell Grove London SE5 8RE
 Flat 5, Goschen House, 68 Peckham
 Road London
 13 Addington Square London SE5 7JZ
 19 Addington Square London SE5 7JZ
 Flat 6 Malswick Court Tower Mill Road

London
 47 Arments Court 392 Albany Road
 London
 2 Horsley Street Walworth SE17 2AU
 44 Rainbow Street London SE5 7TD
 6 Claremont Villas Southampton Way
 London
 23 Hodgkin Court 2 Dobson Walk
 London
 Maisonette On Ground And Lower
 Ground Floors 97 Camberwell Grove
 London
 78 Coleman Road Camberwell SE5 7TG
 29 Rainbow Street London SE5 7TB
 37 Rainbow Street Camberwell London
 62 Coleman Road London SE5 7TG
 Flat 1, 113 Wells Way London SE5 7SZ
 104 Havil Street Camberwell
 6 Tilson Close Coleman Road London
 Camberwell 4 Brunswick Villas London
 12A St Giles Road Camberwell London
 Upper Flat, 45 Crofton Road London
 SE5 8LY
 38 Addington Square London SE5 7LB
 20 Marvell House London SE5 7JD
 26 Landor House London SE5 7JE
 29 Lamb House London SE5 7JF
 18 Lamb House London SE5 7JF
 54 Pentridge Street London SE15 6JE
 119 Coleman Road London SE5 7TF
 Top Flat, 3 Claremont Villas
 Southampton Way London
 3 Claremont Villas Southampton Way
 Camberwell
 52 Pentridge Street London SE15 6JE
 31 Pentridge Street Southwark SE1 6JN
 31 Pentridge Street Southwark SE15
 6JF
 35 Pentridge Street Southwark SE15
 6JF
 40 Pentridge Street Southwark SE15
 6JE
 48 East Surrey Grove Peckham London
 41 East Surrey Grove Southwark SE15
 6EB
 29 East Surrey Grove London SE15 6EX
 30 Blackthorne Court Southwark SE15
 6PD
 97 Axminster Road London N7 6BS
 On Behalf Of Wwtra London SE5 7TQ
 22 Ada Road London
 131 Benhill Road London SE5 7LZ
 34 Grove Lane London SE5 8ST
 125 Benhill Road C London
 5A Parkhouse Street Camberwell
 London
 Flat 2 113 Wells Way London
 79 Coleman Road London SE5 7TF
 16 Garnies Close Southwark SE15 6HW
 32 Garnies Close Southwark SE15 6HW
 Garnies Close Southwark SE15 6HW
 42 Garnies Close Southwark SE15 6HW
 49 Rowan Court Southwark SE15 6PE
 33 Rowan Court Southwark SE16 6HI
 16 Rowan Court Southwark SE15 6PE
 50 Coleman Rd Camberwell London
 24 Pullens Buildings London SE17 3SJ
 47 Bellwood Road London SE15 3DE
 249 Underhill Rd London SE22 0PB
 17 Sturdy Road London SE15 3RH
 London House 7 Chapel St Probus
 129 Southampton Way London SE5
 7EW
 2 Delft Way London SE22 8TR
 6 Claremont Villas Southampton Way
 London
 81A Grove Park London SE5 8LE
 70 Sedgmoor Place London SE5 7SE
 127 Havil Street London SE57RU
 19 Stanswood Gardens London SE5
 7SQ
 39 Stanswood Gardens London SE5
 7SQ
 South Dock Marina Rope Street
 C/O Members' Room 160 Tooley Street
 London
 Cabinet Office 160 Tooley Street London
 C/O Members' Room 160 Tooley Street
 London
 C/O Members' Room 160 Tooley Street
 London
 C/O Members' Room 160 Tooley Street
 London
 C/O Members' Room 160 Tooley Street
 London
 C/O Members' Room 160 Tooley Street
 London
 C/O Members' Room 160 Tooley Street
 London
 C/O Members' Room 160 Tooley Street
 London
 15 Drinkwater House Picton Street
 Camberwell London
 16 Drinkwater House Picton Street
 Camberwell
 2 Proctor House Picton Street

Camberwell
 9 Bridges House Picton Street
 Camberwell
 47 Nash Road Brockley London
 Flat 9 59 Wells Way London
 Flat 6 Hodgkin Court 2 Dobson Walk
 Flat 7 Hodgkin Court 2 Dobson Walk
 41A Southampton Way London SE5
 7SW
 39B Southampton Way London SE5
 7SW
 23B Southampton Way London SE5
 7SW
 56 Southampton Way London SE5 7TT
 65 Wells Way London SE5 7GA
 Flat 2 56 Coleman Road London
 Flat 1 56 Coleman Road London
 Flat 8 8 Benhill Road London
 18 Chiswell Street London Southwark
 Flat 7 Hogan Court 57 Edmund Street
 86 Tower Mill Road London Southwark
 Ground Floor Flat 39 Parkhouse Street
 London
 Flat Above 101 Southampton Way
 London
 9-11 Southampton Way London
 Southwark
 Flat 3 83 Tower Mill Road London
 21 Chiswell Street London Southwark
 81 Tower Mill Road London Southwark
 First Floor Flat 117 Southampton Way
 London
 Flat 3 45 Southampton Way London
 15-19 Parkhouse Street London
 Southwark
 109-111 Southampton Way London
 Southwark
 Unit 7 Burgess Industrial Park
 Parkhouse Street
 41 Parkhouse Street London Southwark
 Flat 31 Hogan Court 57 Edmund Street
 Flat 7 54 Southampton Way London
 First Floor Flat 79 Southampton Way
 London
 Flat 4 63 Wells Way London
 Ground Floor Front Flat 3C 79
 Southampton Way London
 Ground Floor And First Floor Flat 1
 Cottage Green London
 90 Tower Mill Road London Southwark
 Second And Third Floor Flat 79
 Southampton Way London
 Flat B 25 Southampton Way London
 Flat 2 45 Southampton Way London
 Flat 3 Collingwood House 3 Cottage
 Green
 Flat 7 63 Wells Way London
 Flat 6 63 Wells Way London
 Flat 1 Evison House 3 Benhill Road
 25 Chiswell Street London Southwark
 Ground Floor Flat 87 Southampton Way
 London
 64 Southampton Way London Southwark
 Ground Floor Rear Flat 4D 79
 Southampton Way London
 First Floor Flat 103 Southampton Way
 London
 Flat 6 Mori Court 61 Edmund Street
 Flat 4 Mori Court 61 Edmund Street
 29 Southampton Way London Southwark
 Flat 7 Barrett Court 1 Dobson Walk
 Flat 24 Hogan Court 57 Edmund Street
 Flat 7 23 Chiswell Street London
 Flat 3 Newman House Southampton
 Way
 39A Southampton Way London
 Southwark
 Flat 22 Leigh Court 1 Sam King Walk
 Flat 2 Kitaj Court 59 Edmund Street
 Flat 2 Hambling Court 42 Southampton
 Way
 Room 7 75-77 Southampton Way
 London
 Unit 9 2-10 Parkhouse Street London
 119 Wells Way London Southwark
 The Flying Dutchman 156 Wells Way
 London
 93 Southampton Way London Southwark
 101 Southampton Way London
 Southwark
 25-33 Parkhouse Street London
 Southwark
 First Floor Flat 1 Claremont Villas
 Southampton Way
 Flat 6 Newman House Southampton
 Way
 5A Parkhouse Street London Southwark
 16A Coleman Road London Southwark
 109 Wells Way London Southwark
 85 Tower Mill Road London Southwark
 Flat 10 Leigh Court 1 Sam King Walk
 Flat 2 Hodgkin Court 2 Dobson Walk
 Flat 8 Barrett Court 1 Dobson Walk
 Flat 17 Hogan Court 57 Edmund Street

Flat 3 63 Wells Way London
 14 Chiswell Street London Southwark
 Unit 2 Burgess Industrial Estate
 Parkhouse Street
 Unit 6 Ground Floor Burgess Industrial
 Estate Parkhouse Street
 115 Wells Way London Southwark
 87A Southampton Way London
 Southwark
 29A Southampton Way London
 Southwark
 23A Southampton Way London
 Southwark
 6 Claremont Villas Southampton Way
 London
 Ground Floor Flat 2 Claremont Villas
 Southampton Way
 11 Parkhouse Street London Southwark
 6 Coleman Road London Southwark
 12 Coleman Road London Southwark
 14 Rainbow Street London Southwark
 7 Dowlas Street London Southwark
 103 Wells Way London Southwark
 91 Southampton Way London Southwark
 47 Southampton Way London Southwark
 81 Wells Way London Southwark
 3 Coleman Road London Southwark
 Unit 1 Burgess Industrial Park
 Parkhouse Street
 5 Sam King Walk London Southwark
 Flat 28 Hodgkin Court 2 Dobson Walk
 Flat 27 Hodgkin Court 2 Dobson Walk
 Flat 3 Hodgkin Court 2 Dobson Walk
 Flat 1 Barrett Court 1 Dobson Walk
 Flat 16 Mori Court 61 Edmund Street
 Flat 30 Hogan Court 57 Edmund Street
 Flat 27 Hogan Court 57 Edmund Street

Re-consultation:

10th, 11th and 24th February 2022

Consultation responses received

Internal services

Community Infrastructure Levy Team
Environmental Protection
Transport Policy
Archaeology
Design and Conservation Team [Formal]
Local Economy
Ecology
Highways Development and Management
Flood Risk Management & Urban Drainage
Urban Forester
Waste Management

Statutory and non-statutory organisations

Great London Authority
Transport for London Borough of Southwark
Health & Safety Executive
Network Rail
Historic England
London Underground
Natural England - London & South East Region
Metropolitan Police Service (Designing Out Crime)
Thames Water
Environment Agency
Aqiva

Design Review Panel Report

SOUTHWARK DESIGN REVIEW PANEL REPORT 12 OCTOBER 2021

Chair: Hilary Satchwell

Panel Members: Katharine Barber; Shi Qi Tu; Adrian Wikeley; Oskar Wokowu;

BURGESS BUSINESS PARK

Architects: HTA

Clients: Peachtree

Planning Consultants: DP9

The Panel welcomed the opportunity to review this important proposal and thanked the Applicant for their clear and detailed presentation. The presentation and the Design and Access Statement had been sent to the Panel in advance. The Panel recognised that the application has now been submitted to the council and noted the Chair's involvement in the original LDS but felt this did not constitute a conflict of interests.

The Panel investigated further:

- The historic development of the area
- The current character of the at the moment
- The views from Cottage Green, from the Park and from Parkhouse Street
- How visible the chimney is from various locations
- Noise profile of the site
- How pedestrian and vehicular traffic will use the 'mews'
- The projected use of the 'mews' for traffic
- The gallery access flats and bedroom windows
- The potential for overlooking from one building to the next
- The quality of the public space
- Play space provision
- Energy use and sustainability
- The mix of uses – timing and noise separation
- Mobile phone antennae currently on the chimney
- The southern edge of the site and adjacent plots – issues of overlooking
- The vacant neighbouring sites to the south
- How the space around the chimney will be landscaped and utilised
- The potential for mature planting on Parkhouse Street
- The location of main entrances to the residential block
- Why the existing warehouse was to be removed

The Panel recognised that the form and massing approach was set out in the documents and presentation and whilst not discussed in the questions they highlighted that it was consistent with the aspirations in the LDS. They also noted the findings of the Inspector on the Appeal Scheme and the LDS.

Whilst they generally endorsed the design they highlighted a number of questions and observations that they felt the scheme should resolve before the council makes a recommendation to the Planning Committee.

Form, massing and arrangement

The Panel were generally satisfied with the proposed form and massing and recognised that this was not a normal in-fill site but a site in an area undergoing wider transformation. Overall, they welcomed the reduction in height and density when compared with the Appeal scheme and felt the layout balanced the mix of uses appropriately.

They recognised that the architects trying to fit a lot on the site and this was alleviated to a degree by the permeability achieved across the site. They understood the concentration of uses around distinct zones, for example the commercial space around the 'mews' and the residential areas around the play space. They wanted to see visualisations and cross sections of the routes and the 'square' in order to be reassured that these would not feel overbearing or claustrophobic.

The curve of Parkhouse Street and its shoulder height were well handled. However, when they considered the wider layout some Panel Members felt the relationship between the central tower/podium and the perimeter blocks was slightly uncomfortable and the access from Wells Way a little abrupt. These areas could benefit from a review of the detailed design approach and in terms of Wells Way potentially some opening up of views in order to improve sightlines from the tower and into the site.

The Panel wanted to be reassured that the overlap of cycling with pedestrians in the new pedestrian priority routes proposed would work. They encouraged the designers to overlay the routes for various modes of movement across the site linked to the cycle provision for residents, visitors and business occupants.

They also agreed that whilst it was not possible to provide direct access to the Park from the site, it appeared logical to retain the option to link up to the park in future and via the adjacent site.

Historic townscape

The Panel recognised how the principles of the LDS had helped define the height and massing around the site. They also noted how the wider views of the church and the chimney from Burgess Park and from Coleman Road had shaped the design. However, they questioned how it would appear when viewed from Cottage Green and how it would affect the setting of the Grade II Listed property in that location.

They wanted to know more about the existing warehouse on the site and to understand why it was to be removed. In conclusion, they felt there was

adequate justification for its removal if the proposal is able to deliver the wider aspirations of the LDS.

Public realm

The arrangement of streets and spaces places a great deal of emphasis on the public realm which could benefit from further development. They felt that the public realm appeared narrow in parts and in some places planting was shown on drawings without it being clear that there is sufficient space. It also felt a bit overcomplicated with a lot of overlapping uses and materials.

The Panel stressed the importance of simplicity in the public realm with simpler hard landscaping and more mature trees and planting in order to ensure that the public realm felt softer and more generous. They encouraged more mature planting especially in the new play space and the 'square' and they felt more mature planting should also be provided on Parkhouse Street to give it some gravitas and complement the TPO tree on that street.

The Panel highlighted the current appearance of the chimney – at the moment covered in mobile phone antennae. This needs to be improved if it is to take up its position at the centre of the site and the new 'square'. They encouraged a clear strategy for its resolution as part of the application.

Workspace

The concentration of workspace around the 'mews' and in No 15-19 appears sound and the provision of affordable workspace is welcomed. The strength of this concept in design terms is that, if handled well, it could be evocative of the industrial heritage of the site. This strong character approach is encouraged and the Panel felt this might help attract businesses to this location.

For the workspace to be successful it is essential that the design is aimed at small and medium-sized enterprises (SMEs) that would bring activity and interest to the site and help bring it to life. The Panel were keen to ensure that the affordable workspace was accessible to SMEs and designed to encourage them to the area. They wanted to ensure this was locked into the permission.

Architectural expression

The Panel wanted a clear idea of the elevational strategies for the development. They felt the buildings generally landed well in the street but that the upper floors could benefit from some further refinement and consistency. Some of the buildings were successful including the terrace of houses on Wells Way, the mews houses at the northern end of the site and the Parkhouse Street blocks. The Panel did not discuss the mews to the north of Parkhouse Street on the linked site.

The Panel encouraged the designers to simplify and rationalise the palette of materials overall in order to give the design a more consistent character.

Sunlight/daylight and outlook

The Panel were not able to investigate the effect of the revised massing on the daylight in the proposed apartments. They were concerned that the

narrow gaps between blocks could result in challenging results and asked the Applicants to reassure the council on this matter.

The outlook from some of the single aspect apartments on the south-eastern edge of the site was discussed and the Panel wanted to make sure that these would work both now and in the future if the adjacent sites should be redeveloped. The Panel asked that the Council are reassured on this matter.

Sustainability

The Panel had not been able to review the sustainability strategy in detail. They noted the council's declaration of a climate emergency and wanted to stress the importance of developing a comprehensive sustainability strategy across the site including the more recent guidance in the London Plan for the circular economy and whole-life costing. They suggested that the design team explore every new technology for on-site resources like rainwater harvesting.

Conclusion

In conclusion the Panel generally supported the scheme and felt the site had been planned in a logical way that worked well with the plans for the wider area. They felt it was a good example of integrated development. They raised a number of detailed questions about the proximity of blocks and the generosity of the spaces and public realm as well as the potential harm to the setting of the listed building on Cottage Green. They encouraged the designers to address these issues before the Planners make a recommendation to the Committee.



Ministry of Housing,
Communities &
Local Government

Marlon Deam
Dp9 Ltd
100 Pall Mall
London
SW1Y 5NQ

Our ref: APP/A5840/W/19/3225548
Your ref:

29 April 2020

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEAL MADE BY PEACHTREE SERVICES LTD
LAND AT BURGESS BUSINESS PARK, PARKHOUSE STREET, LONDON SE5 7TJ
APPLICATION REF: 17/AP/4797**

1. I am directed by the Secretary of State to say that consideration has been given to the report of Christina Downes BSc DipTP MRTPI, who held a public local inquiry starting on 21 August 2019 into your client's appeal against the decision of the London Borough of Southwark to refuse your client's application for planning permission for demolition of the existing buildings and redevelopment of the site to provide 499 residential units, up to 3,725m² (GIA) of Class B1 commercial floorspace, up to 128m² (GIA) of Class D2 leisure floorspace and up to 551m² of Class A1-A3 floorspace within 13 blocks of between 2-12 storeys (max AOD height 41.95m), with car and cycle parking and associated hard and soft landscaping, in accordance with application ref: 17/AP/4797, dated 21 December 2017.
2. On 24 April 2019, this appeal was recovered for the Secretary of State's determination, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990

Inspector's recommendation and summary of the decision

3. The Inspector recommended that the appeal be dismissed.
4. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions and agrees with her recommendation. He has decided to dismiss the appeal. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Environmental Statement

5. In reaching this position, the Secretary of State has taken into account the Environmental Statement which was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Having taken account of the Inspector's

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comments at IR4 and IR500, the Secretary of State is satisfied that the Environmental Statement complies with the above Regulations and that sufficient information has been provided for him to assess the environmental impact of the proposal.

Matters arising since the close of the Inquiry

6. In December 2019, the Mayor issued the “Intend to Publish” version of the emerging London Plan. After considering that Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor making a series of eleven Directions to the Plan. The Mayor cannot publish the London Plan until the Directions have been incorporated, or until alternative changes to policy to address identified concerns have been agreed.
7. The New Southwark Plan was submitted to the Secretary of State on 16 January 2020 for examination. As this draft of the revised plan was not substantially materially different from the version of the plan available to the Inspector and parties at the Inquiry and may be subject to further change, the Secretary of State is satisfied that this does not affect his decision, and does not warrant further investigation or a referral back to parties. The Secretary of State also received a representation on behalf of the appellant on 28 April 2020 which refers to the draft New Southwark Plan and its submission for examination. The Secretary of State is satisfied that the issues raised in the letter do not affect his decision, and no other new issues were raised in this correspondence to warrant further investigation or necessitate additional referrals back to parties. A copy of letter of 28 April 2020 may be obtained on written request to the address at the foot of the first page of this letter.
8. The 2019 Housing Delivery Test results were published on 13 February 2020. LB Southwark’s score changed from 80% (2018 measurement) to 93% (2019 measurement). As this would not represent a material change to any calculation of LB Southwark’s housing land supply and there was no dispute between parties that the Council could demonstrate a 5 year housing land supply, the Secretary of State is satisfied that this does not affect his decision, and does not warrant further investigation or a referral back to parties.

Policy and statutory considerations

9. In reaching his decision, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
10. In this case the development plan includes the London Plan (2016) (LonP), London Borough of Southwark Core Strategy (2011) (CS) and saved policies of the Southwark Plan (2007) (SP). The Secretary of State considers that relevant development plan policies include those set out at IR341-346.
11. Other material considerations which the Secretary of State has taken into account include the National Planning Policy Framework (‘the Framework’) and associated planning guidance (‘the Guidance’), as well as the Council’s Residential Design Standards and Technical Update Supplementary Planning Document (2015) (RDS SPD) and the Mayor’s Greater London Authority Housing Supplementary Planning Guidance (2016) (Housing SPG). The revised National Planning Policy Framework was published on 24

July 2018 and further revised in February 2019. Unless otherwise specified, any references to the Framework in this letter are to the 2019 Framework.

12. In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the Secretary of State has paid special regard to the desirability of preserving those listed buildings potentially affected by the proposals, or their settings or any features of special architectural or historic interest which they may possess.
13. In accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the Secretary of State has paid special attention to the desirability of preserving or enhancing the character or appearance of conservation areas

Emerging plan

14. The emerging plan comprises the draft New London Plan (NLoP) and draft New Southwark Plan (NSP). The emerging London Plan is at an advanced stage of preparation, and the Secretary of State has directed the areas where changes must be made. The policies which are relevant to this case where changes must be made include policy D3 (density). However, details of the way in which the Plan will deliver the aims set out in the Secretary of State's directions are not yet finalised. The Secretary of State therefore considers that these policies in the emerging Plan carry moderate weight. Other policies in the emerging Plan which are relevant to this case and where no modifications have been directed include D9 Tall Buildings (referred to as policy D8 in IR406) and policy H1 (Increasing housing supply). The Secretary of State considers that these policies carry significant weight.
15. The NSP was submitted to the Secretary of State on 16 January 2020 for examination. The Secretary of State considers that the emerging policies of most relevance to this case include those identified in IR345, IR348 and IR349. However, the Secretary of State also notes that there have been amendments to the NSP since the end of the Inquiry and some references to emerging policies in the IR are now incorrect. Namely, draft policy P9 (now revised to P14 – Residential Design); draft policy P26 (now revised to P29 – Office and business development) and draft allocation NSP 23 (now revised to NSP22 – Burgess Business Park). The Secretary of State has inserted the amended references in this letter where relevant.
16. Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework. The Secretary of State acknowledges that the draft NSP has been submitted for examination but considers that it may still be subject to change and agrees with the Inspector that relevant policies should carry limited weight (IR348-349).

Main issues

Approach to Decision Making

17. The Secretary of State has noted that there is no dispute that the Council can demonstrate a 5-year supply of deliverable housing and agrees with the Inspector that the presumption in favour of sustainable development does not apply in this case (IR347).

Density and exemplary standard of accommodation

18. The Secretary of State agrees with the Inspector's approach in IR350-353 to considering whether an exemplary standard of design would be achieved.
19. For the reasons given in IR353-377 the Secretary of State agrees with the Inspector that, looked at in the round, there have been too many compromises in this case and that the size of a significant proportion of the residential units and wheelchair housing is of particular concern (IR378). The Secretary of State also agrees that the quantum of amenity space being proposed would not meet, let alone exceed, the standards in the RDS SPD (IR379).
20. The Secretary of State agrees with the Inspector's conclusions in IR381 that the compromises that have been made in the design of the development have been at the expense of the overall quality of the living environment. He also agrees with the Inspector that the nature of accommodation overall is less than exemplary and shares the Inspector's concerns over the quality of accommodation (IR502 and IR507). He further agrees with the Inspector that, even if the scheme could be considered acceptable or satisfactory in the round this would not be sufficient to justify a density that would be 40% above the accepted range in local and strategic planning policy. The Secretary of State agrees that the proposal would conflict with Strategic Policy 5 in the CS. The Secretary of State affords the harm significant weight against the proposal.

Employment land and premises

21. For the reasons given in IR382-400 the Secretary of State agrees with the Inspector that the proposal would not comply with saved policy 1.2 in the SP or Strategic Policy 10 in the CS because it would introduce housing into land that is protected for industrial uses. However, he also agrees with the Inspector that the proposal would not result in a detrimental effect on the Borough's stock of employment land and premises (IR401-402). The Secretary of State further agrees that the appeal scheme would provide new and good quality Class B premises and there would be a significant increase in number of available jobs relative to what currently exists at the site (IR501). The Secretary of State agrees with the Inspector that the benefits should be afforded significant weight.

Design quality, character and appearance

22. For the reasons given in IR 404-414 the Secretary of State agrees with the Inspector that the proposed development would cause some harm to the character and appearance of the area and fail to relate successfully to the existing townscape (IR419). The Secretary of State also agrees with the Inspector that the brick chimney would be diminished and rather overwhelmed by the scale and proximity of its new neighbours (IR412). Whilst the proposal would provide a vibrant public realm and introduce permeability and routes through from Wells Way and Parkhouse Street where none exist now (IR413 and IR503), benefits which the Secretary of State agrees should be afforded significant weight, the Secretary of State also agrees with the Inspector that the design overall would not be exemplary (IR419, IR507 and IR508). The Secretary of State affords this harm significant weight against the proposal.
23. The Secretary of State also agrees with the Inspector for the reasons in IR415-418 that there would be a small degree of harm to the significance of the former Church of St George. He further agrees that this be at the low end of the scale of less than substantial harm in terms of paragraph 196 of the Framework.

24. The Secretary of State agrees with the Inspector that the proposed development would conflict with policy 7.7 in the LonP, Strategic Policy 12 in the CS and saved policy 3.20 in the SP (IR419).

Accessibility and transport

25. For the reasons given in IR420-432 the Secretary of State agrees with the Inspector that the proposal would be in accordance with saved policy 5.3 in the SP concerning walking and cycling. The Secretary of State is also satisfied that the development would not have an unacceptable impact on highway safety (IR433).

Living conditions of existing residents

26. For the reasons given in IR434-455 the Secretary of State agrees with the Inspector that in many ways the proposed development would be able to successfully integrate with the existing residential uses on adjoining land. However, he shares the Inspector's concerns about the effect on the daylight of some properties in Parkhouse Street and Wells Way which would result in unacceptable harm to those residents (IR456 and IR508). The Secretary of State affords this harm significant weight against the proposal. The Secretary of State agrees with the Inspector that there would be conflict with policy 7.6 in the LonP and saved policy 3.11 in the SP.

Other issues

27. The Secretary of State notes that the flood risk assessment recommends that floor levels should be 300mm above existing ground levels in the parts of the northern and eastern parts of the site that are at medium or high risk of surface water flooding or at risk of groundwater flooding. He agrees with the Inspector that this could be controlled through a planning condition (IR457-459).

28. For the reasons given in IR460-461 the Secretary of State is satisfied that the ecological interest and biodiversity value of Burgess Park would not be compromised by the appeal development.

29. The Secretary of State agrees with the Inspector that the significance and the contribution made by the settings of listed buildings and structures within the vicinity of the appeal site would be preserved if the appeal development were to go ahead (IR463). The Secretary of State has considered the former Church of St George and the chimney of the former confectionary factory in paras 22 and 23 of this letter.

Planning conditions

30. The Secretary of State has given consideration to the Inspector's analysis at IR286-312 and IR466-467, the recommended conditions set out in Annex Three of the IR and the reasons for them, and to national policy in paragraph 55 of the Framework and the relevant Guidance. He is satisfied that the conditions recommended by the Inspector comply with the policy test set out at paragraph 55 of the Framework. However, he does not consider that the imposition of these conditions would overcome his reasons for dismissing this appeal and refusing planning permission.

Planning obligations

31. Having had regard to the Inspector's analysis at IR313-339 and IR468-497, the planning obligation by Unilateral Undertaking dated 29 October 2019, paragraph 56 of the

Framework, the Guidance and the Community Infrastructure Levy Regulations 2010, as amended, the Secretary of State agrees with the Inspector's conclusion in IR498 that the obligation by Unilateral Undertaking, other than those obligations specifically referred to and listed in IR499, complies with Regulation 122 of the CIL Regulations and the tests at paragraph 56 of the Framework. However, the Secretary of State does not consider that the obligation overcomes his reasons for dismissing this appeal and refusing planning permission.

Planning balance and overall conclusion

32. For the reasons given above, the Secretary of State considers that the appeal scheme is not in accordance with Strategic Policies 5, 10 and 12 in the CS; saved policies 1.2, 3.11 and 3.20 in the SP and policies 7.6 and 7.7 in the LonP, and is not in accordance with the development plan overall. He has gone on to consider whether there are material considerations which indicate that the proposal should be determined other than in accordance with the development plan.
33. The Secretary of State considers the scheme would regenerate a brownfield site and would provide new, good quality Class B premises. He further considers there would be a significant increase in the number of available jobs relative to what currently exists at the site. This would also exceed the jobs that could reasonably be provided if it were to be redeveloped for industrial uses. He affords these benefits significant weight.
34. The proposal would also provide 35% of homes as affordable and the Secretary of State affords this benefit significant weight. While the provision of 499 homes in general would also be a benefit, the Secretary of State affords this moderate weight due to the less than exemplary nature of the accommodation overall.
35. The Secretary of State also considers that the benefits of a vibrant public realm and permeability and routes through should attract significant weight. The Secretary of State considers the refurbishment of the existing chimney should be given limited weight as it would, to some degree be overwhelmed by its neighbours. The Secretary of State gives moderate weight to the jobs generated during construction as well as increased spending in the local and wider London economy.
36. Weighing against the proposal, the Secretary of State has great concerns about the quality of accommodation it would offer and affords this significant weight. The Secretary of State also considers that rather than optimising the use of the land resource the scheme has sought to maximise it and this has resulted in a quality of development that at several levels would not be satisfactory. He considers that design, overall, would not be exemplary and affords this significant weight. The Secretary of State also affords significant weight to the unacceptable harm caused to some existing residents by the loss of daylight.
37. The Secretary of State has considered whether the identified 'less than substantial' harm to the significance of the Church of St George is outweighed by the public benefits of the proposal. In accordance with the s.66 duty, he attributes considerable weight to the harm. Overall the Secretary of State agrees with the Inspector at IR505 that the benefits of the appeal scheme, identified in paragraphs 33-35 of this letter, are collectively sufficient to outweigh the identified 'less than substantial' harm to the significance of the heritage asset. He considers that the balancing exercise under paragraph 196 of the Framework is therefore favourable to the proposal.

38. Overall the Secretary of State considers that the material considerations in this case indicate a decision in line with the development plan i.e. a refusal of permission.
39. The Secretary of State therefore concludes that the appeal should be dismissed and planning permission refused.

Formal decision

40. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby dismisses your client's appeal and refuses planning permission

Right to challenge the decision

41. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged. This must be done by making an application to the High Court within 6 weeks from the day after the date of this letter for leave to bring a statutory review under section 288 of the Town and Country Planning Act 1990.
42. A copy of this letter has been sent to London Borough of Southwark Council and The Local Group, and notification has been sent to others who asked to be informed of the decision.

Yours faithfully

Jean Nowak

Jean Nowak
Authorised by the Secretary of State to sign in that behalf



Report to the Secretary of State for Housing, Communities and Local Government

by Christina Downes BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Date: 7 November 2019

TOWN AND COUNTRY PLANNING ACT 1990
COUNCIL OF THE LONDON BOROUGH OF SOUTHWARK

Appeal made by
PEACHTREE SERVICES LTD

Inquiry Held: 21-23 August, 27-30 August, 23, 24 September 2019
Site visit held: 3 September 2019

Burgess Business Park, Parkhouse Street, London SE5 7TJ
File Ref: APP/A5840/W/19/3225548

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ABBREVIATIONS LIST

Term	Acronym
Affordable Housing Supplementary Planning Document	AH SPD
Average Daylight Factor	ADF
Controlled Parking Zone	CPZ
Community Infrastructure Levy Regulations	CIL Regs
Section 106 Planning Obligations and Community Infrastructure Levy Supplementary Planning Document	S106 SPD
Council of the London Borough of Southwark	The Council
Local Preferred Industrial Location	PIL
Public Transport Accessibility Level	PTAL
Development Viability Supplementary Planning Document	DV SPD
Statement of Common Ground	SCG
Vertical Sky Component	VSC
Environmental Statement	ES
Transport for London	TfL
Greater London Authority Housing Supplementary Planning Guidance	Housing SPG
Habitable rooms per hectare	hrpha
London Borough of Southwark Core Strategy	CS
National Planning Policy Framework	the Framework
New Southwark Plan	NSP
No Sky Line	NSL
Peachtree Services Ltd	Peachtree
Planning Obligation by Agreement	the S106 Agreement
Planning Obligation by Unilateral Undertaking	UU
Residential Design Standards Supplementary Planning Document with Technical Update	RDS SPD
Section 106 Planning Obligations and Community Infrastructure Levy Supplementary Planning Document	S106 SPD
Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice	BRE Guidelines
Southwark Council Core Strategy (2011)	CS

File Ref: APP/A5840/W/19/3225548**Burgess Business Park, Parkhouse Street, London SE5 7TJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Peachtree Services Ltd against the decision of the Council of the London Borough of Southwark.
- The application Ref 17/AP/4797, dated 21 December 2017, was refused by notice dated 31 January 2019.
- The development proposed is demolition of the existing buildings and redevelopment of the site to provide 499 residential units, up to 3,725m² (GIA) of Class B1 commercial floorspace, up to 128m² (GIA) of Class D2 leisure floorspace and up to 551m² of Class A1-A3 floorspace within 13 blocks of between 2-12 storeys (max AOD height 41.95m), with car and cycle parking and associated hard and soft landscaping.

Summary of Recommendation: That the appeal be dismissed**PROCEDURAL MATTERS**

1. The original planning application was for demolition of the existing buildings and redevelopment of the site to provide 505 residential units, up to 3,375m² (GIA) of Class B1 commercial floorspace, up to 117m² (GIA) of Class D2 leisure floorspace and up to 570m² of Class A1-A3 floorspace within 13 blocks of between 3-14 storeys with basement, car and cycle parking and associated hard and soft landscaping. Following various discussions with the Council revisions were made and its decision was based on the amended scheme as described in the banner heading above.
2. The inquiry was conducted in accordance with the recommendations of Bridget Rosewell OBE. I undertook a telephone case conference with the 3 main parties on 5 June 2019. It was agreed that the inquiry would be held on a topic-led approach and some topics were considered by round table sessions, which were informed by dedicated statements of common ground (*Document CD J10*).
3. The Local Group was granted Rule 6 status and played a full part in the inquiry process. It comprised a number of local organisations, residents and local businesses within the local area. These included the Friends of Burgess Park, Wells Way Triangle Association, 35% Campaign, the Camberwell Society, Brunswick Park TRA and Vital OKR. Following discussions with the Appellant during the course of the inquiry, the Local Group did not present evidence on transport, which particularly related to accessibility and on-street car parking. Its concerns were addressed through the proposed planning conditions and planning obligations, which are considered later in the Report (*Document CD H4, paragraph 2*).
4. There is no dispute that the application proposal is Environmental Impact Development. An Environmental Statement (ES) was submitted in December 2017. Following the revisions to the scheme referred to above, a revised ES was submitted in August 2018. This has been taken into account in my consideration of the appeal proposal (*Documents CD A23-26; CD B19-22*).
5. As the proposal is for full planning permission, I queried why the commercial floorspace was not definitive. The response confirmed that the total amount of commercial floorspace stated in bullet 4 above could be accommodated at ground floor level. It is proposed that a minimum level of Class B1c floorspace

would be secured by condition. In such circumstances the terminology seems acceptable in order to maintain flexibility (*Document INQ 35*)

6. During the conditions and planning obligations round table discussions towards the end of the inquiry, I requested that further information should be provided on a number of relevant matters and allowed a short time after I had closed the proceedings for this to be done. It had originally been proposed to submit a Planning Obligation by Agreement. However, following discussions with the Council of the London Borough of Southwark (the Council) the Appellant decided that it would not be possible to reach agreement and that a Planning Obligation by Unilateral Undertaking (UU) would be submitted instead. I agreed to allow a short time after the close of the inquiry for this to be finalised. The fully executed document is date 29 October 2019 and is considered later in my Report (*Documents INQ 40-INQ 47*).

THE SITE AND SURROUNDINGS

7. There is a comprehensive description of the site and its surrounding area in the Statement of Common Ground (SCG) on planning matters and also some useful commentary and photographs in the Appellant's heritage and townscape proof of evidence (*Documents CD H3, section 3; POE 10, section 5*). There is an aerial photograph and plans showing the various surrounding land uses and building heights in the Design and Access Statement (*Document CD A5, pages 20, 21, 23*). The relationship of the appeal site to Burgess Park and the part that is designated Metropolitan Open Land is also found in the Design and Access Statement (*Document CD A5, page 41*).
8. Photographs of the existing site and a plan of its layout is at *Document POE 1, pages 15, 16*. Heritage assets in the vicinity and their location are shown in *Document POE 11, Appendix B*. An aerial photograph showing existing and proposed buildings over 12-storeys in height and a plan showing regeneration sites in the vicinity is at *Document INQ 2, pages 5, 6*. The site in relation to surrounding roads, railway stations, bus stops and facilities is at *Document POE 8, Appendices MT1, MT3*.

The main points are:

9. The appeal site is located on the southern and eastern side of Parkhouse Street, which has an arced configuration and has junctions with Southampton Street to the south and Wells Way to the east. The latter road runs along the eastern site boundary where there is a high brick wall reducing to a lower wall topped with railings.
10. The existing site is in two sections and the main part comprises a number of one, two and three-storey industrial buildings with a large communal yard and parking area adjacent to Parkhouse Street, from where the site draws access at the front. Unit 1 is particularly dilapidated but most of the other buildings have been re-clad with a red brickwork skin and are mainly in meanwhile uses. A tall chimney is a particular feature, which rises high above the roofline and is clad in an array of telecommunications equipment. 10-12 Parkhouse Street is a three-storey vacant office building that fronts onto that road. To the south of it is a low-lying brick Victorian building with openings on to the street that is in use as a car-wash. 45 Southampton Way is half of a pair of three-storey houses in the south-western corner of the site at the junction with Parkhouse Street. The

smaller part of the site is on the western side of Parkhouse Street and includes a three-storey commercial building with a large open yard to its south.

11. The appeal site is part of a larger industrial area. On the northern side of Parkhouse Street there are a variety of buildings of different shapes and sizes. These include traditional brick-built industrial buildings as well as large modern warehouses such as the Babcock Depot and the PHS waste transfer station. On the southern side of the appeal site is the Big Yellow self-storage depot, which is a large modern building under construction at the time of writing. Adjacent to this is a scaffolding yard that wraps around a church and recording studio.
12. The surrounding area is typified by Victorian terraced housing along with modern infill development. On the southern side of Southampton Way are the higher density residential regeneration projects of Elmington Green and Camberwell Fields. The buildings here are typically three to four storeys in height with some blocks rising to between five and seven storeys. The nearest housing to the appeal site is 1-13 (odd) Parkhouse Street, which is a two-storey Victorian terrace with small gardens to the rear. These properties all appear to have been subdivided horizontally into two flats. On the eastern side of Wells Way Nos 97-111 is a traditional terrace of town houses. No 113 is a former listed vicarage that has been subdivided into flats. To the north of the terrace beyond Coleman Road is a residential estate with a modern terrace fronting onto Wells Way.
13. To the north-west of the appeal site at the junction of New Church Road and Edmund Street, is Evelina Mansions. This is a large, six-storey red-brick Victorian mansion block built round a central courtyard garden. On the opposite side of New Church Road is the Addington Square Conservation Area. This is an enclave of elegant Georgian town houses built around green spaces which provide a sylvan setting. To the east of the Conservation Area is Burgess Park. This is a very large green amenity space that runs up to the Old Kent Road at its eastern end. It is crossed by Wells Way, where the Grade II listed former Church of St George is situated. This building has a prominent and distinctive tower that can be seen in many views from the park as well as within the surrounding townscape. On the northern side of Burgess Park is Albany Road, adjacent to which the Aylesbury Estate regeneration is taking place.

PLANNING POLICY

14. The development plan includes the **London Plan** (2016), **London Borough of Southwark Core Strategy** (2011) (CS) and saved policies of the **Southwark Plan** (2007) (*Documents CD C3; CD C8; CD C9*).
15. The **draft New London Plan** is at an advanced stage and the Mayor is considering the Inspectors' Report following the examination. The **draft New Southwark Plan** (NSP) is expected to be submitted for examination in late 2019. It will eventually replace the CS and saved policies in the Southwark Plan (*Documents CD C7; CD C22*).
16. There are various non statutory documents of relevance to the appeal. In particular, the Council's **Residential Design Standards and Technical Update Supplementary Planning Document** (2015) (RDS SPD) and the Mayor's **Greater London Authority Housing Supplementary Planning Guidance** (2016) (Housing SPG) (*Documents CD C12; CD C4*).

17. The **National Planning Policy Framework** (2019) (the Framework) establishes that the purpose of the planning system is to achieve sustainable development. Of particular relevance in this case is section 5 concerning the delivery of sufficient homes; section 6 seeking to build a strong, competitive economy; section 9 aiming to promote sustainable transport; section 11, regarding making effective use of land; and section 12, achieving well-designed places. The **Planning Practice Guidance** is a web-based resource and provides further relevant advice in respect of the above matters.

THE CASE FOR PEACHTREE SERVICES LTD

The Appellant's case is fully set out in its evidence, including its opening and closing submissions (Document INQ 38). The main points are:

INTRODUCTION

18. The context in which this appeal has come forward is important. The potential for a mixed-use residential-led scheme has long been recognised, for example in the *Southwark Employment Land Study* (2016). There has been close collaboration with, and encouragement by, the Council's officers for 3 years prior to submission of the application. An architectural practice favoured by the Council in development of their own sites was instructed to design the development¹. The pressing need for affordable housing was recognised and 35% provision maintained, despite the adverse impact on viability. Amendments were made, including reducing the height. The desire to improve permeability in the emerging local plan was accommodated. There is little more that could have been done in order to comply with the indications given by the Council's officers who, in turn, commended the scheme to members. (**Documents CD A6, paragraph 5.4; CD D1, Table 4.2**).
19. The members rejected the views of their officers but did so on limited grounds. However, the first reason for refusal focuses on minimum unit sizes and amenity space and was based upon a "tick box" approach to appraising design rather than looking at the overall quality of the scheme. There is no policy or other support for such an approach. The second reason relies on policies for the protection of employment land, but the Council no longer wishes to maintain this site in purely industrial use. Its emerging local plan allocates the site for mixed-use development and no realistic alternative means of achieving this aspiration is available. Indeed, on its own adjacent site at 21-23 Parkhouse Street it is also promoting a mixed-use scheme.
20. The evidence shows that these issues are overstated. But even if they were not, the development is exemplary in a number of other respects which have not been challenged. The decision must take the whole of the picture into account, including the numerous undisputed benefits. Policies and standards are to guide decisions, but each decision must be considered on its own merits and the aims and the aspirations for the benefit of the community which lie behind the policies must be considered. The evidence as it has emerged has not revealed any good reason to turn away the benefits that the proposal will provide.

¹ HTA Design LLP, who are working on the Aylesbury Estate regeneration on the northern side of Burgess Park, amongst other projects (**Document POE 1, section 1**).

DENSITY AND STANDARD OF ACCOMMODATION

21. In assessing the standard of accommodation to be provided, a holistic approach must be taken which balances the positives and negatives of the scheme. It is common ground that none of the relevant policies requires a "tick box" exercise. In designing the proposal, the policy requirements were treated as recommendations and a bespoke view was taken of the best provision to make for each dwelling in the context of the scheme as a whole. The role of an architect is not to tick boxes from a list, but to produce a design that responds to context and produces the high-quality buildings and places, as sought by paragraph 124 of the Framework. This scheme would soon be recognised as a vibrant and attractive new mixed-use quarter which makes a very positive addition to the area (*CD H3, paragraph 6.12*).
22. The Council wrongly suggested that minimum space standards were not subject to the principle that the best and most appropriate design solution should be devised. This has no support in policy. The correct approach is that even if minimum space standards were to be breached, the scheme could still be exemplary if it is outweighed by other factors in the balance.

Development plan policy

23. Strategic Policy 5 of the CS reflects the Council's general objective to secure as much housing as possible. It had no issues in respect of the effect on the character and appearance of the area, heritage or the principle of residential development at this location. The only basis on which there was an objection in terms of this policy related to the quality of accommodation. The applicable density range here relates to the Urban Zone, which is 200-700 habitable rooms per hectare (hrpha). The proposal would provide 984 hrpha. The language of the policy is clear that these ranges are an expectation, not a requirement (*Document CD C8, page 78-9 and paragraph 5.58*).
24. Strategic Policy 5 provides that within opportunity areas and action area cores, the maximum densities may be exceeded where developments are of exemplary design or standard. It does not though say that these are the only circumstances when such variation could occur. The Council's own practice is to regard exemplary schemes as complying with the policy even if they are not in opportunity areas or action area cores. The policy creates a general expectation as to density levels and is neither a floor nor a cap. It would not be breached by the bare fact of exceedance. In those circumstances the debate about whether or not the policy applies an exemplary design exemption outside of opportunity areas and area action cores is thus largely arid (*Document POE 3 paragraphs 6.9, 6.16*).
25. The reason for refusal relies on saved policy 4.2² in the Southwark Plan, which refers amongst other things to achieving good quality living conditions and high standards of space including outdoor/green space. In assessing whether these standards would be met an overall view must be taken and the appeal scheme would comply with its requirements. In any event, this is a permissive policy, but it does not say that a failure to meet the provisions is a reason for resisting

² Inspector's Note: It was agreed that the reference to saved policy 4.3 in the first reason for refusal was incorrect. The correct reference was to saved policy 4.2.

- a proposal. On its words, saved policy 4.2 does not provide a basis for refusal even if its provisos are not met. The Council's reliance on the Gladman judgement³ is misplaced. It concerned policies that gave effect to site allocations as components of a complete spatial strategy for the location of housing. The context of the policies considered by the Court of Appeal was thus very different and cannot be applied without modification to Saved Policy 4.2 (*Documents CD C9, page 60; INQ 1, paragraphs 28-31*).
26. The Council does not allege a breach in saved Policy 3.11 in the Southwark Plan. All of the factors that should be achieved whilst securing the efficient use of land would be complied with (*Document CD 9, page 45*).
 27. The Council does not allege a breach of policy 3.4 in the London Plan. This requires development to optimise housing output within the density ranges shown in table 3.2. Again, however, Policy 3.4 does not limit permissible development to those within the density ranges. It says that only developments which compromise the policy should be resisted. No such compromise has been alleged. The supporting text indicates that table 3.2 is not to be applied mechanistically and the proposal's exceedance of the specified density range does not therefore give rise to any conflict with this policy. Table 3.2 is not applied mechanistically by the Council in practice, as is shown by a number of examples. The reference in paragraph 3.28A of the supporting text to exceptional circumstances relates to those developments that comply with criteria in the Mayor's Housing SPG. It does not introduce any extra policy test (*Documents CD C3, page 100 and paragraph 3.28; POE 3, paragraph 6,7 and table 6.1*).
 28. Where a proposal exceeds the London Plan's density ranges, guidance on the factors to be considered is contained in the Mayor's Housing SPG. This also makes clear that table 3.2 is not to be applied mechanistically but is a starting point for consideration. It provides its own list of considerations for whether a development is of "high quality design", and thus supportable despite exceeding the density range. There is no mention of a need for exemplary design in the Housing SPG (*Document CD C4, paragraph 1.3.50*).
 29. Policy 3.5 in the London Plan concerns the quality and design of housing developments. Where a development is of exemplary design it is capable of being permissible even where it would compromise the delivery of elements of the policy. It follows that compliance with the elements of policy 3.5 is not a prerequisite of exemplary design. Policy 3.5 thus requires a balanced assessment and the positives of a development need to be weighed against its shortcomings to decide whether it is exemplary⁴. There is nothing in the policy to justify elevating space standards to a non-negotiable requirement. It treats them in exactly the same way as the other identified characteristics (*Document CD C3, page 102*).

Emerging policy and national policy

30. The use of crude density tables and ranges is contrary to the direction in which planning policy is evolving, both at the local and strategic level. Emerging policy is moving towards a requirement for the quality of a development to be

³ *Gladman Developments v Canterbury CC* [2019] EWCA Civ 669.

⁴ This was accepted by Ms Crosby in cross-examination by Mr Cameron.

commensurate with its density, so that applications are judged on their merits. Draft Policy D1 in the emerging New London Plan does not repeat the density table from Policy 3.4. Draft policy CG2 takes a similar approach. The aim is to create successful, high-density, sustainable, mixed-use places that make the best use of land. That aim is to be achieved by applying a set of criteria the application of which requires an exercise of planning judgement.

31. Similarly, the density table which was contained in earlier drafts of policy P9 in the emerging New Southwark Plan has been removed. It provides the Council's latest thinking on what amounts to exemplary development. The draft policy requires all development, large and small, to be of an exemplary standard of residential design. That suggests that development need not be exceptional in order to be exemplary. It does not create a checklist but rather a number of factors to be considered. It indicates that a proposal that meets national space standards, but does not exceed them, can still be exemplary⁵. Although it requires private and communal space standards to be exceeded, there is the proviso that shortfalls in private amenity space can be made up for in additional communal provision, as is proposed in this case. It requires the provision of "acceptable" levels of natural daylight (*Document CD C21, page 16*).

The Council's position before and at the inquiry

32. The view of the Council's planning officers, including the Director of Planning, was that the scheme was of a high enough quality to warrant the grant of planning permission. The recommendation was on the understanding that the density of the scheme was 1,415 hrpha, which is considerably higher than the correct figure of 984 hrpha. The Council at appeal has adopted a tick-box approach, which contrasts to the holistic approach taken by the planning officers in this case and also in relation to other schemes, including the Dockley Road proposal. This is not only contrary to the language of the policies themselves but also contrary to the Council's own past practice (*Documents CD E1, paragraphs 174-195; CD H3 Appendix B, paragraph 2.2; INQ 7, paragraphs 61-65*).
33. The Council's decision notice is required, as a matter of law⁶ to specify not only the full reasons for refusal, but also all the policies in the development plan which the Council regarded as relevant to its decision. In the first reason for refusal, the decision notice only specifies saved policy 4.2 in the Southwark Plan, policy 3.5 in the London Plan and the RDS SPD. There is no mention of Strategic Policy 5 in the CS or policy 3.4 in the London Plan. The Council does not allege that exceedance of density ranges in those policies is itself a reason for refusal. Also, the only basis advanced against the proposal's exemplary nature is insufficient amenity space and a failure to exceed minimum space standards. There is no criticism about outlook, privacy, or sunlight and daylight, save as a component of living standards.

Design of the appeal proposal

34. Many of the design characteristics that are relevant to an assessment of overall quality have not been criticised by the Council. The design evolution had the twin aims of optimising the housing output of the site and providing excellent

⁵ This was accepted by Ms Crosby in cross-examination by Mr Cameron.

⁶ Article 35(1)(b) of the Development Management Procedure Order.

standards of accommodation. There was wide consultation and close collaboration with the Council's officers (*Document POE 1, section 4*).

35. The site as it stands is of low quality. Much of it comprises car parking and is fenced off with poor permeability and few trees. By contrast, the proposal would introduce a vibrant mix of uses. There would be a high-quality public realm with the potential for a variety of flexible uses and activated frontages for Parkhouse Street and Wells Way. The ground floor levels have been designed with a view to clustering different types of uses together to enable a critical mass of uses. The entire proposal would be tenure blind. The height profile of the scheme has been carefully designed so that the tallest buildings would be at the centre of the site, tapering down towards the site boundaries. The scheme is sensitive to the site's historic context and has been designed to incorporate and celebrate the former sweet factory's chimney. It would also facilitate the redevelopment of the wider area, by providing potential connections to Southampton Way, as well as to the south-east of the site as a strip of land beside the Big Yellow storage building has been safeguarded for future access (*Document POE 1, section 5*).
36. As to the standard of accommodation provided, all of the dwellings would meet or exceed the minimum space standard for internal accommodation. Each dwelling was considered individually with a balance between the provision of internal space, external private amenity and outlook. In every case where a unit had a shortfall in external private amenity space, it exceeded the national space standard for its internal space. Such a bespoke approach is a hallmark of an exemplary design. The result is a scheme which was led by design, with a focus on providing homes in which people wish to live, rather than by ticking the Council's boxes. For example (*Document POE 1, Appendix 10.3*):
- Single aspect units would, on average, be 4m² larger than dual aspect units;
 - In Block B, the aesthetic demands of the overall scheme meant that balconies would not be provided. In such cases, units would on average be 16m² larger than they would otherwise have been;
 - In Block I, balconies have been removed to ensure a high standard of daylight to the units. To balance the effect of the loss of 5m² balconies, each of these units would be provided with an 7m² more internal floorspace.
 - In Block E, where a unit has a balcony which was 1.4m² smaller than expected, it was given an additional 13m² of additional floorspace, as well as a triple aspect.

There is a very high level of adherence of the proposal to the guidance for exemplary status in the Housing SPG and the RDS SPD (*Document POE 3, tables 6.3 and 6.5*).

Minimum space standards

37. The Council was wrong to conclude that the proposal could not be exemplary because some rooms were below the minimum space standards in the RDS SPD. There is nothing in the development plan to support such a contention, particularly where the identified shortfalls were only between 0.1m² and 0.2m². There was no dispute that the partition walls between rooms within properties were drawn at the planning stage as 400mm thick. However, these would inevitably be reduced to either 350mm or 300mm at the construction stage. The

effect of the reduced partition thicknesses would be to remove the identified shortfalls. If the concern remains, a condition could be imposed to require all rooms within the proposal to comply with minimum space standards at the construction stage (*Documents POE 2, pages 6-11; POE 15, paragraph 7.15-20*).

38. The concern was that certain of the bedrooms within the proposal were undersized for the purposes of wheelchair accessibility. However, that essentially related to labelling and if the relevant dwellings were described as 2 bed 3 person units rather than 2 bed 4 person units, the bedroom sizes would be acceptable⁷. The RDS SPD sets out minima for rooms. There is nothing to support the Council's approach that once a room reaches the minimum size for a double bedroom it can no longer be treated as a single bedroom, for example. The minima are recommended rather than required, which indicates a more flexible approach is required, rather than the tick-box, mechanistic approach taken by the Council. (*Documents CD C12, page 14; POE 15, paragraph 7.18*).

Private amenity space

39. It was agreed that the standards for amenity space in saved policy 4.2 are those in the RDS SPD⁸. For units with two beds or fewer there is no absolute requirement for private amenity space to be provided for each individual unit. If there is less than 10m² for a particular unit, the deficit is to be made up in additional communal amenity space. The Council sought to test each unit against the private amenity space standard individually, notwithstanding that the planning officers had agreed to adopt a global approach to this calculation at application stage. They had also agreed that where there was a shortfall in private outdoor amenity space, it could also be compensated for by the provision of extra internal space. It is regrettable that the Council now adopts a different approach. (*Document CD C12, paragraph 3.2; CD E1, paragraphs 189-190*).
40. The nature of design is such that, in many cases, to achieve one standard involves compromising another. For example, providing balconies in some cases compromises internal daylight or outlook. Similarly, whilst additional amenity space could have been provided on rooftops, the result would have been the reduction in the number of photovoltaic panels provided, with resultant adverse impact on the energy sustainability of the scheme. The approach seeks to balance these factors in a sensitive manner rather than apply a tick-box approach that results in criticism of the proposal on an unrealistic and pedantic basis (*Document POE 2, pages 14-25*).
41. 87% of the proposed development would meet the RDS SPD standard and only 8% of units would not have any private amenity space at all. Whilst the RDS SPD seeks 10m² as the ideal size of balcony for flats of two or less bedrooms, it recognises this is not always possible. In such circumstances a minimum of 3m² should be provided with the shortfall made up in the provision of communal amenity space. This was the sensible approach taken in the private amenity space assessment (*Documents CD C 12, paragraph 3.2; POE 3, table 6.4*).

⁷ This was accepted by Ms Crosby in cross-examination by Mr Cameron. She also agreed that such an amendment would have no impact on unit mix, which is dictated by the number of bedrooms not the number of person which those bedrooms can accommodate.

⁸ This was agreed by Ms Crosby in cross-examination by Mr Cameron.

Communal amenity space and children's play space

42. The RDS SPG sets out a formula for the calculation of children's play space. It was agreed that each of the proposed blocks should be considered individually⁹. The total requirement for play space for 0-5 years old children would be 810m² and the provision on-site would be 918m². In terms of the provision for older children, it is relevant that the appeal site is located so close to Burgess Park. In those circumstances, it is clearly reasonable for the proposal to provide less communal amenity space than would otherwise be the case. Indeed, the RDS SPD itself recognises the validity of such an approach. A tick-box exercise in terms of provision of each type of open space is unrealistic. It fails to recognise the physical reality of the availability of Burgess Park to the residents of the proposal and its impact on what is needed to ensure a high standard of amenity (**Document POE 1, pages 63-64**).

Sunlight

43. Saved policy 4.2 in the Southwark Plan requires high standards of natural daylight and sunlight. It makes no reference to the good practice guide: *Site layout planning for daylight and sunlight* (the BRE Guidelines) although this is referred to in the RDS SPD (**Document CD C12, paragraph 2.7**).
44. The guidance recommends that at least half of an open amenity area should receive at least 2 hours of sunlight on 21 March. However, the guidance makes clear that there is no hard and fast rule for the assessment of sunlight on open spaces. This is not a test nor a requirement, but a recommendation and a check. Applying that check, it was met for each of Blocks A, B, D, E, J and K. Block M shares amenity space with Block L and so is acceptable on that basis¹⁰ (**Document POE 5, page 53**).
45. The podium courtyards between and serving Blocks F, G, H and I would not receive 2 hours sunlight on the spring equinox. However, that would not be unusual and there are a number of courtyards in London with similar sunlight levels, which had won awards for their design quality. Indeed, courtyards of this kind are a classic example of why the BRE approach is a check to be applied flexibly, rather than a standard to be met. It is also highly relevant that in summer, when residents are likely to be using the outdoor amenity space, that part of the courtyard adjacent to Blocks F and G, which would be accessible to residents of Blocks H and I across the connecting bridge, would receive sunlight. The quality of the courtyard as an open space is not linked to its sunlight levels in March in the same way as is the case for other kinds of open space (**Document POE 7, section 5**).
46. The Council has suggested that a gap could have been left in the structure of Block I to allow sunlight to reach the courtyard. This would not be an appropriate design response and would involve a really significant design alteration. The proposal would clearly provide the high standard of sunlight referred to in saved policy 4.2.

⁹ This was agreed by Ms Crosby in cross-examination by Mr Cameron.

¹⁰ This was agreed by Ms Crosby in cross-examination by Mr Cameron.

Daylight

47. The assessment of daylight levels is dealt with, in policy terms, by the Mayor's Housing SPG. It concerns the satisfactoriness of the amenity levels provided. It is also necessary to assess the daylight target of a scheme against broadly comparable residential typologies from across London. The Planning Practice Guidance on effective use of land adopts a similar approach and also sets the standard for daylight provision as satisfactory (**Document CD 4, paragraph 1.3.46**).
48. The saved policies of the Southwark Plan show some confusion on the requisite standard. Saved policy 3.11 refers to satisfactory levels of daylight, whereas saved policy 4.2 refers to high standards. The Framework, Housing SPG and draft London Plan all support a requirement for satisfactory or adequate levels, not high ones. The Council agreed that the approach of satisfactoriness was an appropriate standard to apply in this case¹¹.
49. In any event, there would be very good levels of daylight provided for the proposed dwellings in the scheme. In almost all cases, those units that failed to provide requisite standards of Average Daylight Factor (ADF) was due to the decision to provide balconies to the units directly above. Daylight and outdoor amenity space are often in conflict and require a design judgment to be made. The rooms that failed ADF were all bedrooms, which require less natural daylight than other living rooms. The daylight assessment included a representative selection of units across the scheme. The scheme's quality would remain valid and unaltered even if individual rooms or units could be identified that showed worse ADF levels than those tested (**Documents INQ 3A, pages 35-47; POE 5, pages 32-33**).
50. The Planning Practice Guidance and Mayor's Housing SPG indicates that developments should maintain acceptable living standards. What that means in practice will be heavily dependent on context and requires a comparison with similar properties. Criticism that these lie within opportunity areas or action areas misses the point. The Mayor's Housing SPG refers to comparable residential typologies, which in this case means residential flats. The planning status of the areas is not relevant to the acceptability of daylight within the units themselves. The appeal proposal achieves higher levels of ADF and No Sky Line (NSL) compliance than the comparable sites. Of those rooms that fall below the recommended ADF figures, the majority do so marginally (**POE 5, pages 28-30; paragraphs 5.2.1-5.2.36**).
51. All of the relevant policy tests would be met. The standard of daylight and sunlight in the proposed development would be similar to, or better than, that found in comparable developments in the area. The 87% compliance with ADF recommendations is high in this urban context. The scheme should be applauded for the way in which housing output has been optimised whilst overall achieving satisfactory levels of daylight and sunlight.

Proximity to the Big Yellow storage facility

52. The rear elevations of Blocks D and E would in some places be relatively close to

¹¹ This was agreed by Ms Crosby in cross-examination by Mr Cameron.

the newly erected storage building. However, the habitable rooms concerned would be 4 single bedrooms within four separate three bedroom flats. Those bedrooms would be located in triple aspect homes that would exceed minimum space standards by 16m². This provides another example of how carefully the scheme has been designed so that other factors outweigh the relative proximity so as to maintain an exemplary standard (*Document POE 2, section 7.54*).

Noise

53. Many of the balconies, roof terraces and podium areas would meet the World Health Organisation *Guidelines for Community Noise* for external amenity areas of 55 decibels. The concerns of the Local Group related to those proposed residential units and amenity areas that would be close to the BCM scaffolding yard and Babcock depot. The latter site at 25-33 Parkhouse Street, is the subject of pre-application enquiries for mixed use development promoted by Joseph Homes. (*Documents CD B19, chapter 8, paragraphs 8.59-8.665 8.65; POE 16, appendix 1; INQ 5; INQ 25*).
54. The Planning Practice Guidance indicates that external noise impacts can be partially offset where residents have access to alternative relatively quiet amenity space, including a nearby tranquil public park or local greenspace¹². Burgess Park, which is in the immediate vicinity of the appeal site, clearly meets the final bullet of the guidance. It is clear that the approach taken in the ES, although it pre-dated the current version of the Planning Practice Guidance, is entirely consistent with it and that its conclusions are justified.
55. Paragraph 182 of the Framework sets out “agent of change” principle. The inclusion of mitigation measures makes the likelihood of complaints by future residents negligible. There is no evidence that any existing business would have any unreasonable restriction imposed on it as a result of the mixed-use development (*Document INQ 5*).

EMPLOYMENT LAND

56. The site is designated as a Local Preferred Industrial Location (PIL) in the development plan. However, it is common ground with the Council that the appeal site is appropriate for a mixed-use and there is no reliance placed on saved policy 1.2 in the Southwark Plan, which restricts development on such sites to B Class uses. The basis of the dispute relates to the quantum, and the appropriateness, of the employment space actually offered (*Document POE 15, paragraph 7.93*).

Development plan policy

57. Policy 4.4 in the London Plan seeks to protect a sufficient stock of employment land. Compliance with this policy will thus turn on whether the stock of such land would be sufficient if the proposal were to be permitted (*Document CD 3, page 151*).
58. The proposal would be contrary to Strategic Policy 10 in the CS, which protects industrial floorspace in the Parkhouse Street PIL. This does not however reflect the Council’s current aspirations or the general direction of travel. That is

¹² Planning Practice Guidance Paragraph: 011 Reference ID: 30-011-20190722.

demonstrated by the draft site allocation NSP23 in the emerging New Southwark Plan, which allocates land including the appeal site for mixed-use redevelopment (*Documents CD C8, page 94; CD C20, page 167*).

59. Amongst other things draft policy P26 in the emerging New Southwark Plan requires that the amount of employment floorspace should be retained or increased where specified in site allocations. However, draft allocation NSP23 applies its criteria not to individual proposals within the allocation area, but to the allocated area as a whole, which is larger than the appeal site (*Documents CD C20, page 54; CD E1, plan after paragraph 9*).
60. Draft allocation NSP23 includes a number of criteria divided into 3 categories. The first category are those things that “must” be provided. In terms of employment space there is no requirement that this should be the higher of the two options¹³. The type of Class B use is not specified and so Class B2 or B8 space would comply¹⁴. The Council did not dispute that the other three requirements in the “must” category would be met¹⁵. The second category relates to those things which “should” be provided and includes things which are desirable but not essential¹⁶. The provision of Class B2 or B8 space is included in this category but the Council recognised that Class B2 provision would not be suitable for this particular site¹⁷.
61. Draft policy P28 (as proposed to be modified) in the emerging New Southwark Plan requires provision of 10% affordable workspace. It is concerned with relative provision, and in those terms the proposal would be compliant (*Document CD C21, page 25*).

The existing site

62. As a generality, the appeal site’s current buildings are in a deteriorating condition¹⁸. Some parts of the site are being used by meanwhile uses. However, such uses are not representative of what the commercial market regards as acceptable. Someone can almost inevitably be found to occupy any land or building, if the terms are sufficiently favourable (*Document POE 13, paragraph 2.2*).
63. The Local Group expressed a number of views about the condition of the site, and about its potential for refurbishment or reuse. However, no internal inspection of any of the buildings had been carried out and there had been no assessment of the viability or feasibility of refurbishing any of them¹⁹. Given those limitations, and the lack of professional experience or expertise in these matters, the views of the Local Group on this point must carry limited weight.

¹³ Ms Hills accepted that the words in the policy did not require that the proposal should provide at least the amount of employment floorspace currently on the site or at least 50% of the development as employment floorspace whichever was the greater, but she considered this was the intention of the policy.

¹⁴ This was agreed by Ms Hills in cross-examination by Mr Cameron.

¹⁵ This was agreed by Hills in cross-examination by Mr Cameron.

¹⁶ This was agreed by Ms Hills in cross-examination by Mr Cameron.

¹⁷ This was agreed by Ms Hills in answer to my question.

¹⁸ This was agreed by Ms Hills in cross-examination by Mr Cameron although she pointed out that some parts were suitable for meanwhile uses.

¹⁹ This was agreed by Professor Brearley in cross-examination by Mr Cameron.

Job numbers

64. There are 57 jobs currently supported by the appeal site. This excludes meanwhile uses, which is the correct approach because such uses by their nature are temporary. Arbeit, the curator, occupies the premises rent-free. There is thus no basis for assuming that meanwhile users would take space and thus create jobs on a commercial basis. The Council has not disputed the estimated generation of 255 jobs in the appeal development (*Core Documents B2, pages 6-7; POE 13, paragraph 2.3.2-2.3.4; POE 14, paragraph 9*).
65. There was considerable debate about the number of jobs that the appeal site could generate if its current buildings were fully occupied. The Council's figure was up to 636 jobs on the basis of one job per 20m² of employment space, but this was not based on any a consideration of what the space could actually be used for²⁰. It included the meanwhile uses, which are not representative of use in a commercial scheme. It was also not based on any experience of actually letting space in the market²¹. However, The Homes and Communities Agency *Employment Densities Guide* indicates a standard of 47m² per employee for B1c use and 75m² per employee for B8 use²². Whilst those indications are general, the Council's estimate is far removed from them (*Document POE 14, paragraph 5*).
66. The 255 jobs that would be facilitated by the appeal proposal would exceed the current 57 jobs and the 137 jobs that were based at the site when Fruitful Office Ltd were in occupation. It also exceeds the potential for 82 jobs were the site to be redeveloped for B1c and B8 purposes and the 147 jobs in the unlikely and unrealistic event that the current premises were to be re-furnished (*Document POE 14, paragraphs 5, 7*).

Plot ratio

67. On the basis of market experience, a plot ratio of 40% would be appropriate for the employment space on-site to meet market demand. On that basis the replacement floorspace for the appeal site would be 5,232 m². If calculated using the highly contested 65% plot ratio figure currently contained in the draft London Plan, the re-provision of employment space on-site would be 8,502m² (*Document POE 13, paragraph 2.1.12*).
68. These calculations excluded the 2,104m² floorspace of 10-12 Parkhouse Street, which currently benefits from prior approval to convert into residential units. It is included in the Council's housing land supply not merely because of the existence of the extant approval but also because it was considered deliverable within the terms of the Framework. At this time the Council considered that the permitted development rights would be implemented if a mixed-use scheme was not secured. If a fresh prior approval application were made on expiry in 2020, it would very likely be granted. There has been no relevant change in fact or law to justify a different decision being made. This is supported by the agreed viability position, which calculated 10-12 Parkhouse St on an alternative use basis (*CD C7, paragraph 6.4.5; CD D4, appendix 1, page 12; INQ 8, paragraph 5.5*).

²⁰ This was agreed by Ms Hills in cross-examination by Mr Cameron.

²¹ Ms Hills accepted that she had no experience in this regard.

²² See *Employment Densities Guide* (second edition) 2010 Housing and Communities Agency

69. The suggestions made by the Local Group that the appeal site could be re-developed at a higher density failed to recognise commercial realities. It is right to say that existing businesses in London operate in premises with high plot ratios. However, were the appeal site to be re-developed, modern standards would be applicable in order to respond to market demand. The Local Group provided no evidence based on expertise and experience in the industrial property market. To achieve modern standards and meet market demand, a 40% plot ratio would be appropriate.

Demand

70. Demand for a certain kind of employment floorspace does not mean that the development of such accommodation can or will come forward. It will only occur if a reasonable commercial developer is able and willing to develop. This also depends on the deliverability of the proposed space and the nature of any alternative investment options for the same funds. Investment does not simply follow demand²³. It will not be provided if the capital and continuing revenue costs exceed the price that those who are seeking the accommodation are willing or able to pay. Demand and deliverability would be required before a scheme offering full commercial re-provision of the site could be assumed to come forward²⁴.
71. The Council has not at any point commissioned an agent to analyse the market for a mixed-use scheme on the appeal site itself²⁵. Amongst other things it relied on responses achieved in relation to the redevelopment of its own site at 21-23 Parkhouse Street. The fact that all the workspace providers responded promptly gives, at best, an indication of a general expression of interest, but little more. The scheme being proposed there would be primarily for flexible B1 use and would most likely comprise hybrid office space rather than the kind of flexible industrial spaces envisaged on the appeal site. This is not therefore a valid comparison. In addition, this scheme would not be viable and thus unlikely to be delivered even if permission were obtained. The scheme would involve a loss of B class floorspace from 1,467 m² at present to the proposal for 1,089 m². It seems that the Council cannot design a viable scheme that achieves full re-provision, even for its own site (*Document INQ 19*).
72. The same point emerged from the history of the Dockley Road site. The Local Group relied on a planning application made in 2015 that showed how industrial co-location could be carried out. It is significant though that after the site had been transferred to a developer, permission was granted for a scheme that did not retain the same level of employment floorspace. This is a good example of the difference between a local authority's aspirations, and what can actually be delivered in the real world (*Document INQ 7*).
73. The *Southwark Council Industrial and Warehousing Land Study* (2014) does not

²³ This point was agreed by Professor Brearley in cross-examination by Mr Cameron.

²⁴ This was agreed by Ms Hills in cross-examination by Mr Cameron. She accepted that the existence of demand was not, of itself, sufficient to justify the refusal of planning permission on the ground of inadequate re-provision of commercial space.

²⁵ Ms Hills confirmed that, while she is a chartered town planner, she has neither professional qualifications nor direct experience in the sale, letting or management of industrial premises in London.

purport to forecast likely future demand for industrial floorspace and so is not evidence of the existence or otherwise of demand at present. It proceeds on the basis that much of the stock in the Parkhouse Street employment area is of poor quality. The presence of residential uses and on-street car parking is a barrier to attracting B class uses and is only partially addressed by Parkhouse Street being one-way. These barriers apply to the current appeal site and would be a potential issue even if the site was redeveloped²⁶. Further, the study advised that some employment capacity could be retained on the site, rather than all of it. This is the basis on which the draft allocation NSP23 is being progressed by the Council (*Documents CD D3, paragraphs 3.15, 3.16, 3.22, 5.23*).

74. The *Southwark Employment Land Study* (2016) recognises that the Parkhouse Street industrial area is "off-pitch" and may find it problematic to attract investment in B class uses. The mixed-use of the site was recommended by the study although it is silent on the quantum of employment floorspace to be retained (*Document CD D1, page 51 and table 4.2*).
75. The *Old Kent Road Workspace Demand Study* (2019) actively supports the creation of improved connectivity for pedestrians and cyclists at the appeal site. There is no viability analysis for the recommended full re-provision of employment space. Large scale employment uses are not envisaged (*Document CD D2, paragraphs 4.46, 4.48*).
76. The Local Group objects to the draft allocation NSP23 on the grounds that the land should be retained in pure industrial use. This is contrary to the above evidence base, and to the Council's clear view on the direction of policy travel.

Overall supply of employment land

77. One of the objectives of policy 4.4 in the London Plan is to ensure sufficient stock of land and premises to meet the future needs of different types of industrial and related uses in different parts of London. To achieve this objective, boroughs are placed into different categories. Southwark is identified as falling within the *limited transfer (with exceptional planned release)* category. In the emerging New London Plan it falls within the *retain capacity* category (*Documents CD C3, map 4.1; CD C7, table 6.2*).
78. Policy 4.4 requires a judgement to be made as to whether it is necessary to retain a particular site in industrial use in order to achieve the policy objective. That is not an exercise that can be conducted solely on the basis of examining trends relating to changes of use of employment land against some benchmark, as the Local Group have done. In order to make an informed judgement it is necessary to consider the specific circumstances of the appeal site, the market area, the land available and the likely demand (*Document POE 13, paragraph 6.3.3*).
79. The overall stock position of the draft allocation NSP23 would remain largely unchanged after development of the appeal proposal. On the basis of current known changes there would be a reduction of 2,870m² of B class floorspace if the appeal development were to go ahead. However, this includes 10-12 Parkhouse Street within the existing floorspace figure. If this were to be

²⁶ This was agreed by Ms Hills in cross-examination by Mr Cameron.

excluded on account of its present residential extant approval, the difference would be 766m² reduction in employment floorspace. If account were also to be taken of the Class D2 and Class A uses in the proposed development, the overall loss would be 87m². This quantum of loss could not be sufficient to find conflict with policy 4.4 in the London Plan (*Documents POE 13, table 1, appendix 8*).

Deliverability

80. There is no dispute with the Council about the viability position. There was no evidence at all to indicate that the Council's aspiration for the site of a mixed-use development with a greater level of employment floorspace than that proposed would be viable or deliverable. On the contrary the Council's own advisers, GVA, indicated that an increase in the level of commercial provision on the site would result in even less profit than that calculated for the appeal scheme itself. GVA tested 4 scenarios with different densities and mix of residential and commercial uses. As the density of the scheme decreases or the level of commercial use increases there would be a detrimental impact on profit. Although scenario 4, which has the most commercial floorspace has a higher profit this is because of the higher level of risk and therefore higher profit target (*Documents INQ 8; POE 3, appendix B, appendix 4, table 1, scenario 4; INQ 12, GVA letter of 22/5/18*).
81. A notional scheme that would fully meet the Council's aspirations could not be delivered. A judgment has to be made as to whether the benefits of the appeal proposal would outweigh the fact that it could not viably fully re-provide the employment floorspace²⁷. The Council suggested that the most likely outcome if the appeal were dismissed would be a reworked scheme with a greater quantum of employment floorspace. That is unrealistic and fails to acknowledge the reality that the Council's aspirations are simply not deliverable. The true choice is between the appeal scheme or leaving the site as it is. The latter is hard to reconcile with economic reality and policy objectives, including the pressing need for housing identified in policy 3.3 of the London Plan.
82. The Local Group considers that the existing buildings could be refurbished and re-used. There is unlikely to be demand for large scale B8, or for any B2 use. Any demand for B1c use would be likely to come from small occupiers, and the buildings would have to be adapted to meet their requirements. It is highly improbable that the owners would do so.

Servicing

83. The Local Group suggested that the servicing arrangements for the appeal site were unsuitable. There was particular concern about the impracticality of unscheduled van deliveries of the kind that clean Class B1c users might rely on, having to utilise either a concierge service or a pre-booked delivery system. This misunderstands the proposal because what is actually envisaged is that deliveries of the kind in question would park in the three service yards provided on-site. Those yards will be accessible directly from the highway network and would not be controlled either by bollards or by a concierge. The concierge and booking arrangements would only be needed to admit refuse vehicles and essential deliveries that need to use the central street (*Document CD B21, Traffic*

²⁷ This was agreed by Ms Hills in cross-examination by Mr Cameron.

and Transport, annex 1, appendix I, section 2.1).

ACCESSIBILITY AND TRANSPORT

84. The Council has no objections on these grounds. Following discussions at the inquiry, it became clear that the Local Group was satisfied that its concerns could be met by way of mitigation. The UU, if found to comply with Regulation 122 of the Community Infrastructure Regulations (CIL Regs) would meet all of these concerns as follows:
- Funding would be provided for a study to consider whether the current Controlled Parking Zone would be adequate.
 - Funding would be provided to cover the costs of re-surfacing Parkhouse Street, which would be capped at £50,000.
 - A Travel Plan would be provided.
 - The operation of the Parkhouse Street/Wells Way junction would be reviewed at the same time as the Stage 2 safety audit.
 - The inclusion of permissive rights over the public realm would be included.
 - As all the concerns raised have been addressed, this issue no longer remains in dispute between the Appellant and the Local Group. It follows that there is no reason to refuse the application on transport related grounds.

DESIGN, CHARACTER AND APPEARANCE AND HERITAGE

85. The Council has no objections on these grounds. It has agreed that the architectural aesthetic is well thought out and of high quality, and that by introducing routes into and across the site the proposal would transform it into a vibrant and attractive mixed-use quarter (*CD H3, paragraphs 6.11 and 6.12*).

Tall Buildings

86. The Council considers that the tall buildings at the centre of the appeal site would comply with its tall buildings policies. The guidance on location given in policy 7.7 of the London Plan is qualified by the use of the word "generally", which contemplates that tall buildings need not be limited to the locations referred to. Strategic Policy 12 in the CS provides that tall buildings "could go" in specified areas in the north of the Borough and saved policy 3.20 in the Southwark Plan says they "may" be permitted in the Central Activities Zone. (*Documents CD H3, paragraph 6.11; CD C3, page 293; CD C8, page 105; CD C9, page 52*).
87. The emerging policy takes a different approach. The draft London Plan contemplates that suitable locations for tall buildings will be identified in local plans. The emerging New Southwark Plan identifies such sites and draft policy P14 (as proposed to be modified) refers to areas where tall buildings would be acceptable, including reference to site allocations. Draft allocation NSP23 is one of those sites where tall buildings could be located, subject to considering impacts on existing character, heritage and townscape (*Documents CD C21, page 22; CD C20, page 168*).
88. If the site is to be developed in accordance with the aspirations of the Council,

tall buildings would be appropriate as part of that redevelopment. The tall buildings at the centre of the site would comply with the Council's tall buildings policies. They would be at the focus of the proposed new routes. They would be elegant in design and would contribute positively to the local skyline and the surrounding streets (*Documents CD E1, paragraph 131; POE 10, paragraphs 6.12-6.20; POE 12, paragraphs 1.6-1.20*).

Townscape

89. There is little or no dispute that, in its current state, the site is unattractive and detracts from the townscape. Redevelopment and regeneration would offer the opportunity to introduce buildings which would make a positive contribution to the townscape.
90. The Built Heritage, Townscape and Visual Impact assessment contained within the ES was carried out in accordance with the Landscape Institute's *Guidelines for Landscape and Visual Impact Assessment 3rd Edition*. That assessment concluded that the proposed development would facilitate the optimisation of adjacent sites and would result in a demonstrable improvement to the appearance, character and function of the townscape. The Council does not dispute those conclusions. The Local Group agree that regeneration would bring benefits but argue that it is not necessary to redevelop for mixed uses of the kind proposed in order to achieve those benefits. This is based upon the false premise that regeneration through refurbishment would be a realistic alternative. It would not.
91. Two differently constituted meetings of the Design Review Panel met to consider the scheme in July and October 2017. Its recommendations were discussed with the Council's Design Officer with whom there was close collaboration. In response to the July 2017 meeting of the panel, significant changes to the scheme were made. These included the introduction of service yards, and changes to the layout and diversity of public spaces, resulting in considerable enhancement of permeability. The width of the central street was increased between Blocks H and I, J and K. In response to the October 2017 meeting, the Council's Design Officer did not indicate that further changes should be made. However, further changes were made following submission of the planning application, including changes to the houses in Block A, the retention and adaptation of Block B and the reduction in height of the central blocks. At the planning committee meeting in November 2018 the Council's Design Officer gave fulsome support to the scheme. (*Documents INQ15; CD I3; POE 2, page 53, paragraph 3.11.2; POE 1, paragraph 9.9*).
92. The design has responded with aplomb to the challenges of creating a new urban quarter whilst respecting the existing context. A new route has been created, opening up the site to the public. Lower buildings address the existing smaller scale existing development at 1-13 Parkhouse Street (Blocks A and C) and Wells Way (Block M). The views from Burgess Park have been considered with great care. The taller buildings (Blocks I and J) mark the square and signal the presence of the new quarter. The scheme is the result of close collaboration with the Council's design advisers. It is a scheme that reconciles competing interests, and would, if permitted, result in a very high-quality addition to the townscape (*Document POE 1, section 8.3*).

Heritage

93. No party suggests that there would be harm to the significance of any designated heritage asset other than the former Church of St George, which is Grade II listed. The proposed development would not affect the ability to appreciate the heritage significance of this building and there would be no harm. The Council's view is there would be less than substantial harm to significance and that such harm would be of the lowest order. It does not raise a heritage objection as it is considered that the public benefits would outweigh that harm. The Council called no expert heritage evidence in support of its view that the proposal would give rise to harm (**Documents CD H3, paragraphs 6.13-6.16; POE 10, paragraphs 7.6-7.13**).
94. The Local Group did not call any expert heritage evidence. It refers the impact of the proposal on the views of the lantern of the church but does so in the context of tall building policies. There is no assessment of significance or the impact of the development upon it. In the circumstances, the only proper conclusion to come to is that the ability to appreciate the significance of the former church, whether in views from the park or elsewhere, would not be affected. The finding should be that there would be no harm. Nevertheless, in order to assist the decision-making process a balancing exercise has been undertaken and this concludes that the public benefits would outweigh the harm, having regard to the need to give considerable importance and weight to the desirability of preserving the setting of listed building²⁸ when carrying out the balancing exercise (**Documents POE 21, paragraph 1.2, 3.14, 3.78; POE 3, paragraphs 7.14, 8.6**).

LIVING CONDITIONS OF EXISTING OCCUPIERS

95. The Council does not object on these grounds and agree that the benefits of the proposed development outweigh any harm caused by overlooking, reduced daylight and sunlight, noise and disturbance (**Document CD H3, paragraph 6.22**).

Daylight and Sunlight

96. The Local Group agreed that relevant policy, including Policy 7.6 in the London Plan, requires a two-stage approach. This involves considering whether harm would occur and, if so, whether it would be acceptable or not. That two-stage approach was recognised and applied in the Buckle Street appeal decision²⁹. The Mayor's Housing SPG provides further guidance on the application of part B(d) in policy 7.6. It indicates that the degree of harm on adjacent properties should be addressed drawing on broadly comparable residential typologies within the area (**Documents CD C3, page 291; CD J12, paragraph 15; CD C4, paragraph 1.3.46**).
97. Saved policy 3.11 in the Southwark Local Plan provides that amenity of neighbouring occupiers should be protected. To the extent that this sets a higher standard than the London Plan, the latter more recent document should prevail. The RDS SPD is consistent with the London Plan in setting a standard of

²⁸ *Barnwell Manor Wind Energy v. SSCLG* [2014] EWCA Civ 137 at paragraph 29

²⁹ The Buckle Street appeal decision relies on *Rainbird v The Council of the London Borough of Tower Hamlets* [2018] EWHC 657 (Admin) at paragraphs 83-84. This judgement is attached to the Appellant's closing submissions (**Document INQ 38B**).

unacceptable loss of daylight or sunlight and in seeking to guard against *excessive* overshadowing (**Documents CD C9, page 45; CD C12, pages 19-20**).

98. In order to encourage the effective use of land, the Planning Practice Guidance looks to see whether there would be an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers. Draft policy D4 in the emerging New London Plan seeks to ensure that surrounding housing enjoys sufficient daylight and sunlight appropriate for its context. Draft policy P12 in the emerging New Southwark Plan seeks adequate daylight and sunlight for new and existing occupiers. The consistent theme of the relevant policies is that it is not appropriate to judge the acceptability of impact on sunlight and daylight by rigid application of standards or guidelines. A balanced approach must be taken to ensure that adequate or sufficient levels of amenity are enjoyed and that any impact is not unreasonable (**Documents CD C7; CD C20, page 38**).
99. This can be approached by applying the BRE Guidelines. This includes a number of different tests to determine impact. In relation to daylight an adverse effect will occur if either the Vertical Sky Component (VSC) or NSL test is failed³⁰. However, it is also important to recognise that the BRE Guidelines are not intended to be applied rigidly or inflexibly. They are more suited to lower density suburban type housing than to an inner-city environment. In the latter context, particularly in London, VSC values in the mid-teens are generally considered to be acceptable. The figures VSC, NSL and Annual Probable Sunlight Hours (APSH) are not in dispute. The dispute turns on whether overall the impact would be acceptable (**Documents POE 5, pages 28-31, 34; CD J5, paragraphs 1.6, 2.2.21; CD J11, paragraph 112; CD J14, paragraph 120**).
100. The Local Group identified properties in Southampton Way, Parkhouse Street, and Wells Way where BRE Guidelines would not be satisfied. However, it has not applied the two-stage test and it has considered whether harm would be significant. This is not the approach which the relevant policies indicate should be taken. If the Local Group's approach were to be adopted and only stage one considered, the objective of optimising potential and delivering housing to meet the pressing need would be defeated (**Document POE 24, paragraphs 1.1.2, 2.3.1, 3.3.1, 3.3.9; POE 7, paragraph 4.2; INQ 16, paragraph 4.2**).
101. The assessment on 1-13 (odd), Parkhouse Street showed that there would be a high degree of compliance in terms of VSC, NSL and APSH. There would be no additional overshadowing on the gardens of 1-11 Parkhouse Street. The main impact would be on 13 Parkhouse Street and would arise predominantly from the Block B proposal. That impact is to be considered in context, and with account being taken of the overall improvement to amenity arising as a result of the redevelopment of the appeal site (**Documents INQ 18, page 20; POE 5, 6.2.1-6.2.9, 6.3.8-6.3.16**).
102. The assessment on 77-113 (odd), Wells Way showed that all windows retain a mid-teen value or higher for VSC. There would be a lower level of compliance

³⁰ See *Rainbird v The Council of the London Borough of Tower Hamlets* [2018] EWHC 657 (Admin) at paragraph 93. Also, *R (Guerry) v LB of Hammersmith and Fulham* [2018] EWHC 2889 (Admin) at paragraph 41. These judgements are attached to the Appellant's closing submissions (Document INQ 38B).

with regard to NSL and 56 of 60 windows would meet the APSH test. However, at present many of the houses in Wells Way have a view of a brick wall on the opposite side of the road. Redevelopment would be achieved with some impact but retaining mid teen values for VSC provides a clear indication that the impact would be acceptable in this context. The rear gardens would not experience additional overshadowing (*Document INQ 18, pages 22-23; POE 5, 6.2.31-6.2.46, 6.3.17*).

103. The assessment of 45-47 (odd) Southampton Way indicates compliance with VSC but that only 4 of the 7 rooms comply with NSL, although one of these is a bedroom. None of the windows are relevant to sunlight analysis. The ground floor windows in the rear unit at No 47 already have very low levels of VSC and NSL, and as a result even a small increase in building mass on the appeal site would result in a large percentage change. At first floor the changes would be more meaningful. Given the improvements that would ensue to the amenity of the area, the impacts could not be categorised as unacceptable (*Documents INQ 18, pages 23-24; POE 5, paragraphs 6.2.55-6.2.64*).
104. Any impact on 37-39 Parkhouse Street would be likely to be academic as a planning application has been made for redevelopment of this and land to the rear. In terms of the existing houses, all VSCs would remain in the mid-teens or above. Of those rooms where the NSL test would not be met the pool of light in the front part of the living rooms would remain good. The two windows that would not meet the numerical criteria for APSH serve a first-floor bedroom (*Documents INQ 25; POE 5, paragraphs 6.2.17-6.2.30*).
105. The assessment on 56 and 60-64 (even), Southampton Way indicates that all would be compliant in terms of sunlight. In terms of daylight there would be some infringements to 60 and 62 in terms of VSC but these would be because of overhanging balconies (*Document POE 5, paragraphs 6.2.65-6.2.75*).
106. When the details are considered, and the correct policy test is applied, it is clear that the Council was right not to object on this ground.

Overlooking, privacy and loss of outlook

107. Policy 7.6 in the London Plan establishes that the policy test to be applied is whether unacceptable harm would be caused. The RDS SPD includes guidance on separation distances to prevent unnecessary overlooking and loss of privacy (*Documents CD C3, page 291; CD C12, paragraph 2.8*).
108. The Local Group argued that where there is contravention of the BRE Guidelines, outlook should be considered unacceptable. However, the guidelines do not purport to provide tests or checks to judge such matters and using them is not a rational approach. The concern relates to the relationship between the proposed development and existing homes in Wells Way and Parkhouse Street.
109. The buildings in Block A have been designed with windows which would not look towards Parkhouse Street, a design feature that would avoid unacceptable impact on privacy. The existing Block B building already contains commercial floorspace with windows facing the side elevation of 13, Parkhouse Street. There would be no directly facing windows in residential units between Block B and 13 Parkhouse Street. In order to ensure privacy, screening could be provided and secured by condition. It should though be borne in mind that an unattractive

yard with parked vans would be replaced with an attractive high-quality development. The distance from Block C to 1-13 (odd) Parkhouse Street and from Block M to Wells Way would exceed the 12m guideline referred to in the RDS SPD. In addition, the brick piers on the access deck to Block C would provide screening for the existing residential units in the extension to the rear of 45 Southampton Way (*Document POE 1, paragraphs 7.2.21, 8.4.4, 8.4.7 and figures 122, 125, 161; POE 2, figure 48; CD E1, paragraph 210*).

110. Attractive modern buildings with high quality materials and detailing would replace decaying industrial buildings. There would be a considerable improvement to outlook and no unacceptable impact on privacy.

OTHER MATTER

111. The Local Group is concerned that overshadowing of Burgess Park would give rise to adverse impacts on biodiversity and wildlife. This would not be materially different to what occurs at present. In any event, the area of the park adjacent to the appeal site is already shaded owing to the dense tree cover. There is no evidence that there would be any adverse impact on wildlife. The records for protected species in Burgess Park are for birds and bats, neither of which would be directly impacted by shading. The Local Group argues that buildings adjacent to Burgess Park should be set back and their height should be no more than five stories. The buildings in Block A would be set back and would be 1-2 storeys in height. Block B would re-use the existing building and would be no more than 5 storeys high (*Document POE 5, paragraph 6.3.29; POE 3, appendix c, page 2; POE 1, figure 78*).

THE PLANNING BALANCE

112. The proposal is not a scheme which has been promoted entirely at the developer's initiative. The Council's aspiration is that the area be transformed, and in support of that aspiration it is promoting a policy that encourages regeneration of the wider area. The appeal site lies at the centre of the wider area and, if the Council's ambitions are to be achieved, this site must come forward. It must create routes that allow the public to enjoy this island site, which has been closed off for so many years.
113. The real issue to be determined is whether the inability to re-provide the existing quantum of employment floorspace on the appeal site is sufficient reason to turn away a beneficial regeneration proposal that would provide much needed homes, enhance permeability and create new public spaces.
114. The overall impact on employment generating floorspace in the draft NSP23 allocation would not be significant. In addition, the number of jobs on the appeal site would increase. There would be no point in refusing permission on the grounds of an inadequate quantum of employment floorspace if there is no realistic prospect of a scheme being delivered to provide that quantum and realize the Council's other aspirations for the site. There is no realistic prospect that an alternative developer would deliver a mixed-use scheme that would provide an increased quantum of employment floorspace.
115. The choice is either to approve this scheme or to condemn the appeal site to continuing decay and to impede the desired regeneration of the area. Other sites to the north of Parkhouse Street may come forward but the central site

- required to deliver the Council's vision for the area would continue to be an under-used and unattractive neighbour. Movement across and through the site would, as now, not be possible.
116. It is accepted that the proposal conflicts with policy 1.2 in the Southwark Plan and Strategic Policy 10 in the Core Strategy. However, it accords with many other policies in the development plan. This is a case where there are some points in the plan that support it and others that do not³¹. It is not possible, for example, to have full provision of employment floorspace and 35% affordable housing. Both of these land uses are promoted by the development plan, but on the facts of this case the policies pull in opposite directions. If the development plan is considered as a whole, the appeal scheme would comply with it.
117. However, if the Secretary of State does not agree with that conclusion, there are very strong reasons why the decision should be made otherwise than in accordance with the development plan. The scheme would provide 499 homes and 173 affordable dwellings, 119 of which would be social rent and 54 intermediate. This would make a very significant contribution in a borough with a record of providing 260 affordable units a year against an assessed need of 799 units a year (*Documents CD H3, paragraph 2.2; CD D5, page 17; CD D16, table 6.10*).
118. However, this is not a case where sole reliance is placed on the benefits of providing additional housing. The scheme would also advance the aspirations of the Council to regenerate the wider draft allocation NSP23 site, whilst providing enhanced permeability and public realm, in a vibrant new urban quarter, signalled by exemplary architecture. The overall loss of B class employment floorspace on the draft allocated NSP23 site would be about 766m². The 4,404m² of flexible commercial, retail and leisure floorspace would include affordable workspace and result in an increase in jobs. It would meet the needs of potential occupiers, particularly those looking for maker spaces, and co-working spaces.
119. In the Chiswick Curve appeal, the Secretary of State gave moderate weight to the provision of additional housing and affordable housing in an area where the Council could demonstrate a five-year housing land supply. In the present appeal the Council does not consider that to be an appropriate approach given the circumstances that exist in Southwark. The Council has reduced the weight given to the provision of the proposed 499 units to moderate on account of the contention that the design would not be exemplary. If the Secretary of State considers that the quality would be exemplary, then that attribution of weight cannot be sustained (*Document INQ 33, paragraph 35*).
120. It is abundantly clear that benefits of the scheme far outweigh any detrimental effects, in particular those arising from failure to comply with policies relating to employment land. The Secretary of State is urged to allow the appeal and grant planning permission for a deliverable regeneration scheme which meets almost all of the Council's aspirations.

³¹ *City of Edinburgh v. Secretary of State* [1997] 1 WLR 1447 at page 1459 E-G. This judgement is attached to the Appellant's closing submissions (*Document INQ 38B*).

THE CASE FOR THE COUNCIL OF THE LONDON BOROUGH OF SOUTHWARK

The Council's case is fully set out in its evidence, including its opening and closing submissions (**Document INQ 37**). The main points are:

INTRODUCTION

121. Granting planning permission for the appeal proposal would flout the plan-led approach at the heart of the planning system and would critically undermine the objective of achieving sustainable development for the two reasons on which the proposal was refused planning permission. All parties agree that the relevant adopted development plan policies are up to date.
122. The Appellant now accepts that the scheme would not accord with the relevant strategic employment land use policies and would conflict with the adopted strategy for bringing land forward at a sufficient rate to address objectively assessed need over the plan period³². In such circumstances it would clearly not accord with the development plan when read as a whole. This development would represent a departure from what the Appellant agreed was an effective strategy for achieving sustainable development.
123. There is therefore a presumption against the grant of planning permission. Indeed, as a matter of national policy, planning permission should not usually be granted. No material considerations sufficient to outweigh the accepted policy conflict have been identified. The Appellant's position was that emerging policy attracted only limited weight and certainly less weight than the adopted development plan³³. As was accepted³⁴, the proposed development would not accord with draft Policy P26 in the emerging New Southwark Plan nor with the proposed site allocation NSP23 (**Document CD C20, pages 54, 117**).
124. In the end, it was conceded that the main material consideration, which was relied upon to outweigh conflict with the development plan, was the delivery of housing³⁵. This exposes the fundamental paradox in the Appellant's case. It accepts that the Council has a five-year supply of housing land and that it passes the Housing Delivery Test. It accepts that the up-to-date policies in the adopted development plan are an effective strategy for meeting the objectively assessed need for different land uses across the Borough, including housing. In those circumstances, the provision of housing cannot justify the loss of employment land, in admitted conflict with the strategy in the Plan (**Document POE 3, paragraph 7.2**).
125. The position worsens when the quality of the proposed housing accommodation is taken into account. It is a requirement of Strategic Policy 5 in the CS that development substantially in excess of the relevant density standard be exemplary. The accommodation would fail to provide an exemplar both in terms of internal space and the quality and quantity of external amenity space. The effect of this is that the proposal would also conflict with the relevant strategic

³² These points were agreed by Mr Marginson in cross-examination by Mr Streeten.

³³ This point was agreed by Mr Marginson in cross-examination by Mr Streeten.

³⁴ These points were agreed by Mr Marginson in cross-examination by Mr Streeten.

³⁵ This point was agreed by Mr Marginson in cross-examination by Mr Streeten.

housing policy (*Document CD C 8, page 78*).

THE SCHEME

126. The site is approximately 1.59 hectares of land known as Burgess Business Park and is located adjacent to Burgess Park in Camberwell. It is some considerable distance from the nearest underground stations at Oval and Elephant and Castle and for the most part has a public transport accessibility level (PTAL) of 2, although the western end of Parkhouse Street and Southampton Way has a better PTAL of 4 (*Documents INQ 2, page 4; CD H3, paragraph 3.13*).
127. The Site forms part of the Parkhouse Street PIL, which is the only PIL outside the Old Kent Road Action Area. Within the PIL, Strategic Policy 10 in the CS and policy 1.2 in the Southwark Plan expressly prohibits the grant of planning permission other than for a Class B use. In terms of context, the appeal site is adjacent to other land in industrial uses. These include the recently redeveloped PHS site at 41-43 Parkhouse Street, a scaffolding yard and the Big Yellow storage redevelopment at 39-65 Southampton Way. In addition, the Council has itself recently applied to redevelop land at 21-23 Parkhouse Street. This proposal involves re-provision of employment floorspace, including 10% affordable workspace, in a "stacked" configuration, together with residential units and 48% affordable housing (*Documents CD C8, pages 29; 94; CD C9, page 28; POE 13, appendix 8; POE 16, paragraph 4.53*).
128. The buildings presently on the site are between one and three storeys high and are in office, light industrial, and storage use. It was not disputed that 3,398m² are currently occupied. This includes 1,581m² occupied by Arbeit, a meanwhile curator providing affordable, creative studio space for artists, designers, small businesses and start-ups. The Appellant indicated that its own experience with Arbeit had been very positive³⁶, suggesting high demand for this sort of light industrial use in the area such that it could be a suitable workspace provider in the proposed development³⁷. Until recently Fruitful Office Ltd also operated from the site. At this point the site was supporting a total of 137 employees, with additional capacity in the other units (*Documents CD H3, paragraph 3.2; POE 16, paragraphs 4.47-4.49, table 1, appendix 1*).
129. Some units on the site are a bit dilapidated and could use refurbishment. This though is in the context that the Appellant has held the site for a considerable period of time and has chosen to allow the buildings to deteriorate. Even so, many of the units are suitable for immediate occupation by viable businesses. The *Southwark Employment Land Study* (2016) describes the quality of the stock as generally fair. Apart from Unit 1, the majority of buildings are capable of refurbishment, including 10-12 Parkhouse Street³⁸. It is agreed that, on the above basis, the scheme would result in a loss of 70% of the employment floorspace presently on site, which would be an important loss of industrial employment land³⁹ (*Document POE 16, paragraph 4.50; CD D1, page 51*).

³⁶ This was confirmed by Mr Ainger in examination-in-chief.

³⁷ This point was agreed by Mr Stephenson in cross-examination by Mr Streeten.

³⁸ Mr Stephenson agreed that this building could be refurbished in cross-examination by Mr Streeten.

³⁹ This point was agreed by Stephenson in cross-examination by Mr Streeten.

130. In place of the existing B class uses, the scheme proposes 13 blocks with 4,404m² of ground floor space for commercial uses of which 3,725m² would be Class B uses and the remainder a gym and A Class uses. This would result in a total loss of 8,834m² of Class B employment floorspace. (*Documents POE 16, table 2; POE 13, appendix 8*).
131. The Appellant confirmed that the appeal scheme design was not driven by the policy context but by other factors, although it was not made clear what those might have been. There had been no requirement to achieve a particular quantum of employment floorspace⁴⁰. This seems to be the reason why this is a residential-led scheme with constrained commercial layouts and unsuitable, irregular shaped floor plans poorly configured. Only the microbrewery unit would be double height. Otherwise the units would be generic, with little difference between the maker spaces and the units proposed as creative offices with target occupiers being tech, PR, media and architectural firms (*Document POE 16, paragraphs 4.67-4.70*).
132. The same issues are evident from the approach to servicing the commercial units. The yard concept was an afterthought, introduced late in the design evolution. A part of the yard to the rear of Blocks C and D was also identified as a potential location for a courtyard garden. The central street has been described as being a traffic-free area of public realm made up of outdoor rooms populated by food-carts and pavement seating adjacent to a play area for young children aged 0-5. In truth it was identified on the swept path analysis as being required to service some of the commercial units, including 10 daily MGW or HGV movements between 7.00 and 19.00 to the microbrewery alone (*Documents POE 1, paragraphs 4.4.5, 7.2.36; INQ 2, pages 15, 33; CD B21, Traffic and Transport, annex 2, appendix B, section 2.1; CD B21, Traffic and Transport, annex 2, paragraph 3.5.2*).
133. The design of the residential accommodation can only be considered on the basis of the submitted plans referred to in the SCG on planning matters. The Appellant sought to tinker with those plans. It cannot do that as the plans are the plans that have been drawn and submitted on the Appellant's behalf (*Document CD H3 paragraph 6.2*).

DENSITY AND STANDARD OF ACCOMMODATION

Density

134. The Greater London Authority referred, in both its Stage I and Stage II reports, to the proposal displaying the symptoms of overdevelopment. This is not surprising as it would involve a density of 984 hrpha and be approximately 40% in excess of the upper limit of the relevant development plan policy density standard (*Documents CD I1, paragraph 28; CD I2, paragraph 24*).
135. Strategic Policy 5 in the Southwark Core Strategy sets density ranges with which residential developments will be expected to comply. The site is located in the Urban Zone where the density range is 200-700 hrph. By providing a broad range of appropriate densities the policy provides flexibility in determining what the appropriate development density in any given location should be (*Document CD C8, page 78*).

⁴⁰ These matters were agreed by Mr Ainger in cross-examination by Mr Streeten.

136. The policy also allows an exception to those density ranges in Opportunities Areas and Action Area Cores, which are the areas earmarked as being the most sustainable locations for a substantial level of development. Here the maximum densities may be exceeded when developments are of an exemplary standard of design. The negative corollary is a clear implication that other exceptions are not permitted. It would be nonsensical if development in excess of the appropriate density range in those most sustainable locations were required to be of an exemplary standard to accordance with the policy, but development elsewhere was not (*Document INQ 1, paragraphs 22, 23*).

Standard of Accommodation

137. The Appellant accepted that it is particularly important to scrutinise the qualitative aspects of the design of the development proposal because of the density exceedance. It was agreed that the yardstick for the acceptability of the scheme was an "exemplary" standard, which should be measured with reference to the criteria set out in the RDS SPD. It was further accepted that meeting a minimum standard was not exemplary design. The provision of a tenure blind policy-compliant mix of housing was agreed to be something expected of any development and not be an indicator of exemplary design. Finally, the Appellant agreed that the fact that a few units may be very large and have large private outdoor spaces did not mean that the overall standard of accommodation would be exemplary. Overprovision for those units could not make up for a lack of provision elsewhere⁴¹ (*Document CD C12, bullets at pages 8-9*).

Unit Sizes

138. To be regarded as exemplary, the proposed development must significantly exceed the minimum floorspace standards in the RDS SPD. The Appellant's evidence on this matter was not given by a chartered architect and does not include an expert's declaration. Its witness was not an expert but rather managed the project team designing the development from the start. He is not therefore able to approach the design of the scheme objectively. This reduces the weight given to his evidence, which is more a sales pitch for the design of the development than an objective evaluation of its merits (*Document CD C12, table 1, page 12*).

139. It was agreed that the assertion in the Appellant's evidence that all the new homes met or exceeded the minimum floorspace standards in the RDS SPD was incorrect⁴². The Appellant's solution was to thin the walls of the units in order to increase their gross internal area. Furthermore, the affordable wheelchair units in Block M would be undersized for 3-bedroom, 5-person homes. The bedroom sizes on the unit area schedule would comply with the size for single and double bedrooms in the RDS SPD. In those circumstances, the units would fall to be considered against the space standard for a 5-person dwelling. Otherwise, the larger space standard would never apply and it would always be possible to describe what is in real terms a double bedroom as one for single occupancy. The Appellant cannot simply re-badge a unit having realised that it would not meet the applicable space standard in the guidance (*CD B14, drawing number*

⁴¹ All of these points were agreed by Mr Ainger in cross-examination by Mr Streeten.

⁴² On the basis of the submitted plans, this was agreed by Mr Ainger in cross-examination by Mr Streeten.

0231; CD B23; CD C12, table 3, page 22; POE 1, paragraph 7.2.5; POE 2, section 7.16, paragraph 7; POE 15, paragraph 7.19).

140. To be exemplary, the development must significantly exceed the relevant minimum space standards. Of the proposed units, 44 would not meet, let alone exceed, the minimum floorspace requirements set out in the RDS SPD⁴³. It is therefore extremely surprising that in a development that purports to be exemplary, there are a considerable number of units that do not meet even the minimum standards. It should not be necessary to fiddle with wall thicknesses to resolve undersized units. 187 residential units (37.5%) would be below, at or within 1m² of the minimum space standard. This would be a maximum of 2.5% exceedance and was agreed not to be significant⁴⁴ (**Document POE 15, paragraph 7.21-7.22**).
141. Even taking an average, which would be skewed by the small number of units that would considerably exceed the relevant space standard, any exceedance would still be only 2.58m² per unit. This would be between 2.8% and 6.6% above the relevant minimum, depending on the type of unit. On any view such exceedances would not be significant. The development simply does not satisfy an important criterion for the assessment of whether or not the development would be exemplary⁴⁵.

Daylight and Sunlight to residential units

142. The original author of the daylight and sunlight assessment submitted with the planning application did not give evidence at the inquiry. Although the witness that the Appellant called had considerable experience in giving expert evidence and was a Member of the Royal Institute of Chartered Surveyors, he did not include an expert's declaration. This should have been done if it was intended to be objective. The changes that were made to the original assessment were not fair. For example, the worst performing unit in terms of ADF on every floor of Blocks D, E, and F had been omitted. It is difficult to see how this was coincidental when it was confirmed that the original assessment had been carefully scrutinised (**Documents CD B7; POE 5, paragraph 1.6**).
143. The RDS SPD requires that exemplary development meets good daylight and sunlight standards. However, the Appellant's conclusion was that living conditions in these terms would be satisfactory. This would be worse than good (**Documents CD C12, page 8, bullet 7; POE 7, paragraph 5.17**).

Outdoor amenity space

144. Different types of outdoor amenity space perform different functions and are qualitatively different. The provision of one sort of outdoor space therefore cannot properly compensate for under-provision of another. The RDS SPD sets minimum private amenity space standards for residential developments. In order to be considered exemplary, it says that a development should exceed those standards. Many of the proposed units would not even meet them. The

⁴³ Mr Ainger agreed that 38 of the units would not meet the minimum floorspace standard in cross-examination by Mr Streeten.

⁴⁴ These matters were agreed by Mr Marginson in cross-examination by Mr Streeten.

⁴⁵ Mr Marginson accepted that significantly exceeding floorspace standards was an important criterion for exemplary design to meet along with all the other criteria in the RDS SPD.

Appellant accepted that 79% of the units would fail to exceed the minimum standard⁴⁶. This was a significant failing in the proposal's design (*Documents CD C12, page 8, bullet 6; POE 15, paragraph 7.30*).

145. The Appellant sought to twist the policy so as to apply a lower standard of 3m² for studios, one-bed, and 2-bed flats. The RDS SPD makes clear that the appropriate standard is 10m². It was agreed that the 3m² referred to was a minimum unit of measurement and not a minimum space standard⁴⁷.
146. There would be 30 units with large private outdoor spaces of more than 20m². These do not include the houses in Block A, 3 of which would fail to meet the relevant standard. These very large private amenity spaces must be viewed in the context of outdoor amenity space provision across the scheme as a whole. The private amenity space of 78m² provided for 3 flats in Blocks G and I would exceed the total communal amenity space provision for those living in Blocks B, C, D, E, J, and K. The provision of such large private areas for a very few units cannot compensate for under-provision to other units. It would be no consolation to residents in units with little or no access to outside space that those lucky enough to live in the large units above them have the luxury of an enormous private terrace. If the private outdoor amenity space standards are properly applied, there would be an under provision of 1,581m² (*Document POE 15, paragraphs 7.28-7.31*).
147. The correct approach to the provision of communal amenity space would be to provide 50m² of communal amenity space per block in addition to making up for any shortfall in private amenity space provision. This would result in a total requirement of 1,931m². The proposed scheme would provide just 871m², which would result in an under provision of 1,060m². This would plainly be significant (*Documents CD C12, paragraph 3.2; POE 15, paragraph 7.33; POE 2, paragraph 7.33.1*).
148. It is of particular concern that the affordable housing in Block C would have no direct access to communal amenity space whatsoever. The Appellant proposed a courtyard garden to remedy this. However, the location of that garden would be within one of the delivery yards and it was agreed that such amenity provision would not be realistic⁴⁸. No good reason was given why Block C should not also have a roof garden. There would be photo-voltaic panels on every roof not in use as a terrace. If the inclusion of photovoltaics was the objective, the larger private amenity spaces could have been marginally reduced to accommodate additional panels, thereby enabling the provision of amenity space for Block C. The limited communal amenity space provision for the affordable blocks would mean that the proposed scheme would not be truly tenure blind and would not be indicative of exemplary design (*Document POE 1, page 91*).
149. The quantum of outdoor amenity space provided for private sector Blocks F and G would be adequate. However, the quality of the podium terrace provided for those blocks would fail to meet the relevant BRE Guidelines on sunlight. No consideration had been given to redesigning the layout or orientation of the

⁴⁶ This point was agreed by Mr Ainger in cross-examination by Mr Streeten.

⁴⁷ This point was agreed by Mr Ainger in cross-examination by Mr Streeten.

⁴⁸ In cross-examination by Mr Streeten, Mr Ainger agreed that such a solution would be sub-optimal.

buildings to minimise such effects, as suggested in the guidance⁴⁹. For example, introducing a break in the built form on the upper levels of the buildings could have drastically improved the quality of this outdoor amenity space (*Document CD J5, page 18*).

150. Overall, both quantitatively and qualitatively, the proposed scheme would fail to meet the requisite standard by 1,060m². Furthermore, many of the proposed gardens and communal amenity spaces would fail to achieve good levels of sunlight. Proximity to Burgess Park would be no panacea. There is a qualitative difference between public amenity space like a park, and communal amenity space. The former is a destination, where people may go for a run or a family outing. The latter is a more intimate environment, where neighbours can socialise with one-another and where children can be left to play in relative safety, close to home and without the need to cross a road. Ultimately, the serious under-provision in outdoor amenity space cannot be justified by the location of the site in relatively close proximity to Burgess Park (*Document POE 15, paragraph 7.39*).

Children's play space

151. There is no dispute that the scheme would fail to provide sufficient space to meet the standard for all age groups required in the RDS SPD by 640m²⁵⁰. Most of the play space for 0-5 years old children would be located on the roofs of disparate blocks, such that it could not be accessed by residents from other blocks. The only generally accessible play space, and the only space accessible to residents of Block C, would be a strip located on the central route through the scheme. That area is, as already noted, directly adjacent to the space where large vehicle movements to service units such as the microbrewery would take place (*Documents CD C12, page 24; INQ 2, page 33; POE 15, paragraphs 7.41-7.48*).

Other Matters

152. Some of the units in the proposed development would have a very poor outlook. In particular residents of the first and second floors of the affordable units in Blocks D and E would look from their bedrooms directly onto the wall of the new Big Yellow building, at a distance of between 6.3m and 8m. On any view, it is not an acceptable outlook in a properly planned modern residential unit (*Document POE 15, paragraph 7.54*).
153. The outlook from some residential units would be compromised due to the proximity of neighbouring buildings. They would fail to meet minimum facing distances specified in the RDS SPD. This may necessitate the use of privacy screening but that would further harm the outlook of those properties and reduce their daylight. This is a factor which the Appellant appears to have overlooked (*Documents CD C12, page 20; POE 15, paragraph 7.57-7.59*).
154. Finally, the RDS SPD indicates that in exemplary development, kitchens and bathrooms should have access to natural light and ventilation. In the vast majority of cases, the units in this development would not accord with that

⁴⁹ Both Mr Ainger and Mr Ingram accepted this point in cross-examination by Mr Streeten.

⁵⁰ This point was agreed by Mr Ainger in cross-examination by Mr Streeten.

requirement. Only 18% of the units would have an external window in their main bathroom (*Documents CD C12, page 8; POE 15, paragraph 7.65*).

155. Whether or not the proposed development would be of an “exemplary standard” is ultimately a planning judgement, to be taken with reference to the factors specified in the RDS SPD. However, it is very difficult to see how this could be the case given that it far exceeds the relevant density standard and fails to satisfy a great number of the most important criteria in the RDS SPD.

LOSS OF EMPLOYMENT LAND

156. There is no dispute that the overarching objective is to provide sufficient land to meet the economic needs of the market. Shed developments served by frequent HGV and van movements are no less important than other types of employment use. In fact, the Appellant considered that most industrial users prefer this type of site⁵¹. Southwark has what is accepted to be an up-to-date strategy to meet the need for employment uses, including Strategic Policy 10 in the CS and saved policy 1.2 in the Southwark Plan. As the site is within a PIL, industrial and warehousing floorspace is protected (*Document CD C8, page 94; CD C9, page 28*).
157. The emerging New Southwark Plan proposes to allocate the PIL for mixed-use redevelopment under draft policy NSP23. However, this attracts no more than moderate weight⁵². On any view the emerging policy would not provide a basis for departing from the up-to-date adopted policy. In any event, there was no dispute that the proposal would not accord with the draft allocation in NSP23⁵³. In particular it would not satisfy the mandatory requirement for any scheme to re-provide at least the amount of B Class employment currently on the site and the additional policy objective of providing industrial employment space (*Document CD C20, page 167*).

The market

158. The *Southwark Industrial Warehousing Land Study* (2014) makes clear that Southwark’s industrial sites make an ongoing and important contribution to the local and pan-London economy, with industrial businesses relocating to Southwark from other parts of London. This accords with the more recent findings of the *Southwark Employment Land Study* (2016), which the Appellant accepts is well founded and representative of the local market in Southwark⁵⁴. Subsequent studies include the *Old Kent Road Workspace Demand Study* (2019) (*Documents CD D3, paragraphs 5.1-5.8; CD D1; CD D2*).
159. The evidence does not support a conclusion that demand for industrial uses is limited. On the contrary, demand for certain industrial uses in Southwark is strong, with a high demand for uses including maker spaces and creative commercial space.

⁵¹ This point was made by Mr Stephenson in cross-examination by Mr Streeten.

⁵² In cross-examination by Mr Streeten, Mr Marginson considered that the draft policy only attracts limited weight.

⁵³ This point was agreed by Mr Marginson in cross-examination by Mr Streeten.

⁵⁴ This point was agreed by Mr Stephenson based on his own experience, in cross-examination by Mr Streeten.

- Industrial uses make up 25% of the employment base within the Old Kent Road area and 10% of the employment base in Southwark. The percentage of industrial type jobs in Southwark has increased significantly between 2016 and 2019 and this suggests that Southwark is bucking the trend of industrial decline across London (*Document CD D2, paragraph 2.10*).
- Southwark's industrial economy had recovered to pre-recession levels by 2010, following the 2007-2008 financial crisis. New "industrial service" uses have emerged for which there is strong demand (*Document CD D1, pages 33-34*).

160. There are relevant recent examples of development in the area around the appeal site that support the existence of demand for industrial uses in this location (*Document POE 16, appendix 1*):

- The new warehouse at 41-43 Parkhouse Street, approved in February 2018 for B2/B8 use and now occupied by PHS.
- The Big Yellow storage redevelopment at 49-65 Southampton Way.
- The Council's proposed redevelopment at 21-23 Parkhouse Street. The Council approached its Workspace Provider List and received 6 expressions of interest within a day.
- The Appellant's own experience with Arbeit who have been marketing space on the appeal site at a cost of £14 per ft². They have indicated interest in taking space in the proposed development on a commercial basis.

161. Having accepted the above, the Appellant conceded that demand was not in itself an impediment to the re-provision of employment floorspace on the site⁵⁵.

The impact

162. The effect of the proposed scheme would be the loss of 8,834sqm of employment floorspace, which is 70% of the existing provision. This would be a clear conflict with both adopted and emerging development plan policy and would represent a very significant loss of employment floorspace, which the Appellant accepted was "important"⁵⁶ (*Document POE 16, page 22, table 3 and paragraph 4.39*).

163. The Appellant sought to down-play the impact of the proposal and relied on a number of other existing industrial estates within what is defined as the "market area". However, a great number of the sites identified in Southwark were agreed to be mixed use allocations in the Old Kent Road Area Action Plan or the New Southwark Plan, or subject to planning applications for mixed use development⁵⁷ (*Document POE 13, paragraph 2.6.5 and appendix 5*).

164. Nos 10-12 Parkhouse Street was not included by the Appellant as employment land on the site because of the existing prior approval for residential use. However, it was agreed⁵⁸ that whether such a change of use would occur would

⁵⁵ This point was accepted by Mr Stephenson in cross-examination by Mr Streeten.

⁵⁶ This point was accepted by Mr Stephenson in cross-examination by Mr Streeten.

⁵⁷ This point was conceded by Mr Stephenson in cross-examination by Mr Streeten.

⁵⁸ These factors were agreed by Mr Stephenson in cross-examination by Mr Streeten.

have regard to the fact that the prior approval is soon to expire and that the units require refurbishment. It is much more likely that whoever owns the site will seek to bring forward some form of mixed-use development than implement their permitted development rights.

165. The Appellant sought to suggest that a reduction in the level of employment space provided could be justified by applying what was contended to be a market-appropriate plot ratio of 40%. This was said to be justifiable because of policy requirements for public realm in new developments and requirements for lorry handling on large distribution and logistics sites. However, it became clear that such a figure was inappropriate for the following reasons, which the Appellant accepted⁵⁹:

- There is not any policy, guidance or other industry document to support the 40% figure.
- No policy requirement for public realm improvements on industrial sites in London generally and Southwark in particular could be identified.
- The servicing requirements for lorry handling being referred to do not apply to the sorts of use that would take place on the appeal site. The example of a 7-acre site in Croydon is different to a much smaller site in Camberwell (*Document POE 13, appendix 2*).
- The emerging New London Plan proposes a 65% plot ratio. It is not uncommon for smaller scale B2, B8, and B1(c) uses to be built on that plot ratio in London and the market will accept such developments.

166. Finally, the Appellant contended that the new development would have the potential to generate 255 jobs, which was significantly more than the 57 that existed at present. However, that figure is not representative as it does not take account of the 80 jobs provided by Fruitful Office Ltd up to 2018 or the meanwhile uses currently present on the site. The latter demonstrate that the site can be used even in its present condition and are indicative of a level of market demand for the space (*Document POE 13, paragraph 6.1.2; POE 16, paragraphs 4.46-4.49*).

167. One of the main reasons given for the acceptability of the nature and quantum of floorspace in the proposed development was that the co-location of B8 and B1(c) uses with residential uses was considered undesirable. This is based on an antiquated approach to land use policy. Some light industrial users prefer to co-locate with residential properties because they provide a ready market. Draft policies E7 and D3 in the emerging New London Plan specifically encourage co-location and the emerging New Southwark Plan encourages mixed use neighbourhoods, including as part of the draft allocation NSP23. The independent advice of Avison Young in the *Old Kent Road Workspace Demand Study* suggests that relevant industrial uses can be mixed with residential accommodation (*Documents POE 13, paragraph 2.4.4; CD C7, paragraph 6.7.1; CD C20, page 54, page 168; CD D2, paragraph 4.48*).

168. The other main reason given for the acceptability of the nature and quantum of floorspace in the proposed development was that stacked or multi-storey light

⁵⁹ These points were agreed by Mr Stephenson in cross-examination by Mr Streeten.

industrial floorspace was considered to be unsuitable. However, again this position is contrary to the independent professional opinion of Avison Young in the *Old Kent Road Workspace Demand Study*. Furthermore, the Appellant's own evidence is that those who have enquired regarding light industrial accommodation sometimes specify a requirement for a goods lift, which would only be relevant in a multi-storey space. The scheme proposed at 21-23 Parkhouse Street includes a 5-storey block of employment uses, which generated six expressions of interest in its first day of advertising. This indicates demand for such space (**Documents POE 13, paragraphs 4.2.9, 5.3.4; CD D2, page 59; POE 16, paragraphs 4.52-4.53**).

169. The Appellant's evidence did not identify a single credible justification for the loss of 70% of the employment floorspace on the site. On the contrary, it was very fairly admitted that if the demand exists the possibility of working up a different and viable scheme that provided more employment floorspace could not be ruled out⁶⁰.

Viability

170. There is no dispute that the appeal scheme would not be viable⁶¹. However, there is no direct correlation between the provision of employment floorspace and the percentage profit on value. This much is apparent from the scenarios prepared by GVA, all of which include 35% affordable housing, but where scenario 4, which incorporates the most commercial floorspace is significantly more viable than scenarios 2 and 3, which propose more residential units but less commercial floorspace. Insofar as the issue of risk is engaged, there has been no analysis of the different risk profiles of other developments. The nature of the risk and its acceptability to investors will turn, amongst other things, on the level of demand for employment floorspace⁶² (**Document INQ 12, GVA letter of 22/5/18**).
171. The Appellant has not looked at the viability of scenarios other than the proposed development. It is not possible to say what the viability position would be for a different scheme, including one involving a greater level of employment floorspace⁶³. The position in relation to viability is in fact better for the Council's scheme at 21-23 Parkhouse Street than the Appellant's proposal (**Document INQ 19**).
172. The viability position does not therefore weigh in favour of the proposal. The Appellant has asserted that if this scheme does not come forward then the site would not be put to any other use. That is not plausible. The Appellant has not conducted the marketing exercise required by development plan policy to establish that the site is no longer viable in its present industrial use⁶⁴. The site has been held by the Appellant for many years and the chance of allowing its investment to dwindle would be remote. If this scheme did not come forward it

⁶⁰ In answer to cross-examination by Mr Streeten, Mr Stephenson said that if the demand existed a different scheme with more employment floorspace would be unlikely, but he wouldn't rule it out.

⁶¹ This was agreed by Mr Fourt in cross-examination by Mr Streeten.

⁶² This was accepted by Mr Fourt in cross-examination by Mr Streeten.

⁶³ This was accepted by Mr Fourt in cross-examination by Mr Streeten.

⁶⁴ This was accepted by Mr Stephenson in cross-examination by Mr Streeten.

is most likely that a better scheme, which accords with what may in future be a new adopted development plan, would be brought forward.

PLANNING BALANCE

The development plan

173. This is the statutory starting point and the presumption is that a proposal that does not accord with the development plan will be refused planning permission. That presumption is stronger when, as in this case, the development plan is up-to-date. Whether or not a proposal accords with the development plan depends on reading it as a whole. Sometimes policies will pull in different directions. However, it is important not to lose sight of the purpose of having a plan-led system of development management. Development plans are prepared with the objective of achieving sustainable development. Strategic policies in particular are designed to address priorities for the development and use of land in the Borough. They set an overall strategy for the pattern, scale and quality of development required to meet objectively assessed development needs.
174. The Appellant accepts that the proposed development would not accord with Strategic Policy 10 in the Southwark CS, saved policy 1.2 in the Southwark Plan, and policy 4.4 in the London Plan. As a consequence, it was agreed that the proposed development would not accord with the relevant strategic employment land use policies and the up-to-date strategy for bringing land forward to address the objectively assessed need for different types of development. That being so, the conclusion that this development would not accord with the up-to-date development plan read as a whole is unavoidable.

Other material considerations

175. Draft policies E4, E6, and E7 in the emerging New London Plan carry moderate weight. The proposal would result in a loss of important employment space within a locally designated industrial site. It would fail to take appropriate advantage of any opportunity for intensification, for example through the 'stacking' of employment uses.
176. Draft allocation NSP23 in the emerging New Southwark Plan also attracts moderate weight and proposes to allocate the appeal site and the wider PIL for redevelopment. The draft allocation includes requirements about re-provision of B Class employment floorspace, provision of new homes, enhanced permeability and public realm. The Appellant agreed⁶⁵ that the proposed development would not accord with this emerging policy. Draft policy P26 is the relevant employment land use policy. Where retention of employment floorspace is specified in the site allocation, its loss will only be permitted in exceptional circumstances. The proposed development would conflict with this draft policy⁶⁶.
177. The benefits were agreed by the Appellant to be ancillary to the delivery of housing land. They were essentially the benefits of any scheme which may come forward under the proposed allocation in NSP23. They are not said together to carry sufficient weight to merit departing from the development plan.

⁶⁵ This was agreed by Mr Marginson in cross-examination by Mr Streeten.

⁶⁶ This was agreed by Mr Marginson in cross-examination by Mr Streeten.

178. The appeal therefore comes down to a simple question of whether the housing provision proposed as part of the scheme would merit departing from the land use strategy in the development plan. It would not for the following reasons:
- There is a 5-year housing land supply and the Housing Delivery Test is passed. In such circumstances, in accordance with the Chiswick Curve appeal, the provision of housing should only attract moderate weight (*Document INQ 33, paragraph 35*).
 - In this case the proposed accommodation would be of unsatisfactory quality. This means that it conflicts with Strategic Policy 5 in the CS, which further reduces the weight to be attributed to the delivery of housing.
179. Other material considerations are matters that go beyond the remit of the strategy in the adopted development plan and might therefore provide a reason to depart from it. Matters encompassed in that strategy are not properly to be regarded as other material considerations. The adopted development plan sets out an effective strategy for meeting the objectively assessed needs for different types of development, including housing and employment. The balance between the provision of housing and employment land required to achieve sustainable development is therefore struck by the development plan.
180. In those circumstances, it is impossible to rely on the delivery of housing as a justification for departing from the land use strategy in the development plan. The loss of important employment space, contrary to the development plan, cannot be justified by the provision of housing in circumstances where the Council has met the housing delivery test and has a 5-year supply of housing land. To hold otherwise would be to rip up the plan-led system. The proposed development would not be sustainable development.

THE CASE FOR THE LOCAL GROUP

The Local Group's case is fully set out in its evidence, including its opening and closing submissions (Document INQ 36). The main points are:

181. Subject to appropriate planning obligations being agreed, it is accepted that there would be no severe residual impact on the road network and as such there is no longer an objection on accessibility grounds.

DENSITY AND STANDARD OF ACCOMMODATION

182. There has been a breach of the relevant adopted development plan policies on density and the proposed development would not provide the exemplary standard of accommodation necessary to outweigh this breach.

Density

183. Both the London Plan and the CS adopt an approach of setting out expected densities for particular areas. The density of the proposed development would be significantly higher than the maximum density indicated for its location. There is therefore a conflict with policy, but other material considerations may justify granting planning permission nonetheless. It is necessary to consider whether the increased housing levels strike the appropriate balance between the number of housing units and residential quality (*Documents CD C3, page 100; CD C8, page 78*).

184. This is underpinned by the emphasis in policy 3.4 in the London Plan on flexibility within the density ranges, and the indication that they should only be exceeded in exceptional circumstances. The instruction not to apply density ranges mechanistically must be considered in the context of the policy as a whole. This indicates that a higher or lower density within the range may be applied depending on local circumstances but does not generally advocate flexibility outside the ranges (*Document CD C3, page 100 and paragraphs 3.28, 3.30*).
185. It should also be emphasised that the policies that govern density of development are about optimising rather than maximising housing density in absolute terms. In Strategic Policy 5 in the CS, the goal of maximising housing is not unrestricted. It must be viewed alongside other policy restrictions on development, for example those that seek to concentrate housing density or taller buildings in certain locations.
186. This approach is reflected in saved policy 3.11 of the Southwark Plan, which lists six factors that developments must achieve whilst maximising the efficient use of land. These are broad principles that reflect a number of other policies in the development plan. It is agreed with the Council that a development proposal which fails to accord with these principles cannot accord with the development plan as a whole (*Document CD C9, page 45*).
187. Emerging policy does not contain numerical density ranges. However, there is a continued emphasis on development that is proportionate to the accessibility of its location and building at a density that permits a commensurate quality of accommodation. Broad principles against which the efficient use of land should be tested, similar to those in saved policy 3.11, are set out in the emerging New London Plan draft policies D1B and GG2. These also emphasise the importance of good public transport connections, design-led development and understanding existing context. In any case, it is common ground between all the main parties that the emerging development plan does not carry sufficient weight to outweigh the adopted development plan, or the adopted RDS SPD⁶⁷ (*Documents CD C7, below paragraph 1.2.8 and below paragraph 3.1A.6*).

Exemplary design

188. The density of the proposed development conflicts with the adopted development plan. However, it is accepted that such conflict could be outweighed if the development was of exemplary design. In this regard Strategic Policy 5 in the CS, when read as a whole, cannot be correctly interpreted as providing that exemplary design is not required where the expected density for sites in the Urban Density Zone which are not in Opportunities Areas and Action Area Cores is exceeded.
189. There are two elements to the requirement for exemplary design. One is design in a qualitative sense, of the order considered by the Design Review Panel in its second report on the proposed development. The other is exemplary design in a more quantitative sense, as assessed against the requirements set out in the RDS SPD (*Documents CD C12, bullets in section 2.2; CD I3*).

⁶⁷ This point was accepted by Mr Marginson in cross-examination by Mr Streeten.

190. In relation to the standard of design of the proposed development in a qualitative sense, limited weight should be given to the Appellant's evidence. It was accepted that the Design Review Panel were better qualified in professional terms to assess the design quality of the scheme⁶⁸. It could also offer a more objective view of the design quality of the scheme as it was not so closely connected with the project and did not have an interest in trying to promote the proposed development. The Panel's role and the weight to be given to its views is a matter specifically dealt with in Strategic Policy 12 in the CS and its supporting text (*Document CD C8, pages 104, 106*).
191. The second Design Review Panel report criticised a more advanced iteration of the proposed development as overly repetitive, without distinction and lacking architectural identity. These are all factors indicative of a design that is not exemplary. The Appellant accepted there had been only modest changes to the design of the proposed development following that report⁶⁹.
192. With regard to the more quantitative element of exemplary design, again some caution must be adopted in attributing weight to the Appellant's evidence as there were a number of mistakes and inconsistencies. For example, failing to take account of the correct minimum floorspace requirements for wheelchair and studio units in calculating exceedance per unit⁷⁰. This also limits the confidence to be had that the development has truly been considered on a dwelling-by-dwelling basis to achieve the best possible overall amenity for each of the 499 units. The Planning Officer's report only assessed the quality of accommodation as good in contrast to the Cantium Retail Park redevelopment, which was said to deliver a very high standard of accommodation. It is agreed with the Council that the quality of the proposed development would be at a level below good⁷¹ (*Documents CD E1, paragraph 195; INQ 11, paragraph 662*).
193. It is accepted that considering whether a scheme is exemplary pursuant to the RDS SPD is not a tick-box exercise. However, there must come a point where, looked at in the round, a scheme fails to accord with so many of the indices that it cannot be exemplary. This is the case here.

Standard of accommodation

Unit sizes

194. The rooms do not significantly exceed minimum space standards. Even where it has been suggested that unit layouts could be adjusted to meet recommended room sizes, they would still only provide a minimum.
195. It is agreed with the Council that it is inappropriate to take an average across all units when considering whether units significantly exceed space standards. However, even if this approach were adopted, the average exceedance per unit was overestimated when the correct space standards for wheelchair units and studios with bathrooms were taken into account.

⁶⁸ Mr Ainger accepted that he was not a qualified architect in cross-examination by Ms Drabkin-Reiter.

⁶⁹ This was agreed by Mr Ainger in cross-examination by Ms Drabkin-Reiter.

⁷⁰ See Ms Drabkin-Reiter's closing submissions (*Document INQ 36B, footnote 15*).

⁷¹ This was the conclusion of Ms Crosby in re-examination by Mr Streeten.

Daylight and sunlight to residential units

196. It is common ground that the starting point for assessment of daylight and sunlight within the proposed development is the BRE Guidelines and that these are incorporated in policy through the RDS SPD. In order to demonstrate exemplary design, new development should meet good daylight and sunlight standards. (*Documents CD J5; CD C12, page 8*).
197. The daylight and sunlight assessment submitted with the planning application indicates that a number of rooms would not meet the BRE recommended values for ADF. There is a further risk that the number of rooms not meeting the BRE recommended guidelines has been underestimated, since neither analysis tested all the units in the scheme. In particular, the approach taken in the appeal assessment tested half of each block. However, this risks a situation where the worst affected rooms or units fall in the half of the block which was not tested as happened in this case⁷². For example, the worst performing unit in terms of ADF on every floor of Blocks D, E, and F was omitted in the appeal assessment (*Documents CD B7, paragraph 3.1; POE 6, appendix 1, page 139*).
198. Around half of those rooms not complying with the BRE Guidelines may only have marginal shortfalls. However, even marginal shortfalls would make the room look dull and electric lighting is likely to be required⁷³. It should also be noted that screening and other privacy devices required to prevent overlooking would also reduce the amount of light received by certain rooms in the proposed development (*Document PoE, paragraph 5.1.13-5.1.14; CD J5, paragraph 2.1.8*).
199. The Appellant relied on the proposed development being located in the Urban Density Zone to justify a lesser expectation of daylight. However, the use of the word "density" does not indicate a policy designation for a particularly dense or more dense area. The Suburban Density Zone also includes the same word. When the detail of Strategic Policy 5 in the CS is considered it is clear that there would be no lesser expectation of daylight in relation to the proposed development where the proposed density would be 40% higher than that recommended for the Urban Density Zone. The Planning Practice Guidance recognises the relevance of context⁷⁴ and in this case the area around the appeal site is largely low rise with an industrial core. Even though the Appellant was relying on the direction of travel in emerging policy, this must be given limited weight as the policy has not yet been adopted (*Document CD C8, page 78*).
200. The comparators put forward by the Appellant to demonstrate that the proposed development would provide a commensurate level of daylight and sunlight were all located in either the Central Activities Zone or in designated Action Area Cores or Opportunities Areas. These are places in need of regeneration where higher density and correspondingly lower levels of daylight to rooms are expected because of their good transport links and proximity to the central London. As the Appeal Site is outside these areas it should be performing much

⁷² This point was made by Mr Streeten in cross-examination of Mr Ingram.

⁷³ In answer to cross-examination by Ms Drabkin-Reiter, Mr Ingram said that a room may look dull and may need electric lighting, but that is not uncommon in London and in the case of bedrooms there would be lower expectations.

⁷⁴ Planning Practice Guidance chapter on effective use of land (22 July 2019). Paragraph: 007 Reference ID: 66-007-20190722

better in terms of compliance with BRE recommended daylight levels, rather than at a similar level to the comparator sites.

201. The BRE Guidelines are also relevant when assessing whether outdoor amenity areas receive sufficient sunlight throughout the year. As a check it is recommended that such spaces should receive at least 2 hours of sunshine on 21 March. The proposed development fails this check by a significant margin. All the public realm, the podium garden between Blocks F, G, H and I, which includes children's play space, and the children's play space at ground level would not comply. The more detailed analysis of sun exposure at 21 March shows that most of these areas would have no sun or at most 0.5 hours of sun on the ground on that date. Even if failing the check does not mean that the spaces would be dark or unusable at all times, it is a good indication of the general quality of the space and whether it would be attractive and pleasant for most of the year (*Documents CD J5, paragraphs 3.3.1, 3.3.4, 3.3.7; POE 5, page 53, figures 17, 18*).
202. A large number of the units would have a single aspect, and many of these would face northwest or northeast. This would limit the amount of daylight they would receive.
203. A significant proportion of the bathrooms in the proposed development would be internal and therefore would not have access to natural light or ventilation. The Appellant sought to justify this on the basis that it was normal in new developments in urban locations. However, for a development to be of exemplary design the RDS SPD expects all bathrooms to have natural light and ventilation (*Document CD C12, bullets in paragraph 2.2*).

Outdoor amenity space and children's play space

204. Properly calculated and taking into account the requirements for children's play space, the proposed development would fall short of minimum standards for amenity space in the RDS SPD by a large margin. The inability to provide sufficient private amenity space or offset this with additional communal amenity space as permitted by the RDS SPD without compromising the daylight or sunlight of other properties, reducing the environmental performance of the development or compromising the use of the yard space, was a symptom of overdevelopment. It demonstrated that the proposed density would be inappropriate for its location. The Appellant is not able to rely on the nearby Burgess Park as providing better outlook for the new development, as the suggested planning condition to require a 2.4m boundary fence would restrict the outlook of at least the lower floors of Blocks A and B. (*Documents POE 15, paragraphs 7.34, 7.46; CD C12, page 23*).
205. Again, it is not correct to take an averaging approach in relation to private and communal amenity space, as residents with very limited private amenity space or in blocks with less communal amenity space would not be able to take advantage of the greater private and communal amenity space enjoyed by others.
206. The quality of the children's play space proposed at ground level would be affected by servicing of the central street as service vehicles would travel alongside it. The quality of this space will be further diminished as it would have no sunlight for most of the year (*Documents INQ 2, page 33; POE 5, pages 53-55*).

Noise

207. Saved policy 3.11 of the Southwark Plan makes clear that noise is a matter which is relevant to the efficient use of land and correspondingly the appropriate density of new development. It requires development to ensure that it does not compromise legitimate activities on neighbouring sites. This policy approach is also reflected in the *agent of change* principle in paragraph 182 of the Framework. In addition, any noise impacts of neighbouring uses on the proposed residential accommodation would make them less attractive to prospective residents, a factor which would suggest less than exemplary accommodation (**Documents CD C7, below paragraph 3.11.7; CD C9, page 45; POE 19, paragraphs 115-116**).
208. The Appellant had not carried out any long-term day-time noise monitoring in the vicinity of the Babcock Depot site, a fact borne out in the noise assessment submitted with the application. A noise model was created based on extrapolating the data from the long-term monitors at other locations on the southern and western boundaries of the site. No significant night-time noise was generated at the long-term monitoring locations. This was consistent with the common understanding of all main parties that the BCM Scaffolding use only takes place during daytime hours. However, noisy vehicle movements do take place on Parkhouse Street during the night. Such noise is unpredictable and intermittent and goes on into the early hours of the morning⁷⁵. The results from noise monitoring at other locations around the appeal site cannot therefore give an accurate picture of the noise that may be experienced at the building façades proposed along Parkhouse Street and has the potential to affect the façades of Blocks F and G (**Documents INQ 25; CD B19, paragraph 8.3 and figure 8.1**).
209. The Appellant accepted that where actual noise levels are not known it cannot be certain that mitigation would be effective⁷⁶. It is not sufficient to rely on the detailed design stage to deal with this issue. If any noise nuisance associated with existing uses such as the Babcock Depot could not be mitigated, there would be a real risk that those uses would be forced to curtail their activities.
210. The residual level of noise for balconies and gardens in Block M would be above WHO guidelines, notwithstanding some screening being provided by physical elements of the proposed development⁷⁷. The Appellant relied on the Planning Practice Guidance to justify the acceptability of higher noise levels where there is nearby quieter communal amenity space or a public park nearby⁷⁸. However, it is important to note when considering the planning balance that the guidance indicates that such alternative amenity space is only capable of partially offsetting noise impacts. It must also be viewed in the context of the present case, where the development is required to demonstrate exemplary design, and there is already a shortfall in private and communal amenity space (**Document**

⁷⁵ This information was provided by Ms Stephenson, a resident of Parkhouse Street, at the round table session on living conditions.

⁷⁶ This was agreed by Mr Maclagan in discussion at the round table session on living conditions.

⁷⁷ This was agreed by Mr Maclagan in discussion at the round table session on living conditions

⁷⁸ Planning Practice Guidance chapter on Noise (22 July 2019). Paragraph: 011 Reference ID: 30-011-20190722.

CD B19, paragraph 8.60).

211. There is no assessment of the noise impacts of servicing on residential occupiers. Some bedroom windows, which face onto the yards and central street would be as low as 4m above the ground and could therefore be affected by noise from larger vehicles servicing the light industrial units (**Document POE 19, paragraph 113**).

LOSS OF EMPLOYMENT LAND

212. There is no dispute that the proposed development would not comply with Strategic Policy 10 in the CS and saved policy 1.2 in the Southwark Plan. It is also common ground that if it would harm the quantum or quality of the borough's stock of employment land, there would be conflict with Policy 4.4 of the London Plan. Viewed in the context of a dwindling supply of industrial land in the Borough, and a direction of travel towards retention and greater protection of industrial land in Southwark and across London, this conflict is sufficient to justify refusal of planning permission for the proposed development.

213. The Local Group's assessment of whether the significant loss of employment land would be justified is to be preferred to that of the Appellant. The Local Group's evidence was given by a local industrial business owner⁷⁹ who has practical experience of local demand, the needs of small industrial businesses and the increasing loss of industrial floorspace in the Borough. By contrast the Appellant's evidence was out of touch with the reality of the situation in Southwark for reasons that include:

- Only two of the industrial parks in Southwark relied on to demonstrate sufficient industrial accommodation in the area, Glengall Road and Admiral Hyson, are protected for continued industrial uses. Some of the others have long since lost their industrial accommodation and some have planning permission or are allocated in the emerging New Southwark Plan for residential accommodation (**Document POE 13, paragraph 2.6.5**).
- The analysis of plot ratios sought to demonstrate that replacement floorspace in a pure industrial redevelopment would not be much higher than that in the proposed development. The examples relied on, including a request for 7-acre B8 sites in Croydon and a multi-storey logistics development at Heathrow, are completely different from the kind of industrial spaces available to, and sought by, businesses in inner London.
- The only justification that was given for the proffered 40% plot ratio figure was that funding would not be provided to deliver any higher ratio. However, this failed to appreciate that such plot ratios are commonplace for inner London industry. Similarly, constrained HGV access and older stock are prevalent factors for industrial areas in Southwark, so would not necessarily have the deterrent effect that the Appellant considered they would (**Document POE 13, paragraph 5.2.8**).

214. By contrast there are a number of recent co-located residential and industrial

⁷⁹ Professor Mark Brearley who was also the initiator of the VitalOKR business association and an auditor of industrial stock in Southwark.

schemes with higher plot ratios. Examples are schemes at 2-6 Occupation Road and 227-255 Ilderton Road, which have plot ratios of 115% and 75% respectively. In relation to courier depots providing last mile delivery services in Southwark, the average plot ratio is 65% (*Document POE 20, paragraphs 32, 33*).

Emerging planning policy

215. The only policy support for the introduction of residential accommodation on the appeal site is found in draft policy P26 and draft allocation NSP23 in the emerging New Southwark Plan. Limited weight should be given to these policies, given the scale of loss of industrial land in the Borough, which is not being monitored by the Council and will be a matter raised when these policies are tested at examination. However, it is clear that the proposal would not comply with this emerging policy as it would not retain or increase the amount of employment floorspace on the site. This is an obligatory element of draft site allocation NSP23. The Appellant has also not carried out the two-year marketing exercise required by emerging policy despite relying on a lack of demand to support its case that sufficient employment floorspace would be provided⁸⁰ (*Documents CD C20, pages 54 and 167; POE 20, paragraph 13*).
216. The Appellant's interpretation of the emerging policy is that employment floorspace is to be retained or increased across the whole site allocation. However, the appeal site is in the middle and takes up the majority of the allocation area. If it is more difficult to provide multi-level employment accommodation as the Appellant alleges, it would be harder to compensate for the losses of employment floorspace resulting from the proposed development across other parts of the site allocation. There would be a loss of around 3,000m² of floorspace across the whole site allocation. The floorspace within the allocation as a whole could only succeed if there was a coordinated approach between all landowners. That is not the situation in the present case (*Documents POE 16, appendix 1; POE13, appendix 8*).
217. The Appellant sought to rely on a direction of travel whereby emerging policy removes the protected industrial land designation from the appeal site and seeks to introduce residential accommodation. However, this must be understood in the light of the recent tightening of industrial land release benchmarks. This is in recognition that industrial land is being lost at an unsustainable rate. The corresponding emphasis in draft policy E4 in the emerging New London Plan and draft policy P26 in the emerging New Southwark Plan is of no net loss of industrial floorspace and effective co-location of industrial floorspace and residential accommodation (*Documents CD D13, page 14; CD C7, below paragraph 6.3.4; CD C20, page 54; POE 20*).
218. In practical terms it would be possible to come up with an effective mixed-use scheme on the appeal site. However, the significant loss of employment space which would result from the implementation of the proposed development is concerning given the extreme loss of industrial land across the Borough as a whole.

⁸⁰ In cross-examination by Mr Streeten, Mr Stephenson said that demand for B1c uses was not an impediment to the re-provision proposed. However, if the existing quantum on the site were to be re-provided there would not be sufficient demand to fill it.

Supply of industrial floorspace

219. A growing concern about the scale of the loss of industrial land is evident in recent evidence base studies and emerging policy. It is reflected in the recent lowering of the benchmark for industrial land release in Southwark from 25 ha to 21.5 ha and the revision of the designation of Southwark from the category of *limited transfer* to one where industrial stock should be retained. This benchmark has already been significantly exceeded through recent planning permissions granted by the Council. Far from indicating a managed approach to the release of industrial land, the scale of loss is uncontrolled and unmonitored, with significant negative consequences for the local and wider London economy. When considering the loss of industrial land, the size of sites is irrelevant because a large number of businesses in Southwark and inner London occupy sites that are smaller than 1 hectare (**Documents CD D13, pages 14, 210-215 and table 13.5 and figure 15.1; CD C23, Annex 1; POE 19, paragraphs 60-64; POE 20, paragraphs 5-26**).
220. The importance of a sufficient and suitable stock of industrial land is underpinned by the latest figures that indicate industrial employment makes up 10% of Borough employment as a whole and 25% in areas such as the Old Kent Road Action Area, which falls outside the more office-centric Central Activities Zone. Industrial employment is an important part of the local economy even if it generates fewer jobs than the office-based sector. Industrial businesses locate here because they need to be close to the centre of London. Examples include just-in-time businesses such as food manufacturing, steel fabrication, joinery and bespoke fabrication for arts entertainments. The representation from PHS also indicates that location is key (**Documents CD D2, paragraph 2.10; CD H6**).
221. The increasing scarcity of industrial floorspace is also demonstrated in the very low vacancy rate in the borough. It is well below the frictional vacancy rate for industrial floorspace of 8%. Some industrial land may be occupied by some non-policy compliant businesses such as retail, but in practical terms that land will not be available to industrial businesses seeking floorspace (**Document CD C23, paragraph 37**).
222. It is disputed that the existing buildings on the site are economically and physically obsolete and should be demolished. It is also disputed that this would provide any justification for a reduction in the quantum of employment floorspace. The Council's assessment of the stock in 2016 considered it as being generally fair, although some was aged and deteriorating. The *GVA Viability Report* (2018) indicated that apart from unit 1 and excluding 10-12 Parkhouse Street where there is a prior approval for residential use, parts of the site were in a reasonable condition. It is common ground that the value of the site in its current condition and use is over £15 million. Unit 5 is currently on the market and available for occupation, indicating that it is not at the end of its economic life (**Documents CD D1, page 51; INQ 12, Report page 36; POE 13, appendix 7**).

Demand for industrial floorspace

223. The evidence indicates that there remains strong demand for industrial land in this location. The planning context demonstrates that this vicinity functions well and is in demand as an industrial location. It includes BCM Scaffolding, the PHS waste transfer business and other B2, B8 and sui generis uses. Most industrial businesses looking for space in inner London will be used to working in close

proximity to residential uses. Indeed, they will have little choice but to be in such proximity if they wish to remain. The Appellant claimed that the appeal site would not be attractive to B2 and B8 users due to the preponderance of residential accommodation nearby and restricted HGV access. However, such uses are clearly taking place and thriving in the wider PIL designation. The persistence and expansion of industrial businesses in the area is not necessarily due to their freehold interest, as PHS is not a freehold owner (*Documents POE 15, paragraph 5.3-5.9; CD H6*).

224. The level of interest shown in employment floorspace in the area is an indicator of strong demand and this in itself would not be an impediment to the full re-provision of employment floorspace⁸¹. Demand in this part of Southwark is strong for builder's merchants, couriers, maintenance and cleaning, self-store operators, repairers, catering outlets and manufacturers. Demand remains stable for uses including waste transfer, recycling, passenger transport, vehicle hire and construction⁸². The Appellant considered that there would be an impact on rents as the location was not favoured by the market. However, this was contradicted by the agreed viability position which considered that commercial rents of £22.50-£29.50 per ft² can be achieved in this location. Landlords like Capital Industrial would be able to achieve rents of £15-20 per ft² following refurbishment of the existing stock on the appeal site (*Document INQ 8, paragraph 31*).

Typologies

225. The proposed development would be residential-led and focused on creative office type uses. While described as flexible B1a-B1c they would be most appropriate for B1a type uses, which is reflected in the low levels of servicing expected for the commercial units. This would limit the types of industrial occupier who could realistically use the proposed employment space. Concerns include that the proposed ceiling heights would be too low; that there would be insufficient access for goods due to the absence of goods doors and the limited yard space available for servicing; and that the design includes floor-to-ceiling windows, which would be inappropriate for industrial businesses. These concerns could be addressed by planning conditions (*Document POE 19, paragraphs 105-117; CD D12, pages 6-7, 23; INQ 34*).

Stacking and co-location

226. This would be a site where stacking of commercial uses could be achieved, at least on the first and second floors. There are a number of recent examples of viable schemes delivering multiple levels of industrial floorspace in mixed-use developments in Southwark. These show that multiple levels of industrial accommodation can be delivered in inner London without massive external spiral ramps as claimed by the Appellant. What is required is large goods lifts, generous loading bays, appropriate industrial ceiling heights and sufficient yard space. The Appellant claims that funders are not willing to invest in such schemes. If this is the case, they will have to change their approach in response

⁸¹ This was agreed by Mr Stephenson in cross-examination by Mr Streeten.

⁸² This was oral evidence given by Professor Brearley from his own experience as the initiator of a local business association. For a full list of uses referred to see *Document INQ 36B, footnote 88*.

to the direction of travel and increase in demand. However, it is not consistent with the evidence that such schemes are currently being delivered in the Borough (*Document POE 20, paragraph 32*).

227. The Appellant's approach to stacking and co-location shows that it is out of touch with the situation on the ground in Southwark. It focussed on the stacking of mid to large scale logistics, which is far removed from the appeal scheme. It relied on the fact that industrial business would prefer not to operate near residential accommodation, which is unavoidable in inner London. The Appellant accepted that there would be no in-principle reason why B1c and B8 uses could not be part of a mixed-use development so long as it was appropriately designed⁸³. Whilst the co-location of residential and industrial accommodation is a relatively new development in land use planning in England, it is gaining importance in policy as the pressure on land for both housing and employment uses increases. Draft policy E7 in the emerging New London Plan is an example (*Documents CD C7, below paragraph 6.6.1; CD C22, page 8*).
228. The Appellant asserted that a scheme with multiple levels of light industrial space would have taken up too much space and undermined connectivity⁸⁴. However, no design was ever produced for such a proposal and no detailed consideration was given to the stacking of industrial floorspace. A multi-storey office building was included early in the design process but was rejected on the basis of viability due to insufficient demand. This is unsurprising in an area that is outside the Central Activities Zone and is not characterised by office-type development. On the contrary, it is clear that there is demand for small industrial business floorspace in this location (*Document CD B19, paragraph 3.27 and figure 3.6*).

Servicing

229. The Appellant indicated that refuse would be collected once a week via the central street. However, industrial uses require far more frequent refuse collection than residential accommodation. Even the Appellant's own assessment of servicing considered that a far higher number of servicing trips would be required for the microbrewery. This and the other large maker businesses would not be served by dedicated yards. Deliveries made by larger vehicles would have to take place via the central street even for those businesses that did have yard access. Different maker businesses have different requirements, for example, a stonemason may require an occasional delivery of a very large, heavy lump of stone whilst the microbrewery will require dray deliveries once or twice a week and probably the collection of kegs for bottling and delivery of bottles and cans (*Document POE 19, paragraph 112; CD B 21, Traffic and Transport, annex 1, pages 47-48*).
230. Larger deliveries going through the central street would have an impact on the amenity of local residents, including the children's play space and other social uses proposed by the Appellant in this area. They would be hampered by the moveable furniture of cafés, the microbrewery and regular pop-up events as well as by the envisaged co-working spill-out. The Transport Assessment indicates that vehicles would not be permitted when events were taking place.

⁸³ This was accepted by Mr Stephenson in cross-examination by Mr Streeten.

⁸⁴ This was said by Mr Marginson in evidence-in-chief.

The Appellant accepted that there would need to be restrictions on deliveries and servicing for the commercial businesses to prevent harm to residential occupiers⁸⁵. However, small industrial uses may need to start work early and operate well into the evening and so conditions restricting hours of use may be unacceptable (*Document INQ 2, pages 15-16, 33; CD B21, Traffic and Transport, annex 1, paragraph 4.3.5, POE 19, paragraph 113*).

DESIGN AND TOWNSCAPE

231. The main concern is that the proposed development would be out of character with its existing context. It would introduce tall buildings outside the locations that the development plan considers appropriate. Although there would therefore be a breach of Strategic Policy 12 in this respect, it is possible to go on to consider whether the proposed development would be of exemplary design as part of the planning balance.

Planning policy

232. The relevant policy framework includes policy 7.7 in the London Plan, Strategic Policy 12 in the CS and saved policy 3.20 in the Southwark Plan. The combined effect of these three policies is that tall buildings are only permitted in specified locations within the Borough, and then only where they are of an exemplary standard of design. The London Plan supports this approach by indicating that London boroughs should designate areas that are appropriate and inappropriate for tall buildings in their local plans (*Documents CD C3 page 293; CD C8, page 104; CD C9, page 52*).
233. The policy definition of a tall building is one that is over 30m in height or is significantly taller than its surroundings. On this basis, all blocks in the proposed development apart from A, B, C and M would be tall buildings. Blocks I and J would be over 30m high and so must satisfy the additional requirements set out in saved policy 3.20 in the Southwark Plan (*Documents CD C3, paragraph 7.25; CD C8, page 107*).
234. A similar approach is proposed in emerging policy. Draft policy D8 in the emerging New London Plan requires locations for tall buildings to be identified on policy maps. Draft policy P14 (as proposed to be modified) in the emerging New Southwark Plan indicates that tall buildings may be permissible on sites identified in the site allocations. Draft allocation NSP23 is one such place. However, the emerging plan still requires tall buildings to be of exemplary architectural design. It is relevant that draft policy P14 (as proposed to be modified) has been subject to a large number of objections, including those that relate specifically to the provision for tall buildings on draft allocation NSP23. Since it has also not yet been tested at examination, any policy support for tall buildings on the appeal site should be given very limited weight (*Documents CD C7, under paragraph 3.7.12; CD P21, page 22; INQ 21*).
235. Some of the objections to draft allocation NSP23 relate to the cumulative effect of tall buildings on the local area as there are a number of proposals along Parkhouse Street and the Burgess Park boundary. A solution would be to designate the site as an Action Area Core or Opportunities Area and require

⁸⁵ This was agreed by Mr Maclagan at the living conditions round table session.

master planning to enable taller elements to be delivered in a more coherent way.

Existing character

236. The proposed development would be harmful to the character and appearance of the existing townscape. It would be overbearing and cause harm, of a less than substantial nature, to heritage assets. Whilst the area has a mixed-use character, it is predominantly low rise, with two and three-storey development in the immediately surrounding the appeal site and three to five-storey development along Southampton Way. Whilst there has been some local intensification with new residential developments nearby, this has been of a modest scale, with the tallest elements reaching around seven storeys, for example in the Camberwell Fields and Elmington Green developments on the southern side of Southampton Way (*Documents CD C8, paragraphs 5.106, 5.115; POE 10, figures 1-4; POE 21, figures 16-20*).
237. The Appellant accepted that the appeal site has no landmark significance, as required by saved policy 3.20 in the Southwark Plan for the introduction of buildings over 30m. The Appellant's aim is that the site would create a new landmark or local centre⁸⁶. However, it is not well-connected to public transport and the only attractors to the site for those who would not work or live there would be the café(s) and microbrewery. A true new local centre would potentially undermine the already established local high street on Southampton Way as well as Peckham and Camberwell Town Centres. As indicated by local residents⁸⁷ new local shops have not been successful. This has been recognised by the architects of the proposed development who have not included a great deal of retail or leisure space in the scheme (*Documents POE 10, paragraph 6.15; INQ 2, page 4*).

Exemplary design

238. The points about the lack of exemplary design demonstrated in paragraphs 188-193 above, applies equally as a further reason why tall buildings would be inappropriate on the appeal site. Furthermore, the scale and massing of the proposed development would result in a cluster of chunky buildings. Blocks C and M at the edges would start at the maximum acceptable height for their relationship with the residential properties opposite and the height of the proposed development would rise rapidly to a much taller centre. There would be nothing sculptural about the tallest block, which could not realistically be described as a "pinnacle", unlike for example the planned group of taller elements on the Wyndham and Comber Estates (*Documents POE 10, figure 16; INQ 2, page 6*).
239. The Appellant's analysis of the ratio of building height to street width is only to shoulder height. It fails to take account of the effect of the upper storeys on the streetscape below. Although streets in the Jam Factory development have a similar height to width ratio, that development is within the Central Activities Zone, where there is an expectation of higher density. The Jam Factory reaches a maximum of eight storeys and has straight streets with through views. In

⁸⁶ This was referred to by Mr Bridges at the design and townscape round table session.

⁸⁷ This was said by Dr Lorgelly at the round table session on design and townscape.

contrast, the street in the proposed development would be angled, views would be blocked by buildings at either end and the street would get narrower at pinch points. The airing yard in the centre of the nearby Evelina Mansions is 10m wide and flanked by buildings six storeys high. It is very dark for much of the time, despite a south-facing open-ended gap between the two blocks and is not a pleasant place to sit out in (*Documents CD A5, page 82; POE 21, paragraphs 3.27-3.32, 5.1-5.6 and figures 8, 9, 13*).

240. Neither of the Design Review Panel's two reports was able to support the height of the scheme. The first report questioned whether there was any policy justification for a tall building in this location and considered that the large and bulky residential blocks were an inappropriate typology for this area with its tight and intimate streetscape. It also suggested the existing chimney as a more appropriate focal point. The final design saw an increase in height of many blocks. Also, due to the height of those surrounding the chimney, it would only be visible within the development or when standing directly in front of it at either end of the central street. The development would not deliver a new public square, which is one of the obligatory requirements of draft allocation NSP23 in the New Southwark Plan (*Documents CD 13; INQ 15; POE 21, paragraphs 3.65-3.72*).

Views from Burgess Park

241. Urban development can be seen from the park. However, the southern edge of the park has a different character and is dominated by the tree line, which screens the six-storey buildings along St George's Way that can only be glimpsed through the trees. Taller residential elements in the distance to the southwest, including the Comber and Wyndham towers, come in and out of view. However, the proposed development would appear as a constant presence in the viewer's line of vision when walking along the main north-south axial routes of the park. This is clearly demonstrated by the fact that the only building to the south of the park that is currently persistently in view is St George's Church tower (*Document POE 10, figures 16-20*).
242. The visibility of the proposed development would limit the openness of views to the south and would appear as a discordant element in views of the sky. This is an important part of enjoying the natural environment and green space that the park offers for its visitors. The part of the park opposite which the development would be located is attractive and well-used (*Document POE 22, paragraphs 1.3, 4.6, 5.2, 5.4, 6.4-6.8*).
243. It is agreed that the proposed development would cause less than substantial harm to the setting of the tower of the former St George's Church and that this would be outweighed by the benefits of the scheme. However, the impact of the proposed development is relevant to the appropriateness of the appeal site as a location for tall buildings. Elements of the proposed development, which would be visible above the tree line and next to the tower would not provide a positive contribution to the landscape and skyline. They would have a harmful effect on a nearby heritage asset, even though such harm would be limited. The proposal would thus fail to accord with saved policy 3.20 and the Southwark Plan and Strategic Policy 12 in the CS in this regard (*Documents CD C8, page 104 and paragraph 5.115; CD C9, page 52; POE 21, paragraph 3.14*).

LIVING CONDITIONS OF EXISTING OCCUPIERS

244. It is common ground that development that would cause unacceptable impact on neighbouring properties would be in breach of policy 7.6 in the London Plan (*Document INQ 38A, paragraph 31*).

Daylight and sunlight

245. It is agreed that a two-stage approach should be applied. First, the BRE Guidelines are applied to consider whether any harm would be caused, and second a planning judgement is reached as to whether any identified harm would be unacceptable. There are a number of principles established in the recent *Rainbird High Court judgement* to apply to the two-stage approach⁸⁸:

- If an expert view is formed that, notwithstanding breach of the VSC guideline, rooms would remain appropriately well-lit, the reasons for that view should be given. It is not sufficient to rely on the fact that the rooms would meet the BRE Guidelines on NSL, or come sufficiently close to meeting it, to be acceptable.
- A greater reduction in VSC and NSL may be appropriate or unavoidable if new development on an underdeveloped site is to match surrounding development, but this does not hold where the proposed development is significantly taller than its surroundings.
- The judge was unwilling to express a concluded view on whether the target values in the BRE Guidelines should be different in practice in urban locations generally. He did find favour with an argument that the BRE Guidelines only allow target values to be adjusted if there are special circumstances or special requirements arising from the proposed development or its location. He noted that there is nothing in the BRE Guidelines that states that the 27% value in the VSC guideline is derived from a suburban development or that indicates that its guidelines are only applicable to developments outside an inner-city urban development.

246. The BRE tests must be applied with flexibility but they are an important first stage and are also part of the process of judging whether harm is unacceptable. When applying them, both the VSC and NSL tests are relevant and failing either would result in harm to daylight for neighbouring properties. In addition to the assessment of residual VSC levels it is also relevant to consider the amount by which they have been reduced. Large reductions of up to 55% for VSC and 66% for NSL have been underplayed in the Appellant's assessment because no differentiation has been made between rooms that would experience a percentage change in excess of 40%. The level of change to daylight is relevant to the overall planning balance on amenity impacts (*The Rainbird judgement is attached to Document INQ 38B, paragraphs 47, 93; CD J5, paragraph 2.2.21; POE 5, 6.2.10, 6.2.13*).

247. The Appellant relied on 15% as an alternative value for VSC to judge the

⁸⁸ *Rainbird v London Borough of Tower Hamlets* [2018] EWHC 657 (Admin) at paragraphs 94, 97 and 112-113. This judgement is attached to the Appellant's closing submissions (*Document INQ 38B*).

acceptability of the impacts. However, the Whitechapel and Hackney appeal decisions on which this relies related to sites in a more dense and built-up area than the appeal site. The suburban feel, given by the proximity of the area around the appeal site to Burgess Park, means that the mid-teen approach is not warranted. The Appellant relied on the location of the appeal site in the Urban Density Zone and its allocation in the emerging New Southwark Plan for more dense development. The first of these is not a legitimate justification for the mid-teen approach for the reasons given at paragraph 199 above. Also, there is no indication in draft allocation NSP23 that the site should be developed at a greater density than the existing townscape. In any event, the emerging plan should be given limited weight at this stage, as the Appellant concurs (*Document POE 5, paragraphs 6.17-6.19, 6.2.11*).

248. Although a retained VSC level of 27% may be difficult to achieve in this location, a figure of around 20% could be more appropriate. In this regard, achieving retained levels of 20% VSC in Wells Way, for example, would require a development of three to four storeys in height. This is exactly what the Design Review Panel recommended in its second report. The upper floors of 47 Southampton Way would experience a 79% reduction in VSC. This is a highly relevant impact that must be taken into account in the overall assessment of the effect of the proposed development on the amenity of neighbouring occupiers (*Documents CD 13; INQ 20*).

Overlooking, privacy and loss of outlook

249. It is agreed that the BRE Guidelines should not be applied when considering outlook. However, where there would be harm to daylight and sunlight it is likely that there would be a corresponding impact on outlook. Residents in neighbouring properties are particularly concerned about the impact when looking out of their houses that would arise from the extreme nature of the "stepping up" of the development. On Wells Way, new blocks would start at double the height of existing properties and on Parkhouse Street one storey higher and would rise to 10-storeys in the centre of the site. Residents also fear an increased sense of enclosure, particularly those living in Parkhouse Street, who would have new development both to the front and rear of their properties. This would be exacerbated by the cumulative effect of new development which is proposed along Parkhouse Street, such that residents would find themselves surrounded on all sides⁸⁹.
250. The Appellant's view, that the quality of outlook for properties on Parkhouse Street would be greatly improved by the proposed development is subjective and not one that is shared by existing residents. In this regard, whilst it is accepted that the redevelopment of the existing industrial estate would provide some improvement to outlook, such improvement would be limited by the fact that the proposed development would also block a large amount of the sky currently visible from the Parkhouse Street properties and valued by existing residents⁹⁰.

⁸⁹ Ms Spence and Ms Joyce who live in Wells Way and Parkhouse Street spoke about these concerns at the round table session on living conditions.

⁹⁰ Ms Joyce and Ms Stephenson who live in Parkhouse Street spoke about these concerns at the round table session on living conditions.

OTHER MATTERS

251. The Appellant's contention that the affected habitats within Burgess Park are of low quality is disputed. The New Church Road wildlife area immediately to the west of the appeal site was identified in the Burgess Park Habitat Survey Report as having "moderate to high" wildlife value and the area of highest value in the park (*Document POE 22, section 2, section 6*).

PLANNING BALANCE

252. There is no dispute that all relevant policies in the development plan are up-to-date and that the tilted balance does not apply. The appeal scheme would conflict with Strategic Policy 5, Strategic Policy 10 and Strategic Policy 12 in the CS as well as a number of policies in the saved Southwark Plan and London Plan. The starting point pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004 is that planning permission should be refused. The Appellant accepted that if the development was not exemplary it would fail to comply with Strategic Policy 5 and that in these circumstances the extent of conflict would be greater than if the proposed development only conflicted with Strategic Policy 10⁹¹. This applies with even greater force when conflict with Strategic Policy 12 is factored in.
253. The only policy support for the proposed development is to be found in the emerging development plan. The Appellant ascribes this limited weight, and in any event, the proposed development would not fully accord with it. The Appellant was therefore forced to rely on what was characterised as the direction of travel of emerging policy, towards permitting taller residential development on what is currently protected industrial land. However, the true direction of travel must take into account the increasing recognition of the need to retain floorspace for industrial businesses in inner London. Far from supporting the proposed development it points towards refusing planning permission as the proposal would not retain or increase the amount of industrial floorspace on the site.
254. As accepted by the Appellant the main benefit relied on in support of the scheme was the provision of 35% of the residential accommodation as affordable housing. While this is welcomed, it is itself a minimum policy requirement. It could not outweigh the conflict with other development plan policy, which indicates that this is simply an inappropriate location for the proposed development. Furthermore, it must be noted that draft policy H5 in the emerging New London Plan indicates that where a scheme would result in a net loss of industrial capacity, 50% of the new residential development should be delivered as affordable housing (*Document CD C7, below paragraph 4.4.3*).
255. The proposed development would have significant and harmful effects in terms of the amenity of future and existing residents, the impact on the borough's industrial stock and therefore its economy and the surrounding townscape. The Appellant has not demonstrated that it would not be possible to deliver the planning benefits it relies on without such negative effects. The harmful effects would be a direct consequence of the failure to accord with development plan policy. For all these reasons, planning permission should be refused.

⁹¹ Mr Marginson agreed this point in cross-examination by Mr Streeten.

OTHER REPRESENTATIONS

TO THE PLANNING APPLICATION

256. There were a very large number of representations received in response to the planning application and the re-consultation undertaken following receipt of the amended plans. The representations can be found at **Document INQ 10** and have been summarised in the Committee Report. This indicates that there were objections from the Friends of Burgess Park, Camberwell Fields Residents' Association, Wells Way Triangle Association, Camberwell Association, Southwark Green Party and Southwark Law Centre. The Committee Report includes a summary of the points raised and these have generally been recorded in the Local Party's case and the comments raised in connection with the appeal and set out below (**Documents CD E1, paragraphs 347-355; CD E2, paragraphs 13-15**).
257. There were also a large number of objections from the occupiers of nearby properties. Most points have been covered in other places, but additional concerns raised are as follows (**Document CD E1, paragraphs 356-368, 371**):
- The viability assessment shows only 35% affordable housing and it is unlikely it would be delivered. The homes would be out of the price range of the local community.
 - It is questionable whether the artist's studios would be occupied or affordable.
 - The development would be in a flood-risk zone. Surface water management and sewerage capacity in Wells Way is inadequate.
258. There was also a good level of support for the scheme, especially at re-consultation stage. This was mainly on the basis of replacing the existing dilapidated business park and the need for additional housing (**Document CD E1, paragraphs 369, 372**).

RESPONSES OF EXTERNAL CONSULTEES

259. These can be found at **Document INQ 10, section 2** and are summarised in the Committee Report at **Document CD E1, paragraphs 332-346**.
260. **The Environment Agency** raises no objection subject to conditions on contamination, sustainable drainage infrastructure and piling. It is pointed out that the site is in Flood Zone 3 and that the exception test would need to be satisfied. **Thames Water** has no objection in terms of the capacity of sewerage infrastructure. It does though point out that the existing water network infrastructure has insufficient capacity and a condition is therefore recommended with regard to necessary upgrade work. A condition is also required for a piling method statement due to the potential impact on underground water utility infrastructure (**Document INQ 48**).
261. **Historic England** does not wish to offer comment. **Natural England** advises that no statutorily protected sites or landscapes would be likely to be affected. This area would benefit from enhanced Green Infrastructure and its incorporation into the development is to be encouraged.
262. **London Fire and Emergency Planning Authority** comments that access for fire appliances and adequate water supplies for fire-fighting purposes would be

needed as required under current Building Regulations. **London Underground Infrastructure Protection** had no comments to make. **Metropolitan Police Authority** requires security compartmentalisation as more than 25 units would be served off each core. It considers that the development could achieve Secured by Design status and that this should be required by a planning condition.

263. **Transport for London** (TfL) points out that there are limited public transport options in the vicinity of the site and most of the site has a PTAL rating of 2 with the western section rising to 4. TfL welcomes the car-free nature of the development and that residents would not be permitted to apply for permits in the controlled parking zone. Parking on-site for those with disabilities would meet standards in the draft New London Plan but it should be demonstrated how additional spaces could be provided if needed. Management of the spaces should be covered in the Travel Plan.
264. Most public transport users would be likely to travel by bus and demand would be likely to rise as a result of this development and others in the vicinity. It is not clear at this stage if there would be capacity issues as bus services in the area are likely to be re-planned to accommodate growth, including in Old Kent Road. A contribution of £90,000 per annum for 4 years is sought for an extra bus in the morning peak if this were needed to accommodate the additional passengers arising from the proposed development. After 4 years TfL would take responsibility for paying the operating costs. The money would only be used if it was found that the additional bus was needed.
265. Cycling should be promoted and a contribution of £200,000 would secure the provision of a medium sized cycle docking station. This would accord with the Mayor's support for active and green modes of travel. In addition, appropriate parking facilities for residential and commercial users should be provided within the development in accordance with draft New London Plan standards and London Cycle Design Standards. The routes through the site should be accessible to pedestrians and cyclists at all times. However, the design should prevent the use of the public realm as a through route for vehicles. Updated wayfinding signage at the site boundary or within the local area would be required due to changes in the street layout and the new residents and visitors attracted to the area. In this regard a contribution of £15,000 is sought.
266. Improvements to Parkhouse Street and Cottage Green would benefit the pedestrian environment as there would be likely to be an increase in footfall on the adjoining roads. Improvements should be made to the junction of Parkhouse Street and Wells Way to improve conditions for cyclists and pedestrians. It is also suggested that a better crossing facility to Wells Way should be provided. Comments on the outline Delivery and Service Management Plan, Construction Logistics Plan and Travel Plans are also made (*Document POE 8, appendix 7*).
267. **The Greater London Authority** provided comments at the Stage 1 and Stage II referrals on 18 June 2018 and 28 January 2019 respectively. At Stage 1 it was concluded that the proposal would not comply with the London Plan and the emerging New London Plan but that changes could lead to compliance. In particular, the quantum of industrial floorspace would need to be increased; an early and late stage review mechanism would be needed as the affordable housing provision was less than the 50% required in the emerging New London

Plan; the general layout was supported but comments were made about the layout of some of the residential units and the quality of the accommodation. The Mayor also mentioned verified views to assess any impact on London Panorama 1A.2; that on-site carbon reductions should be maximised and shortfalls addressed through a contribution to Southwark's off-set fund (*Document CD I1*).

268. In the Stage II report, the Mayor decided not to intervene by determining the planning application himself. However, he maintains objections to the loss of employment floorspace, even though the revised proposals would increase this from 3,375m² to 3,725m² and 10% affordable workspace would be included. He has reiterated his requirement for early and late stage affordable housing reviews. He mentions that revisions have been made to improve residential quality but refers back to earlier concerns and the need to ensure that symptoms of overdevelopment would be limited. There are still issues to be resolved about impacts on climate change in order to satisfy policy 5.12 in the London Plan (*Document CD I2*).

TO THE APPEAL

269. There were no oral representations to the inquiry from local people. This was perhaps because the Local Group represented a range of local organisations, interest groups and residents. There were a number of written representations as detailed below (*Document CD H6*).

The main points are:

270. **Pelican Resources** own the freehold of 66 Wells Way, which also extends into Parkhouse Street. The premises have recently been redeveloped and are occupied by the PHS Group, who have submitted a separate representation. Their points are endorsed but there are two additional concerns. The first is that the design of the proposed development must ensure that the operations of existing businesses in Parkhouse Street are not compromised by amenity objections from new residents. The second is that there must be no constraints on employment traffic servicing the site from Parkhouse Street.
271. **The PHS Group** have been tenants of the above site for more than 30 years and have recently extended their waste transfer operation into 41-43 Parkhouse Street with a route through from Wells Way. This access must not be affected either during the construction or operational phases of the new development. Furthermore, there would be a significant problem if new residents objected to goods vehicles servicing the site close to their windows. The business provides services to hotels and retail uses, with the majority of customers in central London. The location of the site in proximity to this market is of key importance. Industrial accommodation is now scarce, and the cost of goods and services are rising as businesses are forced to relocate further out. Local people also need diverse employment that is close to home. Whilst housing is needed there is also a need for industrial land and strategic policies seek to achieve the right balance between the two.
272. **UK Power Networks** have a substation on the appeal site. It objects to the proposal until it can be satisfied that its operational equipment can be satisfactorily incorporated into the development.

273. **Ms L Bacon** lives nearby and does not object to a development of new homes and shops but is concerned that the scale of the proposed buildings would be out of keeping with surrounding development. She also objects to the increase in traffic that would result in a reduction in air quality and noise pollution. **Ms G Holmes** lives nearby and considers that the Council should make good its promise to compulsorily purchase the site in order to incorporate it into the Metropolitan Open Land of Burgess Park and the recently improved wildlife site. Green space is very important to provide clean air, amenity and biodiversity and plays a large part in the Mayor's *Environment Strategy*, the *London Plan* and the *Clean Air Strategy*.
274. **Mr I Ellis** states that Wells Way in particular is poorly served by public transport and that about 2 years ago the No 136 bus route was introduced to supplement the No 343 route. The Wells Way bus stops would be the nearest bus stops that new residents would use. However, the buses are already full at peak times and often do not stop so there can be a considerable wait. This is the only feasible public transport option to Elephant and Castle and is on the route to 3 schools. Additional demand could not be accommodated. There would be a major effect on traffic flow and air quality during the construction period and the public transport issue would be exacerbated further. **Mr D More** believes that if tall buildings are allowed, they will just get even higher.
275. **Dr P Lorgelly** lives nearby and commented that although the area is undergoing substantial change, the Old Kent Road area and Aylesbury Estate are provided for in the New Southwark Plan, unlike the appeal site. This is a PIL and has been run down with tenancies not being renewed. The proposal would be too tall for the area and the density would be too high, exceeding requirements by nearly 50%. This area is not listed as a suitable location for tall buildings. They would overshadow existing dwellings and have the potential to create wind corridors. The buildings on the boundary with Burgess Park would destroy its character and natural habitat. Although emerging planning policy is being relied upon, the development would not be exemplary and the carbon reduction targets in the draft New London Plan would not be met. There would be a severe impact on the already over stretched local transport network. Although new homes are needed, they should not be sub-standard as would be the case here.
276. **Mr R Potz** lives nearby and objects to the height, scale and density of development, which would be overly dominant and out of character with its surroundings. It would also detract from the prominence of the tower of the former St George's Church. Some of the perimeter blocks would be twice as high as their existing neighbours resulting in overshadowing and loss of light. The extension to Block B would lead to overlooking to the existing rear gardens of the adjoining houses in Parkhouse Street, especially no 13. The reduction of height in the ground floor commercial units from 4.5m to 4m would limit the range of businesses for which they would be suitable. The site has poor accessibility and is not therefore a suitable location for such dense and tall development. Buses are already at capacity and the transport infrastructure could not absorb the increase in residential population proposed.
277. **Mr R Jellnek** lives in Southampton Way and objects to increased traffic and pollution on an already heavily used road system. He considers the bus and transport system would be inadequate and that shops and services could not

support the scale of development, especially bearing in mind other new flats recently built in the area. He objects to the height of the new development, particularly in views from Burgess Park and surrounding homes and gardens. **Ms M Heeran** lives on the corner of Cottage Green and Southampton Way. She objects to the height of the nearest blocks on the grounds of loss of privacy in her small rear garden.

278. **Ms G Hirsch** lives in Wells Way and is concerned about overshadowing of her property and those adjoining. The new 4-storey dwellings opposite would compromise the privacy of the first floor of her home. She considers that putting curtains across the high windows would substantially change the character of the listed former Vicarage where she lives. Noise from those living in the new dwellings opposite and also from the outdoor events in the new central street are another concern. There is an objection to the brewery which, from her previous experience, would cause unpleasant odours. The bus service along Wells Way is already overcrowded and inadequate to serve the proposed development. **Ms K Tuke** lives in Wells Way and considered that the new buildings would block beautiful views of St Paul's and the City of London from the Victorian school in Southampton Way. She questions whether this is a protected view. **Dr K Bukhari** also lives on Wells way and reiterates the concerns of others about light, infrastructure and transport.
279. **Ms A Spence** lives in Wells Way and endorses the concerns of other objectors about overshadowing, impact on local services, excessive density and cumulative effects. She refers to saved policy 3.20 in the Southwark Plan which would rule out this as a location suitable for tall buildings. The draft policy in the emerging New Southwark Plan is very controversial and there have been many objections. At this stage consideration under this policy would be premature. The tall buildings would be completely out of character with the area. Furthermore, the effect on daylight and sunlight to existing homes and gardens and Burgess Park would be unacceptable. The ES indicates that it would be negative, irreversible and long term. The wildlife area at Burgess Park is vulnerable to overshadowing, artificial light and human activity. **Ms A Young** also lives in Wells Way and raises similar concerns about the scale of development and excessive density, which would be out of keeping with the area and causing overshadowing to residential properties and Burgess Park. She is also concerned about the impact on services and amenities and points out that bus services are already under strain. She objects to the cumulative impact with other nearby developments.
280. **Mr S McClelland Morris** lives in Wells Way and considers that the height of the development would overshadow existing properties surrounding the site, including his own house in Wells Way where there would be a loss of daylight and sunlight for much of the year. Bus routes Nos 136 and 343 are already busy, especially at peak times and the 2011 assessment does not reflect existing use and routes. There would be insufficient parking to accommodate new residents. The density and scale of development would not respect the local area or the nearby heritage sites. Tall buildings are not endorsed in the policies of the development plan. This is an area of poor public transport and there would be a negative impact on local townscape and local views, including from Burgess Park. The Block A houses would be close to the wildlife area in Burgess Park, which has been improved through substantial public investment. There is already a shortfall of early years education places and the proposed

development would make this worse.

281. **Dr K Joyce** lives in Parkhouse Street and does not consider that the industrial space would be exemplary design to suit creative industries and SMEs. This is an area with low footfall and poor public transport, Vehicle access would be limited and noise restrictions inevitable due to the proximity of housing. There is an over-provision of this sort of use under high-rise housing in London and the units would be likely to either remain empty or be rented at a loss. Dr Joyce does not consider that this would be a high-quality housing development due to too many design compromises. She raises similar concerns about the living conditions of future occupiers as the Local Group. She points out the poor transport links and pressure on school and nursery places and GP surgeries, especially bearing in mind other high-density development in the area. She objects to the negative impact of the proposed tall buildings on the southern side of Burgess Park, where at present low-rise buildings preserve the illusion of a large open space.
282. **Mr G Connelly** lives in Parkhouse Street and objects to the introduction of tall buildings in a low-rise area close to Burgess Park, which is a site of importance to nature. Block A would be backland development that would make no attempt to reflect the character of the adjoining Victorian terrace. These houses would be too close to the existing terrace in conflict with guidelines in the RSG SPD. There is also concern about the loss of sunlight and daylight to these existing houses and with the lack of assessment of the degree of loss of evening sun received in the rear gardens.
283. **Mr C McGee** lives in Parkhouse Street and supports the proposal. Whilst remaining concerned about the height of the adjoining buildings and the negative effect on bus routes, he feels that on balance the proposal would provide much needed housing in an appropriate location and should be supported. The existing business park is of poor quality and in close proximity to housing. He considers that demand is low and that places like Old Kent Road are a more suitable location. There is a critical need for the 35% affordable housing being offered despite the developer taking a lower profit. The provision of more employment space would make it even more unviable unless residential density were to be increased further.
284. **The Wells Way Triangle Residents Association** are part of the Local Group whose representations have already been reported above. They have raised two additional points. The first is that the Council has not raised tall building policy conflict because it is proposing a 10-storey development on its own site at 21-23 Parkhouse Street. In addition, there was a complaint, which some other objectors also shared, about the complexity of the documentation and the difficulty accessing it. This made engagement with the process more challenging. **Mrs M McClelland Morris** who lives in Wells Way has submitted a similar representation to the above.
285. **The Camberwell Society** are also part of the Local Group and for similar reasons their written representations have not been separately reported here. **Ms S Crisp** has submitted a proof of evidence on behalf of the Local Group and her written representation has therefore not been separately reported (*Document POE 22*).

PLANNING CONDITIONS

286. A list of planning conditions was drawn up by the Council and Appellant. The Local Group put forward some additional conditions relating to the B1 uses. These were all discussed at a round table session of the inquiry. I have taken account of paragraph 55 of the Framework and advice in the Planning Practice Guidance. I have changed the suggested wording in some cases to ensure that the conditions are precise, focused, comprehensible and enforceable (*Documents INQ 32; INQ 34; INQ 41; INQ 42; INQ 43*).
287. The conditions that I commend to the Secretary of State if he is minded to allow the appeal are set out in Annex Three. The numbering does not accord with that within the aforementioned documents as some conditions have not been recommended as I explain below. For the avoidance of doubt the condition numbers used hereinafter concur with those in Annex Three.
288. I have had regard to the Government's intention that pre-commencement conditions should be avoided unless there is clear justification. Conditions 5, 7, 9, 10 and 12 are pre-commencement conditions. The Appellant has agreed in writing to the first three. However, that agreement also extends to any other condition that the Secretary of State considers should be discharged before development commences. Condition 10 relates to archaeology and it is clearly important to ensure that this is properly investigated before any ground disturbance occurs. Condition 12 refers to Japanese Knotweed and again it seems to me necessary to sort out this issue before any ground disturbance in view of the invasive nature and harmful impact of this species. These matters were discussed at the conditions round table session and the Appellant raised no objections (*Document INQ 21*).
289. **Condition 1** sets out the statutory implementation period, which seems appropriate in this case. **Condition 2** meets the requirement for the development to accord with the submitted drawings in the interests of precision and proper planning. As there are a large number of drawings with a rather complex numbering system, these have been listed separately in Annex Four.
290. The demolition and construction activity involved in a project of this scale would inevitably cause disturbance and inconvenience over a prolonged period for those living and working nearby as well as road users. **Conditions 5 and 6** require management plans to be submitted to help minimise adverse impacts. I have re-worded these conditions to include a more comprehensive list of provisions that the plans should provide. The Appellant explained that separate plans would be necessary for demolition and construction phases because different operators would be involved. This seems reasonable even though the provisions are the same. Piling is likely to be used for a building project of this nature. In such circumstances **condition 3** is necessary to understand the methodology and avoid damage to groundwater and subsurface water infrastructure.
291. Thames Water has indicated that the existing water network infrastructure would be unable to accommodate the needs of the development. **Condition 4** requires that details be provided to show that the necessary upgrades have been carried out or that a plan has been prepared to show how they will be delivered within an appropriate timeframe. I have slightly re-worded the condition suggested by Thames Water in the interests of concision. **Condition**

- 11** is required in order to ensure that surface water drainage within the site is satisfactory and follows sustainable drainage principles as far as possible. Parts of the site are at risk of surface water and groundwater flooding. The Flood Risk Assessment recommends that in these areas the finished ground floor levels are set 300mm above existing ground level. **Condition 48** has been added to meet this necessary mitigation against flood risk.
292. The site and neighbouring land is in commercial use and previous uses include a laundry and confectionary factory. The preliminary risk assessment identified the potential for contamination, including to ground water. In the circumstances **condition 7** includes a stepped approach, which is a necessary and proportionate response. I have made some changes to the wording to make it more focused.
293. The proposal includes a number of new trees and **condition 8** includes the provisions to ensure that they become successfully established and endure over time. **Condition 9** seeks to ensure that existing trees, particularly those at the southern end of the site are protected during the demolition and construction period. An arboricultural survey has already been submitted and is not therefore required. I have thus re-worded this condition in the interests of precision. **Condition 18** includes the provisions for green/ brown roofs on the flatted blocks. This vegetative layer would sit below the photovoltaic panels and I was told that this had been successfully carried out elsewhere. **Condition 19** requires details of hard and soft landscaping. I have altered the implementation period for hard and soft landscaping to make it comprehensible. I have also added a requirement for details to be included for the yards and central street, which seems reasonable. All of these conditions are necessary to ensure an attractive and high-quality development.
294. **Condition 21** requires bat boxes, swift and swallow bricks. These are species identified in the Southwark Biodiversity Action Plan and were highlighted as opportunities for ecological enhancement in the Appellant's preliminary ecological appraisal. These along with the new planting mentioned above would enhance biodiversity in accordance with the provisions of the development plan and the Framework. A stand of Japanese Knotweed has been found to be growing along the south-east boundary wall. This is a detrimental invasive species and **condition 12** is necessary to ensure that appropriate action is taken to eradicate or manage it.
295. The Appellant's historic environment assessment indicates a generally low potential for significant buried archaeological assets. The most likely remains would be those associated with 19th century housing. **Condition 10** is therefore necessary and has been worded to be proportionate in terms of investigation, evaluation and recording of the archaeological resource.
296. There are a variety of materials proposed on the external surfaces of the proposed buildings. **Conditions 13 and 14** are required in order to ensure that the development has a high-quality appearance. Samples of these materials need to be provided at the start to ensure cohesive treatment of the development as a whole. However, sample-panels will be large scale mock-ups that are best viewed on-site on a block by block basis at the appropriate time. **Condition 20** requires sections to be provided through facades, balconies and windows. Such detailing can make a great deal of difference to design quality

- and is needed to ensure that a high standard of appearance is achieved.
297. The appearance of the development could also be considerably diminished by the injudicious placement of pipes and flues on the exterior faces of the buildings. **Condition 36** therefore requires details of such fittings to be submitted for approval. For similar reasons **condition 35** does not permit satellite dishes or telecommunications equipment on roofs or façades. This is a reasonable restriction in this case where the highest quality of design is being sought.
298. Restrictions on permitted development rights should only be used in exceptional circumstances. The houses in Block A are relatively close to existing residential properties and back on to Burgess Park and the area that is being established as a wildlife haven. In such circumstances I consider that there are justifiable grounds why, in this case, extensions, roof alterations and outbuildings should be controlled by the Council. However, the suggested condition is a broad-brush approach, which includes a number of items that it would not be necessary to restrict such as porches, incidental hard surfaces and microwave antenna. I have therefore adjusted the wording of **condition 43** to take these points into account.
299. The development includes a number of tall buildings, which could cause interference to wireless services to existing properties in the vicinity. It is therefore necessary to carry out an assessment and carry out mitigation if this is required. This would be actioned under the terms of **condition 15**.
300. There are a number of conditions that are required to encourage sustainable travel choices. **Condition 16** relates to cycle parking and requires the specifications for storage provision in each block and the associated visitor spaces in the public realm. **Conditions 26 and 27** require a Travel Plan for the commercial development and residential uses respectively. This is necessary as the development would essentially be car-free and it is important that occupiers are encouraged to use sustainable travel modes. There does however need to be provision for parking spaces for those with disabilities and **condition 24** ensures that these are provided, including charging points to encourage the use of electric vehicles.
301. Some servicing such as refuse collection and deliveries to the microbrewery or residential properties, for example, would take place along the central street. This would be a pedestrianised space and landscaped amenity area. TfL does not wish it to be a vehicular cut through and is keen that the development would be maintained as a car-free environment. In order to prevent conflict between different functions it is proposed to have a concierge service so that deliveries and servicing would be managed and controlled. **Condition 25** requires a management plan to ensure that this is effective. It also limits the hours that servicing can take place in order to protect the amenity of residential occupiers within the development. The Local Group objected to such restriction on the basis that it would be unacceptably restrictive on some small businesses who would be working round the clock. I have extended the suggested hours from 1800 to 2000 following discussion at the inquiry. This seems to me to be a reasonable compromise, especially as the definition of a B1c use is one that can acceptably co-exist with residential uses.
302. The Local Group put forward a number of conditions relating to the Class B

- floorspace and its functioning. These were based on the conclusion that the spaces and their servicing facilities were not fit for purpose. I do not consider that these conditions are reasonable or necessary for the reasons I have given under Consideration Three of my conclusions.
303. There are various means of enclosure around the site, most of which would not be suitable as boundary treatment for the type of development being proposed. **Condition 17** requires details to be provided and is required in the interests of the amenity of the new occupiers as well as those surrounding the site. I am not though convinced that a 2.4-metre high boundary would be necessary or indeed desirable along the perimeter with Burgess Park. I have not therefore included this as a requirement.
304. The new development would be in a location that is close to existing residential properties. In addition, many of the new flats would be within relatively close proximity of each other. **Condition 22** requires details of obscure glazing or other privacy devices in certain parts of the development. This allows some flexibility in order to choose suitable screening to protect existing amenity whilst maintaining a reasonable outlook for new occupiers. There is an existing route into the site beneath 33 Southampton Way, which appears to have been blocked off for many years. This is only intended as a pedestrian and cycle route in order to improve accessibility for those living in Blocks A and B and would not be suitable as a vehicular access. **Condition 45** restricts its use accordingly.
305. The proposed development includes communal amenity space on the roofs of some buildings and within podium gardens between Blocks F/G and H/I linked by a bridge. Within some of these areas and also at street level in front of Block E, there are children's play spaces. Whether or not these spaces would be sufficient to serve the needs of the development is considered under Consideration Two of my conclusions. However, there is the general point of access because it would be expected that each block would have a secure entry system. **Condition 30** requires the necessary details of how access would be provided to the communal amenity and play spaces. **Condition 23** requires details of how the play spaces are to be provided and properly fitted out. I have re-worded these conditions to be more relevant and concise.
306. Due to the mix of uses and the proximity of other commercial uses on surrounding sites, it is important to ensure that the living conditions of residential occupiers are protected from unacceptable noise. Hours restrictions, limits on external music sources and control of the transmission of sound through the buildings are required to limit disturbance to those living in the development. Furthermore, the future occupiers of the commercial spaces are as yet unknown and so it is necessary to take a precautionary approach. In such circumstances, **conditions 28, 37-42** are reasonable and necessary.
307. The Framework emphasises the importance of healthy and safe communities. This development would have a mix of uses and the central street would be open to the general public at all times. **Condition 29** requires the scheme to comply with the Secured by Design initiative. This seeks to ensure that places where people live, work, shop and visit are safe places by building in security measures at the design stage.
308. Saved policy 4.3 in the Southwark Plan seeks to provide a mix of dwelling sizes and types to cater for a range of housing needs. In this regard it aims for 10%

of major new residential developments to be for wheelchair users. The Lifetime Homes Standards provides higher standards of accessibility through category M4(2) of the Building Regulations. Saved policy 4.2 in the Southwark Plan seeks to ensure that all new homes are built to this standard. **Condition 33** ensures these requirements are met.

309. **Condition 34** provides for the refuse storage arrangements for each block and in order to ensure that recycling is encouraged I have adjusted the condition accordingly. The ES points out that there are some balconies where wind conditions would result in discomfort. In order to mitigate the impact, solid balustrades are proposed for the respective units. This is provided through **condition 44**.
310. In order to ensure sustainable design, the commercial units would be required to meet BREEAM standards of excellent (Class A and B floorspace) and very good (Class D floorspace). This is the subject of **condition 46**. The brick chimney on the southern side of the site was originally part of the confectionary factory that stood there. It is a non-designated heritage asset, which is at present marred by a plethora of telecommunications equipment. It is intended to remove this paraphernalia and restore the chimney as a centrepiece of the new development. **Condition 47** seeks a scheme for its restoration accordingly.
311. The Local Group considered that there should be a condition that all of the B1 floorspace should be restricted to B1c use. However, this is not the proposal that has been put forward, which includes office space and a microbrewery as well. In view of the policy position in the development plan, I consider it justifiable to remove permitted development rights for the conversion of the B Class uses to residential purposes, which could be done under the scope of permitted development. **Condition 32** imposes such a restriction. It also seems to me appropriate for **condition 31** to seek a minimum of 2,023m² of the Class B floorspace as B1c use. This is indicated in the Design and Access Statement as comprising the large and small maker units (*Document CD B17, page 20*).
312. A condition was suggested that required the gates across the service yard that would be accessed off Wells Way to be 6m back from the footway. This is unnecessary as it is shown on the submitted plans.

PLANNING OBLIGATION BY UNILATERAL UNDERTAKING (UU)

313. The fully executed Deed is dated 29 October 2019 and is *Document INQ 47*. It has been made by the freehold owners of the site, Burgess Park Nominees No 1 Limited and Burgess Park Nominees No 2 Limited and the lender who has a charge over the site, ICG Longbow Investment No 5 S.A.R.L. to the Council of the London Borough of Southwark. It is to be noted that the Appellant, Peachtree Services Limited, is the developer who has no interest in the land and therefore is not a signatory to the UU. Clause 5.4 includes a covenant to enter into a Supplemental Deed, in the form attached at Schedule 17. This is necessary to ensure that if any interests in the site are acquired that they would be bound by the obligations in the Deed. In such circumstances, the development could not be implemented until the Supplemental Deed had been completed.
314. Clause 4 of the Deed contains a "blue pencil" clause whereby a planning obligation will cease to have effect if the Secretary of State concludes that it does not comply with the CIL Regulations. The Council prepared statements

relating to the compliance of the planning obligations with Regulation 122 of the CIL Regulations (*Document INQ 29*).

315. There are 18 schedules, although there is no schedule 10 or 14. The schedules contain the main covenants made by the owners and lender to the Council in respect of the scheme. Their provisions are summarised below. A consideration of whether the obligations meet the statutory requirements and can be taken into account in any grant of planning permission, will be dealt with in my conclusions at Consideration Eight.

SCHEDULES 1-3: AFFORDABLE HOUSING and VIABILITY

SCHEDULES 15 AND 16: AFFORDABLE HOUSING MIX AND APPROVED LIST OF REGISTERED PROVIDERS

316. 173 dwellings are secured as affordable housing units with 54 being intermediate units and 119 being social rented units. There will be a mix of 1, 2 and 3-bedroom homes. A delivery mechanism is included whereby no more than 50% of the market units may be occupied until the affordable homes have been constructed and handed over to a Registered Provider ready for occupation.
317. There are mechanisms to review the viability of the development to see whether more affordable housing could be provided. The first review date is two years from the day after the grant of planning permission. It comes into effect if the planning permission has not been substantially implemented by this time. The second review date is when 75% of the market homes have been sold.
318. Provisions are included as to the basis for the viability review and the formulae to be used to determine whether additional affordable housing should be provided and how much this should be.
319. There are also provisions for the marketing and disposal of the intermediate housing.

SCHEDULE 4: WHEELCHAIR HOUSING

320. The wheelchair dwellings are defined as being 34 market units, 6 intermediate units and 10 social rented units. There are provisions to ensure that those intended as intermediate and market units are properly advertised and marketed.

SCHEDULE 5: FINANCIAL CONTRIBUTIONS

These covenants relate to the paying of the following financial contributions:

To be paid prior to any demolition:

- Archaeology contribution of £11,171

To be paid within 28 days of a written request by TfL:

- Bus contribution £360,000

To be paid before development is implemented:

- Affordable housing evaluation report monitoring contribution of £22,896.55
- Carbon green fund contribution of £581,400

- Children's play equipment contribution of £145,413
- Cycle hire docking station contribution of £150,000
- Loss of employment floorspace contribution of £84,349
- CPZ study fund contribution of £10,000

SCHEDULE 6: CAR CLUB SCHEME, HIGHWAY WORKS, BUSINESS RELOCATION AND RETENTION STRATEGY

321. Agreement is to be reached with a car club operator to put in place a scheme for the development prior to first occupation. This would include the provision of two car club spaces within the public highway and the provision of three years free membership for eligible residents.

322. The highway works would be undertaken under section 278 and/ or section 38 of the Highways Act 1980, which is to be entered into with the Council and/ or TfL. The highway works are to be completed prior to the commencement of Block F and comprise of the following:

- *Any works required following a review of pedestrian safety of the junction of Parkhouse Street and Wells Way as set out in Schedule 13.*
- *A contribution of up to £50,000 towards surfacing of Parkhouse Street.*
- Construction of a raised table across the intersection of Parkhouse Street and Wells Way, including uncontrolled crossing points on each junction arm
Removal of the central refuge on Wells Way, south of the junction with Parkhouse Street. Re-surfacing of the carriageway of Parkhouse Street.
- Re-paving footways along the section of Wells Way abutting the site, to include upgrading of street lighting.
- Planting of the new trees in the highway.
- Traffic calming measures, new drainage gullies, re-paving of footways and upgrade of lighting on Parkhouse Street
- Adoption of widened footways on Wells Way and Parkhouse Street.

If the Secretary of State considers that the proviso in bullet 3 is compliant with Regulation 122 of the CIL Regulations, in terms of being necessary and directly related to the development, then the provisions of bullets 1 and 2 would not take effect.

323. The Business Relocation and Retention Strategy relates to the existing tenants on the site and includes arrangements for any assistance they may need to find alternative locations.

SCHEDULE 7: PUBLIC REALM AND TREE PLANTING

324. The provisions secure the drainage and lighting of the public realm and its repair and maintenance. Unrestricted access is to be given to the general public other than on one day a year to prevent prescriptive rights of public access coming into effect. Temporary restrictions may be applied on prior notice to the Council or in case of emergency to enable maintenance, repair or prevention of

danger to the public.

325. The tree planting is to be carried out in the first planting season after completion of the highway works. If the 39 trees are not planted, a contribution of £3,000 is to be paid for each unplanted tree.

SCHEDULE 8: CONTROLLED PARKING ZONE

326. There is a requirement that every occupant is to be informed that they are not entitled to apply for a parking permit or to buy a contract to park in any Council car park. Those holding a disabled person's badge are exempted from this provision.

SCHEDULE 9: AFFORDABLE WORKSPACE AND COMMERCIAL UNITS

327. A detailed design specification is to be approved for the 372.5m² of affordable workspace in two identified locations, prior to the commencement of any above ground development. No more than 50% of the market housing units can be occupied until the affordable workspace units have been completed.
328. Marketing and management strategies for all of the commercial units, including the affordable workspace, must be approved by the Council before the development is first occupied. There is also provision that these strategies endure for as long as the affordable workspace remains in such use.
329. There are covenants relating to the eligibility for the affordable workspace and the appointment of a provider to manage its day-to-day operation. Also, to ensure that it continues to be used as affordable workspace if possible.
330. The commercial units are to be completed before more than 50% of the market dwellings are occupied.

SCHEDULE 11: EMPLOYMENT AND TRAINING, CONSTRUCTION APPRENTICESHIPS AND LOCAL PROCUREMENT

331. Provisions are included to identify, provide and manage employment opportunities with contracts provided for a minimum of 26 weeks. Encouragement is to be given to applications from unemployed residents of the Borough and providing apprenticeships and training in construction industry skills. The minimum targets are that 116 unemployed residents should be placed into sustained employment, 116 trained through short courses and 29 placed in new construction apprenticeships. If the relevant numbers are not achieved, a contribution is required in accordance with a formula relating to the shortfall.
332. Working with the Council, there are provisions for construction contracts, goods and services to be procured from local organisations based in the Borough as far legal and practicable. Best endeavours should be used to obtain 10% of the total value of contracts procured from organisations based in the Borough.
333. There are provisions to secure 30 jobs, on contracts of not less than 26 weeks, for unemployed Borough residents in the completed development. This will include training if necessary. If this is not satisfactorily achieved there is a contribution to pay, calculated against a formula based on the shortfall.

SCHEDULE 12: ENERGY STRATEGY, DISTRICT CHP AND ESTATE MANAGEMENT STRATEGY

334. The Site Wide Energy Strategy is to be approved before the development is first occupied and its principles applied thereafter in perpetuity. It will contain details of how the development will achieve the agreed carbon targets in the energy strategy submitted with the planning application.
335. The CHP Energy Strategy is to be approved before the development is first occupied. It will set out how energy is to be provided for the development and will show how connection can be made to the District CHP from the site boundary. The connection to the District CHP shall be made, provided it is feasible and viable.
336. An Estate Management Plan shall be approved before the first occupation of the development. This will cover the arrangements for the management and maintenance of the development. It will include provisions for all unadopted roads and shared surfaces prior to any adoption; any sustainable drainage infrastructure prior to any adoption; the storage and collection of waste; and the cleaning, maintenance and renewal of those parts of the development accessible to the public.

SCHEDULE 13: WELLS WAY PERFORMANCE REVIEW AND APPLICATION OF CPZ CONTRIBUTION

337. Provision is made for a report to be undertaken separately from the Stage 2 Road Safety Audit to determine whether the pedestrian trips identified in the Transport Assessment as being generated by the development would be likely to have an unacceptable impact on highway safety along the stretch of Wells Way between the junctions of Coleman Road and Parkhouse Street. The report will identify any impact, assess whether it would be unacceptable and put forward any necessary mitigation. If it is considered by TfL or such other overseeing organisation that mitigation is required, this would be included in the highway works detailed in schedule 6 of the Deed.
338. The CPZ Study Fund Contribution is to contribute to a study of parking conditions in the area.

SCHEDULE 18: ARCHITECT

339. Reasonable endeavours are to be used to employ the existing architect, HTA Design LLP, as lead architect for the project up to practical completion. If this proves not to be possible the Council will be notified, and reasonable endeavours will be made to employ an architect of similar calibre.

INSPECTOR'S CONCLUSIONS

The numbers in square brackets refer back to earlier paragraph numbers of relevance to my conclusions.

340. Taking account of the matters that the Secretary of State wishes to be informed about, the oral and written evidence to the inquiry and my site observations, the main considerations in this application are as follows:

- **Consideration one:** Planning policy context and approach to decision making
- **Consideration two:** Whether the proposed density would be acceptable to provide an exemplary standard of accommodation for new residential occupiers.
- **Consideration three:** The effect on the Borough's stock of employment land and premises.
- **Consideration four:** Whether the appearance of the proposed development would comprise high quality design that is in keeping with the character and appearance of the surrounding townscape and Burgess Park.
- **Consideration five:** Whether the site is in a sufficiently accessible location and public transport has sufficient capacity to enable new residential occupiers, employees and visitors to the site to travel by modes other than the car.
- **Consideration six:** The effect of the proposed development on the living conditions of nearby residential occupiers with particular reference to light and outlook.
- **Consideration seven:** Other matters relating to flood risk, ecology and heritage.
- **Consideration eight:** Whether any conditions and planning obligations are necessary to make the development acceptable.
- **Consideration nine:** Overall conclusions and planning balance to determine whether the proposals would be a sustainable form of development.

CONSIDERATION ONE: PLANNING POLICY CONTEXT AND APPROACH TO DECISION MAKING

341. Apart from the south-western part, the appeal site and surrounding land is designated as a Local Preferred Industrial Location (PIL) in the development plan. Saved policy 1.2 in the Southwark Plan only permits developments falling within Class B uses and sui generis uses appropriate to a residential area. Strategic Policy 10 in the London Borough of Southwark Core Strategy (CS) seeks to protect jobs and businesses, including at Parkhouse Street. The policy refers to a possible public transport depot here, but it was confirmed that this is not now being considered as an option. There is no dispute that the proposed mixed-use development would conflict with these policies [58; 116; 127; 174; 252].

342. Strategic Policy 5 in the CS identifies the appeal site as being within the Urban Density Zone. Here the policy expects residential density to comply with the

range of 200-700 habitable rooms per hectare (hrpha). It goes on to say that in Opportunities Areas and Action Area Cores, maximum densities may be exceeded when developments are of an exemplary standard of design. Whilst there are a number of such areas within the vicinity, the appeal site does not fall into either category. The Appellant asserted that the wording allowed for other areas to exceed the density, but this does not seem to me to be a fair or sensible reading of the policy. Whether or not it is the Council's normal practice to regard higher density exemplary schemes outside areas referred to as complying with the policy this is not what it actually says. The Appellant also stated that the words "expected" to comply does not mean the same as "must" comply. It seems to me that this is a matter of semantics and to my mind the density being proposed in the appeal scheme would not accord with Strategic Policy 5 [23; 24; 27; 135; 136; 188].

343. Policy 3.4 in the London Plan seeks to optimise housing output for different types of location within the relevant density ranges, which are similar in this case to those referred to in Strategic Policy 5. The supporting text makes clear that the densities should not be applied mechanistically. However, I do not consider that this means that carte blanche is provided to exceed the ranges but rather that flexibility is appropriate within the ranges. If that were not the case it is not clear what the purpose of the ranges would be. It seems to me that the clue is in the word "optimising", which is not the same as "maximising" and implies that the ranges have been carefully considered taking account of other factors, such as the need to achieve high quality design, public transport capacity and proximity and local context and character [27; 28; 34; 184; 185].
344. The settled position at the inquiry was that the density of the appeal scheme would be 984 hrpha. This would be 40% above the ranges outlined above in both the CS and the London Plan and to that extent the proposal would not comply with them. Insofar as the effect of higher densities manifests itself in other harmful impacts it could reasonably be argued that it is those effects that need to be assessed rather than the density itself. This will be considered in the next section and also under Consideration Four [23; 134].
345. The emerging New London Plan does not set density guidelines but rather seeks to provide a criteria-based approach to making the best use of land whilst achieving high quality development. This leads to the matter of exemplary standards of design, which is referred to in Strategic Policy 5 as a justification for exceeding density ranges in Opportunities Areas and Action Area Cores. The Council considered that the proposed development would be acceptable in density terms if its design was exemplary. It is also noted that policy 3.5 in the London Plan indicates that delivery of elements of the policy could be compromised in the event that the development proposal is demonstrably of exemplary design and contributes to achieving other objectives of the Plan [29; 125; 188].
346. Saved policy 4.2 in the Southwark Plan is a permissive policy that seeks to ensure that good quality living conditions are achieved. High standards of accessibility, privacy and outlook, natural daylight and sunlight and outdoor space are expected. However, even if such standards are not achieved the specific policy wording does not seem to me to provide a basis for refusal. However, this is to some extent inconsequential as one would expect a scheme that is of exemplary design to generally achieve the good quality living

conditions referred to in the saved policy. When considering exemplary design, it was agreed that the relevant standards are those summarised in the various bullet points on pages 8 and 9 of the *Residential Design Standards Supplementary Planning Document* (RDS SPD) [25; 137].

347. There is no dispute that the Council can demonstrate a 5-year supply of deliverable housing sites in accordance with paragraph 67 of the Framework. Furthermore, there is no allegation that the most important policies for the determination of the appeal are not consistent with Framework policy. The presumption in favour of sustainable development and the "tilted balance" do not therefore apply in this case [178].
348. The Appellant places much reliance on emerging policy, particularly in the New Southwark Plan. In terms of design, draft policy P9 (as proposed to be modified) requires that all development should be to an exemplary standard. The Parkhouse Street PIL, excluding 45 and 47 Southampton Way but including the small part of the appeal site not previously designated, is allocated for mixed-use development under draft allocation NSP23. This includes various requirements, including the provision of new homes and re-provision of the amount of B Class floorspace currently on the site or at least 50% of the new floorspace for employment purposes. There are other provisions as well which will be considered later [58].
349. However, there are two points to make here. At the time of writing the New Southwark Plan had not been submitted for examination. Furthermore, there have been representations to the draft allocation, which both object and support its provisions. In accordance with paragraph 48 of the Framework, it seems to me that only limited weight can be given to this draft policy. This is actually a conclusion with which the Appellant agrees. It is also relevant to note that the reference to employment uses in draft policy P26 refers to site allocations. The site allocation in NSP23 relates to the appeal site and also the surrounding uses. Its provisions should therefore be considered for the whole allocation and not parts of it [59; 76].

CONSIDERATION TWO: DENSITY AND EXEMPLARY STANDARD OF ACCOMMODATION

350. There was much debate at the inquiry about the correct approach to considering whether an exemplary standard of design would be achieved. It seems to me that it would be unreasonable to expect a development of this scale and complexity to be perfect in every respect. The RDS SPD makes clear that in order to be exemplary the residential design standards should be exceeded. However, that is not to say that every part of the development must necessarily comply with every relevant standard in every respect. Compromises are inevitable and an overall judgement will need to be made. The Mayor makes this point in his Housing SPG where he says that a failure to meet one standard would not necessarily lead to a failure to comply with the London Plan but that a combination of failures would cause concern⁹² [28; 40; 137].
351. In applying a flexible approach though it is important to be clear that the bar is a high one and that the quality of the new living environment must be better

⁹² See *Document CD C4, paragraph 2.1.18*.

than adequate or satisfactory. Density is relevant to a consideration of this issue to ensure that optimising the housing output and providing excellent standards of accommodation have been successfully balanced.

352. I turn now to consider how the development matches up to the relevant standards individually before taking a balanced view as to whether or not the living environment for new residents could be considered exemplary. It should be noted that one of the criteria of exemplary design in the RDS SPD relates to the relationship of the scheme to its context. This is dealt with under Consideration Four.

Floorspace standards

353. The standards for new residential accommodation in the RDS SPD reflect those in policy 3.5 of the London Plan and the Government's national space standards. I would expect exemplary accommodation to not only meet the minimum requirements but significantly exceed them. The evidence suggests that at least 38 of the units (7.6%) would not meet the minimum space standards. The Appellant pointed out that at detailed design stage the wall thicknesses of the smaller units would be adjusted and that this would mean that the minimum standard would be reached in every case. However, the Council's assessment was not disputed that there would still be 187 units that would be at or within 1m² of the minimum standard. This was agreed by the Appellant not to be a significant exceedance and it would amount to over 37% of the total unit provision. The suggestion that a condition could be imposed to require minimum space standards to be achieved at construction stage would not resolve the issue. There would be a significant proportion of homes that would not have a standard of internal floorspace that would be better than adequate or satisfactory [37; 140].
354. Furthermore, the 5-person wheelchair accessible homes in Block M would fall below the space standard for a home for this number of people. Whilst there is nothing to prevent these being re-labelled as 4-person units with a spare single bedroom that seems to me to be somewhat disingenuous. People may choose to occupy their dwellings in all sorts of ways, for example a single person may choose to live in a 2-bedroom flat. On the other hand, that flat may be occupied by 2 people. The point therefore is that the unit should be of a size that would accommodate either eventuality. It follows that if the wheelchair units have two double bedrooms and one single bedroom it is not unreasonable to expect that it should meet the space standard for a 5-person unit [38; 139].
355. The Appellant has done an exercise that shows that over the scheme as a whole the total residential floorspace provided would be just under 4% more than the total minimum floorspace requirement, including the larger size requirements for wheelchair units. However, this does not seem to me to be a good method of assessing whether the units overall would be better than adequate or satisfactory for those living in them. This is because there are a small number of units that would be much larger, and this inevitably influences any averaging exercise undertaken.

Amenity space standards

356. The proposal would provide a mix of private and communal amenity space as well as children's play space. Each type of space would serve a different

- function. The RDS SPD indicates that houses should have private gardens of at least 50m² and that the length should be a minimum of 10m. Flats should have private amenity space of 10m² and for those with 2 or less bedrooms a shortfall can be made up as part of the communal space requirement, subject to the minimum size for a balcony being 3m² [39; 356].
357. Three of the five houses in Block A would not meet the private amenity space standard but the other two would significantly exceed it. Even though these dwellings would back onto Burgess Park there is proposed to be a solid boundary fence with no direct access to this amenity area from these houses. Of the flats, 21% would have 10m² or more of private amenity space and 30 flats would have in excess of 20m². The corollary to that is that 79% of the flats, some of which would be 3-bedroom and thus suitable for families, would have less than 10m² private amenity space. Furthermore, some flats would have no balcony or terrace at all, although the Appellant considered that this would be compensated by the provision of larger internal living spaces. Nevertheless, over the site as a whole there was no dispute that there would be a shortfall of 1,581m² of private amenity space [39-41; 356; 357].
358. The RDS SPD indicates that 50m² communal amenity space should be provided per development. However, in a development of this scale it would seem reasonable to apply this standard to each of the communal spaces provided and this is the approach that the Appellant has taken. Communal amenity space would be provided within roof gardens on Blocks B, D, E and L and between Blocks J and K. Podium gardens would be provided at first floor level between Blocks F and G and between Blocks H and I. The latter two amenity areas would be linked by a bridge. Apart from the space on Block E, which would be 50m² and therefore at the minimum standard, all the others would be considerably larger, particularly the podium gardens and the space on Block L and between Blocks J and K [147; 358].
359. However, there is also the shortfall in private amenity space to be taken into account. The evidence suggests that when this adjustment is made the communal amenity provision on several of the blocks would be well below the standard in the RDS SPD. Over the site as a whole the shortfall would be 1,060m², which would not be insubstantial. Furthermore, the affordable units in Block C would have no communal amenity space at all. The Appellant justified this by providing the 6 x one-bedroom units with a dual aspect and balconies of 6.6-7.7m². This seems to me rather inadequate and it was suggested that a small communal courtyard could be provided at the end of the service yard at the back of Block C. However, this would clearly be a very unsatisfactory arrangement, not least because of the proximity of manoeuvring service vehicles [148; 150; 359].
360. A total of 918m² of equipped play space for 0-5 year old children would be provided in the podium gardens and within the communal roof gardens of Blocks E and L. Whilst this would exceed the necessary requirement of 810m², it would be part of the communal amenity space provision rather than being additional to it as the RSD SPD indicates that it should. This reinforces my concerns regarding shortfall. No provision would be made on-site for children over 5 years old [42; 360].
361. The proximity of Burgess Park should be taken into account when considering

- whether the level of amenity space and on-site play space for older children would be satisfactory. Burgess Park is a very large green space with many facilities for recreational pursuits. There are also equipped playgrounds and adventure playgrounds within a 10-minute walk of the appeal site for older children to enjoy. However, it should also be borne in mind that the function of these different types of amenity space is rather different with the on-site provision being used for more intimate socialising with friends and neighbours and for older children to play in relative safety near to their parent's homes. Account should be taken of the alternative provision, which is very good in this case. Nevertheless, the extent of the shortfall is a matter of some concern and will be included in the overall consideration of whether the living conditions in this development would be exemplary [13; 42; 150; 204; 361].
362. There is no reason why the various communal amenity spaces and play spaces should not be quality landscaped areas and this can be controlled through planning conditions. Not all blocks would have their own communal amenity space but apart from Block C all residents would have relatively easy access to the roof top or podium spaces. A condition would require details of how residents could access the amenity space within another block whilst maintaining security for the residents living there. Block A has no specific provision for community amenity space, but I consider that this is less important as these houses have their own gardens, albeit that three of them would be relatively small. Children from these houses would be able to play safely in their own private space or else be taken the short distance to the street level play space.
363. I do though have some concerns about the location of the street level play space outside Block E, bearing in mind the width of the street and possible conflict with servicing vehicles. I do not consider that this is an ideal arrangement by any means. The space would need to be carefully laid out and segregated to ensure that children could play safely [151].
364. There are parts of the proposed development where public areas would have restricted sunlight. The RDS SPD requires good daylight and sunlight standards to be achieved. The BRE Guidelines recommend that, as a check, half of an amenity area including a children's playground should receive at least 2 hours of sunlight on 21 March. The evidence indicates that the podium areas and the children's street level play space would not receive any sunlight on this date. Even on 21 June, when the sun is at its highest point in the sky, the southern podium terrace would only receive a very small amount of sunlight in its northern corner. It is appreciated that the northern podium terrace would receive full sunlight at this time and that a shady spot may be welcome for some. However, nearly the whole amenity area and associated play area would be overshadowed by the tall buildings around it. I consider that it would be unlikely to be an attractive, bright and welcoming amenity space for residents to enjoy [44; 45; 149].

Sunlight and daylight

365. The Framework indicates that when seeking to optimise housing densities, a flexible approach should be taken to applying policies or guidance relating to sunlight and daylight. This is so long as the development would result in acceptable living standards being provided. The Mayor's *Housing Supplementary*

Planning Guidance (Housing SPG) advocates that standards of daylight and sunlight should not be applied rigidly in higher density developments. The RDS SPD indicates that exemplary development should meet good sunlight and daylight standards. The BRE Guidelines should be used in this context, recognising that they are advice rather than policy [47; 48; 143].

366. A daylight assessment was carried out for submission with the planning application. This considered the Average Daylight Factor (ADF) for 698 habitable rooms on the ground, first and second floors of the development, which would be expected to be the worse performing. Of these 78% met the BRE Guidelines. Those that did not included bedrooms, where a lower level of daylight could be tolerated. Of the 55 living rooms that did not meet the recommended ADF value of 1.5%, 32 reached a value of between 1% and 1.485%. The remaining 23 were affected by balconies, which would restrict light but provide private amenity space [49; 142; 197; 366].
367. For the appeal, a different assessment was undertaken. This considered 882 habitable rooms of which 87% were found to meet recommended levels of ADF. However, it is to be noted that this analysis selected units on the first 8 floors and omitted a number of the poor performing units on the lower floors. It seems to me therefore to be less robust or representative of the likely outcomes. Of the 118 rooms that did not meet the recommended values, the shortfall was relatively small in all but 8 of them. Of these, 3 were living rooms on the lowest floors and would be overhung by balconies. The others were bedrooms or kitchens. A comparison was also made with other sites in the vicinity, including the Aylesbury Masterplan on the northern side of Burgess Park. Whether or not these comparator sites are in Action Areas or Opportunities Areas does not seem to me to be of particular importance because these higher density areas still require exemplary standards of accommodation [50; 51; 197; 367].
368. The RDS SPD expects natural light and ventilation to kitchens and bathrooms. In this case only 18% of the units would have bathrooms with an external window. Many of the kitchens would be part of a living and dining area or else would be provided with glazed doors to allow light to penetrate [154; 368].

Privacy and outlook

369. There would be a number of places where windows would face directly into other living room windows at a distance of less than 12m. This would have the potential for diminution of the privacy for future occupiers. The main parties have agreed that this could be mitigated through the use of screening devices or obscure glazing [153].
370. Block B would have windows and balconies facing eastwards. As things stand these windows would face towards an existing warehouse. However, some would be in close proximity to the site that the Council intends to redevelop with mixed-use buildings. If and when this takes place the present plans indicate that the nearest facades would be side elevations. The units on this side of Block B would be single aspect and I consider that here it would be likely to unduly interfere with the outlook from the units in question if their windows were either screened or obscure glazed. Nevertheless, screening devices to the first-floor balconies of these dwellings could be provided and this would ensure a reasonably private amenity area [153].

371. Blocks D and E would back onto the redeveloped Big Yellow self-storage facility at distances of 6-10m. Taking account of the height of this structure, the outlook from first and second floor windows in this direction would be compromised. In most cases the affected windows would serve bathrooms or kitchens. In the case of four flats, a third bedroom would also be affected. However, these would be large, triple aspect units and so any detriment overall would be very small [52; 152].
372. Blocks J and M would be within 1-3m of the scaffolding site. I was not made aware of any proposals to redevelop this site at present, but it is quite possible that this may happen in the future if the draft allocation NSP23 in the emerging New Southwark Plan for mixed-use development is carried forward. The units in question would be dual aspect and a number of the windows would serve bathrooms. In the circumstances it is not unreasonable to expect that the appeal site should not compromise any future development proposals on the adjacent land. Potential effects could be controlled through privacy screening or opaque glazing.
373. Planning conditions could be imposed to require obscure glazing or privacy screening where necessary as detailed above. This need not compromise the outlook from the units in question if it is sensitively done. However, there could be an effect on light penetration to the interior of the residential units. This is not a matter that has been considered in the assessments but would be relevant to the quality of the living spaces [153; 198; 304].

Noise

374. Various planning conditions have been recommended that would ensure that the proposed dwellings would have a good internal noise environment. This is important in view of the proximity of the units to commercial uses and street activity [306].
375. There are also noise sources external to the site. The Babcock Depot at 25-33 Parkhouse Street operates an emergency vehicle rescue operation on a 24-hour basis. The evidence suggests that low loaders drop vehicles off, some sit outside the site waiting with their engines running and vehicular movements take place during the night-time hours. A planning condition requires that the internal noise environment of the residential units should comply with BS 8233:2014 *Guidance on sound insulation and noise reduction for buildings*. This would protect against noise ingress from external noise sources [208; 209].
376. To the south of the site is the BCM scaffolding operation, which operates during daytime hours. Noise levels on some of the nearest balconies are predicted by the noise model in the ES to reach levels of 72 dB LA_{eq,T}. This would be well in excess of the 55dB LA_{eq,T} recommended in BS 8233:2014 for external amenity areas. The guidance points out that such levels often cannot be achieved in urban areas. Also, the Planning Practice Guidance says that higher noise levels can be acceptable where there is a quieter communal amenity area or public park nearby. This is the case here with the on-site communal amenity spaces and Burgess Park within easy walking distance. In addition, the hours of use of the scaffolding site are restricted and, in these circumstances, it seems to me that the balconies would provide private amenity value during the times when they would be most likely to be used [53; 54; 210].

377. Paragraph 182 of the Framework requires that developments should be effectively integrated with existing businesses. Existing operations should not have unreasonable restrictions placed on them as a result of development permitted after they were established. This is the *agent of change* principle requiring that suitable mitigation should be provided. In this case it seems to me that adequate safeguards through planning conditions would be provided to ensure that the noise environments inside and outside the new residential units would be sufficient to avoid justifiable complaints being made in relation to noise [55; 207; 209].

Conclusion

378. The Appellant was keen to emphasise that each dwelling was considered individually to ensure that a successful balance was achieved to result in an exemplary outcome overall. For example, balconies were not provided to some units in favour of more light and increased internal space. However, looked at in the round I consider that there have been too many compromises made in this case. The size of a significant proportion of the residential units and wheelchair housing is of particular concern [36].
379. In addition, the quantum of amenity space being proposed would not meet, let alone exceed, the standards in the RDS SPD. It is acknowledged that some flats would have very large balconies but that would not make up for the fact that some would have no balcony at all, that over two thirds would have balconies of less than 10m² in size and that some of these would be family sized units. Furthermore, there would be inadequate compensation through provision of communal amenity space, which would not only fall short by a significant quantum but would also include the play space for 0-5 years old children, which should be accounted for separately.
380. It may be the case that balconies have been removed for aesthetic reasons or to let more light into the units. It may also be the case that some flats have been compensated by greater internal floorspace. However, private amenity space does have an important function to individual wellbeing that is rather different to the purpose of the communal areas. Whilst Burgess Park is close at hand and would provide residents with a very convenient option for informal recreation, this would not, in my opinion, make up for the degree of shortcoming on the site itself. Furthermore, the quality of some of the children's play space is not what I would consider ideal for the reasons I have given.
381. It seems to me that overall the levels of light received would be acceptable although there would be individual flats where this would not be the case. There would also be a large number of internal bathrooms with no external window as expected in the RDS SPD. Nevertheless, I conclude that the compromises that have been made in the design of the development have been at the expense of the overall quality of the living environment. I do not judge this scheme to be exemplary in terms of the living conditions that it would provide. Even if it could be considered acceptable or satisfactory in the round, this would not be sufficient to justify a density that would be 40% above the accepted range in local and strategic planning policy.

CONSIDERATION THREE: EMPLOYMENT LAND AND PREMISES

Policy context

382. The majority of the site is within, and comprises a large part of, the Parkhouse Street PIL. It is the only such Borough designation outside the Old Kent Road Action Area and the existing industrial and warehousing uses are protected in the development plan through saved policy 1.2 in the Southwark Plan and Strategic Policy 10 in the CS. Insofar as other uses are proposed to be introduced, most notably residential, the appeal development would conflict with the development plan in this respect. These policies are consistent with the Framework and there is no dispute on this point by the Appellant [56; 58; 156].
383. Policy 4.4 in the London Plan seeks to ensure that there is sufficient stock of land and premises to meet the future needs of different types of industrial and related uses. It requires local plans to show how boroughs will plan and manage their stock of industrial land in line with these objectives. PILs are to be identified and protected where justified by evidence of demand and the change of industrial land to other uses in Southwark is within the grouping of *limited transfer (with exceptional planned release)*. The Local Group was concerned about the loss of industrial floorspace in the Borough and its effect on the workforce employed in this sector. In the emerging New London Plan, Southwark falls within the *retain* category where the policy objective is to keep sufficient land available to meet market demand. This reflects the strategic concern about the continuing loss of industrial land [57; 77; 219-221].
384. The Council is not opposed to mixed-use redevelopment in principle. This would accord with the draft allocation in the emerging New Southwark Plan and also follow the approach in the Council's own planning application at 21-23 Parkhouse Street. However, as already mentioned this emerging plan has not yet been submitted for examination and there are unresolved objections to the mixed-use allocation. In such circumstances its provisions only have limited weight and this is not disputed by the Appellant [58; 157].
385. In any event, draft policy P26 in the emerging New Southwark Plan would only support a mix of uses on this industrial land provided the development includes a substantial amount of employment floorspace. This is reflected in the draft allocation NSP23 where it is made clear that redevelopment *must* re-provide at least the amount of Class B employment floorspace currently on the site or at least 50% of the development must be Class B floorspace [59; 157; 215].
386. The proposal would provide 4,404m² of commercial floorspace of which 3,725m² would be B class uses. The existing site comprises 12,559.30m² of B Class floorspace and so the appeal scheme would result in a loss of some 8,834m². However, 10-12 Parkhouse Street has prior approval for conversion from office to residential use. This expires in 2020 but there was no evidence that it would be unlikely to be renewed. It is, from all accounts, included in the Council's housing land supply as a deliverable site. In the circumstances, it does not seem to me unreasonable to remove this floorspace (2,104m²) from the calculation, which would result in a loss of 6,730m² of Class B uses on this site [68; 162; 163].
387. However, the draft policy is not constructed on a site-by-site basis and its provisions relate to the allocation as a whole. The overall Class B floorspace in

the PIL was 23,317.6m² prior to recent redevelopments, most notably the Big Yellow self-storage development, which have resulted in a substantial increase. This means that if the appeal development were to go ahead the net loss of Class B floorspace in the PIL would only be 2,870m². If the 10-12 Parkhouse Street were also to be removed from the calculation, the loss to the allocation would be just 766m². This would be a relatively small proportion of the total in the PIL. When considering the amount of B Class floorspace that must be provided in any redevelopment scheme, the draft allocation expresses no preference between total re-provision and 50% of the development floorspace. The appeal proposal would not comply with either alternative. However, on a fair reading of the emerging policy it seems to me that the conflict that would arise would be relatively small [59; 79; 216].

Refurbishment or re-provision of existing Class B floorspace

388. There was a considerable amount of debate at the inquiry about the state of the existing buildings and whether they would be suitable for refurbishment and re-use. It was generally agreed that Unit 1 was beyond repair and would need to be demolished. At the site visit I went into the buildings and saw that many of them are being occupied by meanwhile uses or used for storage. Unit 9 is being occupied as an office by Swiss Postal Solutions and Unit 2 had until recently been occupied by Fruitful Office Ltd. On the western side of Parkhouse Street, the warehouse at Nos 15-19 was also being occupied by a meanwhile use. As I understand it the curator of the meanwhile uses, Arbeit, does not pay rent for the use of the buildings and so is able to offer space to the various small business users on a low-cost basis.
389. I was told that many of the buildings on the main part of the site were re-clad when the current owners bought the site in the 1990s. Nevertheless, since that time there has by all accounts been little further investment. I have carefully considered the view of the Local Group and the Council that the existing buildings could be refurbished. However, these views were without the benefit of any internal inspection by a qualified professional or any expertise in viability appraisal. In the circumstances, I consider that the Appellant's expert evidence on the matter is to be preferred. This concluded that most of the buildings are now generally in poor physical condition and would be unattractive to industrial tenants providing any reasonable commercial return [62; 63; 222].
390. Although I saw a large number of parked cars on the site, which gave the impression of activity, I was told that many of these were let out on separate license and had nothing to do with the use of the buildings. Taking all of these points into account, I consider that refurbishment and re-use of existing buildings other than 10-12 Parkhouse Street, would be very unlikely as a realistic or viable scenario.
391. The proximity of existing residential uses, limitations with road access and distance from strategic routes would tend to favour light industrial and smaller scale storage uses providing services to support the central London economy rather than Class B2 and larger scale logistics uses. Nevertheless, the evidence suggests that the PIL is functioning well as an industrial location as demonstrated by the redevelopment of the PHS and Big Yellow sites. The Local Group provided informed evidence of strong demand for industrial premises in the local area. The Council has indicated that it has received strong interest

from workspace providers about the affordable workspace in its proposed development at 21-23 Parkhouse Street. Furthermore, I note that Arbeit, the curator of the meanwhile uses currently operating from the site, has indicated interest in taking creative workspace in the appeal development. It seems therefore that there would be demand for the sort of uses that could be provided on this site [71; 73; 158-160; 168; 213; 223-224].

392. It is acknowledged that demand for industrial floorspace alone would not be sufficient to ensure that redevelopment would take place. A developer must be confident of sufficient return and that there would not be better investment yields available elsewhere. However, the Appellant confirmed at the inquiry that there had been no viability assessment of a scheme to redevelop the existing site for Class B purposes. I also note that no marketing exercise has been undertaken to test whether or not such a project would be likely to attract interest. Whilst marketing is not presently a policy requirement, the lack of any such market investigation means that this scenario cannot be ruled out [70; 215].
393. It is the Appellant's contention, based on market experience, that any redevelopment would be on the basis of a plot ratio of 40%. However, the Local Group provided examples where much higher densities had been successfully achieved. Much would depend on the nature of the use and its requirements for servicing and parking. However, as I indicated above, large scale logistics would be unlikely to be attracted to a site like this. If more effective use is to be made of land, especially in urban areas, there will need to be a more creative use of space and it seems to me that compromises will have to be accepted on such matters as parking, servicing space and public realm improvements. It is noted that the emerging New London Plan indicates that a plot ratio of below 65% would require exceptional justification. The Appellant has calculated that on this basis, and excluding 10-12 Parkhouse Street, re-provision would be in the region of 8,502m². I consider this to be a reasonable assessment of what could be provided through a redevelopment of the site with Class B uses [67-69; 165; 213].
394. Excluding the meanwhile uses, there are about 57 jobs currently being provided on the site. If Fruitful Office Ltd, who left only recently, were to be included this would increase to 137 jobs. The Council contended that if fully occupied the existing buildings could employ over 600 people. Whilst this may be possible in theory it took no account of the reality of the situation. I have concluded above that there is little probability that refurbishment and re-use would be a viable option. The Appellant's expert evidence was that redevelopment would most likely appeal to small B1c and Class B8 uses with a split of 30% and 70% respectively. On the basis of the Homes and Communities Agency standards this would yield some 134 jobs. I acknowledge that other types of small business workspace, including maker spaces, could yield a higher number of jobs. However, this is based on the existing meanwhile uses in refurbished buildings and not on any assessment of a potential redevelopment project [64-66; 82; 166].

The proposed provision and whether it would be suitable

395. There was a great deal of discussion at the inquiry about alternative arrangements for the co-location of employment and residential uses, including stacking of the commercial elements. Whilst the Appellant did not consider that

- this would be attractive to the market or potential funders it seems to me that much more imaginative solutions will have to be accepted if the increasing demands of competing uses are to be accommodated on limited urban land resources [72; 167; 214; 226-228].
396. Nevertheless, for the reasons I have given above, I consider that the development would result in a relatively small loss of Class B floorspace from the PIL. There would be some conflict with the emerging policy in this respect, but it would be limited. There would be 255 permanent new jobs, which would be substantially more than either what exists on the site at present or what could reasonably be expected if the site were to be redeveloped for Class B uses [66; 166].
397. *The Old Kent Road Workspace Demand Study* (2019) gives consideration to the type of employment uses that could be accommodated within a mixed-use development of the draft NSP23 allocation. It identified relatively affordable uses focused on light industrial, studio and workroom space; small and medium scale industry with yards and uses such as last mile distribution. Although Class B8 uses are not proposed in the appeal scheme, there would be flexible B1a-B1c uses with a mix of different sized maker units and creative offices along with a larger office and microbrewery. A condition is proposed that a minimum of 2,023m² of the Class B1 floorspace should be used for B1c purposes only. A condition is also proposed that would not permit the change of the Class B uses to other uses through the permitted development provisions. The Unilateral Undertaking (UU) includes an obligation to ensure that the commercial units would be properly marketed and managed and that they would be completed before half of the market housing units were occupied [167; 168; 225; 311].
398. The proposal would provide 10% affordable workspace, which would accord with draft policy P28 (as proposed to be modified) in the emerging New Southwark Plan. This draft policy seeks to ensure that priority is given to existing small and independent local businesses. This covenant would provide the necessary controls to secure affordable workspace that would benefit local target occupiers [61; 118; 327-329].
399. There was considerable criticism, especially from the Local Group, about the layout and servicing arrangements of the Class B uses. The layout indicates that most of the smaller units would be serviced through the three yards where frequent van deliveries could take place at times that would not have to be pre-planned. Whilst the microbrewery and some large making spaces would be serviced from the central street this would be controlled through a Delivery and Servicing Management Plan that would be subject to the Council's approval [83; 229; 230].
400. There was also objection to the design and layout of the units with large windows and inadequate access arrangements. Whilst the Local Group's evidence on this matter was informed by experience it was also made clear that the Appellant had been in discussion with potential occupiers and that the design had taken account of their needs and requirements. I consider it highly unlikely that the developer would be putting forward commercial units that would be difficult to rent or would remain vacant because of their unsuitability. In the circumstances I have insufficient evidence to conclude that this element of the appeal scheme would not be fit for purpose [229-230].

Conclusion

401. The appeal proposal would not comply with saved policy 1.2 in the Southwark Plan or Strategic Policy 10 in the CS because it would introduce housing onto land that is protected for industrial uses. However, the existing buildings are generally unsuitable for refurbishment on any sort of commercial basis, apart from 10-12 Parkhouse Street, which has prior approval for higher value residential uses. There was no evidence that a redevelopment with Class B uses would not be viable and I consider that it is not unreasonable to surmise that a scheme of about 8,502 m² could be provided.
402. The emerging New Southwark Plan introduces a different mixed-use approach to the PIL, under draft allocation NSP23. One of the requirements is that the existing Class B floorspace must be re-provided within the allocation site. Whilst on the site itself there would be a considerable loss of Class B floorspace, on the allocation the net loss would be relatively small. It is recognised that there is strong demand for industrial premises in Southwark but on the evidence, I do not consider that the appeal proposal would compromise that demand through a significant diminution in quantum or quality of Class B stock. In such circumstances I do not consider that policy 4.4 in the London Plan would be offended [57; 79; 174; 212].
403. There would be conflict with draft policy P26 and draft allocation NSP23, although this would be relatively limited, especially when the increase in jobs is taken into account. I conclude overall that the proposal would not result in a detrimental effect on the Borough's stock of employment land and premises, notwithstanding the above policy conflicts. I return to this matter in the planning balance.

CONSIDERATION FOUR: DESIGN QUALITY, CHARACTER AND APPEARANCE

404. The Council has raised no objections in terms of the appearance or scale of the proposed development or its effect on the character of the surrounding area. The Local Group's main concerns relate to the introduction of tall buildings on this site, whether the development would be of exemplary design and its effect on views from Burgess Park and the tower of St George's Church, which is a listed building [85]

Tall buildings

405. There is no dispute that the proposed development includes tall buildings. These are defined in the CS as those being over 30m tall or significantly higher than surrounding buildings. Policy 7.7 in the London Plan requires the location of tall buildings to be part of a plan-led approach for change and development of an area. It *generally* expects such structures to be limited to the Central Activities Zone, Opportunity Areas, areas of intensification or town centres with good access to public transport. Strategic Policy 12 in the CS establishes a number of locations where tall buildings *could* go, including Action Area Cores. Saved policy 3.20 in the Southwark Plan indicates that tall buildings *may* be permitted on sites that have excellent accessibility to public transport facilities and are located within the Central Activities Zone, particularly Opportunity Areas. The use of the terminology in the aforementioned policies (with my emphases), means that location is not necessarily definitive. However, there is a strong implication, in my opinion, that the locations referred to are preferable not least

- because of their good accessibility and regeneration opportunities [86; 232; 233].
406. Draft policy D8 in the emerging New London Plan requires boroughs to define what is meant by a tall building based on context and to identify in development plans where such buildings should be located. Draft policy P14 (as proposed to be modified) in the emerging New Southwark Plan identifies a number of areas with the highest level of public transport accessibility and the greatest opportunity for regeneration, where tall buildings are expected to locate. It also refers to individual sites where taller buildings may be possible, as identified in site allocations. Draft allocation NSP23 indicates that taller buildings could be included in a mixed-use development, subject to considerations of impacts on existing character, heritage and townscape [87; 234].
407. Development plan policy does not therefore preclude tall buildings on the site, although I am not convinced that it endorses them quite so enthusiastically as the Appellant believes. The emerging development plan does not add a great deal in this respect apart from perhaps a more positive approach through the draft allocation. However, this is subject to outstanding objections, which will be considered during the period of examination [234; 235].
408. Policy 7.7 in the London Plan includes a number of requirements for tall buildings to meet. These include incorporating the highest standards of architecture and materials, establishing a good relationship with the character of the surrounding area, contributing to an improvement in permeability and making a significant contribution to local regeneration. Strategic Policy 12 requires that tall buildings have an exemplary standard of design, make a positive contribution to regenerating areas and create unique places [232].

Effect on the existing townscape

409. The appeal site occupies the larger part of a wider industrial area. Whilst most of the existing buildings are not derelict or particularly unsightly, the site contributes little to the quality or attractiveness of the existing townscape. There is little dispute that its redevelopment could bring benefits to its surroundings and it is to be noted that changes are occurring in other parts of the industrial area, for example on the Big Yellow and PHS sites. Furthermore, there are planning applications or pre-application discussions relating to other sites in the PIL on the northern side of Parkhouse Street. This is clearly an area where regeneration is likely to result in considerable change over time [89; 90].
410. There is no doubt that the height and mass of the new development would be significantly different from the predominantly domestic scale of the host environment. Although there are higher elements at Elmington Green and Camberwell Fields, for example, these tend to be at key locations and are, in any event, significantly lower than what is being proposed on the appeal site. The Big Yellow building is a substantial construction, but its box-like structure will do little to visually improve its surroundings [12].
411. The lowest buildings would be the two-storey houses adjacent to Burgess Park. The adjacent Block B warehouse would be refurbished, and the two additional storeys would be recessed to reduce their impact on the park and existing dwellings. Within the main site, Block C would be three storeys in height to respect the two-storey houses at 1-13 (odd) Parkhouse Street. On the other side of the site, Block M would be 4 storeys in height, which would acknowledge

the domestic scale of the Wells Way houses. Around the arc of Parkhouse Street, the buildings would be 8-9 storeys in height with the upper floors set back. They anticipate the future redevelopment of the industrial sites on the northern side with high and large-scale built development [91; 92].

412. The optimisation of the existing land resource would be likely to result in a more intense form of development to what exists at present. However, that does not mean to say that it should not respect its receiving environment. In its desire to create a new mixed-use quarter of landmark significance I consider that there are elements of the scheme that would not be satisfactory in this regard. My main concern is the way that the development would rise up steeply from the perimeters of the site to a series of tall central blocks. These have been designed with a contemporary warehouse aesthetic, but their height and scale would result in an imposing cluster of buildings of considerable bulk and solidity when viewed from the surrounding area. It is appreciated that upper storeys would be set back and clad with metal finishes. Also, that façades would be articulated, including with projecting balconies. Nevertheless, the closely grouped tall blocks would, in my opinion, lack finesse or distinction. The brick chimney, which is an undesignated heritage asset and considered to be an important focal feature in the new development, would be diminished and rather overwhelmed by the scale and proximity of its new neighbours [10; 35; 238; 239; 240].
413. There would be advantages to the scheme, including the creation of an L-shaped street running through the centre to open up the site and introduce permeability. There is no reason why it should not be an active, vibrant space with its proposed outdoor "rooms" that visitors and those living and working there can enjoy. The space at the confluence of the two right angled arms of the street would be limited in size and would not, in my opinion, open out sufficiently to be perceived as square, either in appearance or function [92; 132; 240].
414. The proposed development was considered on two different occasions by the Design Review Panel at pre-application stage. The Appellant complained that on both occasions the constitution of the panel was different and that there was no continuity. However, changes were made as a result of their comments, including reducing the overall height of the scheme and introducing the service yards. Nevertheless, the second Design Review Panel concluded that the design of the buildings appeared overly repetitive and lacked distinction. They raised significant concerns about the height and massing. Strategic Policy 12 states that the Design Review Panel has an important role in assessing design quality and it seems to me that the views of its qualified architects should be afforded significant weight. Although the comments related to an earlier iteration of the scheme when the proposal was to include a tower of 14-storeys, the overall concerns about height and massing remain valid and concur with my own in this respect [91; 190; 191; 240].

Burgess Park and St George's Church tower

415. The Local Group was particularly concerned about the views of the proposed development from Burgess Park and its visual interaction with the distinctive tower of the former Church of St George on Wells Way. I made an extensive visit to Burgess Park and looked towards the site whilst moving through the

open space as well as seeing it from various viewpoints. I observed that urban development is a feature in many views out of this open green space. Examples include the distinctive towers of the Wyndham and Comber estates to the west; the high buildings and urban regeneration of the Aylesbury Estate to the north, which is currently being regenerated; and the tall buildings to the east within the Old Kent Road Action Area. However, to the south the outlook is greener and the urban area is less apparent. This is mainly because the buildings are smaller scale and there is a thick band of trees fringing this edge of the park, which provide a screen especially in the summer months. The distinctive ornate tower of the listed church rises resplendent above the treetops [13; 93; 241; 243; 276].

416. In mid-distance views and looking south-west from the main central footpath, the upper parts of the new building blocks would be apparent above the tree canopies and adjacent to the church tower. It is also to be noted that the 10-storey building proposed on the Council's site at 21-23 Parkhouse Street would also be seen within this view. Whilst this should be considered within the context of an urban park fringed with built development, there would be a degree of harm to the existing character of this edge of the park. This is clearly a well-used area that provides a valued amenity enjoyed by local people and visitors alike. Whilst they will have a kinetic experience and the picture will continually change, it seems to me that it would be diminished to some degree by the introduction of tall buildings within this vicinity [241; 242; 281; 282].
417. St George's Church was originally within an intensely developed urban location and Burgess Park comprised an area of terraced housing traversed by the Grand Surrey Canal and the wharves and factories associated with it. The area suffered considerable bomb damage in the Second World War and it was cleared over a prolonged period. The canal fell into disuse and was filled in although the creation of the park has been a project over many decades and the last phase did not take place until the 1980s. The setting of the church, which closed in 1970 and was subsequently converted to flats, has therefore substantially changed. It seems to me that its primary setting is primarily provided by the churchyard and that this would not be affected by the proposed development.
418. The park contributes to an appreciation of the heritage asset and in particular to its distinctive ornate tower. This would no doubt have been a distinguishing wayfinding feature within the urban environment in which the church originally stood. Today it still contributes that function in that it is clearly seen from many different viewpoints in the surrounding townscape. From the park it appears above the treeline with little distraction in the immediate vicinity. The new blocks would result in tall flat roofed elements which would, in my opinion, compete for attention to some degree. There would be a small degree of harm to the significance of the listed building. I consider that this be at the low end of the scale of less than substantial harm in terms of paragraph 196 of the Framework. I return to consider this further in the planning balance [93; 243].

Conclusion

419. Drawing together the above points, I consider that the proposed development would cause some harm to the character and appearance of the area and fail to relate successfully to the existing townscape context. Whilst the proposal would provide permeability through the site, which would be a positive factor, the

design overall would not be exemplary for the reasons I have given. For all of these reasons I conclude that the proposed development would conflict with policy 7.7 in the London Plan, Strategic Policy 12 in the CS and policy 3.20 in the Southwark Plan.

CONSIDERATION FIVE: ACCESSIBILITY AND TRANSPORT

420. The concerns of the Local Group related principally to the safety of pedestrians, the ability of local buses to cope with the anticipated additional patronage and the inadequacy of car parking within the surrounding streets. However, following discussions during the inquiry they agreed that the objections could be addressed through mitigation measures provided in the UU⁹³. Whether these would be acceptable would of course depend on whether the relevant obligations would meet the provisions under Regulation 122 of the CIL Regulations. I consider this below [3; 181; 84].

Pedestrian safety

421. The Transport Assessment has identified an increase in footfall along Parkhouse Street and at the junction with Wells Way. The Local Group is particularly concerned about the safety of pedestrians crossing within the vicinity of the junctions of Coleman Road, Wells Way and Parkhouse Street. They have cited a cluster of accidents within this vicinity between 2013 and 2016. However, the evidence indicates that most of these happened prior to works being undertaken in 2015, including a kerb buildout and new pedestrian refuge. Since this time there was only one personal injury accident recorded involving a pedestrian.

422. The UU includes two alternative solutions. The Appellant's preference is for a raised table to be provided at the junction of Parkhouse Street and Wells Way with uncontrolled crossing points on each arm of the junction. The existing central refuge on Wells Way would be removed. This seems to me to be a reasonable and proportionate response to the concerns of the Local Group. I do not consider that there is sufficient justification to require an additional report on pedestrian safety or further mitigation at these junctions [84].

423. Parkhouse Street will be a main pedestrian thoroughfare into and out of the site. There are covenants that include widening footways, improvements to wayfinding signage, traffic calming measures and upgrading of street lighting. A covenant requiring £50,000 towards the surfacing of Parkhouse Street does not seem to me to be justified especially as re-surfacing of the carriageway would be carried out as part of the S278 highway works. The Appellant's approach would be to use a variety of surfacing materials in order to reduce vehicle speeds. The Local Group's objection seems to be that this would be disadvantageous to cyclists. However, I see no reason why this should be the case if the surfacing is carefully considered with all road users in mind [84; 266]

Buses

424. The proposed development would not provide car parking for residents other than those with disabilities. The site has a low accessibility rating of PTAL 2,

⁹³ As there was no formal evidence by the main parties on this issue I have relied in this section mainly on the written evidence by the Local Group and the Appellant. This may be found at **Documents POE 8, POE 9, POE 23**.

apart from the western section where it rises to PTAL 4. This particularly reflects the distance from the nearest underground stations of Oval and Elephant and Castle. In such circumstances it seems likely that bus travel would be a popular modal choice either for linked trips to the station or else for the whole journey [126; 263; 264].

425. There are regular bus services into central London with routes along Wells Way and bus stops convenient to the appeal site. TfL has indicated that capacity is not a clear issue at the moment although local people have a rather different view. I was told that these particular services can be very congested, especially during peak periods [263; 264; 274; 276].
426. There is a considerable amount of growth planned for the area, including around Old Kent Road. TfL therefore considers that there may be capacity issues in the future. It has asked for a contribution of £360,000 to cover the costs of providing an extra bus in the morning peak for a period of 4 years. After this time TfL would expect to provide the necessary funding itself. The contribution is related to the cost of providing this extra bus but would only be sought in the event that TfL considered that capacity issues justified it. The relevant mechanisms are included in the UU and this approach seems reasonable and proportionate [263; 264].

Car parking

427. On-street parking in the vicinity of the appeal site is limited by virtue of a Controlled Parking Zone (CPZ). There is an obligation in the UU that all occupants are to be informed that they would not be entitled to apply for a parking permit or buy a contract to park in any Council car park. This would exclude those holding a disabled persons badge who would have provision to park on the street. This is not an unusual provision and one that is justified in this case. It would be brought into effect through Section 16 of the Greater London Council (General Powers) Act 1974.
428. In this CPZ the parking restrictions only apply between 0830 and 1800 on weekdays and the Local Group is concerned that new occupiers could still park locally in the evenings and at weekends resulting in capacity issues for existing residents and highway safety issues as people drive round looking for a space. The Deed includes a covenant to pay £10,000 to fund a study. This has been worked out as the cost of carrying out a survey at night to identify the scale of demand for kerbside parking outside CPZ controlled hours. It would also include the cost of consultation to see if any proposed changes would be supported by the local community [84].
429. There is no evidence that the area suffers from parking stress outside controlled hours at the moment or would be likely to do so with the development in place. I agree with the Appellant that it would take a great deal of dedication for a car owner living in the development to rely on kerbside parking. There may be some who would have parking provision at work or use their cars to travel but they would have to be confident that such arrangements were in place every day of the week. It seems to me that many people choosing to live in a car-free development would not be car owners and would make their journeys by public transport.
430. It is noted that the UU includes membership of a car club scheme for three

years, with the provision of two spaces near the site. This accords with draft policy P52 in the emerging New Southwark Plan and seems to be a reasonable provision and one that would further discourage the inconvenience and expense of car ownership in this location. For all these reasons I do not consider that the evidence is sufficient to demonstrate that an unacceptable issue would arise in this case or that the obligation regarding the contribution towards the CPZ Study would be necessary.

Other provisions

431. Cycling is also likely to be a popular alternative modal choice. TfL has requested a contribution to pay for a cycle docking station close to the site, which would accord with the provisions of policy 6.9 in the London Plan. The contribution of £150,000 in the UU relates to the reasonable cost of providing a medium-sized facility [265].
432. There is also provision for Travel Plans to be submitted in respect of both the residential and commercial elements of the scheme. These would be controlled through planning conditions and would be in accordance with the Framework Travel Plan and Interim Residential Travel Plan already submitted in the ES. These plans make provision for targets to be established for non-car travel modes and subsequent monitoring and review to ensure that they are being met [84].

Conclusion

433. Notwithstanding the low PTAL level for much of the site, it can be concluded that with the proposed mitigation in place the site will be sufficiently accessible and public transport will have sufficient capacity to enable new residential occupiers, employees and visitors to the site to travel by modes other than the car. The proposal would be in accordance with saved policy 5.3 in the Southwark Plan concerning walking and cycling and the Framework in terms of promoting sustainable transport. Furthermore, I am satisfied that the development would not have an unacceptable impact on highway safety.

CONSIDERATION SIX: LIVING CONDITIONS OF EXISTING RESIDENTS

434. The appeal site is part of a larger industrial estate that lies within a predominantly residential area. The site itself includes one existing dwelling, 45 Southampton Way, which would be retained. The other half of the pair, No 47 has a rear addition containing residential units that are close to the site boundary. Nos 1-13 (odd) Parkhouse Street are Victorian houses that are on the western side of Parkhouse Street. They each appear to be subdivided into two flats and the new development would be opposite and behind them. In the case of No 13, there would also be development to the north. Nos 37-39 Parkhouse Street are a pair of semi-detached houses on the northern side of Parkhouse Street between the Babcock Depot and the PHS waste transfer site [12].
435. On the eastern side of Wells Way and opposite the site is a terrace of Victorian houses and a listed former vicarage that has been subdivided into flats. Beyond this is a detached house of modern construction. To the north of Coleman Road is frontage housing at 77-95 Wells Way, which is part of a larger modern estate. Whilst impacts of the development, due to its scale, would likely to be experienced by those living further afield, it is the aforementioned residential

properties that would be most affected [12].

436. Policy 7.6 in the London Plan seeks to ensure that buildings do not cause unacceptable harm to the amenity of surrounding residential properties in relation to privacy and overshadowing, particularly if tall buildings are involved. The Mayor's Housing SPG indicates that the BRE Guidelines should be applied sensitively to higher density development and take into account local circumstances, the need to optimise housing capacity and the scope of the character and form of the area to change over time. It advises that the degree of harm on adjacent residential properties and the daylight targets should be assessed drawing on comparable typologies. The aim is to achieve satisfactory levels of residential amenity and avoid unacceptable harm [96; 244]
437. Saved policy 3.11 in the Southwark Plan seeks to maximise the efficient use of land whilst protecting the amenity of residential occupiers, amongst other things. The RDS SPD relies on the BRE Guidelines to demonstrate no unacceptable loss of sun or daylight or overlooking. Draft policies in the emerging New London Plan and New Southwark Plan indicate adequacy as the measure of acceptability. The theme throughout is that guidelines should be applied flexibly and that a balanced approach should be applied [97; 98].

Daylight and sunlight

438. Daylight

439. The *Rainbird* High Court judgement confirmed that when considering the effect on daylight and sunlight there is a two-stage process. It is first necessary to consider whether there would be a material deterioration in existing conditions and second whether any such deterioration would be acceptable. The first step is a matter of calculation applying the BRE Guidelines. The second step is a matter of judgement [96; 100; 245].
440. The main parties agreed that the Vertical Sky Component (VSC) and No Sky Line (NSL) were the correct methodologies to use in the assessment of effect of daylight on existing residential properties. There was no dispute with their application, which was applied to all relevant windows on the aforementioned residential properties. In terms of the assessment it was agreed that a flexible approach should be taken but nevertheless there was dispute about whether the level of impact was acceptable [99].
441. The BRE Guidelines indicate that a window should retain a VSC value of 27% or should not experience a change of more than 20%. This is a measure of the external obstructions that will determine the amount of sky visible in the centre of the window. It takes no account of the size of the window, the room use or size, for example. The NSL value is a measure of light distribution within the room. The BRE Guidelines are that if there is more than a 20-26% change from the existing situation the loss of daylight would be noticeable. It was agreed that an adverse effect would occur if either of these tests were failed.
442. On this basis, there would be non-compliance with one or both of these tests experienced by the majority of the front windows of residential properties in Parkhouse Street and Wells Way facing towards the site following development. The rear windows of 45/47 Southampton Way would comply with the VSC values but 3 of the 7 windows would not comply in terms of NSL. There is also a

- building to the rear of No 47, which appears to contain four flats or live/ work units. The evidence suggests that the ground floor windows receive very low levels of light anyway. However, there would be more significant changes at first floor level, with most windows failing to comply with VSC values [101-106].
443. However, there was considerable debate at the inquiry about whether a 27% VSC value was realistic in an urban context, especially when higher densities are being encouraged to optimise the use of land. In endorsing a flexible approach, the BRE Guidelines recognise that different target levels may be appropriate. However, the *Rainbird* judgement did not endorse the view that the VSC guideline is only appropriate to a suburban environment or that its guidelines do not apply to inner city areas [99; 245].
444. The Appellant considered that a mid-teen level of VSC would be an acceptable value to adopt here. Reliance was placed on two decisions by the Mayor and an appeal decision where such an approach was endorsed. I note that these preceded the *Rainbird* judgement. Furthermore, it seems to me that what would be acceptable would need to take account of the degree and extent of transgression as well as the nature of the surrounding area and the planning policy pertaining to the site. I would not *agree* that this is a suburban area, but it is an area where housing is predominantly of a domestic scale. Extant planning policy does not specifically endorse high-rise high-density development on or around the appeal site. Whilst this may change in the future the emerging policy position has only limited weight at present [99; 247].
445. In terms of residual values, I do not consider that adopting a mid-teen approach to VSC would be appropriate as a test for acceptability for the reasons I have given above. Nevertheless, I accept that a VSC level of 27% may be hard to achieve and I consider that 20%, as discussed at the inquiry, would be a more appropriate yardstick to follow in this case. On that basis the Appellant's evidence indicates that there would be a number of existing residential properties that would have reductions in daylight that I would not consider to be acceptable⁹⁴ [248].
446. There would be more than marginal infringements to the ground floor living rooms of the flats at 7 and 11 Parkhouse Street. In the case of 13 Parkhouse Street the ground floor flat's front bedroom and side bedroom and the first-floor flat's front living room and side bedroom would be thus affected. This is likely to be because of the way the development steps up on the Parkhouse Street frontage and, in the case of No 13, due to the increase in height of Block B. In Wells Way the ground floor living rooms of a number of the terraced houses would be affected. In this case it is probably because of the height of the building on the corner of Parkhouse Street and Wells Way. As for the two-storey unit to the rear of 47 Southampton Way, there is limited information with which to make a judgement. Due to its location the windows facing towards the site boundary are already compromised by existing buildings. However, it seems likely that the development would make matters considerably worse for the upper floor windows [101-105; 248; 280-282].
447. It is acknowledged that the above analysis indicates that only a limited number

⁹⁴ This information has been obtained from the Appellants daylight and sunlight evidence (*Document POE 6, Appendix 7*).

of residents would suffer impacts on daylight that I would deem unacceptable. However, these are relatively small dwellings and for the residents who occupy them the proposed redevelopment would result in a significant diminution of the enjoyment of their homes.

Sunlight

448. The BRE Guidelines measure sunlight in terms of Annual Probable Sunlight Hours (APSH) and apply to all windows facing within 90 degrees of due south. The assessment shows that the only two windows that would suffer loss of sunlight in excess of the target values in 1-13 (odd) Parkhouse Street would be two of the three rooflights in the rear living room to the ground floor flat. The infringement would be relatively small although there would be a more noticeable change in terms of winter sunlight. In Wells Way there would be about 8 windows that would experience significant reductions to existing levels of sunlight received and would be below the target value by between 1% and 5%. Most would also experience reductions in winter sunlight beyond target values. I acknowledge that the infringements would be relatively small but nonetheless they would be likely to make the rooms in question gloomier and less inviting [278-280; 282].
449. The Appellant's assessment has also considered overshadowing of existing amenity areas. Having carefully considered the analysis, I am satisfied that there would be no unacceptable loss of sunlight to the rear gardens of the Parkhouse Street properties or the area of Burgess Park behind Blocks A and B [101; 111].

Privacy

450. It is inevitable that a redevelopment of this nature would result in the potential for increased levels of overlooking to existing residential properties. At present the existing buildings are in various commercial uses and are mainly of limited height. The insertion of new housing on the other side of the road for residents living in Parkhouse Street and Wells Way would undoubtedly result in change. However, I do not consider that the window distances between new and existing properties would be particularly unusual for an urban area [109].
451. The gardens at the back of 1-13 (odd) Parkhouse Street provide a valued amenity but they are not particularly private being overlooked by adjoining windows, especially as the ground and first floors are occupied as separate residential flats. I agree that the new houses in Block A would be relatively close to the rear garden boundaries, but the upper floor windows have been designed to reduce the opportunity to look out in this direction. In any event a condition is proposed to require obscure glazing or other privacy devices to prevent overlooking to these gardens [109; 276; 282; 304].
452. The greatest potential for overlooking would be from the side windows of Block B, which would serve flats at first floor and above. I am satisfied that due to the relative floor heights, most upper floor windows would look out over existing rooftops. However, privacy devices would be justified to some first-floor windows and these would need to be devised in a way that would not provide an unacceptable outlook for new occupiers. A condition could be imposed to this effect. Subject to these controls I there would be no unacceptable overlooking or loss of privacy to existing residential occupiers or that policy 7.6 in the

London Plan would be offended in this respect [109; 276; 304].

Outlook

453. The BRE Guidelines do not apply to a consideration of outlook. Overall, the proposed development has been designed to step up in height from the edges of the site, which are proximate to existing residential properties, towards its centre. The houses in Block A would be two-storey in height. Although they would be closer to some of the rear boundaries of existing properties than the RDS SPD advises, I do not consider that *they* would be overbearing when viewed from the existing houses or their gardens. Block B is relatively close to 13 Parkhouse Street, but it is an existing building and the new upper floors have been recessed. The houses in Wells Way already face a high brick wall and the new houses that would replace it would be limited to a height of four storeys. Although there would be a taller building on the corner with Parkhouse Street, I am satisfied that it would be sufficiently well distanced not to appear overwhelming [108; 249].
454. The redevelopment of the site would undoubtedly result in a big change. For some the new outlook would be an improvement on what exists at present whereas for others the change would be unwelcome. However, it is important to remember that private views are not protected by planning policy and, in this case, I consider that the change that is proposed would not have an unacceptable impact on the outlook of existing properties [110; 250].
455. I note the concern about attractive views of St Paul's Cathedral being blocked, for example. However, as far as I am aware there would be no effect on protected views referred to in the development plan [278].

Conclusion

456. Drawing the above matters together, I consider that in many ways the proposed development would be able to successfully integrate with the existing residential uses on adjoining land. However, I do have concerns about the effect on the daylight of some properties in Parkhouse Street and Wells Way, which would result in unacceptable harm to those residents. In this respect there would be conflict with policy 7.6 in the London Plan and saved policy 3.11 in the Southwark Plan. This is a matter that I will return to under Consideration Nine, when I consider the planning balance.

CONSIDERATION SEVEN: OTHER MATTERS

Flood risk⁹⁵

457. The appeal site is within flood zone 3, which is identified as an area with high risk of flooding. However, the Strategic Flood Risk Assessment recognises that development within such areas is required and will be allowed subject to the Exception Test. The site is previously developed land and there are strong arguments for redevelopment as have been explained in previous sections of the report. It is to be noted that the site is allocated for mixed-use redevelopment in the emerging New Southwark Plan and this would bring wider sustainability benefits to the community. The Flood Risk Assessment, which

⁹⁵ This matter was not raised by the main parties. The information is from the ES.

accompanied the planning application and is part of the ES concluded that the area benefits from the River Thames flood defences. It also finds no record of historic flood events affecting this land.

458. I note that the Environment Agency raises no objection on this ground subject to the Exception Test. The site is also located within the flood warning area for the River Thames and therefore would be signed up to the Environment Agency's flood warning service in the event of an extreme flood. The Council has raised no objections on flood risk grounds and on the basis of the evidence I do not consider that this is a determining factor.
459. The Flood Risk Assessment concludes that the majority of the site would be at low risk of surface water. There would be no basements and the risk of groundwater flooding affecting the development would also generally be low. However, the flood risk assessment recommends that floor levels should be 300 mm above existing ground levels in the parts of the site at medium or high risk of surface water flooding or at risk of groundwater flooding. The Flood Risk Assessment identifies that parts of the northern and eastern parts of the site would be affected. This could be controlled through a planning condition.

Ecology

460. Burgess Park is a Site of Borough Grade II Importance to Nature Conservation. This is a non-statutory designation but nonetheless of considerable importance to the local community. Indeed, at my site visit I observed that there had been considerable improvements to the part of the park nearest to the north-western side of the appeal site. New Church Road, which once ran through the park has recently been stopped up, removed and incorporated into the park. The area, known as the New Church nature area has been significantly enhanced and this work has been recently completed. There have been new paths and landscaping to enhance its ecological value and once fully established it will provide an attractive area for wildlife. This is currently a work in progress [111; 251 273; 275; 279; 280].
461. The nearest development would be the two-storey town houses and Block B. Although the latter would be increased in height, the upper floors would be recessed. This part of the park adjacent to the site boundary is well treed and the taller elements of the scheme would be sufficiently far away not to cause unacceptable overshadowing. There would be no direct access from the appeal site to the park and I am satisfied that its ecological interest and biodiversity value would not be compromised by the appeal development [111; 251; 279].
462. **Heritage assets**
463. There are a number of listed buildings and structures within the vicinity of the appeal site, including the Addington Square Conservation Area. At my site visit I visited these heritage assets and agree with the main parties that their significance and the contribution made by their settings, would be preserved if the appeal development were to go ahead [93; 94].
464. The exception is the former Church of St George, which I have considered in paragraphs 415-418 above.
465. The chimney of the former confectionary factory is agreed to be a non-designated heritage asset and I have considered the effect of the new

development on that in paragraph 412 above.

CONSIDERATION EIGHT: WHETHER ANY CONDITIONS AND PLANNING OBLIGATIONS ARE NECESSARY TO MAKE THE DEVELOPMENT ACCEPTABLE.

PLANNING CONDITIONS

466. The planning conditions are at Annex Three and the justification is provided in paragraphs 289-312 of the Report and also in various parts of my conclusions.
467. It is considered that the conditions are reasonable, necessary and otherwise comply with Paragraph 206 of the Framework and the provisions of the Planning Practice Guidance.

THE PLANNING OBLIGATION BY UNILATERAL UNDERTAKING (UU)

468. A fully executed UU, dated 29 October 2019, has been submitted at *Document INQ 47*. This contains planning obligations for the purposes of Section 106 of the 1990 Act. There was a considerable amount of discussion at the inquiry about the UU and the obligations that it contained. There was also discussion of additional provisions, which I consider below. Overall, I am satisfied that the UU is legally correct and fit for purpose. A summary of its main provisions is provided at paragraphs 316-339 of the Report.
469. Strategic Policy 14 in the CS seeks, amongst other things, to use planning obligations to reduce or mitigate the impact of developments. Policy 8.2 in the London Plan indicates that strategic as well as local priorities should be addressed through planning obligations. The *Section 106 Planning Obligations and Community Infrastructure Levy Supplementary Planning Document (S106 SPD)* provides guidance on the use of planning obligations.
470. It is necessary to consider whether the obligations that have been made would meet the statutory requirements in Paragraph 122 of the CIL Regulations and the policy tests in Paragraph 204 of the Framework in order to determine whether or not they can be taken into account in any grant of planning permission. The requirements are that the obligations must be necessary, directly related and fairly and reasonably related in scale and kind to the development in question. It is noted that the UU contains a "blue pencil" clause that the obligations are conditional on the Secretary of State finding that they comply with the CIL Regulations. The Council has provided a useful CIL compliance statement at *Document INQ 29* and other explanatory information at *Documents INQ 27 and INQ 46*.

Affordable housing and viability (schedules 1-3, 15, 16)

471. Strategic Policy 6 requires as much affordable housing on developments of 10 or more units as is financially viable with a minimum of 35% in this case. The Affordable Housing SPD indicates a ratio of 70:30 social rent: intermediate. The various obligations to ensure that this is provided expeditiously are reasonable and necessary [18; 254; 257].
472. Even though the Appellant is willing to provide this level and mix of affordable housing, the *evidence* indicates that the appeal scheme would not be viable. Indeed, there is no dispute that the profit on value at under 7% would be far below what would normally be deemed an acceptable development return. In

such circumstances it is clear that this is not a case where more than the minimum could be provided [170].

473. The UU provides for this position to be reviewed at two points. The first would be after 2 years if the development had not got underway. The second would be when 75% of the market dwelling units had been occupied. The intention is to capture any increase in value of the scheme and thereby provide more affordable housing, for which no-one disputes there is a substantial need both in Southwark and in London generally.
474. The Appellant does not dispute that an early stage review would be appropriate. It seems reasonable to have another look at viability prior to commencement in this situation in order to meet the requirement in the strategic policy for as much affordable housing as viably possible [267; 268].
475. The dispute lies in whether the second, or late stage review, would be justified. The Planning Practice Guidance makes clear that the development plan should set out the circumstances that viability will be reassessed over the lifetime of the development. In this case where 35% affordable housing is being offered, there is no provision for late stage review in the adopted development plan. Whilst I note that the Council's Development Viability SPD makes provision for early and late stage reviews, this seems to be on the basis that there is not a policy compliant level being provided.
476. The emerging New Southwark Plan indicates that whilst the minimum provision of 35% remains, if there is less than 40% there will need to be a viability review. This is presently draft policy that has not been subject to examination. There are unresolved objections and thus the draft policy has limited weight. In the circumstances of this case, there is no justification for a second viability review.
477. The provision in terms of quantum and mix would be policy compliant and would be necessary to contribute to the considerable level of housing need in the Borough. The mechanism for delivery is linked to the occupation of market housing, which would ensure the affordable homes are provided expeditiously.

Wheelchair housing (schedule 4)

478. The 50 wheelchair units would comply with the 10% required under saved policy 4.3 in the Southwark Plan. It is necessary to ensure that the wheelchair units for sale are properly marketed and advertised to as wide an audience as possible in order that they are made available to meet identified needs.

Financial contributions (schedule 5)

479. *Archaeology contribution:* The site does not lie within an Archaeological Priority Zone but as the archaeological potential is unknown condition 10 requires a written scheme of investigation and subsequent evaluation and recording. The Council has an in-house archaeologist and the S106 SPD indicates that a monitoring contribution will be sought based on the floorspace of the development for proposals within Archaeological Priority Zones. As the appeal site is not within such an area, I do not consider that it has been demonstrated that the contribution would be necessary or reasonable.
480. *Bus contribution, cycle hire docking station contribution and CPZ study fund*

contribution: These payments have been considered under Consideration Five.

481. *Affordable housing evaluation report monitoring contribution:* This fee is based on a charge of £132.35 per unit. I was told that the Council carries out an annual audit of affordable housing provision in the Borough to ensure that it is delivered and retained. Improving its monitoring process arose as a direct result of an Ombudsman decision. The cost is worked out on the basis of officer time for a period of 5 years on the basis that the process is likely to become more efficient over time. In the circumstances I consider that there is adequate justification provided in this case.
482. *Administration cost:* Although this is not within the schedule, a payment of £21,023 is required under clause 15 of the Deed. This is to cover administration costs incurred by the Council, including monitoring the progress of the development and compliance with its terms. *The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations (2019)* allows for such a cost provided that the sum to be paid fairly and reasonably relates in scale and kind to the development. It should not exceed the Council's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development. The sum is based on 2% of the value of the contributions but there was no explanation of how this proportional fee related to the administration of the particular obligations in this case. I was told that the sum being asked for would be on the low side, but this was hardly a satisfactory answer. In the circumstances I must reluctantly conclude that the provisions required by the regulations have not been demonstrated satisfactorily.
483. *Carbon green fund contribution:* This is to meet the shortfall in the target for reduction in carbon dioxide emissions and contributions are put into the Council's green fund for projects such as installing community energy and retrofitting projects, for example. The Energy Statement indicates that some carbon emissions would need to be off-set by a payment and this is worked out in accordance with a formula in the S106 SPD. The contribution would be necessary in order to ensure that the impact on climate change is minimised.
484. *Children's play equipment contribution:* This contribution is to cover the shortfall in on-site provision of play space for older children in accordance with the GLA play space calculator. The cost of £151 per m² is the average local cost of improving play space to accommodate the children from the development in the S106 SPD. This seems a reasonable and necessary contribution to ensure that the needs of children occupying the development would be properly accommodated.
485. *Loss of employment floorspace contribution:* This is sought on the basis that there would be a loss of 8,834m² of Class B floorspace. The sum is based on a formula provided in the S106 SPD that relates to a proportion of the number of jobs that may have been provided against the cost of providing support and training for an unemployed resident to get access to a skilled job. Whilst I have no reason to doubt that the sum requested is proportionate, in this case I consider that the floorspace lost would be considerably less as explained at paragraph 387. In such circumstances the obligation would not be fairly and reasonably related in scale and kind to the development.

Car club scheme, highway works, controlled parking zone and Wells Way performance strategy (schedule 6, schedule 8 and schedule 13)

486. The justification for these covenants has been dealt with under Consideration Five. For the avoidance of doubt, I consider that the Proviso in the definition of Section 278/38 Highway Works does apply.

Business relocation and retention strategy (Schedule 6)

487. Existing tenants of the site include Swiss Postal Solutions Ltd and the car-wash and account for about 57 jobs. The S106 SPD indicates that where small business are displaced by development they should be assisted to relocate within the borough if possible. This would help maintain a strong local economy and the supply of jobs in accordance with development plan policy. The obligations are therefore necessary and justifiable.

Public realm and tree planting (schedule 7)

488. The covenants include provisions for drainage, lighting, repair and maintenance of the public realm. This is required in order to ensure that public areas remain attractive and well looked after in perpetuity. The obligations also ensure public access at all times, save for emergencies and also one day in the year to prevent prescriptive rights by default. This is reasonable as the site will be privately managed but remain publicly accessible.

489. The proposal includes the planting of 39 trees. Policy 7.21 in the London Plan requires existing trees of value to be retained, any lost to be replaced and where appropriate additional trees to be included in new developments. The proposed tree planting would comply with this policy. Draft policy P60 in the emerging New Southwark Plan includes a provision that where trees are removed for development, they should be replaced to ensure no net loss of amenity. Draft policy G9 in the emerging New London Plan has similar provisions with an objective of increasing tree cover in London by 10% by 2050.

490. The Council's Urban Forester has calculated the amenity value of the 9 trees that would be felled, taking account of their stem girth, health, maturity and canopy cover. He concluded that 39 trees would be required, having regard to the Mayor's 10% target increase. In the circumstances it seems to me reasonable to require a contribution for any of these trees that could not be planted for whatever reason so that another could be planted off-site. The cost of £3,000 per tree has been worked out to include the size of the trees and nature of the tree pits as well as subsequent maintenance. There are also two protected trees at potential risk and there is provision for the replacement value to be provided. These obligations are reasonable and necessary in order to maintain a green environment and enhance biodiversity.

Affordable workspace and commercial units

491. The justification for these covenants has been dealt with under Consideration Three.

Employment and training, construction apprenticeships and local procurement (schedule 11)

492. Giving local people the opportunity to benefit from obtaining employment and

training opportunities in respect of the new appeal development, both in the construction and operational stages, is supported by policy 4.12 in the London Plan, Strategic Policy 10 in the CS and saved policy 1.1 in the Southwark Plan. The covenants relating to these matters are therefore justified. The targets have been worked out in accordance with the S106 SPD.

493. There are penalties to be paid in accordance with the formulae in the S106 SPD if the targets are not met as a result of the Appellant failing to use all reasonable endeavours. These monies would be used by the Council to provide equivalent local opportunities. This seems reasonable and necessary because the S106 SPD indicates that such penalty contributions would be required in *exceptional circumstances*. If all reasonable endeavours are made to meet them but fail to result in a positive outcome, that would not justify penalty charges.

Energy strategy, district CHP and estate management strategy (schedule 12)

494. Policy 5.2 in the London Plan seeks to ensure that development minimises carbon dioxide emissions and there is also encouragement to use decentralised energy networks to that end. An energy strategy was submitted with the planning application which, amongst other things, included targets for the reduction of carbon dioxide emissions over and above the Building Regulations. The Site Wide Energy Strategy to be provided will demonstrate how these can be delivered across the site and must be approved prior to occupation.
495. There are also provisions to show how the development will be able to be connected to the District CHP in the future. These obligations are all necessary to ensure that the impact of the appeal scheme on climate change is minimised.
496. Obligations are included that show how the development will be managed in terms of ongoing maintenance and servicing. The latter will include access, cleansing, drainage and the collection of refuse. This will be undertaken either by a company or competent manager and the arrangements will be included in the Estate Management Plan to be approved by the Council and thereafter applied in perpetuity. These are necessary provisions to ensure that the public parts of the development would operate properly and be suitably maintained.

Architect (schedule 18)

497. I am not convinced in this case that the construction of the proposed development would necessitate the architectural practice that designed it being involved in the detailed implementation. For the reasons I have given I do not consider that the design is of exemplary quality but, in any event, this is an onerous obligation that would only be justified in exceptional circumstances. Whilst the continuation of HTA Design LLP may be desirable to the continuity of the project at detailed design stage it does not pass the test of necessity.

Conclusion

498. Drawing together the above points, I conclude that all of the planning obligations other than those specifically referred to in the paragraphs above constitute a reason for granting planning permission in accordance with Regulation 122 of the CIL Regulations.
499. For the avoidance of doubt, I do not consider that the following obligations meet

the tests in Paragraph 122 of the CIL Regulations. They have not been taken into account in my recommendation to the Secretary of State:

- Provisions for a second viability review
- Archaeology contribution (£11,171)
- CPZ Study Fund Contribution ((£10,000)
- Administration Cost (£21,023)
- Provisions relating to the Wells Way Operational Performance Review
- Provisions relating to the retention of the Architect

CONSIDERATION NINE: OVERALL CONCLUSIONS AND PLANNING BALANCE

500. The appeal proposal is Environmental Impact Assessment development. In reaching my conclusions and making my recommendation to the Secretary of State I have taken account of the environmental consequences as established in the information provided within the ES and the evidence to the inquiry.
501. The appeal proposal would regenerate a brownfield site where I have concluded that most of the existing buildings would be unlikely to be capable of viable refurbishment and re-use. The appeal scheme would provide new, good quality Class B premises, 10% of which would be affordable workspace for small businesses. There would be a significant increase in the number of available jobs relative to what currently exists at the site. This would also exceed the jobs that could reasonably be provided if it were to be redeveloped for industrial purposes. These would be benefits of significant weight.
502. The provision of 35% of the homes as affordable, with a policy compliant tenure mix, would be a significant benefit that would contribute to the very considerable affordable housing need in the Borough. Whilst the provision of 499 homes generally would also be a benefit and would help boost housing supply in accordance with the Framework, the weight should be reduced to moderate due to the less than exemplary nature of the accommodation provided overall.
503. The scheme would provide a vibrant public realm that those living and working on the site as well as visitors could enjoy. The scheme would also introduce permeability and routes through from Wells Way and Parkhouse Street where none currently exist. There would also be the ability to link through to the Big Yellow site where there is land safeguarded for a pedestrian and cycle route to Southampton Way. These benefits have significant weight. The existing chimney would be refurbished but it would to some degree be overwhelmed by its taller neighbours so the benefit arising would be limited.
504. Other advantages would include the jobs generated during construction as well as increased spending in the local and wider London economy during the construction and operational phases. These benefits have moderate weight.
505. I have concluded that the harm to the significance of the former Church of St George, would be less than substantial in nature. I attribute great weight and importance to the conservation of the heritage asset. However, the public benefits that would flow from the appeal scheme would be considerable and

would be sufficient to outweigh the identified harm in this case.

506. There is no dispute that the development plan and the policies that it contains are consistent with the Framework and therefore up-to-date. Furthermore, it is agreed that there is no issue with the Council's housing land supply or in terms of the Housing Delivery Test. In such circumstances the normal planning balance applies, and Paragraph 11 of the Framework is not engaged.
507. The proposal would conflict with the relevant employment land use policies, including Strategic Policy 10 in the CS. Setting aside whether this is a suitable place for densities above the applicable range in the CS and London Plan or whether it is a site where tall buildings would be appropriate, I have great concerns about the quality of accommodation that it would offer and also the relationship of the development with its townscape context. When considered in the round this would not be an exemplary development.
508. Overall it seems to me that rather than optimising the use of the land resource the scheme has sought to maximise it and this has resulted in a quality of development that at several levels would not be acceptable. The harm I have identified in terms of daylight and sunlight to some nearby residential properties may not be sufficient in itself to turn away the scheme but it is a further indication that the development would be out of harmony with its receiving environment. There would be conflict with Strategic Policy 5 and Strategic Policy 12 in the CS as well as other policies relating to design and residential amenity.
509. I acknowledge that there are some policies in the development plan that support the scheme. However, I consider that the most important policies to the determination of this appeal are those referred to above with which it would conflict. In such circumstances I do not consider that the appeal proposal would accord with the development plan as a whole.
510. The emerging New Southwark Plan favours a mixed-use development on the site. For the reasons I have given, I consider that there would be conflict with draft policy P26 and draft allocation NSP23 because there would be some loss of Class B floorspace. However, I recognise that the loss would be relatively insignificant. Nevertheless, these draft policies have limited weight at the present time due to the stage of the plan in the adoption process and the unresolved objections to it.
511. The benefits that I have referred to above would be of considerable importance. However, I do not consider that they would outweigh the harm that would ensue, which together are matters of substantial importance. The appeal proposal would conflict with the development plan when taken as a whole and material considerations do not indicate that it should be determined otherwise.

INSPECTOR'S RECOMMENDATION

512. That the appeal be dismissed. However, if the Secretary of State does not agree and wishes to grant planning permission, I commend the planning conditions at Annex Three.

Christina Downes

INSPECTOR

ANNEX ONE: APPEARANCES**FOR THE LOCAL PLANNING AUTHORITY: COUNCIL OF THE LB SOUTHWARK**

Mr Charles Streeten Of Counsel, instructed by the Director of Law and Democracy at the Council of the London Borough of Southwark

He called:

Ms V Crosby MA (Cantab) MA Team Leader in the Strategic Applications Planning Team

Ms L Hills BA(Hons) MPlan MRTPI Team Leader in the Planning Policy Team
*Ms M Foley Solicitor acting on behalf of the Council

Participated in conditions and planning obligations sessions only

FOR THE APPELLANT: PEACHTREE SERVICES LTD

Mr Neil Cameron Of Queen's Counsel
Mr Luke Wilcox Of Counsel, both instructed by DP9

They called:

Mr C Ainger BA(Hons) Partner of HTA Design Ltd
Mr J Marginson MA(Hons) MRTPI Director of DP9
Mr G Ingram MRICS Partner of Gordon Ingram Associates
Mr J Stephenson FRICS MCIARB Senior Director of Grant Mills Wood
Ms M Theobald BSc(Hons) PGDip Director of Peter Brett Associates (now part of Santec)
MIHT
Mr N Bridges BSc(Hons) Senior Partner of Bridges Associates
BArch(Hons) RIBA FRSA Architects LLP
Mr R Fourt BSc(Hons) MSc FRICS Partner of Gerald Eve
Mr M Maclagan PgDip MIOA Technical Director of Waterman

FOR THE RULE 6 PARTY: THE LOCAL GROUP

Ms Esther Drabkin-Reiter Of Counsel, instructed by Harpreet Aujla of the Southwark Law Centre

She called:

Professor M Brearley BA Professor of urban design and planning at the
DipArch(Cantab) RIBA John Cass School of Art, Architecture and
Design, London Metropolitan University and
Proprietor of Kaymet

Mr G Venning MA(Cantab) Director of Bailey Venning Associates
Mr J Russell BEng(Hons) MIHT Regional Director of Motion Limited
CMILT

Mr P Hearmon LLB(Hons) Senior Surveyor at Right of Light Consulting Ltd

Dr P Lorgelly Member of The Local Group

Ms S Crisp Member of The Local Group

Ms H Aujla

Ms L Stephenson

Ms K Joyce

Ms A Spence

Mr J Welch

Member of The Local Group

Member of The Local Group

Member of The Local Group

Member of The Local Group

Member of The Local Group

ANNEX TWO: DOCUMENTS AND PLANS

CORE DOCUMENTS

A: Originally submitted planning application documents

CD A1	Application Covering Letter, prepared by DP9 Ltd.
CD A2	Planning Application Form, prepared by DP9 Ltd.
CD A3	Community Infrastructure Levy (CIL) – Planning Application Additional Information Requirement Form, prepared by DP9 Ltd.
CD A4	Planning Application Drawings, prepared by HTA Architects – as set out in Appendix 1
CD A5	Design and Access Statement, prepared by HTA Architects
CD A6	Planning Statement, prepared by DP9 Ltd.
CD A7	Statement of Community Involvement, prepared by Four Communications
CD A8	Energy Strategy, prepared by Waterman
CD A9	BREEAM Assessments, prepared by Waterman
CD A10	Sustainability Statement, prepared by Trium Environmental Consultancy
CD A11	Internal Daylight / Sunlight Report, prepared by Malcolm Hollis
CD A12	Historic Environment Assessment, prepared by MOLA
CD A13	Basement Construction Method Statement, prepared by Waterman
CD A14	Structural Feasibility Report, prepared by Waterman
CD A15	Equalities Statement, prepared by Volterra
CD A16	Arboricultural Survey and Impact Assessment, prepared by The Ecology Consultancy
CD A17	Preliminary Ecological Appraisal, prepared by The Ecology Consultancy
CD A18	Bat Survey Report, prepared by The Ecology Consultancy
CD A19	Phase 1 Environmental Risk Assessment, prepared by Groundsure
CD A20	Draft Construction Environmental Management Plan, prepared by Trium
CD A21	Utilities Report, prepared by Waterman
CD A22	Financial Viability Assessment, prepared by Gerald Eve
CD A23	Environmental Statement Volume I: Main Text and Figures
CD A24	Environmental Statement Volume II: Townscape, Heritage and Visual Impact Assessment (prepared by Montagu Evans and Cityscape)
CD A25	Environmental Statement Volume III: Technical Appendices
CD A26	Environmental Statement: Non-Technical Summary
CD A27	Schedule of accommodation prepared by HTA

B: Submitted revisions to planning application documents and additional submitted documentation

CD B	Planning Statement Addendum, prepared by DP9 Ltd
CD B2	Draft Business Relocation Strategy, prepared by DP9 Ltd

CD B3	Revised Arboricultural Survey and Impact Assessment, prepared by The Ecology Consultancy
CD B4	Revised Bat Survey Report, prepared by The Ecology Consultancy
CD B5	Revised Equalities Statement, prepared by Volterra
CD B6	Revised Historic Environment Assessment, prepared by MOLA
CD B7	Revised Internal Daylight/Sunlight Report, prepared by Malcolm Hollis
CD B8	Review of the Overheating Mitigation Strategy Note, prepared by Malcolm Hollis
CD B9	Revised Phase 1 Environmental Risk Assessment, prepared by Groundsure
CD B10	Revised Preliminary Ecology Appraisal, prepared by The Ecology Consultant
CD B11	Revised Energy Statement, prepared by Waterman
CD B12	Revised Statement of Community Involvement, prepared by Four Communications
CD B13	Revised Sustainability Statement, prepared by Trium Environmental Consultancy
CD B14	Revised Application Drawings, prepared by HTA Architects – as set out in Appendix 1
CD B15	Revised Accommodation Schedule, prepared by HTA Architects
CD B16	Revised Commercial Accommodation Schedule, prepared by HTA Architects
CD B17	Revised Design and Access Statement, prepared by HTA Architects
CD B18	Revised Landscape Drawings, prepared by HTA Architects – as set out in Appendix 1
CD B19	Revised Environmental Statement Volume I: Main Text and Figures
CD B20	Revised Environmental Statement Volume II: Townscape, Heritage and Visual Impact Assessment (prepared by Montagu Evans and Cityscape)
CD B21	Revised Environmental Statement Volume III: Technical Appendices
CD B22	Revised Environmental Statement: Non-Technical Summary
CD B23	Unit Area Schedules, prepared by HTA

C: Development plan documents and guidance

CD C1	The National Planning Policy Framework (February 2019)
CD C2	The Planning Practice Guidance (as amended May 2019)
CD C3	The London Plan (The Spatial Development Strategy for London Consolidated with Alterations Since 2011) (March 2016)
CD C4	Greater London Authority Housing SPG (March 2016)
CD C5	Greater London Authority Affordable Housing and Viability SPG (August 2017)

CD C6	GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012)
CD C7	Draft New London Plan Further Suggested Changes (2019)
CD C8	London Borough of Southwark: Core Strategy (adopted 2011)
CD C9	London Borough of Southwark: Southwark Plan 2007 Saved Policies (Saved March 2013)
CD C10	London Borough of Southwark Proposals Map
CD C11	Southwark Development Viability SPD (adopted 2016)
CD C12	Southwark Residential Design Standards SPD with Technical Update (adopted 2015)
CD C13	Southwark Section 106 Planning Obligations/CIL SPD (adopted 2015)
CD C14	Southwark Section 106 Planning Obligations/CIL SPD addendum (January 2017)
CD C15	Southwark Affordable Housing SPD (adopted 2008)
CD C16	Draft Southwark Affordable Housing SPD (2011)
CD C17	Southwark Sustainable Design and Construction SPD (adopted 2009)
CD C18	Southwark Sustainability Assessments SPD (adopted 2009)
CD C19	Southwark Statement of Community Involvement (adopted 2008)
CD C20	Draft New Southwark Plan Proposed Submission Version (December 2017)
CD C21	New Southwark Plan Proposed Submission Version: Amended Policies 2019 (January 2019)
CD C22	Old Kent Road Area Action Plan (2017)
CD C23	GLA Land for Industry and Transport SPG (September 2012)

D: Development plan evidence base documents

CD D1	London Borough of Southwark Employment Land Study Part 1 (January 2016)
CD D2	Old Kent Road Workspace Demand Study (May 2019)
CD D3	Southwark Industrial and Warehousing Land Study (2014)
CD D4	Southwark Five and Fifteen Year Housing Land Supply: 2016 – 2031
CD D5	London Plan Annual Monitoring Report 14 2016/17 (September 2018)
CD D6	Southwark Core strategy SINC background paper (2010)
CD D7	Southwark Open Space Strategy (2013)
CD D8	Burgess Park Habitat Survey Report (London Wildlife Limited, 2013)
CD D9	Burgess Park Masterplan (2015)
CD D10	New Southwark Plan Evidence Base: Site Allocations Methodology Report
CD D11	GLA Vacant Ground Floors in New Mixed-Use Development (December 2016)
CD D12	GLA Industrial Intensification Primer (January 2017)
CD D13	CAG London Industrial Land Demand (June 2017)
CD D14	GLA Industrial Intensification Practice Note (November 2018)

CD D15	Southwark Workspace Provider List (Summer 2019-20)
CD D16	South East London Strategic Housing Market Assessment (June 2014)
CD D17	London Plan Annual Monitoring Report 12 2014/15 (July 2016)
CD D18	Southwark Biodiversity Action Plan Evidence Base 2013
CD D19	London Industrial Land Supply & Economy Study 2015

E: London Borough of Southwark Planning Committee Report

CD E1	Development Planning Committee Report
CD E2	Addendum Committee report (27 November 2018)

F: Minutes from Southwark Planning Committee

CD F1	Formal minutes from Committee meeting held on 27 November 2018
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G: Decision notice

CD G1	Decision notice (31 January 2019)
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H: Appeal documents

CD H1	Appellant's statement of case
CD H2	Southwark Council's statement of case
CD H3	Statement of Common Ground on planning matters (9 August 2019)
CD H4	Local Group's statement of case
CD H5	Local representations on the appeal

I: Consultation responses

CD I1	Stage 1 Report from the GLA (18 June 2018)
CD I2	Stage 2 Report from the GLA (28 January 2019)
CD I3	Report of the Design Review Panel

J: Other documentation

CD J1	TfL letter to PINS in relation to the appeal, 20/06/2019
CD J2	TfL Permanent Bus Changes 12 April 2019 to 30 June 2019 document
CD J3	TfL Bus changes consultation report (April 2019)
CD J4	TfL Bus changes confirmed implementation dates (2019)
CD J5	BRE Report 'Site layout planning for daylight and sunlight: a guide to good practice'
CD J6	The Housing White Paper (February 2017) ("Fixing our broken housing market")
CD J7	Technical Housing Standards – Nationally Described Space Standards (March 2015)
CD J8	Planning Appeal Start Letter, dated 16 April 2019

CD J9	Secretary of State Appeal Recovery Letter, dated 24 April 2019
CD J10	Case Management Conference Note
CD J11	Appeal Decision APP/V5570/W/17/3171437 (The Whitechapel Estate)
CD J12	Appeal Decision APP/E5900/W/17/319757 (21 Buckle Street)
CD J13	GLA Representation Hearing Report – Appendix 1 (D&P/3067/03) – Holy Trinity Primary School, London Borough of Hackney
CD J14	GLA Representation Hearing Report (D&P/3698/01) – Monmouth House, London Borough of Islington
CD J15	BS EN 17037:2018 Daylight in Buildings
CD J16	BS 8206-2:2008 (Lighting for Buildings. Code of Practice for Daylighting)
CD J17	Aylesbury First Development Site: Design and Access Statement

PROOFS OF EVIDENCE

Appellant

POE 1	Mr Ainger's proof of evidence
POE 2	Mr Ainger's rebuttal proof
POE 3	Mr Marginson's proof of evidence and appendices
POE 4	Mr Marginson's rebuttal proof
POE 5	Mr Ingram's proof of evidence
POE 6	Mr Ingram's appendices
POE 7	Mr Ingram's rebuttal proof
POE 8	Ms Theobold's proof of evidence and appendices
POE 9	Ms Theobold's rebuttal proof and appendices
POE 10	Mr Bridges' proof of evidence
POE 11	Mr Bridges' appendices
POE 12	Mr Bridges' rebuttal proof
POE 13	Mr Stephenson's proof of evidence and appendices
POE 14	Mr Stephenson's rebuttal proof

Southwark Council

POE 15	Ms Crosby's proof of evidence
POE 16	Ms Hills' proof of evidence

The Local Group

POE 17	Local Groups' proof of evidence and appendix on density and design
POE 18	Local Group's rebuttal proof on density and design
POE 19	Professor Brearley's proof of evidence
POE 20	Professor Brearley's rebuttal proof
POE 21	Mr Venning's proof of evidence
POE 22	Ms Crisp's proof of evidence and appendices
POE 23	Mr Russell's proof of evidence and appendices

POE 24 Mr Hearmon's proof of evidence

DOCUMENTS SUBMITTED AT THE INQUIRY

- INQ 1 Court of Appeal judgement *Gladman Developments Ltd v Canterbury City Council* [2019] EWCA Civ 669 (submitted by Mr Streeten)
- INQ 2 Presentation given to the inquiry by Mr Ainger
- INQ 3A Presentation given to the inquiry by Mr Ingram on standard of accommodation
- INQ 3B Presentation given to the inquiry by Mr Ingram on living conditions
- INQ 4 Email correspondence from the Local Group regarding viability evidence (submitted by Ms Drabkin-Reiter)
- INQ 5 Appellant's note on noise issues (submitted by Mr Cameron)
- INQ 6 Letter from Arbeit Project Ltd (submitted by Mr Cameron)
- INQ 7 Planning Officer's report to Planning Committee about redevelopment proposals at Dockley Road Industrial Estate (submitted by Mr Cameron)
- INQ 8 Statement of Common Ground on financial viability
- INQ 9 Statement of Common Ground on townscape and heritage
- INQ 10 Representations to the planning application (submitted by Mr Streeten)
- INQ 11 Planning officer's report to Planning Committee about redevelopment proposals at Cantium Retail Park, Old Kent Road (submitted by Mr Cameron)
- INQ 12 Folder of viability background information (submitted by Mr Cameron)
- INQ 13 Statement of Common Ground on accessibility
- INQ 14 Summary statement addressed by Professor Brearley at the inquiry
- INQ 15 Report of the Design Review Panel (11 July 2017)
- INQ 16 Statement of Common Ground on daylight and sunlight
- INQ 17 Statement of Common Ground on employment land use
- INQ 18 Summary of Mr Ingram's evidence on daylight and sunlight
- INQ 19 Viability summary from the planning application for a mixed-use redevelopment at 21-23 Parkhouse Street (submitted by Mr Streeten)
- INQ 20 Certificate of Lawfulness relating to 47 Southampton Way (2 October 2008) (submitted by Ms Drabkin-Reiter)
- INQ 21 Representations to draft policy NSP 23 in the New Southwark Plan (submitted by Mr Streeten)
- INQ 22 Planning Practice Guidance: Noise (submitted by Mr Cameron)
- INQ 23 Statement on affordable housing and copy of appeal decision referred to within it (submitted by Mr Cameron)
- INQ 24 Corrected window maps for VSC and NSL values relating to existing adjoining properties in Parkhouse Street, Wells Way and 47 Southampton Way (submitted by Mr Cameron)
- INQ 25 Information regarding the adjoining scaffolding site, proposed redevelopments on surrounding sites and the

- listed buildings at 73-75 Southampton Way (submitted by Mr Streeten)
- INQ 26 Booklet of reference drawings to assist with proposed condition 21 (submitted by Mr Cameron)
- INQ 27A Draft Section 106 Agreement and comments on it from the Council and Appellant (dated 7 August 2019)
- INQ 27B Draft Unilateral Undertaking relating to points at issue by the Appellant on matters in the Section 106 Agreement and explanatory correspondence (submitted by Mr Cameron)
- INQ 28 High Court judgement relating to the late stage viability and paragraph 10 of the Mayor's affordable housing and viability supplementary planning guidance 2017 (submitted by Mr Cameron)
- INQ 29 CIL compliance statement (submitted by Mr Streeten)
- INQ 30 Southwark Streetscape Design Manual (submitted by Mr Streeten)
- INQ 31 Pre-commencement conditions statement (submitted by Mr Cameron)
- INQ 32 Draft schedule of conditions
- INQ 33 Appeal decision by the Secretary of State relating to a mixed-use development on land at Chiswick Roundabout. London W4 (APP/F5540/Z/17/3173208) (submitted by Mr Streeten)
- INQ 34 Conditions relating to the new employment uses proposed by Professor Brearley (submitted by Ms Drabkin-Reiter)
- INQ 35 Appellant's comment on the use of the words "up to" in relation to commercial floorspace
- INQ 36 Opening and closing submissions by Ms Drabkin-Reiter on behalf of the Local Group
- INQ 37 Opening and closing submissions by Mr Streeten on behalf of the Council
- INQ 38 Opening and closing submissions, including relevant caselaw, by Mr Cameron on behalf of the Appellant
- INQ 39 Site visit maps and schedule

DOCUMENTS SUBMITTED AFTER THE CLOSE OF THE INQUIRY

- INQ 40 Consultation responses from the Council's Ecologist and Environmental Team
- INQ 41 Draft servicing and Travel Plan conditions (submitted by the Appellant)
- INQ 42 Noise condition note (submitted by the Appellant)
- INQ 43 Draft materials condition (submitted by the Appellant)
- INQ 44 List of application drawings and additional drawing showing Block A house numbers (submitted by the Appellant)
- INQ 45 Corrected accommodation schedule (submitted by the Appellant)
- INQ 46 Further information on the calculation of financial contributions (submitted by the Council)
- INQ 47 Executed Planning Obligation by Unilateral Undertaking (dated 29 October 2019)

INQ 48 Further information from Thames Water about its suggested condition

PLANS

- A Application Plans (see schedule at Document INQ 44)
- B Booklet of reference drawings used at the inquiry
- C Ground and first floor plans of Block A, including plot numbers

ANNEX THREE: SCHEDULE OF PLANNING CONDITIONS

1. The development hereby permitted shall not be carried out otherwise than in accordance with the approved plans in Annex Four.
2. The development hereby permitted shall begin not later than three years from the date of this decision.
3. No piling shall take place for each block until a Piling Method Statement for that block has been submitted to and approved in writing by the local planning authority. The Piling Method Statement shall detail the depth and type of piling to be undertaken; the methodology by which such piling will be carried out; the measures to prevent and minimise the potential for damage to subsurface water infrastructure and risks to groundwater; and the programme for the works. Any piling shall be undertaken in accordance with the terms of the approved Piling Method Statement.
4. No development shall be carried out (excluding demolition) until details have been submitted to and approved in writing by the local planning authority to demonstrate that all water network upgrades required to accommodate the additional flows to serve the development have been completed or that a suitable housing and infrastructure phasing plan has been prepared that will deliver the necessary upgrades within an appropriate timeframe. Development shall be carried out in accordance with the approved details and timeframe.
5. No demolition shall be carried out until a Demolition Environmental Management Plan (DEMP) has been submitted to and approved in writing by the local planning authority. The approved DEMP shall be adhered to throughout the demolition period and shall include the following information:
 - the parking of vehicles of site operatives and visitors;
 - details of the site manager, including contact details, and the location of a large notice board on the site that clearly identifies these details;
 - the loading, unloading and storage of plant;
 - the erection and maintenance of security hoardings;
 - details of all external lighting;
 - measures to be adopted to maintain the site in a tidy condition in terms of waste storage, separation, recycling and disposal;
 - wheel washing facilities;
 - measures to control the emission of dust and dirt during demolition;
 - all non-road mobile machinery used in connection with the demolition process shall meet the minimum emission requirements set out in the Mayor of London's *Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance 2014*.
 - A commitment to adopt and implement the Institution of Civil Engineers *Demolition Protocol*;
 - Routing of site traffic;

- The protection measures for the retained chimney in the centre of the site.

Working hours shall be limited to 0800-1800 Monday to Friday, 0900-1400 on Saturdays and no working on Sundays and public holidays.

6. No development shall be carried out (excluding demolition) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The approved CEMP shall be adhered to throughout the construction period and shall include the following information:

- the parking of vehicles of site operatives and visitors;
- details of the site manager, including contact details, and the location of a large notice board on the site that clearly identifies these details;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoardings;
- details of all external lighting;
- measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage, loading and unloading of plant and materials and similar construction activities;
- wheel washing facilities;
- a scheme for recycling/disposing of waste resulting from construction works;
- all non-road mobile machinery, used in connection with the construction of the development hereby permitted, shall meet the minimum emission requirements set out in the Mayor of London's *Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance 2014*.
- A commitment to adopt and implement the *Considerate Contractor Scheme Registration*;
- Routeing of site traffic;
- The protection measures for the retained chimney in the centre of the site.

Working hours shall be limited to 0800-1800 Monday to Friday, 0900-1400 on Saturdays and no working on Sundays and public holidays.

7. A) Prior to the commencement of development, a Phase 2 site investigation and risk assessment shall be submitted to and approved in writing by the local planning authority prior to the commencement of any remediation that might be required.
- B) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the local planning authority for approval in writing. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of

any development other than that required to carry out remediation. The local planning authority shall be given two weeks written notification of commencement of the remediation works.

- C) Following the completion of the approved measures in the remediation strategy in part B), a verification report providing evidence that all work required by the remediation strategy has been completed, shall be submitted to and approved in writing by the local planning authority.
- D) In the event that 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. A scheme of investigation and risk assessment, a remediation strategy and verification report shall be submitted to and approved in writing by the local planning authority in accordance with A)-C) above.
8. No development shall take place (excluding demolition) until full details of the 39 trees to be planted, to include 16 street trees, have been submitted to and approved in writing by the local planning authority. The details shall include:
- Tree pit cross sections;
 - Planting and maintenance specifications;
 - Use of guards or other protective measures;
 - The location of where the trees will be planted;
 - The species, sizes, and nursery stock type;
 - A programme of planting.

All tree planting shall be carried out in accordance with the approved details and programme. 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 on the site that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes 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.

9. No development shall be carried out (including demolition) until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the local planning authority. The approved AMS shall be adhered to throughout the demolition and construction period and shall include the following information:
- The means by which any retained trees on or directly adjacent to the site are to be protected from damage during the demolition and construction periods.
 - Protection measures in accordance with BS 5837: (2012) *Trees in relation to demolition, design and construction - recommendations* and BS 3998: (2010) *Tree work – recommendations*;

- Details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant;
- Arrangements for a pre-commencement meeting with the local planning authority's Urban Forester;
- Cross sections 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.

If within the expiration of 5 years from the completion of development any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of the same size and species unless otherwise agreed in writing by the local planning authority.

10. No development shall be carried out (including demolition) until:
 - A) A written scheme of investigation (WSI), which establishes a programme of archaeological evaluation through initial investigative trial trenching, has been submitted to and approved in writing by the local planning authority.
 - B) A report on the results of the evaluation works has been submitted to and approved in writing by the local planning authority.
 - C) A further programme of archaeological work has been carried out if it is required by the evaluation under B) above. This further programme of archaeological work shall be in accordance with a second WSI for archaeological mitigation, which shall be submitted to and approved in writing by the local planning authority for approval in writing. The development shall be carried out in accordance with the approved further programme of archaeological work.
 - D) Within 6 months of the completion of the archaeological work, a report shall have been submitted to and approved in writing by the local planning authority. This report shall detail the results of the on-site work, proposals for off-site post-excavation works, including publication of the site and preparation of the archive.
11. No development shall be carried out (excluding demolition) until a detailed Surface Water Drainage Strategy (SWDS), which incorporates sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The SWDS shall demonstrate that there would be no unacceptable risk to Controlled Waters and shall adhere to the recommendations of the 2016 *Southwark Strategic Flood Risk Assessment*. It shall include the sustainable drainage feature types, their locations, attenuation volumes, discharge rates and a timetable for implementation. The development shall be carried out in accordance with the approved SWDS and its timetable.
12. No development shall be carried out (including demolition) until a detailed method statement for the eradication or long-term management of Japanese Knotweed, and a timetable for implementation, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved method statement and timetable.

13. No above ground development shall be carried out (excluding demolition) until samples of all facing materials to be used have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.
14. No above ground development on a block shall be carried out (excluding the construction of approved lift and stair cores), until sample-panels for that block to include the brickwork, bonding and pointing, have been erected on-site and thereafter approved in writing by the local planning authority. The development of each block shall be carried out in accordance with its approved sample-panels.
15. No above ground development shall be carried out (excluding demolition) until an assessment of the interference to existing television, radio and other telecommunications services has been submitted to and approved in writing by the local planning authority. The assessment shall include the method and results of surveys carried out, the measures to be taken to rectify any identified problems and a timetable for implementation. The development shall be carried out in accordance with the approved assessment and timetable.
16. No above ground development on a block shall be carried out until drawings, at a scale of 1:50, showing detailed specifications of the secure and covered cycle storage for that block and the associated visitor cycle parking for that block, have been submitted to and approved in writing by the local planning authority. The cycle parking facilities shall be provided before the first occupation of the block in accordance with the approved drawings and specifications. The cycle parking facilities shall be retained for the lifetime of the development and the space shall not be used for any other purpose.
17. No above ground development shall be carried out (excluding demolition) until details of the means of enclosure, along all site boundaries and a timetable for its provision have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and timetable.
18. No above ground development on Blocks B-M shall be carried out until details of the biodiversity (green/brown) roof for that block, including future provision for management and maintenance for the lifetime of the development, have been submitted to and approved in writing by the local planning authority. The biodiversity (green/brown) roof shall:
 - Include an extensive substrate base of a depth 80-150mm;
 - Be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works for that block.
 - Focus on wildflower planting with no more than a maximum of 25% sedum coverage.

The biodiversity (green/ brown) roof and its future management and maintenance, shall be carried out in accordance with the approved details and shall be completed before first occupation of that block.

19. No above ground development shall be carried out until detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site

not covered by buildings and including the communal podium gardens and communal roof terraces, have been submitted to and approved in writing by the local planning authority. The hard and soft landscaping scheme shall include cross sections, surfacing materials and edge details to be used in any parking area, access, yard, internal street or pathway. The development shall be carried out in accordance with the approved hard and soft landscaping scheme.

The hard landscaping works shall be completed prior to the first occupation of the development and shall be retained for their intended purpose for the lifetime of the development. The soft landscaping works shall be carried out in the first planting season following completion of building works. Any trees or shrubs that are found to be dead, dying, severely damaged or diseased within five years of the completion of the soft landscaping scheme, shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season.

20. No above ground development on a block shall be carried out (excluding the construction of approved lift and stair cores) until detailed sections at a scale of at least 1:20 through the facades, balconies, parapets and heads, cills and jambs of all openings for that block have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
21. No above ground development shall be carried out until details of 2 Bat boxes, 6 Swift bricks and 6 Sparrow bricks have been submitted to and approved in writing by the local planning authority. The details shall include the location, orientation and design of the boxes and bricks and a timetable for their provision. The development shall be carried out in accordance with the approved details and timetable.
22. No above ground development on a block shall be carried out (excluding the construction of approved lift and stair cores) until details of obscure glazing or other privacy devices for that block have been submitted to and approved in writing by the local planning authority as follows:
 - Block A – House 1 (as identified on Plan C), first floor windows facing south-west towards Southampton Way; Houses 2-5 (as identified on Plan C), first floor south-east facing windows on the front elevation facing 1-13 Parkhouse Street.
 - Block B - first floor windows facing towards 13 Parkhouse Street to protect the privacy of its windows and garden.
 - Block B - balconies facing towards 21-23 Parkhouse Street.
 - Block C - windows, balconies and/ or deck accesses facing towards 45 and 47 Southampton Way to protect the privacy of existing windows and gardens.
 - Blocks D and E - windows within these blocks facing each other to protect the privacy of new occupiers.
 - Blocks E and J - windows within these blocks facing each other to protect the privacy of new occupiers.

- Blocks F and G - windows within these blocks facing each other to protect the privacy of new occupiers.
- Blocks F and I - windows within these blocks facing each other to protect the privacy of new occupiers.
- Blocks H and G - windows within these blocks facing each other to protect the privacy of new occupiers.
- Block J and M - west facing windows facing towards the scaffolding site.

The development shall be carried out in accordance with the approved details prior to the first occupation of the units affected. The obscure glazing and privacy devices shall be retained for the lifetime of the development.

23. The development shall not be occupied until the children's play spaces have been laid out and play equipment installed in accordance with a scheme to be first submitted to and approved in writing by the local planning authority. This shall include details of design, materials and target age group. The play spaces and equipment shall be retained for their intended purpose for the lifetime of the development.
24. Before the first occupation of a block, the car parking spaces shall be provided and made available for occupiers of that block. The car parking spaces shall be retained for the purposes of car parking for vehicles of residents and no trade or business shall be carried out thereon. At least three of the spaces shall be fitted with active electric vehicle charging points, and at least three of the spaces fitted with passive electric vehicle charging points.
25. A Delivery and Servicing Management Plan (DSMP) for the residential and non-residential units shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. The DSMP shall be carried out and operated as approved for the lifetime of the development. The DSMP shall also include:
 - details of mechanisms to ensure one-way east-west traffic routeing through the site.
 - Details of bollards within the development, including their positions in relation to the adjacent footways.

Servicing for the ground floor Class A, B and D2 units in Blocks B-L shall only take place between the hours of 0800-2000 Mondays to Saturdays and not at all on Sundays and public holidays. No servicing by Heavy Goods Vehicles shall take place between 0800-0900 and 1500-1600 during school term time.

26. Before the occupation of the first commercial unit, a Travel Plan for the commercial development shall be submitted to and approved in writing by the local planning authority. This shall be in accordance with the targets in the Site Wide Framework Travel Plan included in the ES and shall describe the means by which users of that part of the development will be encouraged to travel to the site by means other than the private car. The approved Travel Plan shall be implemented, monitored and reviewed at intervals to be first agreed with the local planning authority in writing. A copy of the review and action plan arising

from it shall be submitted to the local planning authority and retained thereafter.

27. Before the occupation of the first residential unit, a Travel Plan for the residential development shall be submitted to and approved in writing by the local planning authority. This shall be in accordance with the targets in the Interim Residential Travel Plan included in the ES and shall describe the means by which residents, visitors and users of residential elements of the development will be encouraged to travel to the site by means other than the private car. The approved Travel Plan shall be implemented, monitored and reviewed at intervals to be first agreed with the local planning authority in writing. A copy of the review and action plan arising from it shall be submitted to the local planning authority and retained thereafter.
28. No above ground development on Blocks B-L shall be carried out until details of a scheme for the ventilation of the non-residential units within that block to an appropriate outlet level have been submitted to and approved in writing by the local planning authority. The details shall include sound attenuation measures for any necessary plant, the standard of dilution expected and a timetable for provision. The development shall be carried out in accordance with the approved details and timetable.
29. Before the occupation of a block details to demonstrate that the block has achieved, or is on course to achieving, Secured by Design certification shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Within three months of the occupation of the final block to be completed, details of Secured by Design certification for the entire site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

30. The development shall not be first occupied until details of how residents in each block (apart from Block A) will be provided access to communal amenity space and how each block (including Block A) will be provided access to communal play space have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
31. A minimum of 2,023m² of the Class B1 floorspace hereby permitted shall be used for Class B1c purposes only (light industry appropriate in a residential area).
32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the B1 floorspace shall not be used for any other purpose in Classes O, P or PA of Schedule 2, Part 3.
33. 90% of the residential units shall meet Building Regulation requirement M4(2) and 10% shall meet Building Regulation requirement M4(3).
34. Before the occupation of a block, the refuse and recycling arrangements shown on the approved drawings for that block shall be provided and made available for use. The refuse and recycling storage facilities shall thereafter be retained for their intended purpose.

35. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any future amendment to or re-enactment of that Order, no satellite dishes, telecommunications masts or equipment or associated structures, shall be installed on the buildings or their roofs.
36. No above ground development on a block shall be carried out (excluding the construction of approved lift and stair cores) until details of any exterior pipes or flues for that block have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
37. The Class A1-A3 and D2 uses shall not be permitted to open outside the hours of 0700-2300 Sunday to Thursday and public holidays, and 0700-0000 Friday and Saturday.
38. The rated noise level from any plant, together with any associated ducting shall be 10 dB(A) or more below the lowest relevant measured LA90(15min) at the nearest noise sensitive premises.
39. The L_{AFmax} sound from amplified and non-amplified music and speech from the Class A, B and D2 use units shall not exceed the lowest L90(5min), one metre from the facade of any sensitive receptor in all third octave bands between 31.5Hz and 8 kHz.
40. Party walls, floors and ceilings between the A Class uses and residential dwellings shall be designed to achieve an airborne sound insulation weighted standardised level difference of at least 50dB $D_{nT,w+Ctr}$.
41. No above ground development on Block H shall be carried out until details have been submitted to and approved in writing by the local planning authority to demonstrate how sound insulation will achieve a standardised level difference greater than 60dB $D_{nT,w+Ctr}$ for the specific Class D2 use proposed. The approved details shall be installed before the Class D2 unit is first occupied.
42. The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:
 - Bedrooms: 35 dB $L_{Aeq,16hour}$ in the daytime; 30 dB $L_{Aeq,8hour}$ 45dB L_{Amax} in the night time
 - Living rooms- 35dB $L_{Aeq,16hour}$ in the daytime
 - Dining rooms - 40 dB $L_{Aeq,16hour}$ in the daytime

Where the daytime means 0700-2300 and the night time means 2300-0700.
43. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement, roof alteration, chimney or outbuilding shall be carried out to the houses in Block A.
44. Solid balustrades to balconies shall be provided to Block I at the following locations: south-west corner, levels 5-7 (inclusive); south-west elevation levels 5 and 6; south-east elevation, levels 9-11 (inclusive). The balustrades shall be

provided before the relevant unit is first occupied and shall be retained thereafter.

45. The secondary access into the site at 33 Southampton Way shall be for pedestrians and cyclists only, with no vehicle access permitted.
46. A) Before any fit out works to the commercial premises within a block begins, an independently verified BREEAM report to achieve a minimum 'excellent' rating for the Class A and B floorspace and 'very good' rating for the Class D floorspace shall be submitted to and approved in writing by the local planning authority. Details shall include performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance. The development of the block shall be carried out in accordance with the approved details in the BREEAM report.

B) Before the first occupation of the block, 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.
47. Within one year of the commencement of development (including demolition) a scheme for the restoration of the brick chimney on the site shall be submitted to and approved in writing by the local planning authority. The restoration works shall be carried out in accordance with the approved scheme before occupation of the final block to be completed.
48. The finished floor levels of any building that is within an area that is at medium to high risk of surface water flooding or at risk of groundwater flooding shall be at 300mm above the existing ground levels.

End of conditions 1-48

ANNEX FOUR: APPLICATION DRAWINGS

Drawing Title	Drawing Number	
Existing Plans		
Existing Site Plan	DUN-BUR_HTA-A_D01_DR_0001	P1
Proposed Site Plans		
Basement Floor Plan	DUN-BUR_HTA-A_D01-B1-DR_0100	P1
Ground Floor Plan	DUN-BUR_HTA-A_D01-00-DR_0101	P3
First Floor Plan	DUN-BUR_HTA-A_D01-01-DR_0102	P3
Second Floor Plan	DUN-BUR_HTA-A_D01-01_DR_0103	P1
Third Floor Plan	DUN-BUR_HTA-A_D01-03-DR_0104	P1
Fourth Floor Plan	DUN-BUR_HTA-A_D01-04-DR_0105	P1
Fifth Floor Plan	DUN-BUR_HTA-A_D01-05-DR_0106	P1
Sixth Floor Plan	DUN-BUR_HTA-A_D01-06-DR_0107	P1
Seventh Floor Plan	DUN-BUR_HTA-A_D01-07-DR_0108	P1
Eighth Floor Plan	DUN-BUR_HTA-A_D01-08-DR_0109	P2
Ninth Floor Plan	DUN-BUR_HTA-A_D01-09-DR_0110	P1
Tenth Floor Plan	DUN-BUR_HTA-A_D01-10-DR_0110-B	P1
Eleventh Floor Plan	DUN-BUR_HTA-A_D01-11-DR_0110-c	P1
Roof Plan	DUN-BUR_HTA-A_D01-R1-DR_0111	P1
Block Plans		
Ground and First Floor Plans Block A	DUN-BUR_HTS-A_BA-00&01_DR_0200	P3
Roof Plans Block A	DUN-BUR_HTS-A_BA-02&R1_DR_0201	P1
Basement and Ground Floor Plans Block B	DUN-BUR_HTS-A_BB-B1&00_DR_0202	P1
First and Second Floor Plans Block B	DUN-BUR_HTA-A_BB-01&02_DR_0203	P1
Third and Fourth Floor Plans Block B	DUN-BUR_HTA-A-BB-03&04_DR_0204	P1
Roof Plan Block B	DUN-BUR_HTA-A_BB-R1_DR_0204-B	P1
Ground Floor to Roof Plans Block C	DUN-BUR_HTA-A_BC-00-R1_DR_0205	P1
Ground to Fourth Floor Plans Block D	DUN-BUR_HTA-A_BD-00-04_DR_0206	P1
Fifth and Sixth Floor Plans Block D	DUN-BUR_HTA-A_BD-05&06_DR_0207	P1
Seventh Floor and Roof Plan Block D	DUN-BUR_HTA-A_BD-07&R1_DR_0208	P1
Ground to Fifth Floor Plans Block E	DUN-BUR_HTA-A_BE-00-05_DR_0209	P1
Sixth Floor to Roof Plans Block E	DUN-BUR_HTA-A_BE-06-R1_DR_0210	P1
Ground Floor Plan Block F&G	DUN-BUR_HTA-A_BF&G-00_DR_0211	P1
First Floor Plan Block F&G	DUN-BUR_HTA-A_BF&G-01_DR_0212	P2
Second to Fifth Floor Plans Block F&G	DUN-BUR_HTA-A_BF&G-02-6_DR_0214	P1
Sixth Floor Plan Block F&G	DUN-BUR_HTA-A_BF&G-06_DR_0215	P1
Seventh Floor Plan Block F&G	DUN-BUR_HTA-A_BF&G-07_DR_0216	P1
Eighth Floor Plan Block F&G	DUN-BUR_HTA-A_BF&G-08_DR_0217	P2
Roof Plan Block F&G	DUN-BUR_HTA-A_BF&G-R1_DR_0217-B	P1
Ground Floor Plan Block H&I	DUN-BUR_HTA-A_NH&I-00_DR_0218	P1
First Floor Plan Block H&I	DUN-BUR_HTA-A_BH&I-01_DR_0219	P1
Second to Sixth Floor Plans Block H&I	DUN-BUR_HTA-A_BH&I-02-6_DR_0221	P1
Seventh Floor Plan Block H&I	DUN-BUR_HTA-A_BH&I-07_DR_0222	P1
Eighth Floor Plan Block H&I	DUN-BUR_HTA-A_BH&I-08_DR_0223	P1
Ninth Floor Plan Block H&I	DUN-BUR_HTA-A_BH&I-09_DR_0224	P1
Tenth and Eleventh Floor Plans Block H&I	DUN-BUR_HTA-A_BH&I-0&11_DR_0224-B	P1
Roof Plan Block H&I	DUN-BUR_HTA-A_BH&I-1-14_DR_0225	P1
Ground to Fifth Floor Plans Block K&J	DUN-BUR_HTA-A_BJ&K-00-05_DR_0226	P1

Sixth and Seventh Floor Plans Block K&J	DUN-BUR HTA-A BJ&K-06&07 DR 0227	P1
Eighth and Ninth Floor Plans Block K&J	DUN-BUR HTA-A BJ&K-08&09 DR 0228	P2
Tenth Floor and Roof Plans Block K&J	DUN-BUR_HTA-A_BJ&K-10&R1_DR_0228-B	P1
Ground to Fifth Floor Plans Block L	DUN-BUR HTA-A BL 00-05 DR 0229	P1
Roof Plans Block L	DUN-BUR HTA-A BL-RA DR 0230	P1
Ground and First Floor Plans Block M	DUN-BUR_HTA-A_BM-00&01_DR_0231	P2
Second Floor to Roof Plans Block M	DUN-BUR HTA-A BM-02-R1 DR 0232	P1
Block Elevations		
Block A – NW, NE, SE & SW Elevations	DUN-BUR_HTA-A_BA-S1_DR_0240	P1
Block B1 & B2 NE Elevation	DUN-BUR HTA-A BB-S1 DR 0244	P1
Block B1 & B2 – SW Elevation	DUN-BUR HTA-A BB-S2 DR-0245	P1
Block B1 – SE Elevation	DUN-BUR_HTA-A_BB-S3_DR_0246	P1
Block B2 – NW Elevation	DUN-BUR HTA-A BB-S4 DR 0247	P1
Block C – NW, SE & SW Elevations	DUN-BUR HTA-A BC-S1 DR 0250	P1
Block D – NE & SE Elevations	DUN-BUR_HTA-A_BD-S1_DR_0253	P1
Block D – SW & NW Elevations	DUN-BUR HTA-A BD-S2 DR 0254	P1
Block E – NE & SE Elevations	DUN-BUR HTA-A BE-S1 DR 0257	P1
Block E – SW & NW Elevations	DUN-BUR_HTA-A_BE-S2_DR_0258	P1
Block F&G – NW Elevations	DUN-BUR HTA-A BF&G-S1 DR 0263	P1
Block F&G – N Elevation	DUN-BUR HTA-A BF&G-S2 DR 0264	P2
Block F&G – SE Elevation	DUN-BUR_HTA-A_BF&G-S3_DR_0265	P1
Block F – SW Elevation	DUN-BUR HTA-A BF-S1 DR 0262	P1
Block F – NE Elevation	DUN-BUR HTA-A BF-S2 DR 0266	P2
Block G – S Elevation	DUN-BUR_HTA-A_BG-S1_DR_0267	P1
Block G – SW Elevation	DUN-BUR HTA-A BG-S2 DR 0268	P1
Block H&I – SE Elevation	DUN-BUR HTA-A BH&I-S1 DR 0273	P1
Block H&I – NW Elevation	DUN-BUR_HTA-A_BH&I-S2_DR_0274	P1
Block H – NE & SW Elevations	DUN-BUR HTA-A BH-S1 DR 0275	P1
Block I – NE & SW Elevations	DUN-BUR HTA-A BI-S1 DR 0276	P1
Block J&K – NW Elevation	DUN-BUR_HTA-A_BJ&K-S1_DR_0280	P1
Block J&K – SE Elevation	DUN-BUR HTA-A BJ&K-S2 DR 0281	P1
Block J – SW Elevations	DUN-BUR HTA-A BJ-SQ DR 0282	P1
Block L – E Elevation	DUN-BUR_HTA-A_BL-S1_DR_0286	P1
Block L – NW & NE Elevations	DUN-BUR HTA-A BL-S2 DR 0287	P1
Block M – E, S & W Elevations	DUN-BUR HTA-A MB-S1 DR 0290	P1
Bay Elevations		
Block F – Façade Detail Elevation	DUN-BUR HTA-A BF-S3 DR 0269	P1
Block G – Façade Detail Elevation	DUN-BUR HTA-A BG-S3 DR 0270	P1
Block I – Façade Detail Elevation	DUN-BUR_HTA-A_BI-S2_DR_0277	P1
Block H – Façade Detail Elevation	DUN-BUR HTA-A BH-S2 DR 0278	P1
Block J – Façade Detail Elevation	DUN-BUR HTA-A BJ-SE DR 0283	P1
Street Elevations		
Street Elevation, East – Block M, L	DUN-BUR HTA-A SEL-DR 0130	P1
Street Elevation, Southeast – Block E, I & H	DUN-BUR HTA-A SEL-DR 0131	P1
Street Elevation, Southwest – Block F, I, J	DUN-BUR_HTA-A_SEL-DR_0132	P1
Street Elevation, Northeast – Block J, E, D	DUN-BUR HTA-A SEL-DR 0133	P1
Street Elevation, Northwest – Block G, F, D, C	DUN-BUR HTA-A SEL-DR 0134	P1
Sections		
Section AA – Blocks M, K, H, G	DUN-BUR HTA-A SAA-DR 0113	P2

Section BB – Blocks E, I, H	DUN-BUR HTA-A SBB-DR 0114	P1
Section CC – Block M	DUN-BUR HTA-A SCC-DR 0115	P1
Section DD – Blocks C, A	DUN-BUR_HTA-A_SDD_SR_0116	P1
Landscape Plans		
Public Realm GA Plan	HTA-L DR 00 0900	P2
Public Realm Illustrative Plan	HTA-L_DR_00_0905	P2
Private Amenity GA Plan	HTA-L DR ZZ 0910	P2
Private Amenity Illustrative Plan	HTA-L DR ZZ 0915	P2
Public Realm Sections – Page 1 of 2	HTA-L_DR_00_0920	P1
Public Realm Sections – Page 1 of 2	HTA-L DR 00 0921	P2
Private Amenity Sections	HTA-L DR ZZ 0925	



Ministry of Housing, Communities & Local Government

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RIGHT TO CHALLENGE THE DECISION IN THE HIGH COURT

These notes are provided for guidance only and apply only to challenges under the legislation specified. If you require further advice on making any High Court challenge, or making an application for Judicial Review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000).

The attached decision is final unless it is successfully challenged in the Courts. The Secretary of State cannot amend or interpret the decision. It may be redetermined by the Secretary of State only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

SECTION 1: PLANNING APPEALS AND CALLED-IN PLANNING APPLICATIONS

The decision may be challenged by making an application for permission to the High Court under section 288 of the Town and Country Planning Act 1990 (the TCP Act).

Challenges under Section 288 of the TCP Act

With the permission of the High Court under section 288 of the TCP Act, decisions on called-in applications under section 77 of the TCP Act (planning), appeals under section 78 (planning) may be challenged. Any person aggrieved by the decision may question the validity of the decision on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to the decision. An application for leave under this section must be made within six weeks from the day after the date of the decision.

SECTION 2: ENFORCEMENT APPEALS

Challenges under Section 289 of the TCP Act

Decisions on recovered enforcement appeals under all grounds can be challenged under section 289 of the TCP Act. To challenge the enforcement decision, permission must first be obtained from the Court. If the Court does not consider that there is an arguable case, it may refuse permission. Application for leave to make a challenge must be received by the Administrative Court within 28 days of the decision, unless the Court extends this period.

SECTION 3: AWARDS OF COSTS

A challenge to the decision on an application for an award of costs which is connected with a decision under section 77 or 78 of the TCP Act can be made under section 288 of the TCP Act if permission of the High Court is granted.

SECTION 4: INSPECTION OF DOCUMENTS

Where an inquiry or hearing has been held any person who is entitled to be notified of the decision has a statutory right to view the documents, photographs and plans listed in the appendix to the Inspector's report of the inquiry or hearing within 6 weeks of the day after the date of the decision. If you are such a person and you wish to view the documents you should get in touch with the office at the address from which the decision was issued, as shown on the letterhead on the decision letter, quoting the reference number and stating the day and time you wish to visit. At least 3 days notice should be given, if possible.

OPEN

MUNICIPAL YEAR 2022-23

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